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Dr. David Cram Helwich

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Primer: Introduction

We live in a world of words. Many students of language, including a variety of popular 'kritik' authors, believe that the world is nothing but language, that every experience, and even thought, is mediated by words. Even the most committed materialist would likely agree that the words we choose and how we use them (and vice versa) play in important role of shaping our social interactions, and even in constituting our understandings of ourselves. A shared language, a shared understanding of the world, helps bind together groups of people, from the level of friend circles all the way up to nations and supra-national organizations.

A number of words and word-use practices unite the debate community. Outside observers are often surprised at the prevalence of 'insider language' and jargon in both contest rounds and the everyday interactions of coaches and debaters. A complex counterplan theory or framework debate makes a great deal of sense to a person inculcated in the discursive norms of the debate community, but would likely appear to be gibberish to someone who is not fluent in the language of debate. These and other themes will be explored in greater detail in the paragraphs and essay that follow. For the moment, we ask you to consider the role that a single, variable sentence plays in shaping the interactions of the debate community, that of the resolution.

A resolution determines, at least in part, the content of debates. Affirmative teams are judged 'out of bounds' if their case fails to fall inside the parameters of the resolution. In many parts of the country, the resolution irrevocably divides ground between the affirmative and negative, determining whether a particular argument or position belongs to the 'aff side' or 'neg side.' Resolutonal wording often determines whether particular arguments are relevant during any given season. Resolutions also direct topic research. Students will dutifully pillage particular sections of research libraries while paying scant attention the plethora of other volumes on other shelves. Perhaps most importantly, resolutions call upon members of the community to formulate opinions about issues and public policy controversies that they might not have even considered. In sum, the resolution has a powerful role in shaping many debate practices and interactions.

Given its importance, it should not come as a surprise that the meaning of any given resolution is hotly contested in forums as varied as web-based bulletin boards, contest debate rounds, and coach's lounges. This contest over meaning typically manifests itself in a competitive context in the form of topicality arguments. This book is designed to both provide some insight on the debating of topicality and to highlight some important controversies about the meaning of this season's resolution.
Primer: The Curious Role of Language

Language plays a unique role in our world. While there is much to be said for manners and facial expressions, mode of dress and simple physical appearance, nothing defines the way that people interact more than the language they use. From language, we observe so many similarities and differences between people. Even when we speak the same language as the person we're attempting to communicate with, accurate communication is a long-shot.

Winston Churchill reminded us many times that the citizens of Britain and the USA were two peoples separated by a common language. In Texas, what we call a french fry is, in Britain, a chip. What they call a crisp is, in Texas, a chip. Food should be the universal language but, as in all things, it proves that we are different no matter how much we are alike.

Assuming we speak the same language, there are other differences to consider - regional differences in accent, colloquial interpretations, and various slang terms make it difficult for persons from Brooklyn to communicate with persons from Houston without there being some sort of confusion or misunderstanding. This is because the way we use our language is much like fashion in clothing - we wear our language in the way that is most comfortable for us and in a manner which allows us to relate to our neighbors in the most, well, neighborly manner.

The way that normal people communicate begs the question of precision - how accurate or precise must language be in order for communication to be effective? This is the ideal question to establish the context for our study of topicality - the use of words in debate. In this context, it's worth thinking about how people in the 'real' world communicate as opposed to way debaters communicate.

Of course, normal communication is distinct from debate communication in many ways. For example, normal people communicate in order to express their feelings or important messages - I'm angry with you or I love you or I need you to understand me. One other distinction of normal communication is that, lacking the time pressures of the debate format, they can engage in question and answer exchanges in order to clarify meanings or work out disagreements in the messages being conveyed. One function of this characteristic is that there is little time pressure to settle the issue 'now' - we can keep talking indefinitely - we can even postpone the completion of the conversation until another time. Debate has none of these luxuries.

We have to ask, in a general way, then how precise must language be? Outside the constraints of a debate round, individuals normally have the desire to be understood and to understand the person with whom they are engaged in conversation. The sender of the message generally has no motive to distort the communication process, such as withholding certain interpretive components in order to 'reserve' them for use later in the conversation. The sender of the message - as you'll learn in Communications 101 in college - is responsible and nearly always interested in conveying a clear message that will be interpreted in the way they intend.

Debate is not always this way - as you may have experienced in actual rounds. Debaters don't always try and communicate clearly - presuming for example that everyone knows what their message means already - they tend to cut corners and, for various reasons, withhold certain interpretive elements in order to use them later in the debate. After all, if we're understood at the end of the round, that's all that counts, right?

We also have to wonder whether, and when, confused communication is intentional. There is, on occasion, conflicted communications between generations. A young person using the words 'that's bad' might mean exactly what they say or they might mean it's 'bad' as in 'good'. The inflection, the known meaning among their peers, and the desire to create confusion with their elders are all well known, and expectable, symptoms of
communication conflicts. Politics also creates distinctions in meaning and language. Liberty, when used by a conservative, might mean a lack of governmental interference in their action whereas a liberal interprets the very same word to mean that government dicta requires a certain action.

These are just two examples of a seemingly endless series of conflicts in language - the lack of clear interpretive meaning of words and phrases that keep us from being able to effectively convey a message of any type. These two elements - age and politics - have dire impacts on debate communication. A freshman debater trying to communicate freely with a 50-year-old debate coach might have trouble. A conservative student debater debating in front of a 'old-hippie' debate coach might have similar trouble. This is not a pedestrian experience - quite the opposite. This is core of communication - knowing what words mean to different people and learning how to have a meeting of two (or more) very different minds.

In the process of seeking completely clear pictures of what the resolution means, debaters seem to experience greater conflict in communication that those in the real world - simply because we are dedicated to 'winning' our interpretation in order to, with topicality at issue, win the debate.

It's a simple truth that normal people communicate differently than field experts. In this regard, as we continue with our mission of dealing with debates about words - the two great questions will be: to what degree is precision required for effective communication of meaning?; and how do we balance the value of precision with need for effective communication?

In the process we take normal language, the way we view words on an everyday basis, and supplant them with field language - the way these words are used by experts. In theory anyway, the meaning of the word 'establish' or 'policy' may be unique to fields in which the debate occurs - whether it be ocean policy or foreign policy or welfare policy. When we see these words used in unique ways in the field in which the debate occurs, we take their meaning to be directly applicable to debate.

In the process of the discussion that follows, we'll address the direct application of language rules in debate. We'll attempt to isolate strategic models that debaters use to advance arguments based on the meanings of words and phrases and will delineate the way normal people discuss from the way debaters discuss. In my view, the main difference is that normal people genuinely wish to understand each other whereas debaters, because of the win at stake, prefer to force others to accept their interpretation of the words (i.e. the resolution) at their own expense. In this way, preferring to disregard the understanding that your opponent has is a unique way of trying to advance quality communication. Each team prefers to be the guardian of the language - the voice of reason - and the most accurate interpreter of the language.

Sadly, again because of the nature of debate, the decision on topicality is often times not a matter of 'accepting the best story' but simply resorting to the narrowest interpretation. Since debaters rarely meet in the middle of the political spectrum on issues such as disarmament, realism, and the like, it seems appropriate that we should analyze words in this manner. Moderation has never held a respected place in our activity - topicality is well in line with this tradition.
Primer: Words in Debate--The Rules of Definition

Topicality, defined, is simply the 'extent to which the affirmative plan falls within the bounds of the resolution'. I use this rudimentary definition because, in addition to the fact that it's easily understood, it also reflects several key theoretical elements that are directly relevant to the functional role of topicality in debate.

First, topicality requires that there be limits on what the affirmative may mandate in the plan. Though the topic is broadly worded, it's traditionally the case that the affirmative picks an example of the resolution for their 'case'. The reasons for this practice are numerous - but really it boils down to the fact that we can't debate the entire resolution - and all of the examples of the resolution - in a single debate. There just isn't enough time to debate the entire resolution in any sort of detail.

An affirmative will normally put the wording of the resolution in the plan. This is a wise strategy because, as it's often argued, the resolution itself cannot be not topical. The problem, naturally, comes with the specific mandates of the example that the affirmative selects. This means that there is some character of the specific case that falls reasonably or arguably outside the fair bounds of the resolution.

It's worth noting here that it is not necessary that the advantages of the case be topical as long as they emerge from topical mandates. It's common for inexperienced debaters to point to advantages that seem unrelated to the topic at hand and argue that this is evidence that the case itself is not topical. This is a mistake. The further along you go in debate, and the more creative debaters you encounter, the more extravagant examples you will witness of advantages that are extremely unrelated to the topic on face but are directly related to the mandates in the plan (which are apparently topical). If the mandates are topical, and the advantages fairly emerge from those mandates, then the affirmative is on solid ground.

- WHY THE RULES?

It's not uncommon for a young debater to wonder why topicality is a rule - why it is necessary for case to be topical on measure. The reasons are varied. I'll mention a couple predispositions here.

First, the resolution is the only thing that ties debaters from different places together. It's an agreement that is reached to define common ground for debate. Given the fact that we must have limits on all debates - a requisite of a competitive activity - we must limit the focus of the debate somehow in order to satisfy this time pressure and, as mentioned above, gain some degree of accuracy in the discussions in which we engage.

Lacking these parameters, we would have endless discussions without any real point - nothing to prove and no measure of who had won the debate. In this regard, a topic focuses discussion and places a measure on who would have done, by tradition, the 'better debating'.

Second, we have to have a way to communicate to all the parties who will be involved in debate the meaning of the topic (so we know what we're going to talk about) and some sort of definition of the subject matter on which debaters should prepare. Research burdens, meaning what we have to research and who defends what side of each respective resolution, are necessarily defined in order to allow debate to occur.

Lacking these parameters, we would never know what to research and what side of the topic would be affirmative and negative. The agreement made on the topic is essentially a 'contract' of a sort. It's an agreement that we all prepare on the same topic and show up ready to debate that topic.
This contract really allows debate to happen - without it we would be, as many clever debaters depict, two ships passing in the night. We might both be running arguments that are true but we wouldn't be debating the same issue. In this way, then, the contractual agreement about debating the same topic ensures there is adequate clash between the two teams in the debate.

- GROWTH OF TOPICALITY INTO STOCK ISSUE

Given this wisdom, topicality became the first, the way we call it, 'stock issue'. It is the first standard which the affirmative plan must meet in order for the debate to proceed. If the affirmative plan is simply not topical, then their arguments cannot be 'prima facia' (on its face) arguments for the truth of the resolution. Lacking a prima facia argument, the affirmative will have failed to meet its burden to prove the resolution true and a judge listening to the debate would have no reason to adopt the resolution in competition with the current system (i.e. the status quo).

Suppose, when debating a criminal justice policy resolution, the affirmative team chose to run a case that banned the designated hitter in professional baseball. On face, this case is simply not within the bounds of the resolution. It has not spoken to the truth of the resolution and has not mandated a change in the status quo that is within the bounds of the contract that we made with each other - to debate criminal justice policy.

This truth is clear aside from the fact that the designated hitter may be a bad idea for baseball, or even that banning the designated hitter would render advantages. Those elements are really aside from the topic at hand and, at all levels, violates what we know to be the fair bounds of the resolution.

In rendering this an unfair example of the resolution, we don't pass judgment on the merits of the argument. We simply decide that the case by the affirmative is not an example of the resolution and cannot, in our situation, be considered evidence of the broader truth of the resolution. After all, that's what we're here to debate right?

Topicality is also considered one of the basic rules of debate. It has been, for many years, one of the few rules of the collegiate National Debate Tournament. Though there are always those trying to test the bounds of the resolution - running the tiny cases on the edge of the topic (popularly known as squirrels), it's becoming less and less possible for teams to win with cases like this. They simply encourage bad debate. That's enough for most judges to vote against a case which is just over the border.

- BALANCED ROLE OF TOPICALITY

Since debate is about persuasion, there is some flexibility when debating topicality. It is not an open and shut case of the negative team running the argument and the debate being terminated. Each team is allowed the chance to advance their position and persuade the judge to subscribe to their view. Since nearly all judges are coaches in one aspect or another, they have an incentive to focus the work they (and their teams) have to do by securing a fair and reasonable view of topicality. Lacking this, as I said above, the work load involved in researching every argument on every topic every year would make debate - literally - impossible. The limit is what allows debate to happen - it is what makes preparation possible.

Proper enforcement of topicality is simple - a judge which is persuaded a case is not topical will simply vote against it on those grounds. It is also possible that a judge may simply give the affirmative team lower speaker points instead of voting against them. This is usually the case when the negative team does not prevail on the debate of topicality during the round but, nonetheless, the judges express their displeasure at having to hear what they consider to be a not topical case.
My personal view of topicality is simple. I will repeat it here because it's a component of my pre-round declaration - the words I give to each debater I judge before the round. Whether you know me or not as a judge, it's one of the important issues I believe each team need to understand - especially my perspective in order to plan how to properly debate in front of me. I say:

"I believe topicality is a voting issue - I will not entertain arguments to the contrary. I believe a negative team which seeks to win topicality must aggressively debate it with care. I will almost never vote on a one-liner topicality argument run as an afterthought."

Why do I say: 'I believe topicality is a voting issue - I will not entertain arguments to the contrary'? It is always a voter to me. I say this because there are actually teams that will argue that topicality is not a voting issue. I actually include a block in the theory section of this document that numerates arguments made in this regard. I have to say that, while I have a genuine belief that everything is debatable, this is one notable exception where I think the rule is simply not flexible. I believe that topicality is a voting issue and I, when judging debates, choose not to hear arguments to the contrary.

One of the reasons I make this known is that I don't want the affirmative to waste their time making arguments which I will never seriously regard. I figure it's a favor to them to make this known up front so they can concentrate on other rich areas for argument. Oddly enough, there are some teams - even after having heard my warning - who still choose to make these arguments. I just roll my eyes and stop flowing the debate - waiting for the next argument of substance to begin flowing again. A debater which makes that kind of error will likely not get very good speaker points. With all judges, don't force feed them arguments which they view with disdain.

Why do I say: 'I believe a negative team which seeks to win topicality must aggressively debate it with care'? I say this because many negative teams attempt to keep as many arguments going as possible and, in the process, extend topicality arguments in a cursory - even disrespectful - manner. Because topicality is an 'all-or-nothing' issue for the affirmative - meaning that if they lose it they will lose - I expect a committed level of argumentation from the negative in order to prevail. The meaning of 'committed argumentation' varies from round to round - it means at least that I won't tend to vote on a cursory extension of the position. On the contrary, cursory extension of the position is unlikely to persuade me that the negative team is serious enough about the position to warrant my attention.

This does not mean that I will disregard any good argument without reason - simply that, in the many debates that I've participated in as a debater, and observed as a judge and coach, it appears unlikely to me that a negative will prevail without taking time to extend it carefully and completely. If they are not committed, they cannot expect the judge to be committed.

- ALTERNATE JUDGE VIEWS

My personal view of topicality is not the only one - quite the contrary. There are a number of perspectives that judges exhibit in the course of debates in which you'll be involved.

Some judges feel that topicality is not a voting issue at all - that any case which is run - outside only the most extreme and abusive examples - is fair ground for debate. Though few judges fall into this category, it is not uncommon to observe a judge which cannot be persuaded to vote on topicality no matter how correctly it is advanced and how correct the position may be. The only rational explanation for such behavior - outside of pure bias - is that they simply refuse to vote on topicality.
Some judges that fall into this category are known to express the view that topicality - no matter how important it is in theoretical terms - is the lazy debater's way out. They feel the purpose of debate is to debate the topic at hand and, unless forced into a corner where no other argument applies, debaters should resist advancing topicality positions. They prefer to regard topicality as something that they would never run - so neither should anyone who is debating in front of them. So much for objectivity.

Some judges believe that notice is enough to prove that a case which might be arguably not topical is reasonable grounds for debate. This means that if a case is being run by enough teams, the judge can reasonably consider that you've been notified that the case is fair ground on the topic. If this is the case, you should have had time to prepare on the argument. If the purpose of the topic is to ensure adequate preparation, then the notice standard is sometimes enough to persuade a judge that a case should not be rejected simply on the grounds of topicality. These judges view topicality as a semantics game designed to exclude cases which, by all other fair rules, would be allowed in the debate. If fair cases are excluded, they feel the core purpose of topicality is being abused.

On the other side of the spectrum altogether is what we call - affectionately - the 'topicality hack'. This judge seems to have a predisposition to voting on topicality. On occasion, it seems that they're reacting to the case at hand - given the opportunity to vote against a case which they 'personally' regard as somewhat abusive, they'll do so without hesitation. Further, this may be a person who wasn't given the chance to win many topicality arguments when they were debating. Whatever the reason, these judges gain the reputation for the inclination to vote on topicality and affirmative teams should take this reputation seriously when they answer the argument.

Nearly all judges fall somewhere between the two extremes - neither a topicality resister nor a topicality hack. They tend to adjudicate topicality arguments on their merits - viewing them as merely 'one more argument' and the procedural aspects of the position as merely one of the myriad of positions which we encounter in debate on a regular basis. No argument is more or less important than any other.
Primer: Types of Topicality Arguments

There are various ways to argue topicality. In this volume, I'm going to orient you to the most successful and well-known strategies. Though I cannot introduce you to every single argument on every topic - mostly because it's not possible - I'll explain the basic models and encourage you to think creatively about how to adapt them for your own purposes.

- NON-TOPICALITY

The most popular class of topicality argument is non-topicality. Here, the negative argues that the affirmative plan is not consistent with one or more terms in the resolution. The simplest example is the word 'establish' - which is generally viewed as meaning 'create anew'. An affirmative plan which simply extends a status quo policy does not, as the argument goes, establish a policy because they do not create anything anew. They simply expand the scope of an existing policy.

The clever negative debater will argue in this context that the negative is privileged with defending the status quo and that the affirmative, by expanding on an already existing policy, encroaches on this negative privilege. When the affirmative does this, they assume control of the current system and the resolutional system. The key here is that the negative team not only explains the violation but continues to explain why this violation is unfair to the negative team - it distorts the debate process by putting the affirmative in control of both sides of the resolution. That's unfair.

Remember - the very best negative arguments explain not only the violation but also the implications of the violation in debate. A violation which has impacts beyond simply being not topical is greatly more persuasive than a simple violation. This is one way you can convince even unwilling judges to be receptive to a topicality argument.

An affirmative may answer such a position in a number of ways. First, they may counter-define the term - arguing that, in this situation, establish means 'create a new degree'. Second, they can argue that they meet the negative standard. In this regard, the inherency evidence in the first affirmative constructive may serve to delineate the distinction between the status quo (the defective system) and the resolutional system (which the affirmative established with the use of the plan). Third, they can argue that the interpretation of the word in this manner is a standard which cannot be met. Since all sorts of policies exist in all sorts of forms, it might not be realistic to require any affirmative team to create something completely new.

The importance of this example is that it shows the core characteristics of the topicality argument in debate. First, it shows that this type of argument is one of interpretation. If a debater on either side can interpret any of the definitions which they can access to their advantage, they'll do well when debating all examples of this argument. Second, it shows that topicality is not merely about meeting or violating a particular term - it's much more about the implications of meeting or failing to meet this term within the bounds of the debate. If allowing the violation of a term causes some imbalance in the debate - some unfairness to either team - then it has greater meaning in the course of the debate.

- EXTRA TOPICALITY

One unique type of topicality argument is extra-topicality - literally meaning 'outside of the topic'. Recall that I said that the focus of the topicality debate is on the plan - the resolution is what defines (and limits) the contents of the plan. The resolution also defines the jurisdiction of the judge - the judge can adopt only mandates which are fairly within the bounds of the resolution.
The typical way in which this violation occurs is when the affirmative includes something that it outside the bounds of the resolution in the mandates of their plan. For example, suppose we were debating an educational reform topic and the affirmative case at hand is a driver's education policy. If the resolution only allows education reform, a case which mandates, in addition to the driver's education class, changes to state and federal laws to allow only those who have reached the age 18 to be able to drive a vehicle, then this mandate would be extra-topical. It would be outside the bounds of the resolution which did not, for example, say that we should change transportation laws.

An affirmative might include an extra-topical mandate for two reasons - to spike out a disadvantage (to show that a particular disadvantage is not intrinsic to the resolution) - or to spike out a particular kind of solvency argument (to show that solvency for the mandates could be achieved through non topical means). A negative team would argue that inclusion of such a mandate exceeds the judge's jurisdiction which, by definition, is limited to the bounds of the resolution.

What happens if an negative wins the argument? There are two choices. First, the affirmative could choose to sever the extra-topical portion of the plan mandates and argue that the judge should adopt the topical portions that remain. As long as there is an advantage that remains from the topical mandates, this is a reasonable argument. In this situation, the affirmative could still prevail in the debate. Second, the negative team could argue that such a severance is unfair - that it makes the plan a 'moving target'. They'd argue that anything which fundamentally changes the plan from the way it was presented at the beginning of the round is unfair to the negative team which, by this time, would have spent at least some of its speech time. In the case where the constructives have been completed (the severance happens in the 1AR), the negative would be prevented by convention from advancing new arguments. If the plan has changed, and no new arguments are allowed, the balance of the debate has tilted to the affirmative. That's clearly an unfair turn of events.

It is highly unusual for an affirmative team to intentionally include mandates which they know to be extra-topical. For that reason, it's important for negative debaters to anticipate how the affirmative may defend these mandates as topical before you advance the argument. Pre-empting any answers that could be made by the affirmative are helpful in this regard as it moves the argument forward more quickly and allows the extension in the negative block to be more complete.

- EFFECTS TOPICALITY

The last class of common topicality argument is effects topicality - the idea that the affirmative is topical by effects and that the plan is not topical on face (prima facia). You might recall from earlier in this essay that I said that topicality is really a function of the plan - the question is whether the mandates of the plan are within the bounds of the resolution.

Effects topicality requires us to look to solvency - or advantages - in order to determine whether the case is topical. The wise negative debater will argue that there are two problems with this. First, it allows extraneous and almost ridiculous mandates to be included in the plan - mandates that have nearly no relation to the topic itself. Second, it requires the merging of two 'stock' issues - solvency and topicality - in order to determine whether the case is topical. This allows the affirmative to greatly - unreasonably - extend their authority to install mandates.

For example, if we were debating protection of marine natural resources, an affirmative which mandated by law that we cease use of fossil fuels would be effects topical. Their argument would run something like this - we do a great deal of damage to the marine environment because we go there seeking to engage in exploration for fossil
fuels. Banning use of fossil fuels would eliminate the motive to do this damage and, thus, protect marine natural resources.

In this situation, we'd have to look at solvency to see that banning such use of fossil fuels would indeed eliminate the motive to engage in exploration. It could be argued by a wise negative debater that we would still explore in order to provide fossil fuels to other nations (which the topic does not allow us to control by mandate). In any case, the mandates of the plan are not topical on face - the topicality of the plan is probabilistic. More than one step is required to decide whether the plan is topical.

A wise negative debater would argue that the extra step is unfair, that it unlimits the topic, and that the only mandates which the judge can adopt are those which are topical in and of themselves. All affirmative debaters should be aware of this problem and, when composing the plan, be sure that their mandates include only the topic itself and not anything that requires additional evidence of effects in order to prove that they comply with the topic.
Primer: Negative View of Topicality

- WHAT IS THE POINT?

Negative teams run topicality for one reason - as with all arguments - so they can win. While that is the main objective of advancing the argument, there are other reasons as well.

One of the main strategies involved in running topicality is to exact a time tradeoff - to get the affirmative to spend more time answering the argument than you spend advancing the argument in the first place. This is relatively easy in the transition from the 1NC to the 2AC. After all, a first negative may advance the argument in 20-30 seconds while the 2AC may have to spend 40 seconds or more to answer it completely.

This advantage becomes more clear as you advance the argument through the negative block. If, for example, a 1NR extended a topicality argument for 90 seconds, they might be able to absorb 45-60 seconds of the 1AR. Given the balance of the 1AR that remains to cover the rest of the 1NR arguments and the entire 2NC, the advantage for the negative team becomes clear. The affirmative 'has' to cover the topicality argument completely or they risk losing the debate. In this situation, the negative prefers to puts as much pressure on the 1AR as possible in order to greatly enhance their chances of winning one of the other arguments in the debate.

This doesn't mean that they'll necessarily 'not' extend topicality in the 2NR - that's always a choice. But, any good tradeoff greatly increases their options for what to extend to the end of the debate.

Beyond the pragmatic reasoning, there are impacted arguments that the negative should preserve in order to maximize the persuasive value of their positions - as far as the judge is concerned at any rate. In my experience, there is one impact line that is best. Defending narrow ground allows a good negative debater to argue that depth of coverage of the topic is greatly enhanced with the smallest total amount of topic ground. In this regard, any rule which limits the total size of the topic will achieve greater education.

- HOW TO RUN TOPICALITY

The construction of the 1NC topicality shell is a pretty straightforward process. For our purposes here, I'm going to concentrate on the most common topicality argument - non-topicality.

The shell of the argument has three components. First, you advance the standards for definition - concentrating on the type or style of definition you're using for the argument. For example, if you're reading field contextual definitions, you'd argue that these definitions are the standard by which topicality should be measured. Other standards - better definition and best definition among them - are exhibited in the theory blocks that appear later in this edition.

Second, you explain the violation that the affirmative exhibits. You should include as much specific detail as possible here - perhaps quoting specific phraseology from the plan if that's appropriate.

Third, you would argue that topicality is a voting issue. This is the impact of the argument in that, if you win the argument, you want the judge to vote negative on these grounds alone.

Taken together, these elements exhibit the perfect advancement of the topicality argument. Using the standards for definitions, you isolate which definitions are acceptable for purposes of this argument. Applying this standard, you isolate the way in which the affirmative falls outside the definitional bounds of the topic. Finally, and this is
the good part, the impact of the argument is that if the negative prevails the judge must vote against the affirmative.

It's a simple model - you can tinker with it if you like but, trust me on this one, I've seen many versions and this one is by far the most popular and effective of all.

- EXTENDING IN THE BLOCK

It's important to decide ahead of time how and where to extend topicality. There are many reasons you might choose the 2NC or the 1NR for extending topicality in the block. I'll review the best ones here.

You might decide to extend topicality in the 2NC if, forgive me, you're flat out getting beat on everything else on the plan side of the debate. In this situation, the second negative speaker would choose to shift gears from the other plan arguments in the debate - the ones that are now no longer among the living - to take up the cause of topicality as the core of their position in the debate. This is not unheard of - actually it's quite common to find that your grand plans for the arguments you had your partner present in the 1NC go belly up.

You might choose to extend topicality in the 2NC if, again please forgive me, the answers in the 2AC were awful. This is not extremely common but it is possible. Suppose the affirmative team - for some reason - misunderstood the argument and made the wrong answers. This would be a perfect time to extend the argument in the 2NC - to bring maximum attention to the fact that the affirmative had mishandled the argument.

Extending the argument in the 1NR is the traditional procedure. There are many reasons for this. First, there's just so much preparation time allowed in this context. From the end of the 2AC until the beginning of the 1NR - assuming zero preparation time is spent and all speech time is used - there is at least 14 minutes of time for the 1NR to prepare the extensions on this position. Given the thought intrinsic to these extensions, this extra time adds a great deal of depth to the way you can extend the position. Putting a great deal of pressure on the 1AR is relatively easy in this context. Even if you have other duties in the debate - including cross examination, helping your partner prepare for the 2NC, and even back-flowing during the 2NC - this extra time will allow you to meditate in a manner that will allow you to extend topicality with thought and confidence. It's for these reasons that I recall the vast majority of the finest extensions of topicality throughout my time in debate to have been in the 1NR.

But, there are risks of extending in the 1NR as well. First, it puts the 2NC at a disadvantage because, since they don't normally extend the argument, they may not be intimately familiar with the line-by-line when it comes time to pick the argument up for the 2NR. Second, it reduces the 'all important issue' aspect of the position - since, when we extend in the 1NR, there is some reduction of the perception that the negative team is committed to winning on topicality. If the 2NC extends a couple disadvantages and, perhaps, a counterplan, it's much less certain that we should win on topicality because we're 100% committed to the position.

Then, of course, when you extend in the 2NC, you don't get all the extra 'thinking time' you're allowed when you choose to extend in the 1NR. The tradeoff is good for the affirmative team as they get a great deal more time to prepare their 1AR answers than when the argument is extended in the 1NR.

Ultimately, it's a question of balance - weighing the advantages of extending in one speech or the other. As with so many things in debate, it's a judgment call that you have to make based on the process of the particular debate, the talents and sentiments of the debaters, and your estimation of the way the judge views the debate. This
calculus will never be the same in two different debates - making sure you know all of the factors that impact the decision will best prepare you to make the call when the time comes.

- SUMMARIZING THE BEST POSITION - THE 2NR STORY

The choice to extend topicality in the 2NR is composed of several considerations. As I said before, it's somewhat a question of what you have going in the debate and how good a chance you think you have to win given the global view of your positions. I like to think of the 2NR less as a matter of the line-by-line topicality debate and more a matter of telling the best story. As all good last speakers will tell you, whether on the affirmative or negative, weaving the course of the debate - which is usually a mass of individual arguments - into a single comprehensive picture that the judge can easily comprehend and, more importantly, subscribe to is 'the' key to winning debates.

This skill is one that is effective no matter what level of debate you compete in and regardless of the experience level of your judge. It's the ability to create a compelling vision that motivates a judge to vote with you. Of course, since the 2NR is not the last speech in the debate, it comes with some special burdens that you have to welcome. For example, you have to anticipate and carefully - charismatically - preempt many of the best arguments that will be made by the 2AR. You get some important clues, as I'll explain below, by watching which arguments the 1AR chooses to extend. Since these are the only answers left in the debate for the affirmative, you should carefully look at the implications of these arguments to be sure you've covered all the bases.

Experience and intuition will help you anticipate many of the natural extensions. You should carefully prepare for individual teams as you learn their predispositions. As in the wild kingdom, where all animals prefer their favorite prey for dinner, the 2AR will tend to go for the same answers time and time again. Be ready for them and answer them ahead of time. This will put more pressure on the 2AR to make arguments that are not - in the course of the debate - unanswered and to persuade a judge who has already been primed on 'your' view of these positions.
Primer: Negative Topicality Tactics

- BEST NEGATIVE STRATEGIES

Time tested negative strategies for winning debates haven't changed much in the last 25 years. They are well known and exhibited by all successful debaters. In many ways, these are lessons that will help you win with any arguments but they are especially important when it comes to debating topicality.

First, know your judges and their predispositions. Allowing your judges to teach you after every round, and with every decision they render for or against you, will be the best guide as to when and how to run topicality. Second, make careful decisions about when to run topicality in the first place. For me, it was part of my habit to run topicality every round. I always thought that it was like an obstacle course that I set up - in order to see if the affirmative would stumble. When they did, I would be there to push them down and take the ballot on this count. If you only run topicality when you intend to try and win it, be careful about what cases you run it against and how you pick the violation/s to run. It goes without saying, of course, that running the violations which best fit the case makes sense.

Third, if you're like me, you can always use topicality as a way to enhance the time tradeoff in any one debate. Forcing a 2AC to spend time answering the argument will usually get a 1:1 tradeoff - that's okay given the fact that the 2NC may feel it a good deal when there's less time left to answer the other arguments left in the debate. The time tradeoff gets more valuable in the 1AR - where even an investment of 30 seconds may put so much pressure on their need to cover other arguments that they are inevitably going to undercover another argument. They cannot afford to make an error on topicality so your job, when you put the pressure on, is to be sure you know where they make the error. Then, naturally, you should go for that argument.

Finally, no matter how your judge views topicality, if you choose to extend the argument in the 2NR, you should extend it with confidence and enough time to amply persuade the judge. This is almost never the case when you devote 30 seconds to it in the last rebuttal. In my opinion, you should spend at least half of the 2NR - perhaps even the whole speech - if you expect to win the argument with confidence. If you waste a few seconds with a cursory extension, the judge will likely not be persuaded and you will have wasted your time. You will surely not win the debate and, worse, any time you invest will discount the time advantage you gained earlier in the debate.

Every 2NR know this - don't extend topicality to the end of the debate unless you do it seriously. Do it right or drop it on the curb with the rest of the garbage.

- BEATING THE BEST AFFIRMATIVE STRATEGIES

I'll talk more about the best affirmative strategies for beating topicality below. You should read these comments in light of what I say down there. First, know the case and - most importantly - read the plan very carefully before you decide which topicality positions to run. This is necessary even if you've seen this team and their case before - plans tend to change from round to round (especially when you're debating against well coached teams).

Second, don't be deterred by confident answers. At the upper levels of debate, nearly all debaters can answer every argument with confidence - sounding at least as if they're right about everything they say. Try to ignore this and concentrate on the content of their answers. When a judge evaluates the debate, they will see only the answers on their flow. They will not hear the confidence when they look at the flow. Also, you can match whatever confidence you hear from the 2AC - there's no reason why your knowledge of the case cannot match their's - especially if you've debated the case before.
Third, spend adequate time preparing blocks for topicality the way you would for any other argument. I like to block the answers individually - pre-flowing them with those tiny post-it notes - so I can resort my answers when they rewrite their 2AC blocks. All good teams will rewrite their blocks regularly and will change the order of the 2AC answers in the process - moving targets are harder to hit. Individually blocked answers will ease the process of preparing in actual debates.

Fourth, look carefully at areas where the affirmative over-covers or under-covers. When they over-cover - spending more time on an argument than is merited, you might find it wise to simply take the time tradeoff and run - give them the argument in return for the time they wasted covering it. If it takes you 35 seconds to advance the argument in the 1NC and they read 40 answers, you've won the time tradeoff battle - drop the argument and make hay on other positions.

On the other hand, if they under-cover a position, hammer them to the wall. Make sure to remind the judge that, since the position hasn't changed, there should be no new answers allowed in the 1AR. That would be unfair. Effectively extending an argument this way will put an enormous amount of pressure on the affirmative - they tend to distort their time coverage in this case. They'll sometimes attempt to make up for previous sins by overcovering - overexplaining - topicality answers in later speeches. When they do so, they may undercover other arguments. Be aware - watch carefully - make the best choices. Using topicality in this way can help you win this argument or help you win other positions. No matter how you do it, a win is a win.

Finally, as I said above, be aware that affirmative positions become a great deal more creative in the 2AR. Final rebuttalists have a marvelous way of explaining positions that were never clear before in the debate. Anything you can do to anticipate these explanations - preempting them when possible - is strategically smart. The worst experience in a debate is watching things change after you're done and having to watch the judge eat it all up. Prevention is the best tactic in this regard.

- BEST ARGUMENTS TO WIN

There are several linchpin arguments that persuade more judges than others. In my experience, most judges are inclined to vote negative on topicality if they feel that the case at hand does something to harm debate. Though the horizon of impacts is as broad as your creativity, there are three basic ways to advance the impact of this argument.

First, you can argue that this case sets a bad precedent - accepting this case will encourage other teams to test the edge of the topic. The result would be a flurry of marginally topical cases. The result of this trend is that the core of the topic is ignored in favor of fringe elements that are a great deal less relevant and deliver less quality education than the middle of the topic. Second, you can argue that this is an unfair extension of the ground of the topic. As the negative team, we rely on a common understanding of the topic in order to be sure that we have adequate notice of what cases need to be researched prior to participating in debates. Any case which stretches the bounds of the topic in an unreasonable manner would put us at a research disadvantage. The only way we can have a meeting of the minds is for there to be a common understanding of what the topic means. An unfair extension of the topic in this manner elects to distort that agreement in order to gain an advantage in the debate. That's antithetical to the whole purpose of debate.

Finally, you can argue that the affirmative approach distorts the language. Since debate is essentially an oral activity, we rely on precise and well accepted language in order to allow the activity to proceed. Lacking a common understanding of the words we use - especially the words in the resolution - the ability to communicate is eviscerated. Anything which marginalizes the words we use - taking accepted meanings and forcing them into a
place they were not intended to fit - distorts the language, impedes our ability to communicate, and ruins debate. Most any judge will vote for that impact.
Primer: Affirmative View of Topicality

- WHAT IS THE POINT?

I'll be honest and say that the first real point of affirmative debate of topicality is to avoid defeat. This is my view because, in many ways, negative teams that advance these arguments aren't doing so because the case is a bad choice - they do it simply because they want to look for a chance to win. I can't blame them for that.

I've always thought it's most intelligent - and I've advised the teams I've worked with on this - to choose a case which is fully and defensibly topical. Try to avoid the edge of the topic unless absolutely necessary. That means don't get to extreme. Of course, you can be creative and you can get close to the edge if the case is particularly good or interesting. Suffice to say, you will lose if you pick a case which is not reasonably within the topic. You can always come up with some strange twisted version of the words in the topic that can justify some extreme cases - but these cases are not always good for debate. Try to be objective when making these choices.

Another of your objectives when debating topicality is to avoid a timing disaster. Watch carefully when the 1NC presents their positions to see how they distribute time. A polished 2AC should be able to answer topicality in approximately the time it took the 1NC to present the position. Any extra time should be expended only with great caution.

I think it's important to focus on the affirmative view of the issue when answering topicality. While the negative will put a premium on narrow ground - to increase depth of coverage - you should place a premium on a broad topic for the widest variety of lessons to be covered during the course of the debate season. Every time the negative argues that small topics are good, you should answer with broad education is superior. This is a core conflict when debating topicality.

- HOW TO ANSWER TOPICALITY

Topicality answers are always a somewhat personal process - that means that if you get a bunch of workshop blocks with topicality answers you should never use them - never - without rewriting them for your purposes. Even if they're for your specific case, you should be careful to make sure you understand and value every argument so that you make the best answers and don't want any precious time.

There are several key answers you need to make when answering topicality. First, you can argue 'we meet their definition'. Second, you can argue 'their definition is defective' (i.e. bad for debate). Third, you can counter-define - arguing that 'our definition is superior'. Fourth, you can argue that the case is reasonably topical - you can demonstrate this by referring to the evidence in the 1AC as an indication that the experts who write on the topic feel that it is part of the core controversy, that many other teams are running the topic (we call this argument 'fair notice'), and even arguing that the team on the negative (or other teams on their squad) runs this exact case.

Nearly every topicality answer is a version of these four forms in one way or another. If you construct blocks to each violation composed of several line positions of each form, you can easily construct a series of answers at least 12 or so in number. I like to see at least this number of answers when possible in order to provide some deterrent effect for the negative team extending the position. If you answer topicality with only, for example, four short answers, they need to be 'really' great answers or you will lose. Even when they are great, you will probably lose.

Further, I like to see numerous answers to give you the chance to choose among those least well answered by the negative team for extension in the 1AR. Since time is at a premium in the 1AR, and there are doubtless many
other arguments to cover, you have to choose only the best answers, address the negative extension answers quickly and efficiently, and put your partner in the best position to debate the argument if the negative extends it through to the 2NR.

While the 1AR gets to choose many of the key mechanical aspects of the speech, I like to see the 2A speaker choose which topicality answers to extend in the 1AR. This is true because they answered the argument in the first place and because, if it gets extended, they'll have to beat it in order to have a chance to prevail in the debate. This doesn't require that the 2A prep all the answers for the 1AR - they can simply put an 'X' next to the answers they like best as the 1AR is prepping for the speech. This is an efficient way to get the message across without spending (i.e. wasting) a lot of time talking about it. This is one key component of effective teamwork.

I think it's important to avoid new answers in the rebuttals unless the position advanced by the negative team changes or evolves. Pay close attention as the argument is extended to be sure it doesn't change - if it does make sure to point this out and make new arguments only against the new part of the position. Of course, as always, I like to make sure that you avoid timing disasters - don't spend too much time answering the argument in the 1AR. There are other arguments to answer and the negative is hoping you'll make an error.

Summarizing the affirmative position in the 2AR is, as on the negative, a function of 'telling the story'. Since you get to finish the debate, you have several luxuries - [1] you know exactly how many arguments need to be answered so you can allocate your speech time with ease, [2] you know the final position of the negative and you can extend your remaining answers (i.e. the answers your partner extended in the 1AR) with maximum clarity, [3] you can take maximum advantage of the maxim that 'we remember best what we heard last'. I've seen many great topicality arguments extended by great debaters fade into smoke when a good 2AR 'does her thing' - there's nothing like a confident 2AR beating a topicality position to a pulp.

The late network news broadcaster David Bloom - a former debater at Claremont College in California - was a marvelously effective debater in this regard. His brilliant partner was a slow speaker and was usually able to extend only a few answers in the 1AR - David would explode these remaining answers into unavoidably persuasive positions. Many great 2NR's would cringe knowing they had no speech time left to beat David's brilliant story. They just had to sit there and watch. It was beautiful.
**Primer: Affirmative Topicality Tactics**

- BEST AFFIRMATIVE STRATEGIES

The first and best way to deal with possible topicality threats is to know your case completely and to compose the plan with care. When you examine the 1AC evidence, you should make note of any contextual references to the appropriate inclusion of the case you run within the bounds of the topic. Even the smallest reference can increase the strength of your position in this regard.

Many of these references make the best 2AC topicality answers. After all, if the experts writing on the topic behave in a manner which indicates the case is fairly part of the topic, then any negative arguments should be viewed with less regard. Unless the negative has similar contextual evidence - the strongest evidence for negative topicality positions - they'll have a difficult time persuading the judge that your evidence has no credibility.

When it comes to writing your plan, there are several details to remember. I always like to include the topic in the plan - the exact words of the resolution are always the most topical mandate. Any specific mandate you include should be clear, brief, and to the point. No extra language should surround it and you should never - never - include extra mandates designed to preempt disadvantage arguments unless they are directly and discretely connected to your plan mandates.

When you follow these suggestions, you can answer topicality with the greatest level of confidence - almost hysterical disbelief in the position - acting and believing that your case is topical. Attitude matters more than with any other argument in that topicality is less about evidence - though evidence 'does' matter - and more about persuasion. Belief in your position is the first step to persuading others that your interpretation is correct. Answer the argument and any questions about the position with confidence.

I also believe it's important to carefully prepare - and re-prepare when necessary - your answer to all varieties of topicality arguments. This is important to help you be sure that you're making the best answers whenever you face an argument. It's also important to remain a 'moving target' whenever possible. Anytime you use the same block over and over when facing the same argument will greatly reduce your ability to compete against a team that runs the argument against you. Rest assured the negative teams will be watching the answers you make, will remember them (perhaps with the original flow) in future debates, and will use this strategic advantage against you. Even a small change such as changing the order of arguments and the positions you extend in the 2AR will disorient the negative enough to make in depth preparation much more difficult.

It's also critically important to take great care not to overcover or undercover topicality. Remember that there are other arguments in the debate - disadvantages and counterplans and more - that can cost you the round. The challenge is to cover the issue carefully and completely but not invest so much time that you fail to adequately cover another argument. I've seen many debates where a team overcovers topicality in the 1AR and then leaves a pitifully small amount of time for an important disadvantage. It shouldn't surprise you that the poorly covered argument normally plays an important role later in the debate and, more times than not, will be the position on which the debate turns.

Lastly, as I said above, you should take advantage of the 2AR to slow the whole issue down, analyze it with care, and do your best to persuade. It is the last speech - use this to your advantage in order to make the issue seem as innocuous as possible, to make the negative arguments seem extreme and unreasonable, and to make your positions appear superior.

- BEATING THE BEST NEGATIVE STRATEGIES
In order to defeat the best negative strategies, those that I explained above, you should carefully look at them and use them to your advantage. Knowing your judges is a fine first step here - knowing their predispositions and instincts on topicality - even asking them their opinions before and after debates in which they judge you - is the best way to prepare to advance and win the best arguments in the course of debate this individual adjudicates.

Not all negative teams make good choices when advancing topicality - sometimes they make horrible choices when deciding what positions to extend. When this happens, you should hold their 'feet to the fire' and make them seem abusive of the debate process for making these choices. This will help you win the topicality argument and, perhaps, win some leeway on other arguments. You might remind the judge in words like these: "...remember that we've had to waste time on these awful arguments that didn't even belong in this debate - we ought to get leeway later in the debate if this causes us to undercover or underexplain answers to another argument..." You might not win in this way, but you might put a little doubt in the judge's mind. Any leeway in this regard is helpful.

Let me remind you one more time - be careful about time tradeoffs - keep a timer in front of you while you speak if you have to in order to make sure you don't waste too much time covering topicality while failing to adequately answer another argument. Your partner should watch too - when they feel you've covered the argument completely, ask them to tap your side or hand as a reminder to move on to other arguments. Good teamwork can help prevent a time disaster.

Last, don't accept cursory extensions in the 2NR. A topicality argument that has been answered well enough shouldn't be extended to the last rebuttal unless the negative team plans to invest enough time on the argument in the last speech. If they spend, say, 20 seconds extending the argument, you should press for a bit of punishment in this regard. Any time they handle an 'all or nothing' issue for the affirmative with disrespect, they should be sanctioned for distorting the process of the debate. It's common for judges to be receptive to such an argument - that this particular argument shouldn't be advanced to the end of the debate unless they plan to do it completely. This doesn't mean the entire 2NR should be spent here - merely that a nod to the argument is not enough. Anytime this happens, the negative should at least lose speaker points. When you can talk the judge into this, a good 2AR should be able to gain great ethos in the reconciliation of the debate. When that happens, you've got a good chance of pulling out the win.

- BEST ARGUMENTS TO WIN

I think there are a few affirmative good arguments that weigh heavily against the negative positions on topicality. Of course, the best way to beat the argument is to simply persuade the judge that you 'are' topical. But, since the issue is rarely that clear, you should place a premium on the implications of accepting your case as a reasonable part of the total ground under the topic.

First, you can argue that the negative position represents an unfair limit on the ground of the topic. As mentioned above, the evidence in the 1AC is a good way to suggest that the field experts believe the case is a reasonable example. Any other arguments you can make to characterize the negative position as extreme and abusive of the well known features of the topic will make the position somewhat less easy for the judge to buy.

Second, you can defend the reasonability of the case as an example of what the resolution should be. As mentioned above, the references in the literature - starting with the 1AC evidence - are the best way to do this. You can also appeal to conventional thinking in this regard. If the case is commonly run, if it's not considered abusive in most parts of your circuit, if the topic loses much of its identity without this case, or even if the judge's own teams run the case, you can make a persuasive argument that the case is reasonably topical. In this way, especially if you argue that the whole purpose of topicality is to make sure that there's 'good debate happening',
you can make a good case for the argument being reasonably included in the topic no matter what kind of word games the negative team may be playing.

Finally, you can argue that the negative standard is abusive. Of course, you know already that the negative has every reason to define the topic in a manner that excludes the affirmative - otherwise they would never run the argument. By thinking about the implications of applying the negative argument - and the implied standards - to the entire topic, you can argue the standard is abusive, harmful to overall debate, and a bad example for the activity at large. Don't underestimate the persuasive value of this position. Judges, by their nature, are educators - they don't like to see anybody tampering with the activity in a way that reduces or discourages quality debate.
Primer: Afterglow

I want to make a few quick observations about the nature of topicality. For what it's worth, I consider this argument a genuinely thrilling part of debate. There is little in the activity that will serve you in the long run better than learning how to understand and analyze the words we use, why we use them, and what they mean in a broad context. No matter what you do for your life's work, looking at words in this way will help you understand what others say and improve your ability to help them understand what you say.

Having said that - here is some basic advice that will help you advance your competitive view of topicality: First, IT'S A GAME - PLAY IT. Ultimately, topicality is a game. When on the negative, try to play it fairly but aggressively. When on the affirmative, don't ignore the implications of the argument. Pay attention and debate it with confidence. Second, RESEARCH IT LIKE ANY OTHER POSITION. No matter what work you're doing on the topic, keep an eye out for topicality cards on both sides of the topic. These cards are rarely grouped together in families. The best way to build your files is to take the cards when they show themselves. Otherwise, like shooting stars, they'll be gone forever. Third, PLACE A PREMIUM ON ADVANCE PREPARATION. You cannot create the right kind of topicality answers in a debate like you can with other arguments. Make sure to spend adequate 'thinking time' outside of rounds to prepare your arguments, answers, and extensions on both sides. This is the best way to be sure you sound the best in actual debates. Trying to do this 'on the fly' is rarely successful - you're more likely to waste time thinking out loud - that is the road to defeat.

Finally, THERE IS NO FINAL WORD ON TOPICALITY. I've given you my best advice on how to run, answer, and extend topicality in this brief essay. Though this is by far a definitive statement, I hope it will give you some ideas that you can pursue on your own. Becoming an expert on topicality comes in degrees - commitment with always pay off in this regard. Since I cannot debate for you, the last word really comes just as the 2NR and the 2AR end. Those words are the only ones that matter.

Having said all of this, if there's any way I can help clarify my comments - or if you have any ideas you want to review - don't hesitate to email anytime (jeff@oneparadigm.com).
Primer: Debating Topicality on the ‘Ocean Exploration / Development’ Topic

Resolved: The United States federal government should substantially increase its non-military exploration and/or development of the Earth's oceans.

The importance of the oceans to human societies simply cannot be overstated—without the oceans, life as we know it would not exist. Oceans drive the world’s climate, are a major source of food, are used to transport goods around the world, and are the primary supplier of the oxygen in the atmosphere. Unfortunately, government policy concerning the oceans has a number of problems. Pollution, acidification, overfishing, coral bleaching, etc. all remain serious threats. Vast troves of resources are not being developed. Perhaps most importantly, American ocean governance is seriously flawed. Responsibility for “ocean policy” is divided across an alphabet soup of federal agencies, and the federal bureaucracy has been highly resistant to policy reforms. Given the flaws in our ocean policy and the importance of the oceans to human health and well-being, the 2014-15 topic is ripe for debate.

Our research into the different terms in the resolution suggests that the general trajectory of the topic should be relatively uncontroversial. The critical terms “exploration” and “development” occur frequently in literature about “ocean policy,” and there are some solid definitions of both terms that provide some limit to the topic. There are a large number of potential affirmatives with very strong solvency evidence, which both will discourage affirmative teams from running to the margins of the topic and allowing negatives to argue that the “core” of the resolution is sufficiently controversial, diverse, and affirmative-friendly to justify a relatively constrained meta-interpretation of the topic.

The meaning of the phrase "United States federal government," is fairly settled. It is possible that some teams looking to avoid substantive clash may try to argue that the term "United States" applies to other entities, such as Mexico, Brazil, and the Netherlands, but negative teams should be able to effectively argue that the intent of the topic paper author and topic committee, the assumptions of the literature base, and predictability concerns dictate that the interpretation "United States means U.S.A." should prevail. We have included several legal, political, and dictionary definitions that argue that in our own legal context, ‘United States” means “the U.S.A.” unless otherwise noted. The presence of “the” in the resolution helps bolster this interpretation, since several definitions of the term suggest that it means the “most common” version of the following noun, which in the context of American political discussion means the “U.S.A.” The meaning of the term "federal government" should also be fairly well settled, even if there are disputes about the desirability of USFG-focused resolutions. The government that resides in Washington D.C. is the one that directs and funds that vast majority of ocean exploration and development. Although the states have shared jurisdiction over a thin strip along their coasts, the federal government is the primary actor in most exploration/development spheres. One would hope that affirmative teams will avoid attempting to fiat that the "fifty states and all relevant territories, as part of their role in central government” implement the plan, but it is important to be prepared, so we have included definitions that indicate that "federal" and "federal government" do indeed mean the government that is seated in the District of Columbia. There are topicality violations supporting this interpretation, plus the ever useful "federal government means all three branches” argument that can be used to filter out affirmative cases that try to avoid disadvantage links and counterplan competition by utilizing only a part of the federal government, such as the National Oceanic and Atmospheric Administration or the U.S. Coast Guard. The definitions component of the book also includes evidence that indicates that ‘government’ refers to the body that exercises authority over a particular area, which should lend credence to arguments about the need for teams to defend a plan that calls for the implementation of the affirmative’s policy recommendations by a part of the government.

The terms "resolved" and "should" have traditionally been relatively uncontroversial components of topic wordings, but the increasing popularity of performative and critical affirmative cases has forced many teams to
carefully consider the meaning of these terms. Many critically-oriented affirmative teams argue that the definitions of neither "should" nor "resolved" require a traditional defense of fiat, meaning that questions of the nationalized political consequences of the plan are irrelevant to determining the outcome of a debate round. In response, negative teams may argue that both should and resolved require the affirmative to defend the imaginary consequences of the implementation of a particular ocean policy in the 'real world.' We have included topicality shells outlining both of these negative arguments. Negative teams are advised to defend a “soft” view of fiat that views the affirmative as a thought experiment (what would happen if the government) as opposed to arguing that fiat is a “magic wand” that can simply make things happen.

"Substantially," seems to appear in almost every resolution. Far more rounds than we care to acknowledge have been won on the argument that "substantially means without material qualification," which, even if 'true,' is not a particularly exciting or compelling argument. "Substantially" is usually described as having several meanings, including "by a large amount," "in the main," and/or "essentially," each of which can serve as the basis for its own topicality violation. For example, many negative teams will attempt to force the affirmative to quantify some percentage increase in ocean exploration or ocean development. Wielding their definitions from Words & Phrases, these debaters will argue that the affirmative must ensure an increase of 20%, or 50%, or even 90%. A number of rounds will likely be won with these arguments, which have a strong "competitive equity" claim but a relatively weak attachment to the "real" aspects of ocean policymaking. Although endorsing such an interpretation is really good for negative ground, doing so makes little sense for a couple of reasons. First, virtually all numeric interpretations are of the word "substantial," not "substantially." The two terms have rather distinct meanings, as demonstrated by the definitions included in this book. Second, these numeric definitions usually come from a court decision attempting to apply a legal statute to a particular case. Whether "substantial" means "ninety percent" in the context of Kansas tort law seems to have little relevance to whether a particular policy substantially increases the quantity (or quality) of federal activity in ocean exploration and/or development.. Crafty negatives are also likely to maintain that a substantial increase is one that occurs across the spectrum of all existing (or even possible) forms of ocean exploration and/or development. However, we are confident that many negative teams will continue to pick up ballots on "without material qualification" and "in every instance of exploration/development" topicality violations.

"Increase" offers some potential for plan creativity in the hands of savvy or topic-averse affirmative teams. Although most dictionaries list first a commonly-accepted definition along the lines of "to grow or make larger," there are nearly as many sources that define increase as to improve in some qualitative sense. Therefore, some affirmative teams might claim that it is legitimate for plans to mandate an increase in the quality of the ocean exploration and/or development engaged in by the U.S. federal government instead of focusing on a quantitative increase. This interpretation opens the door to a wide range of affirmative that enhance the effectiveness of existing ocean policies through the modification or elimination of harmful provisions within existing initiatives, which creates a number of complications for core negative budget and politics/elections disadvantages. This affirmative-leaning interpretation will likely not become the norm on most debate circuits because it both substantially expands the size of the topic and allows the affirmative to co-opt key negative case ground, namely the solvency attacks focused on reasons why contemporary approaches to ocean policymaking fail.

"Augment" also offers a potential negative argument about whether an affirmative is obligated to expand upon, or "augment" an existing form of ocean exploration and/or development. This argument is likely to be very popular with some negative teams, largely because they will be able to provide largely cogent logical and fairness-based rationales for their interpretation. This negative interpretation begins with the claim that it is impossible to "augment" or "increase" something that does not exist. If the affirmative team is limited to expanding existing policy initiatives, the negative will argue, it becomes very easy for the negative to predict the types of affirmatives available on the topic. Such a determination can be made simply by consulting the current budget of the NOAA,
BOEM and other federal agencies that have some responsibility for federal ocean activities. Not only will it be easy for the negative to predict, and thus prepare for, all possible ocean exploration/development cases, but the requirement that a plan expand a current initiative virtually ensures that there is at least some literature on the subject. Debates about real programs based in real controversies, the negative will argue, are both more educational and fair for both teams. Affirmative teams are likely to counter that limiting their side to an expansion of the status quo poses serious limits on creativity in case-construction and problem solving, undermining the potential educational benefits of the topic.

"Its" is the possessive form of "it," and in this year's resolution is referring to the subject "United States federal government." This means that the plan can only require that the federal government increase 'its' ocean exploration and/or development. The inclusion of this word may on face seem somewhat trivial, but its exclusion would make it possible for the United States to expand ocean exploration/development by encouraging other states to expand their activity, through working with other national governments, or by removing barriers to private ocean activities. Allowing the affirmative access to cases that either support exploration/development in or by other countries or support the development of additional private activity would substantially increase the number of cases and would create a potentially overwhelming research burden for the negative. Additionally, the actions of alternative international actors are some of the most predictable and important negative ground on the topic, dictating against the endorsement of interpretations of the topic that would open the door for affirmative cooption of this ground. There are also interpretations of 'in the United States’ which support this particular vision of the topic. This may end up being one of the most important limiters on the topic, since a great deal of the literature about exploration and development in the context of the federal government are about the removal of barriers to those activities, and are not an endorsement of exclusive federal action.

‘Non-military’ is an important, and potentially contentious, term. The Oxford Dictionary defines it as “civilian,” which negative teams will argue excludes cases that use military actors (primarily the Navy and Coast Guard). There are good arguments for why this interpretation is necessary to impose and effective limit on the topic (there are a lot of proposals for military development/exploration activities) and to preserve a core negative generic, namely the military-does-the-plan counterplan. However, there are some good cards arguing that whether an act of exploration and/or development is “military” in nature is determined by the activity itself, and not the agent that conducts it. The military engages in so-called “non-military” operations on a regular basis, and there is strong evidence arguing that the U.S. Coast Guard is predominantly focused on non-military work. You may want to dig in on the negative and devote some time to tech-ing out “military isn’t topical” blocks to hedge against the wide array of military-agent cases.

Although it is a seemingly awkward phrases "and/or" and "one or more of the following" is pretty transparent. Most dictionaries define "and/or" as "one or the other or both," meaning that affirmative teams can increase ocean exploration, increase ocean development, or increase both ocean exploration and ocean development. There are some definitions of “and/or” that seem to indicate that it means “or,” although this is a relatively weak interpretation because a) it moots the term “and” from the resolution and b) it is an unnecessary constraint on affirmative ground.

“Development” in general seems to lack quality academic definitions, and the typical dictionary definitions do not provide much guidance in terms of ocean policy. Contextually, “ocean development” seems to mean the exploitation/extraction of ocean resources, or using ocean space for a specific purpose. “Development” also seems to potentially have a strong commercial element, since the word when used in the terrestrial context is often applied to converting land or other resources into more economically productive forms (such as “developing” a mine or building a housing “development”. We believe that many negative teams will likely argue that development requires some sort of economically productive activity. There is decent evidence (and a violation)
advancing this argument, arguing that commercial activity is much more limited than “doing something with the ocean.” There are some operational definitions that try to categorize ocean development, and some of these definitions seem to exclude energy production, likely a very popular case area. There is also some pretty solid contextual evidence suggesting that “development” covers a number of potential ocean activities, including aquaculture, energy development, fisheries management, mining, offshore oil and gas drilling, etc. Overall, the term seems to be much less limiting than “exploration,” and will likely serve as a first line defense for the topicality of a number of affirmative cases. There are some affirmative-favoring definitions that seem to indicate that *anything* we do in the ocean (with a purpose) is “development.”

“Exploration” seems to be much more contested in the literature and it also lends itself to some more nuanced and potentially useful interpretations for the affirmative and negative. The root of “exploration,” namely “explore” generally refers to attempting to discover that which is unknown, to examine or investigate something which is unknown or unfamiliar, and/or traveling or traversing across previously unknown terrain. “Exploration” is used in all of these senses within the topic literature. The definitions section includes a number of examples of the uses of both “exploration” and “ocean exploration,” with many quotes that seem to include particular ocean activities as “exploration” while potentially excluding others. These definitions and examples of contextual usage will have high utility. One major potential limit arising from “exploration” is the argument that “to explore” means only discovery, and that this discovery must be of the unknown. Many experts, including those working in NOAA (the National Oceanic and Atmospheric Administration) argue that “exploration” is distinct from “research,” since research is focused on taking what has been “discovered” and finding some use for it. Although common usage of “exploration” and “research” seems to largely use the terms interchangeably, they have very distinct and different meanings to policymakers. Many of the best “science” cases in the literature are really about research and not discovery, meaning that this interpretation potentially imposes a pretty strong limit on the size of the topic. A related interpretation would also preclude technological innovation. A slightly odd interpretation argues that exploration “of the oceans’ can only occur below the surface, which would render extra-topical many cases that engage in comprehensive remote sensing for various purposes.

Many negative teams will most likely deploy “contextual” usages of “ocean exploration” and “ocean development” in an effort to curtail the range of policy options available to the affirmative. Unfortunately, these terms are often used (sometimes carelessly) alongside other “ocean policy” terms, which negative teams will argue implies that “exploration” and/or “development are somehow distinct from other ocean activities. The problem with such “definitions” is that they often fail to meet any reasonable “intent to define” standard—these usages either come from lay persons with only a rudimentary understanding of the topic, or from more expert sources who are not trying to ascertain any comprehensive meaning of the terms “ocean exploration” or “ocean development.” That being said, it is probably reasonable for negative teams to try to check the large number of potential cases on the topic with such definitions, in no small part because many such cases are likely going to be justified through “definitions” that are nothing more than the result of proximity searches for the terms “exploration” and/or “development” within the same paragraph as some of the plan’s mandates. Debaters are advised to be aware of the pitfalls (and potential advantages) arising from the use of marginal, contextual definitions.

“Earth’s” should be uncontroversial—the oceans being explore and/or developed should be on this planet, the one that we live and debate on. Having some definitions of “Earth” is important, however, since there are solvency advocates for exploring potential oceans on the moons of some of the solar system’s gaseous giants, and you certainly want to avoid having to re-run the Space topic.

The final major limiting term in the resolution is “oceans,” which is the plural of “ocean.” There are a number of marginal definitions and interpretation of “oceans” that could serve as topicality arguments. For example, some
sources indicate that “seas” are distinct from “oceans.” Other interpretations claim that the “oceans” include the Great Lakes (usually arguing that the Great Lakes are covered in the Obama administration’s oceans policy). Some negatives could argue that “oceans” is plural, meaning that the affirmative has to explore/develop “all oceans”, or perhaps just “two or more oceans,” although there is very little topic-specific literature to support this interpretation. The vast majority of authoritative sources argue that the oceans are the continuous body of saltwater that covers over 70% of the planet’s surface. These definitions include seas, bays, etc. as long as they are connected to the “world ocean.” Many definitions also list the oceans, with a consensus that the Arctic, Atlantic, Indian, and Pacific are all “oceans”, with some sources claiming that the “Southern Ocean” or “Great Southern Ocean” should be considered a separate body of water. This distinction does not seem to be particularly important in dividing affirmative and negative ground. One potentially very useful negative topicality argument is that, legally speaking, the “ocean” from the perspective of American ocean governance is that extent of the “big body of salt water” that extends beyond the U.S.’s “contiguous zone”, a strip of water stretching from the shoreline to 24 miles out (formerly 12 miles). This interpretation would limit out a large number of near-shore development activities, making for a much narrower, and potentially more manageable, topic.

When debating the topicality of an affirmative plan, one should be selective. Some cases are likely within the bounds of the resolution by any reasonable measure, and you are probably better off investing time in developing arguments to defeat the case on its substantive merits, as opposed to researching and running a cheap shot topicality argument. It is important to your competitive success that you try to avoid developing a reputation as a debater or team that relies upon topicality as a crutch to compensate for a lack of substantive preparation. However, you should also not hesitate to use topicality arguments to defend your ground and provide a reasonable limit to the size of the topic. Although what happens in any individual debate alone likely has little direct effect on the division of ground, the accumulation of decisions about what is and is not topical shapes community norms about what is, and is not, permissible for the affirmative. Negative timidity on topicality questions, especially early in the season, risks establishing topic parameters that are too highly favorable to the affirmative side of the resolution. You should be certain to stick up for negative ground and the necessity of limits on potential affirmative action.

These norms and standards about the meaning of the resolution are very important in shaping the division of ground and the types of arguments that are discussed in debate rounds. Your choices, both in terms of the type of affirmative case you decide to defend and the topicality objections you raise against other cases, help shape what the topic means on your debate circuit. Consequently, you may want to consider the ramifications of your choices, both for yourself and your peers. This is not to say that a certain gameship is not a part of topicality debating, but rather, that debaters hold themselves accountable for the argument choices they make in any given debate. We are not arguing that you should adopt the most centrist, middle-of-the-road affirmative case possible, but we are suggesting that you consider your own ability to shape community norms, and act accordingly.

Finally, continued research on topicality questions is absolutely vital as the season progresses. This maxim applies just as much to the negative as it does to the affirmative. Topicality debates are not usually won by clever tricks, but rather through careful thinking and hard work in finding strong definitions and in crafting compelling interpretations of the topic that provide reasonable ground to both the affirmative and the negative. We feel fairly confident that we have identified many of what will prove to be the most significant 'meaning controversies' relating to the 2014-15 Oceans Topic, but even our research process is quite likely to overlook many marginal, and perhaps even a few major, parts of the topic. Paying continual attention to topic developments as you learn more about the resolution will help ensure that you do not find yourself caught off guard. Topicality debating will also change, and hopefully improve, as the season progresses and debaters continually refine their attacks and defenses of particular interpretations of the topic through the give and take of debate rounds. In the end, we think
that it is dangerous for you to arrive at your season-ending tournaments with a topicality file and blocks that are substantially similar to the ones with which you began your season.

Best of luck!
Definitions: ‘And/Or’—Either or Both

1. ‘And/Or’ indicates together or individually


And/or
and/or conjunction
—used as a function word to indicate that two words or expressions are to be taken together or individually <language comprehension and/or production — David Crystal>

2. ‘And/or’ means either and or


and/or (and′ôr′, -ôr′) conjunction” either and or, according to what is meant: personal and/or real property

3. ‘And/or’ means one or the other or both


and/or (än′dôr′) conjunction. Used to indicate that either or both of the items connected by it are involved. Usage Note: And/or is widely used in legal and business writing. Its use in general writing to mean “one or the other or both” is acceptable but can appear stilted. See Usage Note at or1.

4. ‘And/or’ means either or both are possible


and/or: used for saying that either or both of two situations are possible. In the event of loss of money and/or traveler’s checks, you must notify the police within 24 hours.

5. ‘And/or’ joins terms when either one or the other or both is indicated


and/or — conj (coordinating) used to join terms when either one or the other or both is indicated: passports and/or other means of identification: usage Many people think that and/or is only acceptable in legal and commercial contexts. In other contexts, it is better to use or both: some alcoholics lose their jobs or their driving licences or both (not their jobs and/or their driving licences )

6. ‘And/or’ means both or either of two options


and/or: Both or either of two options. For example, His use of copyrighted material shows that the writer is careless and/or dishonest. This idiom originated in legal terminology of the mid-1800s.
Definitions: ‘Develop’—Modernization / To Progress

1. ‘Develop’ means to make something grow or become more advanced

Develop
de·vel·op verb
: to cause (something) to grow or become bigger or more advanced
Definitions: ‘Develop’—To Bring Forth Capabilities

1. ‘Develop’ means to bring forth a latent condition

develop, v.
5.a. To bring forth from a latent or elementary condition (a physical agent or condition of matter); to make manifest what already existed under some other form or condition.

2. ‘Develop’ means to bring out capabilities or possibilities of

dev·el·op
verb (used with object)
1. to bring out the capabilities or possibilities of; bring to a more advanced or effective state: to develop natural resources; to develop one's musical talent.
Definitions: ‘Develop’—To Come Into Existence

- ‘Develop’ means to come gradually into existence

de·vel·op –verb (used with object) 13. to come gradually into existence or operation; be evolved.
Definitions: ‘Develop’—To Create Over Time

1. ‘Develop’ means to create over a period of time


Develop
de·vel·op verb
: to create (something) over a period of time

2. ‘Develop’ means to create or produce over time


Develop
de·vel·op verb
2b : to create or produce especially by deliberate effort over time <develop new ways of doing business> <develop software>
Definitions: ‘Develop’—To Create / Bring Into Existence

1. ‘Develop’ means to bring into activity

   de·vel·op –verb (used with object) 4. to bring into being or activity; generate; evolve.

2. ‘Develop’ means to bring into existence

   Develop — vb (often foll by from )
   4. to come or bring into existence; generate or be generated: he developed a new faith in God
Definitions: ‘Develop’—To Evolve / Bring Into Being

1. ‘Develop’ means to progress through stages of evolution

   develop de·vel·op v. de·vel·oped , de·vel·op·ing , de·vel·ops 2. To progress from earlier to later or from simpler to more complex stages of evolution.

2. ‘Develop’ means to bring into being

   de·vel·op verb (used with object)
   4. to bring into being or activity; generate; evolve.

3. ‘Develop’ means to progress through stages

   develop de·vel·op v. de·vel·oped , de·vel·op·ing , de·vel·ops 1. To progress from earlier to later stages of a life cycle.
Definitions: ‘Develop’—To Exploit

1. ‘Develop’ means to exploit natural resources

Develop
— vb (often foll by from )
9. ( tr ) to exploit or make available the natural resources of (a country or region)
**Definitions: ‘Develop’—To Grow**

1. ‘Develop’ means to grow or become more advanced

   Develop
de·vel·op verb
: to grow or become bigger or more advanced

2. ‘Develop’ means to aid in the growth of

   develop de·vel·op v. de·vel·oped , de·vel·op·ing , de·vel·ops 3.To aid in the growth of; strengthen.

3. ‘Develop’ means to cause to grow

de·vel·op verb (used with object)
2. to cause to grow or expand: to develop one's muscles.

4. ‘Develop’ means to promote the growth of

   Develop
de·vel·op verb
3a : to make active or promote the growth of <developed his muscles>
Definitions: ‘Develop’—To Improve Value Of

- ‘Develop’ means to improve the value of

  Develop
  — vb (often foll by from )
  7. ( tr ) to improve the value or change the use of (land), as by building
Definitions: ‘Develop’—Make Useful / Realize Potential

1. ‘Develop’ means to make resources usable

de·vel·op verb
3 b (1) : to make available or usable <develop natural resources> (2) : to make suitable for commercial or residential purposes
<develop land>

2. ‘Develop’ means to realize the potentials of an area

3 f. To realize the potentialities of (a site, estate, property, or the like) by laying it out, building, mining, etc.; to convert (a tract
of land) to a new purpose or to make it suitable for residential, industrial, business, etc., purposes.

3. ‘Develop’ means to bring out what is contained within

3 a. To unfold more fully, bring out all that is potentially contained in.
Definitions: ‘Develop’—To Mature / Advance

1. ‘Develop’ means to bring to more advanced stage

Develop — vb (often foll by from )
1. to come or bring to a later or more advanced or expanded stage; grow or cause to grow gradually

2. ‘Develop’ means to grow to a more advanced/mature state

develop de·vel·op v. de·vel·oped , de·vel·op·ing , de·vel·ops 4. To grow by degrees into a more advanced or mature state.

3. ‘Develop’ means to grow to a more mature/advanced state

de·vel·op –verb (used with object) 12. to grow into a more mature or advanced state; advance; expand: She is developing into a good reporter.

4. ‘Develop’ means to bring out capabilities, to bring to a more advanced/effective state

de·vel·op –verb (used with object) 1. to bring out the capabilities or possibilities of; bring to a more advanced or effective state: to develop natural resources; to develop one’s musical talent.
Definitions: ‘Develop’—To Open / Unfold

1. ‘Develop’ means to open


develop, v.
1.a. trans. To unfold, unroll (anything folded or rolled up); to unfurl (a banner); to open out of its enfolding cover. Obs. (in general use.)

2. ‘Develop’ means to unveil / unfold


develop, v.
2. a. To lay open by removal of that which enfolds (in a fig. sense), to unveil; to unfold (a tale, the meaning of a thing); to disclose, reveal.
Obs. (exc. as passing into 3.)
b. To unveil or lay bare to oneself, to discover, detect, find out. Obs.
c. To unroll or open up that which enfolds, covers, or conceals. Obs.
Definitions: ‘Develop’—To Work Out

1. ‘Develop’ means to work out in detail

   Develop
   — vb (often foll by from )
   2. ( tr ) to elaborate or work out in detail

2. ‘Develop’ means to work out the possibilities

   Develop
dé·vel·op verb
2a : to work out the possibilities of <develop an idea>
Definitions: ‘Development’—Area Being Developed

1. ‘Development’ is an area that has been developed

Development
—— n
4. an area or tract of land that has been developed

2. ‘Development’ is a developed tract

Development
de·vel·op·ment noun
3: a developed tract of land; especially : one with houses built on it

3. ‘Development’ means large group of homes, unified

de·vel·op·ment —noun: a large group of private houses or of apartment houses, often of similar design, constructed as a unified community, especially by a real-estate developer or government organization.
Definitions: ‘Development’—Bring Out Capabilities

1. ‘Development’ means bringing out from an elementary condition


development, n.

2. Evolution or bringing out from a latent or elementary condition; the production of a natural force, energy, or new form of matter.

2. ‘Development’ is bringing out the latent capabilities


development, n.

3c. The bringing out of the latent capabilities (of anything); the fuller expansion (of any principle or activity).
Definitions: ‘Development’—Broad / Affirmative Definitions

1. ‘Development’ includes increased exploitation and improved management


Regarding the term “development”, Nandan, Rosenne and Grandy state that: The reference to “development” ... relates to the development of those stocks as fishery resources. This includes increased exploitation of little-used stocks, as well as improvements in the management of heavily-fished stocks for more effective exploitation. Combined with the requirement in article 61 of not endangering a given stock by overexploitation, this envisages a long-term strategy of maintaining the stock as a viable resource. Thus Art 63(1) imposes a duty to “seek ... to agree” measures to inter alia ensure the conservation and development of such stocks. Burke states colourfully that “[t]he substantive obligation imposed by Article 63(1) cannot fairly be described as awesome, imposing, or, even, perhaps, very consequential”. Churchill and Lowe observe that “[n]othing ... is said ... about management objectives or allocation of the catch among interested States, which are the kinds of things that the States concerned need to agree on if there is to be effective management of shared stocks”.

2. Development includes a broad range of activities


Oceans have functioned for centuries as highways of maritime commerce and as fishing grounds. The economic role of oceans has lately expanded to include nonrenewable resource extraction, in particular oil and gas; oceans also support a vibrant tourist economy. More recently, a number of other ocean uses have emerged, including bio-prospecting, wave energy, tidal energy, offshore wind power development, and marine aquaculture. Although some of these uses are still under development, while others have to some degree been brought to fruition, all these new uses share a common problem and raise a common concern—policy regarding their use in U.S. waters is being formulated piecemeal, and they are all developing economically in the absence of a coherent and publicly-vetted policy framework.

3. Aquaculture, cables, pipelines, wind energy, wave energy, tidal energy are all contextually development


Management Implications for Specific Activities: The draft Ocean Management plan establishes different management requirements for all uses allowable under the Ocean Sanctuaries Act, including sand and gravel for beach nourishment, aquaculture, cables and pipelines, pilot/community scale wind energy facilities and wave and tidal energy facilities. • How will the draft Ocean Management Plan regulate activities not included above, such as the non-pipeline related aspects of offshore LNG facilities or dredging? • Is it sufficient for the draft Plan to manage these ocean development activities by addressing their component parts individually or should there be a cumulative impact assessment incorporated into the Plan?

4. ‘Ocean development’ includes research, platforms, seabed resources, and floating turbines


With the world’s sixth largest Exclusive Economic Zone, ocean development is of great importance for Japan. As ocean space is characterized by severe dynamics, its development requires research, including on peripheral technologies. Along with its research into ocean development, including floating platforms, seabed resource development, and floating wind turbine systems, the National Maritime Research Institute is also developing technologies for marine environment conservation, in which it hopes to make international contributions.
Definitions: ‘Development’—Broad / Affirmative Definitions [cont’d]

5. ‘Ocean development’ includes energy infrastructure, aquaculture, gravel extraction, and carbon sequestration


To assist with guiding its work in achieving this goal, the RPB has formed an internal Regulatory Work Group that includes federal and state agency and tribal representatives. The work group is focusing on the implementation of existing regulatory programs related to several specific types of ocean development: energy infrastructure, aquaculture (particularly in federal waters), sand and gravel extraction, and carbon sequestration, as a potential new emerging use. The work group’s charge is to develop options to improve decision making under existing authorities through better coordination, enhanced public input opportunities, and consistent use of data and other baseline information for consideration by the RPB, whose review will provide opportunity for public review and comment on advancing any such efforts.
Definitions: ‘Development’—Commercial/Economic Advancement

1. ‘Develop’ means commercial action or improvement, not preserve, protect or restore


The term “develop” is not defined in the statute, and there is a dearth of case law on the subject. In the “absence of statutory guidance as to the meaning of a particular term, it is appropriate to look to its dictionary definition in order to discern its meaning in a given context.” Connecticut v. Clifton Owens, 100 Conn. App. 619, 639 (2007). There are various definitions of the term “develop,” some of which connote commercial and industrial progress, and some of which imply natural growth. See BLACK’S LAW DICTIONARY 462 (7th ed. 1999); WEBSTER’S NEW COLLEGE DICTIONARY 310 (2d ed. 1995).

Having gained no clear answer from the dictionary, words must be given their “plain and ordinary meaning . . . unless the context indicates that a different meaning was intended.” Connecticut v. Vickers, 260 Conn. 219, 224 (2002). Here, the plain meaning of the term “develop” includes commercial improvement. Connecticut argues, in effect, that by placing the term “develop” in the context of other terms, such as “preserve, protect, and restore,” the definition of “develop” must have a natural, conservationist meaning. That argument is not supported by the legislative history of the CZMA. Congress intended the CZMA to balance conservation of environmental resources with commercial development in the coastal zone. See, e.g., COASTAL AND OCEAN LAW at 229. In fact, in the context of the CZMA, the term “develop” has been defined to mean commercial improvement. Id. (“[T]he CZMA reflects a competing national interest in encouraging development of coastal resources.”). See also Conservation Law Foundation v. Watt, 560 F. Supp. 561, 575 (D. Mass. 1983) (noting that the CZMA recognizes a wide range of uses of the coastal zones, including economic development).

2. ‘Development’ means the act of developing, economic development


de·vel·op·ment –noun 1. the act or process of developing; growth; progress: child development; economic development.

3. ‘Development’ is the economic advancement of a region


3e. The economic advancement of a region or people, esp. one currently under-developed (sense 3b).
**Definitions: ‘Development’—Excludes Conservation / Protection**

1. ‘Develop’ means commercial action or improvement, not preserve, protect or restore


The term “develop” is not defined in the statute, and there is a dearth of case law on the subject. In the “absence of statutory guidance as to the meaning of a particular term, it is appropriate to look to its dictionary definition in order to discern its meaning in a given context.” Connecticut v. Clifton Owens, 100 Conn. App. 619, 639 (2007). There are various definitions of the term “develop,” some of which connote commercial and industrial progress, and some of which imply natural growth. See BLACK’S LAW DICTIONARY 462 (7th ed. 1999); WEBSTER’S NEW COLLEGE DICTIONARY 310 (2d ed. 1995).

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2. Conservation is conceptually distinct from development


The United States should improve the dialogue about the balance between resource conservation and development in the Arctic. It can start by fully engaging the state of Alaska and Alaska Natives as the federal government implements the U.S. Arctic Strategy, drawing on the Arctic expertise and experience of the country’s only Arctic state. Learning from Alaskans’ experience in navigating hard-fought debates over competing priorities will be critical to plan proactive responses to change. In this way, the state and the federal government can work together to ensure support for research and education, food security, resource management and ecological conservation in an integrated manner.

3. Ocean development and environmental protect are conceptually distinct


5. Balancing Ocean Development and Environmental Protection: The draft Plan attempts to addresses a fundamental challenge: “the ocean is a public trust resource, and the Commonwealth must effectively manage the protection and use of its waters on behalf of the public for the benefit of current and future generations” (Executive Summary, Vol. 1, page i). Does the draft Ocean Management Plan strike the right balance between ocean development and environmental protection? Are existing uses such as recreational and commercial fishing, recreational boating, and shipping recognized sufficiently in the plan?
1. Development includes sustainability initiatives—fisheries, safety, environmental protection, scientific assessment


II. World Summit on Sustainable Development 7. Welcomes the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”), adopted on 4 September 2002,9 which once again emphasizes the importance of addressing the sustainable development of oceans and seas and provides for the further implementation of chapter 17 of Agenda 21.2 8. Also welcomes the commitments set out in the Johannesburg Plan of Implementation to actions at all levels, within specific periods for certain goals, to ensure the sustainable development of the oceans, including sustainable fisheries, the promotion of the conservation and management of the oceans, the enhancement of maritime safety and the protection of the marine environment from pollution, and the improvement of scientific understanding and assessment of marine and coastal ecosystems as a fundamental basis for sound decision-making.

2. Sustainable development means looking to the needs of future generations


Sustainable development has been defined in many ways, but the most frequently quoted definition is from Our Common Future, also known as the Brundtland Report:[1] “Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two key concepts: the concept of needs, in particular the essential needs of the world's poor, to which overriding priority should be given; and the idea of limitations imposed by the state of technology and social organization on the environment's ability to meet present and future needs.” All definitions of sustainable development require that we see the world as a system—a system that connects space; and a system that connects time.

3. Ocean development includes environmental concerns


The concept of the Green Economy – that future economic development is inextricably linked with both environmental and social considerations – is arguably even more important for the ocean than the land. This is because in the sea, with its fluid three-dimensional environment, the inter-linkages among economic sectors, human impacts, and all aspects of environmental health are stronger and more challenging to manage. Although there is no universally agreed definition of what the Green Economy as applied to ocean recourses might look like, a number of features would be prominent if such an approach were being implemented: • Protection and recovery of ocean ecosystems and biodiversity would be achieved, including the ocean beyond national jurisdictions; • Integrated cross-sectoral spatial planning, including coastal zone management, would be in place for all sea uses (including oil and gas mining, and cables) both within and outside national jurisdictions; • Fisheries and aquaculture management would achieve equitable, non-subsidised, and sustainable practices; • Adaptation planning would be in place for rising sea levels and foreseeable climate change impacts; • Existing ocean industries (e.g. shipping and offshore petroleum) would have ‘greened’ their activities and be ensuring that their operations cause least environmental damage and meet the highest levels of sustainable practice; • Increasing sustainable use of bio-resources, including biotechnology, would be occurring; • Recognition and adoption of ocean/coastal carbon sinks would be occurring, and the markets for trading ‘blue carbon’ would be in place; • Market mechanism would achieve dramatically enhanced recycling of major ocean pollutants such as nutrients; • Greater adoption of renewable energy from the ocean would be happening (resulting in a shift away from a land-based focus).

4. ‘Development’ contextually includes ecosystem-based management approaches


The transition to a Green Economy for the ocean will require reformed governance structures and institutional coherence. These are crucial to effectively respond to growing pressures on the world’s ocean and remove barriers preventing progress, and they are inextricably linked with the goals of economic development. Many governments have responded to this challenge by taking a more integrated and ecosystem-based management approach to developing ocean policy frameworks, where resolving conflicts between the wide variety of ocean interests and values can be better accommodated.
1. Remote sensing can be used for ocean development

Intergovernmental Oceanographic Commission (IOC), Training Course Reports, “IOC-Unesco Regional Training Workshop on Ocean Engineering and Its Interface with Ocean Sciences in the Indian Ocean,” March 17-April 5, 1986, p. 9. Remote Sensing and its Applications to Ocean Development The lecture described the main aspects concerned with coastal zone management in tropical regions with particular reference to remote sensing applications. The coastal engineering applications were discussed, including a study of bathymetry, circulation and dispersion of water masses, geomorphology and sedimentary nature of the sea bed, detection of silt accumulation, cartography of wet lands and land use along the coast, detection of swamps and silt marshes, wave spectrum measurements, the quality of water and marine life. The feasibility and limitations of remote sensing for study of these parameters were discussed. Few case studies were also presented.
Definitions: ‘Development’—Includes Research / Science

1. Ocean development includes both ocean science and technology—engineering


The Ocean Engineering Committee made its debut when its establishment was authorized at the Council Meeting of the Japan Institute of Navigation in October 1970, with 13 committee members led by Professor Torao Mozai, the Chairman. The term "Ocean Development” has come to the surface since 1967 or thereabouts. In Japan, the No. 3 Report of Kaiyo Kagaku Gijyutsu Shingi Kai, established in 1961, contained a science and technology plan for ocean development, which was submitted to the Government in 1968. Since then national policy has been supported by budgetary appropriations setting the bearing on such a course. For Japan, an Industrialized nation, "Ocean Development" was synonymous with "Development of Ocean Science and Technology," then emphasis was placed on ocean engineering and destined to development of an "Ocean Industry." During the 1960's when the nation achieved sustained economic growth, awareness grows of the serious impacts of marine pollution. As a result, new moves emerged to review oceans not as indefinite expanses of water, but as something requiring an interdisciplinary approach. It was, therefore, quite timely that the Ocean Engineering Committee was formed in the 1970's when the oceans were becoming a highly controversial topic around the globe.

2. ‘Development’ can include research


13) Ocean research. Ocean research activities involve scientific investigation for the purpose of furthering knowledge and understanding. Investigation activities involving necessary and functionally related precursor activities to an ocean use or development may be considered exploration or part of the use or development. Since ocean research often involves activities and equipment, such as drilling and vessels, that also occur in exploration and ocean uses or developments, a case by case determination of the applicable regulations may be necessary.

3. Research and engineering are both parts of ocean development


Science is defined as a systematized knowledge derived from observations and experimentation carried out concerning the nature of processes and resources while engineering/technology is the science or study of the practical or industrial art. In other words, technology is applied science. Although in historical perspectives, scientific and technological culture evolved somewhat independently, mutually benefitting from each other, technological innovation, for instance, has often been the logical consequence of scientific discoveries. Scientific discoveries likewise are greatly influenced by technological advances. In view of the special nature of marine environment, it was considered that “ocean engineering” could neither be developed nor applied in isolation. It should be built on adequate scientific base and hence the two disciplines, in their application to ocean development programmes and activities, were considered interdependent and complementary. This is exemplified in several discussions on various topics held during the Training Workshop (See Figure 1).*
**Definitions: ‘Development’—Minerals**

- ‘Development’ means preparing to produce minerals


(l) The term development means those activities which take place following discovery of minerals in paying quantities, including geophysical activity, drilling, platform construction, and operation of all onshore support facilities, and which are for the purpose of ultimately producing the minerals discovered;
Definitions: ‘Development’—Narrow Lists

1. Ocean development means: weapons, transportation/communication, desalination, mining of minerals, food production, research


I should like to subdivide the field of ocean development into half a dozen parts and handle each very briefly. These are; naval weapons, underwater transportation and communication, fresh water conversion, mining or chemical extraction of minerals, food production, and finally research activities.

2. ‘Ocean development’ includes exploration/exploitation of resources, construction/harbor development, solving marine problems


Three main aspects of ocean development activities and marine problems were identified where the interface between the disciplines of ocean engineering and ocean sciences were considered indispensable: (i) Exploration and exploitation of marine resources including: living resources such as aquaculture, fisheries, mangrove and others; and non-living resources, such as minerals, oil and gas, placers deposits and deep-sea polymetallic nodules; the non-conventional sources of energy such as tidal and wave energy and ocean thermal energy conversion; and the coastal zone which by itself serves as a very important resource to many coastal and island states, and where socio-economic activities are often highly concentrated. (II)Activities such as construction of coastal and offshore structures, port and harbour development. (iii) Solution of marine problems resulting from natural factors such as river discharges, storm surges, coastal erosion and accretion and those resulting from expanding socio-economic activities which often cause pollution of the marine environment and coastal degradation.

3. Development includes utilizing resources, utilizing ocean spaces, utilizing ocean energy—includes fish, shipping, ports


Discussions of "Ocean Engineering" are inseparable from "Ocean Development." What is ocean development? Professor Kiyomitsu Fujii of the University of Tokyo defines ocean development in his book as using oceans for mankind, while preserving the beauty of nature. In the light of its significance and meaning, the term "Ocean Development" is not necessarily a new term. Ocean development is broadly classified into three aspects: (1) Utilization of ocean resources, (2) Utilization of ocean spaces, and (3) Utilization of ocean energy. Among these, development of marine resources has long been established as fishery science and technology, and shipping, naval architecture and port/harbour construction are covered by the category of using ocean spaces, which have grown into industries in Japan. When the Committee initiated its activities, however, the real concept that caught attention was a new type of ocean development, which was outside the coverage that conventional terms had implied.
Definitions: ‘Development’—Process of Developing

1. ‘Development’ means the process of growing or developing

   Development
   — n
   1. the act or process of growing, progressing, or developing

2. ‘Development’ means the process of developing

   development, n.
   I. The process or fact of developing; the concrete result of this process.
Definitions: ‘Development’—Resource Extraction

1. ‘Development’ means extraction of production of renewable and nonrenewable energy resources


3. Ocean uses defined. Ocean uses are activities or developments involving renewable and/or nonrenewable resources that occur on Washington's coastal waters and includes their associated off shore, near shore, inland marine, shoreland, and upland facilities and the supply, service, and distribution activities, such as crew ships, circulating to and between the activities and developments. Ocean uses involving nonrenewable resources include such activities as extraction of oil, gas and minerals, energy production, disposal of waste products, and salvage. Ocean uses which generally involve sustainable use of renewable resources include commercial, recreational, and tribal fishing, aquaculture, recreation, shellfish harvesting, and pleasure craft activity.

2. ‘Ocean development’ includes sciences, engineering, and technology aimed at resource exploration and extraction and use of ocean space


The term “ocean development” has often been used to denote all activities, including ocean sciences, ocean engineering and related marine technology, directed to resource exploration and exploitation and the use of ocean space. The underlying guiding principle in all these activities has been that these be conducted in a manner that insure the preservation of the marine environment without detriment to its quality and the resources with which it abounds. From the statements given by the participants, it became apparent that in some countries, such as China, Indonesia, India, Malaysia, Philippines and Thailand, ocean development programmes and activities, over the years, have evolved from fisheries oriented needs towards mineral resources exploitation. In some of these countries exploitation of these resources has brought about new adjustments to their priority needs which have progressively involved the strengthening of their marine scientific and technological capability demanded by these new situations.

3. Ocean resources include those located in the seabed and waters


As used in this subchapter (1) The term Administration means the National Oceanic and Atmospheric Administration. (2) The term Director means the Director of the national sea grant college program, appointed pursuant to section 1123 (b)1 of this title. (3) the[2] term director of a sea grant college means a person designated by his or her institution to direct a sea grant college or sea grant institute. (4) The term field related to ocean, coastal, and Great Lakes resources means any discipline or field, including marine affairs, resource management, technology, education, or science, which is concerned with or likely to improve the understanding, assessment, development, utilization, or conservation of ocean, coastal, or Great Lakes resources. (5) The term institution means any public or private institution of higher education, institute, laboratory, or State or local agency. (6) The term includes and variants thereof should be read as if the phrase but is not limited to were also set forth. (7) The term ocean, coastal, and Great Lakes resources means the resources that are located in, derived from, or traceable to, the seabed, subsoil, and waters of (A) the coastal zone, as defined in section 1453 (1) of title 16; (B) the Great Lakes; (C) Lake Champlain (to the extent that such resources have hydrological, biological, physical, or geological characteristics and problems similar or related to those of the Great Lakes); (D) the territorial sea; (E) the exclusive economic zone; (F) the Outer Continental Shelf; and (G) the high seas.
Definitions: ‘Development’—State of Being Developed

- ‘Development’ is the state of being developed


Development
de·vel·op·ment noun
2: the state of being developed <a project in development>
Definitions: ‘Development’—To Advance

1. ‘Development’ is the state of being create or made more advanced

   Development
   de·vel·op·ment noun
   : the state of being created or made more advanced

2. ‘Development’ means making something grow or become more advanced

   Development
   de·vel·op·ment noun
   : the act or process of growing or causing something to grow or become larger or more advanced

3. ‘Development’ is the advancement through progressive stages

   development, n.
   4. Gradual advancement through progressive stages, growth from within.
Definitions: ‘Development’—To Develop/Developed

1. ‘Development’ means a developed state or form

de·vel·op·ment—noun 3. a developed state or form: Drama reached its highest development in the plays of Shakespeare.

2. ‘Development is the act/process of developing

Development
de·vel·op·ment noun
1 : the act, process, or result of developing <development of new ideas> <an interesting development>

3. ‘Development’ is the act of developing

development, n.
3d. The act or process of developing (see develop v. 3f) a mine, site, estate, property, or the like; also, a developed tract of land. Freq. attrib., esp. in development work (see also sense 11 below). Cf. ribbon development n. at ribbon n. Compounds 3.

4. ‘Development’ means unfolding

development, n.
1. A gradual unfolding, a bringing into fuller view; a fuller disclosure or working out of the details of anything, as a plan, a scheme, the plot of a novel. Also quasi-concr. that in which the fuller unfolding is embodied or realized.

5. ‘Development’ is the product of developing

development, n.
2. the product or result of developing

6. ‘Development’ means creating something over a period of time

development
: the act or process of creating something over a period of time
Definitions: ‘Earth’—Dry Land

1. ‘Earth’ means dry and

earth, n.1
II. Senses relating to the world.
7. Dry land, as opposed to the sea or other body of water.

2. ‘Earth’ means the dry land

earth
noun
5. the solid matter of this planet; dry land; ground.

3. ‘Earth’ means the dry surface

Earth
— n
3. the dry surface of this planet as distinguished from sea or sky; land; ground

4. ‘Earth’ means the land

earth
earth noun
: land as opposed to the sea, the air, etc.

5. ‘Earth’ means areas of land

earth
earth noun
3a : areas of land as distinguished from sea and air
Definitions: ‘Earth’—Any Habitable Planet

- ‘Earth’ means a habitable planet

earth, n.1
10b. A world resembling or likened to the earth; a habitable planet.
Definitions: ‘Earth’—Inhabitants

1. ‘Earth’ means the inhabitants of the world

   earth, n.1
   9b. The inhabitants of the world collectively.

2. ‘Earth’ means the people

   earth
   earth noun
   5a : the people of the planet Earth

3. ‘Earth’ means the inhabitants

   earth
   noun
   2. the inhabitants of this planet, especially the human inhabitants: The whole earth rejoiced.

4. ‘Earth’ means the inhabitants

   Earth
   — n
   2. the inhabitants of this planet: the whole earth rejoiced
Definitions: ‘Earth’—Land & Sea

- ‘Earth’ means land and sea

earth, n.1
8. Land and sea, as opposed to the sky.
Definitions: ‘Earth’—Surface

1. ‘Earth’ means the surface

earth, n.1
I. Senses relating to the ground.
1. The ground considered simply as a surface on which human beings, animals, and things associated with them rest or move.

2. ‘Earth’ means the surface of the planet

earth
noun
4. the surface of this planet: to fall to earth.
Definitions: ‘Earth’—This Planet

1. ‘Earth’ means the world on which we live

earth, n.1
10.a. The world on which mankind lives, considered as a sphere, orb, or planet. Cf. globe n. 3a, terra n. 2.

2. ‘Earth’ means this planet

earth noun
1. ( often initial capital letter ) the planet third in order from the sun, having an equatorial diameter of 7926 miles (12,755 km) and a polar diameter of 7900 miles (12,714 km), a mean distance from the sun of 92.9 million miles (149.6 million km), and a period of revolution of 365.26 days, and having one satellite. See table under planet.

3. ‘Earth’ means the third planet from the sun

Earth — n
1. ( sometimes capital ) the third planet from the sun, the only planet on which life is known to exist. It is not quite spherical, being flattened at the poles, and consists of three geological zones, the core, mantle, and thin outer crust. The surface, covered with large areas of water, is enveloped by an atmosphere principally of nitrogen (78 per cent), oxygen (21 per cent), and some water vapour. The age is estimated at over four thousand million years. Distance from sun: 149.6 million km; equatorial diameter: 12 756 km; mass: 5.976 x 10 24 kg; sidereal period of axial rotation: 23 hours 56 minutes 4 seconds; sidereal period of revolution about sun: 365.256 daysRelated: terrestrial, tellurian, telluric, terrene

4. ‘Earth’ means this planet

earth noun
: the planet on which we live

5. ‘Earth’ is the planet on which we live

earth noun
4 often capitalized : the planet on which we live that is third in order from the sun — see planet table
Definitions: ‘Exploration’—Broad / Affirmative Definitions

1. Ocean exploration contextually includes biodiversity, the Arctic, archaeology, and deepwater searches
   
   
   The Committee recommends that a long-term United States effort in ocean exploration be initiated. An ocean exploration program will provide initial observations and insights that can subsequently be used to develop the testable hypotheses typically associated with scientific research. Ideally, an ocean exploration program should complement ocean research and support a continuum of discovery, research, and new technologies. The Committee recommends that priority should initially be given to pilot programs for which strong international interest exists, which hold promise of new discoveries or understanding, and which have substantial potential for public outreach and involvement. Initial focus areas could include Marine Biodiversity, The Polar Oceans, Marine Archaeology, Deep Water and Its Role in Climate Change, and Exploring the Ocean Through Time.

2. Education and outreach are part of exploration
   
   
   Education and outreach should be integral components of the exploration program. The program should engage the public in the excitement of the undertaking and educate ordinary citizens and decision-makers about ocean issues and policy (Figure 2).

3. Exploration includes the development of new research tools
   
   
   The program should include development of new tools, probes, sensors, and systems for multidisciplinary ocean exploration. New technologies have been key to past advances in ocean science. Examples include the development of a scalar magnetometer leading to the confirmation of plate tectonics or the development of submersibles allowing the discovery of unimagined deep sea communities. Technology development should be an integral part of the program.

4. Description of exploration and its purposes
   
   
   Exploration: • demands integration of observations, concepts, thoughts, and ideas. • leads to discovery of new resources—food, medicines, minerals, and new sources of energy. • leads to new connections among diverse observations that allow us to quickly provide information critical for establishing or refining marine policy, as well as making important decisions concerning the conservation and sustained use of marine resources. • is a critical early phase of research. It guides research to areas and topics of promise and helps generate and refine research hypotheses, thus increasing the return on the nation’s investment in research. As we saw with the discovery of hydrothermal vents and chemosynthetic communities in the 1970s, exploration sometimes requires us to rethink long-held and well-established scientific paradigms, exposing our ignorance and dramatically expanding our knowledge as a result. • pushes technology development. As we seek to explore new depths, in new time horizons, and understand new details of the ocean, new technologies and tools are developed, from sensors to telecommunications. • inspires and moves us as humans to action, forever changing our perspectives and daily lives, and leaves us with a legacy of knowledge and renewed passion to ensure humanity’s survival on the ocean planet—Earth. We depend on the ocean more now than ever before—as a nation and as a global community. As new technologies and new partnerships allow us to explore and exploit more of the ocean, more quickly, and at a higher resolution and rate than could even be imagined a decade ago, the pressures and impacts on the ocean systems and resources on which we depend also increase. Nations around the world understand the political and economic importance of exploring the ocean, whether in the Arctic or in the South China Sea. Ocean Exploration 2020 is a timely reminder of what we can achieve if we seize our opportunities to act—and the consequences if we do not.
Definitions: ‘Exploration’—Discovering the Unknown

1. ‘Exploration’ is making discoveries—it means seeking the unknown

National Oceanic and Atmospheric Administration (NOAA), “What Is Ocean Exploration and Why Is It Important?” Ocean Explorer, updated 7—24—14, http://oceaneexplorer.noaa.gov/backmatter/whatisexploration.html, accessed 7-27-14. Despite the fact that the ocean plays a role in everything from the air we breathe to daily weather and climate patterns, we know very little about our ocean. And, most of our knowledge of the ocean lies in shallower waters. Deeper waters remain a mystery even though we are relying more and more on these areas for food, energy, and other resources. Enter ocean exploration... Ocean exploration is about making discoveries, searching for things that are unusual and unexpected. Ocean exploration, however, is not randomly wandering in hopes of finding something new. It is disciplined, systematic, and includes rigorous observations and documentation of biological, chemical, physical, geological, and archaeological aspects of the ocean.

2. ‘Exploration’ is the investigation of unknown regions


3. ‘Exploration’ is discovery

Larry Mayer, Professor and Director, Center for Coastal and Ocean Mapping, University of New Hampshire, OCEAN EXPLORATION 2020: A NATIONAL FORUM, 2013, p. 18-19. Exploration as Discovery Exploration is innate to human nature. We are compelled to explore—watch how a baby learns about its surroundings. Exploration (at many scales) has provided the framework for much of what we know about the world we live in. Early explorers ventured out to unknown lands and on the SURFACE of the ocean to discover new territories, extend the sovereignty of nations, and to find new sources of wealth and enterprise. As we have developed tools and technologies to more efficiently and effectively explore, our vision has expanded beyond our own planet and we now venture into space exploring, discovering, and learning about the Universe. And yet... nearly three quarters of our own planet—that part of it that is BENEATH the surface of the ocean—remains virtually unexplored. This is surprising and frightening considering that we DO KNOW that the ocean regulates our climate system and is a critical source of food and fuel—in essence it sustains life on our planet. It is even more frightening to recognize that despite our current efforts to understand the ocean and despite tremendous advances in technology, we continue to make new and startling discoveries that radically change our view of how our planet works. The discovery of deep-sea vents and the remarkable life forms associated with them, the discovery of many new species of plants and animals, and the discovery of new mountain systems and deep passages on the seafloor that control the circulation of deep sea currents (that in turn control the distribution of heat on the planet) are but a few examples of important ocean discoveries that have changed our understanding of ocean processes but were not part of the planned scientific process. Just last week, I returned from a mapping cruise off northwestern Greenland. We were looking for a wreck in 300 to 600 meters of water in an area that was supposed to be relatively flat and too deep to be impacted by iceberg keels. What we found was nothing like the preconceived notions. We found a seafloor that had hundreds of meters of relief, we found evidence that iceberg keels had dragged across the bottom to depths well beyond 400 meters and we found surprising passages for warm waters from the continental shelf to enter the fjords and affect the melting of the Greenland icecap. This is not an isolated incident—it happens almost every time we take a close look at the ocean with the right tools. It is difficult for scientists to admit—but we have to admit—that there is so much more that we DON’T KNOW about the oceans. We must put our pride aside and realize that given our limited understanding of the ocean we must extend our study of the ocean to include not only the scientific process of testing specific hypotheses, but also a program of EXPLORATION—a program that is specifically designed to significantly increase the chances of making new discoveries. It will only be after many years of systematic exploration that we will begin to be able to say that we indeed do understand the wondrous ocean system that is so fundamental to sustaining us.

4. ‘Ocean exploration’ is discovery through observations and recordings of findings

National Academies, OCEAN EXPLORATION: HIGHLIGHTS OF NATIONAL ACADEMIES REPPRTS, 2009, p. 11. What Is Ocean Exploration? As defined by the President’s Panel on Ocean Exploration (National Oceanic and Atmospheric Administration, 2000), ocean exploration is discovery through disciplined, diverse observations and recordings of findings. It includes rigorous, systematic observations and documentation of biological, chemical, physical, geological, and archeological aspects of the ocean in the three dimensions of space and in time.
Definitions: ‘Exploration’—Discovery of Resources

- ‘Exploration’ is the discovery of new resources


NOAA's vision is an informed society that uses a comprehensive understanding of the role of the oceans, coasts, and atmosphere in the global ecosystem to make the best social and economic decisions. NOAA's mission is to understand and predict changes in the Earth's environment and conserve and manage coastal and marine resources to meet our nation's economic, social, and environmental needs. NOAA's Office of Ocean Exploration and National Undersea Research Program (NURP) are contained within the Office of Oceanic and Atmospheric Research (OAR). In support of NOAA's mission, OAR conducts the scientific research, environmental studies, and technology development needed to improve our operations and broaden our understanding of the Earth's atmosphere and oceans. The Office of Ocean Exploration is devoted exclusively to the critical mission of exploring the still largely unknown ocean. The ocean exploration program focuses on discovery of new ocean resources for societal and economic benefits, serves as an effective means to promote ocean education and ocean literacy, and enables NOAA to become aware of ocean issues that may become the basis for future NOAA missions. NURP harnesses the academic community to focus on NOAA's undersea research needs. NURP currently supports NOAA's mission by providing undersea scientists inside and outside NOAA with advanced technologies, such as an underwater laboratory, submersibles and remotely operated vehicles, and the expertise needed to work in the undersea environment.
Definitions: ‘Exploration’—Examining / Investigating

- ‘Exploration’ means act of examining

exploration, n.
1.a. The action of examining; investigation, scrutiny. Obs.
Definitions: ‘Exploration’—Excludes Management

- ‘Exploration’ enables management, but is not management itself

National Oceanic and Atmospheric Administration (NOAA), “What Is Ocean Exploration and Why Is It Important?” Ocean Explorer, updated 7—24—14, http://oceanexplorer.noaa.gov/backmatter/whatisexploration.html, accessed 7-27-14. Findings made through ocean exploration are fundamental to reducing unknowns in deep-ocean areas and providing high-value environmental intelligence needed to address both current and emerging science and management needs. Exploration helps to ensure that ocean resources are not just managed, but managed well, so those resources are around for future generations to enjoy. Through ocean exploration, we can establish the baseline information needed to better understand environmental change, filling gaps in the unknown to deliver reliable and authoritative science that is foundational to providing foresight about future conditions and informing the decisions we confront every day on this dynamic planet. This same knowledge is often the only source for basic information needed to respond appropriately in the face of deep-sea disasters.
Definitions: ‘Exploration’—Excludes Research

1. Ocean exploration is discovery through observation—it is distinct from research


   As described in the President’s Panel Report, ocean exploration is defined as “discovery through disciplined diverse observations and the recording of the findings. An explorer is distinguished from a researcher by virtue of the fact that an explorer has not narrowly designed the observing strategy to test a specific hypothesis. A successful explorer leaves a legacy of new knowledge that can be used by those not yet born to answer questions not yet posed at the time of the exploration.” Above all, the overarching purpose of ocean exploration is to increase our knowledge of the ocean environment; its features, habitats, and species; and how it functions as part of the global ecosystem. In practice, the NOAA Ocean Exploration Program adopted and continues to promote an approach to engage teams of scientists representing multiple disciplines to explore unknown and poorly known ocean areas and phenomena. This approach also includes recruiting natural resource managers, educators, journalists, documentary filmmakers, and others to join expeditions and provide a unique perspective on the areas being investigated. The objective is to generate a comprehensive characterization of the area and phenomena explored, providing a rich foundation to stimulate follow-on research, as well as new lines of scientific inquiry.

2. Research contextually is those activities that elaborate and previous exploration (discoveries)


   Ocean exploration began in earnest in the 1800s, and was followed by ocean research programs seeking to elaborate on those early discoveries. Our knowledge of the oceans remains limited, and a large-scale exploration program is necessary to continue to broaden ocean research. One short-term commitment, the International Decade of Ocean Exploration (IDOE) in the 1970s, resulted in a re-invigorated oceanographic community. Programs that were included in IDOE greatly improved the systematic quantification of observations. Programs such as Geochemical Ocean Sections, the Joint Global Ocean Flux Study, and World Ocean Circulation Experiment grew from the IDOE initiative. As a result, our understanding of the global climate system, geochemical cycling, and ocean circulation took enormous leaps forward (National Research Council, 2000).

3. Ocean research is that which targets previous areas/sites in an effort to expand existing knowledge


   The success of U.S. ocean research programs is due in large part to longstanding support from the National Science Foundation (NSF), Office of Naval Research (ONR), National Oceanic and Atmospheric Administration (NOAA), and other government and private sources. Most research grants are funded on a competitive basis, and proposals are evaluated based on a number of factors, including the significance of the hypotheses to be tested and the methods proposed to test the hypotheses. Commonly, ocean research proposals target well-defined, previously studied areas or sites, in an effort to increase our knowledge and understanding of a particular habitat, biological community, or process. Over the long term, this leads to extensive data sets and detailed theories in a certain scientific discipline or geographic region. While the high quality of ocean research in the United States is indisputable, the funding process does not generally encourage exploration. Proposals without sufficient data to develop testable hypotheses, to drive specific investigations, and to predict specific outcomes from the work are not easily funded (National Science Foundation, 2002). A successful ocean exploration program will use a similarly stringent proposal process, within the framework of a large scale, mission-driven program.

4. Exploration is initial discovery—enables research, and is distinct


   A coordinated, high quality, well-managed ocean exploration program would provide a unique framework for discovery of new species, resources, historical artifacts, habitats, and processes. The review process could allow for and encourage multidisciplinary efforts, and seek to capitalize on the synergy of diverse researchers and techniques. It would provide initial observations and insights into the habitats, geological structure, water column processes, air-sea interaction, biological communities, and evidence of past human activities that can then be used to develop testable hypotheses for ocean research.
5. Ocean exploration is only a subset of ocean research

The ocean remains Earth’s least explored frontier. A well-planned, international program of ocean exploration, taking advantage of new technologies such as AUVs will allow the discovery of the ocean’s living and non-living resources (Figure 1). International agreements (e.g., the United Nations Convention on Law of the Sea, the Convention on Biological Diversity), and both new and existing partnerships (e.g., the Integrated Ocean Drilling Program), are key elements to establishing and supporting such an ambitious program of discovery. In the context of this report, ocean exploration is seen as a complement to ocean research. It is distinguished from the traditional view of research in that it may not necessarily test a specific hypothesis, but is driven by a similar search for new knowledge. At a time when the ocean is widely recognized as influencing global climate and containing unknown amounts of biological, chemical, and mineral resources and human artifacts, there is a growing recognition that we have much more to learn about the secrets our ocean holds.

6. ‘Exploration’ is distinct from research

Ocean exploration supports NOAA’s mission by making new and unexpected discoveries that overthrow reigning paradigms, leading to new management strategies that actually work. Ocean exploration is distinguished from research by the fact that exploration leads to questions, research leads to answers. Often, novel discoveries are made accidentally in the process of performing hypothesis-driven research, but with a purposeful exploration program, those discoveries are more likely to be appreciated for what they are documented, and followed. Often novel discoveries are made accidentally in the process of performing hypothesis-driven research, but with a purposeful exploration program, those discoveries are more likely to be appreciated for what they are, properly documented, and followed-up. For example, one of the greatest surprises in oceanography in the 20th century was the discovery of the hot-vent communities, the deep sea oases that thrive in seawater geothermally heated to several hundred degrees centigrade. This entire new ecosystem led to huge new possibilities for how life might be sustained elsewhere in the universe. This discovery led to new questions. What is their energy source? How do proteins fold at such high temperatures? We would not even know enough to have asked these questions had this discovery not been made, and in fact, it almost wasn’t. The shipboard party involved was entirely geologists and geophysicists. There wasn’t a single biologist on board that ship to witness what was to become the most important discovery made in marine biology ever. The shipboard party lacked such basic biological supplies that the geophysicists had to sacrifice all of their vodka to preserve the novel specimens they collected. Such discoveries don't need to be rare, accidental, or potentially unappreciated, with a strong, vigorous, and systematic ocean exploration program. This graphic that is up here shows how NOAA’s OE program might ideally relate to the broader ocean research agenda and to the NURP program. New discoveries are made by either looking in new places, the left side of the upper box, or by deploying new tools, the right side of the box, which see the ocean in new dimensions. Now, the strength of a federal organization like NOAA undertaking this program is that they can be systematic about going to new places, the left side of the box. NOAA's weakness in this undertaking is the right side of the box. They are not known for their prowess in technology development. That is a strength of H.R. 3835, in that it creates this interagency taskforce, which brings in ONR, NASA, and other agencies, which can help contribute new technology to ocean exploration. The discoveries lead to new questions, the white arrow going down, and some of these questions will be relevant to NOAA's mission. Others will be relevant to the missions of other agencies. Again, the interagency taskforce in H.R. 3835 will facilitate the sharing of discoveries with other parties that are more likely to follow up on them. The National Science Foundation should be added explicitly to that taskforce, as it is mostly likely that NSF will support the early research resulting from exploration discoveries, until such time as their relevance to other agency missions or commercial organizations is clear.

7. ‘Exploration’ is not the same as research

Ocean exploration is distinguished from research by the fact that exploration leads to questions, while research leads to answers. When one undertakes exploration, it is without any preconceived notion of what one might find or who might benefit from the discoveries. Research, on the other hand, is undertaken to test a certain hypothesis, with the clear understanding of the benefits of either supporting or refuting the hypothesis under consideration. Often novel discoveries are made accidentally in the process of performing hypothesis-driven research, but with a purposeful exploration program, those discoveries are more likely to be appreciated for what they are, properly documented, and followed-up.
Definitions: ‘Exploration’—Excludes Tech / Verification / Hypothesis Testing

- Exploration is observation and description—it is distinct from verification, hypothesis testing, and tech development


An examination of the scientific method can serve to compare ocean exploration and ocean research. The scientific method is the process by which scientists gather data and develop hypotheses to create an accurate representation of how the world works. It attempts to minimize the influence of bias or prejudice of the experimenter when testing a hypothesis or a theory. The standard application of the scientific method has four steps: 1) observation and description of a phenomenon or phenomena; 2) formulation of a hypothesis to explain the phenomena; 3) use of the hypothesis to predict the existence of other phenomena, or to predict quantitatively the results of new observations; and 4) performance of experimental tests of the predictions by several independent experimenters. An ocean exploration program should emphasize observation and description of living and non-living resources, rates, and processes (Step 1). Independent verification (Step 4) should not be included in an exploration program, although it is an important role of more traditional ocean research programs. In Steps 2 and 3, ocean exploration and research overlap; such an overlap is highly desirable and demonstrates the value of exploration for fueling the next generation of hypothesis testing. Ocean exploration should be an integral component of a continuum to ocean research and technology development.
Definitions: ‘Exploration’—Means Exploring

1. ‘Exploration’ is an act of exploring or investigating

ex-plo-ra-tion—noun 1. an act or instance of exploring or investigating; examination.

2. ‘Exploration’ means the act of exploring

exploration, n.
2. The action of exploring (a country, district, place, etc.); an instance of this. Also transf.

3. ‘Exploration is the act of exploring / investigating

ex-plo-ra-tion
noun
1. an act or instance of exploring or investigating; examination.

4. ‘Exploration’ means the act of exploring

Exploration
— n
1. the act or process of exploring

5. ‘Exploration’ means the act of exploring

ex-plo-ra-tion noun
: the act of exploring something

6. ‘Exploration’ means the instance of exploring

ex-plo-ra-tion noun
: the act or an instance of exploring
Definitions: ‘Exploration’—Includes Remote Activity

1. ‘Exploration’ contextually includes telepresence

Exploration also would greatly benefit from improvements in telepresence. For expeditions that require ships (very distant from shore and requiring the return of complex samples), experts on shore can now “join” through satellite links, enlarging the pool of talent available to comment on the importance of discoveries as they happen and to participate in real-time decisions that affect expedition planning. This type of communication can enrich the critical human interactions that guide the discovery process on such expeditions.

2. ‘Exploration’ contextually can use autonomous platforms

As a first step, future exploration should make better use of autonomous platforms that are equipped with a broader array of in situ sensors, for lower-cost data gathering. Fortunately, new, more nimble, and easily deployed platforms are available, ranging from $200 kits for build-your-own remotely operated vehicles to long-range autonomous underwater vehicles (AUVs), solar-powered autonomous platforms, autonomous boats, AUVs that operate cooperatively in swarming behavior through the use of artificial intelligence, and gliders that can cross entire oceans. New in situ chemical and biological sensors allow the probing of ocean processes in real time in ways not possible if samples are processed later in laboratories.
Definitions: ‘Exploration’—Includes Science

- **Ocean science includes exploration**


For the purpose of this and the following three chapters of Part VII, ocean science and technology is defined as: • the exploration of ocean environments, and the conduct of basic and applied research to increase understanding of (1) the biology, chemistry, physics, and geology of the oceans and coasts, (2) oceanic and coastal processes and interactions with terrestrial, hydrologic, and atmospheric systems, and (3) the impacts of oceans and coastal regions on society and of humans on these environments; and • the development of methodologies and instruments to improve that understanding.
Definitions: ‘Exploration’—Searching for Minerals

- ‘Exploration’ means the process of searching for minerals—surveys, drilling


(k) The term exploration means the process of searching for minerals, including (1) geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of such minerals, and (2) any drilling, whether on or off known geological structures, including the drilling of a well in which a discovery of oil or natural gas in paying quantities is made and the drilling of any additional delineation well after such discovery which is needed to delineate any reservoir and to enable the lessee to determine whether to proceed with development and production;
Definitions: ‘Explore’—Examination / Investigation / Study

1. ‘Explore’ means to examine for the purpose of discovery

explore, v.
3.a. esp. To search into or examine (a country, a place, etc.) by going through it; to go into or range over for the purpose of discovery. Fig. phr. to explore every avenue (or to explore avenues) , to investigate every possibility.

2. ‘Explore’ means to look into closely

ex·plore –verb (used with object) 2. to look into closely; scrutinize; examine: Let us explore the possibilities for improvement.

3. ‘Explore’ means to examine or investigate

Explore
— vb
1. ( tr ) to examine or investigate, esp systematically

4. ‘Explore’ means to study / analyze carefully

Explore
ex·plore verb
: to look at (something) in a careful way to learn more about it : to study or analyze (something)

5. ‘Explore’ means to study or analyze

Explore
ex·plore verb
1 a : to investigate, study, or analyze : look into <explore the relationship between social class and learning ability> — sometimes used with indirect questions <to explore where ethical issues arise — R. T. Blackburn>

6. ‘Explore’ means to examine for diagnostic purposes

Explore
ex·plore verb
3: to examine especially for diagnostic purposes <explore the wound>

7. ‘Explore’ means to investigate

explore, v.
1.a. trans. To investigate, seek to ascertain or find out (a fact, the condition of anything). Also with indirect question as obj.

8. ‘Explore’ means to examine / scrutinize

explore, v.
2.a. To look into closely, examine into, scrutinize; to pry into (either a material or inmaterial object). In later use coloured by association with 3.
Definitions: ‘Explore’—Search/Seek

1. ‘Explore’ means a systematic search

   Explore
   ex·plore verb
   intransitive verb
   : to make or conduct a systematic search <explore for oil>

2. ‘Explore’ means to search for

   explore, v.
   1b. To search for; to find by searching; to search out. Obs.

3. ‘Explore’ means to engage in exploration

   ex·plore
   verb (used with object), ex·plored, ex·plor·ing.
   5. to engage in exploration.
Definitions: ‘Explore’—Travel/Traverse

1. ‘Explore’ means to traverse for the purpose of discovery

   ex·plore verb (used with object), ex·plored, ex·plor·ing.
   1. to traverse or range over (a region, area, etc.) for the purpose of discovery: to explore the island.

2. ‘Explore’ means to travel into for scientific purposes

   Explore — vb
   2. to travel to or into (unfamiliar or unknown regions), esp for organized scientific purposes

3. ‘Explore’ means to make an excursion

   explore, v.
   3c. To make an excursion; to go on an exploration (to).

4. ‘Explore’ means travel for discovery

   Explore
   ex·plore verb
   2: to travel over (new territory) for adventure or discovery
Definitions: ‘Federal’—Central Government

1. ‘Federal’ means pertaining to the central government

   fed·er·al adjective
   2. of, pertaining to, or noting such a central government: federal offices.

2. ‘Federal’ refers to the central government

   Federal — adj
   3. of or relating to the central government of a federation

3. ‘Federal’ means relating to the central government

   Federal
   fed·er·al adjective
   : of or relating to the central government

4. ‘Federal’ means relating to the polity

   federal, adj. and n.
   A. adj.
   b. Of or pertaining to the political unity so constituted, as distinguished from the separate states composing it.

5. 'Federal' means of the central government

   of or connected with the central government of some countries:

6. 'Federal' refers to the centralized government

   * adjective
   3. relating to or favouring centralised government.

7. 'Federal' means the central government

   fed·er·al, adj.
   3. Of or relating to the central government of a federation as distinct from the governments of its member units.

8. 'Federal' means of or relating to the central government

WORDNET, Princeton University, "Federal," no date,
   http://wordnetweb.princeton.edu/perl/webwn?s=federal&sub=Search+WordNet&o2=&o0=1&o8=1&o1=1&o7=&o5=&o9=&o6=&o3=&o4=&h=00, accessed 6-24-11.
   Adjective * S: (adj) federal (of or relating to the central government of a federation) "a federal district is one set aside as the seat of the national government"
Definitions: ‘Federal’—Compact / League

1. ‘Federal’ pertains to a compact or league

   fed·er·al
   adjective
   5. of or pertaining to a compact or a league, especially a league between nations or states.

2. ‘Federal’ means relating to covenant, compact

   federal, adj. and n.
   A. adj.
   1.a. gen. Of or pertaining to a covenant, compact, or treaty. Obs.

3. 'Federal' relates to the treaty that divides power

   federal, adj.
   2. (Government, Politics & Diplomacy) of or relating to a treaty between provinces, states, etc., that establishes a political unit in which power is so divided
Definitions: ‘Federal’—Confederation

1. 'Federal Government' is a government administered in a nation of states organized by union or confederation

   BLACK’S LAW DICTIONARY, 1990, p. 611.
   Federal Government: The system of government administered in a nation formed by the union or confederation of several independent states.

2. 'Federal Government' is a government of independent states united by compact

   Federal Government. The government of a community of independent and sovereign states, united by compact.
Definitions: ‘Federal’—Decentralized / Federal & State Government

1. 'Federal' means a government with powers divided between the central and regional authorities

   WORDNET, Princeton University, "Federal," no date, http://wordnetweb.princeton.edu/perl/webwn?s=federal&sub=Search+WordNet&o2=&o0=1&o8=1&o1=1&o7=&o5=&o9=&o6=&o3=&o4=&h=00, accessed 6-24-11.
   Adjective * S: (adj) federal (characterized by or constituting a form of government in which power is divided between one central and several regional authorities) "a federal system like that of the United States"; "federal governments often evolved out of confederations"

2. 'Federal' means the decentralized system of government

   infrastructure, noun
   federal /ˈfɛdərəl/ * adjective
   1. having or relating to a system of government in which several states form a unity but remain independent in internal affairs: a federal Europe.

3. 'Federal' refers to the federation

   * adjective
   1. of a system of government in which several states form a unity but remain independent in internal affairs.
   2. of or pertaining to the Commonwealth of Australia, as distinct from the states.
   2. relating to or affecting such a federation: federal election, federal laws, federal parliament.

4. 'Federal' means a unified government with regional autonomy

   federal /ˈfed(ə)rəl/ * adjective having or relating to a system of government in which several states form a unity but remain independent in internal affairs: Russia's federation treaty shares powers among Russia's federal and local governments.

5. 'Federal' refers to our form of decentralized, divided government

   fed·er·al, adj.
   1. Of, relating to, or being a form of government in which a union of states recognizes the sovereignty of a central authority while retaining certain residual powers of government.

6. 'Federal' refers to a division of power between central and constituent governments

   fed·er·al, adj.
   2. Of or constituting a form of government in which sovereign power is divided between a central authority and a number of constituent political units.
Definitions: ‘Federal’—Excludes the States

- ‘Federal’ is distinct from the state governments


def·er·al
adjective
1. pertaining to or of the nature of a union of states under a central government distinct from the individual governments of the separate states, as in federal government; federal system.
Definitions: ‘Federal’—Form of Government

1. ‘Federal’ means the form of government

federal, adj. and n.
A. adj.
2.a. Of or pertaining to, or of the nature of, that form of government in which two or more states constitute a political unity while remaining more or less independent with regard to their internal affairs.

2. ‘Federal’ refers to the system of government where power is divided

Federal
— adj
1. of or relating to a form of government or a country in which power is divided between one central and several regional governments

3. ‘Federal’ means relating to a power-sharing form of government

Federal
fed·er·al adjective
: of or relating to a form of government in which power is shared between a central government and individual states, provinces, etc.
Definitions: ‘Federal’—National Government

1. 'Federal' means the national government of the United States

    WORDNET, Princeton University, "Federal," no date, http://wordnetweb.princeton.edu/perl/webwn?s=federal&sub=Search+WordNet&o2=&o0=1&o8=1&o1=1&o7=&o5=&o9=&o6=&o3=&o4=&h=00, accessed 6-24-11.
    Adjective * S: (adj) federal (national; especially in reference to the government of the United States as distinct from that of its member units) "the Federal Bureau of Investigation"; "federal courts"; "the federal highway program"; "federal property"

2. 'Federal' refers to the national government

    Adjective, federal (not comparable)
    Pertaining to the national government level, as opposed to state, provincial, county, city, or town.
Definitions: ‘Federal Government’—Not All Three Branches

- ‘Federal government’ does not mean all three branches


Q. When I refer to the government of the United States in text, should it be US Federal Government or US federal government?

A. The government of the United States is not a single official entity. Nor is it when it is referred to as the federal government or the US government or the US federal government. It’s just a government, which, like those in all countries, has some official bodies that act and operate in the name of government: the Congress, the Senate, the Department of State, etc.
Definitions: ‘Federal Government’—Three Branches

'Federal Government' means the central government of three branches -- legislative, judicial, executive

FEDERAL GOVERNMENT is divided into three main branches: the legislative, the judicial, and the executive. These branches have the same basic shape and perform the same basic roles defined for them when the Constitution was written in 1787. Congress, the legislative branch, is divided into two chambers: the Senate and the House of Representatives. Representation in the chambers is carried out by the formula set forth in 1787: by population in the House and by state in the Senate. The president is the elected chief executive officer and is charged with faithful execution of the laws. The Supreme Court and all other federal courts have the judicial authority vested in them by the Constitution and by subsequent legislation. A system of checks and balances prevents power from being concentrated in any one of the three branches. Power is divided on a territorial basis between the states and national government.
Definitions: ‘Government’—Act of Governing

1. ‘Government’ means the act / process of government

   Government
   1 : the act or process of governing; specifically : authoritative direction or control

2. ‘Government’ means the act of government

   government, n.
   1. The action of governing (see senses of the vb.).
   a. The action of ruling; continuous exercise of authority over the action of subjects or inferiors; authoritative direction or regulation; control, rule.
   b. spec. The action of ruling and directing the affairs of a state; political rule and administration.

3. 'Government' means the act or process of governing

   govern·ment, n.
   1. The act or process of governing, especially the control and administration of public policy in a political unit.
Definitions: ‘Government’—Agency / Part of the Whole

1. ‘Government’ means a government agency

   Government
   — n
   4.b. (as modifier): a government agency

2. ‘Government’ means a part of the government, taking as representing the whole

   gov·ern·ment
   4. a branch or service of the supreme authority of a state or nation, taken as representing the whole: a dam built by the government.
Definitions: ‘Government’—Exercise of Political Authority

1. ‘Government’ means the political direction and control over a group

   government
   1. the political direction and control exercised over the actions of the members, citizens, or inhabitants of communities, societies, and states; direction of the affairs of a state, community, etc.; political administration: Government is necessary to the existence of civilized society.

2. ‘Government’ means the exercise of political authority over a political unit

   Government
   — n
   1. the exercise of political authority over the actions, affairs, etc, of a political unit, people, etc, as well as the performance of certain functions for this unit or body; the action of governing; political rule and administration

3. 'Government' means the exercise of authority

   government, n.
   3. Exercise of authority in a political unit; rule.
Definitions: ‘Government’—Office of Rule

1. ‘Government’ means the office of ruling


   government, n.
   3.a. The office or function of governing or ruling; authority to govern; †the command of an army or fortress (obs.).

2. ‘Government’ means the office


   Government
   3a : the office, authority, or function of governing

3. ‘Government’ means the governing body


   govern·ment
   3. the governing body of persons in a state, community, etc.; administration.
Definitions: ‘Government’—Persons Holding Authority

1. ‘Government’ means the body of persons who have authority


Government
6: the body of persons that constitutes the governing authority of a political unit or organization: as
a: the officials comprising the governing body of a political unit and constituting the organization as an active agency
b capitalized: the executive branch of the United States federal government
c capitalized: a small group of persons holding simultaneously the principal political executive offices of a nation or other political unit and being responsible for the direction and supervision of public affairs: (1) such a group in a parliamentary system constituted by the cabinet or by the ministry (2): administration 4b

2. ‘Government’ refers to the persons forming the cabinet

gov·ern·ment
5. a. the particular group of persons forming the cabinet at any given time: The prime minister has formed a new government.

3. ‘Government’ means the executive policy-making body

Government
— n
3. a. the executive policy-making body of a political unit, community, etc; ministry or administration: yesterday we got a new government

4. ‘Government’ means those who make decisions for a country


Mer·riam-Webster noun, often attributive
gov·ern·ment: the group of people who control and make decisions for a country, state, etc.

5. 'Government' means the people running the political unit

the offices, departments, and groups of people that control a country, state, city, or other political unit:

6. 'Government' is the group of people who exercise authority

* noun
■ the group of people in office at a particular time; administration: the election of the new government.

7. 'Government' means the authority or office of a governing body

gov·ern·ment, n.
2. The office, function, or authority of a governing individual or body.
Definitions: ‘Government’—State / Institution

1. ‘Government’ means the state


Government
— n
4.a. the state and its administration: blame it on the government

2. ‘Government’ means the organization through which a political unit exercises authority


Government
5a : the organization, machinery, or agency through which a political unit exercises authority and performs functions and which is usually classified according to the distribution of power within it

3. ‘Government’ means the political institutions


Government
5b : the complex of political institutions, laws, and customs through which the function of governing is carried out

4. 'Government' means the agency or apparatus though which authority is exercised


gov-ern-ment, n.
4. The agency or apparatus through which a governing individual or body functions and exercises authority.

5. 'Government' means the organization exercising authority


5 a : the organization, machinery, or agency through which a political unit exercises authority and performs functions and which is usu. classified according to the distribution of power within it b : the complex of political institutions, laws, and customs through which the function of governing is carried out
Definitions: ‘Government’—System / Form of Rule

1. ‘Government’ means the system by which a nation is governed

   government, n.
   6.a. The system according to which a nation or community is governed; form or kind of polity. Often with defining word indicating either the nature of the community governed, as in civil or political, church or ecclesiastical government, or the kind of organization adopted, as in monarchical, oligarchical, republican government; episcopal, presbyterian government.

2. ‘Government’ refers to the form of rule

   government, n.
   2. the form or system of rule by which a state, community, etc., is governed: monarchical government; episcopal government.

3. ‘Government’ means the system by which a community is governed

   Government
   — n
   2. the system or form by which a community, etc, is ruled: tyrannical government.

4. ‘Government’ refers to the system controlling a country

   Government
   : a particular system used for controlling a country, state, etc.

5. 'Government' means the system of management

   Government is also a particular system of managing a country, state, city, etc.: 

6. 'Government' is the system or manner in which a nation is governed

   * noun
   ■ the system by which a nation, state, or community is governed: a secular, pluralistic, democratic government.
   ■ the action or manner of controlling or regulating a nation, organization, or people: rules for the government of the infirmary.
Definitions: ‘Increase’—Augment Numbers / Quantity

1. ‘Increase’ means growth or augmentation

   *increase
   noun
   5. growth or augmentation in numbers, size, strength, quality, etc.: the increase of crime.

2. ‘Increase’ means act of increasing

   Increase
   — n
   2. the act of increasing; augmentation

3. ‘Increase’ means to cause to grow

   increase, v.
   II. Transitive senses.
   6.a. To cause to wax or grow; to make greater in amount or degree; to augment, enlarge, extend, intensify.

4. 'Increase' means to become greater or larger

   in*crease 1. To become greater or larger.

5. 'Increase' means growth in numbers

   in.crease -- noun 5. growth or augmentation in numbers, size, strength, quality, etc.: the increase of crime.

6. 'Increase' means to make greater or larger

   in*crease v. tr. To make greater or larger.
Definitions: ‘Increase’—Become Greater

1. ‘Increase’ means becoming greater


increase, n.
1.a. The action, process, or fact of becoming or making greater; augmentation, growth, enlargement, extension.
3. Phr. on the increase (in senses 1, 2): Increasing, becoming greater or more frequent.

2. ‘Increase’ means to become greater in a specified way


increase, v.
I. Intransitive senses.
3. To become greater in some specified quality or respect; to grow or advance in.

3. ‘Increase’ means to make greater in a specified quality


increase, v.
II. Transitive senses.
8. To make greater in some specified quality or respect. Const. in, also formerly with. Now rare or Obs.

4. ‘Increase’ means the act of becoming larger


Increase
in·crease noun
: the act of becoming larger or of making something larger or greater in size, amount, number, etc.

5. ‘Increase’ means to become greater

in·crease verb (used without object), in·creased, in·creas·ing.
2. to become greater, as in number, size, strength, or quality: Sales of automobiles increased last year.

6. 'Increase' means to become greater in size or amount

1. To become greater in size, amount, duration, or degree; to be enlarged, extended, or intensified; to wax, grow

7. 'Increase' means to become greater or larger

in·crease, v.intr.
1. To become greater or larger.
Definitions: ‘Increase’—Become Greater [cont’d]

8. 'Increase' means to grow, get bigger or larger

increase
* verb – antonyms decrease, reduce.
1. demand is likely to increase: grow, get bigger, get larger, enlarge, expand, swell; rise, climb, escalate, soar, surge, rocket, shoot up, spiral; intensify, strengthen, extend, heighten, stretch, spread, widen; multiply, snowball, mushroom, proliferate, balloon, build up, mount up, pile up, accrue, accumulate; literary wax.

9. 'Increase' means addition, gain

WORDNET, Princeton University, "Increase," no date, http://wordnetweb.princeton.edu/perl/webwn?s=increase&sub=Search+WordNet&o2=&o0=1&o8=1&o1=1&o7=&o5=&o9=&o6=&o3=&o4=&h=0, accessed 6-24-11.
Noun * S: (n) addition, increase, gain (a quantity that is added) "there was an addition to property taxes this year"; "they recorded the cattle's gain in weight over a period of weeks”

10. 'Increase' means to become bigger or greater

WORDNET, Princeton University, "Increase," no date, http://wordnetweb.princeton.edu/perl/webwn?s=increase&sub=Search+WordNet&o2=&o0=1&o8=1&o1=1&o7=&o5=&o9=&o6=&o3=&o4=&h=0, accessed 6-24-11.
Verb * S: (v) increase (become bigger or greater in amount) "The amount of work increased”
Definitions: ‘Increase’—Grow in Size / Quantity (Net)

1. ‘Increase’ means to grow in numbers

increase, v.
I. Intransitive senses.
2. To grow in numbers, become more numerous or frequent, to multiply; esp. by propagation.

2. ‘Increase’ means to become greater in size

increase verb
: to become larger or greater in size, amount, number, etc.

3. ‘Increase’ means to make something larger

increase verb
: to make (something) larger or greater in size, amount, number, etc.

4. ‘Increase’ means to make greater in size, augment

increase verb (used with object), increased, increas·ing.
1. to make greater, as in number, size, strength, or quality; augment; add to: to increase taxes.

5. ‘Increase’ means to become greater in size or degree

increase, v.
I. Intransitive senses.
1. To become greater in size, amount, duration, or degree; to be enlarged, extended, or intensified; to wax, grow.

6. ‘Increase’ means to make more numerous

increase, v.
II. Transitive senses.
7.a. To make more numerous, augment the number of, multiply.
Definitions: ‘Increase’—Make Greater

1. ‘Increase’ means to make greater

Increase
in·crease verb
transitive verb
1: to make greater : augment

2. ‘Increase’ means to make greater

Increase
— vb
1. to make or become greater in size, degree, frequency, etc; grow or expand

3. 'Increase means to make greater in size or quality

1. to make greater, as in number, size, strength, or quality; augment; add to: to increase taxes.

4. 'Increase means to become or make larger

to become or make something larger or greater:

5. 'Increase' means add to, make larger

increase
* verb – antonyms decrease, reduce.
2. higher expectations will increase user demand: add to, make larger, make bigger, augment, supplement, top up, build up,
extend, raise, swell, inflate; magnify, intensify, strengthen, heighten, amplify; informal up, jack up, hike up, bump up, crank up.

6. 'Increase' means to make or become greater in size

increase
* verb
1. [transitive, & intransitive, ] make or become greater in size, amount, etc., or more numerous.

7. 'Increase' means to make greater or larger

in·crease v.tr.
To make greater or larger.

8. 'Increase' means to make greater in size, amount or degree

Increase v. / n'kri:s/ make or become greater in size, amount, or degree.
Definitions: ‘Increase’—Make Greater [cont’d]

9. Increase means to make greater in size, amount, intensity or degree

NEW OXFORD AMERICAN DICTIONARY, SECOND EDITION, ”Increase v.,” ed. E. McKean, 2005, Oxford Reference Online.
Increase v. in’krs become or make greater in size, amount, intensity, or degree: [intrans.] car use is increasing at an alarming rate | [trans.] we are aiming to increase awareness of social issues | [as adj.] (increasing) the increasing numbers of students.

10. Increase means to make bigger

WORDNET, Princeton University, ”Increase,” no date, http://wordnetweb.princeton.edu/perl/webwn?s=increase&sub=Search+WordNet&o2=&o0=1&o8=1&o1=1&o7=&o5=&o9=&o6=&o3=&o4=&h=0, accessed 6-24-11.
Verb * S: (v) increase (make bigger or more) ”The boss finally increased her salary”; ”The university increased the number of students it admitted”

11. 'Increase' means increment

Mere growth or increment of value in investments is not gain or profit taxable as income; ”increment” and ”increase” having the same meaning in this connection.

12. 'Increase' means addition

Where chattel mortgage or grocery business provided that all ”increase” of certain stock made and purchased by mortgagor is to be included under terms of mortgage, the word ”increase” was intended to refer to any addition or increase to such stock made by the mortgagor after execution of mortgage, word ”increase” meaning that which results from or is produced by increasing, an addition or increment.

13. 'Increase' means enlargement or growth

Word ”increase” means enlargement, growth, development, increment, addition, accession, extension, production, profit, interest, issue, offspring.

14. 'Increase' is synonymous with augment

The term ”increase” is the synonym of ”augment” or ”aggravate.”

15. 'Increase' means to make greater

1. To become greater or larger. 2. To multiply; reproduce.

16. 'Increase' means to grow or augment

increase. Verb: Deriving from the Latin ”crescere”; to grow. To augment in size or in value. Anno: 32 ALR 854. Nou: Growth or augmentation; amount of growth.
Definitions: ‘Increase’—Net Increase

1. 'Increase' means a net increase

Increase: Term “increase” as used in statute giving the Energy Commission modification jurisdiction over any alteration, replacement, or improvement of equipment that results in “increase” of 50 megawatts or more in electric generating capacity of existing thermal power plant, refers to “net increase” in power plant’s total generating capacity in deciding whether there has been the requisite 50-megawatt increase as a result of new units being incorporated into the plant. Department of Water & Power v. Energy Resources Conservation & Development Com., 3 Cal.Rptr.2d 289, 2 Cal.App.4th 206.

2. 'Increase' must be net

WORDS AND PHRASES, Cumulative Supplementary Pamphlet v. 20A, 2007, p. 76.
Increase: Within insurance company’s superintendent’s employment contract, “increase” meant net increase in premiums generated by agent calculated by subtracting “lapses” or premiums lost on policies previously issued. Lanier v. Trans-World Life Ins. Co., 258 So.2d 103.

3. ‘Increase’ means becoming more numerous

increase, n.
1.a. The action, process, or fact of becoming or making greater; augmentation, growth, enlargement, extension.
2. The becoming more numerous or frequent; growth in numbers; multiplication.
Definitions: ‘Increase’—Progressively Greater / Multiply

1. ‘Increase’ means to become progressively greater

Increase
in·crease verb
intransitive verb
1: to become progressively greater (as in size, amount, number, or intensity)

2. ‘Increase’ means to multiply, propagate

in·crease
verb (used without object), in·creased, in·creas·ing.
3. to multiply by propagation.

3. ‘Increase’ means to multiply

Increase
in·crease verb
intransitive verb
2: to multiply by the production of young
Definitions: ‘Increase’—Qualitative Improvement

1. 'Increase' means to advance in quality

   increase
   * verb
   2. [intransitive, ] advance (in quality, attainment, etc.).

2. 'Increase' means to intensify a quality

   increase
   * verb
   3. [transitive, ] intensify (a quality).

3. 'Increase' can include quality

   AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE, Fourth Edition, 2009,
   http://dictionary.reference.com/browse/increase, accessed 6-12-09.
   in.crease -- verb (used with object) 2. to become greater, as in number, size, strength, or quality: Sales of automobiles increased last year.
Definitions: ‘Increase—Pre-existing

- Only something that already exists can be increased

Jeff Buckley et al., attorney, Brief of Amici Curiae Mortgage Insurance Companies of America and Consumer Mortgage Coalition in Support of the Petitions, Safeco Ins. Co. of America, et al., v. Charles Burr, et al., 11--13--06, p. 25-26. First, the court said that the ordinary meaning of the word “increase” is “to make something greater,” which it believed should not “be limited to cases in which a company raises the rate that an individual has previously been charged.” 435 F.3d at 1091. Yet the definition offered by the Ninth Circuit compels the opposite conclusion. Because “increase” means “to make something greater,” there must necessarily have been an existing premium, to which Edo’s actual premium may be compared, to determine whether an “increase” occurred. Congress could have provided that “adverse action” in the insurance context means charging an amount greater than the optimal premium, but instead chose to define adverse action in terms of an “increase.” That definitional choice must be respected, not ignored. See Colautti v. Franklin , 439 U.S. 379, 392-93 n. (1979) (“[a] definition which declares what a term ‘means’ . . . excludes any meaning that is not stated”). Next, the Ninth Circuit reasoned that because the Insurance Prong includes the words “existing or applied for,” Congress intended that an “increase in any charge” for insurance must “apply to all insurance transactions – from an initial policy of insurance to a renewal of a long-held policy.” 435 F.3d at 1091. This interpretation reads the words “existing or applied for” in isolation. Other types of adverse action described in the Insurance Prong apply only to situations where a consumer had an existing policy of insurance, such as a “cancellation,” “reduction,” or “change” in insurance. Each of these forms of adverse action presupposes an already-existing policy, and under usual canons of statutory construction the term “increase” also should be construed to apply to increases of an already-existing policy. See Hibbs v. Winn , 542 U.S. 88, 101 (2004) (“a phrase gathers meaning from the words around it”) (citation omitted).
Definitions: ‘Its’ Is Possessive / Means Belonging To

1. ‘Its’ is possessive

its, adj. and pron.
A. adj. Possessive adjective (determiner) corresponding to it pron. (originally the possessive use of the genitive of the pronoun).
Of it; which belongs or relates to it. Also refl.: of itself; which belongs or relates to itself, its own.

2. ‘Its’ means possessed by something

its, adj. and pron.
a. Modifying a noun indicating something that is possessed by or an attribute of a thing or an animate being referred to as it, or a verbal noun with which its is in subjective or objective relation.

3. ‘Its’ is possessive

its
pronoun
the possessive form of it (used as an attributive adjective): The book has lost its jacket. I'm sorry about its being so late.

4. ‘Its’ means belonging to

its
determiner
a. of, belonging to, or associated in some way with it: its left rear wheel

5. ‘Its’ means relating or belonging to

Its
its adjective
: relating to or belonging to a certain thing, animal, etc. : made or done by a certain thing, animal, etc.
: of or relating to it or itself especially as possessor, agent, or object of an action <going to its kennel> <a child proud of its first drawings> <its final enactment into law>

6. 'Its' means belonging to the USFG

belonging to or connected with the thing or animal mentioned; the possessive form of it, used before a noun:

7. 'Its' is the possessive form of it

its (ts), adj.
The possessive form of it. Used as a modifier before a noun: The airline canceled its early flight to New York.

8. 'Its' is the possessive adjective of it

its
* possessive adjective of it; of itself: can see its advantages.
1. If the Law of the Sea is not topical, nothing is—it provides a comprehensive framework for ocean development


The existing international ocean governance framework is complex, comprising a network of international and regional agreements, intergovernmental and civil society organisations and economic/market-based drivers. The basic international framework governing the oceans is provided by the 1982 United Nations Convention on the Law of the Sea (LOSCE), which establishes a comprehensive framework for the use and development of the oceans. The Convention defines jurisdictional zones and sets out rights and obligations of countries on the basis of those zones. There are also complementary international agreements that address specific activities or regions. These include the 1995 UN Fish Stocks Agreement, the Convention on Biological Diversity (CBD) and Chapter 17 of Agenda 21. Four sectoral conservation treaties are also relevant: the Ramsar Convention on wetlands, the World Heritage Convention on sites of universal value, the CITES Convention on endangered species, and the Bonn Convention on migratory species. The World Trade Organization is concerned with trade restrictive policy measures affecting market access (subsidies) and labelling (fishing practices). At the regional level, the UNEP Regional Seas Programme and a range of regional marine environmental programmes address the use and protection of the marine environment. In certain regions, regional fisheries management organisations (RFMOs) have been established to develop and implement conservation and management measures for fisheries.

2. The Law of the Sea increases non-military exploration and development


On December 10, 1982, in Montego Bay, Jamaica, UNCLOS was presented for signature. Over 115 countries signed that same day. UNCLOS came into force on November 16, 1994, and has been broadly accepted by the international community. To date, 161 States and the European Union have joined the convention. UNCLOS is a comprehensive treaty that creates a legal regime governing the peaceful use of the ocean and its resources. UNCLOS provides guidance on various maritime matters such as pollution, environmental protection, and resources rights. In many ways, UNCLOS has provided clarity and reliability in the maritime context, however, it is either silent or ambiguous about issues concerning military operations and the use of force in the oceans. The Convention does not explicitly regulate military activities in the EEZ or the high seas, though Article 88 requires that ‘the high seas shall be reserved for peaceful purposes.’ B. Development of the EEZ In some ways, the law of the sea has always had a tension between states supporting the doctrine of an open sea (mare liberum) and states that seek control over a more closed sea (mare clausum). This struggle has been continuous throughout the evolution of the law of the sea and many UNCLOS provisions reflect this balance between coastal state and maritime state interests. UNCLOS provides for different maritime zones with varying substantive regimes. For instance, the coastal state has sovereignty over the territorial sea, which extends up to 12 nm from the baseline. Foreign warships must follow the conditions of Article 19 for ‘innocent passage’ if they are to navigate through the territorial seas of a coastal state. Article 25 permits the coastal state to protect itself and ‘take the necessary steps in its territorial sea to prevent passage which is not innocent.’ On the other hand, all states equally enjoy the freedom of navigation and overflight in the high seas, an area beyond national jurisdiction. Situated between these two substantive regimes is the EEZ, which is arguably the most complicated of the maritime zones in terms of regulation and enforcement. The concept of an EEZ developed early in the course of negotiations during the third United Nations Conference on the Law of the Sea (UNCLOS III). 26 Asian and African states adopted the 1972 Addis Ababa Declaration recognizing the right of a coastal state to establish an EEZ up to 200 nm in which ‘the coastal state would exercise permanent sovereignty over all resources without unduly hampering other legitimate uses of the sea, including freedom of navigation, of overflight and laying cables and pipelines.’ During UNCLOS III, there was considerable debate regarding the EEZ’s legal status. Maritime powers maintained that the EEZ should have the traditional freedoms of the high seas, while coastal states argued for more rights and control over the zone. The result is an EEZ that is a compromise between the varying positions. UNCLOS Article 56 establishes the substantive regime of the EEZ. This maritime zone begins where the territorial sea ends and is to extend no more than 200 nm from the baseline. The coastal state has the sovereign rights for the economic exploitation and exploration of all resources in the EEZ, including, for instance, energy production. The coastal state also has jurisdiction over artificial islands and installations, marine scientific research, and the protection and preservation of the marine environment. In its regulation of the EEZ, the coastal state is obliged to give ‘due regard’ to the rights and duties of other states and must act in a manner compatible with the Convention. It is important to note that ‘sovereign rights’ does not mean sovereignty. Other states enjoy freedoms in the EEZ similar to those of the high seas, such as navigation and overflight. Article 58 outlines the rights and duties of other states in the EEZ and mandates a similar obligation upon maritime states to have ‘due regard’ to the rights and duties of the coastal state. Thus, articles 56 and 58 strike a balance between the interests of the coastal states, and the right to the freedom of navigation of all other states. The cross-reference to Articles 88 to 115 in Article 58 applies certain high seas provisions to the EEZ, so long as they are compatible with this regime. Therefore, Article 58(2) envisions that other states may need to engage in certain non-economic, high-seas activities in the EEZ, such as hot pursuit, counter-piracy efforts, assistance and rescue missions, and the suppression of drug trafficking.
Definitions: ‘Law of the Sea’ Is Topical [cont’d]

3. The Law of the Sea is a development mechanism


The UN General Assembly (UNGA) held a session to celebrate the 30th anniversary of the launch of the UN Convention on the Law of the Sea (UNCLOS). Addressing the meeting, UN Secretary-General Ban Ki-moon noted the Convention's contribution to international peace and security, as well as to the equitable and efficient use of ocean resources. Ban underlined that UNCLOS is “an important tool for sustainable development,” as affirmed by the UN Conference on Sustainable Development (UNCSD, or Rio+20). He listed the challenges currently faced by oceans, including pollution, ocean acidification, over-exploitation of resources, piracy and maritime boundary disputes, and stressed the need to strive for the full implementation of UNCLOS. Concluding, he called for reaching the goal of universal participation to the Convention set out by the UNGA. Rodney Charles, Permanent Representative of Trinidad and Tobago to the UN and UNGA Vice-President, said UNCLOS has become a critical element of the international legal framework. He highlighted the role of the Convention in setting a global development agenda focused on sustainable resource use, stressing that the Rio+20 outcome document recognizes that it provides the legal framework for “achieving the conservation and sustainable use of the oceans.” He also referred to the launch in August 2012 of the Oceans Compact: Healthy Oceans for Prosperity, which aims to support and strengthen the implementation of UNCLOS.
Definitions: ‘Military’—Armed Forces / Services

1. ‘Military’ means the armed services
   Military
   — n., -taries, -tary
   3. the military the armed services (esp the army)

2. ‘Military’ means controlled or supported by the armed forces
   mil·i·tary adjective
   : controlled or supported by armed forces

3. ‘Military’ means performed by the armed forces
   mil·i·tary adjective
   2a : performed or made by armed forces

4. ‘Military’ means the armed forces of a country
   military, adj. and n.
   2. With pl. or sing. concord.Usu. with the. The armed forces (of a country); soldiers or military personnel, esp. regarded as a class.

5. ‘Military’ means relating to the armed forces
   Military
   — adj
   1. of or relating to the armed forces (esp the army), warlike matters, etc

6. ‘Military’ means related to the armed forces
   mil·i·tary adjective
   2b : supported by armed force
Definitions: ‘Military’—Army

- ‘Military’ means the army


mil·i·tary adjective
3: of or relating to the army
Definitions: ‘Military’—Excludes the Navy

1. ‘Military’ means the army, not the navy

   mil·i·tary adjective
   1b : of or relating to armed forces; especially : of or relating to ground or sometimes ground and air forces as opposed to naval forces

2. ‘Military’ means pertaining to army, not the navy

   mil·i·tar·y adjective
   1. of, for, or pertaining to the army or armed forces, often as distinguished from the navy: from civilian to military life.
1. **The Navy is part of the military**

Department of Defense, “About the Department of Defense,” no date, http://www.defense.gov/about/, accessed 4-14-14. The Army, Navy, and Marine Corps were established in 1775, in concurrence with the American Revolution. The War Department was established in 1789, and was the precursor to what is now the Department of Defense. One year later, in 1790, the Coast Guard (part of Homeland Security in peace time) was established. This was followed by the founding of the Department of the Navy in 1798. The decision to unify the different services under one Department led to the creation of the National Military Establishment in 1947. This establishment would replace the War Department, which converted to the Department of the Army. That same year, the U.S. Air Force was established followed by the founding of the Department of the Air Force. Finally, the three military branches, Army, Navy, and Air Force, were placed under the direct control of the new Secretary of Defense, confirmed by Senate. In 1949, an amendment to the National Security Act further consolidated the national defense structure by withdrawing cabinet-level status from the three Service secretaries. The National Military Establishment was then renamed the Department of Defense.

2. **The Navy is a department of the military**

Department of Defense, “Military Departments,” no date, www.defense.gov/pubs/almanac/mil_depts.html, accessed 4-14-14. The Military Departments (DoD Directive 5100.1) are the Department of the Army, Department of the Navy, and the Department of the Air Force (the Marine Corps is a part of the Department of the Navy). Each Military Department is separately organized under its own Secretary and functions under the authority, direction, and control of the Secretary of Defense. The Military Departments are responsible for organizing, training, supplying, and equipping forces for assignment to the Unified Combatant Commands. The Military Departments include: * Department of the Army * Department of the Navy * Marine Corps * Department of the Air Force
Definitions: ‘Military’—Soldiers

1. ‘Military’ means relating to soldiers—includes the navy


mil·i·tary adjective
: of or relating to soldiers or the armed forces (such as the army, navy, marines, and air force)

2. ‘Military’ means of or relating to soldiers

military, adj. and n.
A. adj.
2.a. Of, relating to, or characteristic of a soldier or soldiers; used, performed, or brought about by soldiers; befitting a soldier.

3. ‘Military’ means pertaining to soldiers

mil·i·tar·y adjective
3. of or pertaining to soldiers.

4. ‘Military’ means about soldiers

Military
— adj
2. of, characteristic of, or about soldiers

5. ‘Military’ means relating to soldiers

mil·i·tary adjective
1 a : of or relating to soldiers, arms, or war
Definitions: ‘Military’—Warfare

1. Military’ means relating to warfare—for military use

   military, adj. and n.
   A. adj.
   1. Of or relating to warfare or defence; adapted to or connected with a state of war; designed for military use. Of, relating, or belonging to armed forces or an army (now freq. opposed to civil or civilian).

2. ‘Military’ means pertaining to war

   mil·i·tar·y
   adjective
   2. of, for, or pertaining to war: military preparedness.
Definitions: ‘Non’—Negates

1. ‘Non-‘ negates

non-, prefix
Used to express negation. One of the major formative elements in English.
1. Prefixed to nouns of action, condition, or quality with the sense ‘absence or lack of’, often corresponding semantically to ‘not doing, failure to do’ (where a verb is implied by the noun, as in non-accomplishment, lack of accomplishment, failure to accomplish) or to ‘not being, failure to be’ (where an adjective is implied by the noun, as in non-activity, lack of activity, failure to be active).

2. ‘Non-‘ means not

non-
a prefix meaning “not,” freely used as an English formative, usually with a simple negative force as implying mere negation or absence of something (rather than the opposite or reverse of it, as often expressed by un-).: nonadherence; noninterference; nonpayment; nonprofessional.

3. ‘Non-‘ means not

non- prefix
1: not: other than: reverse of: absence of <nontoxic> <nonlinear>

4. ‘Non-‘ means negation

non- prefix
1. indicating negation: nonexistent

5. ‘Non-‘ excludes a particular class of persons or things

non- prefix
3. indicating exclusion from a specified class of persons or things: nonfiction

6. ‘Non-‘ indicates the absence of

non- prefix
4. indicating lack or absence, esp of a quality associated with what is specified: nonobjective; nonevent

7. ‘Non-‘ means not

Non-
non- prefix
: not
1: not: other than: reverse of: absence of <nontoxic> <nonlinear>
Definitions: ‘Non-Military’—Civilian

- ‘Non-Military’ means not of the armed forces; civilian

non-military, adj.
Not belonging to, characteristic of, or involving the armed forces; civilian.
Definitions: ‘Non-Military’—Excludes All Military

1. ‘Non-military’ means entirely outside of the military—the affirmative is ‘non-combat,’ which is still military


a) Definition of key terms The term ‘youth’ is understood in this study to be a socially constructed emic term which, like all social constructions, is not static, but continually re-defined by society based on the social context of the time. The term ‘non-military’ is used here to refer to roles which are not located within army or militia structures. Since roles within military structures involve both combat and non-combat roles (army cooks, porters, signallers and engineers, for example), the term ‘non-combat’ can be used to refer to ancillary roles within a military, which are not the focus of this study. This study is concerned with participants outside the armed wing of an armed opposition group entirely, for instance, within its administrative apparatus or mass organisations.

2. ‘Non-military’ means a prohibition on military activities


The vast literature on the subject shows, in space law, two major interpretations of 'peaceful': that of non-military and that of non-aggressive. In international law 'non-military' is defined as the prohibition to use outer space for military activities in times of peace, whereas 'non-aggressiveness' refers to the permission to use at least partial military precautions. The term ‘non-aggressiveness’ includes the possibility to apply military activities in outer space fully as long as those activities do not aim at direct attack in the sense of the United Nations definition of 'aggression'. The concept of non-aggressiveness is, from the political point of view, therefore a much broader one than the non-military one: it permits among other things almost all present activities in outer space such as those of 'spy' satellites, interceptor satellites, remote sensing satellites of a certain type as well as laser beam experiments and the use of nuclear power in outer space. At this point it begins to be difficult for those among us who are in favour of peace on Earth as well as in the rest of outer space, because many outer space activities, scientific or not, have up to now been executed by military personnel; so that, if we had to get rid of the 'non-military', this would mean that space research as it stands would become impossible. But it would be difficult, if not impossible, to discontinue space research, the more so since international law, and, to a smaller degree space law, do not forbid the use of outer space for military purposes.
Definitions: ‘Non-Military’—Excludes Coast Guard

1. The Coast Guard is part of the Armed Forces


The U.S. Coast Guard is a military, multimission, maritime service within the Department of Homeland Security (DHS) and one of the nation’s five armed services. The core roles of the U.S. Coast Guard are to protect the public, the environment, and U.S. economic and security interests in any maritime region in which those interests may be at risk, including international waters and America’s coasts, ports, and inland waterways. Both the Arctic and the Antarctic regions fall within the scope of U.S. Coast Guard responsibilities. From its inception as the Revenue Marine in 1790, the service has possessed a military character. Alexander Hamilton, later to become the first Secretary of the Treasury, conceived the need for a capable maritime presence as early as 1787 when he noted, “A few armed vessels, judiciously stationed at the entrances of our ports, might at a small expense be made useful sentinels of the laws” (Hamilton, 1787). For almost seven years, the Revenue Cutters represented the only naval force of the United States. Revenue and U.S. Coast Guard cutters have been employed as naval assets in every maritime conflict since the quasi-war with France in 1798-1800.

2. Coast Guard is military


Coast Guard missions rely on the twin pillars of prevention and response. We will take actions to prevent maritime safety, security, and pollution incidents in the Arctic. In our regulatory role, we are working with the Department of the Interior to review oil-spill response plans and preparedness by the oil-and-gas and maritime industries prior to exploration activities, especially on the outer continental shelf. We are taking the lessons from the 2010 Deepwater Horizon disaster to ensure that type of incident does not happen again, especially in the Arctic. We regulate U.S. mariners and inspect vessel- and facility-security plans. When a marine casualty does occur, we will investigate and take appropriate action to prevent it from happening again. As a law-enforcement agency, we will provide security in the ports, coastal areas, and exclusive economic zone to enforce U.S. laws governing fisheries and pollution, while ensuring the security of lawfully permitted activities, including energy exploration, in the region. We will deploy cutters, boats, aircraft, and deployable specialized forces—maritime safety- and-security teams, strike teams, dive teams—when the mission demands. As a military service, we will enforce U.S sovereignty where necessary, ensuring freedom of navigation and maritime homeland security. The Healy—our only operational icebreaker—and other ice-strengthened cutters will patrol where they can safely operate to provide persistent presence on the high seas and maritime approaches to the United States.

3. The Coast Guard is part of the armed services


As one of the five armed services of the United States, the Coast Guard provides support to the geographic combatant commanders and U.S. naval presence around the world to ensure the Nation’s national security. The ability to navigate freely in international waters, engage in innocent and transit passage, and enjoy high seas freedoms are critical rights under international law, which the Convention codifies. These rights allow our cutters and aircraft to move without the permission of or need to provide advance notice to other coastal nations. I add my voice to the other armed services in urging that we “lock in” these crucial rights through the Convention to protect them from erosion.
Definitions: ‘Non-Military’—Excludes Dual Use

- Dual use objects are those that have both military and civilian applications


Establishing and implementing effective strategic trade controls are imperative to stopping the proliferation of weapons of mass destruction and conventional weapons. One component of effective strategic trade controls is the adoption of control lists which meet international standards. Control lists outline which goods should be controlled due to proliferation concerns. Typically, control lists fall into two categories, dual-use and military. Goods and technologies are classified as military goods if they are designed specifically for military use, such as small arms, armed vehicles and protective equipment. Goods and technologies are considered to be dual-use when they can be used for both civil and military purposes, such as special materials, sensors and lasers, and high-end electronics.
Definitions: ‘Non-Military’—Excludes Icebreakers

1. The Coast Guard is integral to the U.S.’s national defense strategy—icebreakers are a part of that


As one of the five U.S. armed services, the U.S. Coast Guard helps to defend the nation and supports the National Security Strategy. The U.S. Coast Guard has served alongside the Navy in all wars and most armed conflicts since 1798, and has maintained weapon systems, training programs, and operating procedures that facilitate readiness and interoperability with the Navy and the other services. Many U.S. Coast Guard capabilities have military applications as well as domestic civilian purposes. Current agreements with the Department of Defense assign the U.S. Coast Guard five specific defense missions in support of U.S. combatant commanders: (1) creating a visible presence and thereby maritime interception operations; (2) military environmental response operations; (3) port operations, security and defense; (4) peacetime military engagement; and (5) coastal sea control operations. During Operation Iraqi Freedom, the United States employed U.S. Coast Guard capabilities, which currently remain a key component of maritime security in the Persian Gulf. As part of its national defense role, the U.S. Coast Guard operates the nation’s only multimission polar icebreakers, projecting U.S. presence and protecting national interests in the Arctic region.

2. The icebreakers would have an explicit military purpose


With the breakup of the Soviet Union and the end of the Cold War, there are no direct military threats in the Arctic basin. However, with the most recent missile testing, although seen as a failure, it may be possible for missiles launched from North Korea to reach parts of Alaska. In response, the United States has positioned significant missile tracking assets in the Aleutian Islands. Although at present, the U.S. Coast Guard is not actively patrolling these waters for national defense, this may change if the political climate in this region changes. It also appears that geopolitical competition in the Arctic is under way and increasing. Indicators include Canadian initiatives toward a more overt Arctic presence, aggressive Russian and Danish claims to the Arctic, and Danish-Canadian sovereignty disagreements over Han Island. This competition will likely develop further if exploitation of oil and gas reserves proves economical. U.S. national interests can only benefit from an active and capable presence in this competitive environment. Icebreaking capability would strengthen the U.S. defense posture in the Arctic by (1) creating a visible presence and thereby providing a clear statement of national interest in the region; (2) establishing an ability to monitor and react to events as necessary; and (3) preserving a basic capability for direct military action if ever required. The U.S. Coast Guard’s military status would offer advantages for protecting U.S. interests anywhere along the spectrum from peacetime operations to conflict.
Definitions: ‘Non-Military’—Includes Coast Guard

1. **The Coast guard performs non-military missions**

   Mark E. Dolan, Commander, U.S. Coast Guard, “The Seamless Maritime Concept,” Naval Postgraduate School, 3—05, p. 7. Capability and resource redundancy is expensive. However, contingency and surge compatibility is both necessary and appropriate. Where does appropriate compatibility and surge capacity become unnecessary redundancy? Navy and Coast Guard discussions concerning the Coast Guard as the national patrol boat manager, Deepwater communications and weapons systems interoperability, and deployment schedules are outstanding examples of complementary capabilities and cooperation. While the Navy’s justification for capabilities is solely dependent on defense missions, the Coast Guard’s justification includes readiness for defense missions and traditional Coast Guard missions. The redundancy discussion frequently fails to recognize that the Navy does not have a requirement to execute non-military missions. Moreover, the Coast Guard through its status as a law enforcement agency and military service must be prepared for both. The same is not true of the Navy.

2. **Most Coast Guard roles are non-military**


   The Coast Guard is in certain ways unique in the country’s governmental structure. It is, by definition, an armed force of the United States yet virtually the entire thrust of its peacetime role is distinctly non-military. This dual nature is characteristic of individual operating units as well as the organization as a whole. The sheer scope of duties is also noteworthy; there are fourteen operating programs (or major endeavors) carried out by 38,400 uniformed personnel, 5,400 civilian employees, 11,700 selected reservists and an auxiliary of 42,500 [Reference 160]. The Coast Guard has been descriptively categorized with regard to these features as a dual-role, multi-mission agency: it is a military service performing a wide range of civilian duties [Ref. 2]
**Definitions: ‘Non-Military’—Includes Non-Military Missions**

1. **We cannot effectively distinguish between military and civilian activities**


   The revolution in military affairs is having other effects as well. one is a reversal of the connection between the size of an armed force and its prowess. Numbers mattered greatly in industrial age warfare when sustained combat between sovereign nations-states was the most important form of military activity. But if advanced militaries make the organizational and conceptual changes necessary to consolidate the revolution in military affairs. small, advanced units may be more effective than the large ones of the past. At the same time, the expense of advanced armed forces. whether in terms of complicated equipment or in terms of the time required to train operators of the equipment, will make attrition warfare less viable. A final important current of change is the blurring between things military and things civilian. In part, this derives from the increasing role that information and information technology play in military activity. There is less distinction between civilian information technology and military technology than in other arenas. The skills needed by a future "information warrior" will not be fundamentally different from those in charge of corporate information security. The distinction between daily life in the military and outside it may be insignificant. The expanding concept of national security is also leading to a melding of military and police activity. As criminals come to be seen as the preeminent security threat in many countries, and as they become better organized, better equipped, and interlinked. armed forces and police will perform many of the same functions and may eventually become indistinguishable. All of this means that the distinction between military functions and civilian functions, or between a military career and a nonmilitary career may be less evident than in the past and may eventually fade away all together.

2. **Assisting civilian authorities is a nonmilitary mission**


   To address these objectives we assessed key national and defense strategies; DOD plans, mission orders, documents (such as training manuals), and directives; and laws governing DOD assistance to U. S. civilian authorities. We conducted interviews with knowledgeable officials including those in the Office of the Secretary of Defense; the services and their various commands; U. S. Northern Command; and met with units performing domestic military missions at various locations nationwide. We analyzed Army military police and other combat unit installation security deployments, Air Force fighter wing operational data. We define domestic military missions as DOD activities to protect the U. S. sovereignty, territory, domestic population, and critical defense infrastructure from external threats and aggression (i. e., homeland defense). We define nonmilitary missions as military assistance to U. S. civil authorities* federal, state, and local governments.

3. **‘Military’ assets can be used for ‘non-military’ missions**


   Reveron’s approach avoids the “stocking up” approach to military procurement, because the emphasis would be on finding ways to deploy and use assets, rather than warehousing systems “in case of emergency.” For instance, in the maritime realm, the carriers, amphibious vessels and destroyers that were designed to contain the Soviet navy and protect sea lines of communication (and which might be used in a similar role vis-à-vis China in the future) are now being used “to conduct activities ashore to improve human security.” The 2010 response to the Haiti earthquake saw an aircraft carrier and sixteen other warships deployed to provide humanitarian relief and rescue services; such “nonmilitary” missions, in turn, help to reduce the factors which can produce security threats to the United States and reinforce American ties with other states. Reveron quotes a navy official who notes that using “war” assets for non-military missions such as training and humanitarian relief means “We can show up, provide training, provide resources, and then leave very little footprint behind.” An “exporting security” approach guides future procurement decisions towards “multiuse” platforms that can combine conventional and non-conventional missions.
Definitions: ‘Oceans’—Big Body of Salt Water

1. ‘Ocean’ means the big body of salt water

   Ocean
      — n
   2. the body of salt water covering approximately 70 per cent of the earth's surface

2. ‘Ocean’ means the big body of salt water

   Ocean
      ocean noun
      1 [noncount] : the salt water that covers much of the Earth's surface
Definitions: ‘Oceans’—Excludes Above the Surface

1. The ocean consists of five layers, starting at the surface


   Just as the atmosphere is divided into layers the ocean consists of several layers itself. Epipelagic Zone This surface layer is also called the sunlight zone and extends from the surface to 660 feet (200 meters). It is in this zone that most of the visible light exists. With the light comes heating from sun. This heating is responsible for wide change in temperature that occurs in this zone, both in the latitude and each season. The sea surface temperatures range from as high as 97°F (36°C) in the Persian Gulf to 28°F (-2°C) near the north pole. The sea surface temperature also "follows the sun". From the earth's perspective, the sun's position in the sky moves higher each day from winter to summer and lower each day from summer to winter. This change in the sun's position from winter to summer means that more energy is reaching the ocean and therefore warms the water. Click for sea surface temperature loops. Following are several loops over various periods showing the north-south migration of temperature each month: 1998 (1.3 mb) | 1996-98 (3.8 mb) | 1993-98 (7.7 mb) Interaction with the wind keeps this layer mixed and thus allows the heating from the sun to be distributed vertically. At the base of this mixing layer is the beginning of the thermocline. The thermocline is a region where water temperature decreases rapidly with increasing depth and transition layer between the mixed layer at the surface and deeper water. Typical seawater temperature profile with increasing depth. The depth and strength of the thermocline varies from season to season and year to year. It is strongest in the tropics and decrease to nonexistent in the polar winter season. Mesopelagic Zone Below the epipelagic zone is the mesopelagic zone, extending from 660 feet (200 meters) to 3,300 feet (1,000 meters). The mesopelagic zone is sometimes referred to as the twilight zone or the midwater zone as sunlight this deep is very faint. Temperature changes the greatest in this zone as this is the zone with contains the thermocline. Because of the lack of light, it is within this zone that bioluminescence begins to appear on life. The eyes on the fishes are larger and generally upward directed, most likely to see silhouettes of other animals (for food) against the dim light. Bathypelagic Zone The depths from 3,300 - 13,100 feet (1,000-4,000 meters) comprise the bathypelagic zone. Due to its constant darkness, this zone is also called the midnight zone. The only light at this depth (and lower) comes from the bioluminescence of the animals themselves. The temperature in the bathypelagic zone, unlike that of the mesopelagic zone, is constant. The temperature never fluctuates far from a chilling 39°F (4°C). The pressure in the bathypelagic zone is extreme and at depths of 13,100 feet (4,000 meters), reaches over 5850 pounds per square inch! Yet, sperm whales can dive down to this level in search of food. Abyssopelagic Zone The abyssopelagic Zone (or abyssal zone) extends from 13,100 feet (4,000 meters) to 19,700 feet (6,000 meters). It is the pitch-black bottom layer of the ocean. The name (abyss) comes from a Greek word meaning “no bottom” because they thought the ocean was bottomless. Three-quarters of the area of the deep-ocean floor lies in this zone. The water temperature is constantly near freezing and only a few creatures can be found at these crushing depths. The deepest a fish have ever been found was in the Puerto Rico Trench at 27,460 feet (8,372 meters). Hadalpelagic Zone The deepest zone of the ocean, the hadalpelagic zone extends from 19,700 feet (6,000 meters) to the very bottom at 35,797 feet (10,911 meters) in the Mariana Trench off the coast of Japan. The temperature is constant at just above freezing. The weight of all the water over head in the Mariana Trench is over 8 tons per square inch (the weight of 48 Boeing 747 jets). Even at the very bottom life exists. In 2005, tiny single-celled organisms, called foraminifera, a type of plankton, were discovered in the Challenger Deep trench southwest of Guam in the Pacific Ocean.
Definitions: ‘Oceans’—Excludes Desalination

1. Desalination is used for far more than seawater


Desalination. Desalination is much more than just the treatment of seawater. Historically, seawater desalination has been viewed as an expensive alternative to developing unimpaired water sources. As these unimpaired sources have become fully allocated, our nation is now forced to turn to using these impaired water sources. Inland, the development of brackish water offers the potential for new resource development while coastal locations are looking to seawater.

2. It is not just seawater—also occurs in the interior with brackish water


In the United States, desalination is increasingly investigated as an option for meeting municipal water demands, particularly for coastal communities that can desalinate seawater or estuarine water, interior communities above brackish groundwater aquifers, and communities with contaminated water supplies. Adoption of desalination, however, remains constrained by financial, environmental, regulatory, and other factors. At issue is what role Congress establishes for the federal government in desalination research and development, and in construction and operational costs of desalination demonstration projects and full-scale facilities. Desalination processes generally treat seawater or brackish water to produce a stream of freshwater, and a separate, saltier stream of water that has to be disposed (often called waste concentrate). Desalination’s attractions are that it can create a new source of freshwater from otherwise unusable waters, and that this source may be more dependable than freshwater sources that rely on annual or multi-year precipitation, runoff, and recharge rates. Many states (most notably Florida, California, and Texas) and cities are actively researching and investigating the feasibility of large-scale desalination plants for municipal water supplies.

3. Desalination contextually occurs with both brackish and seawater


The committee was specifically asked to address the potential for seawater and brackish water desalination to help meet anticipated water supply needs in the United States. The committee concluded that the potential for desalination cannot be definitively determined because it depends on a host of complicated and locally variable economic, social, environmental, and political factors. In the complete absence of these factors, the theoretical potential for desalination is effectively unlimited. Large quantities of inland brackish groundwater appear to be available for development; in coastal areas, ocean resources are essentially infinite in comparison to human demands. But, as with most resource questions, the theoretical potential and the practical potential are far different. All water management and planning takes place in the context of economic, social, environmental, and political factors, and these factors are far more important than technological desalination process constraints in limiting the potential for desalination to help meet anticipated water supply needs. As a result, this report addresses key technological issues that may lend themselves to focused research and development efforts, but the report also addresses nontechnical questions that may ultimately prove to be more limiting.
4. Desalination can be inland and work with brackish water—El Paso facility proves


Interior Secretary Ken Salazar visited El Paso’s desalination plant Wednesday to showcase the technology as a way to help alleviate the region's chronic water woes and to support a statewide water supply increasingly stressed by drought and population growth. The $87 million plant is the largest inland facility of its kind in the world. It takes in brackish water, which has more salinity than fresh water but not as much as ocean water, from an underground aquifer and makes it drinkable. With a daily output of 27.5 million gallons, it's also the largest desalination plant in the U.S. “Through using water, brackish water, we are able to extend water supply in a way that would have not been possible 10, 15 years ago,” Salazar said after touring the facility. “Other places in the country that could learn from this place.” Salazar said desalination is one part of a water management strategy that comprises several factors, including recycling and using water more efficiently. He toured the facility with Michael Connor, commissioner of the Bureau of Reclamation, and U.S. Rep. Silvestre Reyes, an El Paso Democrat. The plant, named the Kay Bailey Hutchison Desalination Plant, began operation in August 2007. As such facilities become more efficient and cheaper to operate, they are expected to increase their contribution to the Texas water supply in the coming years, said Jorge Arroyo, director of innovative water technologies for the Texas Water Development Board. Construction is under way on several other desalination plants, and the state's 50-year plan for water supply infrastructure calls for several more to be in operation by 2060, Arroyo said. "It's getting more efficient, reliable and less expensive than what it used to be," he said. Arroyo said desalination is the only option Texas has for bringing "new water" to the state's supply as the readily available fresh water in aquifers and reservoirs is used up. He also noted the stress caused by the record-setting drought in the region. The plant treats brackish water, which has more salinity than fresh water but not as much as ocean water, to make it drinkable. El Paso's plant uses water from the local aquifer and treats it through reverse osmosis. The method forces water through a membrane, which retains the molecules that make the water unfit for drinking.
**Definitions: ‘Oceans’—Excludes Great Lakes**

- **The Great Lakes are not oceans**


It is unclear as to why the Ocean Policy/CMSP is applied to the Great Lakes. The Great Lakes are not oceans. The submerged lands in the Great Lakes region are under the jurisdiction of the adjacent states and are actually part of the territory of those states. There are no Great Lakes waters under exclusive federal jurisdiction. We are concerned that applying CMSP to the Great Lakes would in fact take away state authority in these regions and bring them under federal control setting up a constitutional conflict.
Definitions: ‘Oceans’—Excludes Methane Hydrates

1. **Methane hydrates are found in permafrost**


   Methane hydrates also live buried in permafrost on land. In one spot on the coast of Siberia, the ocean has eaten into the coastline, breaking off chunks of permafrost into the sea. Methane concentrations in the ocean off this spot are 25 times higher than normal, indicating that methane from the permafrost is leaking out into the ocean and then the atmosphere. So melting permafrost is a worry, too.

2. **Methane hydrates also occur in permafrost**


   Methane comes from buried organic matter after it's ingested by bacteria or heated and cooked. The gas migrates upward, under high pressure and low temperature, and can combine with water to form methane hydrate. Most deposits are below the sea floor off the continental shelf or under permafrost. Shallow pockets of methane hydrate release the potent greenhouse gas into the atmosphere and that process is exacerbated by climate warming.
Definitions: ‘Oceans’—Excludes Near-Coast Activity

1. ‘Ocean’ is the area beyond the contiguous zone


(9) The term "contiguous zone" means the entire zone established or to be established by the United States under article 24 of the Convention of the Territorial Sea and the Contiguous Zone. (10) The term "ocean" means any portion of the high seas beyond the contiguous zone.

2. The contiguous zone extends beyond 24 miles offshore


Each coastal State may claim a contiguous zone adjacent to and beyond its territorial sea that extends seaward up to 24 nm from its baselines. In its contiguous zone, a coastal State may exercise the control necessary to prevent the infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea, and punish infringement of those laws and regulations committed within its territory or territorial sea. Additionally, in order to control trafficking in archaeological and historical objects found at sea, a coastal State may presume that their removal from the seabed of the contiguous zone without its consent is unlawful. In 1972, the U.S. proclaimed a contiguous zone extending from 3 to 12 miles offshore (Department of State Public Notice 358, 37 Fed. Reg. 11906 (June 15, 1972), consistent with the 1958 UN Convention on the Territorial Sea and Contiguous Zone. In 1999, eleven years after President Reagan extended the U.S. territorial sea to 12 miles, President Clinton proclaimed a contiguous zone extending from 12 to 24 nm offshore (Presidential Proclamation No. 7219, August 2, 1999), consistent with Article 33 of the Law of the Sea Convention.

3. ‘Ocean’ is the high seas beyond the contiguous zone

Joe Mathews, attorney, “Redefining the Territorial Sea in the Clean Water Act: Replacing Outdated Terminology and Extending Regulatory Jurisdiction,” SEA GRANT LAW AND POLICY JOURNAL v. 4 n. 1, Summer 2011, p. 120-121.

The “ocean” is defined as “any portion of the high seas beyond the contiguous zone.” Although the high seas is not defined in the CWA, the “ocean” as used in the CWA has been interpreted to include the Exclusive Economic Zone (seaward a distance of 200 nautical miles) as well as the high seas beyond the jurisdictional reach of the United States. Part VII of UNCLOS III, which discusses the “High Seas” states that it applies “to all parts of the sea that are not included in the exclusive economic zone, in the territorial sea or in the internal waters of a State, or in the archipelagic waters of an archipelagic State.” Although such an expansive definition was unlikely the intention of Congress when it passed the CWA, the statute does assert authority over ocean waters falling outside U.S. jurisdiction and it is a reasonable interpretation of the statutory language in light of UNCLOS III. This serves as another example of the confusion generated by Congress’ failure to update the CWA to reflect the existing extent of maritime claims under international law.

4. The contiguous zone extends beyond 24 miles offshore

Joe Mathews, attorney, “Redefining the Territorial Sea in the Clean Water Act: Replacing Outdated Terminology and Extending Regulatory Jurisdiction,” SEA GRANT LAW AND POLICY JOURNAL v. 4 n. 1, Summer 2011, p. 120.

The CWA defines the “contiguous zone” as “the entire zone established or to be established by the United States under article 24 of the Convention of the Territorial Sea and the Contiguous Zone [15 UST § 1606].” As defined in the Convention of the Territorial Sea and the Contiguous Zone, a coastal State’s contiguous zone is “zone of the high seas contiguous to its territorial sea” which “may not extend beyond twelve miles from the baseline from which the breadth of the territorial sea is measured.” The CWA’s definition of the contiguous zone (like the territorial sea) is outdated, as UNCLOS III expanded the acceptable width of the contiguous zone (12 nm beyond the territorial sea or the area 12 to 24 nm from the baseline). Furthermore, the U.S. contiguous zone, like the territorial sea, was extended by presidential proclamation to make it consistent with the maritime zones established in UNCLOS III. Currently, the United States claims a contiguous zone that is contiguous to the territorial sea, and extends seaward a distance of 24 nautical miles from shore. This inconsistency could cause problems if the definition of the territorial seas were to be updated without also updating the definition of the contiguous zone. In such a situation, the contiguous zone, as defined in the CWA, would be completely subsumed by the new (12 mile) extent of “navigable waters.” This overlap, however, would be unlikely to affect day-to-day management because the seaward extent of the contiguous zone is used to define the inland boundary of ocean waters.
Definitions: ‘Oceans’—Excludes Offshore Wind

1. Offshore wind occurs in Michigan

Michigan has an advantage in the offshore wind industry simply because of its location. It is in an advantageous position because it borders the Great Lakes and because its industrial sector is in a unique position to transition to manufacturing parts for the wind turbine industry.

2. Offshore wind is viable in the Great Lakes

First, Michigan is surrounded by four of the five Great Lakes. The State has approximately forty percent of the Great Lakes water surface area within its jurisdiction. The windiest sites of the country are typically located in the Great Plains or the western part of the country—areas that are not densely populated and that would be difficult to connect to a power grid. Transferring the energy generated from those remote sites to the densely populated areas of the coasts is expensive. However, building offshore wind farms in Michigan eliminates the problems and costs associated with transferring energy because nearly ten percent of the U.S. population lives in the Great Lakes Basin. Therefore, while it would be expensive to transfer energy from the windy regions of the Great Plains to the densely populated areas, it is not expensive to transfer the energy generated from offshore farms in Michigan to the populations of the Great Lakes region.

3. The Great Lakes host wind projects, are not the ocean

Furthermore, Michigan has an advantage simply because it borders the Great Lakes rather than oceans. It is less difficult to implement offshore projects in the Great Lakes than in ocean or salt waters, and project implementation costs for offshore wind energy in the Great Lakes will likely be less than in an ocean setting. Furthermore, surrounded by deepwater ports, Michigan is accessible to regional, national, and international shipments of turbine components. Lake waters tend to be shallower than ocean waters and do not face the same major weather concerns, like hurricane threats. Also, saltwater is more corrosive than freshwater, so wind turbines in lakes and other fresh water areas do not need to be replaced as often as they do in oceans. Consequently, by virtue of its location, Michigan is situated to compete with other states for offshore wind development.
Definitions: ‘Oceans’—Excludes Seas

- ‘Ocean’ is independent of sea


ocean, n.
1b. Independently of sea.
Definitions: ‘Oceans’—Large Amount / Expanse

1. ‘Ocean’ means huge quantity

Ocean
— n
3. a huge quantity or expanse: an ocean of replies

2. ‘Ocean’ means a very large amount

Ocean
ocean noun
3 [count] informal : a very large number or amount of something
an ocean of sadness
— often plural
oceans of time [=lots of time]

3. ‘Ocean’ means immense expanse

ocean, n.
3. fig. a. An immense or boundless expanse of something. Also (hyperbolically): a very great or indefinite quantity; (freq. in pl.) lots of.

4. ‘Ocean’ means vast expanse or quantity

ocean
noun
3. a vast expanse or quantity: an ocean of grass.
Definitions: ‘Oceans’—One of the Five

1. ‘Ocean’ means one of the five oceans

   Ocean
   — n
   1. a very large stretch of sea, esp one of the five oceans of the world, the Atlantic, Pacific, Indian, Arctic, and Antarctic

2. ‘Ocean’ means any of the Atlantic, Pacific, Indian, Arctic, and Antarctic

   o·cean
   noun
   2. any of the geographical divisions of this body, commonly given as the Atlantic, Pacific, Indian, Arctic, and Antarctic oceans.

3. ‘Ocean means one of the five large areas of salt water

   Ocean
   ocean noun
   2 [count] or Ocean : one of the five large areas of salt water that cover much of the Earth's surface
   the Atlantic Ocean
   the Pacific and Indian oceans
   the Arctic/Antarctic Ocean

4. ‘Ocean’ means each of the subdivisions

   ocean, n.
   2. Each of the main areas or regions into which this body of water is divided geographically; any similar large expanse of sea.
   Also in extended use. Usu. with distinguishing word.
Definitions: ‘Oceans’—One Body of Continuous Saltwater

1. There is one ocean—we simply name it by basin


Earth has one ocean, covering over seventy percent of the entire planet's surface. The ocean is divided into ocean basins, namely the North and South Pacific, North and South Atlantic, the Indian, and the Arctic. Most of the Earth's water—ninety-seven percent, to be exact—is in the ocean. Having such a presence on our Earth, it should come as no surprise that the ocean shapes many of the physical features of the Earth. For example, new Earth crust is created beneath the ocean, and old, eroded earth is deposited back into the oceans. Also, continental boundaries retreat and expand over time with changing sea levels. The ocean substantially affects weather patterns and Earth's climate. Moreover, the ocean dominates Earth's energy, water, and carbon systems. Thus, the conditions of the oceans are a large factor in controlling extreme weather events, precipitation, and carbon dioxide absorption.

2. ‘Ocean’ means the big body of salt water


ocean, n.
1. Usu. with the. The vast continuous body of salt water covering the greater part of the earth's surface and surrounding its land masses; the sea, esp. the open sea. (In early times, when only the one great mass of land, the Eastern hemisphere, with its islands, was known, the ocean was the ‘Great Outer Sea’ of boundless extent, everywhere surrounding the land, as opposed to the Mediterranean and other inland seas.)
   a. In collocation with sea, as ocean sea, †sea ocean, †sea of (the) ocean. Now arch. and poet.

3. ‘Ocean’ means the vast body of saltwater that covers the earth

o·cean
noun
1. the vast body of salt water that covers almost three fourths of the earth's surface.
Definitions: ‘Oceans’—Plural of Ocean

- ‘Ocean’s’ plural is ‘oceans’

Ocean
ocean noun
plural oceans
Definitions: ‘Of’

1. ‘Of’ means the thing from which something goes


   of, prep.
   1. a. Indicating the thing, place, or direction from which something goes, comes, or is driven or moved: from, away from, out of. Now regional exc. as off (see off adv. 1).

2. ‘Of’ means the place from which an action is directed


   of, prep.
   1b. Indicating the place or source from which action, (as shooting, calling, writing) is directed: from. Obs.

3. ‘Of’ means distance or direction from


   of
   preposition
   1. (used to indicate distance or direction from, separation, deprivation, etc.): within a mile of the church; south of Omaha; to be robbed of one's money.

4. ‘Of’ indicates origin or source


   of
   preposition
   2. (used to indicate derivation, origin, or source): a man of good family; the plays of Shakespeare; a piece of cake.

5. ‘Of’ indicates cause, motive


   of
   preposition
   3. (used to indicate cause, motive, occasion, or reason): to die of hunger.

6. ‘Of’ indicates component parts


   of
   preposition
   4. (used to indicate material, component parts, substance, or contents): a dress of silk; an apartment of three rooms; a book of poems; a package of cheese.

7. ‘Of’ indicates possession or origin


   Of
   — prep
   2. used to indicate possession, origin, or association: the house of my sister; to die of hunger.
Definitions: ‘Of’ [cont’d]

8. ‘Of’ means containing or characterized by

Of
— prep
4. constituted by, containing, or characterized by: a family of idiots ; a rod of iron ; a man of some depth

9. ‘Of’ indicates separation

Of
— prep
5. used to indicate separation, as in time or space: within a mile of the town ; within ten minutes of the beginning of the concert

10. ‘Of’ means about or concerning

Of
— prep
7. about; concerning: speak to me of love

11. ‘Of’ means belonging or relating to

Of
of preposition
: belonging to, relating to, or connected with (someone or something)
—used to indicate that someone or something belongs to a group of people or things

12. ‘Of’ means occurring in

Of
of preposition
: living or occurring in (a specified country, city, town, etc.)

13. ‘Of’ indicates origin or derivation

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

14. ‘Of’ means occurring in

Of
of preposition
2e : occurring in <a fish of the western Atlantic>
Definitions: ‘Resolve’—Find a Solution

- 'Resolve' means to find a solution

  To find a solution to (a problem).
Definitions: ‘Resolve’—Forum

1. 'Resolve' means to declare by a formal vote

6 a : to declare or decide by a formal resolution and vote b : to change by resolution or formal vote <the house resolved itself into a committee>

2. 'Resolve' means to express an opinion formally

2. to express (an opinion) formally, esp (of a public meeting) one agreed by a vote
Definitions: ‘Resolve’—Make a Firm Decision

1. 'Resolve' means to come to a firm decision

   to come to a definite or earnest decision about; determine (to do something): I have resolved that I shall live to the full.

2. 'Resolve' means to make a firm decision

   To make a firm decision to do something.

3. 'Resolve' means to make a firm decision about

   5: to reach a firm decision about <resolve to get more sleep>
Definitions: ‘Resolve’—Plan of Action

1. 'Resolve' means to settle on a plan of action

   to come to a determination; make up one's mind; determine (often followed by on or upon ): to resolve on a plan of action.

2. 'Resolve' means to decide firmly

   1. ( takes a clause as object or an infinitive ) to decide or determine firmly

3. 'Resolve' means to make up your mind

   5. to make up the mind of; cause to decide: the tempest resolved him to stay at home
Definitions: ‘Resolved’—Strongly Determined

1. 'Resolved' means a firm determination

I. Senses relating to decision, determination, etc.
1. a. Of the mind, etc.: freed from doubt or uncertainty; settled.

2. 'Resolved' means a fixed intention

2. a. Of a person: that has resolved to do something; having a fixed intention; determined, decided.

3. 'Resolved' means fully determined upon

2. b. Of an action, state of mind, etc.: fully determined upon, deliberate.

4. 'Resolved' means fully committed to a course of action

2. c. Of a person: staunch, dedicated; committed, confirmed; that is thoroughly committed to the specified or implied course of action, practice, religious belief, doctrine, etc.

5. 'Resolved' means strongly determined

resolved, adjective: strongly determined: [+ to infinitive] We’re resolved to get together more often.

6. 'Resolved' means fixed in purpose

— adj, fixed in purpose or intention; determined

7. 'Resolved' means resolute or determined

resolved
* adjective resolute, determined.

8. 'Resolved' means determined, set

resolved
* adjective determined, hell-bent, intent, set.

9. 'Resolved' means resolute or determined

resolved r'zlvd adj. resolute, determined.
**Definitions: ‘Shall’—Determination**

1. **‘Shall’ expresses determination**

   Shall
   shall verb
   4—used to express determination <they shall not pass>

2. **‘Shall’ means determination to bring out an event**

   shall, v.
   6. In the second and third persons, expressing the speaker's determination to bring about (or, with negative, to prevent) some action, event, or state of things in the future, or (occasionally) to refrain from hindering what is otherwise certain to take place, or is intended by another person.
   a. In the second person.
   b. In third person.

3. **‘Shall’ indicates determination**

   Shall
   — vb (takes an infinitive without to or an implied infinitive ) (esp with I or we as subject ) (with you, he, she, it, they, or a noun as subject ) , past should
   2.a. used as an auxiliary to indicate determination on the part of the speaker, as in issuing a threat: you shall pay for this!

4. **‘Shall’ means definitely will**

   shall
   auxiliary verb
   2. will have to, is determined to, or definitely will: You shall do it. He shall do it.
Definitions: ‘Shall’—Future

- ‘Shall’ means expected in the future

Shall
shall verb
—used to say that something is expected to happen in the future
Definitions: ‘Shall’—Imperative / Command

1. ‘Shall’ is an imperative

   shall, v.
   5. In commands or instructions.
      a.(a) In the second person, equivalent to an imperative.
      (b) In expositions: you shall understand, etc. (that). Obs.
      (c) In the formula you shall excuse (pardon) me. Obs. (now must).
   b. In the third person.

2. ‘Shall’ gives a command

   Shall
   shall verb
   —used to give a command or to say that you will or will not allow something to happen

3. ‘Shall’ expresses a command

   Shall
   shall verb
   2a —used to express a command or exhortation <you shall go>
Definitions: ‘Shall’—Intend To / Likely

1. ‘Shall’ means plan / intend to

   shall
   auxiliary verb
   1. plan to, intend to, or expect to: I shall go later.

2. ‘Shall’ indicates something is likely

   Shall
   shall verb
   3a —used to express what is inevitable or seems likely to happen in the future <we shall have to be ready> <we shall see>
Definitions: ‘Shall’—Must

1. ‘Shall’ means will have to

shall, v.
3b. In stating a necessary condition: = ‘will have to’, ‘must’ (if something else is to happen).

2. ‘Shall’ means obliged

shall
auxiliary verb
3. (in laws, directives, etc.) must; is or are obliged to: The meetings of the council shall be public.

3. ‘Shall’ indicates compulsion

Shall
— vb (takes an infinitive without to or an implied infinitive) (esp with I or we as subject) (with you, he, she, it, they, or a noun as subject), past should
2.b. used as an auxiliary to indicate compulsion, now esp in official documents: the Tenant shall return the keys to the Landlord

4. ‘Shall’ expresses that which is mandatory

Shall
shall verb
2b—used in laws, regulations, or directives to express what is mandatory <it shall be unlawful to carry firearms>
Definitions: ‘Shall’—Ought

- ‘Shall’ means ought

shall, v.
2. In general statements of what is right or becoming: = ‘ought’. Obs. (Superseded by the pa. subjunctive should: see sense 18)
Definitions: ‘Should’—Condition

1. ‘Should’ expresses condition

2. (used to express condition): Were he to arrive, I should be pleased.

2. ‘Should’ expresses condition

Should should verbal auxiliary past of shall
1 —used in auxiliary function to express condition <if he should leave his father, his father would die — Genesis 44:22(Revised Standard Version)> 2. (used to express condition): Were he to arrive, I should be pleased.

3. 'Should' expresses a conditional mood

infrastructure, noun should /ʃʊd/
* modal verb (3rd sing. should) 3. formal expressing the conditional mood:
■ (in the first person) indicating the consequence of an imagined event: if I were to obey my first impulse, I should spend my days writing letters.
■ referring to a possible event or situation: if you should change your mind, I'll be at the hotel | should anyone arrive late, admission is likely to be refused.

4. 'Should' expresses the conditional mood

* auxiliary verb (3rd sing., should) past of shall, used esp.
3. esp. Brit. expressing the conditional mood in the 1st person (compare would): I should have been killed if I had gone.
■ forming a conditional protasis or indefinite clause: if you should see him □ | should they arrive, tell them where to go.

5. 'Should' formally expresses a conditional mood

should /ʃoʊd/
* modal verb (3rd sing. should) 3. formal expressing the conditional mood.
■ (in the first person) indicating the consequence of an imagined event: if I were to obey my first impulse, I should spend my days writing letters.
■ referring to a possible event or situation: if you should change your mind, I'll be at the hotel | should anyone arrive late, admission is likely to be refused.
Definitions: ‘Should’—Futurity

- ‘Should’ expresses futurity from the point of the present

Should
should verbal auxiliary
past of shall
3—used in auxiliary function to express futurity from a point of view in the past <realized that she should have to do most of her farm work before sunrise — Ellen Glasgow>
Definitions: ‘Should’—Must / Obligation

1. ‘Should’ means must / ought

http://dictionary.reference.com/browse/should?s=t

should
auxiliary verb
3. must; ought (used to indicate duty, propriety, or expediency): You should not do that.

2. ‘Should’ expresses obligation


Should
should verbal auxiliary
past of shall
2—used in auxiliary function to express obligation, propriety, or expediency <‘tis commanded I should do so — Shakespeare>
<br>this is as it should be — H. L. Savage> <you should brush your teeth after each meal>

3. 'Should' means duty, obligation, likelihood


should
* auxiliary verb (3rd sing., should) past of shall, used esp.
1. esp. Brit. in reported speech, esp. with the reported element in the 1st person: I said I should be home by evening.
2. to express a duty, obligation, or likelihood: see ought : I should tell you □ | you should have been more careful □ | they should have arrived by now.
■ (in the 1st person) to express a tentative suggestion: I should like to say something.

4. 'Should' expresses obligation, duty, correctness


should /SHo0d/
* modal verb (3rd sing. should)
1. used to indicate obligation, duty, or correctness, typically when criticizing someone's actions: he should have been careful | I think we should trust our people more | you shouldn't have gone.
■ indicating a desirable or expected state: by now students should be able to read with a large degree of independence.
■ used to give or ask advice or suggestions: you should go back to bed | what should I wear?
■ (I should) used to give advice: I should hold out if I were you.

5. 'Should' indicates what is probable


should /SHo0d/
* modal verb (3rd sing. should)
2. used to indicate what is probable: $348 million should be enough to buy him out | the bus should arrive in a few minutes.

6. 'Should' means obligation or duty


should, aux.v. Past tense of shall.
1. Used to express obligation or duty: You should send her a note.
Definitions: ‘Should’—Necessary / Desirable

- 'Should' means necessary or desirable to increase

used to express that it is necessary, desirable, or important to perform the action of the following verb:
Definitions: ‘Should’—Not Synonymous with Ought

- 'Should' implies an obligation milder than ought

The word "should", denotes an obligation in various degrees, usually milder than ought. Baldassarre v. West Oregon Lumber Co., 239 P.2d 839, 842, 193 Or. 556.
Definitions: ‘Should’—Ought

1. 'Should' is synonymous with 'ought'

An instruction that, when a criminal charge is to be proved on circumstantial evidence, the proof ought to be not only consistent with the prisoner's guilt, but inconsistent with any rational conclusion, is not erroneous in failing to make that condition mandatory; the word "ought" meaning to be bound in duty or by moral obligation, to be necessary or becoming, and to be synonymous with "should." State v. Blaine, 124 P.516, 517, 45 Mont. 482.

2. 'Should' means 'ought to'

In action against railroad for injuries to plaintiff struck by train, instructions under humanitarian doctrine containing words "could or should have seen" plaintiff held not objectionable because of words "or should," on theory that such words were misleading and prejudicial to defendant; the word "should" comprehending thought of "ought to have seen." Thompson v. Quincy, O. & K. C. R. Co., Mo., 18 S.W.2d 401, 405.

3. 'Should' is the equivalent of 'ought to'

In a prosecution for homicide, an instruction that the jury need not believe the testimony of the accused, and should not do so, if after fairly and impartially considering all the evidence, they believe that accused willfully and knowingly testified falsely to any material matter, is erroneous because improperly directing the jury to disregard defendant's testimony; the word "should" being equivalent of "ought to." People v. Barkas, 99 N.E. 698, 702, 255 Ill. 516.
Definitions: ‘Should’—Past Tense of Shall

1. ‘Should’ is the past tense of shall

Should
— vb
See also shall the past tense of shall : used as an auxiliary verb to indicate that an action is considered by the speaker to be obligatory ( you should go ) or to form the subjunctive mood with I or we ( I should like to see you; if I should be late, go without me )

2. ‘Should’ is the past tense of shall

http://dictionary.reference.com/browse/should?s=t
should
auxiliary verb
1. simple past tense of shall.

3. ‘Should’ is the past of shall

Should
should verbal auxiliary
past of shall

4. 'Should' means shall

should (s’ho’od)
auxiliary verb
1. shall: I had hoped I should see you
Definitions: ‘Should’—Probable

1. ‘Should’ refers to that which is probable or expected


Should
should verbal auxiliary
past of shall
4—used in auxiliary function to express what is probable or expected <with an early start, they should be here by noon>

2. 'Should' means likely


Will likely (become or do something); indicates that the subject of the sentence is likely to execute the sentence predicate.

3. 'Should' indicates that which is probable


infrastructure, noun
should /ʃʊd/
* modal verb (3rd sing. should)
2. used to indicate what is probable: £348 m should be enough to buy him out | the bus should arrive in a few minutes.

4. 'Should' expresses probability or expectation


should, aux.v. Past tense of shall.
2. Used to express probability or expectation: They should arrive at noon.

5. 'Should' implies contingency


3. Used to express conditionality or contingency: If she should fall, then so would I.
**Definitions: ‘Should’—Request**

1. ‘Should’ refers to a polite request

   Should
   should verbal auxiliary
   past of shall
   5—used in auxiliary function to express a request in a polite manner or to soften direct statement <I should suggest that a guide…is the first essential — L. D. Reddick>

1. 'Should’ indicates a polite request for acceptance

   infrastructure, noun
   should /ʃʊd/
   * modal verb (3rd sing. should)
   6. (in the first person) expressing a polite request or acceptance: I should like some more, if I may | we should be grateful for your advice.
Definitions: ‘Should’—Would

1. 'Should' means would

Should -- auxiliary verb 4. would (used to make a statement less direct or blunt): I should think you would apologize.

2. 'Should' means the same thing as would

Should modal v
4. would: used to mean the same thing as the verb would ( used with "I" or "we" )
If we spent that much every month, we should soon run out of money.
I should love to meet her.

3. 'Should' means 'would'

-- auxiliary verb
4. would (used to make a statement less direct or blunt): I should think you would apologize.
Definitions: ‘Substantial’—Ample / Large

1. ‘Substantial’ means of ample size

   substantial, adj., n., and adv.
   A. adj.
   3. Of ample or considerable amount or size; sizeable.

2. ‘Substantial’ means ample or considerable in size

   substantial, adj.
   1. Of ample or considerable amount, quantity, size, etc.: a substantial sum of money.

3. 'Substantial' means large in size or importance

   large in size, value, or importance:

4. ‘Substantial’ means large in amount

   substantial
   adjective

5. ‘Substantial' means considerable in quantity

   substantial
   adjective
   3b : considerable in quantity : significantly great <earned a substantial wage>

6. 'Substantial' means ample

   substantial

7. Substantial means significant

   Pa.Super. 1998. In defining "substantial” contributing factor in jury instructions on causation in asbestos litigation, use of the
dictionary definition of substantial to mean considerable or significantly large placed upon plaintiffs a greater burden than the
law required, entitling plaintiffs to a new trial; substantial in the substantial factor test means significant. -Jeter v. Owens-
Corning Fiberglas Corp, 716 A.2d 633.-New Tr 39(5); Prod Liab 96.1.
Definitions: ‘Substantial’—Amble / Large [cont’d]

8. Substantial means significant, not inconsiderable

WORDS AND PHRASES, 2001 CUMULATIVE SUPPLEMENTARY PAMPHLET, VOLUME 40, 2001, p. 573. C.A.9 (Cal.) 1968. Evidence of events occurring more than six months before filing of charge by union may be used to ”shed light” upon events taking place within six-month period, but evidence of violation of National Labor Relations Act drawn from that period must be reasonably substantial in its own right, ”substantial” meaning ”significant” or ”not inconsiderable ” and not necessarily sufficient to sustain unfair labor practice finding in enforcement proceedings. National Labor Relations Act, & 8(a) (5), 10(b) as amended 29 U.S.C.A. & 158(a) (5), 160(b).-N. L. R. B. v, MacMillan Ring-Free Oil Co., 394 F.2d 26, certiorari denied Oil, Chemical and Atomic Workers Intern Union, Long Beach Local No 1-128 v. N L R B, 89 &Ct. 237, 393 U.S. 914, 21 L.Ed.2d 199.-LabOT 541, 552.

9. No bright line between ”substantial”, ”significant” and ”essential”

WORDS AND PHRASES, 2001 CUMULATIVE SUPPLEMENTARY PAMPHLET, VOLUME 40, 2001, p. 581. Cl.Ct. 1990. Structural modification to chassis is ”substantial,” for purposes of mobile machinery exemption to federal highway vehicle use tax, if it is important or essential; it is not necessary that bright line be drawn between definitions of substantial and significant or between definitions of substantial and essential . 26 U.S.C.A. & 4481(a), 4482(a).-Utilicorp United, Inc. v. U.S, 21 Cl.Ct. 453. Int Rev 4313.
Definitions: ‘Substantial’—Does Not Mean Essentially

1. 'Substantially' is contextual, is not equivalent of 'essentially'

The word "substantially" in claim of application for patent for a mine ventilator calling for a motor and switch in a substantially complete enclosure did not mean the same as word "essentially", but was a relative term to be interpreted in accordance with context.

2. 'Substantially' depends on context

The word "substantially" as used in patent claims does not mean the same as "essentially", and is a relative term to be interpreted in accordance with context.

3. 'Essentially' is not a synonym of 'substantially'

The word "essentially" is not a synonym for "substantially," and when used in a patent claim, means something essential or indispensably necessary.

4. 'Substantially' is not synonymous with 'essentially'

The word "substantially" is not necessarily synonymous with "essentially."

5. Essentially is not a synonym for substantially

WORDS AND PHRASES, PERMANENT EDITION, VOLUME 40, 1964, p. 818.
The word "essentially" is not a synonym for "substantially," and when used in a patent claim, means something essential or indispensably necessary. Pittsburgh Iron & Steel Foundries Co. v. Seamen-Sleeth Co., D.C.Pa., 236 F.56, 757.

6. In context, substantially need not mean essentially

WORDS AND PHRASES, PERMANENT EDITION, VOLUME 40, 1964, p. 818.
The word "substantially" in claim of application for patent for a mine ventilator calling for a motor and switch in a substantially complete enclosure did not mean the same as word "essentially," but was a relative term to be interpreted in accordance with context. Application of Curley, Cust. & Pat. App., 158 F.2d 300, 304.

7. Substantially does not always mean essentially

WORDS AND PHRASES, PERMANENT EDITION, VOLUME 40, 1964, p. 818.
The word "substantially" as used in patent claims does not mean the same as "essentially", and is a relative term to be interpreted in accordance with context. John Blue Co. v. Dempster Mill Mfg. Co., D.C.Neb., 172 F.Supp. 23, 26.
Definitions: ‘Substantial’—Basic

1. 'Substantial' means basic or essential

   sub*stan*tial, adjective
   4. basic or essential; fundamental: two stories in substantial agreement.

2. 'Substantial' relates to the basic of fundamental substance of a thing

   substantial, adj.
   7. of or relating to the basic or fundamental substance or aspects of a thing

3. 'Substantial' means basic or essential

   sub*stan*tial -- adjective 4. basic or essential; fundamental: two stories in substantial agreement.
Definitions: ‘Substantial’—Important / Essential

1. ‘Substantial’ means important, essential

Substantial
sub·stan·tial adjective
1c : important, essential

2. ‘Substantial’ means basic or essential

sub·stan·tial adjective
4. basic or essential; fundamental: two stories in substantial agreement.

3. ‘Substantial’ means worthwhile, important

Substantial
— adj
2. worthwhile; important: a substantial reform

4. 'Substantial' means of the fundamental aspects

7. of or relating to the basic or fundamental substance or aspects of a thing

5. ‘Substantial’ means from the essence of a thing

substantial, adj., n., and adv.
A. adj.
11. Relating to or proceeding from the essence of a thing. Obs.

6. ‘Substantial’ means deriving from the essence

substantial, adj., n., and adv.
A. adj.
8b. Relating to or deriving from the essence of a thing.

7. ‘Substantial’ involves the essential part

substantial, adj., n., and adv.
A. adj.
9.a. That is, constitutes, or involves an essential part, point, or feature; essential, material. Cf. substantive adj. 3. Now rare.
Definitions: ‘Substantial’—Material

1. 'Substantial' means of a corporeal nature

   2. of a corporeal or material nature; tangible; real.

2. 'Substantial' means not imaginary

   sub·stan·tial, adj.
   2. True or real; not imaginary.

3. 'Substantial' means real or true

   substantial, adj.
   6. real; actual; true the evidence is substantial

4. 'Substantial' means having substance

   sub*stan*tial (s'b stan's'h'l)
   adjective
   1. of or having substance

5. 'Substantial' means real, material

   Adjective * S: (adj) substantial, real, material (having substance or capable of being treated as fact; not imaginary) "the substantial world"; "a mere dream, neither substantial nor practical"; "The wind was violent and felt substantial enough to lean against"

6. 'Substantial' means substantive

   Adjective * S: (adj) substantial, substantive (of or relating to the real nature or essential elements of something) "a substantial argument"

7. 'Substantial' means real

   substantial, a. (adv.) and n.
   A. adj. 1. That is, or exists as, a substance; having a real existence; subsisting by itself.
Definitions: ‘Substantial’—Material [cont’d]

8. **Substantial means real**

C.A.1 1986, Use of modifier "substantial" in rule that declares property to be vested and taxable as soon as it can be transferred or is not subject to "substantial risk of forfeiture," indicates that risk must be real; it must serve significant business purpose apart from tax laws. 26 US.C. A. H 83, 83(a), (c)(1).-Robinson v. C.I.R., 805 F.2d 38.-Int Rev 3082.

9. **Substantial means real, not illusive**

WORDS AND PHRASES, PERMANENT EDITION, VOLUME 40, 1964, p. 759.
Evidence, in landowner's action, begun in 1934, for permanent damages for pollution of creek from oil wells, held to establish substantial damage long prior to 1932, and hence action was barred by two-year statute of limitations, since cause of action accrued at time of substantial damage, notwithstanding seriousness of pollution and resultant damage may have increased as result or drought and low water in 1932. "Substantial" means belonging to substance; actually existing; real; not seeming or imaginary; not illusive; solid; true; veritable. Seglein T. Skelly Oil Co., 65 P.2d 553, 554, 145 Kan. 216.

10. **Substantial means actually existing**

WORDS AND PHRASES, PERMANENT EDITION, VOLUME 40, 1964, p. 760.
"Substantial" means "belonging to substance; actually existing; real; not seeming or imaginary; not illusive; real; solid; true; veritable." Elder Y. State, 50 So. 370, 374, 162 Ala. 41, citing Webst.Int. Dict.
Definitions: ‘Substantial’—Not the Whole

- 'Substantial' does not mean all

5: being largely but not wholly that which is specified
Definitions: ‘Substantial’—Pertaining to Substance

1. 'Substantial' means material, having substance

   sub·stan·tial, adj.
   1. Of, relating to, or having substance; material.

2. 'Substantial' means of solid character or quality

   sub·stan·tial, adjective
   3. of solid character or quality; firm, stout, or strong: a substantial physique.

3. 'Substantial' means of or relating to substance

   Function: adjective 1 a : of or relating to substance b : not illusory : having merit substantial constitutional claim> c : having importance or significance : MATERIAL substantial step had not been taken toward commission of the crime -- W. Railroad LaFave and A. W. Scott, Junior>

4. 'Substantial' means pertaining to substance

   sub*stan*tial -- adjective 7. pertaining to the substance, matter, or material of a thing.
Definitions: ‘Substantial’—Relating to Substance

- 'Substantial' means relating to substance

1a : consisting of or relating to substance
Definitions: ‘Substantial’—Serious (Not Minor)

1. Substantial means serious rather than trivial

WORDS AND PHRASES, PERMANENT EDITION, VOLUME 40, 1964, p. 758.
The word "substantial" in statute requiring, in labor dispute, finding by court that substantial injury to complainant's property will follow, unless injunction be granted, is addressed to court's discretion and means serious as opposed to trivial. Phelps Dodge Copper Products Corp. v. United Radio & Mach. Workers of America, 46 A.2d 153, 459, 138 N.J.Eq. 3.

2. Substantial means "not merely minor"

C.A.D.C. 1998. Allegation of news distortion by broadcast licensee is "substantial", and thus supports finding of existence of question about licensee's ability to serve public interest as is needed for license application hearing sought by objector, if distortion is deliberately intended to slant or mislead and involves significant event and not merely a minor or incidental aspect of news report. Communications Act of 1934, 309, as amended, 47 U.S.C.A. & 309.-Serafyn v. F.C.C., 149 F.3d 1231, 340 U.S.App.D.C, 340-Tel 414.

3. Substantial means more than slight or petty

WORDS AND PHRASES, PERMANENT EDITION, VOLUME 40, 1964, p. 761.
In order to constitute a "nuisance," invasion of one's property rights must be substantial, and, to be "substantial", invasion must involve more than slight inconvenience or petty annoyance. City of Temple v. Mitchell, Tex.Civ.App.-, 180 SAV.2d 959, 902.

4. Tiny amounts are not substantial

C.A.9 (Ariz.) 1997. For purposes of absolute priority rule, new value contributed by Chapter 11 debtor's former equity holders was "de minimis" as matter of law, and not "substantial," though plan required initial contribution of $32, 000 and total contribution of $320, 000 over ten years; court could consider only initial, up-front contribution of $32, 000, which was tiny compared with about $4 million in unsecured debt, especially when augmented by interest on that debt. Bankr, Code, I I U.S.C.A. & 1129(b)(2)(B).-In re Ambanc La Mesa Ltd. partnership, 115 F.3d 650, certiorari denied Ambanc La Mesa Ltd. Partnership v. Liberty Nat. Enterprises, 118 S.Ct- 1039, 522 U.S, 1110, 140 L.Ed.2d 105.-Bankr 3561.
Definitions: ‘Substantial’—Solid / In Substance

1. 'Substantial' means solid
   
   substantial -- adj 5. solid or strong in construction, quality, or character: a substantial door

2. 'Substantial' refers to the substance of a thing
   
   sub*stan*tial -- adjective
   7. pertaining to the substance, matter, or material of a thing.

3. 'Substantial' means of the substance
   
   sub*stan*tial
   adj. 1. Of, relating to, or having substance; material.
Definitions: ‘Substantial’—Strongly Made

1. ‘Substantial’ means strongly made

Substantial
sub·stan·tial adjective
: strongly made

2. ‘Substantial’ means strong or solid

Substantial
— adj
5. solid or strong in construction, quality, or character: a substantial door

3. ‘Substantial’ means sturdy

Substantial
sub·stan·tial adjective
4: firmly constructed : sturdy <a substantial house>
Definitions: ‘Substantial’—Valuable

1. 'Substantial' means of real value

sub*stan*tial -- adjective 6. of real worth, value, or effect: substantial reasons.

2. 'Substantial' means of considerable size or value

substantial, adj.
1. of a considerable size or value substantial funds
Definitions: ‘Substantially’—Ample / Large

1. ‘Substantially’ means fully, amply


substantially, adv.

3. Fully, amply; to a great extent or degree; considerably, significantly, much.

2. 'Substantially' means large, to a great extent


Adverb

* S: (adv) well, considerably, substantially (to a great extent or degree) "I'm afraid the film was well over budget"; "painting the room white made it seem considerably (or substantially) larger"; "the house has fallen considerably in value"; "the price went up substantially"

3. 'Substantially' means considerable, to a large degree


"Substantially," as used in the ADA provision defining "disability" as an impairment that substantially limits one or more major life activities, suggests "considerable" or "to a large degree."

4. 'Substantially' means to a significant extent


substantially sb/stanCHI

- adv.

1. to a great or significant extent: profits grew substantially | [as submodifier] substantially higher earnings.

5. 'Substantially' means to a great/large extent


substantially ‘ adverb 1. the cost has fallen substantially CONSIDERABLY, significantly, to a great/large extent, greatly, markedly, appreciably.

6. 'Substantially' means to a great or significant extent


substantially

- adv.

1. to a great or significant extent.
Definitions: ‘Substantially’—Essentially

1. ‘Substantially’ means in all essential characteristics

substantially, adv.
5. In all essential characters or features; in essentials, to all intents and purposes, in the main.

2. 'Substantially' means in essence, essentially

1. b. In essence; essentially, intrinsically.

3. ‘Substantially’ means in essence

substantially, adv.
1b. In essence; essentially, intrinsically.

4. 'Substantially' means essentially

substantially
- adv.
2. for the most part; essentially.

5. 'Substantially' means essentially

substantially sb'stanChI
- adv.
2. for the most part; essentially: things will remain substantially the same over the next ten years

6. 'Substantially' in the main, essentially

2. the draft was substantially accepted LARGELY, for the most part, by and large, on the whole, in the main, mainly, in essence, basically, fundamentally, to all intents and purposes. opposites: slightly.

7. 'Substantially' means in the main, in essence, materially

substantially adverb
2. a report that is substantially accurate largely, for the most part, by and large, in the main, in essence, essentially, materially, basically, fundamentally.

8. 'Substantially' means in all parts

substantially, adv.
4. In all essential characters or features; in regard to everything material; in essentials; to all intents and purposes; in the main.
Definitions: ‘Substantially’—Important

'Substantial' means of considerable importance

sub*stan*tial
adj.
5. Considerable in importance, value, degree, amount, or extent: won by a substantial margin.
Definitions: ‘Substantially’—In the Main

1. **Substantially means in the main**

   WORDS AND PHRASES, PERMANENT EDITION, VOLUME 40, 1964, p. 817.
   An oil and gas lease, describing the premises as all that certain tract of land situated in a certain district on the waters of a designated stream, bounded "substantially" as follows, etc., means bounded "about" or "in the main" as designated and not "wholly" or "completely so. South Penn Oil Co. v. Knox, 69 S.E. 1020, 1021, 68 W.Va. 362.

2. **Substantially means in the main**

   U.S.Cal. 1988. The word "substantially" as used in provision of Equal Access to Justice Act authorizing award of attorney fees when position of the government is not substantially justified means to be justified in substance or in the main, not justified to high degree; the action must be justified to a degree that could satisfy a reasonable person, and must have reasonable basis in both law and fact. 28 U.S.C.A. & 2412(d)(1)(A).-Pierce v, Underwood, 108 S.Ct. 2541, 487 U.S. 552, 101 L.Ed.2d 490.-U S 147(10).

3. **'Substantially' means in the main**

   substantially. In the main. Essentially.
Definitions: ‘Substantially’—Largely

- 'Substantially' means largely, for the most part


substantially
* adverb – antonyms slightly.
2. the draft was substantially accepted: largely, for the most part, by and large, on the whole, in the main, mainly, in essence, basically, fundamentally, to all intents and purposes.
**Definitions: ‘Substantially’—Material / Real**

1. ‘Substantially’ means in reality

   substantially, adv.
   1c. In reality; actually. Obs.

2. 'Substantially' means physical (increase)

   1. a. In substance; in one's substantial nature or existence; as a substantial thing or being. Hence: physically, corporeally.

3. ‘Substantially’ means in a solid manner

   substantially, adv.
   2. In a sound or solid manner; on a solid or firm foundation; effectively, thoroughly, properly, soundly.

4. ‘Substantial’ means having a corporeal / bodily form

   substantial, adj., n., and adv.
   A. adj.
   13. Having a corporeal or bodily form; consisting of solid matter; corporeal, material. Now rare.

5. ‘Substantial’ is that which is real, exists

   substantial, adj., n., and adv.
   A. adj.
   10. That is, or exists as, a substance; having a real existence; subsisting by itself.

6. ‘Substantial’ means real

   substantial, adj., n., and adv.
   A. adj.
   14.a. Having substance in reality; not imaginary, unreal, or only apparent; true, actual, real.

7. ‘Substantial’ means tangible, material

   sub·stan·tial
   adjective
   2. of a corporeal or material nature; tangible; real.
Definitions: ‘Substantially’—Large Degree

1. 'Substantially' means to a large degree

3. Fully, amply; to a great extent or degree; considerably, significantly, much.

2. 'Substantially' means to a large degree

to a large degree:
Definitions: ‘Substantially’—Substantial

1. ‘Substantially’ means in substance

substantially, adv.
1.a. In substance; in one's substantial nature or existence; as a substantial thing or being. Hence: physically, corporeally.

2. 'Substantially' means in a substantial way

WORDNET, Princeton University, "Substantially,” no date,
http://wordnetweb.princeton.edu/perl/webwn?s=substantially&sub=Search+WordNet&o2=&o0=1&o8=1&o1=1&o7=&o5=&o9=&o6=&o3=&o4=&h=0000000, accessed 6-24-11.
Adverb * S: (adv) substantially (in a strong substantial way) "the house was substantially built”

3. 'Substantially' means substantial, extensive

ENCARTA, "Substantially,” 2009,
substantially
sub*stan*tial*ly [ s'b stßnsh'lee ]
adverb
Definition:
1. considerably: in an extensive, substantial, or ample way
Definitions: ‘Substantially’—to a Great(er) Extent / Make Greater

1. 'Substantially' means to a great or significant extent

   infrastructure, noun
   substantially /səbˈstanʃəli/
   * adverb
   1. to a great or significant extent: profits grew substantially [as submodifier] : substantially higher pension costs.

2. 'Substantially' means to a greater extent

   Adverb * S: (adv) well, considerably, substantially (to a great extent or degree) "I'm afraid the film was well over budget"; "painting the room white made it seem considerably (or substantially) larger"; “the house has fallen considerably in value"; "the price went up substantially"

3. 'Substantially' means to make greater

   substantially
   - adv.
   1. to a great or significant extent.

4. 'Substantially' means to a great degree or extent

   substantially
   adverb
   1. to a great extent or degree: "I'm afraid the film was well over budget"; "painting the room white made it seem considerably (or substantially) larger"; "the house has fallen considerably in value"; "the price went up substantially" [syn: well]
Definitions: ‘Substantially’—Without Material Qualifications

1. 'Substantially' means without material qualification

   BLACK'S LAW DICTIONARY, 1990, p. 1428.
   Substantially. Essentially; without material qualification

2. 'Substantially' means without material qualification

   Without material qualifications.
Definitions: ‘The’—USFG

1. ‘The’ precedes title and proper nouns

   The
   — determiner
   5. used preceding titles and certain uniquely specific or proper nouns, such as place names: the United States; the Honourable Edward Brown; the Chairman; the moon

2. ‘The’ refers to the particular USFG

   the
definite article
1. (used, especially before a noun, with a specifying or particularizing effect, as opposed to the indefinite or generalizing force of the indefinite article a or an): the book you gave me; Come into the house.

3. ‘The’ signifies the proper noun

   the
definite article
2. (used to mark a proper noun, natural phenomenon, ship, building, time, point of the compass, branch of endeavor, or field of study as something well-known or unique): the sun; the Alps; the Queen Elizabeth; the past; the West.
Definitions: ‘The’—General

1. ‘The’ refers to a title


the
definite article
3. (used with or as part of a title): the Duke of Wellington; the Reverend John Smith.

2. ‘The’ refers to the best known


the
definite article
4. (used to mark a noun as indicating the best-known, most approved, most important, most satisfying, etc.): the skiing center of the U.S.; If you're going to work hard, now is the time.

3. ‘The’ refers to that which is previously specified


The
determiner
1. Compare a used preceding a noun that has been previously specified: the pain should disappear soon; the man then opened the door

4. ‘The’ refers to that which is distinct from others


The
determiner
2. Compare a used with a qualifying word or phrase to indicate a particular person, object, etc, as distinct from others: ask the man standing outside; give me the blue one

5. ‘The’ indicates the thing clearly understood in the context


The
definite article
—used to indicate a person or thing that has already been mentioned or seen or is clearly understood from the situation

6. ‘The’ refers to things common in daily life


The
definite article
—used to refer to things or people that are common in daily life
Definitions: ‘The’—General [cont’d]

7. ‘The’ refers to the unique / particular member of a class


The
the definite article
1b—used as a function word to indicate that a following noun or noun equivalent is a unique or a particular member of its class <the President> <the Lord>

8. ‘The’ refers to that generically


The
the definite article
3a—used as a function word before a singular noun to indicate that the noun is to be understood generically <the dog is a domestic animal>
Definitions: ‘United States’—Federation

1. ‘United States’ means the title of the federation

   United States, n.
   1. The proper name or distinctive title of a confederacy, federation, or union of States.
      In later use freq. construed as a singular.

2. ‘United States’ means a federation of states

   United States
   United States noun plural but singular or plural in construction
   : a federation of states especially when forming a nation in a usually specified territory <advocating a United States of Europe>
Definitions: ‘United States’—Government

1. ‘United States’ means the federal government

WEST'S LEGAL THESAURUS/DICTIONARY, 1985, p. 744.
United States: Usually means the federal government centered in Washington, D.C.

2. ‘United States’ means the federation, not the states themselves

United States
1. The proper name or distinctive title of a confederacy, federation, or union of States.

3. ‘United States’ means the federal government

WEST'S LEGAL THESAURUS/DICTIONARY, 1985, p. 744.
United States: Usually means the federal government centered in Washington, D.C.

4. ‘United States' means the federation, not the states themselves

United States
1. The proper name or distinctive title of a confederacy, federation, or union of States.
Definitions: ‘United States’—Other Countries

1. ‘United States’ means Holland

   United States, n.
   1a. The kingdom or republic of Holland, = the United Provinces (united adj. Special uses). Also attrib. Now rare or Hist.

2. 'United States' means Brazil

   Republic of the United States of Brazil.
Definitions: ‘United States’—Three Branches

1. 'United States' refers to the three branches of government

   2. the executive and legislative and judicial branches of the federal government of the United States [syn: United States government]

2. The Federal Government is all three branches

   In the United States, government consists of the executive, legislative, and judicial branches in addition to administrative agencies.

3. 'United States' means the federal government

   * S: (n) United States government, United States, U.S. government, US Government, U.S. (the executive and legislative and judicial branches of the federal government of the United States)
**Definitions: “United States”—USA**

1. ‘United States’ means the Republic of North America—USA

   United States, n.

2. ‘United States’ means the republic in the western hemisphere—United States of America

   United States
   noun
   Also called United States of America, America.

3. 'United States' means the U.S.A.

   United States, noun. the United States of America, a nation consisting of 50 states, all but one (Hawaii) in North America.

4. 'United States' means the country

   1. North American republic containing 50 states - 48 conterminous states in North America and the Hawaiian Islands in the Pacific Ocean; achieved independence in 1776

5. 'United States' means the country in North America, including Alaska and Hawai'i

   United States
   (in full United States of America) a country occupying most of the southern half of N America and including also Alaska and the Hawaiian Islands; pop. (2002) 280,562,489; capital, Washington, DC. (Abbr.: US, USA.)

6. 'United States covers all territories and possessions

   Includes the land area, internal waters, territorial sea, and airspace of the United States, including the following: a. US territories, possessions, and commonwealths; and b. Other areas over which the US Government has complete jurisdiction and control or has exclusive authority or defense responsibility.

7. 'United States' means all fifty states and territories/possessions

   United States
   The 50 states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any other territory or possession of the United States.
Definitions: ‘United States’—USA [cont’d]

8. 'United States' defined and described

United States of America The United States of America is the world's fourth largest country in area and the third largest in population. It contains 50 states, 48 of which lie between Canada and Mexico. The other two are Alaska, in NW North America, and Hawaii, a group of volcanic islands in the N Pacific Ocean. Densely populated coastal plains lie to the E and S of the Appalachian Mountains. The central lowlands drained by the Mississippi-Missouri rivers stretch from the Appalachians to the Rocky Mountains in the W. The Pacific region contains fertile valleys separated by mountain ranges.

9. 'United States' means these United States

United States. The Union of several states, each equal in power, dignity, and authority, brought into being by the Constitution, emanating from and adopted by the people in whom the sovereignty resides. M'Culloch v. Maryland (US) 4. Wheat 316, 4 L Ed 579.

10. Indian reservations are part of the United States

Indian reservation, within limits of which smuggled cattle were kept, is part of "United States," and therefore smuggling was complete when cattle were brought onto reservation without payment of duty. 19 U.S. C.A. S 1593(b, c). Bailey v. United States, C.C.A.Ariz., 47 F.2d 702, 704.

11. 'The United States' is this union of states

The United States is the union under one Constitution of the various states, each of which is a political community of free citizens, occupying a territory of defined boundaries and organized under a government sanctioned and limited by a written Constitution, and established by the consent of the governed. Texas v. White, 74 U.S.(7 Wall.) 700, 721, 19 L.Ed. 227.
Violation: Agent Specification

A. Violation

The affirmative team fails to specify either which part of the federal government is responsible for increasing exploration and/or development or how the plan is implemented.

B. Failure to specify is a voting issue

1. **Education**: ninety percent of the debate about the plan is procedure or implementation. Failure to specify means we do not learn important things about the topic.

   Richard F. Elmore, Assistant Professor, Public Affairs, University of Washington, "Backward Mapping: Implementation Research and Policy Decisions," POLITICAL SCIENCE QUARTERLY v. 94 n. 4, Winter 1979-1980, p. 605. The emergence of implementation as a subject for policy analysis coincides closely with the discovery by policy analysts that decisions are not self-executing. Analysis of policy choices matters very little if the mechanism for implementing those choices is poorly understood. In answering the question, "What percentage of the work of achieving a desired governmental action is done when the preferred analytic alternative has been identified?" Allison estimated that in the normal case, it was about 10 percent, leaving the remaining 90 percent in the realm of implementation.

2. **Ground**: ninety percent of our ground is dependent upon how the affirmative is implemented, including solvency arguments, political and actor disadvantages, and counterplans.

3. **Irreparable harm**: our strategy is based on the first affirmative constructive and plan text. Allowing the affirmative to specify after the reading of the IAC wastes valuable cross-examination time and our ability to prepare prior to the debate.
A. Violation

The plan implements their plan 'as per' the recommendations of one or more solvency authors.

B. That is unfair

1. It renders the plan a moving target because the actual recommendations of the authors are indeterminate within the context of the plan text, which is the focus of the debate.

2. It moots most counterplan competition and disadvantage and critique links because it obviates the need to take a specific stand on implementation issues within the plan itself.

3. The impact is particularly egregious in instances where we have never heard a particular affirmative case because we cannot research all of the author's policy recommendations in advance. It should not be our burden to do additional research simply to determine exactly what is done by an affirmative plan.

4. It makes topicality probabilistic because whether the plan falls within the mandates of the resolution is entirely dependent on the author's recommendations being entirely consistent with the resolution, which is both unlikely and unprovable within the context of this debate round.

C. This is a voting issue

Their vague plan has undermined both pre-round and pre-tourney prep, competitive equity and is void as a policy option. A negative ballot is justified both as punishment and to deter other teams from using this abusive tactic.
Violation: ‘Development’ Excludes Conservation / Protection

A. Definition: ‘Development’ means commercial action or improvement, not preserve, protect or restore


The term “develop” is not defined in the statute, and there is a dearth of case law on the subject. In the “absence of statutory guidance as to the meaning of a particular term, it is appropriate to look to its dictionary definition in order to discern its meaning in a given context.” Connecticut v. Clifton Owens, 100 Conn. App. 619, 639 (2007). There are various definitions of the term “develop,” some of which connote commercial and industrial progress, and some of which imply natural growth. See BLACK’S LAW DICTIONARY 462 (7th ed. 1999); WEBSTER’S NEW COLLEGE DICTIONARY 310 (2d ed. 1995).

Having gained no clear answer from the dictionary, words must be given their “plain and ordinary meaning . . . unless the context indicates that a different meaning was intended.” Connecticut v. Vickers, 260 Conn. 219, 224 (2002). Here, the plain meaning of the term “develop” includes commercial improvement. Connecticut argues, in effect, that by placing the term “develop” in the context of other terms, such as “preserve, protect, and restore,” the definition of “develop” must have a natural, conservationist meaning. That argument is not supported by the legislative history of the CZMA. Congress intended the CZMA to balance conservation of environmental resources with commercial development in the coastal zone. See, e.g., COASTAL AND OCEAN LAW at 229. In fact, in the context of the CZMA, the term “develop” has been defined to mean commercial improvement. Id. (“[T]he CZMA reflects a competing national interest in encouraging development of coastal resources.”). See also Conservation Law Foundation v. Watt, 560 F. Supp. 561, 575 (D. Mass. 1983) (noting that the CZMA recognizes a wide range of uses of the coastal zones, including economic development).

B. Violation

The affirmative engages in non-commercial activity, such as resource conservation or environmental protection

C. Reasons to prefer

1. Limits: Expanding development to include conservation / protection makes for a substantially bigger topic, exacerbating negative research burdens and undermining fairness.

2. Ground: Protection cases dodge our best disadvantages and kritik links to development and usurp core conservation counterplan ground.

3. Education: Allowing affirmatives to avoid the core issues of development mean that we learn less about this topic.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Development’ Means a List of Five Activities

A. Definition: ‘Ocean development’ means only weapons, transportation/communication, desalination, mineral mining, food production, and research


I should like to subdivide the field of ocean development into half a dozen parts and handle each very briefly. These are; naval weapons, underwater transportation and communication, fresh water conversion, mining or chemical extraction of minerals, food production, and finally research activities.

B. Violation

The affirmative engages in activity outside of the list, such as energy policy.

C. Reasons to prefer

1. Limits: Expanding development these core areas creates unmanageable negative research burdens and skews the debate towards the affirmative.

2. Ground: Alternative commercialization should be counterplan ground and our best and most prepared arguments assume the listed types of development.

3. Education: Allowing affirmatives to avoid the core issues of development mean that we learn less about this topic.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Development’ / ‘Exploration’ Means Only Minerals

A. Definitions:

1. ‘Exploration’ means the process of searching for minerals—surveys, drilling

   (k) The term exploration means the process of searching for minerals, including (1) geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of such minerals, and (2) any drilling, whether on or off known geological structures, including the drilling of a well in which a discovery of oil or natural gas in paying quantities is made and the drilling of any additional delineation well after such discovery which is needed to delineate any reservoir and to enable the lessee to determine whether to proceed with development and production;

2. ‘Development’ means preparing to produce minerals

   (l) The term development means those activities which take place following discovery of minerals in paying quantities, including geophysical activity, drilling, platform construction, and operation of all onshore support facilities, and which are for the purpose of ultimately producing the minerals discovered;

B. Violation

The affirmative engages in activity outside of mineral resources

C. Reasons to prefer

1. Limits: ‘Resolved: oceans’ is an unmanageable topic, while limiting the topic to minerals ensures that negatives will be well-prepared.

2. Ground: Alternative activities are core counterplan ground and the best negative link arguments assume minerals activities.

3. Education: Minerals are the core of future ocean activities, and broader topics dilute our education in this area.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
**Violation: ‘Development’ Means Resource Extraction**

A. **Definition:** ‘Development’ means the extraction/production of renewable and nonrenewable resources


(3) Ocean uses defined. Ocean uses are activities or developments involving renewable and/or nonrenewable resources that occur on Washington's coastal waters and includes their associated off shore, near shore, inland marine, shoreland, and upland facilities and the supply, service, and distribution activities, such as crew ships, circulating to and between the activities and developments. Ocean uses involving nonrenewable resources include such activities as extraction of oil, gas and minerals, energy production, disposal of waste products, and salvage. Ocean uses which generally involve sustainable use of renewable resources include commercial, recreational, and tribal fishing, aquaculture, recreation, shellfish harvesting, and pleasure craft activity.

B. **Violation**

The affirmative claims to ‘develop’ resources in ways that do not involve their extraction/production

C. **Reasons to prefer**

1. **Limits:** Expansive definitions of development multiply the size of the topic, eviscerating the negative’s ability to be adequately prepared and skewing the gameboard towards the aff.

2. **Ground:** Non-production/extraction actions are core counterplan ground and our best positions assume that the affirmative expands available resources.

3. **Education:** Allowing affirmatives to avoid the core issues extraction mean that we learn less about the single most important part of the topic.

D. **Topicality is a voting issue**

1. **Rule of the Game:** It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. **Jurisdiction:** Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. **Education:** Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Exploration’ Excludes Research

A. Definition: ‘Exploration’ means discovery through observation—it excludes research


As described in the President’s Panel Report, ocean exploration is defined as “discovery through disciplined diverse observations and the recording of the findings. An explorer is distinguished from a researcher by virtue of the fact that an explorer has not narrowly designed the observing strategy to test a specific hypothesis. A successful explorer leaves a legacy of new knowledge that can be used by those not yet born to answer questions not yet posed at the time of the exploration.” Above all, the overarching purpose of ocean exploration is to increase our knowledge of the ocean environment; its features, habitats, and species; and how it functions as part of the global ecosystem. In practice, the NOAA Ocean Exploration Program adopted and continues to promote an approach to engage teams of scientists representing multiple disciplines to explore unknown and poorly known ocean areas and phenomena. This approach also includes recruiting natural resource managers, educators, journalists, documentary filmmakers, and others to join expeditions and provide a unique perspective on the areas being investigated. The objective is to generate a comprehensive characterization of the area and phenomena explored, providing a rich foundation to stimulate follow-on research, as well as new lines of scientific inquiry.

B. Violation

The affirmative engages in scientific activity beyond discovery—this is research

C. Reasons to prefer

1. Limits: Research accesses literally dozens of new cases—the negative cannot be prepared against both actual exploration and affirmative-style research cases, meaning their interpretation destroys fairness and discourages clash.

2. Ground: Non-discovery activities short of commercialization (development) are core counterplan ground, our strongest link arguments assume discovery, and research allows them to unfairly access research-based advantages.

3. Education: Allowing affirmatives to avoid core debates about exploration mean that we learn less about this half of the topic.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Exploration’ Excludes Tech Innovation

A. Interpretation: ‘Exploration’ is observation and description—it is different than verification, hypothesis testing, and tech innovation


An examination of the scientific method can serve to compare ocean exploration and ocean research. The scientific method is the process by which scientists gather data and develop hypotheses to create an accurate representation of how the world works. It attempts to minimize the influence of bias or prejudice of the experimenter when testing a hypothesis or a theory. The standard application of the scientific method has four steps: 1) observation and description of a phenomenon or phenomena; 2) formulation of a hypothesis to explain the phenomena; 3) use of the hypothesis to predict the existence of other phenomena, or to predict quantitatively the results of new observations; and 4) performance of experimental tests of the predictions by several independent experimenters. An ocean exploration program should emphasize observation and description of living and non-living resources, rates, and processes (Step 1). Independent verification (Step 4) should not be included in an exploration program, although it is an important role of more traditional ocean research programs. In Steps 2 and 3, ocean exploration and research overlap; such an overlap is highly desirable and demonstrates the value of exploration for fueling the next generation of hypothesis testing. Ocean exploration should be an integral component of a continuum to ocean research and technology development.

B. Violation

The affirmative engages in activity beyond observation, including [verification, hypothesis testing, tech innovation]

C. Reasons to prefer

1. Limits: Non-exploratory work engages in many potential activities—the negative cannot be prepared against both actual exploration and non-exploration science, meaning their interpretation destroys fairness and discourages clash.

2. Ground: Scientific activities short of commercialization (development) are core counterplan ground, our strongest link arguments assume actual exploration, and research allows them to unfairly access new advantages.

3. Education: Allowing affirmatives to avoid core debates about exploration mean that we learn less about this half of the topic.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Exploration’ Means Only Resource Discovery

A. Definition: ‘Exploration’ is resource discovery


NOAA's vision is an informed society that uses a comprehensive understanding of the role of the oceans, coasts, and atmosphere in the global ecosystem to make the best social and economic decisions. NOAA's mission is to understand and predict changes in the Earth's environment and conserve and manage coastal and marine resources to meet our nation's economic, social, and environmental needs. NOAA's Office of Oceanic and Atmospheric Research (OAR). In support of NOAA's mission, OAR conducts the scientific research, environmental studies, and technology development needed to improve our operations and broaden our understanding of the Earth's atmosphere and oceans. The Office of Ocean Exploration is devoted exclusively to the critical mission of exploring the still largely unknown ocean. The ocean exploration program focuses on discovery of new ocean resources for societal and economic benefits, serves as an effective means to promote ocean education and ocean literacy, and enables NOAA to become aware of ocean issues that may become the basis for future NOAA missions. NURP harnesses the academic community to focus on NOAA's undersea research needs. NURP currently supports NOAA's mission by providing undersea scientists inside and outside NOAA with advanced technologies, such as an underwater laboratory, submersibles and remotely operated vehicles, and the expertise needed to work in the undersea environment.

B. Violation

The affirmative engages in discovery beyond finding new resources

C. Reasons to prefer

1. Limits: Non-resource focused discovery is very broad—the negative cannot be prepared against both exploration and non-resource based discovery, meaning their interpretation destroys fairness and discourages clash.

2. Ground: Non-resource focused discovery is core counterplan ground, our strongest link arguments assume hunting resources.

3. Education: Allowing affirmatives to avoid core debates about exploration mean that we learn less about this half of the topic.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Exploration’ Means Scientific Purpose

A. Definition: ‘Exploration’ means a scientific purpose

Exploration — n
3. an organized trip into unfamiliar regions, esp for scientific purposes; expedition

B. Violation

The affirmative engages in discovery for non-scientific purposes

C. Reasons to prefer

1. **Limits:** Non-science discovery is very broad—the negative cannot be prepared against both exploration and non-science based discovery, meaning their interpretation destroys fairness and discourages clash.

2. **Ground:** Non-science focused discovery is core counterplan ground, our strongest link arguments assume scientific voyages.

3. **Education:** Allowing affirmatives to avoid core debates about exploration mean that we learn less about this half of the topic.

D. Topicality is a voting issue

1. **Rule of the Game:** It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. **Jurisdiction:** Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. **Education:** Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Exploration’ Means Below the Surface

A. Definition: ‘Exploration’ excludes anything above the surface

“Ocean Exploration 2020 Strategy,” OCEAN EXPLORATION 2020: A NATIONAL FORUM, 2013, p. 17. Participants noted that “ocean exploration” includes everything from the sub-sea floor to the ocean surface. In all of these geographic areas, participants agreed that a greater emphasis should be placed on exploring the water column than often has been the case in the past.

B. Violation

The affirmative engages in exploration above the ocean’s surface

C. Reasons to prefer

1. Limits: Non-ocean exploration is very broad—the negative cannot be prepared against both ocean and non-ocean exploration, meaning their interpretation destroys fairness and discourages clash.

2. Ground: Non-ocean discovery is core counterplan ground, and our strongest link arguments assume sub-surface activity.

3. Education: Allowing affirmatives to avoid core debates about exploration mean that we learn less about this half of the topic.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge’s jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
**Violation: ‘Increase’ Means a Large Change**

A. **Definitions: Increase means a large change**

1. ‘Substantially' means to a large degree

   3. Fully, amply; to a great extent or degree; considerably, significantly, much.

2. ‘Increase’ means to make greater

   Increase
   in·crease verb
   transitive verb
   1: to make greater : augment

B. **Violation**

The affirmative plan only requires a small increase in exploration and/or development.

C. **Reasons to prefer**

1. **Limits:** The affirmative lots of flexibility in how they do exploration and/or development. The only real check on affirmative creativity is the requirement that the team defend a large increase.

2. **Ground:** All of our disadvantage links and counterplan competition arguments depend upon big changes in ocean policy.

   Small changes destroy our ability to generate a unique link to any of our arguments.

3. **Education:** Allowing affirmatives to hide in tiny parts of the resolution through advocacy of miniscule increases in action means we never learn about the core issues of the topic.

D. **Topicality is a voting issue**

1. **Rule of the Game:** It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. **Jurisdiction:** Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. **Education:** Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Increase’ Means a Net Increase

A. Definition: Increase means a net increase

Increase: Term “increase” as used in statute giving the Energy Commission modification jurisdiction over any alteration, replacement, or improvement of equipment that results in “increase” of 50 megawatts or more in electric generating capacity of existing thermal power plant, refers to “net increase” in power plant’s total generating capacity in deciding whether there has been the requisite 50-megawatt increase as a result of new units being incorporated into the plant. Department of Water & Power v. Energy Resources Conservation & Development Com., 3 Cal.Rptr.2d 289, 2 Cal.App.4th 206.

B. Violation

The affirmative’s exploration/development merely offsets existing initiatives, and is not a net increase.

C. Reasons to prefer

1. Limits: The affirmative has much flexibility in how they expand exploration/development. Requiring that they be able to defend an overall increase imposes a check on the size of the topic.

2. Ground: Our disadvantage links and counterplan competition arguments hinge on the affirmative defending a world with more exploration/development than exists in the status quo.

3. Education: Allowing affirmatives to defend replacement development/exploration policies begs the core question of the resolution, which is whether additional action is justified.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important ocean issues.
Violation: ‘Increase’ Means Grow in Size

A. Definition: Increase means to grow in size

Increase, n. 1. The extent of growth or enlargement. 2. Archaic. The produce of land or the offspring of human beings or animals.

B. Violation

The plan augments the quality of exploration/development instead of mandating the growth or enlargement of exploration/development.

C. Reasons to prefer

1. Limits: The oceans topic is already very large. Reducing the topic to plans that expand the total size of current development/exploration policies prevents an explosion of cases that augment or improve existing policies.

2. Ground: Requiring a net increase in exploration/development ensures that we get links to budget, politics, and geopolitical disadvantages, which are core negative ground.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important ocean issues.
Violation: ‘Increase’ Means Pre-existing

A. Definition: 'Increase' means to directly augment existing exploration and/or development


First, the court said that the ordinary meaning of the word “increase” is “to make something greater,” which it believed should not “be limited to cases in which a company raises the rate that an individual has previously been charged.” 435 F.3d at 1091. Yet the definition offered by the Ninth Circuit compels the opposite conclusion. Because “increase” means “to make something greater,” there must necessarily have been an existing premium, to which Edo’s actual premium may be compared, to determine whether an “increase” occurred. Congress could have provided that “adverse action” in the insurance context means charging an amount greater than the optimal premium, but instead chose to define adverse action in terms of an “increase.” That definitional choice must be respected, not ignored. See Colautti v. Franklin, 439 U.S. 379, 392-93 n. (1979) (“[a] definition which declares what a term ‘means’ . . . excludes any meaning that is not stated”). Next, the Ninth Circuit reasoned that because the Insurance Prong includes the words “existing or applied for,” Congress intended that an “increase in any charge” for insurance must “apply to all insurance transactions – from an initial policy of insurance to a renewal of a long- held policy.” 435 F.3d at 1091. This interpretation reads the words “existing or applied for” in isolation. Other types of adverse action described in the Insurance Prong apply only to situations where a consumer had an existing policy of insurance, such as a “cancellation,” “reduction,” or “change” in insurance. Each of these forms of adverse action presupposes an already-existing policy, and under usual canons of statutory construction the term “increase” also should be construed to apply to increases of an already-existing policy. See Hibbs v. Winn, 542 U.S. 88, 101 (2004) (“a phrase gathers meaning from the words around it”) (citation omitted).

B. Violation

The plan implements a new form of exploration/development instead of making existing exploration/development larger.

C. Reasons to prefer

1. **Ground:** There is more developed literature on the merits of existing exploration/development, which provides for far better arguments for both sides.

2. **Limits:** Focus on existing policy/program augmentation is the most predictable way to limit the size of the topic.

3. **Brightline:** Our interpretation is the easiest way to evaluate topicality — the plan either expands an existing exploration/development initiative or it does not.

D. Topicality is a voting issue

1. **Rule of the Game:** It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. **Jurisdiction:** Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. **Education:** Having a sufficiently narrow topic ensures that we are able to debate in depth about the important ocean issues.
Violation: ‘Its’ Requires Federal Exploration and/or Development

A. Definition: ‘Its’ is possessive—references the United States federal government

its, adj. and pron.
A. adj. Possessive adjective (determiner) corresponding to it pron. (originally the possessive use of the genitive of the pronoun).
Of it; which belongs or relates to it. Also refl.: of itself; which belongs or relates to itself, its own.

B. Violation

The plan has an actor other than the United States federal government or enables another actor in increasing exploration and/or development—third-party and multilateral exploration/development is not topical.

C. Reasons to prefer

1. Limits: The topic is very large and limiting the affirmative to U.S. government-driven initiatives is vital to keeping the topic a reasonable size. Every additional potential actor or mechanism doubles the size of the topic.

2. Ground: Requiring the affirmative to defend only the United States federal government locks in our core alternate actor counterplan ground and disadvantages to unilateral government action.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: Mineral Production Is Neither ‘Exploration’ Nor ‘Development’

A. Interpretation: Mineral production is distinct from ‘exploration’ and ‘development’


(k) The term exploration means the process of searching for minerals, including (1) geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of such minerals, and (2) any drilling, whether on or off known geological structures, including the drilling of a well in which a discovery of oil or natural gas in paying quantities is made and the drilling of any additional delineation well after such discovery which is needed to delineate any reservoir and to enable the lessee to determine whether to proceed with development and production; (l) The term development means those activities which take place following discovery of minerals in paying quantities, including geophysical activity, drilling, platform construction, and operation of all onshore support facilities, and which are for the purpose of ultimately producing the minerals discovered; (m) The term production means those activities which take place after the successful completion of any means for the removal of minerals, including such removal, field operations, transfer of minerals to shore, operation monitoring, maintenance, and work-over drilling;

B. Violation

The affirmative promotes mineral development

C. Reasons to prefer

1. Limits: Exploration and development are already large—adding mineral production creates a too-expansive caselist and skews the playing field.

2. Ground: Negative disad and kritik links assume exploration/development, and production should be counterplan ground.

3. Education: Allowing affirmatives to avoid discussions about ocean exploration/development dictates that we learn less about the topic.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Non-Military’ Excludes All Military Activities

A. Interpretation:

1. ‘Non-Military’ means not of the armed forces; civilian


2. ‘Non-military’ means entirely outside of the military—the affirmative is ‘non-combat,’ which is still military

   (k) The term exploration means the process of searching for minerals, including (1) geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of such minerals, and (2) any drilling, whether on or off known geological structures, including the drilling of a well in which a discovery of oil or natural gas in paying quantities is made and the drilling of any additional delineation well after such discovery which is needed to delineate any reservoir and to enable the lessee to determine whether to proceed with development and production; (l) The term development means those activities which take place following discovery of minerals in paying quantities, including geophysical activity, drilling, platform construction, and operation of all onshore support facilities, and which are for the purpose of ultimately producing the minerals discovered; (m) The term production means those activities which take place after the successful completion of any means for the removal of minerals, including such removal, field operations, transfer of minerals to shore, operation monitoring, maintenance, and work-over drilling;

B. Violation

   The affirmative uses the military / engages in military exploration and/or development

C. Reasons to prefer

   1. Limits: Exploration / development are already huge—adding military actors and including all non-military missions makes for unmanageable research burdens and makes it nearly impossible to win on the negative.

   2. Ground: Negative disad and kritik links assume non-military action, and the military should be counterplan ground.

   3. Education: Allowing affirmatives to avoid discussions about civilian activity dictates that we learn less about the topic.

D. Topicality is a voting issue

   1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

   2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

   3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Non-Military’ Excludes the Coast Guard

A. Interpretation:

1. ‘Non-Military’ means not of the armed forces; civilian

   non-military, adj.
   Not belonging to, characteristic of, or involving the armed forces; civilian.

2. The Coast Guard is part of the armed services

   As one of the five armed services of the United States, the Coast Guard provides support to the geographic combatant commanders and U.S. naval presence around the world to ensure the Nation’s national security. The ability to navigate freely in international waters, engage in innocent and transit passage, and enjoy high seas freedoms are critical rights under international law, which the Convention codifies. These rights allow our cutters and aircraft to move without the permission of or need to provide advance notice to other coastal nations. I add my voice to the other armed services in urging that we “lock in” these crucial rights through the Convention to protect them from erosion.

B. Violation

   The affirmative uses the Coast Guard

C. Reasons to prefer

   1. Limits: Exploration / development are already huge—the Coast Guard makes for unmanageable research burdens and makes it nearly impossible to win on the negative.

   2. Ground: Negative disad and kritik links assume non-military action, and the Coast Guard should be counterplan ground.

   3. Education: Allowing affirmatives to avoid discussions about civilian activity dictates that we learn less about the topic.

D. Topicality is a voting issue

   1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

   2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

   3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Non-Military’ Excludes the Navy

A. Interpretation:

1. ‘Non-Military’ means not of the armed forces; civilian

   non-military, adj.
   Not belonging to, characteristic of, or involving the armed forces; civilian.

2. The Navy is part of the military

   The Army, Navy, and Marine Corps were established in 1775, in concurrence with the American Revolution. The War Department was established in 1789, and was the precursor to what is now the Department of Defense. One year later, in 1790, the Coast Guard (part of Homeland Security in peace time) was established. This was followed by the founding of the Department of the Navy in 1798. The decision to unify the different services under one Department led to the creation of the National Military Establishment in 1947. This establishment would replace the War Department, which converted to the Department of the Army. That same year, the U.S. Air Force was established followed by the founding of the Department of the Air Force. Finally, the three military branches, Army, Navy, and Air Force, were placed under the direct control of the new Secretary of Defense, confirmed by Senate. In 1949, an amendment to the National Security Act further consolidated the national defense structure by withdrawing cabinet-level status from the three Service secretaries. The National Military Establishment was then renamed the Department of Defense.

B. Violation

   The affirmative uses the Navy

C. Reasons to prefer

   1. Limits: Exploration / development are already huge—the Navy makes for unmanageable research burdens and makes it nearly impossible to win on the negative.

   2. Ground: Negative disad and kritik links assume non-military action, and the Navy should be counterplan ground.

   3. Education: Allowing affirmatives to avoid discussions about civilian activity dictates that we learn less about the topic.

D. Topicality is a voting issue

   1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

   2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

   3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
**Violation: ‘Oceans’ Excludes Desalination**

A. **Interpretation: ‘Desalination’ technology is used away from the oceans—includes inland facilities, purification, brackish water**


Desalination. Desalination is much more than just the treatment of seawater. Historically, seawater desalination has been viewed as an expensive alternative to developing unimpaired water sources. As these unimpaired sources have become fully allocated, our nation is now forced to turn to using these impaired water sources. Inland, the development of brackish water offers the potential for new resource development while coastal locations are looking to seawater.

B. **Violation**

The affirmative plan includes desalination activities/research away from the oceans

C. **Reasons to prefer**

1. **Limits**: Non-ocean desalination allows the affirmative to access an array of new advantages, fostering unfair research burdens and skewing the playing field towards the aff.

2. **Ground**: Our disadvantage and counterplan links assume ocean development and “do the plan on land” is core, built-in counterplan ground.

3. **Education**: Allowing affirmatives to avoid discussions about ocean development mean that we learn less about the heart of the topic.

4. **<<if needed>> Extratopicality is Uniquely Bad**: Our pre-tourney and pre-round prep is predicated on the plan text, meaning the damage is already done and cannot be rectified by severing part of the plan text. Further, a plan that contains extra-topical or non-topical elements is in its sum non-topical.

D. **Topicality is a voting issue**

1. **Rule of the Game**: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. **Jurisdiction**: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. **Education**: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
**Violation: ‘Oceans’ Excludes Great Lakes**

**A. Definition: ‘Oceans’ excludes the Great Lakes**


It is unclear as to why the Ocean Policy/CMSP is applied to the Great Lakes. The Great Lakes are not oceans. The submerged lands in the Great Lakes region are under the jurisdiction of the adjacent states and are actually part of the territory of those states. There are no Great Lakes waters under exclusive federal jurisdiction. We are concerned that applying CMSP to the Great Lakes would in fact take away state authority in these regions and bring them under federal control setting up a constitutional conflict.

**B. Violation**

The affirmative plan includes activity in the Great Lakes

**C. Reasons to prefer**

1. **Limits:** Great Lakes activity accesses an unpredictable set of aff advantages and multiplies our research burden, gutting fairness.

2. **Ground:** Our disadvantage and counterplan links assume ocean activity, not the Great Lakes, and ‘do the plan away from the ocean’ is core counterplan ground.

3. **Education:** Allowing affirmatives to avoid discussions about actual ocean development mean that we learn less about the core of the topic.

4. **<if needed> Extratopicality is Uniquely Bad:** Our pre-tourney and pre-round prep is predicated on the plan text, meaning the damage is already done and cannot be rectified by severing part of the plan text. Further, a plan that contains extra-topical or non-topical elements is in its sum non-topical.

**D. Topicality is a voting issue**

1. **Rule of the Game:** It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. **Jurisdiction:** Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. **Education:** Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Oceans’ Excludes Methane Hydrates

A. Interpretation: ‘Methane hydrate’ activity goes beyond the oceans

Rebecca Anderson, team scientist, Alliance for Climate Education, “What the Heck Is a Methane Hydrate?” HUFFINGTON POST, 4—5—11, www.huffingtonpost.com/rebecca-anderson/methane-global-warming_b_845018.html, accessed 4-9-14. Methane hydrates also live buried in permafrost on land. In one spot on the coast of Siberia, the ocean has eaten into the coastline, breaking off chunks of permafrost into the sea. Methane concentrations in the ocean off this spot are 25 times higher than normal, indicating that methane from the permafrost is leaking out into the ocean and then the atmosphere. So melting permafrost is a worry, too.

B. Violation

The affirmative does not limit methane hydrate exploration/development to the oceans

C. Reasons to prefer

1. **Limits**: Allowing affirmative activity away from the ocean multiplies their solvency and allows potential new advantages, exacerbating our preparation burden and skewing the debate towards the aff

2. **Ground**: Our disadvantage and counterplan links assume strict ocean activity, and ‘do the plan away from the ocean’ is core counterplan ground.

3. **Education**: Allowing affirmatives to avoid discussions about actual ocean development mean that we learn less about the core of the topic.

4. **Extra-topicality is Uniquely Bad**: Our pre-tourney and pre-round prep is predicated on the plan text, meaning the damage is already done and cannot be rectified by severing part of the plan text. Further, a plan that contains extra-topical or non-topical elements is in its sum non-topical.

D. Topicality is a voting issue

1. **Rule of the Game**: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. **Jurisdiction**: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. **Education**: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Oceans’ Excludes Near-Coast Activity

A. Definitions:

1. ‘Ocean’ is the area beyond the contiguous zone


   (9) The term “contiguous zone” means the entire zone established or to be established by the United States under article 24 of the Convention of the Territorial Sea and the Contiguous Zone. (10) The term “ocean” means any portion of the high seas beyond the contiguous zone.

2. The contiguous zone extends beyond 24 miles offshore


   Each coastal State may claim a contiguous zone adjacent to and beyond its territorial sea that extends seaward up to 24 nm from its baselines. In its contiguous zone, a coastal State may exercise the control necessary to prevent the infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea, and punish infringement of those laws and regulations committed within its territory or territorial sea. Additionally, in order to control trafficking in archaeological and historical objects found at sea, a coastal State may presume that their removal from the seabed of the contiguous zone without its consent is unlawful. In 1972, the U.S. proclaimed a contiguous zone extending from 3 to 12 miles offshore (Department of State Public Notice 358, 37 Fed. Reg. 11906 (June 15, 1972), consistent with the 1958 UN Convention on the Territorial Sea and Contiguous Zone. In 1999, eleven years after President Reagan extended the U.S. territorial sea to 12 miles, President Clinton proclaimed a contiguous zone extending from 12 to 24 nm offshore (Presidential Proclamation No. 7219, August 2, 1999), consistent with Article 33 of the Law of the Sea Convention.

B. Violation

   The affirmative’s exploration/development occurs in near-shore areas.

C. Reasons to prefer

   1. Limits: Allowing affirmative exploration/development to occur near-shore doubles the size of the topic, increases our research burden, and makes it too easy to be aff.

   2. Ground: Our disadvantage links and counterplan competition pivot on activity beyond the contiguous zone, and near-shore development is built-in core counterplan ground.

   3. Education: Allowing affirmatives to defend near-shore activity begs the core question of the resolution, which is whether additional action is justified.

   4. Extratopicality is Uniquely Bad: Our pre-tourney and pre-round prep is predicated on the plan text, meaning the damage is already done and cannot be rectified by severing part of the plan text. Further, a plan that contains extra-topical or non-topical elements is in its sum non-topical.

D. Topicality is a voting issue

   1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

   2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

   3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important ocean issues.
Violation: ‘Oceans’ Excludes Offshore Wind

A. Interpretation: ‘Offshore wind’ includes far more than ocean development


Furthermore, Michigan has an advantage simply because it borders the Great Lakes rather than oceans. It is less difficult to implement offshore projects in the Great Lakes than in ocean or salt waters, and project implementation costs for offshore wind energy in the Great Lakes will likely be less than in an ocean setting. Furthermore, surrounded by deepwater ports, Michigan is accessible to regional, national, and international shipments of turbine components. Lake waters tend to be shallower than ocean waters and do not face the same major weather concerns, like hurricane threats. Also, saltwater is more corrosive than freshwater, so wind turbines in lakes and other fresh water areas do not need to be replaced as often as they do in oceans. Consequently, by virtue of its location, Michigan is situated to compete with other states for offshore wind development.

B. Violation

The affirmative does not limit offshore wind development to the oceans

C. Reasons to prefer

1. **Limits**: Allowing affirmative activity away from the ocean multiplies their solvency and allows potential new advantage, exacerbating our preparation burden and skewing the debate towards the aff.

2. **Ground**: Our disadvantage and counterplan links assume strict ocean activity, and ‘do the plan away from the ocean’ is core counterplan ground.

3. **Education**: Allowing affirmatives to avoid discussions about actual ocean development mean that we learn less about the core of the topic.

4. **Extratopicality is Uniquely Bad**: Our pre-tourney and pre-round prep is predicated on the plan text, meaning the damage is already done and cannot be rectified by severing part of the plan text. Further, a plan that contains extra-topical or non-topical elements is in its sum non-topical.

D. Topicality is a voting issue

1. **Rule of the Game**: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. **Jurisdiction**: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. **Education**: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: Plan Vagueness Is a Voting Issue

A. Violation

The plan fails to provide critical information on ________
[insert specific reasons why the plan is vague]

B. Vagueness is bad for debate

1. **Fairness**: Vague plan wording is an affirmative tactic designed to make it impossible for us to pin them down on disadvantage or kritik links or for us to write a competitive counterplan. These arguments are vital to our ability to compete with the affirmative on an already broad topic. Our links depend upon the affirmative taking on stance on vital policy controversies contained within the oceans literature.

2. **Education**: The development/exploration literature contains a broad array of specific proposals. Allowing affirmative's to avoiding taking a stand on these issues means we never debate, research, or learn about these key issues.

C. This is a voting issue

Vague plans undermine our pre-round and pre-tournament prep and eliminated critical negative arguments. A negative ballot is justified both as punishment and to deter other teams from using this abusive tactic.
Violation: Preambles and Postscripts Are Not Topical

A. Interpretation

The resolution's operative phrase limits to the affirmative to only advocating an increase in exploration and/or development of the oceans.

B. Violation

The affirmative's advocacy text includes a pre-amble and/or postscript that clarifies the ethical, moral, or philosophical orientation or implications of endorsing the plan text.

C. Reasons to prefer

1. **Ground**: Affirmative framing of the plan text is designed to dodge our links to both disadvantages and critical arguments. These link arguments to the 'normal means' of policy implementation represent vital negative ground.

2. **Limits**: There are a nearly infinite number of framings or clarifications that affirmative teams can tack onto the plan to avoid our links and to access unpredictable advantages. It is unreasonable to expect negative teams to be able to adequately prepare for the plethora of arguments.

3. **Education**: The affirmative's radical re-framing of the ocean policy literature detracts from our focus on the core controversies of the topic literature.

D. Extra-topicality is a voting issue

1. **Damage Is Already Done**: Our pre-tournament and pre-round preparation is predicated upon the plan text as written, as is our INC strategy. This is valuable time that has already been lost to us that cannot be rectified through severing the extra-topical portions of the affirmative plan.

2. **Renders the Entire Plan Non-Topical**: A plan that contains non-topical or extra-topical elements is in its sum non-topical.

E. Topicality is a voting issue for reasons of tradition, jurisdiction, and education.
Violation: ‘Should’ Excludes Demands

A. Interpretation

1. Should is the present tense of shall

Should: auxiliary verb 1. shall: I had hoped I should see you

2. Shall means mandatory

2b. Used in laws, regulations, or directives to express what is mandatory

B. Violation

The plan does not absolutely happen. Instead, the affirmative team proposes it as an idea that the affirmative would like to see happen via their demand upon the government

C. Reasons to prefer

1. Limits: Allowing affirmatives to place ‘demands’ de-limits the number of actions the affirmative team can defend, opening the doorway to personal advocacies and actions by non-governmental actors The affirmative must be forced to defend state action to check the size of an already large.

2. Ground: Allowing the affirmative team to topically make demands upon the government makes the plan itself conditional because that action is contingent upon the success of the affirmative demand. Conditionality destroys all of our disadvantage links and counterplan competition arguments, making it impossible to be negative.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Substantially’ Excludes Qualifying the Increase

A. Interpretation—'Substantially' means without material qualification

BLACK'S LAW DICTIONARY, 1990, p. 1428.
Substantially. Essentially; without material qualification

B. Violation

The affirmative qualifies the increase in exploration / development by mandating particular levels / types.

C. Reasons to prefer

1. Limits: The affirmative team justifies removing one trade restriction. There could be a new case with advantages dependent on multiple levels of increase every round this season.

2. Resolutinal Integrity: All efforts to quantify the increase are arbitrary, proven by the plethora of contradictory definitions in sources like Words and Phrases, meaning they justify mooting the word from the resolution. This destroys predictability and topic-specific education

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘Substantially’ Means All Exploration and/or Development

A. Interpretation: 'Substantial' means in all essential areas

substantial, a. (adv.) and n. In all essential characters or features; in regard to everything material; in essentials, to all intents and purposes, in the main.

B. Violation

The affirmative increases only one segment of the exploration and/or development. Our interpretation is that the affirmative must increase exploration and/or development across the board.

C. Reasons to prefer

1. Limits: Our interpretation is necessary to limit the size of the topic because allowing the affirmative to deal with subsets of development or exploration creates an incentive to run to the corners of the topic as a means of dodging negative arguments.

2. Ground: Forcing the affirmative team to increase exploration/development across the board ensures that we will have adequate case arguments and links to core negative disadvantage, counterplan, and kritik ground.

3. Education: Our interpretation is necessary to ensure that all teams are forced to engage both the affirmative and negative literature in all aspects of ocean policy.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘United States Federal Government’ Means All Three Branches

A. Interpretation

1. "The" means all the parts

Merriam-Webster's Online Dictionary, "the", http://www.merriam-webster.com/dictionary/the accessed 6-12-10, 4-used as a function word before a noun or a substantivized adjective to indicate reference to a group as a whole <the elite>

2. "United States federal government" is all three branches.

   2. the executive and legislative and judicial branches of the federal government of the United States [syn: United States government]

B. Violation

The affirmative implements its exploration and/or development through only a portion of the federal government instead of having it act as a whole.

C. Reasons to prefer

1. Ground: The affirmative dodges disadvantage by using an agency not assumed by our evidence or the solvency literature, making it impossible for us to effectively negative the case

2. Education: Allowing affirmatives to defend small agency actions encourages 'surprise' cases designed to avoid debate about the core issues of topic, meaning we fail to learn about the key elements of exploration and development.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘United States Federal Government’ Means the Government

A. Interpretation: The United States federal government is the legislative, judicial, and executive branches of government

WORDNET 1.6 1997, Princeton University.
the executive and legislative and judicial branches of the federal government of the US — [syn: United States government, United States, U.S. government, U.S.]

B. Violation

The plan does not use the United States federal government. It instead advocates the action of movements, coalitions or personal advocacy.

C. Reasons to prefer

1. Limits: allowing agents beyond the federal government makes the plan action entirely unpredictable, exploding the size of the topic and making debate unfair for the negative.

2. Education: forcing affirmative teams to defend government action ensures that we all learn about both the positive and negative aspects of formal politics. The affirmative's interpretation means both teams can avoid debating and learning about government action.

3. Ground: all of our arguments are predicated upon the use of the United States federal government. The affirmative's interpretation eliminates all of our government-based disadvantage links, counterplans, and kritik alternatives.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Violation: ‘United States’ Means the U.S.A.

A. Interpretation: 'United States' means the United States of America

United States. The United States of America with dependencies and possessions.

B. Violation

The affirmative plan calls for action by another "United States," such as Brazil, Mexico, the Netherlands, etc.

C. Reasons to prefer

1. Limits: Allowing 'United States' to refer to multiple nations significantly multiplies the size of the topic, unfairly increasing research burdens upon the negative.

2. Predictability: The topic literature, topic committee, and community anticipated debates about the desirability of actions by the government in Washington D.C. Allowing affirmatives to pick a different government eliminates all of our pre-tournament preparation and makes it impossible for us to fairly compete with the affirmative.

3. Education: Focusing debate on one 'United States' ensures more in-depth debates, and it is best for us to debate about the policies of the "United States of America" because we live within its boundaries and are most affected by its actions.

D. Topicality is a voting issue

1. Rule of the Game: It is a voting issue at the National Debate Tournament and is critical to the social contract that binds the debate community together.

2. Jurisdiction: Non-topical affirmative plans fall outside the boundaries of the judge's jurisdiction, which is defined by the resolution.

3. Education: Having a sufficiently narrow topic ensures that we are able to debate in depth about the important oceans issues.
Theory: Topicality is a Voting Issue

1. A binding topic is needed to limit and direct discussion
   
   A. Issue diversity concerns justify a binding topic
      
      A new topic is selected each year in order that different issues be debated. If notice were the only concern, the same case could be run year after year, reducing the breadth of education associated with changing subject matter.
   
   B. Fairness concerns justify a binding topic
      
      Topics are selected to be evenly balanced. If the affirmative could run anything, they could pick cases too one-sided for good debate.
   
   C. Timeliness and importance concerns justify a binding topic
      
      The topic is selected to deal with a timely and important set of issues. If topicality isn’t a voting issue, there’s no guarantee the affirmative will select a timely and important case.

2. A binding topic is needed to fairly divide ground
   
   A. Topic designed to balance
      
      The topic is written to provide balance between the affirmative and the negative. Letting the affirmative go beyond the topic upsets that balance.
   
   B. The division of ground model best resolves other theory issues
      
      It clearly disallows extra-topical planks, topical counterplans, and designates which plan inclusive counterplans are permissible.

3. The topic defines the judge's jurisdiction; s/he has no authority to go beyond the topic
   
   A. Jurisdiction is the closest analogue between debate and real world decision-making
   
   B. Debate tradition supports the jurisdictional model

4. The topic is the central hypothesis being debated in the round
   
   Plans are just arguments by example for the resolution's truth, so if the plan isn’t topical, it isn't an argument for the resolution.

5. Topicality is a traditional rule of the game
   
   A rules orientation toward debate theory is desirable because it minimizes argument over theory and focuses attention on substantive issues.

6. Social contract considerations justify a binding topic
   
   The tournament invitation specified the national resolution as the topic for debate. The negative team came prepared only to debate that topic, and the affirmative implicitly agreed to do so when they entered the tournament.
Theory: Topicality Need not Be a Voting Issue

1. Prior notice is the only purpose of topicality
   If the negative had prior notice, the case is debatable, and topicality becomes irrelevant.

2. Abuse is the best standard for evaluating topicality
   If the negative has adequate ground, then no abuse has occurred, and topicality should have no impact.

3. The topic isn't needed to divide ground
   The affirmative plan can divide ground just as well. Once the affirmative picks its ground, then negative ground is any competitive alternative.

4. The division of ground model is inferior
   By disallowing extra-topical planks and topical counterplans, it makes it less likely that the best policy will be found.

5. Jurisdictional concerns don't make topicality a voting issue
   A. The case impact means that the judge should interpret his or her jurisdiction liberally
      A world ending impact clearly outweighs one violation of separation of powers.
   B. The jurisdictional model is ill-suited to debate
      In debate, topicality mainly serves a fairness function. There's no reason here to mimic the specific procedures of actual policy making.
   C. The jurisdictional view undermines negative ground
      It would mean that the judge could never vote for a non-topical counterplan because s/he would lack authority to do so.

6. The plan, not the resolution, should be the focus of debate
   A. Debate resolutions are too broad and ambiguous to debate as whole
   B. Topic only a guideline
      By convention, the topic serves merely as a problem area generating a case list.
   C. Undermines argumentative clash
      Resolutional focus encourages theories such as counter-warrants and alternative justification which undermine debate by destroying clash.
Theory: Topicality Need not Be a Voting Issue [cont’d]

7. The rules approach to topicality should be rejected

A. It's arbitrary

There is no rule book. Debate theorists disagree over all kinds of issues.

B. It's anti-intellectual

Basic assumptions should be challenged. The appeal to rules is an authoritarian ploy for chilling innovation.

8. The social contract approach to topicality is flawed

A. There is no contract

Invitations to tournaments are a meaningless convention.

B. At best it's a forced contract

It's not truly a voluntary choice to debate the topic if your only other option is not to debate.

C. Debate conventions make everything arguable

The real social contract the debate community has formed is that everything is debatable -- including whether topicality is a voting issue.

9. Unclear or underdeveloped topicality arguments should not be voting issues

Since the risk of topicality is only against the affirmative, they should enjoy heavy presumption on the issue. This means there should be a high burden of negative clarity and explanation. If the argument is unclear initially, the affirmative should have maximum latitude in later speeches.
Theory: Topicality Should be a Reverse Voting Issue

1. To equalize argumentative risk

   Since topicality is fatal for the affirmative, it should be for the negative too.

2. To discourage time waster topicality arguments

   If the negative isn't at risk, time wasting topicality arguments are encouraged. This distorts time allocation and impairs quality of discussion.

3. Topicality is a singular issue

   A court would not consider a jurisdictional challenge in the same hearing as the substantive issues.
**Theory: Topicality Should not Be a Reverse Voting Issue**

1. **The logic of policy discourse opposes this theory**
   
The fact that the plan is determined to be germane doesn't make it a good idea. The rejection of a jurisdictional challenge doesn't lead to automatic endorsement of a policy.

2. **The logic of hypothesis testing opposes this theory**
   
The determination that the plan is an example of the resolution doesn't prove that the resolution is true.

3. **The logic of stock issues analysis opposes this theory**
   
Topicality is simply one stock issue which the affirmative must establish. They still need to win the rest.

4. **Not all arguments need to entail equal risk**
   
Most negative case arguments against inherency, harm, or solvency can't be turned.

5. **The one-way impact of topicality is just a partial offset to the overall affirmative side advantage**

6. **This theory assumes punishment is legitimate as a debate construct**
   
Punishment arguments are undesirable because they're arbitrary, overemphasize theory, and chill innovation in argument. Arguments should carry their natural logical weight, not be arbitrarily designated as voting issues.

7. **Overly expansive topics would result from topicality being a reverse voting issue**
   
If topicality is all or nothing, negative teams would rarely run it, creating an even larger affirmative side bias.

8. **Time tradeoffs are an inherent part of the tactics of debate**
   
Both teams inevitably drop many of the arguments they initiate.

9. **Designating an argument as a time waster is arbitrary**
   
Depending on affirmative answers in the particular round, the negative might well choose to go for topicality.

10. **Topicality isn't a singular issue**
    
The separation of procedural and substantive issues in other forums doesn't mean they can't be combined in debate.
Theory: 'Best Definition' Standard Should Government Topicality

1. The better definition can be determined

The better definition in this round is the one which enjoys superior evidential and analytical support. This can be debated in the same way as any other issue.

2. The better definition standard provides optimal limits

A. "reasonability" is too ambiguous

It can be defined as meaning "not absurd," and this would place no effective limits on debate.

B. Limits are desirable

Limits are needed for intelligent discussion and fair competition.

3. The better interpretation is sought in all other interpretive situations

A. Legal interpretation

Courts seek the most likely meaning of statutes and the Constitution.

B. Scholarship

Scholars should look for the most likely meaning of a text, not for just what it could mean.

C. Normal conversation

When talking to others we seek what they really mean, not just what they might mean.

4. Better analysis is always to be preferred; we accept the best analysis on all other issues in debate

5. Proper use of language is an end in itself -- abuse of language causes Orwellian debasement of politics

David Bell, York University political scientist, 1975, POWER, INFLUENCE, AND AUTHORITY, p. x-xi.

George Orwell's satire on "Newspeak" and Herbert Marcuse's critique of "one dimensional" thought help stimulate a critical consciousness of the dangers inherent in the abuse of language. For while language is the medium of politics, it is far from a neutral instrument. Our own words and vocabulary affect us politically. Language is more than a tool for manipulating others. In ways often undetected, it structures our ideas about those with whom we interact. The medium of politics is itself political. The decay and abuse of language represent a deterioration of political life.

6. The better definition standard best divides ground

A. The purpose of the resolution is to divide ground

B. Reasonability leaves a gray area

Reasonability leaves us with lack of clarity - a set of cases which are both reasonably topical and reasonably non-topical.

C. This could produce irresolvable ground disputes

Both sides could defend the same plan, claiming that it's reasonably topical and reasonably non-topical respectively.
Theory: 'Best Definition' Standard is Linguistically Justified

1. Discovery of best definition necessary to discovery of truth

If there is no way in which the teachers of mankind can avoid conveying more than one meaning when they use words, the truth will never emerge as a deciding factor in the life of mankind. One word with one meaning, and one meaning with one word, if Korzybski and his followers are right, is a completely utopian chimera. But a strict definition of the meaning of meaning, and a strict definition of the meaning of definition proves that the General Semanticists are mistaken.

2. Requiring best definitions is the best way of reducing intellectual fuzziness

No better discipline in precise thinking can be found than that required in thus substituting one recommended definition and designator for the mere enumeration of the common usages of important words; no better method is possible for getting rid of the fuzziness of what now passes for social science; for clarifying the discussion of the humanities and the arts, philosophy and theology, science and education, medicine and law; and for breaching that wall which now separates the two cultures we call the sciences and the humanities.

3. Best definitions are necessary to avoid confusion

What we are provided with in dictionaries based upon common usage as solutions of the problem are dozens of designations (words) for each notion or idea, and dozens of definitions of each of the words and designators. The end result is our existing state of ambiguition and confusion. What we need are vocabularies in which the best possible judgment -- a consensus of authorities -- is used to recommend a single designator and a single definition for each concept or idea.

4. Authoritative definitions are necessary for clarity

If the problem of Obscurantism is to be adequately dealt with, this kind of precise communication is needed. It is not enough to restrict so-called dictionaries to the vocabularies of the various disciplines. It is not enough to define the words in a vocabulary as they are in fact being used. The definitions must reflect not merely what is but what should be. Every word must be authoritatively defined -- there must be one recommended definition for each term even though the obsolescent and archaic definitions are also given.

5. Definition is critical to communication

But unlike both Korzybski and Wittgenstein, the lexicographer does not stop as they did with theoretical scientific analysis: he faces the condition -- not the theory -- which every dictionary-maker faces, the condition that some sort of definition of words is essential if communication is to rise above the level of naive preliterate man.
Theory: 'Reasonability' Standard Should Govern Topicality

1. Affirmative latitude in definition is desirable
   A. Topic breadth is desirable
      This encourages learning about a wider range of cases, increases research, and stimulates creativity.
   B. Proponents of a position are traditionally allowed to define the terms of the discussion
   C. More sincere advocacy results from allowing the affirmative greater scope
   D. The free speech analogy
      There should be a strong presumption against silencing any viewpoint.
   E. Language is inherently ambiguous
      Words mean just what we stipulate we mean by them. There is no best or better definition.

2. Reasonability can be determined
   A. Common standards define reasonable alternatives
      Common standards, such as limits, grammar, and field context determine what is reasonable in the context of debate.
   B. Reasonableness is a widely recognized legal principle
      Barry Almond, Professor of International Law - National War College, 26th Colloquium, 1983, p. 279.
      Standards of reasonableness, familiar to lawyers and jurists throughout the world, and appearing in the law of war
      principle of military necessity, balance out the expectations of the global community.
   C. Courts uphold reasonability
      When a legal distinction is determined...between night and day, childhood and maturity, or any other extremes, a point has
      to be fixed or a line has to be drawn, or gradually picked out by successive decisions, to mark where the change takes
      place. Looked at by itself without regard to the necessity behind it, the line or point seems arbitrary. It might as well be a
      little more to the one side or the other. But when it is seen that a line or point there must be, and that there is no
      mathematical or logical way of fixing it precisely, the decision of the legislature must be accepted unless we can say that it
      is very wide of any reasonable mark.

3. Analogies to other situations support reasonability
   A. Authors of a bill are allowed to define its terms
   B. According to deconstructive and reader response criticism, author's intent isn't critical
      Texts always have many meanings.
   C. Interpretations allowable
      Unlike most other statements, the resolution has only a general intent; debaters are intended to offer their own
      interpretations.
Theory: 'Reasonability' Standard Should Govern Topicality [cont’d]

4. Consistency with other debate issues doesn't require use of better definitions
   
   A. **Topicality is unique**
   
   It is an all or nothing issue, uniquely fatal to the affirmative, and a voting issue independent of the overall policy calculus. This justifies its distinctive treatment.
   
   B. **Resolvability justifies distinction**
   
   Definitional issues are less important and less ultimately resolvable than policy issues; this also justifies distinct treatment.
   
   C. **Marginal analysis is acceptable on other issues**
   
   The affirmative can win with minimal significance, inherence, and/or solvency if there is no DA. Low probability disadvantages are often accepted based on risk analysis.

5. **Reasonability permits adequate division of ground**
   
   A. **The plan divides ground**
   
   If the affirmative is reasonably topical, the negative must compete with the plan.
   
   B. **The negative can be required to be not reasonably topical**
   
   This would mean there is no grey area in which both teams can claim ground.

6. **The better definition standard encourages too much topicality argument**
   
   If topicality is more than an issue of threshold reasonability, the negative has a heightened incentive to invest heavily in elaborate generic topicality strategies. This undermines consideration of substantive arguments. Generic topicality arguments are often used to attack even mainstream cases.
**Theory: 'Best Definitions' Are a Myth**

1. **The search for best definitions is a major cause of misunderstanding**

   A chief cause of misunderstanding, I shall argue later, is the Proper Meaning Superstition. That is, the common belief -- encouraged officially by what lingers on in the school manuals as Rhetoric -- that a word has a meaning of its own (ideally, only one) independent of and controlling its use and the purpose for which it should be uttered.

2. **Definitions are never definitive**

   ...we can never eliminate the possibility of some unforeseen factor emerging, we can never be quite sure that we have included in our definition, everything that should be included, and thus, the process of defining and refining an idea will go on without ever reaching a final stage. In other words, every definition stretches into an open horizon.

3. **Definitions are never exhaustive**

   We tend to overlook the fact that there are always other directions in which the concept has not been defined. And if we did, we could easily imagine conditions which would necessitate new limitations. In short, it is not possible to define a concept like gold with absolute precision, i.e., in such a way that every nook and cranny is blocked against entry of doubt. That is what is meant by the open texture of a concept.

4. **Attempts to find definitive meanings can be worthless**

   Susanne Langer, philosopher, PHILOSOPHY IN A NEW KEY, 1942, p. 43.
   The analysis of "meaning" has had a peculiarly difficult history; the word is used in many different ways, and a good deal of controversy has been wasted on the subject of THE correct way, THE meaning of "meaning."
Theory: Definition Is an Inherently Limited Process

1. **Definition produces an infinite regress**

   
   People often believe, having defined a word, that some kind of understanding has been established, ignoring the fact that the words in the definition often conceal more serious confusions and ambiguities than the word defined. If we happen to discover this fact and try to remedy matters by defining the defining words, and then, finding ourselves still confined, go on to define the words in the definitions of the defining words, and so on, we quickly find ourselves in a hopeless snarl.

2. **Exemplification is superior to definition**

   S.I. Hayakawa, noted linguist, LANGUAGE IN THOUGHT AND ACTION, 1949, p. 173.
   
   The only way to avoid this snarl is to keep definitions to a minimum and to point to extensional levels wherever necessary -- and in writing and speaking, this means giving specific examples of what we are talking about.

3. **Excessive respect for words is counterproductive**

   
   Because words are such a powerful instrument, we have in many ways a superstitious awe rather than an understanding of them and even if we have no awe, we tend at least to have an undue respect for them...This undue regard for words makes us tend to permit words to act as barriers between us and reality, instead of as guides to reality.
Theory: Words Have Multiple Meanings

1. Words have no one correct meaning

S.I. Hayakawa, noted linguist, LANGUAGE IN THOUGHT AND ACTION, 1949, p. 65.
A dictionary definition, therefore, is an invaluable guide to interpretation. Words do not have a single "correct meaning", they apply to groups of similar situations which might be called areas of meaning. It is for definition in terms of areas of meaning that a dictionary is useful.

2. Words necessarily have multiple meanings

S.I. Hayakawa, noted linguist, LANGUAGE IN THOUGHT AND ACTION, 1949, p. 63.
People in the course of argument very frequently complain about words meaning different things to different people. Instead of complaining, they should accept it as a matter of course. It would be startling indeed if the word "justice," for example, were to have the same meaning to the nine justices of the United States Supreme Court; we should get nothing but unanimous decisions.

This theorem goes further, and regards all discourse -- outside the technicalities of science -- as over-determined, as having multiplicity of meaning. It can illustrate this view from almost any of the great controversies. And it offers us -- by restraining the One and Only One True Meaning Superstition -- a better hope, I believe, of profiting from the controversies.

S.I. Hayakawa, noted linguist, LANGUAGE IN THOUGHT AND ACTION, 1949, p. 68.
In any good standard dictionary, words are defined in terms of areas of meaning and, for most words, there are many different areas of meaning.

3. Versatility is a primary characteristic of symbols

Ernst Cassirer, philosopher, AN ESSAY ON MAN, 1944, p. 36.
A genuine human symbol is characterized not by its uniformity but by its versatility. It is not rigid or inflexible but mobile.

4. Different meanings of words can be equally legitimate

Susanne Langer, philosopher, PHILOSOPHY IN A NEW KEY, 1942, p. 52.
Here, then, are the three most familiar meanings of the one word, "meaning," : signification, denotation, and connotation. All three are equally and perfectly legitimate, but in no possible way interchangeable.

5. People can assign whatever value they want to their symbols

S.I. Hayakawa, noted linguist, LANGUAGE IN THOUGHT AND ACTION, 1949, p. 25.
We are, as human beings, uniquely free to manufacture and manipulate and assign values to our symbols as we please... .This freedom to create symbols of any assigned value and to create symbols that stand for symbols is essential to what we call the symbolic process.
Theory: Language Flexibility Is Essential

1. Language flexibility is essential to its usefulness

The assumption is that words have, or should have, proper meanings which people should recognize, agree about and stick to. A pretty program, if it were possible. But, outside the technical languages of the sciences, it is not possible. For in the topics with which all generally interesting discussion is concerned, words must shift their meanings thus. Without these shifts such mutual understanding as we achieve would fail even within the narrowed resultant scope. Language, losing its subtlety with its suppleness, would lose also its power to serve us.

2. Linguistic inflexibility stifles new ideas

Susanne Langer, philosopher, PHILOSOPHY IN A NEW KEY, 1942, p. 164.
Language, in its literal capacity, is a stiff and conventional medium, unadapted to the expression of genuinely new ideas, which usually have to break in upon the mind though some great and bewildering metaphor.

3. Meaning constantly changing

S.I. Hayakawa, noted linguist, LANGUAGE IN THOUGHT AND ACTION, 1949, p. 60-1.
Such an impasse is avoided when we start with a new premise altogether -- one of the premises upon which modern linguistic thought is based: namely, that no word ever has exactly the same meaning twice. The extent to which this premise fits the facts can be demonstrated in a number of ways. First, if we accept the proposition that the contexts of an utterance determine its meaning, it becomes apparent that since no two contexts are ever exactly the same, no two meanings can ever be exactly the same.

S.I. Hayakawa, noted linguist, LANGUAGE IN THOUGHT AND ACTION, 1949, p. 60.
Everyone, of course, who has ever given any thought to the meanings of words has noticed that they are always shifting and changing in meaning.

4. Meaning evolves radically over time

Susanne Langer, philosopher, PHILOSOPHY IN A NEW KEY, 1942, p. 229.
Every word has a history, and has probably passed through stages where its most important significance lay in associations it no longer has, uses now obsolete, double entendres we would not understand.
Theory: Language Ambiguity Is Undesirable

1. Ambiguity is the greatest linguistic vice

Clarity is the great virtue of both words and of sentences; just as ambiguity is the great vice in the use of words, so inconsistency is the great vice in the use of sentences. Language, which ought to be a means of communicating and of understanding what is true, when suffering from these two vices, becomes a means of confusion at the very least and of tragic misunderstanding at worst.

2. Language ambiguity can be sufficiently reduced

But words, in spite of the limitations of definition, can be defined sufficiently clearly, and sentences, in spite of the limitations of grammar, can be constructed sufficiently clearly to enable us to distinguish between statements which make sense and statements which do not. To insist, because of the unavoidable limitations of language, that nothing can be truly known is to talk nonsense.

3. Proper definition can eliminate ambiguity

To transform words from notions into ideas, and so make possible the transformation of the sentences which frame units of knowledge from vague notions into clear ideas, one thing—and one thing only—is needed, adequate definition. But adequate definition requires an intellectual discipline to which few will submit themselves. As a result, most people wander through life half-asleep, while those whom disciplined study has awakened find themselves needlessly confused by ambiguities which proper diction and definition would enable them to avoid.

4. Too much ambiguity destroys communication

Ernst Cassirer, philosopher, AN ESSAY ON MAN, 1944, p. 225.
Even language is one of the firmest conservative powers in human culture. Without this conservatism it could not fulfill its principal task, communication. Communication requires strict rules. Linguistic symbols and forms must have a stability and constancy in order to resist the dissolving and destructive influence of time.

5. Established connotations determine limits of acceptable usage

Susanne Langer, philosopher, PHILOSOPHY IN A NEW KEY, 1942, p. 62.
A name may be awkward or convenient, ugly or pretty, but in itself it is never true or false. But if it already has a connotation, then it cannot be given an arbitrary denotation, nor vice versa. I cannot use the word "kitten, " with its accepted connotation to denote an elephant. The application of a word with its connotation is the equivalent of a statement: "This is a such-and-such." To call an elephant "kitten, " not as a proper name but as a common noun, is a mistake, because he does not exemplify the connoted concept.

6. Definitions can be rationally tested

What Subjectivists, Relativists, Solipsists, and Sceptics of all kinds ignore is the fact that, although the definition of words and the construction of sentences can never be perfect, there are nevertheless methods of testing definitions and methods of testing sentence-construction which make possible verification or discrediting of what is linguistically said to be true.
Theory: Language Is Critical

1. Language is our most important tool

   Susanne Langer, philosopher, PHILOSOPHY IN A NEW KEY, 1942, p. 36.
   Words are certainly our most important instruments of expression, our most characteristic, universal, and enviable tools in the conduct of life. Speech is the mark of humanity.

2. Language is necessary to thought

   Susanne Langer, philosopher, PHILOSOPHY IN A NEW KEY, 1942, p. 83.
   Language is, without a doubt, the most momentous and at the same time the most mysterious product of the human mind... without language there seems to be nothing like explicit thought whatever.

3. Analysis of language is key to understanding mental processes

   Ernst Cassirer, philosopher, AN ESSAY ON MAN, 1944, p. 135.
   The ascent to higher levels of abstraction, to more general and comprehensive names and ideas, is a difficult and laborious task. The analysis of language provides us with a wealth of materials for studying the character of the mental processes which finally lead to the accomplishment of this task.

4. Understanding language is a key to psychology

   Ernst Cassirer, philosopher, AN ESSAY ON MAN, 1944, p. 131.
   Psychologists are unanimous in emphasizing that without insight into the true nature of human speech our knowledge of the development of the human mind would remain perfunctory and inadequate.

5. Language is key to the existence of society

   Still, it remains true that since nothing is more important to a society than the language it uses -- there would be no society without it -- we would be better off if we spoke and wrote with exactness and grace, and if we preserved, rather than destroyed, the value of our language.
Theory: 'Debatability' Should Govern Topic Interpretation

1. Debate is unique and has unique definitional needs

Standards from other fields are irrelevant or secondary. For example, social science definitions are often selected because they can be empirically operationalized in an experiment. This is an irrelevant consideration in debate.

2. The only purpose of topicality in debate is prior notice

If notice has been met, then a good debate can occur.

3. Other standards place too much emphasis on word games

Definitional issues are relatively trivial compared to substantive policy questions.

4. Definitions apply to fields of discourse

...all definitions are essentially ad hoc. They are relevant to some purpose or situation, and consequently are applicable only over a restricted field or "universe of discourse."

5. Definitions merely needed to allow communication

No definition will ever be perfect, but absolute perfection is not essential. All that is essential is that it be adequate -- adequate enough to enable men to ratiocinate and to communicate with other men as rational and humane beings.

6. Definitions serve practical purposes

The reason for using definitions at all is practical. We use them to make discussion more profitable, to bring different thinkers into open agreement or disagreement with one another.

7. Adequate usage is determined by particular language needs

Ernst Cassirer, philosopher, AN ESSAY ON MAN, 1944, p. 136.
As a matter of fact there exists no uniform measure for the wealth or poverty of a given idiom. Every classification is directed and dictated by special needs, and it is clear that those needs vary according to the different condition of man's social and cultural life.

8. Definitions are determined by practical utility

If people want agricultural cooperatives to operate oil wells, they will get the courts to define the activity in such a way as to make it possible. If the public at large doesn't care, the decision whether a harmonica player is or is not a "musician" will be made by the stronger trade union. The question whether aspirin is or is not a "drug" will be decided neither by finding the dictionary definition of "drug" nor by staring long and hard at an aspirin tablet. It will be decided on the basis of where and under what conditions people want to buy their aspirin.
Theory: 'Debatability' Should not Be the Primary Standard

1. **Debatability isn't equivalent to topicality**
   
   Most negatives carry evidence relating to lots of past topics; that doesn't make cases from those topics topical on this one.

2. **Topicality becomes de facto a non-voting issue if debatability is the standard**
   
   This means, in effect, that the affirmative need not meet the terms of the topic if the negative has notice.

3. **Topicality should be a voting issue**
   
   A. *It's regarded as a non-debatable prior rule by most debate theorists*
   
   B. **Academic community consensus**
      
      In all other arenas, scholarly or political, speakers are expected to address the subject of the forum.

4. **Debatability violates the purpose of topicality**
   
   In picking a new topic each year, we seek to debate new issues, pick a topic which divides ground in a competitively balanced way, and select a subject worthy of discussion. Letting the affirmative select any plan that's close to the topic frustrates these purposes, permitting plans that are recycled, relatively trivial, or competitively skewed.

5. **The concept of debatability is arbitrary**
   
   The affirmative will always say that its plan is debatable, and the negative will always say the opposite. There's no clear standard for resolving this impasse.

6. **Debatability punishes the negative for being prepared**
   
   By this logic, the negative should do less work, so that they have a better chance to win on topicality.

7. **Debate doesn't exist in a vacuum**
   
   It draws its subject matter and its analytical tools from other fields. There's no reason other scholarly fields can't enlighten how we think about definition in debate.

8. **Definitional questions are important**
   
   They're central to both law and scholarship; debaters should learn to argue them effectively.

9. **Strict topicality standards encourage substantive debate**
   
   Broad topic interpretations mean that good clash is impossible in many debates. If the affirmative really wants to focus on substantive issues, they should run a mainstream case.
Theory: Each Word Should Have Independent Meaning

1. Author's intent

The resolution is a formal statement that the topic committee knows will be subject to intensive scrutiny. Given this they obviously would not include superfluous words.

2. Limits

Rendering one word meaningless in one round sets a precedent for rendering other words meaningless in other rounds. In the universe of such debates the resolution becomes unbounded.

3. Legal sources uphold this standard

Bin Cheng, Professor of Air and Space Law - University of London, JOURNAL OF SPACE LAW, 1983, p. 104. The present United States interpretation of the word "peaceful" to mean merely "non-aggressive" would simply be wrong if applied to Article IV (2) of the Space Treaty, which is where the word appears in Article IV. The same would be true if applied to Article 5 of the 1979 Moon Treaty which likewise provides that all celestial bodies within the solar system other than earth "shall be used by all States Parties exclusively for peaceful purposes." Among various reasons, the simplest is that any such interpretation would render the first sentence of Article IV (2) of the Space Treaty completely meaningless and redundant, and cannot, therefore, be valid.
Theory: Limits Should not Be Exaggerated

1. **Redundancy is common in English**
   
   It's a natural part of the language.

2. **Redundancy can serve to emphasize**
   
   The topic committee might, for example, want to reinforce affirmative significance burdens.

3. **Assumes we can read the topic committee's mind**
   
   They might well not have thought of the terms being redundant in the sense that they intended them.

4. **Limits is too subjective a standard**
   
   Determining how much limit is enough is completely arbitrary.

5. **Some words have little meaning, for example, "that," "substantially," and "policy."**
   
   It distorts the topic to try to read too much meaning into such inherently vague words.

6. **The most limiting definition is definitely not best**
   
   Employing this standard would push resolutions to the vanishing point of narrowness. Breadth has at least some values which must be balanced against depth.

7. **Redundancy facilitates communication**
   
   
   Communication would be extremely precarious if sentences lacked all redundancy, since the loss of merely a sound or two through inattention by the listener, mispronunciation by the speaker, or background noise might make the entire sentence unintelligible.

8. **Half of English utterance is redundant**
   
   
   One linguist has estimated that approximately half of a typical English utterance is redundant because it repeats grammatical instructions, like tense and number, found in the other half -- and the same percentage appears to hold true for other languages as well. As a result, people can speak very fast, hesitate, utter ungrammatical sentences -- and still be understood. Rather than castigating redundancy, Miss Fidditch should instead sing its praises. It allows an entire utterance to be understood despite the roar of jet planes overhead, mispronunciations, use of words whose exact meanings are not known, and even inadequacies in the structures of the languages themselves.
Theory: Context is Key

1. Context determines meaning

Most words, as they pass from context to context, change their meanings; and in many different ways. It is their duty and their service to us to do so.

S.I. Hayakawa, noted linguist, LANGUAGE IN THOUGHT AND ACTION, 1949, p. 62.
Interpretation must be based, therefore, on the totality of contexts. If it were otherwise, we should not be able to account for the fact that even if we fail to use the right (customary) words in some situations, people can very frequently understand us.

Susanne Lander, philosopher, PHILOSOPHY IN A NEW KEY, 1942, p. 113.
The expression "to flare up" has acquired a wider meaning than its original use, to describe the behavior of a flame; it can be used metaphorically to describe whatever its meaning can symbolize. Whether it is to be taken in a literal or a metaphorical sense has to be determined by the context.

2. Introducing non-contextual usages distorts meaning

A word or phrase when isolated momentarily from its controlling neighbours is free to develop irrelevant senses which may then beguile half the other words to follow it.

3. Examining words in isolation destroys meaning

Ernst Cassirer, philosopher, AN ESSAY ON MAN, 1944, p. 120.
A language is not simply a mechanical aggregate of terms. Splitting it up into words or terms means disorganizing and disintegrating it. Such a conception is detrimental, if not disastrous, to any study of linguistic phenomena. The words and rules which according to our ordinary notions make up a language, Humbolt asserted, really exist only in the act of connected speech.

4. Ignoring context is stupid

S.I. Hayakawa, noted linguist, LANGUAGE IN THOUGHT AND ACTION, 1949, p. 62.
It is clear, then, that the ignoring of contexts in any act of interpretation is at best a stupid practice. At its worst, it can be a vicious practice.

5. Best to approach meaning at the sentence level

...it is best to approach the problem of the nature of meaning by first considering the sentence, since in this way one is less tempted to suppose that words have meaning in isolation from one another.

6. Parallel uses help determine meaning

And on other occasions, the meaning comes from other partly parallel uses whose relevance we can feel, without necessarily being able to state it explicitly.
7. **Multiple contexts influence meaning**

As the movement of my hand uses nearly the whole skeletal system of the muscles and is supported by them, so a phrase may take its powers from an immense system of supporting uses of other words in other contexts.

8. **Meanings acquired in one context reverberate into other contexts**

Susanne Langer, philosopher, PHILOSOPHY IN A NEW KEY, 1942, p. 231.
Many symbols...may be said to be "charged" with meanings. They have many symbolic and significant functions, and these functions have been integrated into a complex so that they are all apt to be sympathetically invoked with any chosen one.
Theory: Field Context is Key

1. All disciplines have unique vocabularies

As it is today, every discipline -- and almost every text -- has a vocabulary or terminology of its own.

2. Technical terminology can preempt meaning

Susanne Langer, philosopher, PHILOSOPHY IN A NEW KEY, 1942, p. 229.
Sometimes a word of general import becomes a "technical term" and is practically lost to its former place in the language; sometimes a preeminent denotation narrows it again to a proper name...

3. Common usage too vague for logical analysis

Ernst Cassirer, philosopher, AN ESSAY ON MAN, 1944, p. 135.
As compared with scientific terminology the words of common speech always exhibit a certain vagueness; almost without exception they are so indistinct and ill-defined as not to stand the test of logical analysis.

4. Everyday language often meaningless

S.I. Hayakawa, noted linguist, LANGUAGE IN THOUGHT AND ACTION, 1949, p. 175.
...all of us (including mathematicians), when we speak the language of everyday life, often make meaningless noises without knowing that we are doing so. We have already seen what confusions this can lead to.

5. Field context is most precise

It excludes meanings from irrelevant contexts.

6. Field context is most real world

It reflects how topic area experts actually use the topic's terms.
Theory: Field Context Is Not Key

1. Debate is unique

   Debate's definitional purposes may be different than scholars in a given field.

2. Contextual definitions are inclusive but not exclusive

   They prove that a word can reasonably be used in a certain way, but not that it can't be used in other ways.

3. Contextual definitions can be too loose for debate purposes

   A contextual usage might be loose or metaphorical.

4. The debate topic creates its own unique context
Theory: Interpretations Should Prioritize Negative Ground

1. Resolutions are written to provide side equity
   Interpretations which violate this goal vitiate the purpose of having a resolution.

2. The topic should be interpreted so as to allow counterplan ground
   A. Parallel to affirmative privilege
      The affirmative has many topical options to choose from, so the negative should be able to do more than defend the status quo.
   B. Allows diversion from defense of status quo
      Sometimes the status quo is effectively indefensible, requiring a counterplan option.
   C. Reconciles judge preferences
      Many judges reject topical counterplans, so the resolution should be interpreted so as to provide non-topical counterplan ground.

3. Definitions should be value neutral
   What the negative has to defend shouldn't be evil by definition.

   Impartiality -- By impartiality I mean that no part or aspect of the referent of the word being defined should be enumerated or described so as to give a partial and therefore a false, a biased, or a distorted conception of the referent.
Theory: Interpretations Need not Prioritize Negative Ground

1. Topical counterplans allow the negative plenty of ground without needing to restrict the affirmative

2. The negative has no inherent right to counterplan

   If the topic allows little counterplan, then presumably the negative was intended to defend the status quo.
Theory: Affirmative Has Right to Define Terms

1. Proponents of a policy are traditionally allowed to define its terms
   For example, Congress defines terms for purposes of legislation.

2. Scholars are allowed to stipulate their own meanings for purposes of discussion

3. The affirmative has the burden of proof
   Since they must justify their plan, they should have the benefit of defining the topic's terms.

4. Allowing one team to stipulate the topic's meaning provides a clear line and minimizes topicality argument

5. Right to define doesn't mean anything goes
   The definition the affirmative stipulates must still meet minimum standards of definitional support.
**Theory: Affirmative Does not Have Right to Define Terms**

1. **The resolution determines ground for both the affirmative and the negative**
   
   Thus, one team shouldn't have an exclusive right to define what it means.

2. **The affirmative can define what it means by its own words**
   
   But, not by what the words of others mean -- in this case the words of the topic committee.

3. **Affirmative right to define is completely unlimiting**
   
   By this standard, the affirmative could define the topic to mean anything.
Theory: Effects Topicality is Illegitimate

1. Effects are unlimiting

On many topics, innumerable policies could have the effect of bringing about topical action indirectly.

2. Direct and indirect effects are indistinguishable

There's no magic line that separates the relatively direct effects of a plan from its indirect ones. Any such line is purely arbitrary.

3. Effects topicality confuses jurisdictional with policy issues

Questions of jurisdiction must be determined prior to the examination of a policy. With effects topicality, policy issues need to be decided first.

4. Effects are inherently probabilistic

Topicality should be a yes or no issue. If probabilities are assessed in this context, at least the affirmative should have to prove a greater than 50% likelihood that topical action will result from its plan.

5. Effects undercuts negative ground

If the affirmative gets all indirect and probabilistic routes to a topical outcome, little negative ground is left.

6. Effects make topicality and solvency redundant

This violates the principle that prima facie issues should be kept conceptually separate.
Theory: Effects Topicality is Legitimate

1. Even if a plan is only topical in its effects, it's still topical
   It still enacts the resolution and justifies its endorsement.

2. This isn't under-limiting
   A. Contextual evidence is a good check
      Contextual evidence that a plan has a topical effect provides limits. Contextual cards don't exist for an unlimited number of cases.
   B. Resolution must still be at the base of the plan
      Resolutonal action must still be a probable cause of the plan. That is, a topical outcome must be more likely than not. This precludes plans that have only a tenuous link to the topic.
   C. Limitation to first order effects provides a limit
   D. Over-limitation is worse than under-limitation
      It's better to research and learn about too many things than too few.

3. Jurisdiction need not be determined a priori
   A. Effects are relevant to jurisdictional issues
      Effects on interstate commerce, for example, determine federal jurisdiction to intervene.
   B. Jurisdiction need not be determined first in debate
      In the real world, jurisdiction is determined first to save time. But the time has already been allocated for this debate.
   C. A debate logically encompasses the whole policy process from initiation to enactment
      There no reason to break the debate up into the same procedural steps as actual policy making.
   D. The jurisdiction objection assumes the judge is actually modeling the behavior of real policy makers
      We think the judge is just a private person endorsing or rejecting the plan.
   E. Jurisdiction is a poor model for topicality
      It wouldn't let the judge vote for a non-topical counterplan.

4. Topicality can be probabilistic
   A. All other issues in debate are probabilistic
      Advantages and disadvantages are never certain. Even topicality that isn't effects based is probabilistic because doubt can always be raised about the acceptability of the affirmative interpretation.
Theory: Effects Topicality is Legitimate [cont’d]

B. Probability is sufficient

If the plan is probably topical (that is, more than 50% likely to be topical), adequate limits are maintained.

C. Policy makers use probabilities in determining jurisdiction

For example, the determination that a policy has a substantial effect on interstate commerce is a probabilistic issue.

5. Effects topicality allows adequate negative ground

A. Most topics allow substantial counterplan ground even if effects are allowed

Agent counterplans and counterplans that solve the harm in a different way are usually available. And the negative can always defend the status quo.

B. Allowing topical counterplans can solve the ground problem

C. There's no inherent right of the negative to counterplan

D. Ground is too subjective a criterion

There's no way to objectively determine adequate ground.

6. Combining solvency and topicality isn't bad

A. Other debate burdens interact

Inherency and solvency interrelate, significance burdens are relative to disadvantages, and net benefits determine the competitiveness of counterplans.

B. Solvency in terms of gaining an advantage is independent of whether the plan produces a topical effect

The topical effect isn't an advantage in itself; it still must be shown to be beneficial.

7. Many topics clearly call for an effect to be produced

On such topics effects are the only way to evaluate topicality. Further, the fact that topics are often written this way implies that topic framers and the debate community at large regard effects as acceptable.

8. All plans rely on topicality by effects

Policy enactment can always be broken down into a series of effectual steps-initial proposal, committee hearings, recommendation out of committee, floor debate, passage, Presidential signature, etc.

9. Effects may give the negative more topicality ground

It's often easier to prove that a plan probably won't produce a topical effect than to win a purely definitional objection.

10. Effects may provide greater limits

Defining "to" effectually as "in the direction of" is far more limiting than defining it as "for the purpose of."
Theory: Extra-Topical Plan Planks Are Not Justified

1. The resolution defines the jurisdiction of the judge and/or the standing to argue of the two teams
   The affirmative has no standing to advocate and the judge no authority to adopt extra-topical provisions.

2. The purpose of the resolution is to divide ground
   If the affirmative is allowed to defend extra-topical provisions this purpose has been frustrated.

3. Allowing extra-topical planks gives the affirmative extra-topical advantages
   To avoid a DA is essentially to gain an advantage.

4. Extra-topicality tests the plan in a utopian world
   It in effect allows the affirmative to recreate the world around the affirmative plan, to create a world in which its plan is desirable.

5. The need for extra-topical provisions proves the resolution insufficient
   To be justified, the resolution should be both necessary and sufficient to generate an on balance desirable policy.

6. Extra-topicality is unfair to the negative
   The resolution provides notice regarding the policies for which the negative needs to be prepared. The range of possible plan spikes is unlimited, providing no effective notice.

7. The topic is also designed to focus discussion
   Extra-topical planks shift debate away from the desirability of topical mandates to the desirability of extra-topical mandates. Thus, focus on the resolution is lost.

8. Fiat derives from the word "should" in the resolution
   The affirmative can fiat topical action because the resolution is that topical action should be adopted. There's no resolutinal sanction for fiat beyond the resolution.
Theory: Extra-Topical Plan Planks Are Justified

1. The resolution serves mainly to initiate discussion
   
   It only serves as a problem area from which the advantage generating elements of the affirmative plan must derive.

2. Allowing extra-topical planks allows us to find the best policy
   
   The purpose of any policy debate should be to find the best policy. If topical action, accompanied by non-topical action constitutes the best policy, a rational decision-maker would endorse both. The resolution is still justified as long as it is part of the optimal policy package.

3. This is the most real world
   
   Members of Congress attach riders to the main part of a bill. Public policy scholars often advocate provisions designed to ameliorate the potential side effects of their primary policies.

4. Jurisdiction is a flawed analogy
   
   The topic doesn't define the jurisdiction of the judge; otherwise, s/he could never vote for non-topical counterplans. Also, the jurisdictional view transforms topicality into a "risk" issue. If one needed to go beyond his or her jurisdiction to prevent nuclear war, s/he should probably do so.

5. Division of ground is not a problem
   
   Focus on the plan also divides ground. The affirmative has the ground defined by its plan, the negative all ground competitive with that plan. In fact, since plan focus legitimizes topical counterplans, negative ground is increased. Extra-topical planks also provide negative ground because the negative can run disadvantages to the spikes.

6. Extra-topical planks don't create extra-topical advantages
   
   Extra-topical provisions are essentially neutral ground (like non-competitive counterplan elements); they can potentially be included in either team's policy package. Extra-topical planks can be used only to answer DAs, not to generate an advantage. In one sense, avoiding a DA is an "advantage," but it can never be an advantage which alone justified an affirmative ballot. It can remove minuses but never create an independent plus.

7. Extra-topical planks are reciprocal with the ability of the negative to counterplan
   
   The counterplan attempts to create a world where the plan would be undesirable, the spike one in which it would be a good idea. The spike, therefore, is no more utopian than the counterplan. If utopianism of either spikes or counterplans is deemed a problem, the answer is to establish limiting standards of fiat, based on agent, literature context, or policy realism.

8. The resolution need only be sufficient to create an advantage; it need not be sufficient to fend off all DA's
   
   The spike proves the DA is not intrinsic to the resolution.

9. Notice/fairness isn't a problem
   
   The number of spikes to any DA is not unlimited. Since the negative offers the DA, they should be prepared for potential ways of solving it. The affirmative also has no "notice" about what non-topical counterplans they can expect, but they're expected to defend against all solutions to their advantage. Plan focus expands negative ground by allowing topical counterplans.
Theory: Extra-Topical Plan Planks Are Justified [cont’d]

10. Loss of resolutinal focus isn't a problem

By nature, arguments expand away from the initial core topic focus. This is true of advantages, disadvantages, and counterplans. Plan spikes may eliminate some of the less germane generics, resulting in more topic specific focus.

11. Fiat doesn't exclusively derive from "should"

If it did, no non-topical counterplans could be considered. Saying something "should" be done always assumes some context. The affirmative argues the topical parts of the plan should be done within the context of the other changes the plan enacts.

12. Abuse potential of extra-topical spikes is limited

They must be in the 1AC; they can't be abandoned, and the affirmative can't win on the spike alone. Overly utopian spikes can be limited by other fiat standards parallel to those on counterplans.
Theory: Extra-Topicality Is a Voting Issue

1. Extra-topical planks distort time allocation

   By crowding the debate with irrelevant issues they undermine the quality of argument on the real issues of the topic. The only way to discourage this is to make extra-topicality a voting issue.

2. The plan has to be taken as a whole

   The judge has no line item veto. If s/he can’t vote for it as a whole, s/he can’t vote for any of it.

3. Congressional analogies support

   If the plan is flawed, it should be sent back to committee to be rewritten.
Theory: Extra-Topicality Is not a Voting Issue

1. Time allocation effects aren't a reason for a ballot
   A. Debaters make arguments to get favorable time tradeoffs all the time
      Every debater in every round drops certain arguments
   B. Punishment is a poor argument paradigm
      It requires suspension of the normal process of policy evaluation, so it should only be used against the worst offenses, such as evidence falsification.
   C. The punishment is excessive to the crime
      If the extra-topical plank is dropped from the round, the negative can then run the disadvantage it was intended to answer.
   D. The affirmative has also had to invest time in debating this issue
      It hasn't given them that much of an advantage.
   E. Compared to the total round, the time distortion is small
      This single argument shouldn't be allowed to determine the whole debate.

2. Making extra-topicality a voting issue interferes with finding the best policy
   The goal of policy debate is to find the best policy. Theories which discourage the affirmative from writing its plan in the way in which it thinks is best undermines this goal. Not only are clearly extra-topical planks discouraged, marginally topical plan planks are as well.

3. Analogies support the affirmative
   A. Courts sometimes strike down parts of a bill
   B. Legislative process analogy
      Elimination of the extra-topical plank could be regarded as a floor amendment.
   C. The analogy of counterplan competitiveness supports
      Each part of the counterplan must be competitive, not just the counterplan as a whole.

4. The send the plan back to committee analogy is flawed
   A. The debate encompasses the whole policy process
      We can imagine that the plan was sent back to committee and returned to the floor within the scope of the round.
   B. Slavish reliance on legislative analogies is foolish
      The judge is simply endorsing or rejecting the plan at the end of the round, and s/he can easily choose to just endorse its topical elements.
5. **Cheap shot nit picking of plans would result from making extra-topicality a voting issue**

The negative would have a huge incentive to root through plans looking for something that is topically suspect. Funding and enforcement provisions could always be challenged. The result is too much debate about topicality at the expense of substantive policy.