**Red Book**

**ncfca 2015 Early season addendum**

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Articles

His Application Is Pretty Extreme, So We Should Ignore It  
—  
by Joseph Abell

Clarity Regarding Misconceptions

The question of privacy’s value is as fitting now as it ever has been. From NSA wiretaps popping out of the news, to increased drone surveillance and the subsequent Supreme Court decisions, it’s only fitting our resolution could be cut right from the newspaper itself. But with any relevant topic comes relevant obstacles; problems that might leave certain areas of the metagame in a rut.

This article exposes a couple of issues so that you can avoid the pitfalls that LDers tend to place themselves in.

We’re going to start with the first three words in the resolution, “when in conflict”.

# I. The Implication of Conflict: You’re going to violate the opponent’s side of the resolution.

Conflict equates to mandatory choice. When two concepts are in conflict, it means they can’t both be chosen at the same time. For example, if on one night a man has a choice between working overtime at his job or coming home to spend time with family, then there’s conflict. He can’t do both of those things at the same time, so he has to choose one. It’s as simple as it sounds.

With any application, there are pros and cons to either choice. As is obvious, your job is not to say that there is nothing at all wrong with choosing privacy over security (or vice versa) but merely to outweigh the bad with the good. Again, this sounds really simple; however, a lot of LDers tend to take a more logically acrobatic route.

When you use an application to point out the harsh implications of your opponent’s side, some will come back and avoid disagreeing with your app to offer this evergreen de-link: “I don’t have to devalue my opponent’s side of the resolution, we’re just going to value my side of the resolution more.” In essence: Nothing about voting for privacy/security could actually do something harmful, we’re only making my side of the resolution a little more shiny than my opponent’s. This doesn’t build solid advocacy for your side, it just adds unnecessary ambiguity to the debate round. And although these kind of responses are more common in value resolutions lacking the phrase “when in conflict” they’ll occur in explicitly conflicted resolutions as well.

Let’s use the man with the choice of work/family conflict we mentioned previously. Claiming that we’re somehow not walking away from one side of the resolution when we vote for the other is a little bit like that man turning to his family and saying “I’m not ignoring you guys, I’m just choosing to spend all of my time at work.”

That’s ridiculous! In a case of conflict, one choice immediately implies another. To take a step towards national security means taking a step away from the right to privacy. Upholding the right to privacy means harming national security.  Debaters tend to shy away from aggressive positions out of the fear of becoming more vulnerable, but this isn’t necessarily a rational concern. Being honest and clear about what your position is strengthens credibility with your audience. Because there’s conflict in a value debate, you’re going to violate your opponent’s side of the resolution. And this is perfectly fine to admit: simply focus all your effort on why that violation is worth it.

# II. Circularity: Why Running a Value of Safety Isn’t Selling National Security

Too often, there’s a temptation for debaters to think of values as the “highest good for a round.” A value, after all, should be what is valuable, and so we stake our position on concepts like human dignity without any further critical thought.

Let’s remember what the real job of a value is: It’s an external measure for the resolution. Because all value resolutions can be reduced to the same concept (x > y), the value tells us how we know what > is. To say that one thing is more valuable than another thing is to imply a standard of value for both of those things. But beyond a value just being a measure, it has to be an external measure. This means that we couldn’t say freedom is better than justice with a value of liberty, because freedom and liberty mean the same thing. If we ran a liberty value, then the argument becomes circular: Freedom is better than justice because... well... freedom. You cannot possibly measure a resolution with itself, in the same way I couldn’t measure the height of Vladimir Putin by noting that he is one Vladimir Putin tall. We’d use feet and inches instead. In the same way, we need a measure for the resolution that isn’t directly inside it.

Unfortunately, because the right to privacy and national security are already comprehensive concepts, it’s difficult to find a value outside of them. Negatives toting a value of safety find a problem: Because national security means (for most definitions) the safety of a people and its secrets. This is a circular framework.

But the right to privacy presents its own set of circular pals, too. Privacy (once again for most definitions) means the freedom to act without other people knowing. Choosing to run a value of freedom here is almost immediately synonymous with that same concept. And a value like anonymity is just as guilty: Anonymity means the ability to act without other people knowing, a concept identical to privacy. LDers this year are faced with a rare problem: A whole set of political science buzzwords won’t work as cohesive values.

Or will they?

Of course, there’s no option to run a non-external value; we’ve just seen why that wouldn’t work. But if you frame it properly, some of these values can become external. Your biggest job is also your simplest one: Ensure that the definition of words in the resolution and your value have at least one unique difference. This means that if you’re running a value of anonymity, you explicitly denote that anonymity refers to individualism, and not merely a subset of freedom. For a liberty value, you’d have to draw a line between acting without restraint and acting privately. A sample framework could argue that freedom measures privacy because we deserve to act without intrusion in all areas of life: and privacy is one of those.

You don’t have to run these values, but if you do, do so on this condition-- whether by definition or explanation, be utterly positive that your value measures the resolution externally, and isn’t just a synonym of your side. If it is, all your opponent needs to do to beat your framework is show the judge just how circular it is. You have to avoid this. But once you do, your opponent is forced into making harder, and more strategically complex responses.

What is true for all debate forms is especially true for LD: Clarity wins rounds. We organize our value framework not just because it gives our opponent a harder job, but also because it makes reasonable sense to the judge. And long as you’ve got them on track, then you stand to control the debate round. Enjoy yourself, and always speak to the best of your ability.

All for One, or One for All?  
—  
by Ben Vincent

The Conflict Between Individuality and Common Good

French author Alexandre Dumas’s classic novel *The Three Musketeers* is perhaps best known for the motto of unity held by its triumvirate of protagonists: “All for one, and one for all!” But although it sounds nice, is this idea at all possible in the real world? There is, in fact, a great amount of tension between the sacrifices each individual should make for the “common good,” and the degree to which the “common good” should benefit each individual. A vast majority of the political and social issues of the last century revolve around this key issue. Where is the balance between individual rights and overall good of society? Craig Biddle, who writes on ethics at *The Objective Standard*, recognizes the significance of this clash: “The fundamental political conflict in America today is, as it has been for a century, individualism vs. collectivism. Does the individual’s life belong to him—or does it belong to the group, the community, society, or the state?”1

To what extent should an individual be willing to give up his or her privacy for the good of the nation? And how much should the government intrude on the people’s rights for the sake of security?

The conflict between an “all-for-one” approach and a “one-for-all” approach is very clearly visible in the controversy over individual privacy rights vs. national security.

This is the conflict at the heart of this year’s resolution, and in order to understand it, we have to look at the big picture: the clash between individuality and the common good.

# Individuality Is Essential

So why is individuality important? What makes it so foundational to Western thought and culture? Individuality has long been one of the key aspects of Western political and social philosophy. According to Dictionary.com, individuality is defined as, “the particular character, or aggregate of qualities, that distinguishes one person or thing from others; sole and personal nature.”2 Within the realm of political philosophy, it’s a related concept. The core of the individualist position in political philosophy is that the government’s purpose is merely to protect the rights of the people, and otherwise allow the people to govern their own lives, so long as they do not infringe upon the rights of others to do the same. This individualist stance is heavily reflected in the U.S. Declaration of Independence: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.”3

The idea of individualism was especially prominent in the writings of political and social philosophers such as Immanuel Kant, Thomas Paine, and John Locke. The writings of Locke were especially influential on the founders of the United States; Thomas Jefferson borrowed heavily from Locke’s ideas when he drafted the Declaration. For example, look at the similarity between the previous quote from the Declaration and this quote from John Locke: “All mankind... being all equal and independent, no one ought to harm another in his life, health, liberty or possessions.”4 The teachings of philosophers like Locke were made manifest in the real world when the United States build a revolutionary new form of government, built on the tenets of individualism. In this sense the new nation was a grand experiment, to see if the philosophical musings regarding individualism would truly build a great nation.

As it turned out, individualism largely succeeded in building a prosperous new society. Despite a rough beginning, the emphasis the United States placed on the rights of the people gave birth to the “American Dream:” the idea that any person, from any background, could begin anew in a land where he was respected simply for being human. There were flaws, of course; the most major issue with the new nation was the existence of slavery, which was inherently contradictory to the fundamental idea of equal rights and individual dignity. But after emerging from the Civil War, a new period of growth and expansion was ushered in that was largely driven by the economic application of individualism: capitalism.

But how does all of this relate to privacy? Privacy and individuality, it turns out, are inseparably linked. Without privacy, individualism cannot function. Philosopher Ayn Rand summed up the link between privacy and individuality when she stated, “Civilization is the progress toward a society of privacy. The savage’s whole existence is public, ruled by the laws of his tribe. Civilization is the process of setting man free from men.”5 Within a society, individuality can easily be lost in a blob of humanity. But when privacy is maintained, the individual uniqueness of each person is preserved. Privacy is foundational to a society built on individualism. When you look at the young United States, you see that as the nation focused more and more on individual worth and dignity, privacy was given more respect; a confidential mail system, the Fourth Amendment protection against unreasonable search and seizure, and voting confidentiality are all examples of a commitment to individual privacy, for the sake of preserving individuality.6

# The Good of the Many

Clearly, privacy is a priority in a society that values individuality. But what about the greater good? It’s an undeniable fact that some people tend to use their liberty to harm others. Despite the many achievements of the young U.S., it had many downfalls as well, the greatest of which being slavery. Slavery was an example of individuality being applied wrongly and having negative consequences. The white landholders believed it to be their right to enslave and abuse African-Americans. They viewed slaves as property, and under individualism, they believed they had the right to do what they wanted with their property. Individualism, taken too far, becomes social Darwinism; the strong survive, and the weak are weeded out. This brings us to the other side of the coin: the “common good,” or a “one-for-all” approach to society.

Though individualism is well-intentioned, it often has negative side effects, especially when the philosophy behind it is taken too far. Though each individual is valuable, he is also a part of a greater whole. Society is more than the sum of its parts; there are unique factors that come into play when multiple individuals interact with one another in a societal setting. As a result, different considerations must be made. Consider, for example, the concept of justice. When an individual lives apart from other people, there is no need for justice or moral standards; you can’t hurt anyone if there’s nobody there to get hurt. But in a society, people must interact with one another constantly, and this brings whole new elements into play. While individuality is important, the dignity of every person demands that moral and ethical considerations be made, for the good of all.

The common good is a valuable pursuit, and it too can be seen in the philosophy of early America. The opening of the Declaration of Independence refers to the importance of common good when it states that “all men are created equal.” Regardless of who you are, every person has equal value, and an equal right to pursue success. As such, every person should be respected and treated in a morally upright manner. We see a pursuit of the common good in the governmental system established by our founders. By building a representative government based on the will of the people, the framers of our nation sought to provide for the good of all, taking into account the opinions of every person in order to provide for the well-being of every person. In addition, by building a justice system designed to encourage upright conduct and minimize the ability of an individual or group to harm the well-being of others, the founders underlined the importance of protecting the common good.

Today, we see the pursuit of common good in various social sciences and pursuits. One example is the realm of economics, where the pursuit of justice and equity in economics often places certain limits on a totally free market. Laws intended to limit discrimination, prevent nepotism, and stop monopolies all exist because the preservation of the common good takes precedence over personal advantage in many situations.

In an ideal world, individualism and the common good would go hand-in-hand. The individual dignity of every person would demand that each individual value every other person equally, and out of respect for the equal rights of all people, treat every person well, sharing benefits each receives for the common good. But unfortunately, as ideal as such a world sounds, that’s not the world we live in. In the real world, people tend toward selfishness, and the perfect harmony that should exist between individuality and the common good is merely wishful thinking.

Because we live in a fallen world, there is a tension between the preservation of individuality and the pursuit of the common good. One place that this tension is clearly visible is in the clash between individual privacy and national security. It is essential for any state to protect its people by establishing a system of national security. The protection of the people’s rights is the purpose of government outlined in America’s founding documents; thus, for the benefit of the common good, it is essential that the government provide security for the people. But the pursuit of security sometimes clashes with an important element of individualism: individual privacy.

It is often beneficial to national security to have access to the communications and other personal information of people suspected of wrongdoing. For example, the prevention of terrorist attacks is often aided by knowledge of the suspect’s communications. But such knowledge means violating a person’s privacy, and therein lies a point of conflict between the preservation of individuality and the benefit of the common good. So the question is, which should take priority in instances of conflict? Individuality, or the common good?

# Finding the Compromise

It was mentioned earlier that in an ideal world, individuality and the common good would work side-by-side. So perhaps the real question isn’t which should win when they conflict, but rather how we can seek the balance that should exist between the two. Regardless of which side of the resolution you’re debating, the answer isn’t as simple as which side should “win” when they conflict. Rather, it’s based on which side more accurately reflects the point of balance, or compromise, between the two. That point of balance is found in two simple words: *Justice* and *Morality.*

The common ground between the sides of individualism and the common good is the equal importance of justice and morality. Individualism demands that every person be respected equally; thus, justice should be upheld, and people should be treated in a way that is morally acceptable. On the other hand, the common good is founded on the idea that all people should benefit from the work of individuals, and that every person should make a valuable contribution to a larger whole through his or her actions and productive output; thus, justice and morality should ensure that each person benefits from his or her own contribution to society, and that all people be treated as equally significant members of a greater whole.

# What’s the Answer?

When it comes to the clash between privacy and security, the answer may not be as straightforward as we would like to believe. The conflict is made more complex because the opposing sides are really two sides of the same coin, and that coin is Justice. They only conflict because people violate justice. As a result, when debating this resolution, a winning strategy likely depends on your ability to connect your side to the central issue of justice; in a just society, which takes precedence in instance of conflict? If our goal is to uphold harmony between individualism and the common good, we must also find the point of synthesis, or balance, between the right to individual privacy and the importance of national security. Then, maybe, we really can build a society that is “all for one, and one for all!”

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Boston Bombing Overview  
—  
by Tyler Belyeu

Negative Application

On April 15, 2013, two explosions went off near the finish line of the Boston Marathon. This act of terrorism killed three people, injured hundreds, and left the nation in shock. Despite warnings from Russia on the nature of the men, as well as the improvised bomb being well recognized as a potential threat by law enforcement and intelligence, America was not in a state of readiness.

Without a strong national security, terror once again happened on American soil.

This article explores the significance of the negative application of the Boston Bombing, gives you some background, and how this application can be used in your debating of the NCFCA LD resolution.

# Background

The Russian government warned US authorities almost a year and a half before the Boston Bombing occurred that Tamerlan Tsarnaev was a violent radical Islamist.

In March 2011 the Russian intelligence agency sent a cable to the FBI with concerns about the Tsarnaev family. It warned that Tamerlan had been known to associate with violent radical Islamists, including a Canadian Muslim convert named William Plotnikov who was later killed while fighting for the mujahedeen in Dagestan.

The FBI responded to the cable by opening an investigation of Tamerlan Tsarnaev in March 2011. However, the FBI did not conduct surveillance of Tsarnaev because the case did not rise to the standard that permits surveillance.

In June 2011, the FBI investigation of Tamerlan was closed. According to the report, “The assessment found no links to terrorism.”

In September 2011, three individuals were found with their throats cut and Marianna sprinkled over their bodies in Waltham, Massachusetts. One of the victims, Brendan Mass, was a former neighbor and sparring partner of Tamerlan. Tamerlan had introduced him to the owner of a martial arts gym as his “best friend.” All three of the victims were Jewish. Tamerlan was never questioned on the killings.

On April 15, 2013, Tamerlan put into place the bombs that killed three and injured hundreds.

After the bombings, authorities interviewed an associate of Tsarnaev’s named Ibragim Todashev about the Waltham murders. Ibragim admitted that he and Tamerlan had murdered the three victims before he attacked an agent and was killed.

# Use in Debate

Because the FBI was not allowed to use surveillance on Tamerlan, He was able to create bombs without their knowledge and cause the death and serious injury of hundreds. If the FBI had been allowed to use surveillance on the man, very likely the Boston Bombings could have been prevented. This will be especially powerful because of how recently it occurred.

This example is strong on the Negative side, and would be good as a main example in your case.

# Negative Argument

When Privacy is held above National Security, lives are sacrificed or destroyed.

The FBI was not allowed to use surveillance on this potential terrorist because their investigation was not at a high enough standard to use surveillance. Because we valued privacy above national security, the FBI could not use the measures needed to apprehend the man who ended up killing and severely injuring hundreds of people. Is our privacy really worth the lives of our fellow citizens, and maybe even of ourselves?

Affirmative Response: There is no proof that even if the FBI had had surveillance, it would have made any difference.

Negative Response: If the FBO had had surveillance on him, not only could they have caught him making the bomb, but they could have caught him in the murder of those three Jews as well, which in and of itself would have prevented the bombing.

# Further Research

If you would like to research this topic further, you can look up Boston Bombing, Tamerlan Tsarnaev, FBI, or a combination of those words. Researching on media sites such as CNN and NBC can give you a good timeline of the events.

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4 Ways to Make your Case Persuasive  
—  
by Travis Herche

This article explores four thematic cores – persuasive rallying points to tap into with your intro, conclusion, and wherever the rhetoric calls for it. The cores here are deliberately written in an obvious way. They contain the message you need to sell the judge. Actually selling it requires a note of subtlety that you will have to manage in your own speech, but you should be able to adapt the cores to your own writing. You see,

It’s not enough to have a coherent case with strong evidence. To win consistently, you need to make your case emotionally compelling. You need the judge to *want* you to win. Here’s how you do it.

As you read through the cases in this book and the print edition, compare them with the thematic cores here. Notice how many of them stir visual, emotional language into the facts, helping the judge lock on to the personal meaning of the arguments.

# Affirmative: Dirty Rotten Terrorists

Look at you, sipping your Starbucks latte and getting excited about the latest hip TV show. You think you and your family are safe? You’re wrong. Terrorists are all around us, wearing black masks and waving assault rifles and beheading westerners. They spend all day plotting your demise. If they had their way, you and everyone you love would die horrible deaths and the last thing you’d hear would be chants of the most objectionable portions of the Quran.

Why hasn’t this fate befallen you? Is it because the terrorists are too few, too far away, too incompetent? Hardly! They are relentlessly trying to sneak into the country; to smuggle in anthrax and guns and dirty bombs. They are cunning and committed. The only reason we’re safe is because of the brave men and women who stand watch day and night over this great country. They wear the badge and gun and do the dirty work so we don’t have to. They’re the good guys, and they give terrorists what’s coming to them.

But they can’t do it alone. They need our cooperation. Because we don’t have a death wish, we’re happy to give them whatever they need. Usually, that just means they need to listen in or search our bags or scan our emails. That’s a more than affordable price to pay to go to work in an office building that isn’t about to explode.

# Affirmative: Privacy is Pointless

In my ideal world, I have a billion dollars. I look like Antonio Banderas. I can fly. Cheesy pasta doesn’t make me fat. And I get all the privacy I want.

Here in the real world, I have to wake up to an alarm and go to work. I get head colds. I stub my toe. I burn my toast. And yes, I don’t get a whole lot of privacy. But that’s fine, because privacy basically has zero value. It’s not a sacred human right or anything, it’s just … kind of nice. I chose to surrender it, and I don’t regret that decision for a second.

You see, we live in a world of technological magic. We keep tiny devices in our pockets that know what we want when we talk to them, that can access the sum of human knowledge and make it searchable and understandable for us. Instantly. From anywhere in the world. These devices manage our schedules, connect us to friends, entertain us, navigate for us, and do a hundred other things with dirt-cheap apps you can download without getting out of bed.

As you’re posting Buzzfeed quizzes on Facebook about “Which Hunger Games Character Are You” and letting everyone on Instagram know that you love summer, you’re whining about your privacy? Go back to the medieval ages, where the entire family slept in one room on the floor. Or trade places with any of the 1.5 million children who will starve to death this year. Show a little gratitude. If you’re anything other than amazed and thankful for how easy your life is, you don’t deserve this technology.

# Negative: The Fascists are Coming

We live in the greatest country on earth. We basically invented modern democracy. Led by heroes like Ben Franklin and Thomas Jefferson, we thew off the shackles of King George and beat the then-best military in the world like a drum. Then we rode off into the sunset on mythical bald eagle-unicorn hybrids to the promised land of liberty and apple pie and rodeos and NASCAR and state fairs and cold beer and taking a gun to church and superbowls and McRibs and fireworks and Disneyland and paying for our own darn healthcare.

But not everyone was on board. There are ingrates who are chipping away at everything that makes this country great. They want to tell you how much soda you can drink, and tax everything you own. They want government to get bigger and bigger. They want more regulations, more agencies, more public land, more fees, more cops, less America.

Tyranny doesn’t happen overnight. It happens one little consession at a time. That’s why America’s greatest heroes, the Founding Fathers, wrote it right into the Bill of Rights that no one can violate your privacy. But people will always come up with some excuse. They want to scare you with the Threat du Jour. It was Japanese, then it was Communists, now it’s Muslims. Even though more Americans are killed by toddlers than terrorists each year, we’ve spent 5 trillion dollars and counting of your hard-earned money on this War on Terror. That’s because the real war isn’t on terrorism, it’s on your rights. Big government keeps taking one little step at a time, and every time we abdicate one of our rights, we can’t get it back. It’s gone forever.

So let’s take a stand on what makes America great and stop bowing to fearmongers. National security? Let’s just trust our brave soldiers to do their job and make sure they still have some rights to come home to.

# Negative: No Peeking

I texted my friend that I was feeling down. I Binged a recipe for tomorrow. I emailed my insurance agent. I called my doctor about that weird rash. Am I ashamed of any of it? No. But it sure isn’t anyone’s business but mine. If I knew someone else was seeing all of this, I’d be mortified.

Now I find out that the government has massive surveillance programs and data centers and futuristic technology that scans every byte of my activity. Every Skype call, every Facebook status, every WebMD search. They’re scanning it, tagging it, storing it. There’s a swarm of analysts who listen in on conversations that meet certain criteria. If I’m ever flagged, there’s nothing they can’t look up about me. And it’s really easy to get tagged, because the long list of words they scan for include “sneakers” and “veggie” and “cowboy.” Pretty sure I used all those words in a tweet last week.

It’s not just the government. Every major tech company, from Verizon to Google, is in on it. It’s buried deep in that 70-page iTunes agreement no one reads. They’re peeping in on us all like the biggest organized pervert club in history and there’s nothing we can do about it.

What on earth makes them think this okay? I’m an American citizen and you just can’t spy on me. I have rights. More importantly, I’m a person. No one deserves to be treated this way unless they’ve, you know, actually done something suspicious. Sure, I can see keeping an eye on someone who joined a group affiliated with Al Qaeda, or just bought a bunch of guns from a a violent white supremacist website, or has already committed a felony.

But most of us are upstanding citizens who are just trying to put food on the table, do the laundry, and not get fired. Why are we being treated like criminals? Again, we’re human beings, not goldfish in glass bowls.

# Reminder

Remember, the actual language of your case should be subtler than what’s written here. These thematic cores describe the feelings you’re trying to provoke in the judge: fear, indignance, patriotism, pride, etc.

Mix this language carefully into your speeches, and your judges will hang onto every word. Have fun!

Cases

“Leaving the Door Unlocked”  
—  
Affirmative Case by Ben Vincent

Privacy and Dignity

# Introduction

Imagine, if you will, a law that states every person must leave the front door of their home unlocked at all times, so that the police can come in whenever they need to, for the benefit of security and the prevention of crime. Does this sound like a good plan to you? No, it sounds horrible! Why? I mean, after all, the police are here to protect us. They’re seeking to secure our cities and prevent bad people from doing bad things. If having 24/7 access to your home can help them fulfill that goal, why shouldn’t we allow it?

By examining this rather extreme example, we can get a picture of why we would all object to such a law, and thereby come to understand why the right to individual privacy ultimately must be valued above national security when the two come into conflict.

Let’s start by looking at a few key definitions:

**Privacy:** “The right to be free from secret surveillance and to determine whether, when, how, and to whom, one’s personal or organizational information is to be revealed.”1

**National Security:** “The protection or the safety of a country’s secrets and its citizens.”2

**Conflict:** “Competitive or opposing action of incompatibles.”3

# Value: Human Dignity

My value is that of human dignity. Merriam-Webster defines dignity as “the quality of being worthy of honor or respect.”4 When we talk about human dignity, we’re referring to the foundational idea that all humans beings are intrinsically valuable and worthy of respect and honor, simply for being human. We don’t need to earn our value; as human beings, we deserve a certain degree of dignity and respect. The concept of human dignity is foundational to a good society, and the highest priority of any government should be to respect the dignity of the people. Anything that disrespects the people’s dignity is degrading to society and is unacceptable for a nation that claims to be “of the people, by the people, and for the people.”

# Criterion: *Reductio ad Absurdum*

In order to determine which side of the resolution—privacy or security—should be valued more highly, we will use as a criterion the logical argumentation tool known as *reductio ad absurdum*, which is Latin for “reduction to absurdity.” This is a simple mechanism for determining whether an idea is accurate. It relies on taking a concept to its logical extreme, and determining whether this extreme would be sensible or good. Bear in mind, we are not arguing based on extremes; we are analyzing extremes in order to gain a greater understanding of the less extreme application of the same concept. In this case, we are taking the security-over-privacy mindset to its logical extreme with the example of unlocked front doors. By applying the reduction to absurdity to the negative side of the resolution, we will find that valuing national security above privacy simply cannot be permitted in a society that values human dignity.

# Contention 1: People Aren’t Perfect

This one is rather self-evident. People aren’t perfect. Even well-intentioned ideas often have negative results, because human beings are flawed. Even if, in theory, the police wandering into your house would be only for your own good, people aren’t perfect, even the police. Giving them complete access to your house will almost certainly have negative consequences. The same is true of the government. Although in theory, after collecting your online and digital data and monitoring your phone calls, the government will do only “helpful” things with your information, the government is run by people, who make mistakes, intentionally and unintentionally. According to the Brennan Center for Justice, the National Security Agency (NSA) keeps metadata (digital information) about all American’s phone calls for 5 years, without suspicion of wrongdoing; and information gathered from American’s laptops, phones, and other technology during border searches can be kept for 5 to 20 years.5 It’s for reasons like these that the founders of our country believed government should be limited for the good of the people.

# Contention 2: Violation of Dignity

Why else would we have a problem with the police having full access to our homes? Simple- such access seems to us to be a violation of our individual dignity. Invading our privacy in such a way just seems *wrong*. But why does it feel so wrong? Because it is. Such an invasion of personal privacy constitutes a violation of human dignity. A policy like this completely disregards the rights and dignity of the people, in an attempt to provide greater security. In the same way, leaving our digital “front door” unlocked for the government is a violation of the people’s dignity. By taking away privacy, the government in such instances also disregards dignity. Privacy is valuable because *people* are valuable, and de-valuing privacy likewise de-values people. Author Garret Keizer, in his book *Privacy*, puts it this way: “Privacy is important and worthy of preservation. It is important and worthy of preservation for the simple reason that human beings are important and worthy of preservation.”6 That unpleasant feeling we get when we think of allowing the government to know everything about us isn’t because we’re all criminals with secrets to hide. It’s because we recognize that such an invasion of our privacy is also an attack on our worth and dignity, which cannot be tolerated.

# Contention 3: Valuing Security Over Privacy Harms Security and Privacy

There’s one more reason that we’d be averse to the idea of leaving our front door unlocked 24/7: what if someone besides the police decides to walk in? This is one of the most fundamental issues with allowing the government to collect data about the people—the government isn’t the only one who can take advantage of that kind of access. If we left our front doors unlocked, criminals would have a field day. In the same way, by retaining digital metadata, recording and saving phone calls, and tracking internet activity, the government is actually doing more harm to security than it is doing good. In an article on Bloomberg titled, “Of Course the Government Wants To Read Your Texts,” journalist Megan McArdle writes, “The U.S. government is not the only entity capable of using a master key. Criminals can use them too. If you create an easy way to bypass security, criminals -- or other governments -- are going to start looking for ways to reproduce the keys.”7 If security is valued above privacy, both security and privacy end up being harmed.

All of this makes it very clear: national security must not be valued above privacy. In order to uphold human dignity, we must uphold individual privacy rights. Thank you.

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2Macmillan Dictionary. Macmillan Publishers Limited. 2015. <http://www.macmillandictionary.com/us/dictionary/american/national-security>

3Merriam-Webster Online Dictionary. Merriam-Webster, Inc. 2015. <http://www.merriam-webster.com/dictionary/conflict>

4Merriam-Webster Online Dictionary. Merriam-Webster, Inc. 2015. <http://merriam-webster.com/dictionary/dignity>

5”What The Government Does With Americans’ Data” by Rachel Levinson-Waldman, Brennan Center for Justice. October 8, 2013. Accessed September 11, 2015. <https://www.brennancenter.org/publication/what-government-does-americans-data>

6”Privacy,” by Garret Keizer. Macmillan. 2012.

7”Of Course The Government Wants To Read Your Texts,” by Megan McArdle. Bloomberg L.P. September 8, 2015. Accessed September 9, 2015. <http://www.bloombergview.com/articles/2015-09-08/of-course-the-government-wants-to-read-your-texts>

# Negative Brief: No Extremes

The key to this affirmative approach is its ability to make the clash of the resolution “real” by using the analogy of the unlocked front door. Technically, valuing national security over privacy would allow a law such as the front-door example given; but obviously, such a law would be ridiculous and unconstitutional. The best approach for the negative to take in this situation is to attack the affirmative’s *reductio ad absurdum* by arguing that the debate should not be based on extremes. This could be set up as a resolutional analysis, or as a limiting criterion; but however it is done, the negative must prevent the affirmative from using extreme examples in order to sway the judge by arguing that the debate should not focus on extremes.

However, as the negative, you also have to realize that technically, this affirmative case isn’t built on extremes, even though it may appear that way. The nature of *reductio ad absurdum* means that the affirmative isn’t proving his point through extremes; he’s simply using an extreme example to bring certain flaws into focus. As the negative, you mustn’t allow the affirmative to get away with this tactic. If the affirmative speaker convinces the judge that his extreme example accurately reflects your position, you will lose. All you have to do to prevent this is press the issue of no extremes. If you argue this properly, you can convince the judge that the affirmative case is ridiculous and unrealistic, and has no bearing on the debate at hand.

“The Fight for Personal Freedom”  
—  
Affirmative Case by Gabriel Hanson

# Introduction

“Once you’ve lost your privacy, you realize you’ve lost an extremely valuable thing.” It is because I agree with Billy Graham that using the excuse of National Security is not good enough to violate privacy, that I stand with the current resolution, “When in conflict, the right to individual privacy is more important than national security.”

For further clarification I will provide the following definitions.

**Conflict:** “Incompatibility or interference, as of one idea, desire, event, or activity with another.”1

**Privacy: “**A person’s right to control access to his or her personal information.”2

**Important:** **”**Of much or great significance or consequence”1

**National** **Security**:  ”A collective term for the defense and foreign relations of a country, protection of the interests of a country”1

# Value: Personal Identity

The Value the affirmative will be upholding today is that of Personal Identity. Personal Identity will be operationally defined as: The complex attributes of one’s behavioral, emotional, and mental characteristics that create a unique individual, and how the individual decides to share these attributes with the world.

# Value Analysis

At its very core, control over your personal identity is the most basic right a person can have because if you cannot control your identity, then what can you control? Your personal identity is at the very foundation of what makes you human. No one has the right to control your identity or harm it in any way. When they do, they are actively stripping away what makes you human. Government agencies like the TSA actively harm this right every day and they do it in the name of National Security. But the question on everyone’s lips is, “Just what is National Security?”

# Resolutional Analysis: National Security Is Vague

It should be noted that National Security is extremely vague, not just based on the definition but even in the way national security is applied. Take the infamous Patriot Act. Information provided by the ACLU “Section 806 of the Act could result in the civil seizure of their assets without a prior hearing, and without them ever being convicted of a crime.” This is done in the name of national security, but how does our government define national security? There is no concrete definition, at best the government can merely offer weak guidelines like, “Putting our nation at risk.”3 The scary part comes in when we realize that it’s not just vague but all of it is built on assumptions. We assume he is working with terrorists. We assume he is a threat. Often no evidence is required, just assumptions.

# Observation: The Context Matters

Now don’t get me wrong: National Security is important and can be good. It matters how it is being applied. When privacy is violated in the name of national security the harms outweigh the good and this is a form of national security that is not worth upholding. The rest of the case will be dedicated to showing that not only is this method of National Security ineffective, it more often than not does more harm than good.

# Contention 1: National Security Harms Personal Identity

Take Michelle Dunaja’s case. The following evidence is from Komo News. “A dying woman says a security pat-down at Sea-Tac Airport left her embarrassed in front of crowds of people.”

Michelle Dunaj says screeners checked under bandages from recent surgeries and refused to give her a private search when she requested one. Dunaj, who is dying of leukemia, carried a large amount of prescription drugs through Sea-Tac to head to Hawaii for what would be one of the last trips of her life. She called Alaska Airlines ahead of time to request a wheelchair and to ask how her medicines should be separated for the security line. “I did everything they asked me to do, so I didn’t think it would be an issue,” she said. But Dunaj says nothing went right at the security checkpoint. A machine couldn’t get a reading on her saline bags, so a TSA agent forced one open, contaminating the fluid she needs to survive. She says agents also made her lift up her shirt and pull back the bandages holding feeding tubes in place. Dunaj needs those tubes because of organ failure. With other passengers staring, Dunaj says she asked for privacy and was turned down.4

This is just one of many examples of the TSA not just physically harming passengers but harming their very identity. Imagine having to go through this public humiliation. Are these government actions we want to promote, even if it is in the name of National Security? But the question we need to be asking does the TSA actually improve safety? To be specific, we have what is known as La Violencia in Columbia. From 1946 to 1964, experts estimate that over 200,000 people have been killed as a result of riots, both citizens and government supporters.4 Certain instances, such as promoting riots, absolutely endangers individual’s safety and must be curbed. Here in America, we hold on to our freedoms tightly, and don’t want to let them go, but sometimes we have to. It isn’t always a nice thing to say or do, but it is necessary to keep people safe. As the saying goes, “Safety may get old, but so do those who practice it.”

# Contention 2: Sacrificing Privacy Doesn’t Gain Safety

Now there could still be an argument made to discuss which is more valuable — safety or privacy. However, the TSA provides neither. In 2010 a man accidently brought a gun onto a plane. That’s right, a gun!  After this information was released we find out from the horse’s mouth, the TSA director. He said the failure rate was approaching 70 percent and at some major airports every test gun, bomb part or knife got past screeners.5 But I mean that was five years ago, things have to be better now, right?

I’ll let CNN fill you in. “According to a report based on an internal investigation, “red teams” with the Department of Homeland Security’s Office of the Inspector General were able to get banned items through the screening process in 67 out of 70 tests it conducted across the nation.”6 That’s a whopping 5% success rate. No matter how you look at it that’s a massive failure! They tell you, you are trading privacy for safety. However, we see that is simply not true. Clearly this form of National Security is bringing no advantage. The point the affirmative is trying to make is that national security that harms privacy is not only ineffective but just not worth it.

# Conclusion

“They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.” —Benjamin Franklin.

When the government violates privacy they are also stripping away your personal Identity and in a free country that simply will not do. It is because I agree with Benjamin Franklin the affirmative still stands strong in the resolution “When in conflict, the right to individual privacy is more important than national security”

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2) Duhaime Legal Dictionary

3) ACLU. How the USA PATRIOT Act redefines “Domestic Terrorism”. Web. July 14, 2015

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6) Mike Vilensky. Man Accidentally Brings Loaded Gun on Flight, Which Apparently Happens Often. Daily Intellgener

# Negative Brief

## Value

The value is not tangible, meaning there is no real way to know at what point we have gained Personal Identity. Point out that this value has no physical advantages. It’s not like National Security where if it is valued we are protected. It has a clear physical advantage. Say your value is realistically attainable while Personal Identity is up in the clouds and unattainable. These are ways to show your value is what should be treated as the measuring tool in today’s round.

## Contention 1

Point out the only evidence provided in the case is from the TSA. There are thousands of government programs that conflict with privacy. However, the affirmative has decided to only focus on the TSA? The impact of this is obvious not only has the affirmative not provided a realistic representation of the resolution he or she has failed to prove the core concept of the resolution: when in conflict, privacy should be more important than National Security.

## Contention 2

Curing the symptom not the disease. The affirmative falls victim to this way of thinking. Ask the affirmative is what the TSA doing wrong? Or is it the employees? In your example of Sea-Tac airport, those TSA employees actually broke the law. When a passenger asks for a private search it is required by law that it be given to them. All you were able to prove is that the hiring method is flawed. Don’t throw out the baby with the bathwater: keep the TSA and overhaul the hiring method.

“Anonymity For Anyone Means Instability for Everyone”  
—  
Negative Case by Joseph Abell

Societal Welfare

# Summary (Not to be Read)

NCFCA’s LD resolution touches on one of the most classic value debates of all time: When in conflict, the right to individual privacy is more important than national security.

The resolution limits the debate to examples where a conflict exists between the two values. For the negative side, we’ll advocate that when upholding the right to privacy conflicts with national security, we should side with national security for two reasons. First, because before we can enjoy ANY rights, we have to be secure. It’s the first obligation of any state, and thus has priority. But second, because security best protects societal welfare. This isn’t to say all violations of privacy don’t impact societal welfare, but they impact far less than violations of national security. Sacrificing a small part of privacy freedoms to attain the security of most freedoms is a fair trade, and if you sell that exchange to the judge, you’ll be well on your way to taking the round.

# Introduction

Privacy infringements are a lot like trips to the DMV. They’re hard, no one wants to undertake them, and they often result in an observation of troubling things that cannot be unseen.

But regardless of how loathsome your next visit to the DMV will be, it’s the necessary consequence of living in an imperfect world. In the same way, privacy violations aren’t on anyone’s list of “fun weekend ideas.” But based on the necessity they hold to maintaining society’s welfare, I’d ask you to consider voting against the resolution.

I offer the following definitions:

**Privacy**: “The state of being free from unwanted or undue intrusion or disturbance in one’s private life or affairs” 1

**National Security**: “The protection of the safety of a country’s secrets and its citizens.” 2

# Resolutional Analysis: Rights Will Have Consequences

The resolution doesn’t just say “privacy is more important than national security.” It says the “right to privacy.” This means that the resolution isn’t talking about the privacy that a felon uses to hide from the cops, because that isn’t his right. In fact, my opponent might be quick to point this out, and talk about the right to privacy exclusively as a foolproof concept.

But just because we give everyone a right to privacy doesn’t mean that that secrecy, that lack of accountability, won’t lead to something sinister. My opponent’s job isn’t to prove that the right to privacy has some ideal value, but that to prove that the real world benefits of giving people a right to privacy outweigh it’s detriments. Even rights will have consequences, and we have to take that into account as we discuss the right to privacy.

# Value: Societal Welfare

Let’s talk about how we measure the resolution. This comes with the value of Societal Welfare, which is operationally defined as the well being of people in a society.

## Reason to Prefer: Government’s Ultimate Standard

Our resolution asks a nation to choose between two competing values, so it only makes sense to point out the purpose of the modern state. Governments exist to establish and maintain the well-being of those they serve. They are set up for this goal and are deemed valid solely if they meet it. A state that cannot maintain the welfare of its citizens has no right to govern; only a state that maintains it’s people’s well being can be deemed legitimate.

Let’s look at the first contention.

# Contention 1: National Security Upholds Societal Welfare

Only a state can provide security; it’s the only system we’ve come up with that can ensure a protected society. In turn, providing security becomes the first obligation of the state. This security is what lays the groundwork for human well-being: Because only after a nation is secure can it begin protecting the lives and property of its citizens. If a nation cannot protect itself from its adversaries, than its people are an open target for attack or manipulation. And if a nation can’t be safe from that danger, it’s people stand to lose all freedoms.

## Application: Saving the Stock Exchange

While no one relishes the idea of violating privacy, it’s entirely necessary to maintain security. A good example of this was in 2010, where a plot to bomb the New York Stock Exchange was effectively thwarted. Using mass surveillance, the NSA monitored a known extremist in Yemen who was communicating with a man in Kansas City, MO. This information led the FBI to Khalid Ouazzani, his co-conspirators, and ultimately the plot to bomb the New York Stock Exchange. 3

My opponent would probably support scrutinizing criminals to protect the innocent. But let’s not forget: we cannot selectively surveil criminals so that no one else’s privacy gets violated. We cannot magically cherrypick which individuals are crooks and choose to only violate their privacy, so our only option is to at some level surveil everyone. Catching terrorists is not possible without violating the right to privacy. And without some sacrifice, we stand as an open threat to anyone who would wish to attack us. It was because we made security a priority that we were able to find and thwart the men behind this plot, keeping us safe and upholding societal welfare in the process.

While upholding security protects the nation at large, giving people the right to privacy actively encourages wrongdoing. We’ll see this in the second contention:

# Contention 2: Privacy Hinders Societal Welfare

Having privacy means you have the ability to do things without anyone seeing. And while some measures of this anonymity are appropriate, granting privacy as a full right to everyone goes too far. Not only does privacy allow for unseen wrong-doing, knowing that you’re invisible is even an incentive to break the rules.

## Application: The Group ‘Anonymous’

Anonymous is an international network of cyber terrorists. Although they’re infamous for hacking large corporations, they’re perhaps best known for their persistent attacks on government agencies. Just two years ago, they hacked into the U.S. Federal Sentencing Website, issuing detailed threats against all 9 Supreme Court justices. 4 A couple months later, they hacked into the Department of Energy, compromising the personal information of 104,000 employees and 2,800 federal accounts in the process. 5 And two days ago, (July 24, 2015) they were responsible for hacking the U.S. Census Bureau. This hack undermined the security of multiple government databases, sacrificing over 4,200 federal data profiles in what has become a normal practice for the subversive radicals. 6

But the most frightening part of the collective that dub themselves ‘Anonymous’ is that they are true to their name. Threats, a government can handle. Hacks, a state can recover from. It’s the anonymity, and the ideal privacy that each of these individuals have that makes them an unbeatable opponent. And because the right to privacy cloaks everyone equally, it’s unlikely that they’ll ever be brought to justice.

In any utopia, giving everyone a right to privacy would do no harm. But in the world we live in, as the res analysis pointed out, giving everyone a unilateral right to privacy has inevitable consequences. Even if the people who abuse their rights are in the minority, they are the most powerful. A million people may never abuse their privacy rights, but that reality will never offset or outweigh the 10 that do so at the expense of their nation’s security.

No matter what right you choose to value in this round, you still must achieve security in order to have it. As we saw in Contention 1, a government that has no security and that cannot protect its people will be utterly incapable of protecting any other rights. And it’s because security is a pre-requisite for maintaining society’s welfare that I’d ask you to choose it over privacy.

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## Footnotes

1 Dictionary.com, n.d. Web. 27 July 2015.

2 “National Security American English Definition and Synonyms | Macmillan Dictionary.” National Security American English Definition and Synonyms | Macmillan Dictionary. N.p., n.d. Web. 27 July 2015.

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5 “Exclusive: FBI Warns of U.S. Government Breaches by Anonymous Hackers.” Reuters. Thomson Reuters, 18 Nov. 2013. Web. 27 July 2015.

6 Stevenson, Alastair. “It Looks like the US Government Just Got Hacked Again – and This Time Anonymous Is Claiming Responsibility.” Business Insider. Business Insider, Inc, 24 July 2015. Web. 27 July 2015.

# Affirmative Brief: Societal Welfare

There’s a real temptation to delink to all the applications by arguing that criminal behavior doesn’t fall under the right to privacy, but reject that move. You have a better option. The case hints at a pragmatic approach to the resolution, both through the res analysis and the applications. Don’t reject this either, but instead use it to your advantage: push your opponent to be as practical as he wants you to be. Ask things like “How much privacy should the government give to everyone?” and “what is the practical solution to the problem of ‘Anonymous’“? Realistically, the only way to catch every terrorist is to completely destroy privacy, by keeping an comprehensive list of information about literally everyone. After all, how else could we distinguish between the innocents and the terrorists? The case hints at capturing this happy medium between barely violating privacy and then maintaining an indestructible level of national security, but you can easily show how this isn’t practical at all. Even since the NSA’s mass surveillance, we’ve had acts of terrorism. The Boston marathon serves as a fitting counter-application here.

The second thing you have to do touches with the implication of national security. This neg (and a lot of negs) equate national security with national existence; to vote against national security means nuking every square inch of geographic landmass within its borders. This is extremism. In many cases, a threat to national security could mean something like humiliating national leaders, or even just raw political differences. Point this out to the judge: nothing in the resolution hints that a threat to national security means a choice between total annihilation or total protection. There are varying levels of national security, and it’s silly to pretend that voting affirmative means violating the highest level physically possible.

Use this analysis to take the edge off security’s proposed value. If your opponent can’t provide a practical solution for his applications, he doesn’t have a leg to stand on. At best, he’s admitting that people are imperfect; which exists on both sides of the resolution. The only solution he’s going to have will involve the near-destruction of privacy, which is an easy move to punish. Whatever you do, don’t let your opponent away with stating basic problems about the world without showing that his side can correct them. Until he does that, everything is non-unique, and the negative has zero advocacy.

“A State of Security”  
—  
Negative Case by Michael Tant

General Welfare

**Summary (Not to be Read)**

This case is very straightforward and heavy hitting. The framework is extremely light and basic while the meat of the case is in the applications, of which there are four (count ‘em: four). The key with this case is to paint privacy as something that’s antiquated and unnecessary, while demonstrating that encroachments on privacy are a lot more common and justified than the judge might initially think. Be smart by analyzing the affirmative framework and challenging the parts that make impacting your case difficult. Impacting your applications to the judge is of utmost importance. You have a lot of meat in the case, making it difficult for the affirmative to analyze and respond specifically to each one. You want to paint to the judge a real-world picture with real-world impacts. The affirmative is usually going to stay idealistic and talk a lot of about theoretical concepts and philosophies. If you can show why impacting pragmatically, and into the real world is superior then you can beat the affirmative every time.

If you don’t like all four applications, take one out or substitute your own just be sure to impact at the point of conflict and impact in the real world. If you do that, you’ll be able to have success on the negative side.

# Introduction

The concept of privacy for individuals didn’t exist 300 years ago. For many in the world, it still doesn’t. Only the privileged of the world enjoy even small levels of privacy, and that’s because privacy is not something worth valuing at the cost of human life and security. It’s because privacy is useless when a nation is insecure that I negate the resolution.

For the purpose of clarity in the debate round, there are a couple key terms we should define. (Only redefine if needed)

* **Privacy: “**The state of being free from unwanted or undue intrusion or disturbance in one’s private life or affairs” [[1]](#footnote-1)
* **National Security:** “The protection or the safety of a country’s secrets and its citizens.” [[2]](#footnote-2)

# Value: Societal Well-being

The value for this debate is round is Societal Well-Being. All this means is that we should evaluate the 2 items in the resolution based on what is best for society and the people that make it up.

# Value Link: Purpose of Society and Governments

Upholding Well-Being is the reason people come together to form societies and governments. A society that can’t maintain Well-Being has failed its purpose. Because were dealing with societies and governments and their effectiveness, it makes sense to have a value that measures them. Societal Well-being accomplishes just that.

# Contention 1: National Security Maintains Societal Well-Being

## Application 1: Cyber Security and Cyber Theft

21st century innovation has led to the development of many modern conveniences. The Internet alone has opened up a vast expanse of knowledge and power available with a click of a button. Online shopping, email, online work records, and online banking all provide us with unique tools to accomplish the tasks before us efficiently. But while these devices have led to new doors being opened for entrepreneurs and law-abiding citizens, it has opened back doors for criminals as well. Identity theft and online fraud have cost American citizens millions of dollars; but this isn’t the worst of it. The Internet has paved the way for cyber terrorism on a national level. Cyber attacks are costly, and potentially crippling to a nation’s defenses. Thankfully though, the government has made it a goal to address these issues through departments like the DHS, who have developed an enhanced cyber security services program that’s been effective at thwarting terrorists who try to go through the web. [[3]](#footnote-3)

But this security can’t be a reality without invasion of privacy online. In order to effectively maintain peace and stability in the World Wide Web, mass surveillance of emails, IP addresses, domain indicators, file strings and other online information is required.[[4]](#footnote-4) Without information on the people and records on the Internet, the government is crippled by a lack of information and unable to stop cyber crime. Privacy is violated in order to uphold societal Well-Being and protect a nation’s security.

## Application 2: Terrorist Finance Tracking Program “Swift Agreement”

Stopping terrorists who threaten national interests is of crucial importance to upholding Societal Well-Being. In order for terrorists to plot schemes with any measure of success, they have to have to have finances in order to fund their operations. Certain agreements between the United States and the European Union, access international bank records in order to track down terrorists, and freeze their financial assets. The privacy of individuals and banking corporations are violated, but are done ultimately to protect their very interests. The TFTP, or the “Swift Agreement” led to the capture of an Al-Qaeda operative responsible for the Bali bombing, and successfully identified a man convicted of laundering money to Al-Qaeda from Brooklyn NY in 2005.[[5]](#footnote-5)  These are but a few instances of where tracking private financial funds led to a more secure nation and demonstrate a crucial point: without individuals privacy being violated, terrorism will occur. It is only when we prioritize security over privacy, that any measure of Societal Well-Being is upheld.

# Contention 2: Valuing Privacy Harms Societal Well-Being

## Application 1: Airport Security

In the small world we live in today, travel by air has become a normal occurrence. With over 4 million people taking flight every day, many countries have established safeguards against terrorism in order to prevent a situation similar to that of September 9/11 in the United States. Baggage checks, passports, identity confirmation, scanners and even physical pat downs all violate an individual’s right to privacy, but to neglect the responsibility of upholding national security is absurd and clearly violates Societal Well- Being. Common sense restraints are put on individual privacy rights for the benefit of everyone, and our societies are only better off for it.

## Application 2: Mass Surveillance

While the NSA may not be on list of everybody’s favorite government agencies, the work they do to protect human lives by preventing terrorism is absolutely justifiable. New America Foundation assesses the impact of the NSA’s privacy violations for security interests:

*“Gen. Keith Alexander, the director of the NSA, testified before Congress that: “the information gathered from these programs provided the U.S. government with critical leads to help prevent over 50 potential terrorist events in more than 20 countries around the world.”  Rep. Mike Rogers (R-Mich.), chairman of the House Permanent Select Committee on Intelligence, said on the House floor in July that ‘54 times [the NSA programs] stopped and thwarted terrorist attacks both here and in Europe – saving real lives.’”[[6]](#footnote-6)*

Privacy violations, as annoying as they may be, are a reality that the people of the 21st century world have to come to grips with. In order for any society to function with any level of Well-Being, security must come first. Failing to do so has proven to be too high a cost for anyone to pay.

# Affirmative Brief

There are two ways to beat this case as the affirmative team. The first way is to establish a solid and consistent framework that’s able to juke the applications and the impacts provided by the negative. Analysis of the resolution, the terms involved, and the philosophies of either side are important to beating a case like this. If you can show the judge through a good framework idealistically, then you can take the round.

The second way to beat this case is to accept the pragmatic approach and go toe-to-toe on the impact level. Instead of attempting to provide a theoretical framework, prepare responses to the applications that mitigate, or de-link the impacts from the arguments. Give the judge real world impacts of privacy being violated and don’t talk about privacy as a philosophical concept, talk about in terms of the judge’s real life. Show what the advocacy of the negative team can do when privacy is violated. Do your homework on the NSA, and other examples of privacy violations done in the name of security. Find evidence that says most of these programs are obsolete and unnecessary to promoting Societal Well-Being. If you work hard enough, being able to beat the impacts of the negative team will not only be more effective, but also more satisfying.

“Privacy Is Dead”  
—  
Negative Case by Travis Herche

# Summary (Not to be Read)

This case is committed to strong strategic use of time. You only have a few minutes to talk, so you’re not going to waste it on issues that aren’t likely to help you win. For example, it is unlikely that reasonable disagreement on what the resolution means can threaten your case. Thus, there are no definitions.

The value is unimportant; push through it quickly with a breezy definition and one summary reason to prefer. Better yet, accept your opponent’s value.

The contentions are where things get interesting.

First there’s a real world example of massive, systematic privacy invasions being used to save thousands of American lives.

Then there are two separate grounds for the claim that privacy isn’t worth defending. The conclusion: invading privacy for the sake of national security is low-cost and high-reward.

You will have to tangle with your opponent’s contention evidence. Your go-to response should be “Outweighed.” Who cares about the affirmative issues when lives are on the line?

# General Welfare

Ten years ago, an Al-Qaeda cell known as the Salafist Group for Preaching and Combat devised a massive terror plot intended to outdo the horrors of September 11. They planned major coordinated attacks on ships, railways, and sports stadiums.

Had they succeeded, thousands of people would have died and the entire world would have been left reeling. And had privacy been upheld, that’s exactly what would have happened. Fortunately, it was not. Lives were saved by commitment to national security, which is why I am resolved: “When in conflict, individual privacy is NOT more important than national.”

Let me begin with a…

# Value: General Welfare

General Welfare is operationally defined as: “The health, happiness, and prosperity of the people of a nation.”

Here’s why General Welfare is the best way to decide between national security and privacy:

## Reason to Prefer: Purpose of Government

Governments are founded to serve their people. If a country has healthy, happy, prosperous people, we call it well governed. If not, the government has failed. That’s why General Welfare is named in the first sentence of the US Constitution.

So the question is: which is more essential for the welfare of citizens: national security or privacy? I’ll answer that question in two contentions.

# Contention 1: National Security upholds General Welfare

National Security is the most fundamental and universally accepted component of effective governance. It is our safeguard against the horrors of invasion, genocide, and terrorism. Without it, we simply don’t have a country.

Privacy advocates naively insert themselves between us and our own safety all the time. When more rational minds prevail, lives are saved.

## Application: SGPC

As I mentioned in the introduction, SGPC stands for Salafist Group for Preaching and Combat. The Al-Qaeda cell was right on track to launch a series of major attacks that would have cast the horror of 9/11 into a shadow. Soon before launch, three leaders of the cell met just south of Naples, Italy. Fortunately, Italian police knew better than to let privacy put lives in danger. In Italy, wiretaps are a common tool used to keep tabs on suspicious people. Italian authorities use more than 100,000 wiretaps per year, empowering counter-terrorist agents to stop attacks before they happen. When police overheard three terrorists putting the finishing touches on their conspiracy, they promptly arrested them. The plot was foiled and thousands of lives were saved.

# Contention 2: Privacy doesn’t uphold General Welfare

The way some people talk about privacy, you’d think it was fundamental to our existence. But the fact is, privacy is more of a fad that’s on its way out. Let’s take a look at two sub-points followed by an application.

## a) Modern Luxury

Up until the last century or so, the whole notion of privacy meant nothing.

Professor Lawrence Friedman is a prize-winning, internationally acclaimed legal historian. In his book “Guarding Life’s Dark Secrets,” he says:

[Read only the underlined] In an important sense, privacy is a modern invention. Medieval people had no concept of privacy. They also had no actual privacy. Nobody was ever alone. No ordinary person had private space. Houses were tiny and crowded. Everyone was embedded in a face-to-face community. Privacy, as idea and reality, is the creation of a modern bourgeois society.

If the human race survived for millenia without it, we know privacy is not fundamental, nor is it a human right. It’s a luxury. Choosing privacy over national security is like spending your grocery bill on a fancy car.

But it gets even sillier.

## b) So Last Century

With the rise of the Internet, privacy is on its way back out. Each passing year brings more technology smaller, smarter, faster, and more convenient than ever before. Regardless of how we feel about the resolution, privacy is already dead. That doesn’t mean you can’t still get alone time or keep secrets, but it means that we’re really not giving up anything when we choose to uphold national security.

## Application: Google

Google has earned its position as the most-visited website in the world by making the entire world accessible at our fingertips. But in order to make our lives easier, Google learns just about everything about us – from what we’re interested in to who our friends are to what’s on our schedule to what our medical issues are.

I quote Caitlyn Dewey from New Zealand news service Stuff:

I’ll probably chat a friend and ask if she wants to grab dinner. After that, I’ll Google a couple of restaurant options and check out their menus (in Chrome, naturally) and eventually settle on a spot for dinner. I’ll email my friend to confirm. And when the appointed date arrives, knowing my sense of direction, I’ll probably use Google Maps to figure out how to get there.

Check it: That is an utterly ordinary process that millions of people go through millions of times a week. And during the process, Google gets not one, not two, but five data points on me. (More, perhaps, depending on how long I took clicking around for restaurants.) None of this is malicious, per se. It’s just the necessary consequence of one company providing such an incredible range of services — of becoming so inextricably embedded in the [our] lives of, as a Google statement put it in 2009, “hundreds of millions of people ... around the world.”

Privacy is all good and well where it exists, but it is already just about out the door. Even at its high point, it’s nothing more than a modern luxury. The sad fact is that there are bad people out there in the world, and they’ll stop at nothing to hurt us. We can’t compromise on national security. Thank you.

# Affirmative Brief: Privacy

This case has two persuasive notes that need to be defused. For both, consider following them to their absurd logical implications.

First, the case suggests that the Italian police’s lack of privacy is the only common sense way to keep the judge alive. Italian cops use 100,000 wiretaps a year. Let’s get some perspective: American cops use about 4000.[[7]](#footnote-7)

So the neg is suggesting that, as massive and powerful and unstoppable as American police are right now, they need to increase their privacy violations twenty-five fold.

The neg advocacy is not moderate or even reasonable. It is an outlandish call for an explosion of government power. It doesn’t set us on the road to tyranny, it takes us straight there on the express train.

The other big, absurd notion: the neg is claiming that privacy is essentially dead and thus not worth defending. Push that in cross-ex with questions like these:

* “Does anyone anywhere in the world currently have privacy?”
* “Is it possible to uphold privacy? Is that ever okay?”
* “Would you object to having 24/7 webcams installed in your bedroom and bathroom?”

Whatever answers you get from those questions should give you plenty of ammunition to push your case into a dominant position.

1. Dictionary.com, 2015

   <http://dictionary.reference.com/browse/privacy?s=t> [↑](#footnote-ref-1)
2. Macmillan Dictionary, 2015 <http://www.macmillandictionary.com/us/dictionary/american/national-security> [↑](#footnote-ref-2)
3. Forbes, October 22nd, 2014

   <http://www.forbes.com/sites/centurylink/2014/10/22/the-3-biggest-cybersecurity-threats-of-2014-and-how-the-federal-government-plans-stop-them/> [↑](#footnote-ref-3)
4. Department of Homeland Security, January 16th, 2013 <http://www.dhs.gov/sites/default/files/publications/privacy/privacy_pia_nppd_ecs_jan2013.pdf> [↑](#footnote-ref-4)
5. Peter Bergen & Colleagues. January 2014. “Do NSA’s Bulk Surveillance Programs Stop Terrorists?” New America Foundation, http://www.newamerica.net/publications/policy/do\_nsas\_bulk\_surveillance\_programs\_stop\_terrorists [↑](#footnote-ref-5)
6. NY Times, 2006, <http://www.nytimes.com/2006/06/23/washington/23intel.html?ei=5088&en=168d69d26685c26c&ex=1308715200&partner=rssnyt&emc=rss&pagewanted=all&_r=0> [↑](#footnote-ref-6)
7. “Wiretap Report 2012.” United States Courts. N.p., n.d. Web. 22 July 2015. [↑](#footnote-ref-7)