Monument Midseason Red

The following are articles, affirmative and negative cases, and opposing arguments is for your study of the Lincoln-Douglas resolution that was debated during the 2012-2013 school year in the Stoa speech and debate league. Applications and citations may be outdated, so give attention to checking all hyperlinks before attempting to run in competition.

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Introduction

"I've been thinking Hobbes…"  
 "On a weekend?"  
"Well, it wasn't on purpose."

~Bill Watterson, Calvin & Hobbes

Welcome to Stoa Midseason for the 2012-2013 debate season!

It’s hard to believe that we are already halfway through the competitive year. The spring, however, will be much more challenging than the fall. Most of you have attended a few practice tournaments. Some of you may have even competed in a qualifier by now. Nearly all of you have practiced debates in your local clubs.

At this point in the season, you already have a good feel for the resolution. You understand more of the definitional issues. You’re finding good examples of conflict. You’re writing cases and deciding on strategies.

Or, if you are like I was my first year of debate, you’ve done very little to this point. Spring tournaments will get here when they get here, and until then, not a lot of work is required. Right?

If this is where you are, I encourage you to start working now! You won’t regret it. No matter what level you are at work-wise, however, Midseason is here to help.

Not sure where to start or which case is right for you? Midseason introduces several news cases to give you more options. Have a case, but feel stuck at a mediocre level? Midseason is a great springboard to get your creative juices flowing again. Feel good about where you’re at, but want to find that perfect example to push you to excellence? Midseason articles are geared toward more practical, application-based concepts to supplement the work you have already done.

Midseason works just like Red Book. Each case is accompanied by a brief, so that you get the full picture. Additionally, the articles each link back to a case by the same author. If you find an application you love, chances are good that it is expanded on in an article.

There’s something for everyone in this year’s Midseason. Reading through the articles and cases will give you ideas and examples to help you on your journey to excellence.

Happy debating!

Jon Bateman

Editor

Section 1: Articles

Discussions on key terms, theories, philosophies, and applications

Understanding LD in This Year’s Resolution

Resolutional Articles

Applications, Philosophies, and Insights on the 2012-2013 LD Resolution

If a man empties his purse into his head,

no man can take it away from him.

An investment in knowledge

always pays the best interest.

~ Benjamin Franklin

**You’re a Fascist**

*Understanding Modern Politics*

by Travis Herche

**Defending Your Value**

by Travis Herche

**Societal Standards and How They are Upheld**

By Phillip Allevato

**Hacked**

*The History of Cyber Espionage*

by Michael Tcheau

**Republican Jesus**

*Questions of Privacy You’re not Allowed to Ask (But Should)*

by Lauren Blankenship

You’re a Fascist

Understanding Modern Politics

By Travis Herche

When people evaluate a government, they usually talk about how people come to power and how laws are made. Sample government types are democracy, monarchy, and meritocracy. The form of government can make a big difference, but it’s far from the most important profile for a society.

I like to describe a society according to its socioeconomic profile: its approach to the rights of its citizens. In this article, we’ll take a brief tour through all five basic approaches, with an analysis of the strengths and weaknesses of each.

Government and socioeconomic types are related, but not directly interdependent. One could theoretically have a capitalist autocracy, or a socialist democratic republic, or any other combination. The questions behind socioeconomy are not about how power should be distributed, but how it should be used.

All five core socioeconomic constructs exist on a circular gradient. For example, anarchy bears striking similarities to both capitalism and communism, and is often a brief landing point during a transition between the two.

**Bias disclaimer:** I am a Christian. While I’ll do my best to present every idea as objectively as possible, my beliefs about God strongly influence my ideas about government. This article is not meant to persuade you to agree with me; it’s meant to educate you about your own position. Try to read it with an open mind, acknowledging the strengths and weaknesses of your political views.

Secular Humanism vs Religious Dogma

At the heart of any socioeconomic construct is a basic idea about humanity. This is the true conflict between conservatives and liberals - and because it is not discussed openly, progress in a venue like a congressional debate is impossible.

**Secular Humanism** asserts mankind as the basis for morality. The term can be misleading, because it is as much a religion as any other belief like Judaism or Islam. Humanists might use phrases like “divine spark” or speak of “the god within all of us.” They believe that humans are inherently good and that science, logic, and education are the solution to all of man’s ills.

If someone misbehaves, it’s not really their fault. They’re just a demigod being pushed the wrong direction by society. “Badness” can be fixed by proper upbringing and indoctrination. In other words, humanists believe that *a perfect society is possible*.

Granting that, a small government that respects only negative rights isn’t just foolish, it’s inexcusable. We should move as one race toward our ever-approaching utopia. Humanist philosophy will answer our questions. Science will solve our problems. These concepts are as sacred to the humanist ethos as belief in an omnipotent God is to the Christian ethos.

But the highest and most sacred tenet of humanism - the shining beacon of hope that will guide us toward evolutionary ascension - is education. It must be perfected, it must be free, and it must be aggressively regulated by society. Non-public education is an enormous threat because it is unpredictable and therefore produces unpredictable citizens. Until everyone is receiving the same standardized education, a perfect society is impossible.

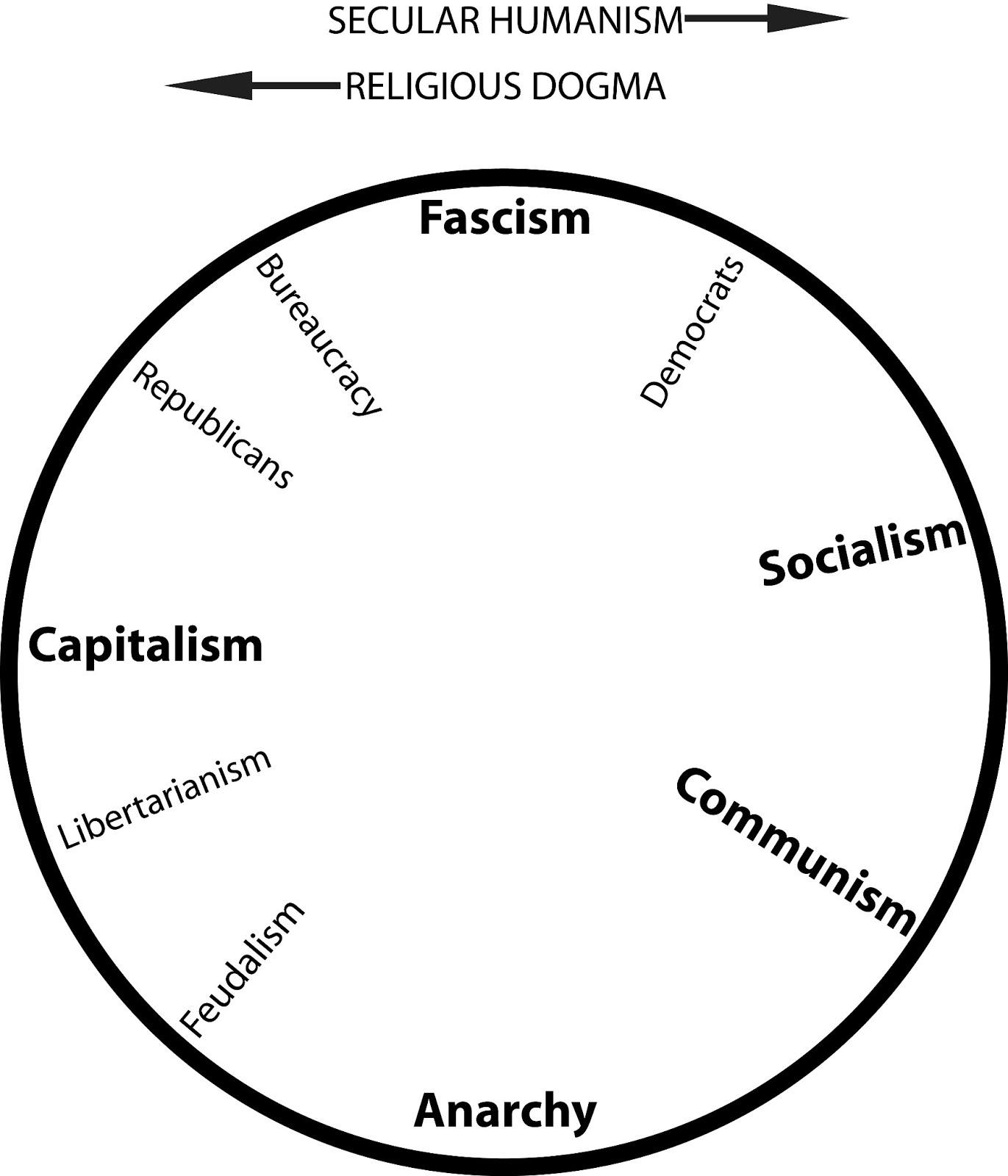
Socialist policies are the natural result of humanism.

**Religious Dogma** describes the idea that morality is external to mankind. Humans have no divine spark; they must submit to some outside God or moral law. For example, Buddhists must follow the eightfold path toward enlightenment. Not doing so is wrong. Genesis says that the imagination of mankind is nothing but constant evil.

Granting that, the dream of a perfect society is folly. Any attempt at perfection puts too much trust in fallen souls. People will use power to dominate others, so power must be mitigated by limiting the power of government. To a religious dogmatist, government should only be strong enough to keep citizens from hurting each other. Beyond that, it should leave people alone as much as possible. Behavior will be legal even if it is frowned upon, because government and society are distinct and separate entities.

Will some of the weak and poor get left behind? Sure. But at least they won’t be oppressed. And hopefully, even the poorest will be raised up by a thriving economy, and private charity empowered by low taxes.

Capitalist policies are the natural result of religious dogma.



Anarchy: No Rules.

Anarchy is a system devoid of government. Everyone does what is right according to his own lights.

**Why it’s awesome:** Don’t you hate it when people tell you what to do? Anarchy puts a stop to that! Anarchy is the perfect opposite of oppression and the purest expression of freedom. Just do what you want.

Anarchy is appealing in particular because government cannot exist without some of coercion and rights violations. For example, taxing someone for even a penny violates her right to property. She worked hard and earned that money! The only solution is to have no government at all.

**Why it’s a flop:** Anarchy is unsustainable. Even on a small scale, it rarely lasts more than a few minutes. People need leaders. They create rules for themselves. They seek out order and logic. There are few chaotic points in history - like the French Revolution - but no society ever that could be described as a true anarchy.

Suppose all governments were disbanded right now. Your cousin Joe immediately decided to steal your copy of the Red Book - because that’s what any looter would do in a chaotic situation, right? Well, you go to Joe and try to reason with him. When that doesn’t work, you turn to violence. You punch Joe right in the face and take the Red Book back.

Joe sneaks into your house that night and beats you up. Then he takes your Red book and a bunch of the stuff in your room. By now you’ve had enough of Joe’s shenanigans. You get a friend to go with you, you tie Joe up, take all of his stuff, and you burn his house to the ground.

Joe comes back with some friends - and baseball bats. Will the violence ever end?

When he’s done getting even with you, Joe starts robbing other people. He terrorizes the entire town. A few of victims come to you. “Are you the guy who stood up to Joe?”

“Yeah,” you say. “We have to stick together.” More and more refugees join your group. Eventually you have enough people to attack Joe’s group and take everything back. You form a little band, moving around town and protecting each other. You keep watch at night in case Joe or some other looter attacks. You improvise weapons that you find off the land. You scavenge for food and distribute it.

One day, one of the people in your band mugs another one for extra food. When you find out, you’re mortified! You exile the thief into the wasteland forever.

At this point, you have an armed force and a legal system with enforcement. You probably even have a border - territory that you’ll fight to defend. Though primitive, you have a government.

The pattern of escalating violence creating dependence on protection happens wherever there is no government. Like air rushing into a vacuum, violent order is created to stop the madness of anarchy.

The higher the stakes and the more chaotic the situation, the more desperately order is needed. A good example of this is the absolute authority of a warship captain. His word is law, because on the high seas, mutiny is catastrophic.

Capitalism: Freedom and Property Rights.

Capitalism says: you can do whatever you want with your stuff. No one can violate your negative rights (life, liberty, property, and privacy), and the government taxes you as little as possible, maintaining only the bare minimum necessary to protect rights. That means maintaining a police force, legal system, military, and not much else.

**Why it’s awesome:** Capitalism has been empirically proven to increase the overall wealth of a society more than any other system. That’s a big deal. Historically speaking, the vast majority of humans tottered on the brink of starvation as a way of life - and billions fell in. While it can’t stamp out suffering completely, capitalism pulls people out of the muck and mitigates widespread starvation. The more free-reign is given, the more wealth improves, leading to quality of life, health and longevity, scientific innovation, and other benefits.

Capitalism is also appealing for ideological reasons. It is the most effective way to protect negative rights. Pure capitalists believe that some taxes are necessary, but taxation for any purpose other than protection of negative rights is theft.

**Why it’s a flop:** Capitalism is heartless. Did you get hit by a car? Are you badly in need of medical care that can save your life? Well, it’s all yours - as long as you can pay for it. Lost your job, spouse, or limb? Don’t expect the government to help! And don’t expect any public services like national parks, free education, or social security either.

Capitalism also tolerates unacceptable behavior. Want to shoot up hard cocaine in the privacy of your own home? Go for it! It’s your cocaine, do what you like with it. Go ahead and drive drunk; as long as you don’t hit another car, we can’t touch you. Build a casino that destroys lives. Hire a prostitute. Dump toxic chemicals in the river. Build an unsightly skyscraper in a nice suburb. Massacre the wildlife population on your land. If you own it and you’re not directly hurting someone else, capitalism will tolerate it.

Capitalism does nothing to protect the worker. There is no minimum wage; no labor safety laws; nothing. You could put children to work in sweatshops or make serfs work your land for nothing but room and board.

Many people call themselves capitalists because they don’t like socialism, but few are truly willing to deal with the implications of capitalism. If you support the drug war, chances are you’re actually a fascist.

Fascism: Property Rights yes, Freedom no.

Fascism still respects property rights in that sense that you own what you earn or buy. On the other hand, what you do with your stuff is decided by the government.

Fascism earned a terrible reputation at the hands of Italian nationalists and the nazi party. It usually comes with baggage like despotic control, elimination of free speech, and nationalist or racist campaigns. But these effects don’t lie at the heart of fascism. Whether that bad reputation is deserved is up to you.

Most republicans fall somewhere between capitalism and fascism. There are thousands of fascists in homeschool speech and debate (though they would deny the title vigorously because they don’t hate Jews).

**Why it’s awesome:** While fascism doesn’t boost an economy as well as capitalism, it still maintains the investment-reward structure that’s so critical to growth. At the same time, it frees the government to prevent misbehavior in the private sector through regulation. The United States temporarily embraced fascism during World War II, distributing ration cards to control what people bought and mobilizing factories to produce war machines. Without these measures, victory would have been almost impossible.

After the war, the siren call of fascism drew us ever nearer. The signs of fascism are all around: stringent testing of new drugs, restaurant health inspectors, and the banning of marijuana. Drive your car where you want: but not while inebriated, and not above a certain speed, and not in certain areas. It’s your body, but you can’t cripple your heart with sugary soft drinks or buy alcohol after a certain hour, and we’ll more than double the cost of cigarettes with heavy taxation. It’s your land; build what you want on it: as long as it satisfies building codes and zoning laws and you have all your permits in order.

We’ll keep cotton farmers from crashing the market by paying some of them to grow a different crop - or not to grow anything at all. We need more corn, so we’ll subsidize it. Brushing your teeth is good for you, so we’ll mandate that all schoolchildren do it after lunch. We’ll dictate how much energy your refrigerator can use and how much water your toilet can flush. We’ll tweak everything so it works better, nicer, and healthier. We’ll fix the misbehavior of the vulgar citizen.

Note: all the examples in the previous two paragraphs are state or federal laws in modern America. While not a perfectly fascist society, it gives us a better picture than the emotionally-charged image of the Third Reich. Try to forget the taint that European nationalism has left on fascism. Approach this idea as objectively as you can, because if you’re reading this, there’s a very good chance that you’re a fascist.

Surprise!

**Why it’s a flop:** Fascism isn’t necessarily tied to despotic oppression, but the two are hard to separate. When a government opens the hood of a society and tinkers around inside, the society will naturally resist - even if the laws are all put in place for the citizen’s good. Enforcement requires a very powerful police force, a massive bureaucracy, and ubiquitous propaganda. Taxation skyrockets. Violent riots have to be suppressed. I know of no example of a fascist society that did not heavily regulate free speech - or worse.

Fascism also carries some disturbing moral implications. It crushes choice. It keeps you from doing something you want with your own money - even if you’re not hurting anyone else. Maybe you want to eat some crispy fried chicken. You know it’s not good for you, but surely a wing every now and then is okay. But if you live in New York, your eating experience is going to be much less delicious because trans-fat is illegal. The government is doing your thinking for you - protecting you from yourself. That’s not just annoying, it’s insulting. And when government regulates you out of your way of life, it becomes terrifying.

Finally, fascism requires a lot of paperwork. Regulation slows business down, narrowing margins and making new start-ups rarer. On a broader level, any government regulation defies market forces, which slows down the economy. That’s a price fascists are willing to pay for a well-run society.

Socialism: High taxes.

While fascism lets you keep your stuff, a socialist society levies high taxes to create a massive public sector. It guarantees its citizens positive rights like food, shelter, medical care, a job, and education. Socialism can be measured by how much of your paycheck goes to the government. The higher the tax rate, the more socialist the society. A perfectly socialist government takes everything you earn and invests it in public services. Odds are, you work for the government too. At the very least, you’re dependent on it for your day-to-day needs and probably receive some sort of welfare check.

**Why it’s awesome:** In free societies, people fall through the cracks. They freeze on the streets while big businessmen sip champagne in their warm mansions. Socialists believe that no one should be left behind - but the basic economic principle of scarcity guarantees that the private sector will never accomplish that. The solution? Government takeover.

Socialism offers the dream of a well-ordered and fair society that satisfies the basic needs of everyone. It educates and indoctrinates to create ideal citizens. Nothing is wasted. Rewards are based on need and merit, not on inheritance or dumb luck or ruthlessness.

**Why it’s a flop:** If socialism worked, it would be a thing of beauty. But sadly, it doesn’t. The problem is that it takes away the reward for investment. Why start a business if you can’t keep what you earn? You’ll be standing in line at the grocery store whether you do or not. Socialism is based on the hope that citizens will act out of altruistic desire to better their world; but most people are selfish. While capitalists harness that selfishness to create wealth for everyone (albeit not an equal distribution of wealth), socialists stick their heads in the sand and ignore it. The result is crippling dependence on government hand-outs.

This glaring flaw in socialism was demonstrated by the creation of the socialist worker’s paradise: the Great Leap Forward. Chairman Mao Zedong turned China upside down with complete socialist reforms, including a government takeover of agriculture. Production immediately ground to a halt because farmers had no reason to keep working. 42 million people starved to death. That’s more than the entire population of New York and Florida.

Socialism also requires vigorous, brutal control of its citizens. Dissent threatens to upset the delicate balance of power because socialists cannot separate “society” from “government.” If you factor in starvation and the political measures needed to enforce it, socialism has killed more people in the last century than genocide. In fact, those numbers aren’t even close.

Communism: No Property Rights.

If everyone is working for and receiving from the government, why bother with currency at all? Let’s just eliminate the entire concept of ownership. Everyone cooperates in a give-and-take based on fairness. If you need something, we’ll give it to you. Communism is the logical conclusion of socialism, just as fascism is the logical conclusion of bureaucracy.

**Why it’s awesome:** I am genuinely moved by the sheer idealism of communists. I get choked up with emotion, as if I were watching a sunset! Communism is such a beautiful idea that it’s hard to even wrap my mind around how great it could be. It’s a clean solution to every last one of capitalism’s flaws.

Many families are run based on communist ideals. For example, my wife and I don’t have any sense of ownership between each other. We own everything collectively and make group decisions. I spend money she earns, and vice versa. It works pretty well for us.

I believe in the heaven described in the Bible. While I might be mistaken, it seems to be described as a theocratic communist utopia.

**Why it’s a flop:**  It’s easy to just say that communism doesn’t work because it has failed in the past - but look at the failures of other ideas. Is liberal democracy bad just because American efforts to spread it to Iraq resulted in a bloodbath? We must be cautious not to shrug off an idea just because it has failed in the past. But we can’t discount failures either.

It’s hard to measure communism because a true communist society has never existed. Enforcement requires too much government action. It collapses into something else immediately.

The primary flaw with communism is ideological. Take everything that’s wrong with socialism and double it.

If communism could be sustained - if it could bring everyone above a social minimum - I doubt anyone would object to it. But such a scenario is inconceivable. For communism to work, there would need to be enough of everything to go around and citizens would need to behave altruistically. Call me when that happens.

Conclusion

In terms of debate, your aff and neg cases imply a certain position on the socioeconomic wheel. Know your position so you can defend it from attacks, and learn to identify your opponent’s so you can tear it apart in your speeches.

Usually when I teach people the content of this article, it makes them uncomfortable - perhaps because they didn’t realize how broken capitalism can be, or they don’t want to agree with the same socioeconomic policy that Hitler embraced. If you feel uncomfortable right now, I’ve done my job. My hope is that you’re challenged to search more deeply into your beliefs about how government should be run. God bless you!

How to Defend Your Value

By Travis Herche

In debate, it’s not enough to say *what* you think; you have to explain *why*. To show the judge why your value is useful for the round, you should run at least one **value link**. This is a sub-point for the value that explains why the judge should use it. A value link explains the connection between the value and resolution. Equally important, your value links are your only fortification against a counter-value from your opponent.

There are four basic kinds of value links:

**1) Intrinsic Good.** The worth of your value is part of what defines it; it can’t be taken away or altered or turned bad. A good test of intrinsic worth is to say “if we were to make this thing as evil as possible, would it still have value?”

Capitalism is a market system that is widely credited as being the most effective at building wealth. While it doesn’t build wealth for everyone equally, it has historically been a tool that pulled even the lowest classes up from the muck. But what if we made Capitalism as evil as possible? What if we said that it only made one person rich, and he used his wealth to oppress everyone into pseudo-slavery? Well, then capitalism would be evil. It would be something to get rid of without a second thought. Therefore, Capitalism has no intrinsic worth.

On the other hand, Life is special. While lives are often remembered by what they accomplished (George Washington Carver invented peanut butter; Neil Armstrong walked on the moon), every life holds some kernel of precious intrinsic worth that cannot be taken away. Take the life of Osama bin Laden. He was a truly evil man. He was bent on destroying an entire civilization by mass-murdering its people. He was killed ten years after presiding over the terrorist attacks on the World Trade Center and the Pentagon. Upon his death, the people of the free world rejoiced, but with restraint. Because even though Osama had killed many - even though he had lived his life evilly - he still had worth. Bin Laden had a soul, and that made his death tragic. And if the loss of someone like him can be tragic, Life must have intrinsic worth.

When discussing a moral resolution, an intrinsically good value can be appropriate. The logic: we’re trying to decide what is good, so we should use this broad measure of goodness to figure it out. Popular values with intrinsic worth include Justice, Human Rights, and Freedom - but there are hundreds of options if you keep your eyes open. The current resolution is usually interpreted as moral.

You could just call your value link “Intrinsic Good”, but this type of value link can take many forms and expressions. Think of this as a pattern used to defend a value, even if the exact argument is something like “Moral Imperative” or “Worth Dying For”. This defense of a value is very common, especially when used against the second kind of value link:

**2) Extrinsic Good.** Something has extrinsic worth if it *leads to* good things. If something is good, but it fails the intrinsic worth test, it is an extrinsic good.

Democracy is a form of government that makes a government accountable and transparent to its people. It is associated with better laws and respect for freedom. One could say that democracy leads to intrinsic goods - but if the people voted for bad politicians and bad laws, the system would collapse. Thus, democracy can be called an extrinsic good.

“Democracy is the worst form of government except all those other forms that have been tried.” - Winston Churchill

An axe can be used to cut something down, break down a door, clear a path, or kill someone. When used positively, an axe is a good thing. When used destructively, it is bad. This means it does not have intrinsic value, and its extrinsic value is also questionable. Whereas democracy is generally good, axes are just neutral. They’re good at what they do - but it’s impossible to predict what that will be. Thus, an axe probably can’t be called an extrinsic good. It is morally neutral.

Extrinsic values argue “Since we’re trying to decide what is good, let’s use this standard that ensures goodness as a meaure.”

Common arguments that follow the extrinsic good pattern might be: “Foundation of Society,” or “Protects Life.” Listen carefully to the argument to see if the value is good on its own, or good because it leads to something else.

A value can be both intrinsic and extrinsic. For example, Life is inherently good but can lead to other things as well - like the invention of peanut butter.

**3) Topic Context.** Intrinsic and extrinsic goods make excellent values for moral resolutions. But what about the other kinds of moral charges? That’s where topic context comes in. It argues that a value is suitable because it relates directly to the resolution. It is closely tied to the idea that values must be specific to what they are measuring.

“Government Legitimacy is determined more by its respect for popular sovereignty than individual rights.” The definition of legitimacy is important here, but this could easily be interpreted as an amoral resolution: a government could be legitimate and evil. Thus, a value like Power might be appropriate, justified by a value link of Establishes Governments. This value link follows the topic context pattern. “We’re talking about government legitimacy, so use this value that establishes governments.”

“Powertools are more efficient than hand tools.” We’re measuring efficiency, so a value like Finish Time might be good. Note again that this is an amoral value - efficiency could help us build a tree house or a torture chamber; the resolution doesn’t care. It just wants us to discuss efficiency. We want the judge to use our value of Finish Time because it is the most precise way to measure efficiency. So we use the value link of Efficiency is Fast, which is a topic context link.

Topic context links can be used for resolutions with any moral charge, including good old moral ones.

“Justice entitles everyone to a sincere defense by a legal professional.” We’re measuring justice, which is generally understood to be a good thing. Perhaps we use the value of Presumed Innocence - the idea that a person is innocent until proven guilty. If we used the value link “Cornerstone of Justice”, we’re arguing that Presumed Innocence is a key part of our understanding of justice. That’s topic context, and it’s also extrinsic good (because it leads to justice).

**4) Usefulness.** Whatever else can be said about the value, the judge needs to be able to use it to make a decision at the end of the round. Some value links step outside the debate and speak directly to the judge, asking him to use the value that will make his life easier. Here are two common examples:

“Clarity”. Other values might be functional, but this value is so easy to understand and offers such a clear decision point that it ought to be used.

“Provides Meaning.” Other values are such confusing, imbalanced measures that they skew the entire resolution to the point that it doesn’t mean anything. This value not only measures the resolution, it helps establish it.

The first three value links are common, logical, and diverse. The fourth is the black sheep of the family, because it technically qualifies as a funky kind of argument known as a kritik. Kritiks go way beyond the scope of this article. For now, just know this: the fourth kind of value link is hard to run correctly. If you do run it, consider mixing it in with a more standard argument or two. While you’re at it, avoid value links like “Fairness” or “Equal Ground” - they have nothing to do with whether or not the value is *true* and take way too much time and effort to prove.

As the negative, you can run reasons to prefer instead of value links. These are also sub-points, and they follow the basic patterns above, but with an exception: since you now know what you’re up against, you can directly contrast your values. Your Reasons To Prefer shouldn’t just explain why your value is good or your opponent’s is bad; they should explain why yours is *better*. Put all your value debate into once concise position - the reasons to prefer or value links - and the entire round will be much easier to keep track of.

Because it’s their first chance to respond to the negative value, the affirmative should be allowed to run new reasons to prefer in the 1AR. Most affirmatives just cross-apply their value links, though.

Be prepared to spend time on your value. Define it; explain it; defend it. Your value shouldn’t be an afterthought; it should be the main event. Make certain that it is clearly tied to the resolution and that the judge agrees that it is a good way to measure the round before moving on.

Societal Standards and How They are Upheld

By Phillip Allevato

Living in the United States, we all have inside knowledge about the way our country deals with privacy concerns. If you feel that you don't know much about U.S. privacy, I encourage you to do your own research, and look at material such as Chase Harrington's article Right to Privacy in the 2012-2013 Stoa Red Book. Either way, assuming that you are informed on U.S. policy, this article will focus on taking a look at how some other countries and organizations deal with privacy issues. Rather than telling you exactly what to argue in a round, this article is more focused on making sure you know how to argue.

Being informed about the way other countries deal with privacy concerns has the potential to be incredibly valuable this year. The lack of any limiting words in the resolution gives an enormous possible scope to try and define round in. For the affirmative, this article will give you insight and inspiration when writing your cases. For the negative, knowing a bit more of the background of how other nations and organizations treat Privacy could prove invaluable when refuting the affirmative's applications, and forming your own arguments.

European Union

The European Union has, by and large, much more stringent protections of privacy than the United States. To set the stage for this, the EU has put in place the European Convention on Human Rights, in which Article 8 states that, "Everyone has the right to respect for his private and family life, his home and his correspondence."[[1]](#footnote-1) The people living in the EU are already guaranteed certain protections of privacy on the grounds that it is a basic human right.

European Union citizens also have more tools at their disposal to protect their own privacy. The Data Protection Directive regulates the use of personal info and data. For instance, personal information cannot be collected without consumers’ permission, and they have the right to review the data and correct inaccuracies. Companies that process data must register their activities with the government. Employers cannot read workers’ private e-mail. Personal information cannot be shared by companies or across borders without express permission from the data subject. [[2]](#footnote-2) All of these laws allow the people of the EU to take a much larger role in the protection of their own interests.

With the protections provided in the convention, comes the need for enforcement; thus, the position of the European Data Protection Supervisor (EDPS) was created, who is in charge of the following: monitoring the EU administration's processing of personal data, advising on policies and legislation that affect privacy, and cooperating with similar authorities to ensure consistent data protection.[[3]](#footnote-3) The current EDPS is Peter Hustinx, a Dutch man elected in 2009. In addition to the EDPS, every individual country has their own position in charge of privacy. In France, the *Commission Nationale de l’Informatique et des “ibertés* (CNIL) was created in 1978, and is in charge of handling the use of information. Isabelle Falque-Pierrotin, the head of CNIL, has stated implicitly, "In Europe, we consider privacy a fundamental right."[[4]](#footnote-4) In Germany, the Federal Commissioner for Data Protection and Freedom of Information is an official post. Nearly every country in the EU has their own privacy officials, on top of the EDPS.

No U.S. law or ruling has ever come close to things like the Data Protection Directive. The U.S. has not even explicitly guaranteed the right to privacy in the Constitution. We have no official supervisor in charge of privacy concerns, and the American people are not likely to take kindly to one.

Canada

The Canadian constitution contains much the same provisions for privacy as does the United States Constitution. It has guarantees for mainly the same rights as those outlined in our Constitution. The Canadian Charter of Rights and Freedoms states, "Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice...Everyone has the right to be secure against unreasonable search or seizure."[[5]](#footnote-5)

This sounds much the same as our own constitution, with privacy not expressly protected or violated. However, in 1983, the Canadian Parliament passed the Privacy Act, which itself states, "The purpose of this Act is to extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution and that provide individuals with a right of access to that information. "[[6]](#footnote-6)

Not only does the Privacy Act of 1983 contain information guidelines, it also established the Privacy Commissioner of Canada, who is supposed to be in charge of, "Investigating complaints, conducting audits and pursuing court action under two federal laws; Publicly reporting on the personal information-handling practices of public and private sector organizations; Supporting, undertaking and publishing research into privacy issues; and Promoting public awareness and understanding of privacy issues."[[7]](#footnote-7) The current PC is Jennifer Stoddart.

Overall, Canadian privacy laws and regulations fall somewhere between Europe and the United States' rules, in some cases being stricter, but in others (such as actual enforcement power) Canada's privacy laws are less stringent.

Russia

Knowing the often brutal nature of the Russian government, we realize that they probably don't uphold their citizens' privacy. However, the Russian constitution actually does contain guarantees for privacy. It says, "Everyone shall have the right to the inviolability of private life, personal and family secrets, the protection of honour and good name... Everyone shall have the right to privacy of correspondence, of telephone conversations, postal, telegraph and other messages. Limitations of this right shall be allowed only by court decision...The collection, keeping, use and dissemination of information about the private life of a person shall not be allowed without his or her consent." [[8]](#footnote-8) Obviously, if this is going to be taken at face value, it would seem that the people of Russia have a pretty good deal. No personal sensitive information can be used without their consent, and they are supposed to have full jurisdiction over this data.

In addition to this, Russia also has the Roskomnadzor, an awesomely hard word to say, which basically means, "data protection agency." They are tasked with protecting personal data owners’ rights.[[9]](#footnote-9) Led by Alexander Zharov, it also has the power to monitor all radio communications.

Whether or not the Russian government actually upholds these standards, I will leave for you to decide in your own applications. This should have at least shown you the rules that are supposed to be followed by individuals and companies.

Mexico

Much like Russia, Mexico's privacy laws pertaining to personal information require an individual to give consent. This protection is somewhat new in Mexico, only being enacted in 2010, fairly late compared to the rest of the world. Also like much of the rest of the world, Mexico has its own agency, the Federal Institute of Access to Information and Protection of Data (IFAI), that is responsible for regulation of data transfers and information dissemination. However, unlike the EU, Mexico has no guaranteed "right to privacy".

North Korea

I am sure that we all know North Korea as one of the most secretive countries in the world. But while the government keeps secrets, the people have absolutely no privacy, despite the North Korean constitution stating, "Citizens are guaranteed inviolability of the person and the home and privacy of correspondence."[[10]](#footnote-10) Yeah right. In practice, no such right has ever existed for the people of North Korea.

The government of North Korea controls all press, and actually punishes citizens who make contact with foreigners. According to Amnesty International, "All media is controlled by the state and dissent is not tolerated. Listening to broadcasts, retaining information or disseminating information can result in two years in a "labor training camp" or five years of "correction labor." Officials from the Ministry of Public Security regularly conduct inspections in private homes to ensure compliance. Freedom of religion is severely restricted. Rights and freedoms enshrined in the UDHR and the treaties to which North Korea is a state party remain largely unprotected by domestic legislation."[[11]](#footnote-11) Obviously, the people have little to no privacy, despite it being protected by their constitution.

I hope that these insights into foreign governments’ treatment of privacy issues help you on your way to becoming a better debater, and a better-informed student. There are still many other countries out there, like China and Iran, and they each have their own ideas of privacy. Do not stop researching throughout the year; be constantly on the lookout for new privacy changes around the globe. With luck, this article has ignited in you a passion for the happenings in other countries that will carry you through your debate career and beyond.

Hacked

The History of Cyber Espionage

by Michael Tcheau

The Russian sat staring at the board battlefield, his eyes furrowed in concentration. His enemy sat across from him, showing no emotion, but matching the Russian’s moves perfectly. Suddenly, the Russian noticed that his opponent blundered. In the corner of the board sat the queen, undefended. Pouncing on the opportunity, he picked up his knight and knocked the queen off the board with a smile of victory. The smile soon turned to horror as he realized the deadly trap he had fallen into. Though the loss of a chess game seems insignificant, this game, different from all the others, represented a new era, the era of technology. Believe it or not, a computer had defeated grand master and world champion, Garry Kasparov. The story of the supercomputer named “Deep Blue” formally issued in the undeniable role of technology in the modern world. Years from now, technology plays an even greater part in our lives and society alike. However, amidst numerous uses, technology can easily be manipulated and modified to harm its user. Cyber espionage groups and organizations around the world, use computers as their weapon to gather information and violate multiple privacy codes.

By the end of this article, I hope to have successfully educated you in the details of computer hacking and gathering of information. Many of these organizations receive much controversy from all corners of the political spectrum. I do not wish to convince you of my own position, but simply provide you with the evidence and argumentation necessary for you to make a convincing case for both sides in a debate round.

We are first going to start by examining several crucial definitions. Then we will take a look at several applications that both the affirmative and negative can use and turn.

Definitions of Important Terms:

**Cyber-intelligence** – Also known as “cyber espionage.” The use of computers and/or similar technology to gather information, data, or otherwise sensitive and private information. (Operational definition)

**Cyber-terrorism** - The use of computers and/or similar technology to disrupt communications, information flow, or leak information with the intent to cause violence or mass chaos. (Operational definition)

**Artificial intelligence** – Also referred to as AI. The ability of a computer or other machine to perform those activities that are normally thought to require human intelligence. (American Heritage Dictionary)[[12]](#footnote-12)

**Privacy** – The ability to keep sensitive information a secret. (Operational definition)

Linking cyber activity to the resolution

1. Information via technology

Almost all the information gathered in today’s world exists in computers. Years ago, all the documentation for companies, households, and even governments existed only on paper. However, since the advent of computer technology, nearly every single documented data point is now stored on machines. Unfortunately, that gives powerful people easier access. Instead of physical pieces of paper carrying information, all data is stored on a computer, which, given the right processing power, can be hacked. This is a violation of privacy. Computers and people who know how to use them right can greatly infringe on someone’s ability to keep sensitive information secret.

2. Technological incentive

Now that we understand that it is much easier to gather information because of technology, the second problem with privacy can be discussed. The incentive to create ways to glean sensitive information is virtually endless. Company numbers, business strategies, military secrets, names of spies, could all virtually come to light if the hacked had enough skill. As always, money is the world’s most powerful incentive. When people will pay millions for information accessible from anywhere in the world, with the right equipment, we ought to expect a rise in cyber intelligence and espionage.

Now that we’ve seen how this relates to the resolution, let’s examine the actual applications. Each of these can be turned to either side.

Positive implications of cyber espionage

1. Anonymous

Computer “hacktivist” group, Anonymous, is one of the most controversial examples discussed. Started in 2003, this group has captured the eye of security firms throughout the US. Anonymous’ stated goals include battling cyber-surveillance. In short, it would be most accurate to describe Anonymous as an anarchist anti-establishment group of hackers. Though much of their activity is questionable at best, they have positively impacted many areas of the world.

**a. Operation Darknet**

On November 3, 2011, Anonymous launched attacks against major websites promoting child pornography and sexual abuse. The violation of private corporation’s websites was influential in releasing the names of creators of child pornography. According to MSNBC, “The hacktivists in Anonymous have continued their crusade against child pornography websites by publicly disclosing the IP addresses of 190 people allegedly found to have illegal sexual images of kids on their computers. It was the group's latest effort in [OpDarknet](http://www.securitynewsdaily.com/anonymous-hackers-child-porn-sites-1260/), its month-long campaign to take down child porn websites hosted on the ‘darknet.’ The darknet is any part of the Internet that is deliberately hidden from view and reachable only through IP anonymizing-portals. Darknet sites are traditionally used to host and trade child pornography or offer other illegal services. The hackers launched their first notable attack Oct. 20, taking down 40 of these darknet child porn websites and leaking the names of 1,589 active members.”[[13]](#footnote-13) The violation of privacy helped end a long and dangerous run for child pornographic websites.

**b. SOPA and PIPA**

In early 2012, Anonymous struck out against the federal legislation known as “SOPA” and “PIPA.” These acts were intended to rebut the rising rates of internet piracy. However, some of the writing in the legislation left loopholes for the federal government to shut down any website that they wanted. When these acts shut down Megaupload.com, the retaliation by Anonymous was painfully strong. According to Reuters, “Only minutes after the Web began digesting the news, that response came by way of thousands of upset users, many aligned to the online collective Anonymous. The attack started swift and strong and only grew. First fell the website the US Department of Justice, justice.gov. Next was the site for Universal Music Group, a SOPA supporter and the largest record label in America. Over the course of a few hours, Anonymous waged attacks on site after site, and before long the web presence for the Recording Industry Association of America (RIAA), Motion Picture Association of America (MPAA), Broadcast Music, Inc., or BMI, and finally FBI were down.”[[14]](#footnote-14) These actions taken helped preserve the internet, and kept the government’s hands out.

2. Wikileaks

Like Anonymous, Wikileaks accomplishes information leaking on a much higher and skilled level. A group created to leak classified government information, Wikileaks operates on a dangerously precarious position. Like Anonymous, they have accomplished both positive and negative deeds.

**a. Syria Leaks**

On July 5, 2012, Wikileaks released over 2.4 million emails sent by members of the Syrian government including troop movements, and President Assad’s security details. According to Forbes, “WikiLeaks describes the data dump as having come from 680 different domain names and 678,000 individual email addresses, with more than a million recipients. Given that broad sweep, it’s difficult to imagine what sort of insider or external hacker might even have access to so many institutions: The most likely explanation may be a leak or outside data breach at one or several of Syria’s Internet service providers. As usual, WikiLeaks has kept its source anonymous.”[[15]](#footnote-15) The release of classified Syrian information has given the rebels knowledge of strategic movements made by Syrian soldiers, thereby bolstering the rebel effort, and bringing Syria one step closer to democracy.

**b. Reykjavik 13**

In February of 2010, Wikileaks released over 250 documents relating to hidden human rights abuses conducted by the U.S., Icelandic, and Australian governments for the purpose of national security. These documents detailed how the rights violations had been conducted. The public outrage sparked forced many prisoners, held without trial, to be released. According to the Washington Times, “The cables show the extent of US spying on its allies and the UN; turning a blind eye to corruption and human rights abuse in ‘client states’; backroom deals with supposedly neutral countries; lobbying for international corporations; and the measures Icelandic diplomats take to advance those who have access to them. This document release reveals the contradictions between the US’s public persona and what it says behind closed doors and shows that if citizens in a democracy want their governments to reflect their wishes, they should ask to see what’s going on behind the scenes.”[[16]](#footnote-16) Through bringing to light these events, Wikileaks drew attention to human rights abuses that could not be ignored.

3. Israeli Cyber Army

On January 26, 2012, a team of Israeli computer experts hacked into Iran’s database for their nuclear enrichment plants. Through a complex series of bypasses of firewalls, the Israeli hackers managed to disable and take offline three nuclear reactors and dozen more uranium sites. The hack caused widespread panic throughout the Iranian government. Through a display of technological might, Israel crippled Iran’s nuclear facilities, setting them back several weeks. The attack lasted approximately two days. By the time Iran was able to bring the systems back online, the damage sustained was so great, that it cost billions of dollars to get back on track. According to the Guardian newspaper, “[Iran](http://www.guardian.co.uk/world/iran) was the likely target of a sophisticated computer worm designed to sabotage factories and infrastructure which was almost certainly the work of a national government agency, security experts told the Guardian yesterday. According to the security company Symantec, 60% of the computers infected by the Stuxnet computer worm are in Iran, which is where the malicious software, known as malware, was discovered by a Belarusian computer security company. Stuxnet has been described as one the "most refined pieces of malware ever discovered." What makes it even more unusual is that it is aimed, not at financial gain, but at sabotaging computer-controlled infrastructure including nuclear plants.” [[17]](#footnote-17)

Non-Positive implications of cyber espionage

1. Anonymous

Remember when I said that most of Anonymous’ activity is shady at best? Here are just a few examples of the human rights and privacy violations they have committed.

**a. Stratfor Security Breach**

On Christmas of 2011, Anonymous targeted security think-tank, Stratfor. The attack began with hackers releasing the credit card and bank account information of members and subscribers of Stratfor. The money drained from the bank accounts were “given to charity.” This attack hurt innocent subscribers far more than it hurt the company. Even some competitors in the homeschool speech and debate leagues had their entire checking accounts drained. According to the Guardian newspaper, “The loose knit hacking movement, [Anonymous](http://www.guardian.co.uk/technology/anonymous), claims to have stolen thousands of credit card numbers and other personal information belonging to clients of US-based security think-tank [Stratfor](http://www.guardian.co.uk/world/stratfor). One hacker said the goal was to pilfer funds from individuals' accounts to give away as Christmas donations, and some victims confirmed unauthorized transactions linked to their credit cards. Anonymous boasted of stealing Stratfor's confidential client list – which includes entities including Apple, the US air force and the Miami police department – and mining it for more than 4,000 credit card numbers, passwords and home addresses.”[[18]](#footnote-18) This blatant violation of privacy and property rights shows how cyber espionage is detrimental to society.

**b. Israeli Cyber Attack**

Starting in mid-2011, and continuing through 2012, Anonymous declared a “cyber-war” on the Israel. Citing barbaric treatment of Palestinian civilians, Anonymous hacked through Israeli firewalls and released information regarding military strategies including possible holes in the Iron Dome missile shield. CNN reported, “The Israeli government on Sunday said it has been hit with more than 44 million cyber-attacks since it began aerial strikes on Gaza last week. Anonymous, the hacker collective, claimed responsibility for taking down some sites and leaking passwords because of what it calls Israel's treatment of Palestinians. ‘The war is being fought on three fronts,’ [Carmela Avner](http://www.linkedin.com/pub/carmela-avner/b/689/a5b" \t "_blank), Israel's chief information officer, said on Sunday in a press release. ‘The first is physical, the second is the world of social networks and the third is cyber-attacks. The attackers are attempting to harm the accessibility of Israel's government websites on an ongoing basis. When events like the current operation occur, this sector heats up and we see increased activity. Therefore, at this time, defending the governmental computer systems is of invaluable importance.’”[[19]](#footnote-19)

2. Wikileaks

Like anonymous, Wikileaks has committed many atrocities, except at a much higher level.

**a. Afghan War Documents Leak**

On July 25, 2012, Private Bradley Manning leaked classified information regarding the Afghan war to Wikileaks. In a stunning display of insensitivity, Wikileaks published these documents. Unfortunately, the leaked information released the names of multiple undercover Afghani operatives working for the US government deep within the bowels of Al Qaeda. The release of this information cost them their lives and the lives of their families. According to the Washington Post, “The Pentagon has all but alleged that this day has come. Last month, with little or no screening or verification, WikiLeaks posted 76,000 classified government documents about the war in Afghanistan, including some that contained information that could be used to identify Afghans who have cooperated with the United States. The safety of these individuals and their families may now be in danger, according to the Pentagon . . . “

**b. Iraq War Logs**

Similar to the Afghani war leaks, the Iraqi War Logs released detailed information on military movements of the US military, and undercover operations. By making this information public, Wikileaks threatened US national security by providing terrorist cells with information necessary to counter the US military. The Guardian newspaper reported that, “The gigantic leak from that long-running battleground released 391,832 previously secret [US military](http://www.guardian.co.uk/world/us-military) field reports...”[[20]](#footnote-20) By violating privacy, wikileaks endangered national security and the lives of American soldiers.

3. Chinese Espionage

Always the economic competitor, China’s cyber activities have reached an all-time high. Their computer hackers have infiltrated computer systems of nations all over the world, including, but not limited to, US, Australia, Canada, Italy, France, and the United Kingdom. While the US and China have a “cyber treaty” entailing that no such actions are to be taken, China has ignored all precedent. The technological newspaper, CNET, reported, “Released today, the [500-page annual report](http://www.uscc.gov/annual_report/2012/2012-Report-to-Congress.pdf) to Congress by the [U.S.-China Economic and Security Review Commission](http://www.uscc.gov/) details various security issues concerning China. But the commission expressed particular fear over the country's ongoing cyber-warfare efforts. Calling China the ‘most threatening actor in cyberspace,’ the report found that in 2012, Chinese state-sponsored hackers continued to target computers systems run by the U.S. government and military as well those maintained in the private sector. Most of those campaigns used basic "hacking" techniques, but some showed a new level of sophistication. And even those employing basic tactics proved to be effective. ‘Hackers in China have waged aggressive cyber espionage campaigns targeting a wide range of U.S. and international military, government, commercial, and other nongovernmental organizations," the report said. ‘These hackers seek to compromise targets ranging from smart phones to deployed military platforms, such as naval ships at sea.’”[[21]](#footnote-21)

While one can make the argument that national hacking, such as Israel’s cyber army, helps improve national security, this warrant can be used for a handy turn.

The Impacts (how to use the applications):

1. Undervaluing Privacy Harms.

Here, you can use many of the non-positive warrants. The examples of China, and Anonymous will strike home with many homeschool judges, especially if they, or someone they knew, were affected by the Stratfor security breach. Through the use of these warrants, you can argue that when privacy is undervalued, the impacts are long, and include the violation of human rights. Property rights were violated with the Stratfor security breach, and lives were harmed with the release of the Afghan war logs. These are just the surface impacts that you can explore.

2. Violating Privacy is Acceptable

In the same way, a convincing argument can be made for the flipside. Most of the positive warrants impact into this argument. Through the violation of privacy, Anonymous checked back child abuse. Human rights violations would have never been exposed without Wikileaks and the Reykjavik 13 files. Israel probably wouldn’t be around if they hadn’t been willing to violate the governmental privacy of other nations. In short, violations of privacy are necessary in order to promote more valuable principles.

Conclusion:

After examining different warrants from different angles, we’ve accomplished several important items. Firstly, you will now be able to adequately identify and combat some common applications regarding technology. You will also be able to use these exact arguments in an actual debate round. Whether or not you support Anonymous, Wikileaks, or foreign intervention, is truly irrelevant. In order to be an excellent debater, you must know how to use both sides of every argument. The world cannot ignore the power of technology any longer. If a computer could defeat the best chess player in the world, what else can they do? Though you don’t need to checkmate Deep Blue, you do need to checkmate your debate opponent. Hopefully this article will help you. Remember, never leave your pieces undefended.

Republican Jesus

Questions You’re Not Allowed to Ask of Privacy (But Should)

By Lauren Blankenship

It is usually one of those desperate post-awards ballot skimming sessions that drives a debater to tap into the psychology of persuasion, in hopes of understanding what habits to develop as a communicator. But even a seasoned debater can face challenges with a resolution as sensitive as this. Several competitors have expressed frustrations that they must either choose between running overused arguments that sound like everybody else’s, or take unnecessary risks with their rhetoric that could cost rounds. Clearly, the topic of privacy can spark some interesting discussions.

My goal for this article is to take three controversial, or otherwise “taboo” applications of basic property rights—Drug laws, gay marriage, and suicide/euthanasia—and demonstrate how they can be most effectively advocated or rejected, in spite of an unsympathetic judge. These applications all surround a question of ownership over one’s own property, which is very intimately connected with the resolution’s focus on privacy. At the end of the day, it’s ultimately about *regulatory* access to information surrounding one’s personal choices. The Lockean tradition of individual rights which guided the foundations of the American legal system held that property rights began with our bodies, and extended out to whatever we used their faculties to produce. So we ask questions: Do I own myself? May I use what is mine how I see best? Or rather, do you own me? Is the law here to make sure I respect your property, or to force me to comply with your personal moral convictions? How much of what I work to create, in thought or deed or product, can be taken away before I become your slave? Half? Seventy five percent? Ninety nine percent? Et cetera.

Privacy is very different from human rights. The rights of an individual define his interactions with others, whereas privacy has more to do with your ability to keep to yourself, even if what you’re doing with your property is immoral. If no one’s rights are being violated, does the government have grounds to protect you from yourself? Since this concept of self-ownership is so intertwined with that of privacy, we will begin here. What is worth mentioning is that you do not have to justify or personally support any of these choices in order to defend their freedom to exist. The strength of your argumentation if you are Affirmative will be in standing up for the principle of liberty behind it.

Drugs

Despite heavy regulation of illicit drugs such as cannabis/marijuana, cocaine, amphetamines, heroin, and many others, the United States has been reported to have the highest use in the world.[[22]](#footnote-22) A hot button issue, likely since before your grandparents were born, recreational drug use has been subject to much attack in the media and political system. Here are the strongest arguments for and against it in resolutional terms.

Affirmative – Pro

1. Morally destructive precedent

If an individual cannot even regulate what he puts into his own body, then any real control he has over his life has been robbed by the government. The implications of allowing a bureaucrat thousands of miles away to overrule the person himself on what is and is not beneficial for the body opens a door to totalitarianism that has uniquely fatal impacts for humanity. Truly organic produce and unaltered animal products like raw milk are considered by the government to be more dangerous for consumption than fast food….but natural products will make you immune to most diseases, and fast food could kill you in less than half a year.

2. Politically selective enforcement

Drugs are mere tools. They may be used to numb pain during a lifesaving surgery, aid in restoring mental health after a traumatic event, OR to trigger addicting chemical responses in your brain. Unfortunately, legislation regulating our usage of drugs altogether has reflected the interests of government subsidized “Big Pharma” corporations, NOT a concern for the maximum well-being of consumers. In fact, a recent report from the Center for Disease Control and Prevention (CDC) in LA concluded that for the first time in history, more Americans die from prescription drug side effects than traffic accidents.[[23]](#footnote-23) Meanwhile, “illicit” drugs like marijuana have not killed a single person,[[24]](#footnote-24) and actually assist those with certain medical conditions. The FDA doesn’t even put a warning label on products containing potentially deadly substances like Premarin or Rosuvastatin (proven to increase chances of strokes, blood clots, and kidney failure),[[25]](#footnote-25) yet the administration which umbrellas it could send you to prison for life in some areas for ingesting a plant deemed harmless by medical professionals. This inconsistency undermines our rule of law and individual betterment.

3. Socially insolvent establishment

Legal barriers against illegal drugs have made no impact on how much they’re used. Drug addiction is often a problem alleviated through spiritual and emotional support, not government funding or criminalization and imprisonment. The Cato Institute has been a longtime critic of federal efforts to curb drug use: “The long federal experiment in prohibition of marijuana, cocaine, heroin, and other drugs has given us unprecedented crime and corruption combined with a manifest failure to stop the use of drugs or reduce their availability to children….Yet as was the case during Prohibition, all the arrests and incarcerations haven’t stopped the use and abuse of drugs, or the drug trade, or the crime associated with black-market transactions. Cocaine and heroin supplies are up; the more our Customs agents interdict, the more smugglers import.”[[26]](#footnote-26) What is clear is that government has failed to even come close to removing what could otherwise be a productive and increasingly safe corner of the market. All criminalization of drugs does is waste taxpayer funds and gives REAL criminals in cartels the vicious monopoly that the drug trade is characterized by now.[[27]](#footnote-27) Federal mandate cannot deny the laws of basic human incentive.

Negative – Against

1. Increases cartel power

Legalizing drugs just fuels the unquenchable flame of criminal greed by accommodating the interests of selfish men. According to sources like the Atlantic, drug legalization would merely give an ego boost to dangerous drug cartels with communications and resources all over the US. They already know how to make money in a high risk environment….lowering that risk of loss for them is the last thing we need to get our country in the right direction.[[28]](#footnote-28)

2. Increases youth usage

Drug legalization increases use because most young people are not responsible enough to use them properly. According to the DOJ, “…When the Netherlands liberalized their drug laws allowing the public sale of marijuana, they saw marijuana use among 18-25 years olds double, and the heroin addiction levels triple. They have since reversed this trend, and have begun implementing tighter drug controls. Indeed, today over 70 percent of Dutch municipalities have local zero-tolerance laws. Similarly, when the United Kingdom relaxed their drug laws to allow physicians to prescribe heroin to certain classes of addicts, they saw an entirely new class of youthful users emerge. According to social scientist James Q. Wilson, the British Government’s experiment with controlled heroin distribution resulted in a minimum of a 30-fold increase in the number of addicts in 10 years.” [[29]](#footnote-29) Legalizing illicit drugs opens the door for chaos and destruction.

Gay Marriage

With all the degrading it has received as an institution, marriage remains society’s most characterizing contract. The open homosexual community is still a minority, but at a fourth of our total population (by some estimates), they are steadily gaining the elements of a major social faction. There is no doubt as to the significant moral and political implications of their rise, but how does the issue of privacy shed light on it?

Affirmative – Pro

**1. Not governmentally subjective**

The issue of marriage is not an issue that the government should be involved with. Even conservatives agree that marriage is a religious institution. On this basis, the government should not decide whether gay marriage is “legal” or “illegal.” Homosexual marriage, like all other forms of marriage, should be decided by mutual consent and/or a religious institution, not the federal government. If people cannot decide how they want to live their lives, their privacy has indeed been violated.

**2. Consent restrains**

Consent is the key word in the legalization of gay marriage. As long as there are no violations of human rights, it should be legal. Both parties consent to get married, and are not forced. Therefore, this rules out arguments such as “society will crumble into chaos.” Consent is always the determining factor of a rights violation. If marriage were forced upon someone, then the government should step in to protect the rights of the violated party. However, most forms of marriage are consented to by both parties. therefore making any influence the government has in their lives a privacy violation.

Negative – Against

**1. Marriage further deinstitutionalized**

Have you ever read the book If You Give a Mouse a Cookie? If so, then you understand that when you give vocal minorities an inch, they’ll try to take a mile. Legalizing gay marriage removes a standard of what is acceptable. What if, the next day, people tried to legalize polygamy or incest like the nations of Japan and Portugal have? Society would no longer have any basis to tell them that this is fundamentally immoral. Surely even the most strong liberty advocates would never legalize incest, even though it doesn’t violate any rights. At the heart of the matter, consent may not be enough to determine whether something should be legal or not. Legalizing gay marriage opens the doors for future evil actions.

**2. Future generations hurt**

Society is extremely powerful. By legalizing gay marriage, we send a message that makes homosexuality and other taboos seem acceptable. Children would think that this kind of morality is okay since it is legal. The percentage of non-heterosexual self-identification would rise due to society openly condoning, and perhaps even endorsing, various lifestyles. Add this to the first argument, and we see that consent has no ability to stop a dangerous road down to fundamental societal corruption.

Euthanasia

Though the vast majority of Americans have given their support for laws enabling an individual with a painful or inevitably terminal illness/injury to have medical assistance in ending their own life, euthanasia “mercy killing” has yet to gain full acceptance for obvious ethical reasons.[[30]](#footnote-30) Here’s how you can stay rhetorically tasteful without disregarding the unfortunate reality of this quandary.

Affirmative – For

1. Ethically non unique –

Many people treat euthanasia as moral taboo, however they forget that a precedent has already been laid for it by many other areas of society…Wills, trusts, and really any decision made by an individual in which he dictates the desired distribution of his resources in a particular instance all employ the exact logic. Euthanasia is consensual; once it ceases to be so it is simply murder and not to be defended for any reason. No one would ever fault a person for putting his pet out of his pain if he had been fatally wounded, or asking to have his funeral run a certain way once he himself has died. In the same way, euthanasia is merely a personal decision of economics that is up to the person making it….it retains no distinction from other major life choices.

2. Economically realistic –

In principle, keeping everyone alive until they die sounds wonderful. But it doesn’t quite happen that way. The reality is that many families simply could never afford the financial and emotional expense of keeping a loved one alive who had become a “vegetable,” incapable of interaction or expression. It would be infinitely preferable to allow people to prepare for such possible tragedies by giving their approval for euthanization in advance, to alleviate the ones left behind.

Negative – Against

1. Slippery slope

Right now, the United States doesn’t have a social dilemma when it comes to involuntary euthanasia, simply because it doesn’t happen. Why doesn’t it happen? Because euthanasia of any kind is currently illegal. If we as a society condone voluntary euthanasia, how long is it before euthanasia becomes involuntary? This degrades the fundamentals of society. Older people would be pressured to sign off on their own death sentences by hospitals or even their own families. Couple this with socialized healthcare already in place, and you have a recipe for disaster.

2. Undermines proper healthcare

According to the BBC, there are several major reasons why euthanasia should not be legalized. First and foremost is the decrease in proper care. “Allowing euthanasia will lead to less good care for the terminally ill.[[31]](#footnote-31)

* Allowing euthanasia undermines the commitment of doctors and nurses to saving lives.
* Euthanasia may become a cost-effective way to treat the terminally ill.
* Allowing euthanasia will discourage the search for new cures and treatments for the terminally ill.
* Euthanasia undermines the motivation to provide good care for the dying, and good pain relief.

On this basis, it would be much safer to keep sanctity of life secure by keeping euthanasia illegal.

Conclusion

As we’ve seen, there are definitely valid arguments to both sides of these touchy subjects, and they all directly relate to our understanding of privacy. We may never be able to answer for all the data in controversy….But at the end of the day, I don’t think Jesus was a Republican. As Christians, we must examine all sides of each issue, both from a moral and a legal perspective.

Section 2: Cases

Digging Deeper with Key Concepts Transformed into Solid, Usable Cases

Debating LD in This Year’s Resolution

Affirmative

In making a speech one must study three points:

first, the means of producing persuasion;

second, the language;

third the proper arrangement

of the various parts of the speech.

~ Aristotle

**Privacy: The Protector of Rights**

by Phillip Allevato

**I’m Going Home**

By Travis Herche

Negative

“The more we disagree,

the more chance there is that

at least one of us is right.”

~ Unknown

**Back In My Day, We Didn’t Get No Newfangled Privacy**

by Travis Herche

**For Those Who Cannot Speak**

by Michael Tcheau

**I Pledge Allegiance: Privacy and the Benevolent Dictatorship**

by Lauren Blankenship

Privacy: The Protector of Rights

by Phillip Allevato

Introduction:

Abraham Lincoln once said "Don't interfere with anything in the Constitution. That must be maintained, for it is the only safeguard of our liberties."[[32]](#footnote-32) I agree with Lincoln, that the standards set by our Constitution ought to be followed. Many people's rights are being harmed right now, but I believe that by properly valuing Privacy we can preserve these rights, and for this reason, I would urge you to affirm the resolution: **Resolved: Privacy is undervalued**. But before jumping into the details, let’s first define some key terms to cut down on confusion.

Definitions:

Privacy: “a. The quality or condition of being secluded from the presence or view of others.”  
“b. The state of being free from public attention or unsanctioned intrusion.”[[33]](#footnote-33)  
Undervalued: “to have insufficient regard or esteem for; hold too low an opinion of.”[[34]](#footnote-34)

Resolutional Analysis: The Standard

To prove that privacy is undervalued, we have to have some sort of standard. That standard may vary based on culture and country. For instance, there are certain provisions for privacy in the Constitution that our government should try to uphold. Many of the amendments to the Constitution deal with privacy issues, and contain guarantees for privacy. Things like the 9th, 4th, and 3rd Amendments all provide guarantees of Privacy, and they are the highest law in the land. However, other countries have different sets of rules and regulations laid down. So, I propose that we examine the supposed standards for governments, and see if they are being upheld as they should.

Value: Natural Rights

My value, or, measure for the resolution, is Natural Rights, which can be defined as “Life, Liberty, and Property.” These are the most fundamental of all rights, and are nearly universally accepted as belonging to every person. There has never been a great country that did not respect the rights of the individuals within it. Without these few key elements, nothing is certain, except for the destruction of decent society. Standards for privacy are meant to protect these rights, and so it is imperative, that we give it proper value.

Value Link: Safeguard

When a government performs large-scale violations of Natural Rights there is almost always, first, a devaluing of privacy. Along with the core benefits that privacy gives, it serves an important function. A nation’s regard for privacy serves as Lincoln said, as an initial safeguard, when trying to uphold Natural Rights. Many think of privacy as a relatively disposable right, so it always the first thing to go. The undervaluing of privacy is nearly always a power grab, where those in authority seek to control even the most intimate parts of their citizens’ lives. Look at the examples of Joseph Stalin’s NKVD, and Adolf Hitler’s Gestapo. These organizations kept tabs on everything, monitoring each and every aspect of citizens’ lives. In Germany, reasonable laws were thrown out the window, and many Jews were soon forced to openly wear star-shaped badges on their chest, and were subsequently rounded up and killed in the Holocaust; most estimates putting the number of dead at around 6 million.[[35]](#footnote-35) In Soviet Russia, this prying and constant paranoid monitoring led to Stalin’s Great Purge, which ended up killing millions of his own people.[[36]](#footnote-36) We must keep a close eye on our privacy, because after losing it, there is no buffer between us, and the loss of everything we hold dear.

Contention: Privacy is undervalued by Governments

Let’s look to the Fourth Amendment to the Constitution, which is supposed to protect your Privacy. It says, that “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”[[37]](#footnote-37) Police in Kentucky, however, believed differently when they thought that drug evidence was being burned in an apartment. Instead of acquiring a warrant, they simply broke down the door, finding one man smoking marijuana. Amazingly, the U.S. Supreme Court upheld this action 8-1, and this man was prosecuted. Essentially, police officers may now knock, listen, then break the door down, never mind that they could have obtained a warrant.[[38]](#footnote-38) Obviously, property and liberty were harmed in this case, and the 4th Amendment, the standard set for and by our government was tossed aside; clearly, an undervaluing of privacy, leading to the harming of Natural Rights.

The U.S. government is not the only one that undervalues privacy, though. Recently, information of Canadian military veterans was exposed to public view; things such as medical history and military records. Sean Bruyea was one such man. His info was circulated throughout Veteran Affairs Canada, and subsequently, his benefits were cut, and VAC tried to have this perfectly sane man committed to a mental hospital, obviously, harming his Natural Rights.[[39]](#footnote-39)

But the sad part about this case, is that Canada has an official position, the Privacy Commissioner, in charge of investigating cases like this. Out of about 650 employees who viewed Bruyea's file, the most serious consequence - nine people received one day suspensions. This was an illegal activity, and should not have been allowed. But it was allowed, and there are no guarantees that it won't happen again. Clearly, not up to the supposed standards of the Canadian government; and undervalued Privacy.

Governments have set their own standards of Privacy, but even these are clearly disregarded by governments and people alike. As we all know, an individual’s rights are absolutely vital, but how do we protect them? By increasing the value our government places on Privacy, and having them fulfill their own set responsibilities. However it is done, you can be sure that the proper valuing of Privacy, would lead to greater protection for our Natural Rights.

Negative Brief against Aff Case “Privacy: The Protector of Rights”

By Phillip Allevato

Examining the definitions first, your best option is probably to accept them, unless your own case is absolutely dependent on a different definition. Many judges dislike arguments about semantics, so by already challenging a very reasonable affirmative definition you set the stage for a loss of credibility. However, the Resolutional Analysis ought to be attacked right off, unless your case somehow works within it. Argue that using this interpretation, a government that has a tyrannical constitution or is simply a dictatorship (can you say, North Korea?), is actually not violating privacy at all, since that is their set standard. Use a common-sense approach, that obviously these countries are undervaluing their citizens' privacy!

Under the value of Natural Rights, I would probably accept it. Quite simply, there is not a whole lot that is more important that Natural Rights. What you should attack, is the link to privacy. Show that overvaluing privacy harms Natural Rights more, that your side of the resolution is actually how you uphold them, perhaps even using your value as a means-criterion. If you are attacking the tie between them, knocking out the one value link becomes crucial. Argue that a loss of privacy does not necessarily lead to a massive genocide, that this kind of thinking is unreasonable.

That being said, killing the lone contention becomes the focal point. The applications are critical, because they uphold the resolution, and the R.A. In the case of Kentucky v. King, you could take it two ways. One, just accept the example, and argue the negligible impacts, or two, say that since the Supreme Court is in charge of interpreting the Constitution, that is the set standard, and so not a violation.

In the case of Sean Bruyea, the Canadian veteran, there are again a few ways to take things. First, you could again argue impacts; overall, the case only harmed two people in two different countries! Or second, you could try to sever the link to the value, and say that his Natural Rights were really not harmed much at all.

A word of caution, however. Do *not* run every single argument you can think of against this case (or any case, for that matter). Make sure that as the negative, your overall philosophy stays the same. Run all your rebuttals in the same strain, and make sure not to contradict yourself by giving too many response. Find an avenue, and exploit it.

In all, just prove how your side of the resolution leads better to the affirmative's value, and how their applications are really just weak, and don't prove much of anything. The round should come down to showing how the affirmative case has so much less impact than yours does.

I’m Going Home

by Travis Herche

The following is from a recent article in *Forbes Magazine*:

“If you had to guess, what would you say investor Warren Buffett and civil rights activist Rosa Parks had in common? How about Charles Darwin, Al Gore, J.K. Rowling, Albert Einstein, Mahatma Gandhi and Google’s Larry Page? They are icons. They are leaders. And they are introverts. Despite the corporate world’s insistence on brazen confidence – Speak up! Promote yourself! Network! — one third to half of Americans are believed to be introverts.”[[40]](#footnote-40)

People can be divided into two broad personality types: extroverts and introverts. Extroverts love meeting new people and they recharge in a group setting. When something important happens, they have to tell a friend right away. Introverts are more private people. They can function in a social setting, but they’re at their best when they can be alone in a quiet place. That’s how they think and recharge.

Introverts are valid human beings that deserve respect. Unfortunately, the world is becoming more and more hostile to them, and that’s why I am **Resolved:** that privacy is undervalued.

Let’s begin with a

Definition: Privacy is Seclusion

According to the Century Dictionary and Cyclopedia, privacy means:

“A state of being private, or in retirement from the company or from the knowledge or observation of others; seclusion.”[[41]](#footnote-41)

Having established that, I’d like to briefly note something else.

Burden: General Scope

The resolution does not contain any limiters, qualifiers, or conditions. It suggests a general observation about society: that it undervalues privacy. I will embrace this burden by examining modern society in a broad and general sense. I openly reject any attempt to narrow this resolution arbitrarily - for example, by arguing that the actions of the United States government reflect on whether or not the resolution is true. This is a general resolution and it will be argued as one.

So how do we evaluate privacy across the broad sweep of modern society? With this

Value: Holistic Well-being

…which I like to abbreviate as HW.

Holistic Wellbeing is operationally defined as: “a state of physical and psychological health; the ability to cope with the normal challenges of life, and the absence of disabilities or disorders.” Holistic Well-being is a good value for two reasons:

Value Link 1: Measures Society.

Whether we’re comparing ancient Rome, feudal Japan, or modern New York, the holistic well-being of the people in the society gives us a universal barometer to be able to say: “This society is well-ordered,” or “This society is a disaster.” We need a broad measure to correctly evaluate this broad resolution.

Contention 1: Privacy Preserves Holistic Well-Being

The real question surrounding the role of privacy in a society is a specific aspect of Holistic Well-being: emotional health. The question is: is privacy necessary to keep people balanced and healthy? The answer is an absolute yes. Now, some people don’t need to be alone. Outgoing extroverts thrive in group settings. They develop new friendships easily. For them, privacy is unimportant. But for everyone else - the shy extroverts who like being around people but find it hard to make new friends, or the introverts - for these people, privacy is critical. Thus, my

Application: Introverts.

Lesley Sword of Gifted and Creative Services Australia wrote:

“Introverts have a deep, inherent need for privacy, they get embarrassed easily by either public censure or praise and they need time to consider and reflect.”[[42]](#footnote-42)

When an introvert is pushed too far - perhaps because people think he’s depressed, or because he can never find quiet time - Holistic Well-being is compromised. The introverts are forced to find other ways to cope, and none of them are emotionally healthy.

Introverts need their privacy. Unfortunately, they’re getting less and less of it.

Contention 2: Society Prevents Privacy

For most of human history, introverts had plenty of opportunities to recharge emotionally. They’d spend the day working in a field, or hunting on a mountain, or forging horseshoes. Time to be alone and think was plentiful. Then came globalization and the internet - and with it, the many blessings of a smaller world. I’m not arguing that these benefits came at too high a cost, but rather that we took this idea too far. The pace of life is accelerating to breakneck speed. Social media services clamor for attention on smart phones. Modern life is one of tight schedules, notifications, alarms, and constant interaction. In short, it is an extrovert’s paradise.

By now, it is a well-documented fact that modern society is crushing the introvert lifestyle while praising and accommodating extroverts.

Human Rights Specialist Grace Williams writes:

“Extroversion has always been deified in American society. People view extroverts more positively than they do introverts. Extroverts are people who can be trusted. People are more likely to choose extroverts as leaders and in other authoritative positions because they represent intelligence and authority. Furthermore, people perceive extroverts as possessing excellent people and social skills. Social scientists, especially sociologists and psychologists mandate that man's national status as that of a social animal who needs constant contact with people in order to thrive. Introverts, on the contrary, are viewed more negatively by modern American society. Introverts are seen as psychotic people who have a personality defect. Until recently, they were derided by people as weirdos, backwards, socially challenged, standoffish, abnormal, withdrawn, and other pejorative adjectives. Teachers even considered introverted children to be socially retarded, needing psychological counseling and therapy. Parents, too, are not so reasonable regarding their introverted children. Many times parents are ashamed of their introverted children, wishing that they were more extroverted ‘like normal children are.’”[[43]](#footnote-43)

Most people aren’t openly hostile to introverts. But every aspect of modern life caters to extroverts. Introverts are second-class citizens simply because they can’t function as well at doing what life demands of them. Their Holistic Well-being is sacrificed on the altar of expediency and a louder party. Introverts now are so misunderstood that most people think there’s something wrong with them!

Again, introverts are completely normal, valid human beings. They deserve better than how society is treating them. They deserve to have their privacy respected. And because it’s not, privacy is undervalued.

Addendum for Affirmative Case “I’m Going Home”

by Travis Herche

This case is very dependent on evidence. Have some more of it!

Introverts handle interaction differently

According to Dr. Carol Bainbridge, a psychologist who specializes in verbally gifted children:

“When introverts are tired, in a large group, or if too much is going on, they may show little animation, with little facial expression or body movement. Introverts also have two distinct personalities: a private one and a public one. That can explain why they can be talkative in comfortable settings, like home, and quiet elsewhere. While introverts may appear to lack social skills or be antisocial, neither is true. Their style of social interaction is simply different from that of extroverts.”[[44]](#footnote-44)

Extraverts dominate western civilization

Again from *Lesley Sword*: “Western civilisation today is dominated by the extravert viewpoint. This is because extraverts outnumber introverts 3 to 1, are more vocal than introverts and are more understandable than introverts.”

If your opponent rejects Holistic Well-being, turn your value link into a reason to prefer. Then argue that your value either outweighs or subsumes his. Here’s another good standby reason to prefer (omitted from the original case for time reasons):

**Reason to Prefer: Primary Need.** Anything that relates to holistic well-being - like food, family, or medical care - should be considered a primary need of a human being. This separates what we want from what we need. I *want* a new Mustang GT. I *need* a roof over my head. One big sign that a society is in danger is if primary needs stop being the focus. If I become so obsessed with saving for my new sports car that I miss sleep and compromise my health, something is wrong.

Running this case correctly requires two things: one, you must find the topic genuinely interesting. You need to fascinate the judge. Hopefully she’ll think: “I never thought of that before. How interesting!” If that’s the reaction you get, you’ve struck gold. If you find this case dry or tedious, don’t touch it. Enthusiasm and sincerity aren’t worth faking when you can present them genuinely with a different case.

The second thing this case needs is laser focus on your advocacy. Your opponent is likely to run applications that fall within a narrow topic area, like law enforcement. If you get sucked into point-by-point responses, you’ve lost control of the round. Instead, cross-apply your burden and argue that those applications are **Too Narrow**. They don’t reflect on the broad sweep of modern society. Your case does. Get through the negative case in under 90 seconds, then get back to dazzling the judge with new insights into her personality

Negative Brief against Aff Case “I’m Going Home”

By Travis Herche

This case was written to counter niche negatives, and to force negatives to debate in an area they’re not comfortable with. The most dangerous part of this case is the burden, because it can be cross-applied to most negative applications to render them inert. Arguing directly against the burden is time-consuming and arbitrary. It basically requires an explicitly constructed kritik. It’s a trap!

Instead, openly accept the burden. Point out the hypocrisy of saying that the resolution is broad, then rejecting an application that applies to it. Everything counts - including US government applications (or whatever you’re running). Your goal is to make the burden useless, not to defeat it per se.

Test your opponent’s knowledge of personalities in cross-examination, perhaps by asking if introverts can be outgoing or if extroverts hate being alone.

The most vulnerable part of this case is the fact assertion (contention 2). Who says being alone is impossible? Nobody is forced to get a Facebook account or a hectic corporate job. Simple lifestyles are still available. Specific questions in cross-examination can pick this contention apart; finish the job in the NC. Try to provoke a feeling of dismissiveness in the judge. The aff case just doesn’t matter; Carl Jung (who popularized the concept of introverts and extraverts) would be ashamed of this overreaction.

Back In My Day, We Didn’t Get No Newfangled Privacy

By Travis Herche

We live in a world of modern marvels. Some are conspicuous - like planes that fly thousands of feet in the air. But the ones that really matter are the subtle ones; the ones that impact how we live our daily lives. Inventions like the light-bulb and the microwave are so common that we almost take them for granted. But hearing today’s resolution, I think we need to take a moment to appreciate what we have.

Def: Privacy is a Freedom.

Webster's New World College Dictionary, 4th Edition says:

Privacy is the state of being free from public scrutiny or from having your secrets or personal information shared.[[45]](#footnote-45)

I agree with my opponent that privacy is a good thing, and I accept his value. However, I suggest that a little perspective is in order. We can get that perspective with my burden:

Burden: 500 Years Ago vs. Now

To truly understand how privacy is valued now, we need to look at how it has been valued in the past. Look at privacy in the context of the value, and ask yourself: is the affirmative overreacting a little? That can be answered in my

Contention: Privacy Now More than Ever

Privacy is a modern invention. In generations past, the thought of being truly alone or keeping a secret would have seemed alien.

Application 1: Closed Locks

500 years ago, locks were opened with large metal rods tipped with simple, easily-duplicated keybits. Keyholes were large enough that one could easily spy through them into the next room. Even if you didn’t put your eye to it, sound would flow easily through the hole. The options for picking a lock or forcing the door open were many.

Now, every key is different. Locks are closed, and door hinges are engineered in a way that makes forcing them very difficult. Locks are now so ubiquitous that they can be found all over the house - for example, there’s a lock on the bathroom door. Some keys come with unique electronic chips embedded in the bow. Other locks have sophisticated biometric scanners. Whether it’s your front door or a bank vault, the latest lock technology has made you more private than ever before.

Application 2: Data Encryption

500 years ago, the only way to conceal your personal information was to hide it - perhaps in a hollow brick or under your bed. If someone got ahold of your documents, you had no further protection. A complete theft of your information - and perhaps a family seal you used to verify your mail - would be all it took to completely steal someone’s identity. Many people wore their seals around their necks or on rings because the threat of losing them was so great. That was a time when identity theft could change the course of history.

While it hasn’t been eliminated, modern techniques have vastly improved your safety. You have layers of protection, including complex encryption algorithms, passwords, and closely-guarded government files. Identity theft is never permanent, and all your secrets are safer.

Application 3: Soundproofing

500 years ago, having a private conversation was virtually impossible. Most walls were made of flimsy boards, large hanging curtains, or mud. In many cultures, paper walls were used that not only allowed sound to flow freely, but also did little to block visibility. Sound would ripple through an entire village without slowing down.

Now, walls are built in sturdy frames, filled with acoustic insulation, and protected with dense drywall. Modern homes absorb most sound and reflect the rest back. Anything but shouting or pounding bass is covered if you just close the door.

Along those same lines, we have

Application 4: Separate Bedrooms

500 years ago, separate bedrooms were a luxury afforded only to the very rich. The average citizens all slept in the same room. They laid straw mattresses side-by-side on the floor, often so close that a blanket could be shared between them.

Now, many individual family members get an entire room all to themselves - or have to share it with only one or two other people. They get entire pieces of furniture, or drawers, or designated closet space. They can decorate the room as they like to express themselves. And when they want to be alone, they go to their room and lock the door.

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

“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.”[[46]](#footnote-46)

If society truly undervalued privacy, it wouldn’t be a multi-billion-dollar industry today. In light of the vast leaps we’ve made just in the past generation, the resolution cannot be true.

Addendum for Negative Case “Back In My Day…”

by Travis Herche

This resolution is fully value and fully fact. The value portion: “Privacy is good.” The fact portion: “Privacy is not valued highly.” Combine the two, and you have the current value-fact resolution. Most negative cases argue on both grounds; this case concedes the value debate and just argues the fact - which is still more than enough to kill the resolution.

The purpose of this case is to steal focus away from current events and look at general lifestyle and technology. For that reason, your responses to the affirmative applications should talk about how things would have been handled in medieval times. What seems like a privacy invasion now would have felt like royal dignity not long ago!

The purpose of the definition is to show that privacy is a choice - meaning that if someone voluntarily divulges their information, their privacy is not being violated. Measuring privacy is about someone’s *capacity* to be private, not how much they *actually do it*. This is important for dealing with popular applications like Facebook. If your opponent runs a choice-based definition of privacy, skip the one included here.

This case is intended to counter application-centric affirmative cases. If the affirmative value is incredibly narrow or biased (like Information Security), you’ll have to argue against it. Your best bet is to run a different negative case. If you want to stick with this one, run a broad value like Individual Welfare with a Reason to Prefer of Subsumes and move on.

Develop encyclopedic knowledge of your topic. If you’re already a history buff, you have a head start! You need to be able to answer strange cross-examination questions, like when closed locks were invented or what 17th century Japanese people used for front doors. Have fun!

Affirmative Brief Against Negative Case “Back In My Day…”

by Travis Herche

Defeating this case is all about distancing yourself from history. Reject the burden; just because privacy was undervalued in the past doesn’t mean it isn’t undervalued now.

Your value gave us a way to decide if privacy is undervalued. So yes, you can confirm that it is not - and apparently never has been - valued highly enough. You’re glad we’re making progress, but that doesn’t mean we should give up. That should be your group response to the applications, allowing you to go back into your case within 90 seconds of the 1AR.

Really push your own applications. Again, we’re not comparing how things are now to how they were, but how they should be. Your applications prove that something is wrong.

For Those Who Cannot Speak

by Michael Tcheau

A terrified six-year old girl cowers in a dark damp basement, dreading the next round of torture she is about to be put through. She hears heavy footsteps, and instinctively curls up into a fetal position. When the door opens, however, instead of the drunken laughs of her tormenters, she hears a gentler voice, “Hey there, don’t be afraid. This is the FBI, we’re here to save you.” Child abuse and prostitution seems like something that can only occur in a third-world nation, but unfortunately, it happens in our backyard here in the United States. If not for the computer hackers that discovered her location, that little girl would probably have spent the rest of her life in her miserable situation. It is because privacy needs to be violated to protect individuals that I negate the resolution.

**Privacy**: The ability to keep information secret. (Operational)

My value in today’s debate round is **Protecting the Innocent**, defined operationally as “Defending those who are taken advantage of and/or exploited due to their poverty, age, or ignorance.” This is the highest value because protecting the innocent should be the goal of society. As congressman James Walsh once said “The… exploitation of children is one of the most vicious crimes conceivable, a violation of mankind’s most basic duty to protect the innocent.”[[47]](#footnote-47)

In order to protect the innocent, we need to take a look at my criterion of **Strategic Intelligence**, defined operationally as “The collection, analysis, and dissemination of information to form policies that defend the livelihood of citizens in both domestic and international scenarios.” To show why this is the best way to achieve the value, look to the:

Criterion link: Strategic intelligence protects the innocent

Strategic intelligence protects the innocent by providing information to those who can help those who are suffering. Consider the example of computer hacker group, Anonymous, and their mission known as “Operation Darknet.” Do you remember the story of the young girl? On November 3, 2011, Anonymous launched a series of strikes against child pornographic websites. According to MSNBC, “The hackers … (took) down 40 of these darknet child porn websites and leaked the names of 1,589 active members.”[[48]](#footnote-48) Some of the site administrators actually were involved with child prostitution rings. By releasing this information to the FBI, Anonymous violated the technological privacy of certain companies and individuals in order to release strategic intelligence that protected the innocent.

Contention 1: Privacy obstructs strategic intelligence.

Privacy obstructs strategic intelligence by ignoring human rights abuse. Consider the application of Reykjavik 13, a set of military documents released by internet organization, WikiLeaks. Reykjavik 13 included information of human rights abuse, torture, and even ally betrayal conducted by certain factions of the US government and other nations. If privacy had been respected, these details would never have come to light. Therefore, the only way to improve the policies of the world is to realize that privacy obstructs strategic intelligence.

Contention 2: Strategic intelligence comes before privacy.

Strategic intelligence must always be valued above privacy because human lives come before idealism. Look no further than the application of Israel’s Cyber Army. On January 26, 2012, a team of Israeli computer experts hacked into Iran’s nuclear database for their enrichment plants. The Israeli hackers managed to disable and take offline three nuclear reactors and dozen more uranium sites. According to the Guardian newspaper, “’Iran was the likely target of a sophisticated computer worm designed to sabotage factories and infrastructure which was almost certainly the work of a national government agency.”[[49]](#footnote-49) Through gathering information on Iran’s nuclear reactors, Israel was able to defend themselves against a volatile nation, and delayed their inevitable nuclear project, benefiting the rest of the world.

It is because strategic intelligence and justice are necessary to protect the lives of the innocent civilians, including the little girl who was forced into prostitution that I must negate the resolution. The resolution is false, for privacy cannot be allowed to stand in the way of those who cannot speak up for themselves. Perhaps Blaise Pascal once said it best, “Justice and power must be brought together, so that whatever is just may be powerful, and whatever is powerful, may also be just.”[[50]](#footnote-50)

Affirmative Brief against Negative Case “For Those Who Cannot Speak”

by Michael Tcheau

The Value (Protecting the Innocent)

This is a really strong value; most likely it’s going to be similar to the affirmative’s. If you don’t feel comfortable riding right up against this value, go ahead and mitigate it (say it’s the same as yours). However, if you do feel like a challenge, here are two of responses:

1. Allows for Tyranny of the Majority

Sometimes it isn’t possible to protect the rights of every single person. Often times, society only considers the majority as the one who needs protection. Let your genocide applications go wild here. Research the examples of Athens and Scione or Zimbabwe.

2. Fuels Tyranny

The only government powerful enough to defend the innocent in every single scenario is also a government powerful enough to harm the innocent in every single scenario. There is no good way to effectively protect every single person without having the long arms of the government poke into every pie. The value is inherently self-conflicting, by trying to absolutely uphold the value, we end up violating it.

**The Criterion** This is the “real” framework of the case. I recommend mitigating the value, and slamming this criterion with everything you have. Here are a few responses:

a. Strategic Intelligence

These are responses to the actual criterion:

1. Amoral

Every argument of good governments infringing on other government’s privacy can be completely flipped around. Read up on the Chinese hacking application in the article “Hacked.”

2. Deadly in the Wrong Hands

The wrong people having the best intelligence would be completely devastating. See the examples of Al Qaeda hacking into US drones.

b. The Link

Turn the application of Anonymous with the affirmative counter warrants provided in the article “Hacked.” Hit hard on the fact that Anonymous has harmed the innocent by violating property rights and sensitive information.

Continue to hit the criterion with similar responses. It will break if the negative doesn’t know how to defend it.

Applications of Reykjavik 13 and Israel

Once again, rely heavily on the evidence in the article to turn Wikileaks by saying that they betrayed US national security and caused the deaths of Afghani spies working for the US, by violating privacy. Counter-warrant Israel with the example of China. Also research how Iran also tried the same strike against Israel.

This case is strong, but no case is invincible. Break the criterion, and the whole idea comes toppling down.

I Pledge Allegiance: Privacy and the Benevolent Dictatorship

By Lauren Blankenship

"What does it matter to the widow, the orphans, the dead and the dying, whether their mad destruction is wrought under the name of totalitarianism or the holy name of liberty?"[[51]](#footnote-51) Renowned political example Mahatma Gandhi successfully demonstrated that a government’s size and rhetoric are less important than its faithfulness to protect its people. We understand that government exists to provide a stable society for citizens to live in, and its empowerment is directly parallel to our quality of life. It is because privacy undermines the system by which government can effectively protect its citizens that I negate the resolution and stand Resolved: privacy is not undervalued.

Only one term needs clarification.

**Privacy** – The ability to keep sensitive information a secret. (Operational)

My lens for today’s debate round is the value of **order**, defined operationally as, “the force used to create a society with rules and regulations for the safety of its citizens.”

This is the highest value because it is the sole reason governments are created. Without a structured system by which people can live in relative safety and comfort, society crumbles into a black hole of the forgotten past. Some may express concern about governmental power growing too excessive, however, they fail to realize that many have in fact thrived under governments that routinely violated their privacy, yet provided for internal equilibrium. As much as we may hate to admit it, privacy is secondary to order in sustaining civilization.

In order to properly uphold order, we must first find a distinct method to protect it. This method is my criterion of **operational intelligence**, defined contextually as, “Information gathered that promotes safety and social well-being.” To prove to you why this is necessary, look to my:

Criterion Link: Operational intelligence fosters order

Operational intelligence fosters order by providing government with the force and knowledge necessary to identify and eradicate the threats to others that many selfish individuals would act upon. The real world problems of the resolution are very simple. Do we have the luxury of getting upset over every small privacy violation that inconveniences us, or should we follow through with what is necessary to protect human lives? Consider the application of the Transportation Security Administration. Although the TSA violates privacy in airports with invasive pat downs and full body scans, their success cannot be ignored. Recent history demonstrates that the TSA has prevented people from bringing C4 explosives and various firearms onto aircraft.[[52]](#footnote-52) Imagine the impact that an explosion, or even a single bullet fired could have on passengers? If privacy had not been violated, these safety procedures could never have been implemented, and lives would have been lost.

Contention 1: Privacy obstructs operational intelligence

Privacy obstructs operational intelligence by advocating an abstract idea over the lives of human beings here and now. Consider the application of the Madrid train bombing. In 2004, four powerful blasts rocked the Madrid subway killing almost 200 and injuring over 1,800 others. According to the BBC, the security in charge of transportation probably knew about the potential threat. However, due to red tape and the inability to collect sufficient evidence, security’s hands were tied.[[53]](#footnote-53) Privacy is directly responsible for the lives lost in the Madrid bombings. Had privacy been violated, these bombings would have been prevented. But inefficient policies with a misguided fixation on creating barriers of privacy prevented this evidence from being released, and resulted in great tragedy. Privacy was clearly overvalued while people’s lives were ignored.

Contention 2: Operational intelligence must come first

Operational intelligence must come before privacy in every single circumstance. While some inconveniences and violations of libertarian idealism may occur, operational intelligence prevents the most blatant violations of human rights by keeping one step ahead of those who would seek to abuse them. Consider the application of random street security checks in modern America. Though these checks clearly violate privacy as police and SWAT team members forcibly delay and inspect every day citizens, they are necessary to promote order. These checks, conducted in small towns like Paragould, Arkansas and metropolis like Detroit or New York[[54]](#footnote-54), have actually uncovered information as crucial as leads on future terrorist attacks. This inconvenient privacy violation is yet another example of what must occur if order and operational intelligence are to be realistically evaluated.

Conclusion

Though it seems preferable to support privacy in all scenarios, the truth is that without a government empowered with whatever knowledge and force necessary to protect us, we will lose much more than a mere utopian fantasy. This societal backbone can only come through operational intelligence, and thus privacy must be put aside in favor of people’s lives and well-being. Perhaps if we thought more about others than ourselves, this world would be a safer place.

Affirmative Brief against Negative Case “I Pledge Allegiance…”

by Lauren Blankenship

The Value (Order)

This value is inherently weak. Respond with very human rights themed arguments. Here is the generic argument to be made against it. Run multiple variations using the following argument:

“Think of the implication being made here. This case is advocating sacrificing basic human rights in order to give the government power. This value links into responses that can be tagged as ‘fuels power’ ‘power corrupts’ ‘crushes the individual’ … etc…”

The Criterion (operational intelligence)

The criterion also has some fundamental flaws.

1. Power in the wrong hands.

Imagine putting this kind of intelligence in the hands of an abusive government. In fact, the entire case rests on the logic that government is benevolent. Respond by ripping this criterion from the very core.

2. Provides no protection.

A government with information that can protect you can also harm you. The case begs the question, “What makes the government any more moral than any other person.” The answer is: nothing. Giving the government unlimited power and information can destroy the case’s own value of order.

The Contentions

These contentions make for easy turns. Respond to the Madrid train bombing by saying that privacy is not at fault, but simply a lack of evidence. The Madrid security wasn’t afraid of violating privacy; they just didn’t have enough evidence. Turn the random pat downs application by accusing this case of supporting a police state. Many dictatorships and tyranny’s use this same method to harm their own citizens.

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