# Section 702

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# 1AC

##### Inherency

#### Section 702 has virtually no oversight while violating rights across the globe.

[Kayyali](https://www.eff.org/about/staff/nadia-kayyali), ’14

(Nadia, [Bill of Rights Defense Committee](http://www.bordc.org/) Legal Fellow, “The Way the NSA Uses Section 702 is Deeply Troubling. Here’s Why.”, EFF, May 8th, 2014, <https://www.eff.org/deeplinks/2014/05/way-nsa-uses-section-702-deeply-troubling-heres-why>)

The most recent disclosure of classified NSA documents revealed that the British spy agency GCHQ sought unfettered access to NSA data collected under Section 702 of the FISA Amendments Act. Not only does this reveal that the two agencies have a far closer relationship than GCHQ would like to publicly admit, it also serves as a reminder that surveillance under Section 702 is a real problem that has barely been discussed, much less addressed, by Congress or the President. In fact, the "manager’s amendment" to the USA FREEDOM Act, which passed unanimously out of the House Judiciary Committee, has weakened the minimal changes to Section 702 that USA FREEDOM originally offered. Although Representative Zoe Lofgren—who clearly understands the import of Section 702—offered several very good amendments that would have addressed these gaps, her amendments were all voted down. There’s still a chance though—as this bill moves through Congress it can be strengthened by amendments from the floor. Section 702 has been used by the NSA to justify mass collection of phone calls and emails by collecting huge quantities of data directly from the physical infrastructure of communications providers. Here’s what you should know about the provision and why it needs to be addressed by Congress and the President: Most of the discussion around the NSA has focused on the phone records surveillance program. Unlike that program, collection done under Section 702 captures content of communications. This could include content in emails, instant messages, Facebook messages, web browsing history, and more. Even though it’s ostensibly used for foreign targets, Section 702 surveillance sweeps up the communications of Americans. The NSA has a twisted, and incredibly permissive, interpretation of targeting that includes communications about a target, even if the communicating parties are completely innocent. As John Oliver put it in his interview with former NSA General Keith Alexander: "No, the target is not the American people, but it seems that too often you miss the target and hit the person next to them going, 'Whoa, him!'" The NSA has confirmed that it is searching Section 702 data to access American’s communications without a warrant, in what is being called the "back door search loophole." In response to questions from Senator Ron Wyden, former NSA director General Keith Alexander admitted that the NSA specifically searches Section 702 data using "U.S. person identifiers," for example email addresses associated with someone in the U.S. The NSA has used Section 702 to justify programs in which the NSA can siphon off large portions of Internet traffic directly from the Internet backbone. These programs exploit the structure of the Internet, in which a significant amount of traffic from around the world flows through servers in the United States. In fact, through Section 702, the NSA has access to information stored by major Internet companies like Facebook and Google. Section 702 is likely used for computer security operations. Director of National Intelligence James Clapper noted Section 702's use to obtain communications "regarding potential cyber threats" and to prevent "hostile cyber activities." Richard Ledgett, Deputy Director of NSA, noted the use of intelligence authorities to mitigate cyber attacks. The FISA Court has little opportunity to review Section 702 collection. The court approves procedures for 702 collection for up to a year. This is not approval of specific targets, however; "court review [is] limited to 'procedures' for targeting and minimization rather than the actual seizure and searches." This lack of judicial oversight is far beyond the parameters of criminal justice. Not only does the FISA Court provide little oversight, Congress is largely in the dark about Section 702 collection as well. NSA spying defenders say that Congress has been briefed on these programs. But other members of Congress have repeatedly noted that it is incredibly difficult to get answers from the intelligence community, and that attending classified hearings means being unable to share any information obtained at such hearings. What’s more, as Senator Barbara Mikulski stated: "'Fully briefed' doesn’t mean that we know what’s going on." Without a full picture of Section 702 surveillance, Congress simply cannot provide oversight. Section 702 is not just about keeping us safe from terrorism. It’s a distressingly powerful surveillance tool. While the justification we’ve heard repeatedly is that NSA surveillance is keeping us safer, data collected under Section 702 can be shared in a variety of circumstances, such as ordinary criminal investigations. For example, the NSA has shared intelligence with the Drug Enforcement Agency that has led to prosecutions for drug crimes, all while concealing the source of the data. The President has largely ignored Section 702. While the phone records surveillance program has received significant attention from President Obama, in his speeches and his most recent proposal, Section 702 remains nearly untouched. The way the NSA uses Section 702 is illegal and unconstitutional—and it violates international human rights law. Unlike searches done under a search warrant authorized by a judge, Section 702 has been used by the NSA to get broad FISA court authorization for general search and seizure of huge swathes of communications. The NSA says this is OK because Section 702 targets foreign citizens. The problem is, once constitutionally protected communications of Americans are swept up, the NSA says these communications are “fair game” for its use. Innocent non-Americans don't even get the limited and much abused protections the NSA promises for Americans. Under international human rights law to which the United States is a signatory, the United States must respect the rights of all persons. With so many people outside the United States keeping their data with American companies, and so much information being swept up through mass surveillance, that makes Section 702 the loophole for the NSA to violate the privacy rights of billions of Internet users worldwide. The omission of Section 702 reform from the discourse around NSA surveillance is incredibly concerning, because this provision has been used to justify some of the most invasive NSA surveillance. That’s why EFF continues to push for real reform of NSA surveillance that includes an end to Section 702 collection. You can help by educating yourself and engaging your elected representatives. Print out our handy one-page explanation of Section 702. Contact your members of Congress today and tell them you want to see an end to all dragnet surveillance, not just bulk collection of phone records.

#### Domestic Bulk Data Collection still occurs in the US – 702 reforms are/will fail and repeal is key

**Laperruque 15**

(Updates to section 702 minimization rules still leave loopholes Author Image JAKE LAPERRUQUE – Political Correspondant and Research Staff Member at the Center for Democracy and Technology SHARE POST Updates to Section 702 Minimization Rules Still Leave Loopholes FEBRUARY 09, 2015 https://cdt.org/blog/updates-to-section-702-minimization-rules-still-leave-loopholes/ Security & Surveillance – BRW)

 In 2013 the Department of Justice changed its policy and began providing defendants notice when information obtained from Section 702 is used, but questions remain as to whether the scope of this notification policy is sufficient. And even if notification is eventually provided, the government could still use communications obtained using Section 702 as the foundation for investigation of minor domestic crimes, so long as it gathers other evidence for the purpose of prosecution. If the Administration is sincere in its commitment to limiting the range of crimes that information on US persons obtained through Section 702 can be used for, it should change the Minimization Guidelines – and support statutory reform – that requires communications of or about US persons that does not contain evidence of the crimes listed above (or foreign intelligence information) be immediately purged upon discovery. New Restrictions on US Person Querying: The policies announced on February 3 also create new restrictions on the NSA’s ability to querying its database of Section 702 communications for the communications of US persons. This practice is commonly referred to as the “backdoor search loophole” because if the NSA wanted to conduct the surveillance of the US person directly, it would be a “search” that would require a full FISA court order based on a finding of probable cause that the US person is a terrorist, spy, or other agent of a foreign power. Previously, minimization procedures vaguely required that querying construction be “reasonably likely to return foreign intelligence information,” effectively allowing NSA to deliberately seek out in a vast database of content collected under Section 702 Americans’ communications without judicial authorization. Under the new rules, the NSA and CIA will be permitted to query the database with US person identifiers (a unique identifier associated such as a name, phone number, email address, etc.) only after developing “a written statement of facts showing that a query is reasonably likely to return foreign intelligence information,” as recommended by the Privacy and Civil Liberties Oversight Board in its report on Section 702. This is a step forward for preventing some potential abuse posed by the backdoor search loophole, but it is a far cry from requiring a judicial finding of probable cause that the person whose communications are sought is an agent of a foreign power, as Senator Wyden has proposed to close the backdoor search loophole. While the NSA will be prohibited from searching the Section 702 database for an American’s communication with the goal of gathering evidence for domestic criminal investigations that have no national security implications, or simply gathering personal information that could be used to hold a person in disrepute (troublingly, it is unclear whether the FBI will be similarly restricted), it could still query the data base — and obtain the contents of the US person’s communications — for broad foreign intelligence purposes, such as when the analyst thinks the query would disclose information necessary to the conduct of US foreign affairs or US national security. In addition, an NSA analyst, not a judge, would decide whether obtaining the US person’s communications was proper. The new restrictions reflect the privacy interest in Americans’ communications being queried, but falls short of providing the protection that privacy interest is due.

##### Plan Text

**The United States Federal Government will establish the FISA Amendments Act section 702 as the only authority of domestic surveillance of information as it relates to national security.**

## Solvency

#### Making section 702 of the FISA Amendments Act the sole authority for domestic surveillance is critical to restore credibility with American technology companies.

**Bishai, , 2015**

(Chrissy Bishal, Treasury presidential management **fellow** “Restoring Trust between U.S. Companies and Their Government on Surveillance Issues”, 3-19, <http://www.thirdway.org/report/restoring-trust-between-us-companies-and-their-government-on-surveillance-issues>)

Allegations of intrusive U.S. government electronic surveillance activities have raised international outcry and created antagonism between U.S. technology companies and the government. Without a bold and enduring reform, American companies will continue to suffer a competitive disadvantage from perceptions of U.S. government intrusion into their data. We propose bringing electronic surveillance collection from U.S. companies into an existing statutory framework in order to reassure international customers and to respect the rights of U.S. companies operating abroad. The Problem In the wake of the Snowden revelations, people around the world have become uneasy about the security of their communications that flow through the servers of American companies.1 They now fear—not without reason—that the NSA has broad access to a wide range of their data that may not have any direct relevance to the core foreign policy or security concerns of the United States.2 Snowden has also alleged that the NSA accessed American companies’ data without their knowledge.3 American technology companies reacted with outrage to media reports that, unbeknownst to them, the U.S. government had intruded onto their networks overseas and spoofed their web pages or products.4 These stories suggested that the government created and snuck through back doors to take the data rather than come through well-established front doors.5 Beyond the broad implications for civil liberties and diplomacy, these fears led to two immediate consequences for the industry: First, many U.S. companies shifted to an adversarial relationship with their own government. They moved to secure and encrypt their data to protect the privacy rights of their customers.6 They are pushing for reform.7 They are building state-of-the-art data centers in Europe and staffing their high-paying jobs with Europeans, not Americans.8 They are challenging the government in court.9 Second, international customers of U.S. technology and communications companies began taking their business elsewhere. Brazil decided against a $4.5 billion Boeing deal and cancelled Microsoft contracts.10 Germany dropped Verizon in favor of Deutsche Telekom.11 Both of these examples suggest that if even friendly governments can go to the expense and trouble of dropping American companies, foreign individual and corporate customers could certainly decide to switch their data providers for greater privacy protection. Simply put, the reputational harm had a direct impact on American companies’ competitiveness—some estimate that it has cost U.S. tech firms $180 billion thus far.12 Defenders of the programs may argue that the Snowden allegations are overblown or that foreign companies are just using the revelations for their own protectionist purposes. But it doesn’t matter if the allegations are actually true because the global public believes them to be true, and they are therefore real in their consequences. In many ways, the Snowden revelations have created a sense of betrayal among American companies. Some had been providing information to the NSA through existing legislative means – either under Section 215 of the USA Patriot Act,13 or under Section 702 of the FISA Amendments Act (FAA).14 It was unsettling to read stories that, outside of this statutorily compelled cooperation, the government had been getting access to huge amounts of their data in other unauthorized ways. As one tech employee said, “the back door makes a mockery of the front door.” Fixing the Problem Means Changing the Existing Legal Framework Currently, the U.S. collects electronic communications under four main authorities. For collection occurring under both 215 and 702, the companies would have been served with an order compelling production of their data. But outside the U.S., Executive Order 12333,15 the long-standing guidance for foreign intelligence activities, would govern the kind of collection that has caused international outrage. E.O. 12333, signed by President Reagan, set the ground rules and authorization for foreign intelligence collection when the nation’s primary security threat was the Soviet Union. At that time, traditional intelligence activities would have been focused on other nation-states—identifying their spies, trying to recruit spies for the U.S., and trying to steal other countries’ secrets while protecting our own. But the growth of terrorist groups’ capabilities, and particularly the 9/11 attacks, helped dissolve the separation between traditional overseas espionage and counter-terrorism. As the nation was grappling with new threats posed by terrorism, people around the world were sharing more and more of their information online and using mostly American companies to do so. Yet the legal framework that had once recognized privacy rights was ill-suited to the Internet Age. The Intelligence Community’s traditional position that constitutional rights like the Fourth Amendment’s privacy protections didn’t apply to non-Americans outside the U.S. might have been clear when travelling and communicating internationally were more difficult. But today’s free-flowing movement of people and data means that the “nationality” of an individual’s communications is far less obvious.16 While extending constitutional or privacy protections to foreigners abroad is a tricky legal proposition, for many their data is being held by entities that are entitled to the due process and privacy protections of the U.S. Constitution: American companies. Our tech firms often act as custodians of other people’s data, and as such don’t have the same heightened privacy interests as the targets of that data. But accessing the companies’ data without even giving notice to the owner of the servers raises serious constitutional questions. As a politician once famously noted, “corporations are people too.”17 As a legal (if not political) matter, he was right—these American tech companies are “U.S. Persons,” and they therefore should know when the government seeks to access the data they possess. The companies should be entitled to notice, especially since they can be compelled to cooperate with law enforcement requests to hand over user data. Those protections should hold true regardless of whether the user data sought by the U.S. government is that of Americans or non-Americans. In addition to those privacy protections that all U.S. persons enjoy under the Constitution, both at home and abroad, surveillance reform should meet the following principles when dealing with information about or from Americans: The U.S. government should have a process, consistent with the Constitution, to acquire from companies the information that it needs to secure the country. The U.S. government should have a national security reason to collect the information that it requests. U.S. companies should not have to fear unauthorized access to their data or products from their own government. Any process to acquire information from U.S. companies should have safeguards to prevent misuse or intentional over-collection. The Solution Include Overseas Collection from American Companies in Existing Statutory Frameworks In order to meet the principles above, we propose that FAA’s 702 framework be the exclusive means for conducting electronic surveillance when the information is in the custody of an American company (“FAA Exclusivity”). Section 702 of FAA provides procedures to authorize data collection of foreign targets reasonably believed to be outside the U.S. It empowers the Attorney General (AG) and Director of National Intelligence (DNI) to jointly certify a high volume of targeting and does not require the requesters to identify specific non-U.S. persons who will be targeted. Under this 702 framework, information on foreigners that’s in the custody of a U.S. company should be subject to the following rules: The data must relate to targets “reasonably believed” to be outside the U.S. (can include foreign persons, governments or their factions and similar entities). The AG and DNI must jointly submit annual “certifications” to the Foreign Intelligence Surveillance Court (FISC). Certifications must identify categories of foreign intelligence targets that the Government wants to surveil electronically; they do not need to identify specific persons to be targeted. Certifications may include information or representations from other federal agencies authorized to cooperate with the AG, DNI, or Director of the NSA. Certifications must be reviewed by the FISC, which can authorize the targeting if they deem that the statutory requirements have been met. After the certifications are approved, the AG and DNI issue (written) “directives” to the providers, ordering them to assist the government. Collection should be executed with the appropriate “minimization procedures” in place to limit the acquisition, retention, and dissemination of any non–publicly available U.S. person information acquired through the Section 702 program. The AG, in consultation with the DNI, must adopt FISC-approved targeting and minimization procedures that are “reasonably designed” to ensure that the Government does not collect wholly domestic communications, and that only persons outside the U.S. are surveilled. The AG and DNI must also create acquisition guidelines (which are not subject to FISC approval). Advantages of an FAA Framework Shifting the legal authority for collection of data in the custody of an American company from E.O. 12333 to an FAA framework would have a number of advantages. Most importantly, it would create a way for the government to get the data it needs from American companies while giving those firms assurances that their data would not be accessed in other unauthorized ways. In particular, the FAA framework would create specific purposes for which the information could be sought, rather than allow the indiscriminate scooping up of every aspect of a person’s communications. FAA’s stated purpose is to acquire foreign intelligence information, which it defines as "information that relates to the ability of the U.S. to protect against an actual or potential attack by a foreign power; sabotage, international terrorism, or the proliferation of weapons of mass destruction by a foreign power; or clandestine intelligence activities by a foreign power." The FAA framework would also create a requirement that the Executive Branch explain how the information sought meets the statutory purposes. And there would be the additional check of an independent judge who would review the certifications and issue directives. Though this process is ex parte, and therefore a potential rubber stamp for the government, there have been no documented instances of intentional abuses of the system in seeking information beyond the statutory purposes. Finally, the FAA framework would subject information sought from U.S. companies to the statutory oversight requirements of the law. These are extensive and explicit.18 In addition to FAA’s inherent protections, FAA Exclusivity would send a powerful message to the rest of the world: when the U.S. conducts electronic surveillance overseas from American companies, it is doing so for a particular national security purpose. The FAA structure with FISC review provides an independent check that the statutory purposes are met. Through transparency agreements with the government, the American companies would be able to provide their customers with some sense of how many requests are made. FAA Exclusivity would not change the E.O. 12333 authorities with respect to non-U.S. companies. It would not change E.O. 12333 authorities when the Executive Branch seeks to obtain the information in some way other than through a U.S. company that holds the data (i.e. traditional espionage, like breaking into a target’s laptop, parking a surveillance van outside their house, or sending a spy, would still be permissible). Of course, FAA Exclusivity wouldn’t solve every problem. It would not prevent foreign governments from collecting information themselves and then providing it to U.S. intelligence agencies, as U.S. law cannot bind a foreign government. And some may argue that FAA provides inadequate civil liberties protections for Americans. This proposal says nothing about the adequacy of that statute in this respect. What it says is that for data held by an American company about a target that is not a U.S. person, the checks within FAA are stronger than those solely under E.O. 12333. Others have argued that the FAA shifts the burden of cooperation solely onto the company, which will suffer greater reputational harm as a more witting participant in affirmatively granting the government’s requests. However, companies have suffered reputational harm as a result of allegations of unwitting cooperation. Making the cooperation known, even if it’s secret, gives the companies the opportunity to account for it in their own planning. The move by certain U.S. companies to place subsidiaries in foreign ownership to resist requests by the U.S. government presents an interesting twist on this idea. In shifting the balance back to increased protections for U.S. companies, this legislation would change the incentives so that claiming U.S. law would have operational advantages in giving companies uniformity of law for all their data. This would also encourage the use of a single choice of law for all data governed by a company—that of the nationality of incorporation—rather than encouraging a choice of law patchwork to govern the data as it flows around the world. Finally, some foreign multinational companies operating in the U.S. and abroad may argue that this is inconsistent with principles that we treat all companies operating in the U.S. the same way for purposes of law. While that would remain true under this proposal, it would create a difference in how the U.S. treats U.S. companies operating abroad compared to how it treats foreign companies abroad. But stretching the U.S. Constitution to foreign companies abroad is to stretch the document too far. If, on the other hand, those companies see advantage in changing their nationality to U.S. in order to claim protections of those laws, then that is the corporate version of the kind of immigration patterns that America has seen since its founding. Conclusion Using FAA’s framework as the exclusive means to access data that U.S. companies are holding will give the Intelligence Community a statutory framework to be able to get the intelligence information that it needs to protect the nation while restoring the trust relationship between the companies and our government. In addition, it will help restore the faith of foreign governments and customers that when American companies are acting overseas, they bring with them American values, including those of privacy protections.

#### The aff provides a sufficient curtail of NSA powers to solve

**Giroux 14**

(Henry A. Giroux | Totalitarian Paranoia in the Post-Orwellian Surveillance State Henry A. Giroux currently holds the Global TV Network Chair Professorship at McMaster University in the English and Cultural Studies Department and a Distinguished Visiting Professorship at Ryerson University. Monday, 10 February 2014 09:15 http://www.truth-out.org/opinion/item/21656-totalitarian-paranoia-in-the-post-orwellian-surveillance-state By Henry A Giroux, Truthout | Op-Ed – BRW)

As the line collapses between authoritarian power and democratic governance, state and corporate repression intensifies and increasingly engulfs the nation in a toxic climate of fear and self-censorship in which free speech, if not critical thought, itself is viewed as too dangerous in which to engage. The NSA, alone, has become what Scott Shane has called an "electronic omnivore of staggering capabilities, eavesdropping and hacking its way around the world to strip governments and other targets of their secrets, all while enforcing the utmost secrecy about its own operations. It spies routinely on friends as well as foes."47 Intelligence benefits are far outweighed by the illegal use of the Internet, telecommunication companies and stealth malware for data collection and government interventions that erode civil liberties and target individuals and groups that pose no threat whatsoever to national security. New technologies that range from webcams and spycams to biometrics and Internet drilling reinforce not only the fear of being watched, monitored and investigated but also a propensity toward confessing one's intimate thoughts and sharing the most personal of information. What is profoundly disturbing and worth repeating in this case is the new intimacy between digital technologies and cultures of surveillance in which there exists a profound an unseen intimate connection into the most personal and private areas as subjects publish and document their interests, identities, hopes and fears online in massive quantities.48 Surveillance propped up as the new face of intimacy becomes the order of the day, eradicating free expression and, to some degree, even thinking itself. In the age of the self-absorbed self and its mirror image, the selfie, intimacy becomes its opposite and the exit from privacy becomes symptomatic of a society that gave up on the social and historical memory. One of the most serious conditions that enable the expansion of the corporate-state surveillance apparatus is the erasure of public memory. One of the most serious conditions that enable the expansion of the corporate-state surveillance apparatus is the erasure of public memory. The renowned anthropologist David Price rightly argues that historical memory is one of the primary weapons to be used against the abuse of power and that is why "those who have power create a 'desert of organized forgetting.' "49 For Price, it is crucial to reclaim America's battered public memories as a political and pedagogical task as part of the broader struggle to regain lost privacy and civil liberties."50 Since the terrorist attacks of 9/11, America has succumbed to a form of historical amnesia fed by a culture of fear, militarization and precarity. Relegated to the dustbin of organized forgetting were the long-standing abuses carried out by America's intelligence agencies and the public's long-standing distrust of the FBI, government wiretaps and police actions that threatened privacy rights, civil liberties and those freedoms fundamental to a democracy. In the present historical moment, it is almost impossible to imagine that wiretapping was once denounced by the FBI or that legislation was passed in the early part of the 20th century that criminalized and outlawed the federal use of wiretaps.51 Nor has much been written about the Church and Pike committees, which in the 1970s exposed a wave of illegal surveillance and disruption campaigns carried out by the FBI and local police forces, most of which were aimed at anti-war demonstrators, the leaders of the civil rights movement and the Black Panthers.

## Advantage 1- Privacy

#### Domestic surveillance is a huge disturbance to privacy in the status quo

York 2014

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Documents leaked by Edward Snowden in 2013 have demonstrated the extraordinary breadth of the US’s and other governments’ mass surveillance programmes, programmes which constitute an intrusion into the private lives of individuals all over the world.¶ The violation of privacy is apparent: indiscriminate, mass surveillance goes against the basic, fundamental right to privacy that our predecessors fought for. The negative effects of surveillance on the fundamental freedoms of expression and association may be less evident in an era of ubiquitous digital connection, but are no less important.¶ In a 2013 report, Frank La Rue, Special Rapporteur to the United Nations on the promotion and protection of the right to freedom of opinion and expression, discussed the ways in which mass surveillance can harm expression. He wrote:¶ Undue interference with individuals’ privacy can both directly and indirectly limit the free development and exchange of ideas. Restrictions of anonymity in communication, for example, have an evident chilling effect on victims of all forms of violence and abuse, who may be reluctant to report for fear of double victimization.8¶ The harmful effects of surveillance on expression and association are undeniably linked – the right to organise is imperative for political expression and the advancement of ideas. In the US, although the two rights are linked in the First Amendment, historically, they have sometimes been treated separately.¶ In a landmark 1958 case, NAACP v. Alabama, the Supreme Court of the US held that if the state forced the National Association for the Advancement of Colored People (NAACP) to hand over its membership lists, its members’ rights to assemble and organise would be violated.9 This case set the precedent for the Supreme Court’s foray into the constitutionally guaranteed right to association after decades of government attempts to shun “disloyal” individuals.¶ Justice John Marshall Harlan wrote for a unanimous court:¶ This Court has recognized the vital relationship between freedom to associate and privacy in one's associations. Compelled disclosure of membership in an organization engaged in advocacy of particular beliefs is of the same order. Inviolability of privacy in group association may in many circumstances be indispensable to preservation of freedom of association, particularly where a group espouses dissident beliefs.10¶ Today, the data collected by the NSA’s various surveillance programmes poses a similar threat to the collection of membership lists. The vast majority of what the NSA collects is metadata, an ambiguous term that in this case describes the data surrounding one’s communications. That is to say, if the content of one’s phone call is the data, the metadata could include the number called, the time of the call, and the location from which the call was made.¶ The danger in metadata is that it allows the surveiller to map our networks and activities, making us think twice before communicating with a certain group or individual. In a surveillance state, this can have profound implications: Think of Uganda, for example, where a legal crackdown on lesbian, gay, bisexual and transgender (LGBT) activists is currently underway. Under surveillance, a gay youth seeking community or health care faces significant risks just for the simple act of making a phone call or sending an email.

#### And, Section 702 is one of the NSA’s most powerful surveillance tools for privacy invasion. Removal is key to reverse the trend

Kayyali 2014

[Nadia, member of EFF’s activism team. Nadia's work focuses on surveillance, national security policy, and the intersection of criminal justice, racial justice, and digital civil liberties issues. “The Way the NSA Uses Section 702 is Deeply Troubling. Here’s Why.” Electronic Frontier Foundation, 5/8/14. <https://www.eff.org/deeplinks/2014/05/way-nsa-uses-section-702-deeply-troubling-heres-why>]

Section 702 is not just about keeping us safe from terrorism. It’s a distressingly powerful surveillance tool. While the justification we’ve heard repeatedly is that NSA surveillance is keeping us safer, data collected under Section 702 can be shared in a variety of circumstances, such as ordinary criminal investigations. For example, the NSA has shared intelligence with the Drug Enforcement Agency that has led to prosecutions for drug crimes, all while concealing the source of the data.¶ The President has largely ignored Section 702. While the phone records surveillance program has received significant attention from President Obama, in his speeches and his most recent proposal, Section 702 remains nearly untouched.¶ The way the NSA uses Section 702 is illegal and unconstitutional—and it violates international human rights law. Unlike searches done under a search warrant authorized by a judge, Section 702 has been used by the NSA to get broad FISA court authorization for general search and seizure of huge swathes of communications. The NSA says this is OK because Section 702 targets foreign citizens. The problem is, once constitutionally protected communications of Americans are swept up, the NSA says these communications are “fair game” for its use.¶ Innocent non-Americans don't even get the limited and much abused protections the NSA promises for Americans. Under international human rights law to which the United States is a signatory, the United States must respect the rights of all persons. With so many people outside the United States keeping their data with American companies, and so much information being swept up through mass surveillance, that makes Section 702 the loophole for the NSA to violate the privacy rights of billions of Internet users worldwide.¶ The omission of Section 702 reform from the discourse around NSA surveillance is incredibly concerning, because this provision has been used to justify some of the most invasive NSA surveillance. That’s why EFF continues to push for real reform of NSA surveillance that includes an end to Section 702 collection. You can help by educating yourself and engaging your elected representatives. Print out our handy one-page explanation of Section 702. Contact your members of Congress today and tell them you want to see an end to all dragnet surveillance, not just bulk collection of phone records.

#### The absence of privacy undermines democracy**Reindenberg 2014**

####  [Joel R. Reidenberg, Summer 2014, Microsoft Visiting Professor of Information Technology Policy, Princeton University; Stanley D. and Nikki Waxberg Chair and Professor of Law, Fordham University School of Law, Wake Forest Law Review, THE DATA SURVEILLANCE STATE IN THE UNITED STATES AND EUROPE, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2349269>, DOA: 1-25-15, p. 605-6 III. The Privacy Turning Point]

The existence of retained traffic data, the reliance on uncertain access rules, the recourse to an elusive proportionality, the dependence on private actors, and the privileges accorded to national security collectively place privacy and values in democracy at a turning point. In the aggregate, these elements increase the transparency of citizens' online lives and reduce the sphere of privacy that citizens can enjoy. This transparency is destructive of many fundamental democratic values. First, the transparency reverses the presumption of innocence. The presumption is central to the philosophy underlying the warrant requirement in the Fourth Amendment and the principle that citizens are innocent until proven guilty in the Fifth and Fourteenth Amendments. In Europe, the presumption of innocence is also a fundamental tenent of the Charter of Fundamental Rights of the European Union: "Everyone who has been charged shall be presumed innocent until proved guilty according to law." Yet, data that are collected and retained without any individualized cause or suspicion by private actors for subsequent access by public authorities contravenes the basic constitutional philosophies. If law generally requires collection and retention, the rationale is that all individuals in the data set are suspect. Similarly, if broad access is afforded to data sets that were created for commercial purposes, the core philosophy is that all individuals in the data set are suspect. These practices transform the presumption of innocence into a presumption of suspicion counter to the core constitutional philosophies Second, the forced transparency diffuses the monopoly of the state on law enforcement. Law enforcement, investigation, and intelligence activities are blurred when communications service providers must retain and make available client and user data. Function creep assures that this diffusion of resources for law enforcement to the private sector will lead to increasing demands and an expansion of the scope of enforcement activity to encompass private matters and not just public safety and security. Third, the transparency from private data mining and publicly mandated surveillance (i.e., forced data retention) diminishes the zone of individual freedom. Where data retention is neither sharply limited nor combined with strong, clear access controls, the ability of citizens to make decisions about their personal information and their ability to decide when and how to disclose their thoughts, beliefs, and activities, are impaired. Finally, the transparency of personal information through the national security exceptions assures troubling intelligence gathering from inevitable overreaching. Without a means for effective oversight, the privileges afforded to intelligence operations blur government information gathering into generic, ambient state surveillance. Nondemocratic regimes strive for this level of knowledge of their citizenry's activities.

#### Democracy prevents great power wars

Tarzi 7

Shah, Professor of Economic Affairs @ Bradley, Democratic Peace, Illiberal Democracy and Conflict Behavior, International Journal on World Peace, vol 24

Bueno de Mequita, Morrow, Siverson, and Smith are among the few who have sought to overcome the conceptual dilemmas noted above. Specifically they have provided insights on the link between institutions and foreign policy choices with reference to international disputes and conflicts. They find that democratic leaders, when faced with a choice, are more likely to shift greater resources to war efforts than leaders of the autocratic governments because political survival of the elected democratic regime demands successful policy performance, especially as the winning coalition grows. Thus, democratic regimes tend to have a military edge over autocratic regimes in war because of the extra efforts required. Also, "democratic leaders only choose to fight when they are confident of victory. Otherwise they prefer to negotiate." (22) Bueno de Mequita and his colleagues conclude, Democrats make relatively unattractive targets because domestic reselection pressures cause leaders to mobilize resources for the war effort. This makes it harder for other states to target them for aggression. In addition to trying harder than autocrats, democrats are more selective in their choice of targets. Defeat typically leads to domestic replacement for democrats, so they only initiate war when they expect to win. These two factors lead to the interaction between polities that is often termed the democratic peace. Autocrats need a slight expected advantage over other autocratic adversaries in devoting additional resources to the war effort. In order to initiate war, democrats need overwhelming odds of victory, but that does not mean they are passive. Because democrats use their resources for the war effort rather than reserve them to reward backers, they are generally able, given their selection criteria for fighting, to overwhelm autocracies, which results in short and relatively less costly wars. Yet, democracies find it hard to overwhelm other democracies because they also try hard. In general, democracies make unattractive targets, particularly for other democracies. Hence, democratic states rarely attack one another. (23) ¶

## Advantage 2- Econ

#### **China is dropping US tech companies in fear of NSA backdoor programs**

Whittaker, Feb 2015

(Zack Whittaker writes for ZDNet, CNET and CBS News. ZDNET-Technology news website “It's official: NSA spying is hurting the US tech economy China is backing away from US tech brands for state purchases as NSA revelations continue to make headlines in newspapers all around the world.” <http://www.zdnet.com/article/another-reason-to-hate-the-nsa-china-is-backing-away-from-us-tech-brands/>)

China is no longer using high-profile US technology brands for state purchases, amid ongoing revelations about mass surveillance and hacking by the US government. A new report confirmed key brands, including Cisco, Apple, Intel, and McAfee -- among others -- have been dropped from the Chinese government's list of authorized brands, a Reuters report said Wednesday. The number of approved foreign technology brands fell by a third, based on an analysis of the procurement list. Less than half of those companies with security products remain on the list. Although a number of reasons were cited, domestic companies were said to offer "more product guarantees" than overseas rivals in the wake of the Edward Snowden leaks. Some reports have attempted to pin a multi-billion dollar figure on the impact of the leaks. In reality, the figure could be incalculable. The report confirms what many US technology companies have been saying for the past year: the activities by the NSA are harming their businesses in crucial growth markets, including China. The Chinese government's procurement list changes coincided with a series of high profile leaks that showed the US government have been on an international mass surveillance spree, as well as hacking expeditions into technology companies, governments, and the personal cellphones of world leaders. Concerned about backdoors implanted by the NSA, those revelations sparked a change in Chinese policy by forcing Western technology companies to hand over their source code for inspection. That led to an outcry in the capital by politicians who in the not-so-distant past accused Chinese companies of doing exactly the same thing. The fear is that as the China-US cybersecurity standoff continues, it's come too late for Silicon Valley companies, which are already suffering financially thanks to the NSA's activities. Microsoft said in January at its fiscal fourth-quarter earnings that China "fell short" of its expectations, which chief executive Satya Nadella described as a "set of geopolitical issues" that the company was working through. He did not elaborate. Most recently, HP said on Tuesday at its fiscal first-quarter earnings call that it had "execution issues" in China thanks to the "tough market" with increasing competition from the local vendors approved by the Chinese government. But one company stands out: Cisco probably suffered the worst of all. Earlier this month at its fiscal second-quarter earnings, the networking giant said it took a 19 percent revenue ding in China, amid claims the NSA was installing backdoors and implants on its routers in transit. China remains a vital core geography for most US technology giants with a global reach. But until some middle-ground can be reached between the two governments, expect Silicon Valley's struggles in the country to only get worse.

#### **The NSA activities is costing** tech company billions.

BAILEY 2014

(BRANDON BAILEY, AP Writer, October 8, 2014 “Sen. Wyden: NSA tech spying hurts economy” <http://www.washingtontimes.com/news/2014/oct/8/sen-wyden-nsa-tech-spying-hurts-economy/>

Leading Senate critic of online surveillance wants the government to stop widespread spying on phone calls, texts and emails, saying the “digital dragnet” doesn’t make the country safer, and only hurts the U.S. economy. “When the actions of a foreign government threaten red-white-and-blue jobs, Washington gets up at arms. But, even today, almost no one in Washington is talking about how overly broad surveillance is hurting the U.S. economy,” said Sen. Ron Wyden, D-Ore., in remarks prepared for a Senate Finance Committee event in Palo Alto, California on Wednesday. Wyden convened the roundtable, which also includes Google Inc. Executive Chairman Eric Schmidt and top corporate attorneys from Facebook and Microsoft, to discuss the economic fallout from the surveillance programs revealed last year by former National Security Agency contractor Edward Snowden. Some analysts estimated last year that U.S. tech companies could lose tens of billions of dollars in sales, particularly after European firms began marketing themselves as being more secure than U.S. competitors - or less vulnerable to legal demands from the U.S. government.

#### Grow in the Tech sector is key to stop economic stagnation and sluggish growth.

Lund, Et al. 2013

[Susan Lund, James Manyika, Scott Nyquist, Lenny Mendonca, and Sreenivas Ramaswamy-July 2013- McKinsey Global Institute, “Game changers: Five opportunities for US growth and renewal” <http://www.mckinsey.com/insights/americas/us_game_changers>]

Four years after the official end of the Great Recession, US economic growth remains lackluster. But there is more at work here than simply the business cycle: strains in the labor market were apparent long before 2008. Today, labor-force participation is at a 34-year low, and the United States has two million fewer jobs than it did when the recession began. Weak investment, demographic shifts, and a slowdown in productivity growth are dampening the economy’s trajectory. But the United States does not have to resign itself to sluggish growth. Game changers: Five opportunities for US growth and renewal, a new report from the McKinsey Global Institute (MGI), identifies specific catalysts that can add hundreds of billions of dollars to annual GDP and create millions of new jobs by 2020. To identify these catalysts, MGI looked for developments that are poised to achieve scale immediately and could accelerate growth across multiple sectors by 2020. We also focused on areas with an immediate window for action. Game changers zeroes in on five mutually reinforcing opportunities: Shale-gas and -oil production. Powered by advances in horizontal drilling and hydraulic fracturing, the production of domestic shale gas and oil has grown more than 50 percent annually since 2007. The shale boom could add as much as $690 billion a year to GDP and create up to 1.7 million jobs across the economy by 2020. The impact will extend to energy-intensive manufacturing industries and beyond. The United States now has the potential to reduce net energy imports to zero—but only if it can successfully address the associated environmental risks. US trade competitiveness in knowledge-intensive goods. The United States is one of the few advanced economies running a trade deficit in knowledge-intensive industries. But changing factor costs, a rebound in demand, and currency shifts are creating an opening to increase US production and exports of knowledge-intensive goods, such as automobiles, commercial airliners, medical devices, and petrochemicals. By implementing five strategies to boost competitiveness in these sectors, we believe the United States could reduce the trade deficit in knowledge-intensive industries to its 2000 level or close it—which would add up to $590 billion in annual GDP by 2020 and create up to 1.8 million new jobs. Big-data analytics as a productivity tool. Sectors across the economy can harness the deluge of data generated by transactions, medical and legal records, videos, and social technologies—not to mention the sensors, cameras, bar codes, and transmitters embedded in the world around us. Advances in computing and analytics can transform this sea of data into insights that create operational efficiencies. By 2020, the wider adoption of big-data analytics could increase annual GDP in retailing and manufacturing by up to $325 billion and save as much as $285 billion in the cost of health care and government services. Increased investment in infrastructure, with a new emphasis on productivity. The backlog of maintenance and upgrades for US roads, highways, bridges, and transit and water systems is reaching critical levels. The United States must increase its annual infrastructure investment by one percentage point of GDP to erase this competitive disadvantage. By 2020, that could create up to 1.8 million jobs and boost annual GDP by up to $320 billion. The impact could grow to $600 billion annually by 2030 if the selection, delivery, and operation of infrastructure investments improve. A more effective US system of talent development. The nation’s long-standing advantage in education and skills has been eroding, but today real improvements are within reach. At the postsecondary level, expanding industry-specific training and increasing the number of graduates in the fields of science, technology, engineering, and math could build a more competitive workforce. At the K–12 level, enhancing classroom instruction, turning around underperforming high schools, and introducing digital learning tools can boost student achievement. These initiatives could raise GDP by as much as $265 billion by 2020—and achieve a dramatic “liftoff” effect by 2030, adding as much as $1.7 trillion to annual GDP. These opportunities can have immediate demand-stimulus effects that would get the economy moving again in the short term and also have longer-term effects that would build US competitiveness and productivity well beyond 2020. Taking action now could mark a turning point for the US economy and drive growth and prosperity for decades to come.

#### Slow growth causes war—statistics

Royal 10 –

Jedediah Royal, Director of Cooperative Threat Reduction at the U.S. Department of Defense, 2010, “Economic Integration, Economic Signaling and the Problem of Economic Crises,” in Economics of War and Peace: Economic, Legal and Political Perspectives, ed. Goldsmith and Brauer, p. 213-214

Less intuitive is how periods of economic decline may increase the likelihood of external conflict. Political science literature has contributed a moderate degree of attention to the impact of economic decline and the security and defence behaviour of interdependent states. Research in this vein has been considered at systemic, dyadic and national levels. Several notable contributions follow. First, on the systemic level, Pollins (2008) advances Modelski and Thompson's (1996) work on leadership cycle theory, finding that rhythms in the global economy are associated with the rise and fall of a pre-eminent power and the often bloody transition from one pre-eminent leader to the next. As such, exogenous shocks such as economic crises could usher in a redistribution of relative power (see also Gilpin. 1981) that leads to uncertainty about power balances, increasing the risk of miscalculation (Feaver, 1995). Alternatively, even a relatively certain redistribution of power could lead to a permissive environment for conflict as a rising power may seek to challenge a declining power (Werner. 1999). Separately, Pollins (1996) also shows that global economic cycles combined with parallel leadership cycles impact the likelihood of conflict among major, medium and small powers, although he suggests that the causes and connections between global economic conditions and security conditions remain unknown. Second, on a dyadic level, Copeland's (1996, 2000) theory of trade expectations suggests that 'future expectation of trade' is a significant variable in understanding economic conditions and security behaviour of states. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However, if the expectations of future trade decline, particularly for difficult to replace items such as energy resources, the likelihood for conflict increases, as states will be inclined to use force to gain access to those resources. Crises could potentially be the trigger for decreased trade expectations either on its own or because it triggers protectionist moves by interdependent states.4 Third, others have considered the link between economic decline and external armed conflict at a national level. Blomberg and Hess (2002) find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn. They write: The linkages between internal and external conflict and prosperity are strong and mutually reinforcing. Economic conflict tends to spawn internal conflict, which in turn returns the favour. Moreover, the presence of a recession tends to amplify the extent to which international and external conflicts self-reinforce each other. (Blomberg & Hess, 2002. p. 89) Economic decline has also been linked with an increase in the likelihood of terrorism (Blomberg, Hess, & Weerapana, 2004), which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. "Diversionary theory" suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to fabricate external military conflicts to create a 'rally around the flag' effect. Wang (1996), DeRouen (1995). and Blomberg, Hess, and Thacker (2006) find supporting evidence showing that economic decline and use of force are at least indirectly correlated. Gelpi (1997), Miller (1999), and Kisangani and Pickering (2009) suggest that the tendency towards diversionary tactics are greater for democratic states than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DeRouen (2000) has provided evidence showing that periods of weak economic performance in the United States, and thus weak Presidential popularity, are statistically linked to an increase in the use of force. In summary, recent economic scholarship positively correlates economic integration with an increase in the frequency of economic crises, whereas political science scholarship links economic decline with external conflict at systemic, dyadic and national levels.5 This implied connection between integration, crises and armed conflict has not featured prominently in the economic-security debate and deserves more attention.

#### Decline causes global war—major powers get drawn in

Duncan 12

(Richard Duncan, chief economist at Singapore-based Blackhorse Asset Management, former financial sector specialist at the World Bank and global head of investment strategy at ABN AMRO Asset Management, studied literature and economics at Vanderbilt University (1983) and international finance at Babson College (1986), February 24th 2012,” The New Depression: The Breakdown of the Paper Money Economy”)

The consequences of a New Great Depression would extend far beyond the realm of economics. Hungry people will fight to survive. Governments will use force to maintain internal order at home. This section considers the geopolitical repercussion of economic collapse, beginning with the United States. First, the U.S. government’s tax revenues would collapse with the depression. Second, because global trade would shrivel up, other countries would no longer help finance the U.S. budget deficit by buying government bonds because they would no longer have the money to do so. At present, the rest of the world has a $500 billion annual trade surplus with the United States. The central banks of the United States’ trading partners accumulate that surplus as foreign exchange reserves and invest most of those reserves into U.S. government bonds. An economic collapse would cause global trade to plummet and drastically reduce (if not eliminate altogether) the U.S. trade deficit. Therefore, this source of foreign funding for the U.S. budget deficit would dry up. Consequently, the government would have to sharply curtail its spending, both at home and abroad. Domestically, social programs for the old, the sick, and the unemployed would have to be slashed. Government spending on education and infrastructure would also have to be curtailed. Much less government spending would result in a dramatic increase in poverty and, consequently, in crime. This would combine to produce a crisis of the current two-party political system. Astonishment, frustration, and anger at the economic breakdown would radicalize politics. New parties would form at both extremes of the political spectrum. Given the great and growing income inequality going into the crisis, the hungry have-nots would substantially outnumber the remaining wealthy. On the one hand, a hard swing to the left would be the outcome most likely to result from democratic elections. In that case, the tax rates on the top income brackets could be raised to 80 percent or more, a level last seen in 1963. On the other hand, the possibility of a right-wing putsch could not be ruled out. During the Great Depression, the U.S. military was tiny in comparison with what it became during World War II and during the decades of hot, cold, and terrorist wars that followed. In this New Great Depression, it might be the military that ultimately determines how the country would be governed. The political battle over America’s future would be bitter, and quite possibly bloody. It cannot be guaranteed that the U.S. Constitution would survive. Foreign affairs would also confront the United States with enormous challenges. During the Great Depression, the United States did not have a global empire. Now it does. The United States maintains hundreds of military bases across dozens of countries around the world. Added to this is a fleet of 11 aircraft carriers and 18 nuclear-armed submarines. The country spends more than $650 billion a year on its military. If the U.S. economy collapses into a New Great Depression, the United States could not afford to maintain its worldwide military presence or to continue in its role as global peacekeeper. Or, at least, it could not finance its military in the same way it does at present. Therefore, either the United States would have to find an alternative funding method for its global military presence or else it would have to radically scale it back. Historically, empires were financed with plunder and territorial expropriation. The estates of the vanquished ruling classes were given to the conquering generals, while the rest of the population was forced to pay imperial taxes. The U.S. model of empire has been unique. It has financed its global military presence by issuing government debt, thereby taxing future generations of Americans to pay for this generation’s global supremacy. That would no longer be possible if the economy collapsed. Cost–benefit analysis would quickly reveal that much of America’s global presence was simply no longer affordable. Many—or even most—of the outposts that did not pay for themselves would have to be abandoned. Priority would be given to those places that were of vital economic interests to the United States. The Middle East oil fields would be at the top of that list. The United States would have to maintain control over them whatever the price. In this global depression scenario, the price of oil could collapse to $3 per barrel. Oil consumption would fall by half and there would be no speculators left to manipulate prices higher. Oil at that level would impoverish the oil-producing nations, with extremely destabilizing political consequences. Maintaining control over the Middle East oil fields would become much more difficult for the United States. It would require a much larger military presence than it does now. On the one hand, it might become necessary for the United States to reinstate the draft (which would possibly meet with violent resistance from draftees, as it did during the Vietnam War). On the other hand, America’s all-volunteer army might find it had more than enough volunteers with the national unemployment rate in excess of 20 percent. The army might have to be employed to keep order at home, given that mass unemployment would inevitably lead to a sharp spike in crime. Only after the Middle East oil was secured would the country know how much more of its global military presence it could afford to maintain. If international trade had broken down, would there be any reason for the United States to keep a military presence in Asia when there was no obvious way to finance that presence? In a global depression, the United States’ allies in Asia would most likely be unwilling or unable to finance America’s military bases there or to pay for the upkeep of the U.S. Pacific fleet. Nor would the United States have the strength to force them to pay for U.S. protection. Retreat from Asia might become unavoidable. And Europe? What would a cost–benefit analysis conclude about the wisdom of the United States maintaining military bases there? What valued added does Europe provide to the United States? Necessity may mean Europe will have to defend itself. Should a New Great Depression put an end to the Pax Americana, the world would become a much more dangerous place. When the Great Depression began, Japan was the rising industrial power in Asia. It invaded Manchuria in 1931 and conquered much of the rest of Asia in the early 1940s. Would China, Asia’s new rising power, behave the same way in the event of a new global economic collapse? Possibly. China is the only nuclear power in Asia east of India (other than North Korea, which is largely a Chinese satellite state). However, in this disaster scenario, it is not certain that China would survive in its current configuration. Its economy would be in ruins. Most of its factories and banks would be closed. Unemployment could exceed 30 percent. There would most likely be starvation both in the cities and in the countryside. The Communist Party could lose its grip on power, in which case the country could break apart, as it has numerous times in the past. It was less than 100 years ago that China’s provinces, ruled by warlords, were at war with one another. United or divided, China’s nuclear arsenal would make it Asia’s undisputed superpower if the United States were to withdraw from the region. From Korea and Japan in the North to New Zealand in the South to Burma in the West, all of Asia would be at China’s mercy. And hunger among China’s population of 1.3 billion people could necessitate territorial expansion into Southeast Asia. In fact, the central government might not be able to prevent mass migration southward, even if it wanted to. In Europe, severe economic hardship would revive the centuries-old struggle between the left and the right. During the 1930s, the Fascists movement arose and imposed a police state on most of Western Europe. In the East, the Soviet Union had become a communist police state even earlier. The far right and the far left of the political spectrum converge in totalitarianism. It is difficult to judge whether Europe’s democratic institutions would hold up better this time that they did last time. England had an empire during the Great Depression. Now it only has banks. In a severe worldwide depression, the country— or, at least London—could become ungovernable. Frustration over poverty and a lack of jobs would erupt into anti-immigration riots not only in the United Kingdom but also across most of Europe. The extent to which Russia would menace its European neighbors is unclear. On the one hand, Russia would be impoverished by the collapse in oil prices and might be too preoccupied with internal unrest to threaten anyone. On the other hand, it could provoke a war with the goal of maintaining internal order through emergency wartime powers. Germany is very nearly demilitarized today when compared with the late 1930s. Lacking a nuclear deterrent of its own, it could be subject to Russian intimidation. While Germany could appeal for protection from England and France, who do have nuclear capabilities, it is uncertain that would buy Germany enough time to remilitarize before it became a victim of Eastern aggression. As for the rest of the world, its prospects in this disaster scenario can be summed up in only a couple of sentences. Global economic output could fall by as much as half, from $60 trillion to $30 trillion. Not all of the world’s seven billion people would survive in a $30 trillion global economy. Starvation would be widespread. Food riots would provoke political upheaval and myriad big and small conflicts around the world. It would be a humanitarian catastrophe so extreme as to be unimaginable for the current generation, who, at least in the industrialized world, has known only prosperity. Nor would there be reason to hope that the New Great Depression would end quickly. The Great Depression was only ended by an even more calamitous global war that killed approximately 60 million people.

## Advantage 3-Soft Power

#### NSA Scandals threaten international perception of the United States – this is especially true for our allies. Problems with the NSA threaten our relationships with allied nations

**Reichman, 2013**

(Deb, Associated Press State Department correspondent, “NSA Spying Threatens U.S. Foreign Policy Efforts”, 10-26, <http://www.huffingtonpost.com/2013/10/26/nsa-spying-foreign-policy_n_4166076.html>)

President Barack Obama has defended America's surveillance dragnet to leaders of Russia, Mexico, Brazil, France and Germany, but the international anger over the disclosures shows no signs of abating in the short run. Longer term, the revelations by former National Security Agency contractor Edward Snowden about NSA tactics that allegedly include tapping the cellphones of as many as 35 world leaders threaten to undermine U.S. foreign policy in a range of areas. This vacuum-cleaner approach to data collection has rattled allies. "The magnitude of the eavesdropping is what shocked us," former French Foreign Minister Bernard Kouchner said in a radio interview. "Let's be honest, we eavesdrop too. Everyone is listening to everyone else. But we don't have the same means as the United States, which makes us jealous." So where in the world isn't the NSA? That's one big question raised by the disclosures. Whether the tapping of allies is a step too far might be moot. The British ambassador to Lebanon, Tom Fletcher, tweeted this past week: "I work on assumption that 6+ countries tap my phone. Increasingly rare that diplomats say anything sensitive on calls." Diplomatic relations are built on trust. If America's credibility is in question, the U.S. will find it harder to maintain alliances, influence world opinion and maybe even close trade deals. Spying among allies is not new. Madeleine Albright, secretary of state during the Clinton administration, recalled being at the United Nations and having the French ambassador ask her why she said something in a private conversation apparently intercepted by the French. The French government protested revelations this past week that the NSA had collected 70.3 million French-based telephone and electronic message records in a 30-day period. Albright says Snowden's disclosures have hurt U.S. policymakers. "A lot of the things that have come out, I think are specifically damaging because they are negotiating positions and a variety of ways that we have to go about business," Albright said at a conference hosted by the Center for American Progress in Washington. "I think it has made life very difficult for Secretary Kerry. ... There has to be a set of private talks that, in fact, precede negotiations and I think it makes it very, very hard." The spy flap could give the Europeans leverage in talks with the U.S. on a free trade agreement, which would join together nearly half of the global economy. "If we go to the negotiations and we have the feeling those people with whom we negotiate know everything that we want to deal with in advance, how can we trust each other?" asked Martin Schulz, president of the European Parliament. Claude Moniquet, a former French counterintelligence officer and now director of Brussels-based European Strategic Intelligence and Security Center, said the controversy came at a good time for Europe "to have a lever, a means of pressure ... in these negotiations." To Henry Farrell and Martha Finnemore at George Washington University, damage from the NSA disclosures could "undermine Washington's ability to act hypocritically and get away with it." The danger in the disclosures "lies not in the new information that they reveal but in the documented confirmation they provide of what the United States is actually doing and why," they wrote in Foreign Affairs. "When these deeds turn out to clash with the government's public rhetoric, as they so often do, it becomes harder for U.S. allies to overlook Washington's covert behavior and easier for U.S. adversaries to justify their own." They claim the disclosures forced Washington to abandon its "naming-and-shaming campaign against Chinese hacking." The revelations could undercut Washington's effort to fight terrorism, says Kiron Skinner, director of the Center for International Relations and Politics at Carnegie Mellon University. The broad nature of NSA surveillance goes against the Obama administration's claim that much of U.S. espionage is carried out to combat terrorism, she said. "If Washington undermines its own leadership or that of its allies, the collective ability of the West to combat terrorism will be compromised," Skinner said. "Allied leaders will have no incentive to put their own militaries at risk if they cannot trust U.S. leadership."

#### A failure to maintain strong relationships with allies destroys US leadership and ability to lead from behind

**Chen, 2015**

(Jiming, Zhejiang professor, “US Seeks To Offload Cost of Hegemony on Allies”, 2-13, <http://watchingamerica.com/WA/2015/02/19/us-seeks-to-offload-cost-of-hegemony-on-allies/>)

In the 2011 Libyan Civil War, the "leading from behind" policy adopted by the Obama administration won clear results. Through this, the United States came to realize that even without large-scale military deployments, it can realize its strategic goals by strengthening cooperative relationships with its partners and allies and acting in a leadership role when necessary. By doing so, it can lighten the burden of U.S. hegemony while at the same time guaranteeing the continued existence of that same hegemony, and has therefore become a key feature of Obama's international strategy. In his new National Security Strategy, Obama expressed a desire to utilize collective action, and not unilateral action, to protect the United States' core interests. He emphasized that the United States is "stronger when we mobilize collective action." The truth is that at present, moving with caution is simply the wisest strategy for the U.S. government. This is because the United States currently lacks imminent threats to its security, its responsibility-sharing coalition strategy has gained considerable results and its interests around the globe have not suffered as a consequence. In international strategy, at least, the Obama administration has been somewhat withdrawn and relatively low key, reallocating resources toward helping the U.S. economy recover. But in this, it has also undertaken certain risks. The primary risks for the United States are twofold, with the first part lying in the confidence of its allies. Both European allies and Asian ones like Japan harbor concerns about Obama's international strategy, especially as they have all come under security pressures of their own. Obama has stressed many times that the United States will honor its security promises to its allies. In other words, the loyalty of its allies to the coalition is a factor of how many security benefits they stand to receive in the bargain. The second risk is that the United States will likely be pulled into regional disputes and conflicts. In order to gain the trust of its allies, the United States will occasionally need to take substantive action on behalf of those allies and partner nations in international disputes, including providing military armaments, deploying sophisticated weapon systems to certain regions, and holding joint military exercises. The U.S. government is seeking a balance between its obligations from agreements with allies and avoiding involvement in regional conflicts. In sum, this all arises from the need to maintain U.S. power and its continued position as global leader. Obama is well aware that without the support of the coalition that this system provides, the United States would be hard pressed to keep its claim to that leadership. But from this perspective, it also seems likely that we will never again see a return to an age where the United States is "second to none."

#### Legitimacy of U.S. hegemony is key to global stability-prevents great power war

**Fujimoto, 2012**

(Kevin, US Army Lt. Colonel, “Preserving U.S. National Security Interests Through a Liberal World Construct”, 1-11, <http://www.strategicstudiesinstitute.army.mil/index.cfm/articles/Preserving-US-National-Security-Interests-Liberal-World-Construct/2012/1/11>)

The emergence of peer competitors, not terrorism, presents the greatest long-term threat to our national security. Over the past decade, while the United States concentrated its geopolitical focus on fighting two land wars in Iraq and Afghanistan, China has quietly begun implementing a strategy to emerge as the dominant imperial power within Southeast Asia and the Indian Ocean. Within the next 2 decades, China will likely replace the United States as the Asia-Pacific regional hegemonic power, if not replace us as the global superpower.1 Although China presents its rise as peaceful and non-hegemonic, its construction of naval bases in neighboring countries and military expansion in the region contradict that argument. With a credible threat to its leading position in a unipolar global order, the United States should adopt a grand strategy of “investment,” building legitimacy and capacity in the very institutions that will protect our interests in a liberal global construct of the future when we are no longer the dominant imperial power. Similar to the Clinton era's grand strategy of “enlargement,”2 investment supports a world order predicated upon a system of basic rules and principles, however, it differs in that the United States should concentrate on the institutions (i.e., United Nations, World Trade Organization, ASEAN, alliances, etc.) that support a world order, as opposed to expanding democracy as a system of governance for other sovereign nations. Despite its claims of a benevolent expansion, China is already executing a strategy of expansion similar to that of Imperial Japan's Manchukuo policy during the 1930s.3 This three-part strategy involves: “(i) (providing) significant investments in economic infrastructure for extracting natural resources; (ii) (conducting) military interventions (to) protect economic interests; and, (iii) . . . (annexing) via installation of puppet governments.”4 China has already solidified its control over neighboring North Korea and Burma, and has similarly begun more ambitious engagements in Africa and Central Asia where it seeks to expand its frontier.5 Noted political scientist Samuel P. Huntington provides further analysis of the motives behind China's imperial aspirations. He contends that “China (has) historically conceived itself as encompassing a “‘Sinic Zone'. . . (with) two goals: to become the champion of Chinese culture . . . and to resume its historical position, which it lost in the nineteenth century, as the hegemonic power in East Asia.”6 Furthermore, China holds one quarter of the world's population, and rapid economic growth will increase its demand for natural resources from outside its borders as its people seek a standard of living comparable to that of Western civilization. The rise of peer competitors has historically resulted in regional instability and one should compare “the emergence of China to the rise of. . . Germany as the dominant power in Europe in the late nineteenth century.”7 Furthermore, the rise of another peer competitor on the level of the Soviet Union of the Cold War ultimately threatens U.S. global influence, challenging its concepts of human rights, liberalism, and democracy; as well as its ability to co-opt other nations to accept them.8 This decline in influence, while initially limited to the Asia-Pacific region, threatens to result in significant conflict if it ultimately leads to a paradigm shift in the ideas and principles that govern the existing world order. A grand strategy of investment to address the threat of China requires investing in institutions, addressing ungoverned states, and building legitimacy through multilateralism. The United States must build capacity in the existing institutions and alliances accepted globally as legitimate representative bodies of the world's governments. For true legitimacy, the United States must support these institutions, not only when convenient, in order to avoid the appearance of unilateralism, which would ultimately undermine the very organizations upon whom it will rely when it is no longer the global hegemon. The United States must also address ungoverned states, not only as breeding grounds for terrorism, but as conflicts that threaten to spread into regional instability, thereby drawing in superpowers with competing interests. Huntington proposes that the greatest source of conflict will come from what he defines as one “core” nation's involvement in a conflict between another core nation and a minor state within its immediate sphere of influence.9 For example, regional instability in South Asia10 threatens to involve combatants from the United States, India, China, and the surrounding nations. Appropriately, the United States, as a global power, must apply all elements of its national power now to address the problem of weak and failing states, which threaten to serve as the principal catalysts of future global conflicts.11 Admittedly, the application of American power in the internal affairs of a sovereign nation raises issues. Experts have posed the question of whether the United States should act as the world's enforcer of stability, imposing its concepts of human rights on other states. In response to this concern, The International Commission on Intervention and State Sovereignty authored a study titled, The Responsibility to Protect,12 calling for revisions to the understanding of sovereignty within the United Nations (UN) charter. This commission places the responsibility to protect peoples of sovereign nations on both the state itself and, more importantly, on the international community.13 If approved, this revision will establish a precedent whereby the United States has not only the authority and responsibility to act within the internal affairs of a repressive government, but does so with global legitimacy if done under the auspices of a UN mandate. Any effort to legitimize and support a liberal world construct requires the United States to adopt a multilateral doctrine which avoids the precepts of the previous administration: “preemptive war, democratization, and U.S. primacy of unilateralism,”14 which have resulted in the alienation of former allies worldwide. Predominantly Muslim nations, whose citizens had previously looked to the United States as an example of representative governance, viewed the Iraq invasion as the seminal dividing action between the Western and the Islamic world. Appropriately, any future American interventions into the internal affairs of another sovereign nation must first seek to establish consensus by gaining the approval of a body representing global opinion, and must reject military unilateralism as a threat to that governing body's legitimacy. Despite the long-standing U.S. tradition of a liberal foreign policy since the start of the Cold War, the famous liberal leviathan, John Ikenberry, argues that “the post-9/11 doctrine of national security strategy . . . has been based on . . . American global dominance, the preventative use of force, coalitions of the willing, and the struggle between liberty and evil.”15 American foreign policy has misguidedly focused on spreading democracy, as opposed to building a liberal international order based on universally accepted principles that actually set the conditions for individual nation states to select their own system of governance. Anne-Marie Slaughter, the former Dean of the Woodrow Wilson School of Public and International Affairs, argues that true Wilsonian idealists “support liberal democracy, but reject the possibility of democratizing peoples . . .”16 and reject military primacy in favor of supporting a rules-based system of order. Investment in a liberal world order would also set the conditions for the United States to garner support from noncommitted regional powers (i.e., Russia, India, Japan, etc.), or “swing civilizations,” in countering China's increasing hegemonic influence.17 These states reside within close proximity to the Indian Ocean, which will likely emerge as the geopolitical focus of the American foreign policy during the 21st century, and appropriately have the ability to offset China's imperial dominance in the region.18 Critics of a liberal world construct argue that idealism is not necessary, based on the assumption that nations that trade together will not go to war with each other.19 In response, foreign affairs columnist Thomas L. Friedman rebukes their arguments, acknowledging the predicate of commercial interdependence as a factor only in the decision to go to war, and argues that while globalization is creating a new international order, differences between civilizations still create friction that may overcome all other factors and lead to conflict.20 Detractors also warn that as China grows in power, it will no longer observe “the basic rules and principles of a liberal international order,” which largely result from Western concepts of foreign relations. Ikenberry addresses this risk, citing that China's leaders already recognize that they will gain more authority within the existing liberal order, as opposed to contesting it. China's leaders “want the protection and rights that come from the international order's . . . defense of sovereignty,”21 from which they have benefitted during their recent history of economic growth and international expansion. Even if China executes a peaceful rise and the United States overestimates a Sinic threat to its national security interest, the emergence of a new imperial power will challenge American leadership in the Indian Ocean and Asia-Pacific region. That being said, it is more likely that China, as evidenced by its military and economic expansion, will displace the United States as the regional hegemonic power. Recognizing this threat now, the United States must prepare for the eventual transition and immediately begin building the legitimacy and support of a system of rules that will protect its interests later when we are no longer the world's only superpower.

#### The alternative is regional blocs and great power war

**Zhang et al., 2011**

(Yuhan, Carnegie Endowment researcher, “America’s decline: A harbinger of conflict and rivalry”, 1-22, <http://www.eastasiaforum.org/2011/01/22/americas-decline-a-harbinger-of-conflict-and-rivalry/>)

This does not necessarily mean that the US is in systemic decline, but it encompasses a trend that appears to be negative and perhaps alarming. Although the US still possesses incomparable military prowess and its economy remains the world’s largest, the once seemingly indomitable chasm that separated America from anyone else is narrowing. Thus, the global distribution of power is shifting, and the inevitable result will be a world that is less peaceful, liberal and prosperous, burdened by a dearth of effective conflict regulation. Over the past two decades, no other state has had the ability to seriously challenge the US military. Under these circumstances, motivated by both opportunity and fear, many actors have bandwagoned with US hegemony and accepted a subordinate role. Canada, most of Western Europe, India, Japan, South Korea, Australia, Singapore and the Philippines have all joined the US, creating a status quo that has tended to mute great power conflicts. However, as the hegemony that drew these powers together withers, so will the pulling power behind the US alliance. The result will be an international order where power is more diffuse, American interests and influence can be more readily challenged, and conflicts or wars may be harder to avoid. As history attests, power decline and redistribution result in military confrontation. For example, in the late 19th century America’s emergence as a regional power saw it launch its first overseas war of conquest towards Spain. By the turn of the 20th century, accompanying the increase in US power and waning of British power, the American Navy had begun to challenge the notion that Britain ‘rules the waves.’ Such a notion would eventually see the US attain the status of sole guardians of the Western Hemisphere’s security to become the order-creating Leviathan shaping the international system with democracy and rule of law. Defining this US-centred system are three key characteristics: enforcement of property rights, constraints on the actions of powerful individuals and groups and some degree of equal opportunities for broad segments of society. As a result of such political stability, free markets, liberal trade and flexible financial mechanisms have appeared. And, with this, many countries have sought opportunities to enter this system, proliferating stable and cooperative relations. However, what will happen to these advances as America’s influence declines? Given that America’s authority, although sullied at times, has benefited people across much of Latin America, Central and Eastern Europe, the Balkans, as well as parts of Africa and, quite extensively, Asia, the answer to this question could affect global society in a profoundly detrimental way. Public imagination and academia have anticipated that a post-hegemonic world would return to the problems of the 1930s: regional blocs, trade conflicts and strategic rivalry. Furthermore, multilateral institutions such as the IMF, the World Bank or the WTO might give way to regional organisations. For example, Europe and East Asia would each step forward to fill the vacuum left by Washington’s withering leadership to pursue their own visions of regional political and economic orders. Free markets would become more politicised — and, well, less free — and major powers would compete for supremacy. Additionally, such power plays have historically possessed a zero-sum element. In the late 1960s and 1970s, US economic power declined relative to the rise of the Japanese and Western European economies, with the US dollar also becoming less attractive. And, as American power eroded, so did international regimes (such as the Bretton Woods System in 1973). A world without American hegemony is one where great power wars re-emerge, the liberal international system is supplanted by an authoritarian one, and trade protectionism devolves into restrictive, anti-globalisation barriers. This, at least, is one possibility we can forecast in a future that will inevitably be devoid of unrivalled US primacy.

# 2AC Extensions

## Inherency Extensions

#### There’s a clear lack of oversight of status quo surveillance

Healey 14

(Audra Healey, December, 2014 Federal Communications Law Journal 67 Fed. Comm. L.J. 91 LENGTH: 12122 words NOTE: A Tale of Two Agencies: Exploring Oversight of the National Security Administration by the Federal Communications Commission NAME: Audra Healey\* BIO: \* J.D. Candidate, The George Washington University Law School, May 2015; B.A. magna cum laude, in Political Science, concentration in Public Policy and Administration, minor Law and Public Policy, Northeastern University, December 2011. The author would like to thank her parents and grandparents for their love, support, and encouragement in all things. TH)

The executive and legislative mechanisms currently in place to provide oversight of the NSA are inadequate in promoting public confidence and effective national security. Ostensibly, the activities of the NSA are generally governed by the Constitution, federal law, executive orders, and regulations of the Executive Branch. n41 On the legislative side, there are two [\*99] congressional bodies - the House Permanent Select Committee on Intelligence ("HPSCI") and the Senate Select Committee on Intelligence ("SSCI") - that are responsible for ensuring that the NSA follows the applicable laws and regulations. n42 In the executive branch, NSA oversight is vested in the President's Intelligence Advisory Board, the Office of the Director of National Intelligence, and the Department of Justice. n43 Ostensibly, in addition to these legislative and executive oversight mechanisms, the NSA has also implemented internal controls: the Office of the Inspector General performs audits and investigations while the Office of Compliance operates to ensure that the NSA follows relevant standards. n44 However, despite the appearance of effective controls, these oversight mechanisms have failed to prevent the current public crisis in confidence that the NSA is fulfilling its mission with the least possible adverse impact on the privacy of U.S. citizens. The authority of the NSA, subject to the above controls, is very limited on paper. Every intelligence activity that the NSA undertakes is purportedly constrained to the purposes of foreign intelligence and counterintelligence. n45 For instance, Executive Order 12,333 provides the authority for the NSA to engage in the "collection of communications by foreign persons that occur wholly outside the United States." n46 Additionally, FISA authorizes the NSA to compel U.S. telecommunications companies to assist the agency in targeting persons who are not U.S. citizens and are reasonably believed to be located outside the United States. n47 However, despite the appearances of controls, both external and internal, the "communications of U.S. persons are sometimes incidentally acquired in targeting the foreign entities." n48 The varying types of data gathered can produce a "detailed map" of a given person's life based on those persons with whom they are in contact. n49 For instance, metadata can be used to piece together substantial information about relationships; this information includes who introduced two people, when they met, and their [\*100] general communication patterns, as well as the nature and the extent of their relationships. n50 The recently disclosed collection of contact lists by the NSA has not been authorized by Congress or FISA. n51 Additionally, while other collection policies that touch upon domestic communications, such as those under Section 702, have authorization, often neither lawmakers nor the public have even a rough estimate of how many communications of U.S. citizens are being acquired. n52 The NSA is easily able to operate around its apparent lack of authority. One anonymous official has been quoted as saying that the NSA consciously avoids the restrictions placed on it by FISA by collecting this information from access points all over the world. n53 This method means that the NSA is not required to restrict itself to collecting contact lists belonging to specified intelligence targets. n54 The collection mechanism ostensibly operates under the assumption that the bulk of the data collected through the overseas access points is not data from American citizens. n55 However, this is not necessarily true due to the globalized nature of the Internet as a communications infrastructure, as "data crosses boundaries even when its American owners stay at home." n56 The oversight mechanisms currently applied to this collection program require the NSA only to satisfy its own internal oversight mechanisms or to answer possible inquiries from executive branch that there is a "valid foreign intelligence target" in the data collected. n57 Moreover, congressional oversight is not effective because members of Congress have candidly said they do not know precisely the right questions to ask NSA officials. n58 Often, [\*101] in congressional hearings, NSA officials and other senior members of the intelligence community are evasive unless directly pressed, and the congressional committees are stymied by their lack of knowledge regarding just which questions need asking. n59 Given the realities of the NSA overstepping its authority, there is no indication to the public that the agency, even as it has been collecting data from American citizens, has been required to answer to its various oversight mechanisms in an effective manner. In response, President Obama directed the Privacy and Civil Liberties Oversight Board ("PCLOB") to conduct two reports about NSA intelligence gathering methods. n60 The PCLOB is an independent, bipartisan agency within the executive branch tasked with reviewing and analyzing executive branch actions taken in the name of national security to determine whether appropriate consideration has been afforded to civil liberties in the development and implementation of national anti-terrorism policy. n61 The recent PCLOB Report emphasizes that there is a: compelling danger ... that the personal information collected by the government will be misused to harass, blackmail, or intimidate, or to single out for scrutiny particular individuals or groups ... . while the danger of abuse may seem remote, given historical abuse of personal information by the government during the twentieth century, the risk is more than merely theoretical. n62 The second report addressed more specifically Internet surveillance activities of the NSA - specifically those undertaken pursuant to Section 702. n63 These reports demonstrate that there is a serious risk of abuse of the data collected by the NSA, as well illustrating the failings of current governmental oversight of NSA data collection policies. [\*102] Moreover, according to some classified intelligence documents released by The Washington Post and other outlets, the NSA appears to be overwhelmed by the sheer amount of data it is has collected, which indicates that the mechanisms in place do not adequately help the NSA to focus its search. For instance, the NSA has begun to implement a program (SCISSORS) in order to focus on the portion of the data that is relevant amongst the mass of data collected. n64 This is because the NSA was collecting broad swaths of data with "little or no [foreign intelligence] information." n65 The first PCLOB report indicates that the NSA metadata collection program does not pass any semblance of relevancy standards to target the data to a specific question of national security; this is because the NSA does not have reason to suspect the owners of the metadata, unlike in other cases where the collection was lawful. n66 Thus, the current oversight system suffers from some serious failings. First, it does not allow for a focused inquiry by the congressional committees. Additionally, the NSA can get around requirements imposed on it by FISA by conducting Internet surveillance abroad that nonetheless captures U.S. data flows, many of which traverse foreign networks. Moreover, the NSA has over-collected data with little value to the agency's national security mission, and therefore must sift through masses of data involving regular American citizens while fighting a public battle about how much information the agency collects. n67 This all suggests deficiencies in the NSA's oversight structure, as all preventive executive, legislative, and internal controls have not been effective. B. Stronger oversight is also needed because the courts are ill-equipped to adequately review and oversee the NSA. Further demonstrating that change in oversight is needed, federal courts, including the FISA Court, have shown themselves inadequately suited to oversee the NSA's activities. As discussed in the previous subsection, existing oversight mechanisms have not stopped the NSA from pursuing these aggressive and intrusive data collection policies. [\*103] Additionally, the courts too have a similar gap in reactive oversight. As such, some form of oversight is needed to bridge the gap between preventative oversight by congressional committees and reactive oversight by the FISA Court. This section first shows that the NSA defies judicial control, then discusses how the traditional appellate process is ineffective, before arguing that the FISA Court is ineffective at controlling the NSA's data collection policies.

#### The American public is not in favor of privacy violations

Healey 14

(December, 2014 Federal Communications Law Journal 67 Fed. Comm. L.J. 91 LENGTH: 12122 words NOTE: A Tale of Two Agencies: Exploring Oversight of the National Security Administration by the Federal Communications Commission NAME: Audra Healey\* BIO: \* J.D. Candidate, The George Washington University Law School, May 2015; B.A. magna cum laude, in Political Science, concentration in Public Policy and Administration, minor Law and Public Policy, Northeastern University, December 2011. The author would like to thank her parents and grandparents for their love, support, and encouragement in all things. TH)

Additionally, the NSA's intrusions into domestic communications extend beyond call data to reach citizens' activity on the Internet. n20 For years, the NSA "unlawfully gathered tens of thousands of emails and other electronic communications between Americans" as part of the agency's broader collection of communications as they "flow across Internet hubs" under Section 702 of FISA. n21 Pursuant to these practices, the NSA may have intercepted as many as 56,000 domestic electronic communications through various methods, n22 some of which the FISA Court has found unconstitutional. n23 The disclosure of these NSA practices triggered a substantial backlash. Many Americans reacted by taking steps to insulate themselves from what they considered unwarranted government intrusion on their private lives and activities. n24 Even though several crucial FISA Court rulings have been partially declassified and released to the public n25 in an effort to demonstrate that the NSA's powers are not unrestrained, public trust and confidence in the agency has clearly diminished. n26 In the wake of these disclosures, forty-five percent of Americans felt that the government went too far in its surveillance programs pursuant to anti-terrorism efforts. n27 This "massive [\*97] swing" in public opinion about government policies embodies "the public reaction and apparent shock at the extent to which the government has gone in trying to prevent future terrorist incidents." n28 Coupled with the steps that many Internet users are taking to prevent government intrusion on their online activities and communication, this shift in public opinion shows that Americans are dissatisfied with the reach of government surveillance. n29

#### Section 702 violates statutory bypass and the fourth amendment

DONOHUE 15

Laura K. Donohue, Winter, 2015 Harvard Journal of Law & Public Policy 38 Harv. J.L. & Pub. Pol'y 117 LENGTH: 10457 words SECURITY VS. FREEDOM: CONTEMPORARY CONTROVERSIES: THE THIRTY-THIRD ANNUAL FEDER-ALIST SOCIRTY NATIONAL STUDENT SYMPOSIUM ON LAW AND PUBLIC POLICY -- 2014: ARTICLE: SECTION 702 AND THE COLLECTION OF INTERNATIONAL TELEPHONE AND INTERNET CONTENT NAME: LAURA K. DONOHUE \* BIO: \* Professor of Law, Georgetown University Law Center. This Article is Part Two of two-part series on NSA surveillance under the Foreign Intelligence Surveillance Act. For Part One, see Laura K. Donohue, Bulk Metadata Collection: Statutory and Constitutional Questions, 37 HARV. J.L. & PUB. POL'Y 757 (2014). TH

NSA's minimization procedures place a duty on the NSA to turn over any information regarding the commission of a crime to law enforcement agencies, if the NSA would like to retain the information. n334 In light of front-end considerations (the inclusion of information "about" selectors/targets and the assumption of non-U.S. person and overseas status), U.S. persons' international and, at times, domestic communications can be monitored, collected, and used against them in a court of law, without law enforcement ever satisfying Title III requirements. Neither individualized suspicion nor insertion of a neutral, third-party magistrate characterizes Section 702 collection. U.S. persons may not themselves be in direct contact with any of the approved targets under Section 702. And query of databases using U.S. person identifiers may further implicate U.S. persons in criminal activity--even acts unrelated to national security. But no individualized judicial process is required. Courts have in the past found applications under traditional FISA sufficient. n335 But Section 702 includes none of these protections, giving rise to both statutory bypass and Fourth Amendment concerns.

## Solvency Extension

#### Amending the NSA for better collection of data is critical

Healey 14

(December, 2014 Federal Communications Law Journal 67 Fed. Comm. L.J. 91 LENGTH: 12122 words NOTE: A Tale of Two Agencies: Exploring Oversight of the National Security Administration by the Federal Communications Commission NAME: Audra Healey\* BIO: \* J.D. Candidate, The George Washington University Law School, May 2015; B.A. magna cum laude, in Political Science, concentration in Public Policy and Administration, minor Law and Public Policy, Northeastern University, December 2011. TH)

Congress should amend the NSA organic statute to provide for collection of data by the FCC. The NSA needs transparent and easily understood oversight. While it should not have to disclose national security information, the agency should be required to disclose basic statistics, such as how much information it is gathering, similar to Recommendation 9 in the second PCLOB Report. n118 This would at least illustrate to the public, via the FCC, that the NSA is targeting its surveillance at legitimate threats to national security - rather than performing blanket surveillance of all Internet users. Further, these reforms would comport with the PCLOB's enumerated Recommendations. n119 As of now, "lawmakers and the public do not have even a rough estimate of how many communications of U.S. persons are acquired under section 702." n120 Because the NSA is required to target foreign communications in order for its surveillance to be lawful, n121 an annual snapshot showing the volume of its surveillance will help foster some degree of transparency, n122 helping assure citizens that their privacy is not being intruded upon, without hampering legitimate national security efforts. n123 This expanded role for the FCC in relation to the NSA should be codified by Congress. First, Congress should amend the NSA's organic statute to require the agency to comply with FCC requests for data. Additionally, while the FCC does not have the security clearance to review the substance of the surveillance, such clearance is not necessary on an agency-wide basis. Instead, Congress should require the NSA to provide targeting statistics that could be reasonably disclosed, or at least preliminary statistics that could focus the FCC's inquiry. This new legislation is all that is necessary to facilitate oversight on the NSA side, as the FCC will require most of the congressional authorization. [\*113

#### The aff provides a sufficient curtail of NSA powers to solve

**Giroux 14**

(Henry A. Giroux | Totalitarian Paranoia in the Post-Orwellian Surveillance State Henry A. Giroux currently holds the Global TV Network Chair Professorship at McMaster University in the English and Cultural Studies Department and a Distinguished Visiting Professorship at Ryerson University. Monday, 10 February 2014 09:15 http://www.truth-out.org/opinion/item/21656-totalitarian-paranoia-in-the-post-orwellian-surveillance-state By Henry A Giroux, Truthout | Op-Ed – BRW)

**As the line collapses between authoritarian power and democratic governance, state and corporate repression intensifies and increasingly engulfs the nation in a toxic climate of fear and self-censorship in which free speech, if not critical thought, itself is viewed as too dangerous in which to engage. The NSA, alone, has become** what Scott Shane has called an **"electronic omnivore of staggering capabilities, eavesdropping and hacking its way around the world to strip governments and other targets of their secrets, all while enforcing the utmost secrecy about its own operations. It spies routinely on friends as well as foes."47 Intelligence benefits are far outweighed by the illegal use of the Internet, telecommunication companies and stealth malware for data collection and government interventions that erode civil liberties and target individuals and groups that pose no threat whatsoever to national security. New technologies** that range from webcams and spycams to biometrics and Internet drilling **reinforce not only the fear of being watched, monitored and investigated but also a propensity toward confessing one's intimate thoughts and sharing the most personal of information**. What is **profoundly disturbing** and worth repeating in this case is the new intimacy between digital technologies and cultures of surveillance in which there exists a profound an unseen intimate connection into the most personal and private areas as subjects publish and document their interests, identities, hopes and fears online in massive quantities.48 **Surveillance propped up as the new face of intimacy becomes the order of the day, eradicating free expression and, to some degree, even thinking itself. In the age of the self-absorbed self and its mirror image, the selfie, intimacy becomes its opposite** and the exit from privacy becomes symptomatic of a society that gave up on the social and historical memory**. One of the most serious conditions that enable the expansion of the corporate-state surveillance apparatus is the erasure of public memory**. One of the most serious conditions that enable the expansion of the corporate-state surveillance apparatus is the erasure of public memory. The renowned anthropologist David Price rightly argues that historical memory is one of the primary weapons to be used against the abuse of power and that is why "**those who have power create a 'desert of organized forgetting.**' "49 For Price, **it is crucial to reclaim America's battered public memories as a political and pedagogical task as part of the broader struggle to regain lost privacy and civil liberties."50 Since the terrorist attacks of 9/11, America has succumbed to a form of historical amnesia fed by a culture of fear, militarization and precarity. Relegated to the dustbin of organized forgetting were the long-standing abuses carried out by America's intelligence agencies and the** public's long-standing distrust of the FBI, **government wiretaps and police actions that threatened privacy rights, civil liberties and those freedoms fundamental to a democracy. In the present historical moment, it is almost impossible to imagine that wiretapping was once denounced by the FBI or that legislation was passed in the early part of the 20th century that criminalized and outlawed the federal use of wiretaps**.51 Nor has much been written about the Church and Pike committees, which in the 1970s exposed a wave of illegal surveillance and disruption campaigns carried out by the FBI and local police forces, most of which were aimed at anti-war demonstrators, the leaders of the civil rights movement and the Black Panthers.

#### Recent rulings from the Supreme Court prove that a discussion on these issues spills over globally.

Hewitt June 29, 2015

(Duncan Hewitt @dhewittChina on June 29 2015 7:42 AM EDT, US Supreme Court Ruling On Gay Marriage Prompts 'Unprecedented' Debate In China, Gives Hope To Gay Activists <http://www.ibtimes.com/us-supreme-court-ruling-gay-marriage-prompts-unprecedented-debate-china-gives-hope-1987592>”)

GayActivists\_China\_2013 The U.S. Supreme Court ruling on gay marriage has aroused significant debate in China on gay rights. Pictured: Activists raise a rainbow flag as they march during a demonstration to mark the International Day Against Homophobia and Transphobia in Changsha, Hunan province on May 17, 2013. The banner reads, "Homosexuals are also ordinary people." Reuters SHANGHAI -- The U.S. Supreme Court ruling on gay marriage has aroused significant debate in China -- a country where, while homosexuality was decriminalized in 1997, and is increasingly accepted among young people, gay rights still receives relatively little in-depth discussion. Observers say the fact that Justice Anthony M. Kennedy quoted Confucius in his final summing up of the Supreme Court's debate -- noting that the ancient Chinese philosopher, whose thought underpins many of China's cultural values, “taught that marriage lies at the foundation of government” -- gave Chinese media a reason, or even an excuse, to report in detail on the ruling. And this was quickly followed by a heated debate online, with some posts on the topic getting millions of hits. Some commenters emphasized that -- as Kennedy noted in his statement -- Confucius had thought of marriage as between a man and a woman, and stressed that Confucian scholars saw having children as a person’s duty, in order to continue the family line. Nevertheless, gay activists welcomed the rare discussion: “I’ve never seen so much debate in both the traditional media and social media – so many people, and in so much depth,” Ah Qiang, director of Guangzhou-based Parents and Friends of Lesbians and Gays (PFLAG) China, which campaigns for gay rights, told International Business Times. “In the past when smaller countries passed these bills, there wasn’t so much reaction. But Chinese people are especially interested in the U.S. -- so many Chinese people are travelling there now, or moving there to work. So now they have to face up to this issue.” ADVERTISEMENT And some experts said the ruling could have a significant impact in China, coming at a timely moment when gays in the country are becoming more outspoken -- yet the government is also pushing back against many aspects of growing social openness: "The US ruling … will be a boost for the gay rights movement here. I've noticed that there are more heterosexuals who support [gay marriage]," sexologist Li Yinhe, who has regularly -- and forlornly -- proposed bills legalizing gay marriage to China’s legislature, told Monday’s Global Times. At the same time there was also angry criticism in the Chinese media: Shanghai-based news website The Paper published articles by several philosophers, including Prof. Zeng Yi of Tongji University, who described the U.S. decision to approve gay marriage as a "crime against humanity," and stressed that the purpose of marriage was to have children. Activist Ah Qiang said the level of critical comment was also unusual: in the past he said, “people who opposed homosexuality rarely felt a need to speak out -- but they’ve taken this chance to express their feelings. I think the U.S. decision was a shock to them -- that a country with so much religious opposition to gay marriage passed the bill -- so they feel threatened.” A reminder of why those opposed to homosexuality in China are becoming increasingly alarmed was provided by some of China’s biggest companies -- more than a dozen companies, including e-commerce giant Taobao, and Uber-equivalent Didi Dache, added the gay-pride rainbow flag to their websites this weekend in response to the ruling. Activists say Internet companies have led the way in promoting tolerance for homosexuality, in a country where it still remains taboo in many sectors of society -- and where the majority of gay people not only don’t tell their families about their orientation, but have also felt it necessary to marry members of the opposite sex and have children, in order to conform to social mores. This year Taobao -- owned by New York-listed Alibaba -- held a Valentine’s Day competition for gay couples to tell their love stories, with those who attracted most public support being flown to West Hollywood to hold their wedding ceremonies. PFLAG China’s Ah Qiang said the support of such companies was a “very positive step,” and he said the Internet in general had contributed to more open attitudes among China’s younger generation. As a result of such changes he said, the number of young gay people in China’s cities who felt they had to get married to a member of the opposite sex to please their families or society was “declining sharply. More and more young people have read about how people live in other countries, and have seen there’s a new way – that you can marry someone of the same sex.” Yet while Ah Qiang also suggested that China had less deep-rooted religious opposition to gay marriage than many Western countries, he estimated that about 60 percent of gay people in China's big cities are still marrying members of the opposite sex, and as many as 90 percent of gay people in China’s more traditional hinterland are doing the same. And he suggested it could be two decades before gay marriage might be a serious possibility in China. And in a sign of the continuing challenges to the acceptance of gay marriage, a commentary in the official Global Times newspaper said that the U.S. ruling showed that "Society needs to show increasing tolerance for gay marriage, but it's unnecessary to hype it up to induce potential homosexuals." It added that "heterosexual marriage conforms more to the laws of nature and the purpose of marriage," and concluded "we should send our best wishes to the homosexuals but meanwhile hope that some traditions of human beings will continue."

#### The plan is to key to provide change the international perception of the United States created by the NSA

**Kehl, , 2014**

(Danielle Kehl, Open Technology Institute senior policy analyst, “Surveillance Costs: The NSA’s Impact on the Economy, Internet Freedom & Cybersecurity”, July, http://www.newamerica.org/downloads/Surveilance\_Costs\_Final.pdf)

The NSA mass surveillance programs described in the introduction, conducted domestically pursuant to USA PATRIOT Act Section 215 and FISA Amendments Act Section 702 and conducted outside the U.S. under Executive Order 12333, have arguably had the greatest and most immediate impact on America’s tech industry and global standing. Strictly limiting the scope and purpose of surveillance under these authorities—not just in regard to surveillance of Americans but of non-Americans as well—will be critical to regaining the trust of individuals, companies and countries around the world, as well as stemming the economic and political costs of the NSA programs. The President’s NSA Review Group acknowledged the need for such reform in its report on surveillance programs, affirming that “the right of privacy has been recognized as a basic human right that all nations should respect,” and cautioned that “unrestrained American surveillance of non-United States persons might alienate other nations, fracture the unity of the Internet, and undermine the free flow of information across national boundaries.”324 In addition to recommending a variety new protections for U.S. persons, the Review Group urged in its Recommendation 13 that surveillance of non-U.S. persons under Section 702 or “any other authority”—a reference intended to include Executive Order 12333325 — should be strictly limited to the purpose of protecting national security, should not be used for economic espionage, should not be targeted based solely on a person’s political or religious views, and should be subject to careful oversight and the highest degree of transparency possible.326 Fully implementing this recommendation—and particularly restricting Section 702 and Executive Order 12333 surveillance to specific national security purposes rather than foreign intelligence collection generally—would indicate significant progress toward addressing the concerns raised in the recent Report of the Office of the United Nations High Commissioner for Human Rights on “The Right to Privacy in the Digital Age.” The UN report highlights how, despite the universality of human rights, the common distinction between “‘foreigners’ and ‘citizens’…within national security surveillance oversight regimes” has resulted in “significantly weaker – or even non-existent – privacy protection for foreigners and non-citizens, as compared with those of citizens.”327 The leading legislative reform proposal in the U.S. Congress, the USA FREEDOM Act, would go a long way to protecting both U.S. and non-U.S. persons against the bulk collection under Section 215 of records held by American telephone and Internet companies.328 On that basis, passage of the law would very much help address the trust gap that the NSA programs have created. However, with regard to Section 702, the bill as originally introduced only added new protections for U.S. persons or for wholly domestic communications,329 and even those protections were stripped out or weakened in the version of the bill that was passed by the House of Representatives in May 2014.330 Meanwhile, neither the bill as introduced nor as passed by the House addresses surveillance conducted extraterritorially under Executive or 12333. Therefore, even if USA FREEDOM is eventually approved by both the House and the Senate and signed into law by the President, much more will ultimately need to be done to reassure foreign users of U.S.-based communications networks, services, and products that their rights are being respected.

## Adv 1-Extensions

#### Status quo surveillance measures are a direct infringement on the Fourth Amendment – privacy disturbances are happening at an overwhelming level

Hafetz 2013 [Jonathon, Seton Hall University Law School, “How NSA surveillance endangers the Fourth Amendment” Constitution Daily, April 13, 2013. <http://blog.constitutioncenter.org/2013/08/how-nsa-surveillance-endangers-the-fourth-amendment/>]

The Fourth Amendment also interposes an independent judiciary between the government and its citizenry—requiring that the government obtain a warrant by making this individualized showing before a federal judge. Review by a neutral and independent decisionmaker is crucial to the Madisonian system of checks and balances, designed to prevent government overreaching and safeguard individual freedoms.¶ The NSA surveillance programs undermine these protections, threatening to render them a dead letter for all “foreign intelligence information”—a category broadly defined to include information not only about terrorism, but also about intelligence activities, national defense, and even the “foreign affairs” of the United States.¶ Further, given the lax standards the NSA uses to determine whether prospective surveillance targets are foreigners abroad, errors are inevitable. This means that the NSA is likely collecting the content of purely domestic communications as well.¶ In 1978, Congress established a special court—known as the Foreign Intelligence Surveillance Court (FISC)—to review requests for national security surveillance. But, at best, the FISC is merely providing review of the overall surveillance programs conducted under the FAA, and not individual requests for information.¶ Moreover, no FISC ruling explaining its legal analysis of the FAA or “about the target” searches of Americans’ cross-border communications has been disclosed to the public. The secrecy that shrouds the FISC’s decisions heightens the risk to the Fourth Amendment, as even the reasoning used to justify massive government surveillance remains secret.¶ The impact of NSA surveillance is deep and far-reaching. Vacuuming up Americans’ communications undermines basic principles of privacy. It also chills the communications and discourse essential to a democratic society and fundamentally alters the citizenry’s relation with its government.¶ The NSA’s widespread, suspicionless surveillance of Americans’ private communications will not only impact the work of journalists, lawyers, and others who frequently communicate with people abroad. It will also affect the conduct of ordinary citizens, now fearful of visiting a controversial website or discussing a particular topic via email.¶ Over time, the vibrant exchange of ideas essential to democracy will diminish and trust in the government will erode. At the same time, the government will be emboldened to justify further incursions on individual liberty in name of protecting the United States from terrorism or other threats.¶

#### Domestic surveillance poses a threat to the privacy of individuals – lack of trust and insecure technology**Ohanlan 2014** [Alexis Ohanlan, Co-Founder, reddit.com, May 2, 2014, “Munk Debate: Is State Surveillance a Legitimate Defense of Our Freedoms?” The Globe and Mail, <http://www.theglobeandmail.com/globe-debate/is-state-surveillance-a-legitimate-defence-of-our-freedoms/article18368244/>]

Alexis Ohanian : We Americans and Canadians have many shared values - though we may never settle who’s really to blame for Justin Bieber - an inalienable right to privacy is something secured in our Bill of Rights and Canadian Charter of Rights and Freedoms, respectively. Our democratic societies balance this right to privacy with security, but the technological leap we’ve made in the last decade that has made possible my career as a tech entrepreneur and investor has also enabled a surveillance state that is simply unacceptable. The NSA has immense capabilities now and the only thing controlling it is secret law. There’s precedent of far less efficient surveillance technology being abused - even Dr. Martin Luther King and many more U.S. citizens involved in the civil rights and anti-war movements were surveilled. Democracy needs sunlight to thrive. Our reputation has attracted the world’s best and brightest, as well as their money, for our highly-regarded global tech industry, but now [Forrester estimates U.S. companies alone stand to lose $180-billion to non-U.S. cloud providers](http://business.time.com/2013/12/10/nsa-spying-scandal-could-cost-u-s-tech-giants-billions/). The NSA’s insatiable appetite for data and mass surveillance has polluted the network. We’re all connected online but now the very infrastructure of the Internet is no longer healthy because of our brazenness. From a technological standpoint, the World Wide Web works best when it’s “world wide,” and yet we’re faced with countries like Brazil and Germany now discussing balkanizing the Internet to guard against intrusion. Steve Huffman and I can’t possibly start reddit (a site that now is one of the most popular in the world with 150 million visitors a month, 42 per cent of whom are non-US) and expect it to become a truly global platform without every potential customer having both access and trust in our servers. We're not just talking about law, we're talking about keeping technology insecure so that governments can do mass surveillance. That has a huge impact on user trust, policy debates about privacy, data protection, data localization, and gives comfort to oppressive governments that want to surveil the Internet. This is important, because what we’re doing in the name of counterterrorism is actually undermining security elsewhere - finding security flaws and leaving them for anyone to exploit later is not sound policy. A rising tide really does lift all boats - or in this case, lock all doors - when it comes to online security. Speaking of which, that word, security, means different things to my opponents. I’m not talking about trading security for privacy, I’m talking about trading one kind of security for another kind of security. First, these tools aren't just being used for counter-terrorism. Second, the things done in the name of counter-terrorism are hurting other kinds of security.

#### Surveillance in the name of Section 702 is an inherent violation of privacy. Removal is key

Wilhem and Zakrzewski 2014

[Alex, writer for TechCrunch. He lives in San Francisco. Cat, multimedia journalist currently pursuing a degree from Northwestern University. Enrolled in the Medill School of Journalism, she plans to graduate with a double major in journalism and international studies as well as a minor in political science in 2015. “Why Section 702 Reform Matters” TechCrunch, July 6, 2014, <http://techcrunch.com/2014/07/06/why-section-702-reform-matters/>]

A recent report in the Washington Post delved into the National Security Agency’s (NSA) Section 702 surveillance activities, and although it found that the program returns useful information to the agency, it also revealed broad use of the legal authority to collect data and communications from non-target parties.¶ It also indicated that “unmasked identities remain in the NSA’s files, and the agency’s policy is to hold on to ‘incidentally’ collected U.S. content, even if it does not appear to contain foreign intelligence.”¶ In short under the legal purview of Section 702 of the Foreign Intelligence Surveillance Act (FISA), the NSA regularly collects — albeit in a roundabout fashion, and likely not one as robust and complete as it would like — data and communications of United States citizens that it hangs onto even if it has no immediate merit relating to national security.¶ The Post did not go into too much detail on the “valuable” information the sweeps returned for national security reasons, but noted the searches provided the government with information about a secret overseas nuclear project and the identities of cyber hackers attacking U.S. networks.¶ But the sweeps also provided the government agency with detailed information about the lives of more than 10,000 people who were not necessarily being targeted by the NSA. The Post report described the files, “determined as useless but nonetheless retained” as running the gamut from illicit sexual liaisons to financial anxieties. Pictures, including mothers kissing their infants and women modeling lingerie, were picked up in the broad searches.¶ As we have recently seen, the NSA is unafraid to use its authority to search its pooled data — that it collects directly from technology companies and by tapping the core fiber cables of the Internet — with “selectors” that relate to United States persons.

#### Privacy is key to democratic facilitation

McFarland 2012

[Michael, “Why We Care about Privacy” Sa]nta Clara University, June 2012. <http://www.scu.edu/ethics/practicing/focusareas/technology/internet/privacy/why-care-about-privacy.html>]

Therefore privacy, as protection from excessive scrutiny, is necessary if individuals are to be free to be themselves. Everyone needs some room to break social norms, to engage in small "permissible deviations" that help define a person's individuality. People need to be able to think outrageous thoughts, make scandalous statements and pick their noses once in a while. They need to be able to behave in ways that are not dictated to them by the surrounding society. If every appearance, action, word and thought of theirs is captured and posted on a social network visible to the rest of the world, they lose that freedom to be themselves. As Brian Stelter wrote in the New York Times on the loss of anonymity in today's online world, "The collective intelligence of the Internet's two billion users, and the digital fingerprints that so many users leave on Web sites, combine to make it more and more likely that every embarrassing video, every intimate photo, and every indelicate e-mail is attributed to its source, whether that source wants it to be or not. This intelligence makes the public sphere more public than ever before and sometimes forces personal lives into public view." 12¶ This ability to develop one's unique individuality is especially important in a democracy, which values and depends on creativity, nonconformism and the free interchange of diverse ideas. That is where a democracy gets its vitality. Thus, as Westin has observed, "Just as a social balance favoring disclosure and surveillance over privacy is a functional necessity for totalitarian systems, so a balance that ensures strong citadels of individual and group privacy and limits both disclosure and surveillance is a prerequisite for liberal democratic societies. The democratic society relies on publicity as a control over government, and on privacy as a shield for group and individual life." 13¶

#### Privacy invasion is a direct trade off with democracy

Privacy SOS 2014

[“We cannot have our political surveillance and our democracy, too” Privacy SOS, 6/16/2014 <http://privacysos.org/node/1437>]

If it’s the latter, we have a serious problem. Government surveillance of political speech chills democratic engagement and stymies social and political progress. It sends a message to ordinary people and politicians alike: “We are watching you.”¶ Police justifications for this behavior are nonsense, both here and across the pond. The UK police say they need to keep records of political speech in case some activists choose to use violence as a means to achieve their goals. In Boston, officials claimed Occupy records were maintained for “crowd control” and “traffic” purposes. But the UK police kept records on people who have demonstrated no propensity towards violence, and in Boston, police officers made note of details related to hundreds of events that had no bearing on crowd control or traffic. Both departments monitored the political activities of elected officials.¶ What’s this political surveillance really about? Like most surveillance, it’s about control.¶ Police in the UK and US have been keeping records of and tracking dissident speech and association for decades. The problem isn’t new. But it’s getting more and more dangerous in part because of the blurring of the lines—among officials—between behavior characterized as “terrorist” and that which is obviously pure expression of political dissent.¶ The blurring of these lines isn’t an accident, and it isn’t even a product of the latest war. But today the stakes are higher than ever before. In a never-ending “war on terror”, with the entire world cast as the battlefield, the conflation of the dissident with the terrorist has concrete ramifications for individuals that go beyond being smeared as a villain. As soon as the government identifies you as a terrorist, you are subject to an entirely different legal regime, one shrouded in secrecy, governed by vague “state secrets” and “national security” claims, and subject to indefinite detention or even extrajudicial assassination.¶ In domestic law enforcement, the collapsing of the boundary between terrorism and political speech is coming from the very top of the US government.¶ In the spring of 2014, White House national security advisor Lisa Monaco visited the Harvard Kennedy School and gave a speech that should chill the soul of every person who cares about freedom of expression and democracy. During her remarks, Monaco announced a Department of Homeland Security plan to place an envoy in Boston to tackle “homegrown violent extremism” among communities. As Mike German of the Brennan Center writes in a letter to the Deputy Secretary of DHS, to which the ACLU and the ACLU of Massachusetts are signatories,

#### A preponderance of studies affirm the democratic peace theory

Tessler and Grobschmidt 95

Mark Tessler Professor of Political Science and Director of the Center for International Studies at the University of Milwaukee, and Marilyn Grobschmidt, doctoral student in International Relations and Comparative Politics at Indiana University, 1995, Democracy War & Peace, p. 140-141

Although a number of studies have demonstrated that democracies, in gen­eral, are no more peaceful than non-democratic states (Small and Singer 1976; Chan 1984; Weede 1984), there is compelling evidence that democracies do not go to war against one another. As expressed by Rummel, “libertarian systems mutually preclude violence,” in other words, “violence will occur between states only if at least one is nonlibertarian.” By libertarian, Rummel means those states that “[emphasize] individual freedom and civil liberties and the rights associated with the competitive and open election of leaders” (Rummel 1983, pp. 27—28). One study providing evidence in support of this conclusion was conducted by Babst, who examined 116 major wars from 1789 to 1941 and found that “no wars [had] been fought between independent nations with elective govern­ments” (Babst 1972, p. 55). In another investigation, Doyle examined “liberal” regimes dating back to the eighteenth century and found that “even though liberal states have become involved in numerous wars with nonliberal states, constitutionally secure liberal states have yet to engage in war with one an­other” (Doyle 1983, p. 213). Doyle defined liberal states as “polities that are ex­ternally sovereign. .. [where citizens] possess juridical rights.. . [and are ruled by a] representative government” (ibid.). A third study was conducted by Maoz and Abdolali (1989), who reported that while democracies are no more peaceful than other states, they almost always go to war with nondemocratic regimes, rather than other democracies. There has been some debate about whether the relationship between de­mocracy and peace is spurious. For example, arguing that societies with greater wealth have more to lose and are therefore reluctant to go to war, one analyst suggests that the correlation may be an artifact of the high level of economic development that characterizes most democratic countries (Mueller 1989, p. 264). Yet empirical studies report that the relationship between democracy and peace holds when statistical controls for wealth and other variables are intro­duced. Studies by Maoz and Russett (1992, pp. 245—46; 1991, p. 30) demonstrate that peace among democracies cannot be explained by level or rate of develop­ment, by political stability, or by the lack of common borders. Also, with re­spect to the impact of wealth and economic development, Ember, Ember, and Russett (1992, p. 575) correctly observe that this does not explain the peace that existed among democracies prior to industrialization. Nor does it explain the outbreak of World War II, which pitted” ‘advanced capitalist.., states against each other?”

#### Collapse of democracy causes extinction

Diamond 95

Larry, Senior Fellow – Hoover Institution, Promoting Democracy in the 1990s, December, <http://wwics.si.edu/subsites/ccpdc/pubs/di/1.htm>

OTHER THREATS This hardly exhausts the lists of threats to our security and well-being in the coming years and decades. In the former Yugoslavia nationalist aggression tears at the stability of Europe and could easily spread. The flow of illegal drugs intensifies through increasingly powerful international crime syndicates that have made common cause with authoritarian regimes and have utterly corrupted the institutions of tenuous, democratic ones. Nuclear, chemical, and biological weapons continue to proliferate. The very source of life on Earth, the global ecosystem, appears increasingly endangered. Most of these new and unconventional threats to security are associated with or aggravated by the weakness or absence of democracy, with its provisions for legality, accountability, popular sovereignty, and openness. LESSONS OF THE TWENTIETH CENTURY The experience of this century offers important lessons. Countries that govern themselves in a truly democratic fashion do not go to war with one another. They do not aggress against their neighbors to aggrandize themselves or glorify their leaders. Democratic governments do not ethnically "cleanse" their own populations, and they are much less likely to face ethnic insurgency. Democracies do not sponsor terrorism against one another. They do not build weapons of mass destruction to use on or to threaten one another. Democratic countries form more reliable, open, and enduring trading partnerships. In the long run they offer better and more stable climates for investment. They are more environmentally responsible because they must answer to their own citizens, who organize to protest the destruction of their environments. They are better bets to honor international treaties since they value legal obligations and because their openness makes it much more difficult to breach agreements in secret. Precisely because, within their own borders, they respect competition, civil liberties, property rights, and the rule of law, democracies are the only reliable foundation on which a new world order of international security and prosperity can be built.

## Adv 2 Extensions

#### US economy is key to the global economy

IMF 13

 (IMF, International Monetary Fund, September 19th 2013 “Strong U.S. Economy, Strong Global Economy—Two Sides of Same Coin,” <http://www.imf.org/external/pubs/ft/survey/so/2013/new091913a.htm>)

In a world of increasing economic interconnections, the United States’s stake in the global recovery is greater than ever, IMF Managing Director Christine Lagarde said in a speech to business leaders at the U.S. Chamber of Commerce in Washington, D.C. “What happens elsewhere in the world—be it the success of recovery in Europe or the continued smooth functioning of supply chains in Asia—matters increasingly for the United States,” Lagarde said. “The converse is also true. What happens here matters increasingly for the global economy.” Her remarks, which focused on the interplay between the global economy and the U.S. economy, also highlighted the need to find joint solutions to secure a lasting, balanced and widely shared global recovery. “Job creation is a critical ingredient of any economic recovery, domestic or global,” she emphasized. Businesses have a key role to play, Lagarde said, but at the same time, policymakers have an important responsibility to help “shape the environment in which businesses and citizens can thrive—and jobs can be created.” Changing global picture Lagarde said that global growth remains subdued, while acknowledging that the global economic environment is changing. She emphasized that economies are moving at different speeds and that the fruits of growth are not evenly shared, both in the United States and other countries. The U.S. economy is growing and, after a long time, so is the Euro Area. In Japan, aggressive policy support and the ongoing reform process is helping to spur growth. The emerging market economies, on the other hand, are slowing. “For some, this may be a shift toward more balanced and sustainable growth,” Lagarde told the audience. “For others, it reflects the need to address imbalances that have made them more vulnerable to the recent market turbulence.” Reinforcing the point about global interconnections, Lagarde cited the IMF’s recent [“spillover](http://www.imf.org/external/pubs/ft/survey/so/2013/POL080113A.htm)” analysis, which suggests that if the world’s five major economies were to work together to adopt a more rigorous, comprehensive, and compatible set of policies, it could boost global GDP by about 3 percent over the longer run. U.S. recovery gaining strength Lagarde noted that the U.S. economy is gaining strength, calling this good news for America—and good news for the world economy. Although growth is still modest—well under 2 percent—it should accelerate by a full percentage point next year, Lagarde said, adding that the private sector is playing a key role as the engine of growth and job creation. Despite signs of strengthening, the latest jobs data present a mixed picture, with employment remaining well below pre-crisis levels. “The issue of jobs remains paramount,” said Lagarde, noting that jobs and growth is an increasingly important component of the IMF’s policy advice. Lagarde highlighted three key recommendations for U.S. policymakers, drawn from the IMF’s most [recent assessment](http://www.imf.org/external/pubs/ft/survey/so/2013/car061413a.htm) of the U.S. economy. • Fix public finances. Fiscal consolidation could be slower in the short run, but more action is needed to reduce long-run pressures on the budget. Lagarde also warned that political uncertainty over the budget and debt ceiling were not helpful to the recovery. “It is essential to resolve this, and the earlier the better,” she said, “for confidence, for markets, and for the real economy.” • Appropriately calibrate monetary policy. When the time comes, exit from unconventional monetary policy should be gradual, tied to progress in economic recovery and unemployment, and should be clearly communicated and in a dialogue. • Complete financial sector reform. While there has been progress on this front, attention needs to focus on the outstanding “danger zones,” such as derivatives and shadow banking. Global interconnections and role of IMF Lagarde underscored the unique role of the U.S. in the global economy, noting that the economy accounts for 11 percent of global trade and 20 percent of global manufacturing. The country’s global financial ties run deep too, she said. Foreign banks hold about $5.5 trillion of U.S. assets, and U.S. banks hold $3 trillion of foreign assets. While these interconnections have great benefits for the United States, they are not without risks, Lagarde cautioned, referring to the collapse of Lehman Brothers five years ago that ushered in “a harsh new reality” across sectors, countries, and the world. That is why an effective IMF is important for the global membership. “Our policy advice, for example—including in core areas like exchange rates or external imbalances—has helped to prevent or to ease the hardship of crises around the world,” said Lagarde. “That, in turn, has helped reduce the possible negative fallout for the U.S. and for all countries.” An effective IMF must also continue to evolve and anticipate what lies ahead. In this connection, the IMF has placed greater emphasis on global interconnections—the economic spillovers between countries and the financial sector. Lagarde also highlighted the set of governance reforms that the IMF is working toward that will help strengthen its capacity to prevent and resolve crises, and at the same time, help broaden its representation to better reflect the changing dynamics of the global economy. “These quota reforms need the support of all our member countries—including the United States,” she said. The IMF is grounded in the principle of good global citizenship. “If countries work together to serve the common interests, everybody wins,” she concluded. “We all have a large stake in these interconnections.”

#### Economic growth is key to prevent multipolarity which causes great power wars.

**Khalilzad ’11**

(Zalmay, former director of policy planning at the Defense Department, (Zalmay, “The Economy and National Security”, 2-8, http://www.nationalreview.com/articles/259024/economy-and-national-security-zalmay-khalilzad?page=3, ldg)

Today, economic and fiscal trends pose the most severe long-term threat to the United States’ position as global leader. While the United States suffers from fiscal imbalances and low economic growth, the economies of rival powers are developing rapidly. The continuation of these two trends could lead to a shift from American primacy toward a multi-polar global system, leading in turn to increased geopolitical rivalry and even war among the great powers. The current recession is the result of a deep financial crisis, not a mere fluctuation in the business cycle. Recovery is likely to be protracted. The crisis was preceded by the buildup over two decades of enormous amounts of debt throughout the U.S. economy — ultimately totaling almost 350 percent of GDP — and the development of credit-fueled asset bubbles, particularly in the housing sector. When the bubbles burst, huge amounts of wealth were destroyed, and unemployment rose to over 10 percent. The decline of tax revenues and massive countercyclical spending put the U.S. government on an unsustainable fiscal path. Publicly held national debt rose from 38 to over 60 percent of GDP in three years. Without faster economic growth and actions to reduce deficits, publicly held national debt is projected to reach dangerous proportions. If interest rates were to rise significantly, annual interest payments — which already are larger than the defense budget — would crowd out other spending or require substantial tax increases that would undercut economic growth. Even worse, if unanticipated events trigger what economists call a “sudden stop” in credit markets for U.S. debt, the United States would be unable to roll over its outstanding obligations, precipitating a sovereign-debt crisis that would almost certainly compel a radical retrenchment of the United States internationally. Such scenarios would reshape the international order. It was the economic devastation of Britain and France during World War II, as well as the rise of other powers, that led both countries to relinquish their empires. In the late 1960s, British leaders concluded that they lacked the economic capacity to maintain a presence “east of Suez.” Soviet economic weakness, which crystallized under Gorbachev, contributed to their decisions to withdraw from Afghanistan, abandon Communist regimes in Eastern Europe, and allow the Soviet Union to fragment. If the U.S. debt problem goes critical, the United States would be compelled to retrench, reducing its military spending and shedding international commitments. We face this domestic challenge while other major powers are experiencing rapid economic growth. Even though countries such as China, India, and Brazil have profound political, social, demographic, and economic problems, their economies are growing faster than ours, and this could alter the global distribution of power. These trends could in the long term produce a multi-polar world. If U.S. policymakers fail to act and other powers continue to grow, it is not a question of whether but when a new international order will emerge. The closing of the gap between the United States and its rivals could intensify geopolitical competition among major powers, increase incentives for local powers to play major powers against one another, and undercut our will to preclude or respond to international crises because of the higher risk of escalation. The stakes are high. In modern history, the longest period of peace among the great powers has been the era of U.S. leadership. By contrast, multi-polar systems have been unstable, with their competitive dynamics resulting in frequent crises and major wars among the great powers. Failures of multi-polar international systems produced both world wars. American retrenchment could have devastating consequences. Without an American security blanket, regional powers could rearm in an attempt to balance against emerging threats. Under this scenario, there would be a heightened possibility of arms races, miscalculation, or other crises spiraling into all-out conflict. Alternatively, in seeking to accommodate the stronger powers, weaker powers may shift their geopolitical posture away from the United States. Either way, hostile states would be emboldened to make aggressive moves in their regions. As rival powers rise, Asia in particular is likely to emerge as a zone of great-power competition. Beijing’s economic rise has enabled a dramatic military buildup focused on acquisitions of naval, cruise, and ballistic missiles, long-range stealth aircraft, and anti-satellite capabilities. China’s strategic modernization is aimed, ultimately, at denying the United States access to the seas around China. Even as cooperative economic ties in the region have grown, China’s expansive territorial claims — and provocative statements and actions following crises in Korea and incidents at sea — have roiled its relations with South Korea, Japan, India, and Southeast Asian states. Still, the United States is the most significant barrier facing Chinese hegemony and aggression.

## Adv 3 Extensions

#### China uses NSA and surveillance scandals to undermine US leadership – that’s bad

**O’Reilly, 2013**

(Brendan, China based freelance journalist, “China to reap harvest of NSA scandals”, Asia Times, 10-31, <http://www.atimes.com/atimes/China/CHIN-01-311013.html>)

A growing chorus of nations is decrying Washington's unrestrained cyber espionage. However, there is only one country with both the means and motivation for using mounting international resentment to challenge American hegemony. The NSA surveillance of America's allies has opened up two vital fronts in which China can erode American global dominance. Chinese Foreign Ministry spokeswoman Hua Chunying has claimed the rhetorical high ground, calling cyber security "a matter of sovereignty". She said Beijing is eager to address the issue through the framework of the United Nations, and to do so "China and Russia have submitted a draft plan, in an effort to help the world jointly tackle the problem." [1] This joint Sino-Russian proposal to combat the NSA's electronic surveillance coincides with a parallel initiative launched by two allies of the United States. Germany and Brazil are working together to create a UN resolution aimed at curtailing electronic spying. Both nations have been openly angry with Washington in the wake of revelations that the NSA has for years spied on the personal communications of both Brazilian President Dilma Rousseff and German Chancellor Merkel. Brazilian and German diplomats expect to finish the draft within a week, and then send the resolution to the UN Human Rights Committee. According to political scientist Gunther Maihold, "Brazil's main interest is that this should result in international regulation by the UN." [2] Such international regulation of electronic espionage would be anathema to large portions of the American political class, who believe unlimited NSA spying is justified by the perpetual threat of "terrorism", and are distrustful of the United Nations. Beijing may be supporting anti-cyber espionage efforts at the United Nations precisely because China's leaders expect such efforts will fail in the face of American political intransigence. The fallout from Washington blocking anti-surveillance initiatives at the United Nations could disrupt American diplomacy for decades to come. Chinese backing of UN efforts to curb the NSA's activities may undermine American hegemony by disrupting America's alliances. These alliances have cemented Washington's global dominance for the greater part of a century. Nevertheless, Beijing's opposition to American cyber espionage is to a large degree a defensive tactic. According to Der Spiegel, the NSA runs listening posts in Beijing, Shanghai, Chengdu, Hong Kong, and Taipei. Furthermore, this week Japanese media reported that in 2011 the NSA sought Tokyo's help to wiretap fiber-optic cables running through Japan. [3] This move was almost certainly aimed primary at gathering important political and economic data from China - terrorists of East Asian ancestry are not generally regarded as a major threat to the American homeland. The Japanese government declined the proposal because intercepting communications on such a large scale would be illegal under Japanese law. This story encapsulates some of the absurdities of the current situation. China, long accused by Washington of cooperation with lawless "rogue states", has been protected from American surveillance by the laws of Japan. Morality matters The second front in which Beijing can make advances against Washington is in the sphere of international public opinion. American leaders have long espoused an image of America as a uniquely ethical nation, a "city upon a hill", an ideal moral power which lesser, more barbaric and grossly self-interested countries should emulate. The practice of secretly monitoring tens of millions of phone calls of one's allies - including the communications of some of America's closest friends - has severely tarnished this image. China's official media is now capitalizing on this development. On Wednesday, the top story on the China Daily website was entitled "Spy scandal 'will weaken' US global credibility". Chinese-language media was even more vociferous. State-run CCTV Four featured Zhang Zhaozhong, a well-known military commentator, as saying: "Now the United States, if they wish to return to democratic freedom and human rights, should apologize to the entire world, saying: I am sorry, we designed some software like this, we have this type of back door, in the future we will manage it seriously..." [4] How times have changed. Only a few months ago, the US government was increasingly vocal in criticizing Chinese cyber espionage. Before President Barack Obama went to his first summit with President Xi Jinping, a White House official called on China to abide by international "rules of the road", and told reporters that "Governments are responsible for cyber attacks that take place from within their borders". [5] China is eager to remind domestic and international audiences of official American hypocrisy, now that such hypocrisy has been exposed on a global scale. Morality - or rather, the perception of morality - plays a significant role in America's foreign policy objectives. The United States, for all its flaws, has garnered admirers and supporters all around the world for the open, democratic ideals it disseminates. In contrast, Chinese foreign policy has had little relation to ideology for the past several decades. Beijing cements its relationships with foreign countries around mutual self-interest, usually of the economic kind. Beijing stands to benefit from emphasizing America's self-induced loss of moral standing. In the wake of Guantanamo Bay and the Iraq war, Washington cannot afford a further loss of integrity. If the United States is increasingly perceived to an amoral and hypocritical power, then Chinese policies of practical economic benefits and political non-interference may be increasingly attractive. It is worth pointing out that China is Brazil's largest trading partner, and bilateral trade between China and Germany is more valuable than trade between Germany and the US. As revelations of NSA electronic surveillance continue to mount, expect Beijing to continue highlighting Washington's moral duplicity. China will also support initiatives at the UN to curtail cyber espionage, potentially deepening divides between America and its allies. However, the damage is largely self-wrought. The rocks that were once thrown at China have come back to shatter the glass-house of American integrity.

#### NSA surveillance and overreach compromises US legitimacy in foreign policy issues

**Kehl, 2014**

(Danielle, Open Technology Institute senior policy analyst, “Surveillance Costs: The NSA’s Impact on the Economy, Internet Freedom & Cybersecurity”, July, <http://www.newamerica.org/downloads/Surveilance_Costs_Final.pdf>)

Beyond Internet Freedom, the NSA disclosures “have badly undermined U.S. credibility with many of its allies,” Ian Bremmer argued in Foreign Policy in November 2013.214 Similarly, as Georg Mascolo and Ben Scott point out about the post-Snowden world, “the shift from an open secret to a published secret is a game changer… it exposes the gap between what governments will tolerate from one another under cover of darkness and what publics will tolerate from other governments in the light of day.”215 From stifled negotiations with close allies like France and Germany to more tense relations with emerging powers including Brazil and China, the leaks have undoubtedly weakened the American position in international relations, opening up the United States to new criticism and political maneuvering that would have been far less likely a year ago.216 U.S. allies like France, Israel, and Germany are upset by the NSA’s actions, as their reactions to the disclosures make clear.217 Early reports about close allies threatening to walk out of negotiations with the United States—such as calls by the French government to delay EU-U.S. trade talks in July 2013 until the U.S. government answered European questions about the spying allegations218—appear to be exaggerated, but there has certainly been fallout from the disclosures. For months after the first Snowden leaks, German Chancellor Angela Merkel would not visit the United States until the two countries signed a “no-spy” agreement—a document essentially requiring the NSA to respect German law and rights of German citizens in its activities. When Merkel finally agreed come to Washington, D.C. in May 2014, tensions rose quickly because the two countries were unable to reach an agreement on intelligence sharing, despite the outrage provoked by news that the NSA had monitored Merkel’s own communications.219 Even as Obama and Merkel attempted to present a unified front while they threatened additional sanctions against Russia over the crisis in the Ukraine, it was evident that relations are still strained between the two countries. While President Obama tried to keep up the appearance of cordial relations at a joint press conference, Merkel suggested that it was too soon to return to “business as usual” when tensions still remain over U.S. spying allegations.220 The Guardian called the visit “frosty” and “awkward.”221 The German Parliament has also begun hearings to investigate the revelations and suggested that it is weighing further action against the United States.222 Moreover, the disclosures have weakened the United States’ relationship with emerging powers like Brazil, where the fallout from NSA surveillance threatens to do more lasting damage. Brazilian President Dilma Rousseff has seized on the NSA disclosures as an opportunity to broaden Brazil’s influence not only in the Internet governance field, but also on a broader range of geopolitical issues. Her decision not to attend an October 2013 meeting with President Barack Obama at the White House was a direct response to NSA spying—and a serious, high-profile snub. In addition to cancelling what would have been the first state visit by a Brazilian president to the White House in nearly 20 years, Rousseff’s decision marked the first time a world leader had turned down a state dinner with the President of the United States.223 In his statement on the postponement, President Obama was forced to address the issue of NSA surveillance directly, acknowledging “that he understands and regrets the concerns disclosures of alleged U.S. intelligence activities have generated in Brazil and made clear that he is committed to working together with President Rousseff and her government in diplomatic channels to move beyond this issue as a source of tension in our bilateral relationship.”224 Many observers have noted that the Internet Freedom agenda could be one of the first casualties of the NSA disclosures. The U.S. government is fighting an uphill battle at the moment to regain credibility in international Internet governance debates and to defend its moral high ground as a critic of authoritarian regimes that limit freedom of expression and violate human rights online. Moreover, the fallout from the NSA’s surveillance activities has spilled over into other areas of U.S. foreign policy and currently threatens bilateral relations with a number of key allies. Going forward, it is critical that decisions about U.S. spying are made in consideration of a broader set of interests so that they do not impede—or, in some cases, completely undermine—U.S. foreign policy goals.

#### Attempts to maintain leadership without legitimacy creates a violent transition away from US Dominance – a voluntary check on US power would maintain stability

**Griffiths, 2004**

(Martin, Griffith IR professor, “Beyond The Bush Doctrine: American Hegemony And World Order”, Australian Journal of American Studies, www.anzasa.arts.usyd.edu.au/a.j.a.s/Articles/1\_04/Griffiths.pdf‎)

In international relations, an established hegemony helps the cause of international peace in a number of ways. First, a hegemon deters renewed military competition and provides general security through its preponderant power. Second, a hegemon can, if it chooses, strengthen international norms of conduct. Third, a hegemon’s economic power serves as the basis of a global lending system and free trade regime, providing economic incentives for states to cooperate and forego wars for resources and markets. Such was the nature of British hegemony in the nineteenth century, hence the term Pax Britannica. After the Second World War, the United States has performed the roles that Britain once played, though with an even greater preponderance of power. Thus, much of the peace between democracies after World War Two can be explained by the fact that the political-military hegemony of the United States has helped to create a security structure in Europe and the Pacific conducive to peaceful interaction. Today, American hegemony is tolerated by many states in Europe and Asia, not because the United States is particularly liked, but because of the perception that its absence might result in aggression by aspiring regional hegemons. However, Chalmers Johnson has argued that this is a false perception promoted from Washington to silence demands for its military withdrawal from Japan and South Korea.8 It is true that hegemonic stability theory can be classified as belonging in the realist tradition because of its focus on the importance of power structures in international politics. The problem is that power alone cannot explain why some states choose to follow or acquiesce to one hegemon while vigorously opposing and forming counter-alliances against another hegemon. Thus when international relations theorists employ the concept of hegemonic stability, they supplement it with the concept of legitimacy.9 Legitimacy in international society refers simply to the perceived justice of the international system. As in domestic politics, legitimacy is a notoriously difficult factor to pin down and measure. Still, one cannot do away with the concept, since it is clear that all political orders rely to some extent on consent in addition to coercion. Hegemony without legitimacy is insufficient to deter violent challenges to the international order, and may provoke attempts to build counter-alliances against the hegemon. Hegemonic authority which accepts the principle of the independence of states and treats states with a relative degree of benevolence is more easily accepted. The legitimacy of American hegemony during the cold war was facilitated by two important characteristics of the era. First, the communist threat (whether real or imaginary) disguised the tension between the United States’ promotion of its own interests and its claim to make the world safe for capitalism.10 Second, American hegemony managed to combine economic liberalism between industrialised states with an institutional architecture (the Bretton Woods system) that moderated the volatility of transaction flows across borders. It enabled governments to provide social investments, safety nets and adjustment assistance at the domestic level.11 In the industrialised world, this grand bargain formed the basis of the longest and most equitable economic expansion in human history, from the 1950s to the 1980s. And it provided the institutional foundation for the newest wave of globalisation, which began not long thereafter and is far broader in scope and deeper in reach than its nineteenth century antecedent. The system that the United States led the way in creating after 1945 has fared well because the connecting and restraining aspects of democracy and institutions reduce the incentives for Western nations to engage in strategic rivalry or balance against American hegemony. The strength of this order is attested to by the longevity of its institutions, alliances and arrangements, based on their legitimacy in the eyes of the participants. Reacting against the closed autarchic regions that had contributed to the world depression and split the globe into competing blocs before the war, the United States led the way in constructing a post-war order that was based on economic openness, joint management of the Western political-economic order, and rules and institutions that were organised to support domestic economic stability and social security.12 This order in turn was built around a basic bargain: the hegemonic state obtains commitments from secondary states to participate in the international order, and the hegemon in return places limits on the exercise of its power. The advantage for the weak state is that it does not fear domination or abandonment, reducing the incentive to balance against the hegemon, and the leading state does not need to use its power to actively enforce order and compliance. It is these restraints on both sides and the willingness to participate in this mutual accord that explains the longevity of the system, even after the end of the cold war. But as the founder and defender of this international order, the United States, far from being a domineering hegemon, was a reluctant superpower.

#### Hegemony solidifies economic stability and trade

Kim, 2014
[Aejung Kim, Correspondent with the Department of Political Science, Kent State University, Ohio, February 28, 2014, The Effects of the U.S. Hegemony on Economic Growth in East Asia, and the Middle East and North Africa, <http://www.isca.in/IJSS/Archive/v3/i4/1.ISCA-IRJSS-2013-210.pdf>, pg. 2]

Although there is a difficulty in defining hegemony, hegemony is categorized as four groups: structural, behavioural, issue-specific, and multiissue hegemony8 . Among four hegemonies, the term of structural hegemony was frequently used to depict the U.S. hegemony9-10. Based on this structural hegemony, the asymmetrical distribution of resources in the interstate system produces structural power contributing to the development of hegemony. Great Britain and the United States were historically described as the hegemonic leaderships playing a pivotal role in global economic interdependence. While Great Britain was a hegemon from the Napoleonic Wars to World War I, the United States has been a hegemon since World War II10-11. After the Cold War, there have been some debates about how sustainable the U.S. hegemonic power is. Realists have argued that the global system is viewed as anarchic based on self-help strategies, and major powers will balance the US power12 . Unlike realists’ argument, the United States still today plays a hegemonic role in different ways13 . Hegemonic stability theory argues that it is imperative for one state to be predominant enough to create and maintain stable international regimes. The stability of hegemonic system elaborates the openness of international regimes based on the logic of collective goods. According to the theory, tremendously unbalanced distribution of resources in the postwar period provides one state with sufficient power that helps the state to be capable of supplying the international economic stability with its own motivation10. However, what if a hegemon does not have sufficient motivations? What is the consequence of a hegemonic role when there is no motivation or different motivation? Can economic instability be a possible answer as an opposite result? If it is this case, what makes a hegemon possess a different motivation? The literature on hegemonic stability theory fails to explain the variety of power dimensions by mainly focusing on the power with material resources, and the implications of the loss of the U.S. hegemonic power14. Given the weakness of hegemonic stability theory, this paper attempts to look at a different dimension of the hegemonic power system beyond the typical hegemonic stability arguments. Different geostrategic circumstances of the U.S. hegemony in different regions generate a condition for a hegemon to have a diverse motivation critical to economic performance. The paper is designed to explain how the U.S. hegemon has an impact on economic performances in different regions (i.e. East Asia and the MENA). East Asia: It was the end of the Pacific War, 1945, when the US model of laissez-faire was intruded on Northeast Asian countries giving strong pressures to change their industrial organization model into a liberal model of nonintervention15 . The economy of East Asia was significantly influenced by the US aid and the presence of the US troops. By the mid-1980s, they became the major trading partners with the United States and their multinational corporations played a conspicuous role in international system16. In an effort of the United States to contain the Soviet Union and Chinese communism, East Asia has been used as a battlefield since the Cold War supplying a vital geo-strategic circumstance for sudden economic development17. The East Asian region was susceptible for Communist penetration without a strong and rapid recovery from its devastated economy8 . Cumings’ works illustrate how a hegemonic system is crucial for the regional political economy in East Asian countries. Japan’s monetary and trade policies were adjusted to restore trade after American occupation in Japan. In the postwar, the United States did not only provide Taiwan and South Korea with military and economic aid, but also had a profound effect on economic policies in two countries even by sometimes tolerating import substitution in Taiwan and South Korea18 . The predominance of the U.S. hegemonic power, driven by geostrategic situation such as communist containment, formed the appropriate environment where trade has been intensified in the region15. By linking to the multilateral international organizations such as the World Trade Organization (WTO), the International Monetary Fund (IMF), the World Bank, and alliances such as The North Atlantic Treaty Organization (NATO), the U.S. hegemony has attempted to change other countries’ own interests. The hegemonic system strongly maintains when the policies of a hegemon create benefit recipients in the region. The groups motivated by those benefits pressure their government to seek for policies fortifying the hegemonic strategies9 . In the East Asian region, the U.S. hegemony was willing to foster economic growth in the region rather than deter it since the region has been a politically strategic place since the Cold War. In this case, the logic is that the stronger the country’s economy is, the more benefits the hegemon earns. Sustained economic growth in East Asian countries could keep American power against the Communist sides and make strong allies among the countries in this region. South Korea was weak enough to change their ideology to communism right after 1953, the end of the Korean War. When its economy becomes stronger with the help of the U.S., it does not find any reason to move toward the Communist country. In the post-1945 years, the U.S. commitment to supporting free trade shaped the trading system with multilateral agreements by letting Japan and its neighbors get involved in the U.S. market. This system also increased the regional trade relations15 . In conclusion, the U.S. has had strong economic ties with East Asian countries with the geostrategic motivation of containing the communism.

#### US Leadership solidifies international peace – Current policies prove retrenchment incentivizes great power wars

Bresler, 2015
[Robert J. Bresler, Penn State Harrisburg professor emeritus of public policy, 6-24-2015, Obama-led US withdrawal has destabilized the world, Lancaster Online, <http://lancasteronline.com/opinion/columnists/obama-led-us-withdrawal-has-destabilized-the-world/article_1c73c828-19d4-11e5-ab00-d32898937e9a.html>]

American leadership need not mean involvement in endless wars. Past history gives us examples. The Marshall Plan allowed worn-torn allied governments to provide their people with political stability and economic development. NATO was an effort to build Western European unity, end the quarrels that had produced two world wars, and deter Soviet aggression. The United Nations, disappointing in many ways, was a vehicle for broad international efforts against disease, illiteracy and regional wars. The International Monetary Fund, World Bank and the General Agreement on Trade and Tariffs were designed to facilitate international trade, prevent currency wars and assist in economic development. These initiatives prevented another great power war, achieved a large degree of European reconciliation, and eased the transition for post-colonial countries in Africa and Asia. None would have happened without strong and persistent American leadership. The U.S. negotiated a series of defense treaties with more than 35 nations, designed to deter aggression, that also eased their burden of self-defense and allowed them to place more resources into the reconstruction of their economies. In the Middle East, the Arab States and Israel saw the U.S. as an honest broker, assisting in the negotiation of peace treaties between Israel and Egypt and Israel and Jordan. During the Obama administration there has been a steady American retreat from world leadership. NATO is far less effective. Allies such as Israel, Poland, Saudi Arabia, Pakistan, Egypt, the Baltic States and Iraq are no longer confident of American support. Hence, China, Russia and Iran are asserting hegemonic claims. The world is now torn by devolution and fractionalization. The forces of global and regional cooperation are in disrepair. The United Nations stands helpless against Russian aggression, civil war in Syria and Libya and atrocities by the Islamic State across the Middle East and North Africa; the European Union is facing possible revolts and threats of secession by the United Kingdom and Greece and waning allegiance in much of Europe; and NATO offers Ukraine no more than its good wishes as Russian President Vladimir Putin’s military swallows the country bit by bit. Our allies are far from steadfast. Their governments are weaker, and vivid world leaders are hard to find among them. Putin, the insane leaders of the Islamic State and the Iranian mullahs have put fear in the hearts of our allies. Why are these second- and third-rate powers able to intimidate their neighbors far more effectively than did the far more powerful Soviet Union? Our democratic allies in Europe, lacking a clear sense of direction, are ruled by unstable coalitions. Even Germany, perhaps the strongest of our European allies, refuses to confront Putin in his efforts to destabilize Ukraine. When the Obama administration made concession after concession to the Iranians over its nuclear program, our negotiating partners in Europe lost any interest in taking serious steps to keep Iran out of the nuclear club. In the Middle East tribalism and religious fanaticism have left Iraq, Syria, Libya and Yemen virtually ungovernable. Iraq, left to its won devices by Obama’s withdrawal after American troops sacrificed so much to establish a nascent democracy, is now falling apart. In Egypt, a military regime is trying to forcibly contain the boiling pot that is the Muslim Brotherhood. Saudi Arabia and the Persian Gulf States, feeling abandoned by Obama’s rush to a nuclear agreement with Iran, are sensing the quicksand beneath their feet. Warlordism and radical Islam plague the economically depressed countries of sub-Saharan Africa. A combination of devolution and chaos becomes normal state of affairs absent a strong centripetal leadership. In the last half of the 20th century, America provided that force with persuasion, assistance, assurance and trust. As the Obama administration allows the U.S. to slip into the shadows world politics, the danger of war increases.

#### US Primacy prevents Great Power Wars – Anything else escalates and goes nuclear

Ikenberry, 2014
[Gilford John Ikenberry is a theorist of international relations and United States foreign policy, and a professor of Politics and International Affairs in the Woodrow Wilson School of Public and International Affairs at Princeton University, Senior Fellow at the Brookings Institution, May/June 2014, The Illusion of Geopolitics The Enduring Power of the Liberal Order, Foreign Affairs, <https://www.foreignaffairs.org/articles/china/2014-04-17/illusion-geopolitics>]

Mead also mischaracterizes the thrust of U.S. foreign policy. Since the end of the Cold War, he argues, the United States has ignored geopolitical issues involving territory and spheres of influence and instead adopted a Pollyannaish emphasis on building the global order. But this is a false dichotomy. The United States does not focus on issues of global order, such as arms control and trade, because it assumes that geopolitical conflict is gone forever; it undertakes such efforts precisely because it wants to manage great-power competition. Order building is not premised on the end of geopolitics; it is about how to answer the big questions of geopolitics. Indeed, the construction of a U.S.-led global order did not begin with the end of the Cold War; it won the Cold War. In the nearly 70 years since World War II, Washington has undertaken sustained efforts to build a far-flung system of multilateral institutions, alliances, trade agreements, and political partnerships. This project has helped draw countries into the United States’ orbit. It has helped strengthen global norms and rules that undercut the legitimacy of nineteenth-century-style spheres of influence, bids for regional domination, and territorial grabs. And it has given the United States the capacities, partnerships, and principles to confront today’s great-power spoilers and revisionists, such as they are. Alliances, partnerships, multilateralism, democracy -- these are the tools of U.S. leadership, and they are winning, not losing, the twenty-first-century struggles over geopolitics and the world order. THE GENTLE GIANT In 1904, the English geographer Halford Mackinder wrote that the great power that controlled the heartland of Eurasia would command “the World-Island” and thus the world itself. For Mead, Eurasia has returned as the great prize of geopolitics. Across the far reaches of this supercontinent, he argues, China, Iran, and Russia are seeking to establish their spheres of influence and challenge U.S. interests, slowly but relentlessly attempting to dominate Eurasia and thereby threaten the United States and the rest of the world. This vision misses a deeper reality. In matters of geopolitics (not to mention demographics, politics, and ideas), the United States has a decisive advantage over China, Iran, and Russia. Although the United States will no doubt come down from the peak of hegemony that it occupied during the unipolar era, its power is still unrivaled. Its wealth and technological advantages remain far out of the reach of China and Russia, to say nothing of Iran. Its recovering economy, now bolstered by massive new natural gas resources, allows it to maintain a global military presence and credible security commitments. Indeed, Washington enjoys a unique ability to win friends and influence states. According to a study led by the political scientist Brett Ashley Leeds, the United States boasts military partnerships with more than 60 countries, whereas Russia counts eight formal allies and China has just one (North Korea). As one British diplomat told me several years ago, “China doesn’t seem to do alliances.” But the United States does, and they pay a double dividend: not only do alliances provide a global platform for the projection of U.S. power, but they also distribute the burden of providing security. The military capabilities aggregated in this U.S.-led alliance system outweigh anything China or Russia might generate for decades to come. Then there are the nuclear weapons. These arms, which the United States, China, and Russia all possess (and Iran is seeking), help the United States in two ways. First, thanks to the logic of mutual assured destruction, they radically reduce the likelihood of great-power war. Such upheavals have provided opportunities for past great powers, including the United States in World War II, to entrench their own international orders. The atomic age has robbed China and Russia of this opportunity. Second, nuclear weapons also make China and Russia more secure, giving them assurance that the United States will never invade. That’s a good thing, because it reduces the likelihood that they will resort to desperate moves, born of insecurity, that risk war and undermine the liberal order. Geography reinforces the United States’ other advantages. As the only great power not surrounded by other great powers, the country has appeared less threatening to other states and was able to rise dramatically over the course of the last century without triggering a war. After the Cold War, when the United States was the world’s sole superpower, other global powers, oceans away, did not even attempt to balance against it. In fact, the United States’ geographic position has led other countries to worry more about abandonment than domination. Allies in Europe, Asia, and the Middle East have sought to draw the United States into playing a greater role in their regions. The result is what the historian Geir Lundestad has called an “empire by invitation.” The United States’ geographic advantage is on full display in Asia. Most countries there see China as a greater potential danger -- due to its proximity, if nothing else -- than the United States. Except for the United States, every major power in the world lives in a crowded geopolitical neighborhood where shifts in power routinely provoke counterbalancing -- including by one another. China is discovering this dynamic today as surrounding states react to its rise by modernizing their militaries and reinforcing their alliances. Russia has known it for decades, and has faced it most recently in Ukraine, which in recent years has increased its military spending and sought closer ties to the EU. Geographic isolation has also given the United States reason to champion universal principles that allow it to access various regions of the world. The country has long promoted the open-door policy and the principle of self-determination and opposed colonialism -- less out of a sense of idealism than due to the practical realities of keeping Europe, Asia, and the Middle East open for trade and diplomacy. In the late 1930s, the main question facing the United States was how large a geopolitical space, or “grand area,” it would need to exist as a great power in a world of empires, regional blocs, and spheres of influence. World War II made the answer clear: the country’s prosperity and security depended on access to every region. And in the ensuing decades, with some important and damaging exceptions, such as Vietnam, the United States has embraced postimperial principles. It was during these postwar years that geopolitics and order building converged. A liberal international framework was the answer that statesmen such as Dean Acheson, George Kennan, and George Marshall offered to the challenge of Soviet expansionism. The system they built strengthened and enriched the United States and its allies, to the detriment of its illiberal opponents. It also stabilized the world economy and established mechanisms for tackling global problems. The end of the Cold War has not changed the logic behind this project. Fortunately, the liberal principles that Washington has pushed enjoy near-universal appeal, because they have tended to be a good fit with the modernizing forces of economic growth and social advancement. As the historian Charles Maier has put it, the United States surfed the wave of twentieth-century modernization. But some have argued that this congruence between the American project and the forces of modernity has weakened in recent years. The 2008 financial crisis, the thinking goes, marked a world-historical turning point, at which the United States lost its vanguard role in facilitating economic advancement. Yet even if that were true, it hardly follows that China and Russia have replaced the United States as the standard-bearers of the global economy. Even Mead does not argue that China, Iran, or Russia offers the world a new model of modernity. If these illiberal powers really do threaten Washington and the rest of the liberal capitalist world, then they will need to find and ride the next great wave of modernization. They are unlikely to do that.

#### A US led International Order is the only deterrent to Nuclear War – Allied institutions, geopolitical bargains, and democratic partnerships incentivize peace.

Ikenberry, 14
[Gilford John Ikenberry is a theorist of international relations and United States foreign policy, and a professor of Politics and International Affairs in the Woodrow Wilson School of Public and International Affairs at Princeton University, Senior Fellow at the Brookings Institution, May/June 2014, The Illusion of Geopolitics The Enduring Power of the Liberal Order, Foreign Affairs, <https://www.foreignaffairs.org/articles/china/2014-04-17/illusion-geopolitics>]

REVISIONISM REVISITED Not only does Mead underestimate the strength of the United States and the order it built; he also overstates the degree to which China and Russia are seeking to resist both. (Apart from its nuclear ambitions, Iran looks like a state engaged more in futile protest than actual resistance, so it shouldn’t be considered anything close to a revisionist power.) Without a doubt, China and Russia desire greater regional influence. China has made aggressive claims over maritime rights and nearby contested islands, and it has embarked on an arms buildup. Putin has visions of reclaiming Russia’s dominance in its “near abroad.” Both great powers bristle at U.S. leadership and resist it when they can. But China and Russia are not true revisionists. As former Israeli Foreign Minister Shlomo Ben-Ami has said, Putin’s foreign policy is “more a reflection of his resentment of Russia’s geopolitical marginalization than a battle cry from a rising empire.” China, of course, is an actual rising power, and this does invite dangerous competition with U.S. allies in Asia. But China is not currently trying to break those alliances or overthrow the wider system of regional security governance embodied in the Association of Southeast Asian Nations and the East Asia Summit. And even if China harbors ambitions of eventually doing so, U.S. security partnerships in the region are, if anything, getting stronger, not weaker. At most, China and Russia are spoilers. They do not have the interests -- let alone the ideas, capacities, or allies -- to lead them to upend existing global rules and institutions. In fact, although they resent that the United States stands at the top of the current geopolitical system, they embrace the underlying logic of that framework, and with good reason. Openness gives them access to trade, investment, and technology from other societies. Rules give them tools to protect their sovereignty and interests. Despite controversies over the new idea of “the responsibility to protect” (which has been applied only selectively), the current world order enshrines the age-old norms of state sovereignty and nonintervention. Those Westphalian principles remain the bedrock of world politics -- and China and Russia have tied their national interests to them (despite Putin’s disturbing irredentism). It should come as no surprise, then, that China and Russia have become deeply integrated into the existing international order. They are both permanent members of the UN Security Council, with veto rights, and they both participate actively in the World Trade Organization, the International Monetary Fund, the World Bank, and the G-20. They are geopolitical insiders, sitting at all the high tables of global governance. China, despite its rapid ascent, has no ambitious global agenda; it remains fixated inward, on preserving party rule. Some Chinese intellectuals and political figures, such as Yan Xuetong and Zhu Chenghu, do have a wish list of revisionist goals. They see the Western system as a threat and are waiting for the day when China can reorganize the international order. But these voices do not reach very far into the political elite. Indeed, Chinese leaders have moved away from their earlier calls for sweeping change. In 2007, at its Central Committee meeting, the Chinese Communist Party replaced previous proposals for a “new international economic order” with calls for more modest reforms centering on fairness and justice. The Chinese scholar Wang Jisi has argued that this move is “subtle but important,” shifting China’s orientation toward that of a global reformer. China now wants a larger role in the International Monetary Fund and the World Bank, greater voice in such forums as the G-20, and wider global use of its currency. That is not the agenda of a country trying to revise the economic order. China and Russia are also members in good standing of the nuclear club. The centerpiece of the Cold War settlement between the United States and the Soviet Union (and then Russia) was a shared effort to limit atomic weapons. Although U.S.-Russian relations have since soured, the nuclear component of their arrangement has held. In 2010, Moscow and Washington signed the New START treaty, which requires mutual reductions in long-range nuclear weapons. Before the 1990s, China was a nuclear outsider. Although it had a modest arsenal, it saw itself as a voice of the nonnuclear developing world and criticized arms control agreements and test bans. But in a remarkable shift, China has since come to support the array of nuclear accords, including the Nuclear Nonproliferation Treaty and the Comprehensive Nuclear Test Ban Treaty. It has affirmed a “no first use” doctrine, kept its arsenal small, and taken its entire nuclear force off alert. China has also played an active role in the Nuclear Security Summit, an initiative proposed by Obama in 2009, and it has joined the “P5 process,” a collaborate effort to safeguard nuclear weapons. Across a wide range of issues, China and Russia are acting more like established great powers than revisionist ones. They often choose to shun multilateralism, but so, too, on occasion do the United States and other powerful democracies. (Beijing has ratified the UN Convention on the Law of the Sea; Washington has not.) And China and Russia are using global rules and institutions to advance their own interests. Their struggles with the United States revolve around gaining voice within the existing order and manipulating it to suit their needs. They wish to enhance their positions within the system, but they are not trying to replace it. HERE TO STAY Ultimately, even if China and Russia do attempt to contest the basic terms of the current global order, the adventure will be daunting and self-defeating. These powers aren’t just up against the United States; they would also have to contend with the most globally organized and deeply entrenched order the world has ever seen, one that is dominated by states that are liberal, capitalist, and democratic. This order is backed by a U.S.-led network of alliances, institutions, geopolitical bargains, client states, and democratic partnerships. It has proved dynamic and expansive, easily integrating rising states, beginning with Japan and Germany after World War II. It has shown a capacity for shared leadership, as exemplified by such forums as the G-8 and the G-20. It has allowed rising non-Western countries to trade and grow, sharing the dividends of modernization. It has accommodated a surprisingly wide variety of political and economic models -- social democratic (western Europe), neoliberal (the United Kingdom and the United States), and state capitalist (East Asia). The prosperity of nearly every country -- and the stability of its government -- fundamentally depends on this order. In the age of liberal order, revisionist struggles are a fool’s errand. Indeed, China and Russia know this. They do not have grand visions of an alternative order. For them, international relations are mainly about the search for commerce and resources, the protection of their sovereignty, and, where possible, regional domination. They have shown no interest in building their own orders or even taking full responsibility for the current one and have offered no alternative visions of global economic or political progress. That’s a critical shortcoming, since international orders rise and fall not simply with the power of the leading state; their success also hinges on whether they are seen as legitimate and whether their actual operation solves problems that both weak and powerful states care about. In the struggle for world order, China and Russia (and certainly Iran) are simply not in the game. Under these circumstances, the United States should not give up its efforts to strengthen the liberal order. The world that Washington inhabits today is one it should welcome. And the grand strategy it should pursue is the one it has followed for decades: deep global engagement. It is a strategy in which the United States ties itself to the regions of the world through trade, alliances, multilateral institutions, and diplomacy. It is a strategy in which the United States establishes leadership not simply through the exercise of power but also through sustained efforts at global problem solving and rule making. It created a world that is friendly to American interests, and it is made friendly because, as President John F. Kennedy once said, it is a world “where the weak are safe and the strong are just.”

#### Hegemony solves great power war – countries want relative power to their rivals

Mearsheimer, 2014
Professor of political science at the University of Chicago, PhD in international relations (John J., “Realism Reader,” edited by Colin Elman and Michael A. Jensen, London ; New York : Routledge, Taylor & Francis Group, p. 179-188)

State behavior Great powers fear each other. They regard each other with suspicion, and they worry that war might be in the offing. They anticipate danger. There is little room for trust among states. For sure, the level of fear varies across time and space, but it cannot be reduced to a trivial level. From the perspective of any one great power, all other great powers are potential enemies. This point is illustrated by the reaction of the United Kingdom and France to German reunification at the end of the Cold War. Despite the fact that these three states had been close allies for almost forty-five years, both the United Kingdom and France immediately began worrying about the potential dangers of a united Germany. 8 The basis of this fear is that in a world where great powers have the capability to attack each other and might have the motive to do so, any state bent on survival must be at least suspicious of other states and reluctant to trust them. Add to this the "911" problem- the absence of a central authority to which a threatened state can turn for help- and states have even greater incentive to fear each other. Moreover, there is no mechanism, other than the possible self-interest of third parties, for punishing an aggressor. Because it is sometimes difficult to deter potential aggressors, states have ample reason not to trust other slates and to be prepared for war with them. The possible consequences of falling victim to aggression further amplify the importance of fear as a motivating force in world politics. Great powers do not compete with each other as if international politics were merely an economic marketplace. Political competition among states is a much more dangerous business than mere economic intercourse; the former can lead to war, and war often means mass killing on the battlefield as well as mass murder of civilians. In extreme cases, war can even lead to the destruction of states. The horrible consequences of war sometimes cause states to view each other not just as competitors, but as potentially deadly enemies. Political antagonism, in short, lends to be intense, because the stakes are great. States in the international system also aim to guarantee their own survival. Because other states are potential threats, and because there is no higher authority to come to their rescue when they dial 911, states cannot depend on others for their own security. Each state tends to see itself as vulnerable and alone, and therefore it aims to provide for its own survival. In international politics, God helps those who help themselves. This emphasis on self-help does not preclude states from fanning alliances.9 But alliances are only temporary marriages of convenience: today's alliance partner might be tomorrow's enemy, and today's enemy might be tomorrow's alliance partner. For example, the United States fought with China and the Soviet Union against Germany and Japan in World War II, but soon thereafter flip-flopped enemies and partners and allied with West Germany and Japan against China and the Soviet Union during the Cold War. States operating in a self-help world almost always act according to their own self-interest and do not subordinate their interests to the interests of other states, or to the interests of the so-called international community. The reason is simple: it pays to be selfish in a self-help world. This is true in the short term as well as in the long term, because if a state loses in the short run, it might not be around for the long haul. Apprehensive about the ultimate intentions of other states, and aware that they operate in a self-help system, states quickly understand that the best way to ensure their survival is to be the most powerful state in the system. The stronger a state is relative to its potential rivals, the less likely it is that any of those rivals will attack it and threaten its survival. Weaker states will be reluctant to pick fights with more powerful states because the weaker states are likely to suffer military defeat. Indeed, the bigger the gap in power between any two states, the less likely it is that the weaker will attack the stronger. Neither Canada nor Mexico, for example, would countenance attacking the United States, which is far more powerful than its neighbors. The ideal situation is to be the hegemon in the system. As Immanuel Kant said, "It is the desire of every state, or of its ruler, to arrive at a condition of perpetual peace by conquering the whole world, if that were possible."10 Survival would then be almost guaranteed. 11 Consequently, states pay close attention to how power is distributed among them, and they make a special effort to maximize their share of world power. Specifically, they look for opportunities to alter the balance of power by acquiring additional increments of power at the expense of potential rivals. States employ a variety of means- economic, diplomatic, and military-to shift the balance of power in their favor, even if doing so makes other states suspicious or even hostile. Because one state's gain in power is another state's loss, great powers tend to have a zero-sum mentality when dealing with each other. The trick, of course, is to be the winner in this competition and to dominate the other states in the system. Thus, the claim that states maximize relative power is tantamount to arguing that states are disposed to think offensively toward other states, even though their ultimate motive is simply to survive. In short, great powers have aggressive intentions. 12

#### No risk of overstretch – Military expansion solves Middle Eastern Escalation

Continetti, 2014
[Matthew Continetti, Editor-in-chief of The Washington Free Beacon, Graduate from Columbia University, 10-11-14, Accept No Substitutes, National Review, <http://www.nationalreview.com/article/390095/accept-no-substitutes-matthew-continetti>]

Two months ago, President Obama authorized bombing Islamic State forces in Iraq. One month ago, President Obama authorized bombing Islamic State forces in Syria. His plan: couple American air power with indigenous ground forces. “This strategy of taking out terrorists who threaten us, while supporting partners on the front lines,” Obama said last month, “is one that we have successfully pursued in Yemen and Somalia for years.” I disagree with his use of the adverb “successfully.” But Yemen and Somalia are exactly what we’re getting. Disordered and violent spaces, desultory and pinprick strikes, incompetent and wary allies, determined and implacable enemies — this is the Greater Middle East of Yemen and Somalia, this is the Greater Middle East of Iraq, Syria, and Lebanon. The Islamic State continues to hold territory and make gains. The Pentagon, Rowan Scarborough reports, fears that the terrorist army is planning to capture Baghdad International Airport, using it as a base for urban warfare in the Iraqi capital. In the east, Islamic State forces have laid siege to the Kurdish town of Kobani, held at bay only by a slapdash increase in U.S. airstrikes. “I am fearful that Kobani will fall,” General Martin Dempsey said this week. You’re not alone, General. Why don’t you do something about it? I must know better than to ask such questions. Dempsey’s boss, President Obama, is more interested in avoiding the use of large numbers of ground forces than he is in actually seeing the Islamic State defeated. So he leaves the heavy fighting to our “partners.” But the partners are confused, inept. They are silent. And the enemy is gaining. Without large numbers of American troops on the ground in Iraq, we lack the ability to choose targets, to rebuild the capacity of the Iraqi army quickly and successfully, to constrain the Shiite government from pursuing a sectarian agenda. Without large numbers of troops in Syria, we are unable to distinguish between friend and foe, to train and direct non-al-Qaeda opposition forces, to address the humanitarian crisis, and to prepare for — and hasten — a world without Bashar Assad. Without the demonstration of American power and commitment that ground troops represent, allies such as Iraq and Turkey and Jordan and Saudi Arabia will not take the mission seriously. Instead they will interpret the president’s actions as addressing a political problem — the appearance of weakness at home — instead of a geopolitical one — a growing al-Qaeda state that serves as the launching pad for jihad near and far. “People are not convinced that the American strategy is comprehensive and long-term and decisive,” said analyst Fawaz Gerges — no neocon he — on MSNBC on Thursday. There is no reason to believe the people are wrong. The president understands that America is the only country with the reach and power to end global crises. He says as much every day on the fundraising circuit. “On every single issue of importance,” he told George Soros and others in New York City on Tuesday, “when there are challenges and there are opportunities around the world, it’s not Moscow they call; it’s not Beijing. They call us.” True. But they seem to be calling less and less. What Obama fails to grasp: It’s not enough to simply take the call. It’s not enough to deploy the minimum amount of force — increased air strikes, detachments to secure government facilities or treat Ebola patients or find Kony — in order to prevent imminent massacres, and to salve guilty consciences. You have to be ready to assume the responsibilities of hegemony, commit to the unpopular necessities in a 30-year-war against jihadism. Necessities such as long-term bases, overseas deployments, prisons at Guantanamo Bay — necessities such as saying what you mean, so that when you pledge that the United States “will do our part to help” Libya recover from Qaddafi, the help arrives; when you say Assad must go, he goes; when you admit a red line has been crossed, the interlopers pay; when you address the nation twice in two months to announce a campaign against an enemy determined to strike the United States, you treat that campaign with all the seriousness and tenacity and sense of mission it requires. If only. A future president — and with the way Obama is handling the Middle East, we will be dealing with the Islamic State and other hazards for many years indeed — needs to take a look at the strategic plan devised by Frederick Kagan of the American Enterprise Institute and Kimberly Kagan and Jessica Lewis of the Institute for the Study of War. “U.S. forces need to play the role of honest broker once again, as they did in 2007 and 2008,” the Kagans wrote recently in the Los Angeles Times. “But they can only play that role if they are present.” The Kagans say 25,000 troops are necessary to reverse enemy gains. Unpopular? For sure. Risky? You bet. The job of a president, however, is not to do the popular or safe thing. It’s to do the right thing. And if defeating the Islamic State before it has a chance to strike America is the right thing — and it surely is — then the president must choose the appropriate means to that end. In September 2003, The Weekly Standard published a cover story calling for more troops in Iraq. The headline was “Accept No Substitutes.” More than a decade later, the same rule applies. Until Americans are on the ground in large numbers in Iraq and Syria, until the U.S. government faces the fact that there is no way to defeat the Islamic State without also defeating Assad, our enemies will have the upper hand. And all of us — Christians, Jews, and Muslims, in the Middle East, in Europe, in Asia, in Africa, in America — will be at risk.

#### Instability causes Nuclear War – Multiple Reasons

Krepinevich, 2013
[Andrew F. Krepinevich, West Point graduate, he holds an M.P.A. and a Ph.D. from Harvard University, President of the Center for Strategic and Budgetary Assessments, which he joined following a 21- year career in the U.S. Army. He has served in the Department of Defense’s Office of Net Assessment, on the personal staff of three secretaries of defense, the National Defense Panel, the Defense Science Board Task Force on Joint Experimentation, and the Defense Policy Board, 2013, Critical MASS Nuclear Proliferation in the Middle East, file:///Users/user/Downloads/Nuclear-Proliferation-in-the-Middle-East.pdf , Conclusion]

Contrary to the prevailing wisdom in some quarters that Cold War models of deterrence will apply, a Middle East in which two hostile competitor powers—in this case, Iran and Israel—have nuclear weapons promises to be highly unstable. In part, this may stem from each side’s lack of insight into how its competitor calculates cost, benefit, and risk, leaving the door open for miscalculation. Regardless, there exists a structural instability in the competition owing to the exceedingly short missile flight times between states in the region and the costs (both financial and technical) of fielding, maintaining, and operating effective early warning and command and control systems. Instability is heightened further due to the prospect that a third party might seek to trigger a catalytic war between two other states. For example, firing ballistic or cruise missiles at one nuclear-armed state would be interpreted as an attack by its nuclear rival. Using cyber weapons to introduce false information into an early warning system may also be a means of triggering a catalytic war. Should Iran acquire a nuclear capability, intense pressure among some other states in the region to pursue nuclear weapons will likely emerge. If the region is host to a Shi’a/Persian bomb and a Jewish/Israeli bomb, then pride and honor, to say nothing of security, may “require” a Turkish bomb and a Sunni Arab bomb. The result would almost certainly be a ratcheting up of regional instability. Powers external to the region will likely seek to influence the competition and improve their standing with key regional powers by offering key technologies and capabilities that could greatly compromise regional stability in an already turbulent environment. Preventing a proliferated Middle East may be beyond the capabilities of the United States or the international community. Given the consequences of such an environment, however, all options for preventing this possibility should be thoroughly explored. At the same time, a hedging strategy must be developed that positions the United States and the international community to maximize the prospects of preserving both regional stability and the sixty-eight-year-old tradition of non-use of nuclear weapons. Toward this end, a rich menu of plausible scenarios should be examined to identify ways in which deterrence might fail and, correspondingly, possible options to strengthen the barriers to nuclear use.

#### Hegemony acts as a global deterrent – Maintains stability via primacy and globalization

Jacobs, 2014
[Ryan Timothy Jacobs, Graduate from University of North Carolina in International Studies, 6-27-2014, Why U.S. Hegemonic Power is Essential for Future Global Stabilization, <https://www.academia.edu/7784026/Why_the_U.S._Hegemonic_Power_is_Essential_for_Future_Global_Stabilization>]

In contrast, the political structure of a hegemony primarily differs from an empire on the notion of the political power having final authority. Also, a hegemony is not a political unit that rules over another unit that is "separate and alien to it." The Online Etymology Dictionary defines the term "hegemony", "(1560s)from Greek hegemonia "leadership, a leading the way, a going first;" also "the authority or sovereignty of one city-state over a number of others," as Athens in Attica, Thebes in Boeotia; from hegemon "leader," from hegeisthai "to lead," perhaps originally "to track down," from PIE \*sag-eyo-, from root \*sag- "to seek out, track down, trace". Originally of predominance of one city state or another in Greek history; in reference to modern situations from 1860, at first of Prussia in relation to other German states. 4 This leadership, and authority is commonly utilized to influence others to develop similarly in order to create a stable, international relationship. Presently, as the hegemonic power, the United States seeks to produce democracy and capitalism; which focus on human rights and free trade. Another interesting explanation of a hegemonic power is illustrated by Italian Marxist Gramsci in 1971, as "the supremacy of a social group manifest(ing) itself in two ways, as' domination' and as 'intellectual and moral leadership'" and "the 'normal' exercise of hegemony on the now classical terrain of the parliamentary regime is characterized by the combination of force and consent, which balance each other reciprocally, without force predominating excessively over consent." 5 In addition, addressing the Theory of Hegemonic Stability (HST) is imperative for this research. HST is based on the idea that the international system can only remain stable if there is a single dominant state that regulates the interactions of other states in the system. The hegemonic power must have the power, will and commitment to enforce the rules. It must also be perceived as mutually beneficial to the major states. The capability rests upon three attributes: a large, growing economy; dominance in a leading technological or economic sector; and political power backed up by projective military. 6 The Ruth C. Lawson Professor of International Politics from Mount Holyoke College, Vincent Ferraro cites four nation-states that have been hegemonic powers: Portugal, Holland, Britain (at two points in history); and of course, the United States (to present day). After World War II, when the United States was recognized as the hegemonic power by its Western allies, international stability has relied upon U.S. dominance. Therefore states that threaten the stability of the western hegemonic power also fulminate global stability. It is essential that the United States continues to play the predominant international role that it does today for many years to come. As technology is rapidly expanding, one of the most important areas that U.S. involvement is necessary is communications. "The United States technological assets-including its leadership in piloting social networking and rapid communications-give it an advantage, but the Internet also will continue to boost the power of nonstate actors. In most cases, US power will need to be enhanced through relevant outside networks, friends, and affiliates that cancoalesce on any particular issue. Leadership will be a function of position, enmeshment, diplomatic skill, and constructive demeanor." 7 Furthermore, future global stabilization requires the U.S. to advance developments in other facets of technology (weaponry, transportation, etc.), as it will be crucial for defense and peacekeeping operations, as well. With the strengthening of international law, and success of the United Nations (U.N.), the U.S. would have the capability of assuring such stability. This would constitute the U.S., enshrined in democracy; as not only one of the beneficiaries of global stability, but also a body politic that exemplifies durability over time.

#### US Primacy guarantees successful deterrence measures – Checks global escalations

Mitchell, 2014
[ George J. Mitchell, B.L from Georgetown University, officer in the US Army Counter-Intelligence Corps, Trial Lawyer in the US Justice Department, former US special envoy to the Middle East and US Senate majority leader, chairman emeritus of the international law firm, 9-9-2014, US the only power that can push for peace America’s prosperity and world dominance will extend into the future, <https://www.bostonglobe.com/opinion/2014/09/08/america-only-power-that-can-push-for-peace-between-israel-palestinians/H4v87uWSKdWMdkvJuR0fYM/story.html>]

As the world’s dominant power, the United States enjoys many benefits. But it also incurs many burdens, not the least of which is the widespread impression of American omnipotence. When I speak in Asia, I like to tell a story: A businessman in Pakistan wakes up one morning and goes into the bathroom to take a shower. But, when he turns on the faucet, there’s no hot water. “Ah,” he says, “Obama and the CIA, again.” For some, every problem in the world is an American problem. The reality, of course, is that the United States’ ability to control events in the world is limited. Many pundits and analysts, citing that reality, see the country in decline. I disagree. Though it may not be able to control events, the United States does have unequalled power to influence them. And, in the coming decades, that power will grow, not wane. Still, as the world’s population increases, as the size and influence of China and India grow, as political turmoil rises, the United States will face many new challenges in deciding how to deploy its political, economic, and military power. But even in the face of these misperceptions and challenges, the United States can and must remain engaged in seeking peace in the Middle East. It took 1,800 years after the birth of Christ for the earth’s population to reach 1 billion. The most recent billion — the 7th — was added in 13 years. The United Nations projects that by 2050, the world population will reach about 9.5 billion people. It will later peak around 10 billion, then level off and begin to decline. Most of the growth will be in Asia and Africa. Of the current population, one in five is Muslim, about 1.2 billion. Fifty years from now, one in three will be Muslim, or about 3.5 billion. To put that figure into perspective, that was the total population of the world as recently as 1970. Although we should be skeptical of all human predictions (including population projections), the overwhelming military dominance achieved by the United States makes it unlikely that there will be a major war among large nation-states in the foreseeable future. In that sense, the world is a safer place today than it was in the 20th century when more than 75 million people died in two world wars in countries where the population was much smaller than it is today.

#### Hegemony acts as a global deterrent – Maintains stability via primacy and globalization

Jacobs, 2014
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## A2: No Heg Impact

#### Effective and legitimate US leadership is key to avert multiple scenarios for war and ensure planetary survival

**Brzezinski, 2012**

(Zbigniew, John Hopkins American Foreign Policy professor, Strategic Vision: America and the Crisis of Global Power, google books)

An American decline would impact the nuclear domain most profoundly by inciting a crisis of confidence in the credibility of the American nuclear umbrella. Countries like South Korea, Taiwan, Japan, Turkey, and even Israel, among others, rely on the United States’ extended nuclear deterrence for security. If they were to see the United States slowly retreat from certain regions, forced by circumstances to pull back its guarantees, or even if they were to lose confidence in standing US guarantees, because of the financial, political, military, and diplomatic consequences of an American decline, then they will have to seek security elsewhere. That “elsewhere” security could originate from only two sources: from nuclear weapons of one’s own or from the extended deterrence of another power—most likely Russia, China, or India. It is possible that countries that feel threatened by the ambition of existing nuclear weapon states, the addition of new nuclear weapon states, or the decline in the reliability of American power would develop their own nuclear capabilities. For crypto-nuclear powers like Germany and Japan, the path to nuclear weapons would be easy and fairly quick, given their extensive civilian nuclear industry, their financial success, and their technological acumen. Furthermore, the continued existence of nuclear weapons in North Korea and the potentiality of a nuclear-capable Iran could prompt American allies in the Persian Gulf or East Asia to build their own nuclear deterrents. Given North Korea’s increasingly aggressive and erratic behavior, the failure of the six-party talks, and the widely held distrust of Iran’s megalomaniacal leadership, the guarantees offered by a declining America’s nuclear umbrella might not stave off a regional nuclear arms race among smaller powers. Last but not least, even though China and India today maintain a responsible nuclear posture of minimal deterrence and “no first use,” the uncertainty of an increasingly nuclear world could force both states to reevaluate and escalate their nuclear posture. Indeed, they as well as Russia might even become inclined to extend nuclear assurances to their respective client states. Not only could this signal a renewed regional nuclear arms race between these three aspiring powers but it could also create new and antagonistic spheres of influence in Eurasia driven by competitive nuclear deterrence. The decline of the United States would thus precipitate drastic changes to the nuclear domain. An increase in proliferation among insecure American allies and/or an arms race between the emerging Asian powers are among the more likely outcomes. This ripple effect of proliferation would undermine the transparent management of the nuclear domain and increase the likelihood of interstate rivalry, miscalculation, and eventually even perhaps of international nuclear terror. In addition to the foregoing, in the course of this century the world will face a series of novel geopolitical challenges brought about by significant changes in the physical environment. The management of those changing environmental commons—the growing scarcity of fresh water, the opening of the Arctic, and global warming—will require global consensus and mutual sacrifice. American leadership alone is not enough to secure cooperation on all these issues, but a decline in American influence would reduce the likelihood of achieving cooperative agreements on environmental and resource management. America’s retirement from its role of global policeman could create greater opportunities for emerging powers to further exploit the environmental commons for their own economic gain, increasing the chances of resource-driven conflict, particularly in Asia. The latter is likely to be the case especially in regard to the increasingly scarce water resources in many countries. According to the United States Agency for International Development (USAID), by 2025 more than 2.8 billion people will be living in either water-scarce or water-stressed regions, as global demand for water will double every twenty years.9 While much of the Southern Hemisphere is threatened by potential water scarcity, interstate conflicts—the geopolitical consequences of cross-border water scarcity—are most likely to occur in Central and South Asia, the Middle East, and northeastern Africa, regions where limited water resources are shared across borders and political stability is transient. The combination of political insecurity and resource scarcity is a menacing geopolitical combination. The threat of water conflicts is likely to intensify as the economic growth and increasing demand for water in emerging powers like Turkey and India collides with instability and resource scarcity in rival countries like Iraq and Pakistan. Water scarcity will also test China’s internal stability as its burgeoning population and growing industrial complex combine to increase demand for and decrease supply of usable water. In South Asia, the never-ending political tension between India and Pakistan combined with overcrowding and Pakistan’s heightening internal crises may put the Indus Water Treaty at risk, especially because the river basin originates in the long-disputed territory of Jammu and Kashmir, an area of ever-increasing political and military volatility. The lingering dispute between India and China over the status of Northeast India, an area through which the vital Brahmaputra River flows, also remains a serious concern. As American hegemony disappears and regional competition intensifies, disputes over natural resources like water have the potential to develop into full-scale conflicts. The slow thawing of the Arctic will also change the face of the international competition for important resources. With the Arctic becoming increasingly accessible to human endeavor, the five Arctic littoral states—the United States, Canada, Russia, Denmark, and Norway—may rush to lay claim to its bounty of oil, gas, and metals. This run on the Arctic has the potential to cause severe shifts in the geopolitical landscape, particularly to Russia’s advantage. As Vladimir Radyuhin points out in his article entitled “The Arctic’s Strategic Value for Russia,” Russia has the most to gain from access to the Arctic while simultaneously being the target of far north containment by the other four Arctic states, all of which are members of NATO. In many respects this new great game will be determined by who moves first with the most legitimacy, since very few agreements on the Arctic exist. The first Russian supertanker sailed from Europe to Asia via the North Sea in the summer of 2010.10 Russia has an immense amount of land and resource potential in the Arctic. Its territory within the Arctic Circle is 3.1 million square kilometers—around the size of India—and the Arctic accounts for 91% of Russia’s natural gas production, 80% of its explored natural gas reserves, 90% of its offshore hydrocarbon reserves, and a large store of metals.11 Russia is also attempting to increase its claim on the territory by asserting that its continental shelf continues deeper into the Arctic, which could qualify Russia for a 150-mile extension of its Exclusive Economic Zone and add another 1.2 million square kilometers of resource-rich territory. Its first attempt at this extension was denied by the UN Commission on the Continental Shelf, but it is planning to reapply in 2013. Russia considers the Arctic a true extension of its northern border and in a 2008 strategy paper President Medvedev stated that the Arctic would become Russia’s “main strategic resource base” by 2020.12 Despite recent conciliatory summits between Europe and Russia over European security architecture, a large amount of uncertainty and distrust stains the West’s relationship with Russia. The United States itself has always maintained a strong claim on the Arctic and has continued patrolling the area since the end of the Cold War. This was reinforced during the last month of President Bush’s second term when he released a national security directive stipulating that America should “preserve the global mobility of the United States military and civilian vessels and aircraft throughout the Arctic region.” The potentiality of an American decline could embolden Russia to more forcefully assert its control of the Arctic and over Europe via energy politics; though much depends on Russia’s political orientation after the 2012 presidential elections. All five Arctic littoral states will benefit from a peaceful and cooperative agreement on the Arctic—similar to Norway’s and Russia’s 2010 agreement over the Barents Strait—and the geopolitical stability it would provide. Nevertheless, political circumstances could rapidly change in an environment where control over energy remains Russia’s single greatest priority. Global climate change is the final component of the environmental commons and the one with the greatest potential geopolitical impact. Scientists and policy makers alike have projected catastrophic consequences for mankind and the planet if the world average temperature rises by more than two degrees over the next century. Plant and animal species could grow extinct at a rapid pace, large-scale ecosystems could collapse, human migration could increase to untenable levels, and global economic development could be categorically reversed. Changes in geography, forced migration, and global economic contraction layered on top of the perennial regional security challenges could create a geopolitical reality of unmanageable complexity and conflict, especially in the densely populated and politically unstable areas of Asia such as the Northeast and South. Furthermore, any legitimate action inhibiting global climate change will require unprecedented levels of self-sacrifice and international cooperation. The United States does consider climate change a serious concern, but its lack of both long-term strategy and political commitment, evidenced in its refusal to ratify the Kyoto Protocol of 1997 and the repeated defeat of climate-change legislation in Congress, deters other countries from participating in a global agreement. The United States is the second-largest global emitter of carbon dioxide, after China, with 20% of the world’s share. The United States is the number one per capita emitter of carbon dioxide and the global leader in per capita energy demand. Therefore, US leadership is essential in not only getting other countries to cooperate, but also in actually inhibiting climate change. Others around the world, including the European Union and Brazil, have attempted their own domestic reforms on carbon emissions and energy use, and committed themselves to pursuing renewable energy. Even China has made reducing emissions a goal, a fact it refuses to let the United States ignore. But none of those nations currently has the ability to lead a global initiative. President Obama committed the United States to energy and carbon reform at the Copenhagen Summit in 2009, but the increasingly polarized domestic political environment and the truculent American economic recovery are unlikely to inspire progress on costly energy issues. China is also critically important to any discussion of the management of climate change as it produces 21% of the world’s total carbon emissions, a percentage that will only increase as China develops the western regions of its territory and as its citizens experience a growth in their standard of living. China, however, has refused to take on a leadership role in climate change, as it has also done in the maritime, space, and cyberspace domains. China uses its designation as a developing country to shield itself from the demands of global stewardship. China’s tough stance at the 2009 Copenhagen Summit underscores the potential dangers of an American decline: no other country has the capacity and the desire to accept global stewardship over the environmental commons. Only a vigorous Unites States could lead on climate change, given Russia’s dependence on carbon-based energies for economic growth, India’s relatively low emissions rate, and China’s current reluctance to assume global responsibility. The protection and good faith management of the global commons—sea, space, cyberspace, nuclear proliferation, water security, the Arctic, and the environment itself—are imperative to the long-term growth of the global economy and the continuation of basic geopolitical stability. But in almost every case, the potential absence of constructive and influential US leadership would fatally undermine the essential communality of the global commons.     The argument that America’s decline would generate global insecurity, endanger some vulnerable states, produce a more troubled North American neighborhood, and make cooperative management of the global commons more difficult is not an argument for US global supremacy. In fact, the strategic complexities of the world in the twenty-first century—resulting from the rise of a politically self-assertive global population and from the dispersal of global power—make such supremacy unattainable. But in this increasingly complicated geopolitical environment, an America in pursuit of a new, timely strategic vision is crucial to helping the world avoid a dangerous slide into international turmoil.

#### Decline causes US lashout

**Beckley, 2012**

(Michael, Tufts political science professor, “China’s Century? Why America’s Edge Will Endure”, International Security, 36.3, project muse)

One danger is that declinism could prompt trade conflicts and immigration restrictions. The results of this study

 suggest that the United States benefits immensely from the free flow of goods, services, and people around the globe; this is what allows American corporations to specialize in high-value activities, exploit innovations created elsewhere, and lure the brightest minds to the United States, all while reducing the price of goods for U.S. consumers. Characterizing China’s export expansion as a loss for the United States is not just bad economics; it blazes a trail for jingoistic and protectionist policies. It would be tragically ironic if Americans reacted to false prophecies of decline by cutting themselves off from a potentially vital source of American power. Another danger is that declinism may impair foreign policy decision-making. If top government officials come to believe that China is overtaking the United States, they are likely to react in one of two ways, both of which are potentially disastrous. The first is that policymakers may imagine the United States faces a closing “window of opportunity” and should take action “while it still enjoys preponderance and not wait until the diffusion of power has already made international politics more competitive and unpredictable.”158 This belief may spur [End Page 77] positive action, but it also invites parochial thinking, reckless behavior, and preventive war.159 As Robert Gilpin and others have shown, “[H]egemonic struggles have most frequently been triggered by fears of ultimate decline and the perceived erosion of power.”160 By fanning such fears, declinists may inadvertently promote the type of violent overreaction that they seek to prevent. The other potential reaction is retrenchment—the divestment of all foreign policy obligations save those linked to vital interests, defined in a narrow and national manner. Advocates of retrenchment assume, or hope, that the world will sort itself out on its own; that whatever replaces American hegemony, whether it be a return to balance of power politics or a transition to a post-power paradise, will naturally maintain international order and prosperity. Order and prosperity, however, are unnatural. They can never be presumed. When achieved, they are the result of determined action by powerful actors and, in particular, by the most powerful actor, which is, and will be for some time, the United States. Arms buildups, insecure sea-lanes, and closed markets are only the most obvious risks of U.S. retrenchment. Less obvious are transnational problems, such as global warming, water scarcity, and disease, which may fester without a leader to rally collective action.

## A2: Drones Hurt Soft Power

#### The impact of drones on US Soft Power is declining

**Express Tribune, 2015**

(5/4/15, “Is anti-American sentiment on the decline in Pakistan?”, <http://tribune.com.pk/story/880558/is-anti-american-sentiment-on-the-decline-in-pakistan/>)

ISLAMABAD: After years of tensions with the United States, anti-American sentiment appears to be witnessing a steady decline in Pakistan, observers suggest. The decline in the number of Pakistanis who hold negative views of the United States comes as they look closer to home for the causes of — and answers to — the country’s woes, according to interviews with residents, analysts, and current and former diplomats. Doug Chabot, who runs a charity for girls education in Pakistan, said there was no anti-American sentiment walking into stores or the markets and, if anything, people were concerned that I thought they hated Americans. One of the reason behind the change, cited by observers is the middle class in the country is now more supportive of American drone strikes, which have shrunk considerably since the Peshawar attack that killed over 140 students and teachers. Moreover, as conflict spreads in the Middle East, Pakistanis are recognising that sectarian violence in Muslim countries is not driven completely by the United States. Analysts suggest that the Obama administration’s efforts to quietly rebuild relationships is having an effect. Former Pakistan Muslim League–Nawaz Member of the National Assembly (MNA) Ayaz Amir says that the usual firebrands coming up with standard anti-American declarations are not seen anymore. “There is a sense we have to deal with our own problems, and it is up to us how we handle those problems, and I think anti-Americanism, really, no longer seems that relevant,” Amir added. Furthermore, a Pew Research Center poll released in August last year showed a decline in the percentage of Pakistanis who held negative views of the United States — still a majority at 59%, but down from 80% two years before. Pakistan Ulema Council chairperson Allama Tahir Ashrafi said it is no more just hate heaped upon the United States. “Because of the serious internal issues that Pakistani society is facing, and also the Muslim world is facing, the focus is not that much on the United States,” he said. Human Rights activist Farzana Bari said the progressive Pakistanis are also choosing to stay quiet now. “I personally have been very anti-drone strikes . . . but now I feel like, Okay, if they are dealing with the extremist groups, that is good,” she added.

## Pursuit Inevitable

#### The pursuit of hegemony is inevitable – it is only a question of how legitimate the US claim to supremacy is. Any alternative to US primacy results in Nuclear Proliferation and Global Instability

Tooley, 2015
[Mark Tooley, Graduate from Georgetown University, Work at the CIA, 3-19-2015, Christianity and Nukes American nuclear disarmament will not leave the world safer or holier, The American Spectator, <http://spectator.org/articles/62090/christianity-and-nukes>]

Much of the security of the world relies on the U.S. nuclear umbrella, which continues to deter, protect, and intimidate. Doubtless China would vastly expand its own relatively minimal nuclear arsenal and seek parity at least with Russia absent overwhelming U.S. power. Russia’s nuclear arsenal is engorged far beyond its strategic needs, and that arsenal has in fact been blessed by the Russian Orthodox Church, which evidently also falls outside the “ecumenical consensus.” Some religious idealists imagine that disarming the West, mainly the U.S., will inspire and motivate the world to follow suit. Such expectation is based on a fundamentally and dangerously false view of global statecraft and human nature. The power vacuum that American disarmament would create would inexorably lead to a far more dangerous and unstable world where nuclear weapons and other weapons of mass destruction would exponentially proliferate. American military and nuclear hegemony for the last 70 years has sustained an historically unprecedented approximate global peace and facilitated an even more unprecedented global prosperity. There is indeed a moral and strategic imperative for America today, which is to deploy its power against further nuclear proliferation and to deter aggression by current nuclear actors, while also developing technologies and defensive weapons that neutralize nuclear armaments. If Iran’s genocidally ambitious regime is in the end prevented from nuclearizing, it will only be thanks to American power. And if it does nuclearize, only American and Israeli nukes, perhaps joined by Saudi nukes, will deter its murderous designs. Christian teaching and humanity should demand no less.

## Heg Sustainable

#### A legitimate US Hegemony is sustainable

Babones, 2015
[Salvatore Babones, Associate Professor at the University of Sydney, PhD in Sociology and Social Policy, Fellow at the Institute for Policy Studies, Washington, 6-11-2015, American Hegemony Is Here to Stay: U.S. hegemony is now as firm as or firmer than it has ever been, and will remain so for a long time to come, The National Interest, <http://nationalinterest.org/feature/american-hegemony-here-stay-13089?page=2>]

IS RETREAT from global hegemony in America’s national interest? No idea has percolated more widely over the past decade—and none is more bogus. The United States is not headed for the skids and there is no reason it should be. The truth is that America can and should seek to remain the world’s top dog. The idea of American hegemony is as old as Benjamin Franklin, but has its practical roots in World War II. The United States emerged from that war as the dominant economic, political and technological power. The only major combatant to avoid serious damage to its infrastructure, its housing stock or its demographic profile, the United States ended the war with the greatest naval order of battle ever seen in the history of the world. It became the postwar home of the United Nations, the International Monetary Fund and the World Bank. And, of course, the United States had the bomb. America was, in every sense of the word, a hegemon. “Hegemony” is a word used by social scientists to describe leadership within a system of competing states. The Greek historian Thucydides used the term to characterize the position of Athens in the Greek world in the middle of the fifth century BC. Athens had the greatest fleet in the Mediterranean; it was the home of Socrates and Plato, Sophocles and Aeschylus; it crowned its central Acropolis with the solid-marble temple to Athena known to history as the Parthenon. Athens had a powerful rival in Sparta, but no one doubted that Athens was the hegemon of the time until Sparta defeated it in a bitter twenty-seven-year war. America’s only global rival in the twentieth century was the Soviet Union. The Soviet Union never produced more than about half of America’s total national output. Its nominal allies in Eastern Europe were in fact restive occupied countries, as were many of its constituent republics. Its client states overseas were at best partners of convenience, and at worst expensive drains on its limited resources. The Soviet Union had the power to resist American hegemony, but not to displace it. It had the bomb and an impressive space program, but little else. When the Soviet Union finally disintegrated in 1991, American hegemony was complete. The United States sat at the top of the international system, facing no serious rivals for global leadership. This “unipolar moment” lasted a mere decade. September 11, 2001, signaled the emergence of a new kind of threat to global stability, and the ensuing rise of China and reemergence of Russia put paid to the era of unchallenged American leadership. Now, America’s internal politics have deadlocked and the U.S. government shrinks from playing the role of global policeman. In the second decade of the twenty-first century, American hegemony is widely perceived to be in terminal decline. Or so the story goes. In fact, reports of the passing of U.S. hegemony are greatly exaggerated. America’s costly wars in Iraq and Afghanistan were relatively minor affairs considered in long-term perspective. The strategic challenge posed by China has also been exaggerated. Together with its inner circle of unshakable English-speaking allies, the United States possesses near-total control of the world’s seas, skies, airwaves and cyberspace, while American universities, think tanks and journals dominate the world of ideas. Put aside all the alarmist punditry. American hegemony is now as firm as or firmer than it has ever been, and will remain so for a long time to come. THE MASSIVE federal deficit, negative credit-agency reports, repeated debt-ceiling crises and the 2013 government shutdown all created the impression that the U.S. government is bankrupt, or close to it. The U.S. economy imports half a trillion dollars a year more than it exports. Among the American population, poverty rates are high and ordinary workers’ wages have been stagnant (in real terms) for decades. Washington seems to be paralyzed by perpetual gridlock. On top of all this, strategic exhaustion after two costly wars in Afghanistan and Iraq has substantially degraded U.S. military capabilities. Then, at the very moment the military needed to regroup, rebuild and rearm, its budget was hit by sequestration. If economic power forms the long-term foundation for political and military power, it would seem that America is in terminal decline. But policy analysts tend to have short memories. Cycles of hegemony run in centuries, not decades (or seasons). When the United Kingdom finally defeated Napoleon at Waterloo in 1815, its national resources were completely exhausted. Britain’s public-debt-to-GDP ratio was over 250 percent, and early nineteenth-century governments lacked access to the full range of fiscal and financial tools that are available today. Yet the British Century was only just beginning. The Pax Britannica and the elevation of Queen Victoria to become empress of India were just around the corner. This is not to argue that the U.S. government should ramp up taxes and spending, but it does illustrate the fact that it has enormous potential fiscal resources available to it, should it choose to use them. Deficits come and go. America’s fiscal capacity in 2015 is stupendously greater than Great Britain’s was in 1815. Financially, there is every reason to think that America’s century lies in the future, not in the past. The same is true of the supposed exhaustion of the U.S. military. On the one hand, thirteen years of continuous warfare have reduced the readiness of many U.S. combat units, particularly in the army. On the other hand, U.S. troops are now far more experienced in actual combat than the forces of any other major military in the world. In any future conflict, the advantage given by this experience would likely outweigh any decline in effectiveness due to deferred maintenance and training. Constant deployment may place an unpleasant and unfair burden on U.S. service personnel and their families, but it does not necessarily diminish the capability of the U.S. military. On the contrary, it may enhance it. America’s limited wars in Afghanistan and Iraq were hardly the final throes of a passing hegemon. They are more akin to Britain’s bloody but relatively inconsequential conflicts in Afghanistan and Crimea in the middle of the nineteenth century. Brutal wars like these repeatedly punctured, but never burst, British hegemony. In fact, Britain engaged in costly and sometimes disastrous conflicts throughout the century-long Pax Britannica. British hegemony did not come to an end until the country faced Germany head-on in World War I. Even then, Britain ultimately prevailed (with American help). Its empire reached its maximum extent not before World War I but immediately after, in 1922.

#### No risk of power transitions – Multiple reasons for why hegemony is sustainable when it is legitimate

Bremmer, 2015
[Ian Bremmer, American political scientist specializing in U.S. foreign policy, states in transition, and global political risk. PhD and M.A. from Stanford University in Political Science, 5-28-2015, These Are the 5 Reasons Why the U.S. Remains the World’s Only Superpower, Time, <http://time.com/3899972/us-superpower-status-military/>]

A ‘superpower’ is a country that wields enough military, political and economic might to convince nations in all parts of the world to do things they otherwise wouldn’t. Pundits have rushed to label China the next superpower—and [so have](http://www.pewglobal.org/2014/07/14/chapter-3-balance-of-power-u-s-vs-china/%22%20%5Ct%20%22_blank%22%20%5Co%20%22Power) many ordinary Americans—but the rumors of America’s decline have been greatly exaggerated. In the key categories of power, the U.S. will remain dominant for the foreseeable future. These facts show why America is still the world’s only superpower, and why that won’t change anytime soon. 1. Economics China’s economy is growing at an impressive rate. But it’s not just the size of an economy that matters—it’s also the quality. According to the World Bank, GDP per capita in the US was $53,042 in 2013; in China it was just $6,807. In other words, little of China’s dramatic economic growth is finding its way into the pockets of Chinese consumers—the byproduct of an economy driven by massive state-owned enterprises rather than private industry. China’s headline growth may be higher, but it’s the U.S. economy that’s allowing its citizens to grow along with it. And crucially, the American economy remains the bedrock of the global financial system. Over 80% of all financial transactions worldwide are conducted in dollars, as are 87% of foreign currency market transactions. As long as the world continues to place such faith in America’s currency and overall economic stability, the U.S. economy remains the one to beat. America’s military superiority remains unrivaled—full stop. The US accounts for 37% of global military spending, and spends more than four times what China, the world’s No. 2 spender, does on its military. The U.S. dominates across land, sea, air and space. America’s Middle East misadventures gave the U.S. military a black eye, but the wars in Iraq and Afghanistan speak more to the changing nature of warfare than declining U.S. military superiority. Terrorists and guerilla fighters give conventional military powers fits by design. The U.S. must ultimately learn to scale down to better meet those challenges. Nevertheless, while conventional military strength might not deter terrorists, it still does a terrific job of deterring hostile nations. Political power comes in many dimensions. For the U.S., foreign aid is an effective way to cement its political clout globally. In 2013, the U.S. doled out $32.7 billion in financial assistance; second was the UK at $19 billion. Turns out that money buys strong political cooperation from countries in need. But in order to have political power abroad, you must first have stability at home. The U.S. has the oldest working national constitution in the world, as well as strong institutions and rule of law to accompany it. While far from perfect, the governing document created by America’s founding fathers has evolved along with its people. The numbers show the enduring attraction of this system: 45 million people living in the U.S. today were born in a foreign country. That is more than four times higher than the next highest country. For many people around the world, America remains the ideal place to start a new life. Of the 9 largest tech companies in the world, 8 are based in the U.S. Give the growing importance of the technology sector, that’s a big deal. For decades America worried about energy dependency, yet today America is the world’s No. 1 producer of oil and natural gas, in large part due to the development of hydraulic fracturing, a product of public research and private energy. America’s research universities and scientific institutions are best in class, allowing the nation to focus its ingenuity where it’s needed most. And America is spending the money to keep its comparative advantage intact: 30% of all research and development dollars are spent in the U.S.

## Racism Add-On

#### Racism is promoted under the guise of national security, then and now.

Fein 07 (Bruce Fein, Presidential Studies Authority, http://www.diplomatie.gouv.fr/fr/IMG/pdf/president\_intelligence.pdf)

Bruce Fein is a constitutional expert and international consultant who served as associate deputy attorney general under President Ronald Regan. He often testifies before Congress and is a weekly columnist for the Washington Times and the Capitol Leader.

President George W. Bush has claimed inherent constitutional power to target American citizens on American soil for warrantless electronic surveillance or physical searches by the National Security Agency (NSA) in defiance of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801 et seq. (FISA). The statute has been amended six times since 9/11 to accommodate the heightened danger and new stratagems for communicating without detection.1 Why has President Bush’s nonsense on stilts garnered nontrivial homage? Conflict summons fear. Fear breeds imbalanced judgments. Imbalanced judgments manufacture constitutional interpretations from trifles light as air to exploit and to placate exaggerated popular alarm. 9/11 fits the historical pattern. The aftermath of that abomination resembles Pearl Harbor, one of its most execrable ancestors. Five months elapsed after the Japanese attack with no evidence of internal disloyalty or sabotage in the United States by citizens or permanent resident aliens sporting Japanese ancestry. Yet 120,000 were interned until the closingmonths ofWorldWar II, a duration thatwas extended to avoid antagonizing bigoted voters in the November 1944 elections. The professed justification was national security. The genuine reason was racism, as Congress found in the Civil Liberties Act of 1988.2 President Bush has chosen to flout FISA for more than five years with no evidence that its mild restraints on foreign intelligence collection impair the defeat of international terrorism. His motivations have been fivefold: to gather political intelligence against his domestic critics, to chill dissent by creating an aura of intimidation, to cripple Congress as a check on presidential power, to warn courts against second-guessing national security decisions of the commander in chief, and to concoct an appearance of toughness on terrorism. FISA did not facilitate the success of the 9/11 hijackers. The 9/11 Commission did not find that the hijackings would have been averted if the president had enjoyed unchecked power to spy. On July 31, 2002, the Bush administration testified to the Senate Intelligence Committee that FISA was nimble, flexible, and impeccable as an instrument for nipping terrorist plots in the bud.3 The NSA’s circumvention of FISA has yielded no demonstrable national security benefits. President Bush has not identified even one terrorist attack that was frustrated by warrantless spying on American citizens. In contrast, the White House has described in some detail the terrorism that was allegedly frustrated by the CIA’s secret imprisonments and interrogations of the “Al Qaeda 14.” In signing the Military Commissions Act of 2006, President Bush elaborated: “The CIA program helped us identify terrorists who were sent to case targets inside the United States, including financial buildings in major cities on the East Coast. And the CIA program helped us stop the planned strike on U.S. Marines in Djibouti, a planned attack on the U.S. consulate in Karachi, and a plot to hijack airplanes and fly them into Heathrow Airport and Canary Wharf in London.”4 Bush has conspicuously remained as silent as the Sphinx about the NSA’s warrantless surveillance success stories because there are none to tell. If there were, they would have been leaked and declassified long ago. Pearl Harbor and 9/11 have in common the cynical assertions of power to advance a partisan political agenda at the expense of the Constitution and the rule of law. To borrow from Madam Roland about the French Revolution: “O National Security! O National Security! What crimes are committed in thy name!”

#### Privacy is becoming globally recognized as a gateway right to all other rights.

Human Rights Watch March 26, 2015 (Human Rights Watch, UN: Major Step on Internet Privacy, https://www.hrw.org/news/2015/03/26/un-major-step-internet-privacy)

(Geneva, March 26, 2015) – UN Human Rights Council members on March 26, 2015, took an important step in global efforts to protect privacy on the internet, as well as more broadly, Human Rights Watch said today. The council unanimously agreed to appoint a new UN special rapporteur, or expert, on the right to privacy. “How privacy is protected online is one of the most pressing issues of our time,” said Eileen Donahoe, director of global affairs at Human Rights Watch. “Our hope is that the Human Rights Council resolution marks the beginning of a serious global reckoning with mass surveillance and its effects.” The council’s decision was the culmination of sustained efforts by Germany and Brazil to bring new focus to threats to privacy on the Internet. President Dilma Rousseff of Brazil raised the importance of privacy in the digital context at the UN General Assembly in 2013 following reports that both Rousseff and Chancellor Angela Merkel of Germany were victims of US espionage. Following Rousseff’s address, UN institutions actively pursued the topic, with two resolutions in the General Assembly, a high-level panel at the Human Rights Council, and a report by the then-UN high commissioner on human rights, Navi Pillay. The advancement in digital technology has had many positive social effects. But the inexorable move toward the digitization of information also has meant that governments have enhanced ability to monitor citizens’ movements, censor speech, block or filter access to information, and track communications, Human Rights Watch said. Human rights defenders in particular increasingly face threats, insecurity, and attacks as a result of digital surveillance and collection of their personal data, Human Rights Watch said. Privacy is a gateway right that affects the ability to exercise almost every other right, in particular freedom of expression and freedom of assembly and association. “When everything you say or do can be intercepted, monitored, or become the object of surveillance, it has a chilling effect on what people feel free to say, where they feel free to go, and with whom they choose to meet,” Donahoe said. “For human rights defenders, these questions are urgent because they often delve into problems or raise issues that governments would rather keep hidden. Their ability to do their work is at risk, as is their basic safety and the safety of victims and witnesses.” The new special rapporteur has a broad mandate to cover all aspects of privacy and will be able to take on these concerns through a variety of means, including: • systematically reviewing government policies on interception of digital communications and collection of personal data and pinpointing policies that intrude on privacy without compelling justification; • identifying best practices to bring global surveillance under the rule of law and helping ensure that national procedures and laws that have bearing on privacy are consistent with international human rights law obligations; • examining private sector responsibilities to respect human rights under the “Protect, Respect, Remedy framework” of the UN Guiding Principles for Business and Human Rights, in the specific context of digital information and communication technology; • helping develop international norms that more effectively address the interaction between privacy, freedom of expression, and other human rights in the digital context; and • bringing focused attention to factors that facilitate overbroad surveillance, including widely varying practices and levels of transparency about what data businesses retain, and how those practices in many instances have a direct bearing on what governments are able to collect and monitor; and working with other UN experts on protecting free expression, freedom of peaceful assembly and association, and human rights defenders, to identify specific threats to rights in the context of indiscriminate mass surveillance, leading to a more comprehensive approach to the protection of privacy. “The appointment of a UN expert on privacy in the digital age means that we now have someone to watch those that are watching us,” Donahoe said.

#### Current articulation of defending section 702 blatantly places American rights over foreigners’.

Kayyali 14 (Nadia Kayyali, EFF, The Way The NSA Uses Section 702 is Deeply Troubling. Here’s Why, https://www.eff.org/deeplinks/2014/05/way-nsa-uses-section-702-deeply-troubling-heres-why)

The most recent disclosure of classified NSA documents revealed that the British spy agency GCHQ sought unfettered access to NSA data collected under Section 702 of the FISA Amendments Act. Not only does this reveal that the two agencies have a far closer relationship than GCHQ would like to publicly admit, it also serves as a reminder that surveillance under Section 702 is a real problem that has barely been discussed, much less addressed, by Congress or the President. In fact, the "manager’s amendment" to the USA FREEDOM Act, which passed unanimously out of the House Judiciary Committee, has weakened the minimal changes to Section 702 that USA FREEDOM originally offered. Although Representative Zoe Lofgren—who clearly understands the import of Section 702—offered several very good amendments that would have addressed these gaps, her amendments were all voted down. There’s still a chance though—as this bill moves through Congress it can be strengthened by amendments from the floor. Section 702 has been used by the NSA to justify mass collection of phone calls and emails by collecting huge quantities of data directly from the physical infrastructure of communications providers. Here’s what you should know about the provision and why it needs to be addressed by Congress and the President: Most of the discussion around the NSA has focused on the phone records surveillance program. Unlike that program, collection done under Section 702 captures content of communications. This could include content in emails, instant messages, Facebook messages, web browsing history, and more. Even though it’s ostensibly used for foreign targets, Section 702 surveillance sweeps up the communications of Americans. The NSA has a twisted, and incredibly permissive, interpretation of targeting that includes communications about a target, even if the communicating parties are completely innocent. As John Oliver put it in his interview with former NSA General Keith Alexander: "No, the target is not the American people, but it seems that too often you miss the target and hit the person next to them going, 'Whoa, him!'" The NSA has confirmed that it is searching Section 702 data to access American’s communications without a warrant, in what is being called the "back door search loophole." In response to questions from Senator Ron Wyden, former NSA director General Keith Alexander admitted that the NSA specifically searches Section 702 data using "U.S. person identifiers," for example email addresses associated with someone in the U.S. The NSA has used Section 702 to justify programs in which the NSA can siphon off large portions of Internet traffic directly from the Internet backbone. These programs exploit the structure of the Internet, in which a significant amount of traffic from around the world flows through servers in the United States. In fact, through Section 702, the NSA has access to information stored by major Internet companies like Facebook and Google. Section 702 is likely used for computer security operations. Director of National Intelligence James Clapper noted Section 702's use to obtain communications "regarding potential cyber threats" and to prevent "hostile cyber activities." Richard Ledgett, Deputy Director of NSA, noted the use of intelligence authorities to mitigate cyber attacks. The FISA Court has little opportunity to review Section 702 collection. The court approves procedures for 702 collection for up to a year. This is not approval of specific targets, however; "court review [is] limited to 'procedures' for targeting and minimization rather than the actual seizure and searches." This lack of judicial oversight is far beyond the parameters of criminal justice. Not only does the FISA Court provide little oversight, Congress is largely in the dark about Section 702 collection as well. NSA spying defenders say that Congress has been briefed on these programs. But other members of Congress have repeatedly noted that it is incredibly difficult to get answers from the intelligence community, and that attending classified hearings means being unable to share any information obtained at such hearings. What’s more, as Senator Barbara Mikulski stated: "'Fully briefed' doesn’t mean that we know what’s going on." Without a full picture of Section 702 surveillance, Congress simply cannot provide oversight. Section 702 is not just about keeping us safe from terrorism. It’s a distressingly powerful surveillance tool. While the justification we’ve heard repeatedly is that NSA surveillance is keeping us safer, data collected under Section 702 can be shared in a variety of circumstances, such as ordinary criminal investigations. For example, the NSA has shared intelligence with the Drug Enforcement Agency that has led to prosecutions for drug crimes, all while concealing the source of the data. The President has largely ignored Section 702. While the phone records surveillance program has received significant attention from President Obama, in his speeches and his most recent proposal, Section 702 remains nearly untouched. The way the NSA uses Section 702 is illegal and unconstitutional—and it violates international human rights law. Unlike searches done under a search warrant authorized by a judge, Section 702 has been used by the NSA to get broad FISA court authorization for general search and seizure of huge swathes of communications. The NSA says this is OK because Section 702 targets foreign citizens. The problem is, once constitutionally protected communications of Americans are swept up, the NSA says these communications are “fair game” for its use. Innocent non-Americans don't even get the limited and much abused protections the NSA promises for Americans. Under international human rights law to which the United States is a signatory, the United States must respect the rights of all persons. With so many people outside the United States keeping their data with American companies, and so much information being swept up through mass surveillance, that makes Section 702 the loophole for the NSA to violate the privacy rights of billions of Internet users worldwide. The omission of Section 702 reform from the discourse around NSA surveillance is incredibly concerning, because this provision has been used to justify some of the most invasive NSA surveillance. That’s why EFF continues to push for real reform of NSA surveillance that includes an end to Section 702 collection. You can help by educating yourself and engaging your elected representatives. Print out our handy one-page explanation of Section 702. Contact your members of Congress today and tell them you want to see an end to all dragnet surveillance, not just bulk collection of phone records.

#### This form of otherization devalues foreign lives, paving the way for the worst atrocities.

**Scheper-Hughes and Bourgois ‘4** (Nancy and Philippe, Prof of Anthropology @ Cal-Berkely; Prof of Anthropology @ UPenn, Introduction: Making Sense of Violence, in Violence in War and Peace, pg. 19-22)

Absolutely central to our approach is a blurring of categories and distinctions between wartime and peacetime violence. Close attention to the “little” violences produced in the structures, habituses, and mentalites of everyday life shifts our attention to pathologies of class, race, and gender inequalities. More important, it interrupts the voyeuristic tendencies of “violence studies” that risk publicly humiliating the powerless who are often forced into complicity with social and individual pathologies of power because suffering is often a solvent of human integrity and dignity. Thus, in this anthology we are positing a violence continuum comprised of a multitude of “small wars and invisible genocides” (see also Scheper- Hughes 1996; 1997; 2000b) conducted in the normative social spaces of public schools, clinics, emergency rooms, hospital wards, nursing homes, courtrooms, public registry offices, prisons, detention centers, and public morgues. The violence continuum also refers to the ease with which humans are capable of reducing the socially vulnerable into expendable nonpersons and assuming the license - even the duty - to kill, maim, or soul-murder. We realize that in referring to a violence and a genocide continuum we are flying in the face of a tradition of genocide studies that argues for the absolute uniqueness of the Jewish Holocaust and for vigilance with respect to restricted purist use of the term genocide itself (see Kuper 1985; Chaulk 1999; Fein 1990; Chorbajian 1999). But we hold an opposing and alternative view that, to the contrary, it is absolutely necessary to make just such existential leaps in purposefully linking violent acts in normal times to those of abnormal times. Hence the title of our volume: Violence in War and in Peace. If (as we concede) there is a moral risk in overextending the concept of “genocide” into spaces and corners of everyday life where we might not ordinarily think to find it (and there is), an even greater risk lies in failing to sensitize ourselves, in misrecognizing protogenocidal practices and sentiments daily enacted as normative behavior by “ordinary” good-enough citizens. Peacetime crimes, such as prison construction sold as economic development to impoverished communities in the mountains and deserts of California, or the evolution of the criminal industrial complex into the latest peculiar institution for managing race relations in the United States (Waquant, Chapter 39), constitute the “small wars and invisible genocides” to which we refer. This applies to African American and Latino youth mortality statistics in Oakland, California, Baltimore, Washington DC, and New York City. These are “invisible” genocides not because they are secreted away or hidden from view, but quite the opposite. As Wittgenstein observed, the things that are hardest to perceive are those which are right before our eyes and therefore taken for granted. In this regard, Bourdieu’s partial and unfinished theory of violence (see Chapters 32 and 42) as well as his concept of misrecognition is crucial to our task. By including the normative everyday forms of violence hidden in the minutiae of “normal” social practices - in the architecture of homes, in gender relations, in communal work, in the exchange of gifts, and so forth - Bourdieu forces us to reconsider the broader meanings and status of violence, especially the links between the violence of everyday life and explicit political terror and state repression, Similarly, Basaglia’s notion of “peacetime crimes” - crimini di pace - imagines a direct relationship between wartime and peacetime violence. Peacetime crimes suggests the possibility that war crimes are merely ordinary, everyday crimes of public consent applied systematic- ally and dramatically in the extreme context of war. Consider the parallel uses of rape during peacetime and wartime, or the family resemblances between the legalized violence of US immigration and naturalization border raids on “illegal aliens” versus the US government- engineered genocide in 1938, known as the Cherokee “Trail of Tears.” Peacetime crimes suggests that everyday forms of state violence make a certain kind of domestic peace possible. Internal “stability” is purchased with the currency of peacetime crimes, many of which take the form of professionally applied “strangle-holds.” Everyday forms of state violence during peacetime make a certain kind of domestic “peace” possible. It is an easy-to-identify peacetime crime that is usually maintained as a public secret by the government and by a scared or apathetic populace. Most subtly, but no less politically or structurally, the phenomenal growth in the United States of a new military, postindustrial prison industrial complex has taken place in the absence of broad-based opposition, let alone collective acts of civil disobedience. **The public consensus is** based **primarily** on a new mobilization of an old fear of the mob, the mugger, the rapist, the Black man, the undeserving poor. How many public executions of mentally deficient prisoners in the United States are needed to make life feel more secure for the affluent? What can it possibly mean when incarceration becomes the “normative” socializing experience for ethnic minority youth in a society, i.e., over 33 percent of young African American men (Prison Watch 2002). **In the en**d it is essential that we recognize the existence of a genocidal capacity among otherwise good-enough humans and that we need to exercise a defensive hypervigilance to the less dramatic, permitted, and even rewarded everyday acts of violence that render participation in genocidal acts and policies possible (under adverse political or economic conditions), perhaps more easily than we would like to recognize. Under the violence continuum we include, therefore, all expressions of radical social exclusion, dehumanization, depersonalization, pseudospeciation, and reification which normalize atrocious behavior and violence toward others. A constant self-mobilization for alarm, a state of constant hyperarousal is, perhaps, a reasonable response to Benjamin’s view of late modern history as a chronic “state of emergency” (Taussig, Chapter 31). We are trying to recover here the classic anagogic thinking that enabled Erving Goffman, Jules Henry, C. Wright Mills, and Franco Basaglia among other mid-twentieth-century radically critical thinkers, to perceive the symbolic and structural relations, i.e., between inmates and patients, between concentration camps, prisons, mental hospitals, nursing homes, and other “total institutions.” Making that decisive move to recognize the continuum of violence allows us to see the capacity and the willingness - if not enthusiasm - of ordinary people, the practical technicians of the social consensus, to enforce genocidal-like crimes against categories of rubbish people. There is no primary impulse out of which mass violence and genocide are born, it is ingrained in the common sense of everyday social life. The mad, the differently abled, the mentally vulnerable have often fallen into this category of the unworthy living, as have the very old and infirm, the sick-poor, and, of course, the despised racial, religious, sexual, and ethnic groups of the moment. Erik Erikson referred to “pseudo- speciation” as the human tendency to classify some individuals or social groups as less than fully human - a prerequisite to genocide and one that is carefully honed during the unremark- able peacetimes that precede the sudden, “seemingly unintelligible” outbreaks of mass violence. Collective denial and misrecognition are prerequisites for mass violence and genocide. But so are formal bureaucratic structures and professional roles. The practical technicians of everyday violence in the backlands of Northeast Brazil (Scheper-Hughes, Chapter 33), for example, include the clinic doctors who prescribe powerful tranquilizers to fretful and frightfully hungry babies, the Catholic priests who celebrate the death of “angel-babies,” and the municipal bureaucrats who dispense free baby coffins but no food to hungry families. Everyday violence encompasses the implicit, legitimate, and routinized forms of violence inherent in particular social, economic, and political formations. It is close to what Bourdieu (1977, 1996) means by “symbolic violence,” the violence that is often “nus-recognized” for something else, usually something good. Everyday violence is similar to what Taussig (1989) calls “terror as usual.” All these terms are meant to reveal a public secret - the hidden links between violence in war and violence in peace, and between war crimes and “peace-time crimes.” Bourdieu (1977) finds domination and violence in the least likely places - in courtship and marriage, in the exchange of gifts, in systems of classification, in style, art, and culinary taste- the various uses of culture. Violence, Bourdieu insists, is everywhere in social practice. It is misrecognized because its very everydayness and its familiarity render it invisible. Lacan identifies “rneconnaissance” as the prerequisite of the social. The exploitation of bachelor sons, robbing them of autonomy, independence, and progeny, within the structures of family farming in the European countryside that Bourdieu escaped is a case in point (Bourdieu, Chapter 42; see also Scheper-Hughes, 2000b; Favret-Saada, 1989). Following Gramsci, Foucault, Sartre, Arendt, and other modern theorists of power-vio- lence, Bourdieu treats direct aggression and physical violence as a crude, uneconomical mode of domination; it is less efficient and, according to Arendt (1969), it is certainly less legitimate. While power and symbolic domination are not to be equated with violence - and Arendt argues persuasively that violence is to be understood as a failure of power - violence, as we are presenting it here, is more than simply the expression of illegitimate physical force against a person or group of persons. Rather, we need to understand violence as encompassing all forms of “controlling processes” (Nader 1997b) that assault basic human freedoms and individual or collective survival. Our task is to recognize these gray zones of violence which are, by definition, not obvious. Once again, the point of bringing into the discourses on genocide everyday, normative experiences of reification, depersonalization, institutional confinement, and acceptable death is to help answer the question: What makes mass violence and genocide possible? In this volume we are suggesting that mass violence is part of a continuum, and that it is socially incremental and often experienced by perpetrators, collaborators, bystanders - and even by victims themselves - as expected, routine, even justified. The preparations for mass killing can be found in social sentiments and institutions from the family, to schools, churches, hospitals, and the military. They harbor the early “warning signs” (Charney 1991), the “priming” (as Hinton, ed., 2002 calls it), or the “genocidal continuum” (as we call it) that push social consensus toward devaluing certain forms of human life and lifeways from the refusal of social support and humane care to vulnerable “social parasites” (the nursing home elderly, “welfare queens,” undocumented immigrants, drug addicts) to the militarization of everyday life (super-maximum-security prisons, capital punishment; the technologies of heightened personal security, including the house gun and gated communities; and reversed feelings of victimization).

## Racism Extensions

#### Racism thrives under the current NSA system.

Lennard 14 (Natasha Lennard, Vice, The NSA’s Racist Targeting of Individuals Is as Troubling as Indiscriminate Surveillance, https://news.vice.com/article/the-nsas-racist-targeting-of-individuals-is-as-troubling-as-indiscriminate-surveillance)

July 9, 2014 | 1:40 pm

Revelations of the National Security Agency’s massive surveillance programs have highlighted how millions of ordinary internet and phone users — that is, non-criminal targets — have had their communications data swept up by a vast, indiscriminate dragnet. This has occasioned justifiable outrage, but the reaction has overshadowed discussion of how the NSA targets actual individuals — a process that, it turns out, can be quite discriminatory. As I noted last week, if our national security state’s dangerously loose determination of what constitutes an “imminent threat” is any indication, we should be as troubled by the NSA’s targeting of particular people as we are by its non-targeted spying. The latest disclosure from The Intercept clearly illustrates why. With the NSA reform bill, privacy is not on the menu. Read more here. According to documents leaked by Edward Snowden, the NSA has been spying on five distinguished Muslim-Americans under a law — the Foreign Intelligence Surveillance Act (FISA) — that is meant to target international terrorists or foreign agents. The inclusion of the email accounts of these five people in a spreadsheet listing the targeted accounts of more than 7,000 others belies the NSA’s claim that it’s in the business of marking only terrorist suspects. Here are the agency’s suspected “terrorists”: Faisal Gill, who was appointed to (and thoroughly vetted by) the Department of Homeland Security under President George W. Bush; Asim Ghafoor, an attorney who has defended clients suspected of terrorism; Hooshang Amirahmadi, an Iranian-American professor of public policy and international development at Rutgers University; Agha Saeed, founder and chairman of the American Muslim Alliance and a former political science professor at California State University; and Nihad Awad, the executive director of the Council on American-Islamic Relations. This is anti-Muslim discrimination pure and simple. While the NSA’s broad data collection is disturbingly total and unspecific, its targeted spying is evidently racist. Another leaked document punctuates this point with a dull, disgusting thud: a 2005 training document explaining how to “properly format internal memos to justify FISA surveillance” offers a sample memo that uses “Mohammed Raghead” as the name of a fictitious terrorism suspect. Your NSA at work, ladies and gentlemen! Report finds NSA programs legal, but legal doesn't equal right. Read more here. As the existence of this document makes clear, legality is a tortured issue at the heart national security misdeeds. NSA agents are trained to ensure that their surveillance practices fall within the letter of the law — and the law here is at fault, shaped not by a spirit of justice but by surveillance-state paranoia. The Intercept report does not skirt around this point: Indeed, the government’s ability to monitor such high-profile Muslim-Americans — with or without warrants — suggests that the most alarming and invasive aspects of the NSA’s surveillance occur not because the agency breaks the law, but because it is able to exploit the law’s permissive contours. “The scandal is what Congress has made legal,” says Jameel Jaffer, an ACLU deputy legal director. “The claim that the intelligence agencies are complying with the laws is just a distraction from more urgent questions relating to the breadth of the laws themselves.” This latest Snowden leak adds a new dimension to the troubling stream of NSA revelations, illuminating an even more insidious aspect of the government’s surveillance practices. We know that through dragnet data hoarding programs like PRISM we are all always-already potential suspects. We are all watched. But who falls under the NSA microscope? Who gets to be the needles in the haystack, the targeting of which provides the official justification of total surveillance? Who gets to be “Mohammed Raghead”? Well, that’s top-secret government business. Don’t worry, though — it’s legal.

## A2 Privacy is not a human right.

#### Regardless of philosophical debates, the UN Human Rights Council has determined it a sufficient issue and created a position on privacy for the digital age.

#### Times of Malta July 6, 2k15 (Times of Malta Monday, July 6, 2015, 11:06

#### Maltese appointed UN rapporteur on privacy

#### http://www.timesofmalta.com/articles/view/20150706/local/maltese-appointed-un-rapporteur-on-privacy.575446)

#### Professor Joe Cannataci, Head of the Department of Information Policy and Governance at the University of Malta, has been appointed special rapporteur on privacy by the UN's Human Rights Council. This is the first time that the UN has appointed a special rapporteur for privacy. The rapporteur was appointed following world-wide concern about surveillance and privacy in the wake of the Snowden revelations. Prof. Cannataci is expected to lead new global initiatives on improving the level of privacy on-line and elsewhere in an increasingly digital world. Prof. Cannataci has a long and distinguished career in privacy-related issues. Between 1992 and 1998 he was first vice-chairman and then chairman of the Council of Europe's Committee of Experts on Data Protection. He has held or currently holds research grants from the British Academy, the Council of Europe, COST, UNESCO and the European Commission. He has written books and articles on data protection law, liability for expert systems, legal aspects of medical informatics, copyright in computer software and co-authored various papers and textbook chapters on self-regulation and the Internet, the EU Constitution and data protection, on-line dispute resolution, data retention and police data. Prof. Cannataci has designed and won several bids for privacy-related research projects, attracting over two million euro in European Union’s 7th Framework and Horizon2020 programme funding to the University of Malta.

## A2 But we’re solving terrorism.

#### Institutionalized otherization increases the risk of terrorism.

Fitzgerald Gates April 24, 2015 (John Fitzgerald Gates, National Diversity Expert; Principal and Chief Strategist of Criticality Management Consulting; Former Associate Dean of Harvard College, Huffington Post, Institutionalized Racism: National Security Threat and Mental Health Crisis, http://www.huffingtonpost.com/john-fitzgerald-gates-phd/institutionalized-racism\_b\_7130822.html)

Posted: 04/24/2015 12:40 pm EDT Updated: 06/24/2015 5:59 am EDT

Over the past nine months, the FBI has arrested five African Americans suspected of sympathizing with the Islamic State of Iraq and Syria (ISIS). John T. Booker Jr. was arrested for making preparations to bomb Fort Riley, a U.S. Army base in Kansas. Asia Siddiqui was charged with conspiracy to use weapons of mass destruction in the United States. Air Force veteran Tairod Nathan Webster Pugh was indicted for attempting to join ISIS and providing material support to the organization. And Hasan Edmonds, then an active member of the Illinois National Guard, along with his cousin, Jonas Edmonds, were arrested for attempting to carry out terrorist attacks in the United States on behalf of ISIS. These arrests necessitate an examination of why some African Americans might be drawn to violent extremist groups. The media have largely focused attention on warped interpretations of the Muslim faith held by a small population of people abroad and in the United States as a pathway to radicalization. An article in thegrio.com suggests the cause lies with the federal government framing African Americans. Yet, for African Americans, the call to violent radicalization may also be fueled by experiences with racism and the psychological effects stemming from them. If this is so, then racism in the United States is a national security threat. The report "Radicalization Processes Leading to Acts of Terrorism," submitted to the European Commission, makes clear that, as a codified expression of political thought, radicalism is different from "violent radicalization." Radicalism challenges the legitimacy of accepted norms but does not lead to violence in and of itself. Violent radicalization, on the other hand, is a form of terrorism that requires three conditions: 1) an enabling environment, 2) actors and motivations, and 3) a rallying ideology. American racism meets the conditions to spawn violent radicalization. Enabling Environment, Past and Present Since the foundation of slavery, followed by the extant, oppressive residue of Jim Crow laws, African Americans have experienced this country as a hostile environment. Persistently underemployed, over incarcerated and tormented with racial aggressions and microaggressions, African Americans have long felt a sense of disenfranchisement from the promise of America that all men are created equal. However, the environment for African Americans has declined precipitously since the election of President Obama. What should have been the closing of the racial divide in America has instead opened more widely the fissures of racism. Indeed, since Obama's election the level of racial animus in the country has been greater than at any time since the Civil Rights Movement. The hostility toward African American men in particular is highlighted by the police-related deaths of Trayvon Martin, Michael Brown, Eric Garner, Tamir Rice, Walter Scott, Eric Harris and, most recently, Freddie Gray. Singly and collectively, these deaths have shaken African Americans to the core. The psychological effects of the killings of these unarmed black men at the hands of law enforcement, along with failures to convict their assailants in most cases to date, is not limited to their families, the "African American community," or places like Ferguson, Missouri. The trauma hits each and every African American, all 42 million, along with millions of others who empathize with their suffering. Millions of people carry these and other racial traumas into their homes, schools, workplaces, churches and the public squares daily as ongoing assaults on their humanity, bullets to equality, and strikes against hope. An African American oral and maxillofacial surgeon said of the Eric Garner killing: Eric Garner and I are approximately the same age, height, skin tone, have the same attitude towards the police and live in the same city. The fact the there was video and the officer walked, I became depressed, angry and now numb like there's no hope. I'm always on edge, watching my own back. The surgeon's trauma emanates from a systemic environment of racism that Professor Michael Eric Dyson of Georgetown University calls "slow terror." Slow terror is masked yet malignant; It stalks black people in denied opportunities that others take for granted. Slow terror seeps into every nook and cranny of black existence: black boys and girls being expelled from school at higher rates than their white peers; Being harassed by unjust fines by local municipalities; Having billions of dollars of black wealth drained off because of shady financial instruments sold to blacks during the mortgage crisis; And being imprisoned out of proportion to our percentage in the population. So too, the myriad attacks on President Obama's personhood, citizenship and legitimacy, along with efforts to undermine his effectiveness, are a form of racial slow terror that may reinforce a view held by some African Americans of living in a hostile environment built on and sustained by American racism that must be eradicated. The nation, particularly republicans in Congress, should recognize that such attacks on President Obama say to African Americans that no matter how far they ascend, and irrespective of their educational and professional attainments, they are still the "N-word" and will be treated as such. That is part of the formula to create violent extremism in the United States. Actors and Motivations Slow terror affects all African Americans. Said an African American entrepreneur: I navigate every weekday in a theatre of war through a maze of racial microaggressions hurled at me like insouciant, double entendre-tipped, weak seeking projectile missiles -- each of which MUST either be diffused or exploded on the spot. While most African Americans work through the effects of racism on their lives, for some, slow terror results in deep psychosocial affliction. A report titled "Physiological and Psychological Impact of Racism and Discrimination for African Americans," published by the American Psychological Association, notes that racism produces chronic stress for African Americans, who suffer from higher rates of both physiological and mental illness than white Americans or even other racial minorities. Psychology Today reports that racism is a mental health crisis contributing to increased rates of Post Traumatic Stress Disorder (PTSD) for African Americans. According to the National Survey of American Life (NSAL), African Americans show a prevalence rate of 9.1 percent for PTSD versus 6.8 percent in non-Hispanic whites. A smaller PTSD mental health disparity has been found in other racial minorities. The report maintains that African Americans with racial PTSD experience significantly more impairment at work and in carrying out everyday activities. The idea that racism may cause PTSD, which is generally associated with the psychological effects of traumatic experiences such as war or the events of 9/11, may be anomalous to some people. But for African Americans, racial PTSD is absolute. The African American entrepreneur put it thusly: Uniformed in jacket, bowtie, and an excellent education, I'm a black male burdened with a backpack containing a constant respectability requirement to live every public moment of my life as if I'm on a job interview -- deracinating a moving minefield of random racist stereotypes, step-by-step. So yes, a hostile environment created by anti-black racism most certainly induces internal stress approaching the level of PTSD. Although rare, people with untreated PTSD may act out violently, as has occurred when war veterans suffering from PTSD have committed acts of murder. Untreated, PTSD gives way to depression, anxiety and paranoia. When accompanied by substance abuse, racial PTSD can result in a toxic mixture of feeling oppressed, externalizing bias and psychosis. Under these circumstances, violent radicalization has fertile ground to take root. Dr. Joy DeGruy, in her book Post Traumatic Slave Syndrome, explores the effects of racial trauma on African American mental health. She posits slavery and racism have resulted in multigenerational maladaptive behaviors that continue as children whose parents suffer from PTSS indoctrinate them into the same behaviors long after the behaviors have lost their contextual relevance. Accordingly, PTSS is a disorder whose cure requires deep social and structural change to eliminate inequalities and injustice. Rallying Ideology The paucity of literature that exists on the subject suggests African Americans who subscribe to violent radicalization operate with an unsound moral compass, which is often influenced by psychosis. They are moral and ideological outliers. While we cannot be certain what prompted the five African Americans to join with ISIS, we can be sure that they, like most terrorists, were chock-full of what I term "externalized bias." Externalized bias is the externalization of internalized hate onto the systems, tenets and actors of one's perceived oppression. It would be easy and, perhaps, satisfying to conclude that the five African Americans jailed as ISIS sympathizers are malcontents who hate the United States, and that's where the story ends. But the issue is where the story began. It may be that they are racially traumatized people who developed an inherent abhorrence for and willingness to conduct violent jihad against American racial hostility that has torn at their humanity and psychological stability. ISIS is simply a vehicle where their externalized hate meets structure and opportunity. ISIS recognizes the power of American racism to recruit new members to its cause. During the Ferguson protests, ISIS strategically placed recruiters in the crowd on Twitter and developed a recruitment video using footage from the protests. For African Americans, the rallying ideology to join with ISIS may be one of externalized bias in which the agent of oppression is not some distant land or misrepresented sense of Islam, but rather American racial hostility against its own citizens. Hence, the fight is not over there. It's here. ISIS may offer a compelling narrative to people who are disaffected from the social possibilities of their citizenship. With the creation of an Islamic caliphate, ISIS seeks to establish a territory governed by a moral code and religious laws, rather than what some consider the unjust criminal justice systems in America. ISIS pays foreign fighters $1,000 per month, about as much as one might make working at McDonald's full time. An African American, indeed, any American, who cannot get a job to support his family and who harbors a guttural hatred for America might well be compelled to take up arms in defense of his quest for true inclusion. A 2013 study in Psychiatry Research, "Externalized Attributional Bias in the Ultra High Risk (UHR) for Psychosis Populations," places African Americans in the UHR group and argues that externalizing attributional bias appears to be common in early psychosis. Too little attention has been given to studying this population, who are estimated to carry a risk for psychosis that is 400 times that of the general population. And too little attention has been paid to the fact that racism, as an external locus of control, is a contributing factor. My own study of these factors outlines the route racism takes to violent radicalization in a graphic on the psychosocial path to African American radicalization. 2015-04-24-1429843000-6190120-RadicalizationChart.jpg Racism is not only destroying black lives, it is causing some African Americans such psychological trauma that they have developed externalized bias as a coping mechanism -- feeding any sense of paranoia or psychosis they may have to deepen their attraction to violent radicalization. Attorney General Loretta E. Lynch said of the ISIS sympathizers that the United States would root out any threat to the homeland. But what if the threat to the United States comes from our own institutionalized racism? How do we root that out? Here are some suggestions. 1. Institutionalized racism and externalized bias must be treated as national security threats that are giving rise to a new generation of extremists committed to harming the homeland. 2. Allocate part of the nation's counter terrorism budget to eradicating institutionalized racism, including: the prison industrial system, biased policing, economic violation of minorities and the poor, homelessness, and mental health disparities. 3. Create pathways to hope through respect for all people. Start by respecting President Obama and not killing unarmed black men. 4. Recognize that good people are complicit in nurturing racially stressful environments. Examine honestly any part you may play, and change it. 5. For business leaders, consider the potential threat that institutionalized racism poses to the security, productivity and profitability of your business. Like cyber attacks, institutionalized racism has a capacity to destroy businesses from the inside out. Dismantle institutionalized racism wherever you find it. 6. Ensure that all Americans have access to mental health care and that for minorities suffering from mental illness, racial PTSD is regularized as part of diagnostic assessment. Our nearly singular focus on Islam as the road to extremism blinds us to our national complicity in enabling a racialized environment, actors with motivations and a rallying ideology that gives rise to and nurtures violent radicalization. Frederick Douglass and W.E.B. DuBois famously argued that the central issue facing America in the 20th century was the "the problem of the color line." More than one hundred years later, the central problem facing the nation remains the color line. The color line, as a form of slow terror, is driving some African Americans to their breaking points. Rather than endure the unremitting blows of racism, they have opted for fast terror by joining with ISIS. They are no longer tolerant of American systems of injustice that have left them bereft of hope, faith or opportunity. They have decided to fight their oppressors, albeit their fight is really against oppression. Classic examples of "chickens coming home to roost," they prefer the terror of violent radicalization to the terror of being black in America. It is time for the nation to attack violent radicalization at its sources, one of which is American institutionalized racism.

# Neg Arguments

## A2-Soft power Adv

#### Hegemonic narratives reproduce racism and racial inequalities

M’Baye 11

[Babacar M’Baye, Kent State University, “The Myth of Post-Racialism: Hegemonic and Counterhegemonic Stories About Race and Racism in the United States,” Critical Race and Whiteness Studies, Vol. 7, 2011, [http://www.academia.edu/3022067/\_The\_Myth\_of\_Post-Racialism\_Hegemonic\_and\_Counterhegemonic\_Stories\_About\_Race\_and\_Racism\_in\_the\_United\_States.\_][LG](http://www.academia.edu/3022067/_The_Myth_of_Post-Racialism_Hegemonic_and_Counterhegemonic_Stories_About_Race_and_Racism_in_the_United_States._%5D%5BLG)]

In the United States, hegemonic narratives reproduce post-racial ideals by developing popular myths that either minimise the prevalence of racial inequalities or blame their persistence on African Americans, who are represented as dysfunctional and resistant to mainstream American culture. Hegemonic narratives are not only racist and prejudiced but also deceptive because they move race away from the unequal policies that produce structural-level inequities for lower and working class African Americans, putting the latter at a greater disadvantage in relationships to middle and upper class white Americans and African Americans. Hegemonic stories are misleading since they claim that racial equality is possible even when the majority of white Americans have a claim to socio-economic and political privilege and have a vested interest in maintaining that advantage at the expense of others. Using both past and recent critical race theories, this article critically analyses the major differences between hegemonic stories which accept the myth of post-racialism in the United States and counterhegemonic stories which contest this myth. By analysing these stories, the essay reveals the racially disadvantageous conditions the majority of blacks in the United States continue to face despite the 2008 election of a black president. The essay identifies persistent structural racism that the myth of post-racialism seeks to efface. It also suggests that American social and economic institutions work to entrap African Americans and other non-white minorities into a racist prison industrial complex, limited education and health facilities and rampant poverty which drastically reduce their opportunities in the United States.

#### Hegemonic narratives distance relevancy of racism and instead blame victims of racial inequality for their own misfortune

M’Baye 11

[Babacar M’Baye, Kent State University, “The Myth of Post-Racialism: Hegemonic and Counterhegemonic Stories About Race and Racism in the United States,” Critical Race and Whiteness Studies, Vol. 7, 2011, [http://www.academia.edu/3022067/\_The\_Myth\_of\_Post-Racialism\_Hegemonic\_and\_Counterhegemonic\_Stories\_About\_Race\_and\_Racism\_in\_the\_United\_States.\_][LG](http://www.academia.edu/3022067/_The_Myth_of_Post-Racialism_Hegemonic_and_Counterhegemonic_Stories_About_Race_and_Racism_in_the_United_States._%5D%5BLG)]

Another dominant hegemonic story is the representation of racism as a problem that has either been resolved or is difficult to prove. Eduardo Bonilla-Silva acknowledges the prevalence of this hegemonic narrative in the United States when he argues that colour-blind racism has a “slipperiness” because it blames the victim (non-white minorities) “in a very indirect way” through the “now you see it, now you don’t” rhetorical style “that matches the character of the new racism” (2010: 25). Colour-blind racism is insidious since, as Bonilla-Silva suggests, it ignores “the effects of past and contemporary discrimination on the social, economic, and educational status of minorities” by “supporting equal opportunity for everyone without a concern for the savage inequalities between blacks and whites” (2010: 31). William J. Bennett, a former US secretary of education, reproduces this narrative when he argues, in The Devaluing of America: The Fight for Our Culture and Our Children (1992), that America has already gotten “angry about racism and decided [that] it was wrong, [and] the country didn’t wait to eliminate the ‘root causes’ before going after it aggressively, in law and through social stigma” (146). Bennett’s argument assumes that racism is over and that it must be stricken from the American English vocabulary since it leads blacks to develop separatist notions of race that undermine American individuality. Bennett writes: “Along with abortion, race has become the most divisive issue in contemporary American politics. The great body of the American people believe in individual rights, not group rights, not rights conferred by sex, race, and religion” (1992: 179). Bennett’s rationale for individual rights comes from the hegemonic narrative of colour-blind racism which allows whites to remove race from the factors that impede the social and economic mobility of blacks. In doing so, whites disculpate the government, states and courts of the United States from any responsibility for the socio-economic conditions of African Americans by “blaming them [African Americans] for their own misfortune” (Cohen 2010: A1). This strategy of blame is deceptive because it frames racism in such a way that blacks appear as the people who perpetuate the problem, thus making the conversation revolve only around blacks as opposed to whites who contribute to inequalities without having to acknowledge and resolve them. A parallel of colour-blind racism is the hegemonic story of post-racialism which represents the Unites States as a post-racial society in which blacks and whites are treated as equals. This hegemonic narrative stems from an ideology, espoused by both Democratic and Republican leaders, which argues that race equality has been achieved in the United States. Post-racialism has become popular in the American media since the moments preceding the inauguration of President Barack Obama. A few hours before Obama was pronounced the winner of the 2008 presidential election, Anderson Cooper, a reporter for CNN (Cable News Network), asked a panel of commentators including Bill Bennett, a well-known Republican, the meaning of the election “in terms of change of race relations in the United States.” Bennett replied, “Well, I'll tell you one thing it means … You don't take any excuses anymore from anybody who says, ‘The deck is stacked, I can't do anything, there's so much in-built this and that’” (CNN 2009). Bennett’s comment suggests that African Americans can no longer complain about racial inequalities in the United States when there is a black president. His statement is emblematic of the hegemonic narrative of the first decade in this century that portrays America as a post-racial nation in which all the promises of black civil rights struggles have been fulfilled.

#### Racism is rooted in hegemonic diplomacy

Hussain 13

[Murtaza Hussain is a Toronto-based writer and analyst focused on issues related to Middle Eastern politics, Aljazeera, “Of Persian snake charmers: Racism and global hegemony,” October 10, 2013, [http://www.aljazeera.com/indepth/opinion/2013/10/persian-snake-charmers-racism-global-hegemony-20131066572145380.html][LG](http://www.aljazeera.com/indepth/opinion/2013/10/persian-snake-charmers-racism-global-hegemony-20131066572145380.html%5D%5BLG)]

While we rightly recoil today from the crude racial categorisations espoused by Stoddard, during his time, such views were extremely popular and were openly echoed at the highest echelons of political power. President Woodrow Wilson argued to his cabinet in 1917 that the United States must "keep the white race strong against the yellow" and that "white civilisation and its domination of the planet rested largely on our ability to keep this country intact". Going further, President Theodore Roosevelt openly discussed the benefits of "the expansion of the peoples of white, European, blood during the past four centuries" and stated that in his view: "democracy needs no more complete vindication for its existence than the fact that it has kept for the white race the best portion of the new world's surface". That such men were committed military imperialists flowed naturally from their worldview; one in which the races of the world were organised into a clear hierarchy and where it was their prerogative to brutally subjugate all others. While it has become impolitic to publicly express the same views today, contemporary events suggest that just beneath the surface the same impulses motivate many supposedly rational advocates of military action against "the brown world" in our own era. Of Persian snake charmers Where Roosevelt and Wilson inflicted the brunt of their violence on the peoples of Asia and on the "coloured" populations of their own nation, their modern heirs have in recent years directed their own state violence overwhelmingly against the peoples and nations of the Middle East. The neoconservative hawks who were the architects of Iraq's destruction - apparently unfazed by their ghoulish record in this regard - have in recent years set their sights on the nation of Iran as their next target. To this end, crippling sanctions - designed to literally "take the food out of the Iranian peoples' mouths" - have been implemented in an effort to inflict maximum suffering on the civilian population and to generate favourable conditions for another war. Disregard for the basic humanity of the many Iranians who will die in the course of such policies is a necessary accomplice to this project. However, in recent weeks it would seem that a major setback has occurred to the neoconservative plan for another US war. A new Iranian government - conciliatory in its tone where its predecessor was shamelessly provocative - has come to power with the stated intention of reaching peaceful detente with the United States. Such a development necessarily makes the possibility of war more remote, and, to the chagrin of the neoconservatives, these overtures appear to have been cautiously welcomed by the administration of President Barack Obama. With their prized new war seemingly snatched from their grasp, it has been remarkable to watch the vast tantrum of anger and indignation among some hawks, in which the same racist beliefs which characterised past imperialism have bubbled back to the surface with remarkable speed. From warnings to "beware of Persian snake charmers", to allegations that for Iranians "deception is part of their DNA", the prospect of a peaceful detente with Iran has brought out a seemingly inexhaustible cavalcade of frankly racist rhetoric. As part of this campaign, long-time Pentagon official and neoconservative stalwart Harold Rohde has published a helpful primer on the apparently-monolithic "Iranian mind" and the dangers it poses in any negotiation. According to Rohde: "Compromise (as we in the West understand this concept) is seen as a sign of submission and weakness. When the West establishes itself as the most powerful force and shows strength and resolve, Iranians will most likely come on board ... it is for this reason that measures of good-will and confidence-building should be avoided at all costs." In this are clear echoes of the stunningly ignorant claim - popularised during the era of the Iraq War - that "Arabs only understand force", and that thus uniquely among human beings, they are incapable of appreciating empathy or conciliation. Similarly, according to this overtly racist argument, Iranians too are unlike any other humans on Earth and are in fact more akin to animals or small children who must be shown firm discipline as opposed to respect or decency in the course of any negotiation. With remarkably ignorant worldviews such as these informing their strategies, it is unsurprising that US foreign policy in the Middle East has been such a catastrophic failure over the past decade. Dispatches from 'the villa in the jungle' On October 1, Binyamin Netanyahu attended the UN General Assembly to deliver an unapologetically aggressive, demeaning and hostile speech directed towards the just-elected president of Iran, Hassan Rouhani. In his address Netanyahu used language completely alien to the typically careful discourse of international diplomacy, calling Rouhani "a wolf in sheep's clothing", characterising him as an untrustworthy liar, and bizarrely stating at one point that "Rouhani thinks he can have his yellowcake [uranium] and eat it too". It is difficult to imagine such language openly directed against any other elected leader in a diplomatic forum such as this. But as a representative of Ehud Barak's "villa in the jungle" and the state that Theodor Herzl correctly said would exist as "a rampart of Europe against Asia", Netanyahu was not alone in his overt condescension towards Iran and the Iranian people. A senior Israeli official also advised his US counterparts not to trust any Iranian offers of dialogue as "Persians have been using these [duping] tactics for thousands of years, before America came to be". The darkly humorous coda to this spectacle was Netanyahu's suggestion - days later - that he would "consider" taking a phone call from Rouhani if one were proffered. Ostensibly, this consideration would come only if the Iranian president were to grovel on his knees and beg for such an opportunity, even in the wake of Netanyahu's unabashed insults and threats towards him. Live on your knees In this episode one can glimpse a microcosm of a dynamic that has long been at play in the Middle East. For many, what is desired with Iran is not peaceful negotiation but rather total capitulation. In this view detente would be a failure; what is required is to utterly crush any "Asiatic" country that dares to wield an independent foreign policy in a region otherwise populated by pitiful satrapies. It's not enough that Rouhani says he wants peace; he must first acquiesce to the absolute subjugation and humiliation of the nation of Iran as a precondition for any negotiation. Indeed, regardless of the government in power, Iran has long been the target of similar malice whenever it has sought to assert its own rights as a sovereign nation. In the 1950s the liberal, secular, and democratically elected government of Mohammed Mossadegh was faced with almost identical rhetoric as that which Rouhani's government receives today. Before being deposed by a brutal CIA-orchestrated coup, Mossadegh was described in Western press accounts as "an incorruptible fanatic", "impervious to common sense" and a man who by nationalising his country's oil had "issued a defiant challenge that sprang out of a hatred and envy almost incomprehensible to the West". That Mossadegh was an admirer of the US and a committed democrat made little difference. For the crime of asserting Iran's right to its own natural resources, he and his elected government were utterly destroyed. As Christopher de Bellaigue noted in his seminal work on the topic: "there was disquiet across the white world", about Mossadegh's "show of Oriental bad form". The religiosity or lack thereof of Mossadegh's rule was completely irrelevant in this formulation. For this reason it can be seen why contemporary Iranian religious leaders such as Ali Khamenei - born out of the blood and ashes of Iran's recent past - have so forcefully and repeatedly sought to convey the message to the United States that: "We are not liberals like [Salvador] Allende or Mossadegh whom the CIA can snuff out." Racism and war As much as it did during the time of Theodore Roosevelt and Woodrow Wilson, the prime impulse behind military imperialism (in addition to seemingly insatiable greed) has always been a barely concealed racism towards the peoples of Asia, Africa and Latin America. Liberal Western thinkers have at certain points in history succeeded in checking the most heinous and self-destructive impulses of the hawks who feed off of endless war, but they persist in their machinations nonetheless. As the Iraq War demonstrated, such actors can still exert their will onto the world when circumstances are right. While we like to believe the polite fiction that our policymakers are generally intelligent, reasoned and rational, at certain moments the mask slips and we learn that of the crude bigotry and arrogance which informs much war advocacy. We discover that the reason war is apparently both necessary and desirable is due to the deficient DNA of foreigners; to their incurable Oriental untrustworthiness and their fanatic desire to assert their own national sovereignty. While in many ways civilisation has matured, the racist impulse - so clearly articulated by Roosevelt and Wilson - to subjugate and destroy the disobedient peoples of far flung lands has not dissipated in some quarters. It would be prudent to recognise it today for what it is, lest the horrendous crimes of the recent past be repeated.

## A2-Privacy Adv

#### Democratic peace theory is wrong- democracies do go to war

Layne 7

Christopher, Professor @ TX A&M, American Empire: A Debate, pg. 94

Wilsonian ideology drives the American Empire because its proponents posit that the United States must use its military power to extend democracy abroad. Here, the ideology of Empire rests on assumptions that are not supported by the facts. One reason the architects of Empire champion democracy promotion is because they believe in the so-called democratic peace theory, which holds that democratic states do not fight other democracies. Or as President George W. Bush put it with his customary eloquence, "democracies don't war; democracies are peaceful."136 The democratic peace theory is the probably the most overhyped and undersupported "theory" ever to be concocted by American academics. In fact, it is not a theory at all. Rather it is a theology that suits the conceits of Wilsonian true believers-especially the neoconservatives who have been advocating American Empire since the early 1990s. As serious scholars have shown, however, the historical record does not support the democratic peace theory.131 On the contrary, it shows that democracies do not act differently toward other democracies than they do toward nondemocratic states. When important national interests are at stake, democracies not only have threatened to use force against other democracies, but, in fact, democracies have gone to war with other democracies.

#### Democracies start more wars- statistical analysis proves

Henderson 2

Errol Henderson, Assistant Professor, Dept. of Political Science at the University of Florida, 2002, Democracy and War The End of an Illusion?, p. 146

Are Democracies More Peaceful than Nondemocracies with Respect to Interstate Wars? The results indicate that democracies are more war-prone than non-democracies (whether democracy is coded dichotomously or continu­ously) and that democracies are more likely to initiate interstate wars. The findings are obtained from analyses that control for a host of political, economic, and cultural factors that have been implicated in the onset of interstate war, and focus explicitly on state level factors instead of simply inferring state level processes from dyadic level observations as was done in earlier studies (e.g., Oneal and Russett, 1997; Oneal and Ray, 1997). The results imply that democratic enlargement is more likely to increase the probability of war for states since democracies are more likely to become involved in—and to ini­tiate—interstate wars.

#### Transitions to democracy lead to war

Manfield and Snyder 2

Edward D. Mansfield, Hum Rosen Professor of Political Science and Co-Director of the Christopher H. Browne Center for International Politics at the University of Pennsylvania, and Jack Snyder, Robert and Renee Belfer Professor of International Relations at Columbia University, Spring 2002, International Organization

In previous research, we reported that states undergoing democratic transitions were substantially more likely to participate in external wars than were states whose regimes remained unchanged or changed in an autocratic direction. [6](http://muse.jhu.edu/journals/international_organization/v056/56.2mansfield.html%22%20%5Cl%20%22FOOT6#FOOT6) We argued that elites in newly democratizing states often use nationalist appeals to attract mass support without submitting to full democratic accountability and that the institutional weakness of transitional states creates the opportunity for such war-causing strategies to succeed. However, these earlier studies did not fully address the circumstances under which transitions are most likely to precipitate war, and they did not take into account various important causes of war. Equally, some critics worried that the time periods over which we measured the effects of democratization were sometimes so long that events occurring at the beginning of a period would be unlikely to influence foreign policy at its end. [7](http://muse.jhu.edu/journals/international_organization/v056/56.2mansfield.html%22%20%5Cl%20%22FOOT7#FOOT7) Employing a more refined research design than in our prior work, we aim here to identify more precisely the conditions under which democratization stimulates hostilities. We find that the heightened danger of war grows primarily out of the transition from an autocratic regime to one that is partly democratic. The specter of war during this phase of democratization looms especially large when governmental institutions, including those regulating political participation, are especially weak. Under these conditions, elites commonly employ nationalist rhetoric to mobilize mass support but then become drawn into the belligerent foreign policies unleashed by this process. We find, in contrast, that transitions that quickly culminate in a fully coherent democracy are much less perilous. [8](http://muse.jhu.edu/journals/international_organization/v056/56.2mansfield.html%22%20%5Cl%20%22FOOT8#FOOT8) Further, our results refute the view that transitional democracies are simply inviting targets of attack because of their temporary weakness. In fact, they tend to be the initiators of war. We also refute the view that any regime change is likely to precipitate the outbreak of war. We find that transitions toward democracy are significantly more likely to generate hostilities than transitions toward autocracy.

#### AFF does nothing – other national concerns come at the cost of privacy

Ireland and Howell 03

[Oliver Ireland and Rachel Howell, The Fear Factor: Privacy, Fear, and Changing Hegemony of the American People and the Right to Privacy,” Vol. 29, No. 4, 2003, https://www.law.unc.edu/journals/ncilj/issues/volume29/number-4-summer-2003/the-fear-factor-privacy-fear-and-the-changing-hegemony-of-the-american-people-and-the-right-to-privacy/][LG]

Introduction Surveys of public opinion tend to show a strong concern for privacy, particularly with respect to financial information.1 Consumers fear that information about them may be misused by the government or the private sector.2 But, as recent events have made clear, that concern for privacy may be readily subordinated to other concerns, such as the fight against terrorism and fraud in the form of the growing crime of identity theft.3 II. Privacy Overview: The Concept of Privacy Although we often view privacy as a cornerstone of personal freedom, legal recognition of a right to privacy in the United States is uneven and demonstrates a willingness to subordinate privacy interests to other policy interests.4 For example, there is no express “right to privacy” set forth in the Constitution.5 Nevertheless, in the 1965 landmark case Griswold v. Connecticut,6 the U.S. Supreme Court struck down a Connecticut law banning birth control, basing its decision on a zone of privacy created by several constitutional rights.7 In writing the opinion of the Court, Justice William O. Douglas wrote, “specific guarantees in the Bill of Rights have penumbras, formed by emanations from those guarantees that help give them life and substance. Various guarantees create zones of privacy.”8 Griswold has been cited since its issuance as one of the foundations of an individual’s “right to privacy.” Yet, Justice Potter Stewart, in his Griswold dissent, stated, “with all deference, I can find no such general right of privacy in the Bill of Rights, in any other part of the Constitution, or in any case ever before decided by this Court.”9 As surely as the Supreme Court justices could not agree on a right to privacy at such a critical time,10 the debate continues as to where and when the right to privacy exists or is muted by a competing interest.11

AFF does nothing – FACT provisions solves privacy concerns and privacy laws are responsive to external forces

Ireland and Howell 03

[Oliver Ireland and Rachel Howell, The Fear Factor: Privacy, Fear, and Changing Hegemony of the American People and the Right to Privacy,” Vol. 29, No. 4, 2003, [https://www.law.unc.edu/journals/ncilj/issues/volume29/number-4-summer-2003/the-fear-factor-privacy-fear-and-the-changing-hegemony-of-the-american-people-and-the-right-to-privacy/][LG](https://www.law.unc.edu/journals/ncilj/issues/volume29/number-4-summer-2003/the-fear-factor-privacy-fear-and-the-changing-hegemony-of-the-american-people-and-the-right-to-privacy/%5D%5BLG)]

A fundamental right to privacy of financial information does not exist in U.S. law. Where U.S. citizens are willing to have defined the edges of their right to privacy defined, it is shaped not by a fundamental right to privacy itself but by the strength of those forces bearing down upon it. The proposed Know Your Customer Rule was conceived at a time where the American people felt comfortable in their homes; yet September 11th eroded that confidence. As a result, people’s immediate concerns shifted from fearing the state as a predator to wanting the state as protector. Indeed, while the implementing regulations for the USA PATRIOT Act were in many ways similar to the requirements of the proposed Know Your Customer Rule, the USA PATRIOT Act rule did not draw any significant opposition on privacy grounds. The U.S framework for financial privacy is, and will be, responsive to the external forces of the time. The United States values the free flow of information, and the rewards that come from it. For example, credit reporting enables people to pay rates on credit that more accurately reflect the individual’s credit risk, rather than absorbing the cost to the financial institution of offering credit to those who pose a greater credit risk. A recent trend in consumer privacy can be seen in the FACT Act provision that limits the uses of consumer information, rather than the transfer of this information. This notion of limiting the use of the information, rather than the flow, may signal a new approach to privacy in a world that cannot deny the perpetual advancement of information technology.

#### Sacrificing privacy necessary to ensure national security

Konstantaras 03

[Andrew Konstantaras is the executive director of the Internet Law & Policy Forum, a nonprofit association that supports the growth of the Internet, “Understanding the balance between privacy and security,” January 2003, [http://searchsecurity.techtarget.com/Understanding-the-balance-between-privacy-and-security][LG](http://searchsecurity.techtarget.com/Understanding-the-balance-between-privacy-and-security%5D%5BLG)]

The 9/11 attacks raised the stakes in the conflict between protecting individual privacy and protecting our physical and digital infrastructure and the lives of our citizens. Security is far more proactive and intrusive, as antiterrorist investigative measures allow government to collect and analyze gigabytes of data on individuals and their online activities. Some believe security at the expense of privacy is un-American and unconstitutional. Others say security must take precedence over all to ensure the safety of the nation. Must national security and privacy clash? Congress has created the Department of Homeland Security with unprecedented powers to collect, correlate and act upon mountains of digital data on individuals. Government and law enforcement officials say this level of monitoring is necessary to cull the intelligence needed to prevent another 9/11. Privacy activists counter that such deep data mining is an unjustified invasion of personal privacy, undermining civil liberties and eroding longstanding constitutional protections. Security cuts both ways. Organizations implement security measures to protect digitally stored and transmitted information. In fact, the government mandates protection of personal information in the health care and financial services industries. On the other hand, government compromises privacy and demands access to protected information in the name of preserving national security. For the most part, when government officials talk about security, they're talking about protecting the general public from threats--foreign and domestic. Their goal isn't to make money or exude trust among customers, but rather to stop the bad guys from doing bad things. It may sound Orwellian--punishing the good people to catch a few bad guys--but the government will argue that sacrificing some civil liberties is necessary to protect against the terrorist threat. In other words, there are situations where security trumps privacy.

#### Privacy and security laws pose an economic threat internationally

Kash 13

 [Wyatt Kash is editor of InformationWeek Government. He has been covering technology trends in government since 2004, “Tangled Data Protection Laws Threaten Cloud, Critics Say,” December 13, 2013, [http://www.informationweek.com/government/cloud-computing/tangled-data-protection-laws-threaten-cloud-critics-say/d/d-id/1113056][LG](http://www.informationweek.com/government/cloud-computing/tangled-data-protection-laws-threaten-cloud-critics-say/d/d-id/1113056%5D%5BLG)]

As IT leaders get more comfortable moving their data operations into the cloud, concerns are growing about conflicting international laws that govern data generated in one country and stored in another. Policymakers around the world are fueling those concerns. Anxious to protect data privacy and security, they are advocating requirements to store certain types of data domestically, says Daniel Castro, a senior analyst with the Information Technology and Innovation Foundation. Those policies, however, are not only creating headaches for technology managers moving data across the globe, they're also bumping up against delicate free trade agreements that involve senior government officials well beyond the reach of the typical CIO's office. "We're finding that companies are being caught in the middle [between conflicting privacy and security laws]," said Castro in an interview with InformationWeek. The economic stakes have grown so significant that the ITIF recommended this week that the US and its trade partners develop a "Geneva Convention" to address the conflicts and what appears to be a growing wave of "data nationalism." "The notion that data must be stored domestically to ensure that it remains secure and private is false," says Castro. But, he warned, "Misunderstandings about the security and privacy of data are resulting in policies that negatively affect innovation, productivity, trade, and consumer welfare." In an effort to clarify the current state of international data laws and help avert a movement toward more protectionist policies, the ITIF released a position paper on Dec. 9 entitled "The False Promise of Data Nationalism." In it, Castro notes that exports of digitally enabled services from the US alone totaled $356 billion in 2011, a five-fold increase since 2007. At the same time, Castro argues, economies of scale for storing and processing data in large cloud computing facilities make it increasingly impractical and more expensive to restrict data to smaller datacenters located in different countries. However, over the past few months, Castro says he has observed leaders in variety of countries "talking about data from the perspective of where it's stored being integral to privacy and protection." Part of what's elevating policymakers' concerns, he says, are revelations about US government surveillance practices, following the leak of National Security Agency documents. At the heart of the legal debate over data protection is how countries apply different security standards to data and what data owners must do when certain types of data -- typically involving personally identifiable information -- are disclosed either inadvertently, voluntarily, or by government mandate. Determining which laws govern the disclosure of data can be complicated. As Castro notes in his report, "Multiple countries may assert jurisdiction over data due to the nationalities of the individuals or organizations that own the data, the service providers storing the data, the individuals or organizations accessing the data... or where the data is stored." While the global data policy debate might appear to be of remote concern to federal agencies, whose data are routinely processed and stored in US-based facilities, it does affect the multi-national cloud service providers agencies rely upon, which bear the economic costs and legal uncertainties of international data laws. Microsoft executive vice president and general counsel Brad Smith has been barnstorming the globe, calling on governments, particularly in Europe, to establish greater uniformity in how cloud computing companies are regulated. The lack of uniformity makes it difficult to establish and execute contract terms and conditions with international customers. "Governments must take steps to ensure that existing regulatory frameworks are suited to the cloud," he said in one of his earliest blog posts on the subject, nearly three years ago. Smith insists that cloud computing's potential to spur economic growth depends on governments getting involved in developing "more balanced and predictable rules governing cloud vendors" and facilitating easier movement of data across borders while maintaining legal protection for consumers. From the ITIF's view, the need to resolve data handling rules goes beyond cloud computing and to the larger issue of international trade, which increasingly depends on the free movement of data around the world. "What people don't realize is this isn't something technology companies can address by themselves," Castro says. "There's a tremendous economic impact if governments don't get involved in dealing with data protection laws -- or worse, take an isolationist's approach to Internet governance and trade."

#### AFF ignores many stipulations preventing abuse of Section 702

Title VII, Section 702 of FISA

[Title VII, Section 702 of the Foreign Intelligence Surveillance Act (FISA), "Procedures for Targeting Certain Persons Outside the United States Other Than United States Persons" (50 U.S.c. sec. 1881a), http://www.wyden.senate.gov/download/?id=ea62ab96-06c3-4c0f-abc2-c2fd70776179&download=1][LG]

Title VII, Section 702 of the Foreign Intelligence Surveillance Act (FISA), "Procedures for Targeting Certain Persons Outside the United States Other Than United States Persons" (50 U.S.c. sec. 1881a) This authority allows only the targeting, for foreign intelligence purposes, of communications of foreign persons who are located abroad. The government may not target any U.S. person anywhere in the world under this authority, nor may it target a person outside of the U.S. if the purpose is to acquire information from a particular, known person inside the U.S. Under this authority, the Foreign Intelligence Surveillance Court annually reviews "certifications" jointly submitted by the U.S. Attorney General and Director of National Intelligence. These certifications define the categories of foreign actors that may be appropriately targeted, and by law, must include specific targeting and minimization procedures adopted by the Attorney General in consultation with the Director of National Intelligence and approved by the Court as consistent with the law and 4th Amendment to the Constitution. There must be a valid, documented foreign intelligence purpose, such as counterterrorism, for each use of this authority. All targeting decisions must be documented in advance. The Department of Justice and the Office of the Director of National Intelligence conduct on-site reviews of targeting, minimization, and dissemination decisions at least every 60 days. The Foreign Intelligence Surveillance Court must approve the targeting and minimization procedures, which helps ensure the protection of privacy and civil liberties. These procedures require that the acquisition of information is conducted, to the greatest extent reasonably feasible, to minimize the acquisition of information not relevant to the authorized foreign intelligence purpose. Any inadvertently acquired communication of or concerning a U.S. person must be promptly destroyed if it is neither relevant to the authorized purpose nor evidence of a crime. If a target who was reasonably believed to be a non-U.S. person outside of the U.S. either enters the U.S. or was in fact a U.S. person at the time of acquisition, targeting must be immediately terminated. Any information collected after a foreign target enters the U.S.-or prior to a discovery that any target erroneously believed to be foreign was in fact a U.S. person- must be promptly destroyed unless that information meets specific, limited criteria approved by the Foreign Intelligence Surveillance Court. The dissemination of any information about U.S. persons is expressly prohibited unless it is necessary to understand foreign intelligence or assess its importance; is evidence of a crime; or indicates a threat of death or serious bodily harm. The FISC rules of procedure require immediate reporting of any compliance incident. In addition, the government reports quarterly to the FISC regarding any compliance issues that have arisen during the reporting period, including updates of previously reported incidents. The Department of Justice and Office of the Director of National Intelligence provide a semi- annual assessment to the Court and Congress assessing compliance with the targeting and minimization procedures. In addition, the Department of Justice provides semi-annual reports to the Court and Congress concerning implementation of Section 702. An annual Inspector General assessment is provided to Congress, reporting on compliance with procedural requirements, the number of disseminations relating to U.S. persons, and the number of targets later found to be located inside the U.S.

#### AFF solves nothing – other agencies, like the FBI, will still gather foreign intelligence

Federal Bureau of Investigation 15

[https://www.fbi.gov/about-us/faqs][LG]

What is the FBI? The FBI is an intelligence-driven and threat-focused national security organization with both intelligence and law enforcement responsibilities—the principal investigative arm of the U.S. Department of Justice and a full member of the U.S. Intelligence Community. It has the authority and responsibility to investigate specific crimes assigned to it and to provide other law enforcement agencies with cooperative services, such as fingerprint identification, laboratory examinations, and training. The FBI also gathers, shares, and analyzes intelligence—both to support its own investigations and those of its partners and to better understand and combat the security threats facing the United States. What is the mission of the FBI? The mission of the FBI is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership and criminal justice services to federal, state, municipal, and international agencies and partners. It performs these responsibilities in a way that is responsive to the needs of the public and faithful to the Constitution of the United States.

## A2-Econ Adv

#### Economic decline empirically doesn’t cause great power wars – global integration checks

Barnett, senior managing director of Enterra Solutions, 9

[Thomas P.M., August 24, World Politics Review, “The New Rules: Security Remains Stable Amid Financial Crisis,” <http://www.worldpoliticsreview.com/articles/4213/the-new-rules-security-remains-stable-amid-financial-crisis>, accessed 7-13-13, UR]

Can we say that the world has suffered a distinct shift to political radicalism as a result of the economic crisis? Indeed, no. The world's major economies remain governed by center-left or center-right political factions that remain decidedly friendly to both markets and trade. In the short run, there were attempts across the board to insulate economies from immediate damage (in effect, as much protectionism as allowed under current trade rules), but there was no great slide into "trade wars." Instead, the World Trade Organization is functioning as it was designed to function, and regional efforts toward free-trade agreements have not slowed. Can we say Islamic radicalism was inflamed by the economic crisis? If it was, that shift was clearly overwhelmed by the Islamic world's growing disenchantment with the brutality displayed by violent extremist groups such as al-Qaida. And looking forward, austere economic times are just as likely to breed connecting evangelicalism as disconnecting fundamentalism. At the end of the day, the economic crisis did not prove to be sufficiently frightening to provoke major economies into establishing global regulatory schemes, even as it has sparked a spirited -- and much needed, as I argued last week -- discussion of the continuing viability of the U.S. dollar as the world's primary reserve currency. Naturally, plenty of experts and pundits have attached great significance to this debate, seeing in it the beginning of "economic warfare" and the like between "fading" America and "rising" China. And yet, in a world of globally integrated production chains and interconnected financial markets, such "diverging interests" hardly constitute signposts for wars up ahead. Frankly, I don't welcome a world in which America's fiscal profligacy goes undisciplined, so bring it on -- please!

#### Causal chains that link economic decline to great power war are factually and empirically untrue

Ferguson, Harvard University Laurence A. Tisch History Professor, 6

[Niall, Senior Fellow at the Hoover Institution at Stanford University, September/October 2006, Council on Foreign Relations, Foreign Affairs vol. 85 issue 5, pp. 62-63, “The Next War of the World,” accessed 7-13-13, UR]

Nor can economic crises explain the bloodshed. What may be the most familiar causal chain in modern historiography links the Great Depression to the rise of fascism and the outbreak of World War II. But that simple story leaves too much out. Nazi Germany started the war in Europe only after its economy had recovered. Not all the countries affected by the Great Depression were taken over by fascist regimes, nor did all such regimes start wars of aggression. In fact, no general relationship between economics and conflict is discernible for the century as a whole. Some wars came after periods of growth, others were the causes rather than the consequences of economic catastrophe, and some severe economic crises were not followed by wars. Many trace responsibility for the butchery to extreme ideologies. The Marxist historian Eric Hobsbawm calls the years between 1914 and 1991 "an era of religious wars" but argues that "the most militant and bloodthirsty religions were secular ideologies." At the other end of the political spectrum, the conservative historian Paul Johnson blames the violence on "the rise of moral relativism, the decline of personal responsibility [and] the repudiation of Judeo-Christian values." But the rise of new ideologies or the decline of old values cannot be regarded as causes of violence in their own right. Extreme belief systems, such as anti-Semitism, have existed for most of modern history, but only at certain times and in certain places have they been widely embraced and translated into violence.

#### No major violence empirically results from economic crashes

Naím, Editor-in-Chief of Foreign Policy, 10

[Moisés, January/February, Foreign Policy, “It Didn’t Happen,” <http://www.foreignpolicy.com/articles/2010/01/04/it_didnt_happen?wp_login_redirect=0>, accessed 7-13-13, UR]

Just a few months ago, the consensus among influential thinkers was that the economic crisis would unleash a wave of geopolitical plagues. Xenophobic outbursts, civil wars, collapsing currencies, protectionism, international conflicts, and street riots were only some of the dire consequences expected by the experts. It didn't happen. Although the crash did cause severe economic damage and widespread human suffering, and though the world did change in important ways for the worse -- the International Monetary Fund, for example, estimates that the global economy's new and permanent trajectory is a 10 percent lower rate of GDP growth than before the crisis -- the scary predictions for the most part failed to materialize. Sadly, the same experts who failed to foresee the economic crisis were also blindsided by the speed of the recovery. More than a year into the crisis, we now know just how off they were. From telling us about the imminent collapse of the international financial system to prophecies of a 10-year recession, here are six of the most common predictions about the crisis that have been proven wrong: The international financial system will collapse. It didn't. As Lehman Brothers, Bear Stearns, and Fannie Mae and Freddie Mac crashed, as Citigroup and many other pillars of the financial system teetered on the brink, and as stock markets everywhere entered into free fall, the wise men predicted a total system meltdown. The economy has "fallen off a cliff," warned investment guru Warren Buffett. Fellow financial wizard George Soros agreed, noting the world economy was on "life support," calling the turbulence more severe than during the Great Depression, and comparing the situation to the demise of the Soviet Union. The natural corollary of such doomsday scenarios was the possibility that depositors would lose access to the funds in their bank accounts. From there to visions of martial law imposed to control street protests and the looting of bank offices was just an easy step for thousands of Internet-fueled conspiracy theorists. Even today, the financial system is still frail, banks are still failing, credit is scarce, and risks abound. But the financial system is working, and the perception that it is too unsafe to use or that it can suddenly crash out of existence has largely dissipated.