

"People should not be afraid of their governments. Governments should be afraid of their people."

It is because we agree with the revolutionary activist V that Zach and I negate the resolution,

Resolved: The benefits of domestic surveillance by the NSA outweigh the harms.

Contention 1: NSA Domestic Surveillance Violates Civil Liberties

Glenn Greenwald of the Guardian explains,

The National Security Agency is currently collecting the telephone records of millions of US customers of Verizon, one of America's largest telecoms providers, under a top secret court order issued in April.

The order, a copy of which has been obtained by the Guardian, requires Verizon on an "ongoing, daily basis" to give the NSA information on all telephone calls in its systems, both within the US and between the US and other countries.

The document shows for the first time that under the Obama administration the communication records of millions of US citizens are being collected indiscriminately and in bulk – regardless of whether they are suspected of any wrongdoing.¹

Additionally, recently released documents from the NSA show that

The National Security Agency [it] has broken privacy rules or overstepped its [this] legal authority thousands of times each year since

Congress granted the agency broad new powers in [since the program's inception in] 2008[.], according to an internal audit and other top-secret documents. Most of the infractions involve unauthorized surveillance of Americans or foreign intelligence targets in the United States, both of which are restricted by statute and executive order. They range from significant violations of law to typographical errors that resulted in unintended interception of U.S. e-mails and telephone calls.²

¹ Glenn Greenwald (The Guardian). "NSA collecting phone records of millions of Verizon customers daily." 5 June 2013. www.theguardian.com/world/2013/jun/06/nsa-phone-records-verizon-court-order.

² Barton Gellmann (The Washington Post). 15 August 2013. www.washingtonpost.com/world/national-security/nsa-broke-privacy-rules-thousands-of-times-per-year-audit-finds/2013/08/15/3310e554-05ca-11e3-a07f-49ddc7417125_story.html.

The NSA collection of personal data is harmful in two ways.

First, it is a breach of government power.

Ari Armstrong of the Objective Standard explains,

Of course, the government has a right and an obligation to investigate potential criminals when it has sufficient evidence to warrant investigation. The fourth and fifth amendments to the Bill of Rights spell out the fundamental legal principles in this area. To pursue an investigation, the government need not have perfect or conclusive information—otherwise it could not investigate or arrest any suspected criminal. But, [I]n order to investigate potential criminal activities of American citizens, the government must have just cause as determined by a constitutionally authorized court.

Government is properly the agent of the citizens to protect their rights. A government that spies on citizens without sufficient cause, as the NSA has obviously been doing, violates rather than protects citizens' rights.

The primary reason the U.S. government is spying on and restricting the activities (as with airport "security" procedures) of U.S. citizens is that the U.S. government has failed to take appropriate action against Islamic terrorists—and, especially, the states supporting them—who continue to threaten U.S. citizens and America in general.³

Second, it undermines democratic expression.

Jameel Jaffer of the American Civil Liberties Union explains,

These abuses are real, but if we focus on them exclusively we risk overlooking the [There are] deeper implications of [to] pervasive government surveillance. When people think the government is watching them, or that it might be, they become reluctant to exercise democratic freedoms. They may be discouraged from visiting officially disfavored Web sites, joining controversial political groups, attending political rallies or criticizing government policy. This is a cost to the people who don't exercise their rights, but it's a cost to our society too. The chilling effect of surveillance makes our public debates narrower and more inhibited and our democracy less vital. This is the greater threat presented by the kinds of programs that were exposed this past week.⁴

³ Ari Amstrong (The Objective Standard). "NSA Domestic Spy Program Clearly Violates Citizens' Rights." 16 August 2013. www.theobjectivestandard.com/blog/index.php/2013/08/nsa-domestic-spy-program-clearly-violates-citizens-rights/.

⁴ Jameel Jaffer (ACLU). Our Surveillance Laws are Too Permissive. www.nytimes.com/roomfordebate/2013/06/09/is-the-nsa-surveillance-threat-real-or-imagined