# Transparency AC

## 1AC General

### The Advantage is Security

#### Securitization is on the rise – surveillance proves

Volz 1/20 Dustin Volz, 1-20-2018, "Trump signs bill renewing NSA's internet surveillance program," U.S., [https://www.reuters.com/article/us-usa-trump-cyber-surveillance/trump-signs-bill-renewing-nsas-internet-surveillance-program-idUSKBN1F82MK /](https://www.reuters.com/article/us-usa-trump-cyber-surveillance/trump-signs-bill-renewing-nsas-internet-surveillance-program-idUSKBN1F82MK%20/) MM

U.S. President Donald Trump on Friday said he signed into law a bill renewing the National Security Agency’s warrantless internet surveillance program, sealing a defeat for digital privacy advocates. “Just signed 702 Bill to reauthorize foreign intelligence collection,” Trump wrote on Twitter, referring to legislation passed by the U.S. Congress that extends Section 702 of the Foreign Intelligence Surveillance Act (FISA). The law renews for six years and with minimal changes the National Security Agency (NSA) program, which gathers information from foreigners overseas but incidentally collects an unknown amount of communications belonging to Americans. The measure easily passed the U.S. House of Representatives last week despite mixed signals posted on Twitter by Trump and narrowly avoided a filibuster in the Senate earlier this week that split party lines. The measure had drawn opposition from a coalition of privacy-minded Democrats and libertarian Republicans. In his tweet on Friday, Trump attempted to clarify why he signed the bill despite repeating an unsubstantiated claim that his Democratic predecessor, Barack Obama, ordered intelligence agencies to eavesdrop on Trump’s 2016 Republican presidential campaign. “This is NOT the same FISA law that was so wrongly abused during the election,” Trump wrote. “I will always do the right thing for our country and put the safety of the American people first!” Last September, the U.S. Justice Department said in a court filing that it had no evidence to support Trump’s claim about improper surveillance during the campaign. Without Trump’s signature, Section 702 had been set to expire on Friday, though intelligence officials had said the surveillance program could continue to operate until April. Under the law, the NSA is allowed to eavesdrop on vast amounts of digital communications from foreigners living outside the United States via U.S. companies like Facebook Inc, Verizon Communications Inc and Alphabet Inc’s Google. But the program also incidentally scoops up Americans’ communications, including when they communicate with a foreign target living overseas, and can search those messages without a warrant. The White House, U.S. intelligence agencies and congressional Republican leaders have said the program is indispensable to national security, vital to protecting U.S. allies and needs little or no revision. Privacy advocates say it allows the NSA and other intelligence agencies to grab data belonging to Americans in a way that represents an affront to the U.S. Constitution.

#### That creates authoritarianism– securitizing power coupled with the absence of judicial review kills any possibility of democracy

Turley 12, 2012 (Jonathan, Shapiro professor of public interest law at George Washington University, “10 reasons the U.S. is no longer the land of the free,” <http://jonathanturley.org/2012/01/15/10-reasons-the-u-s-is-no-longer-the-land-of-the-free/>) / MM BRACKETS FOR GENDERED LANGUAGE\*\*

Below is today’s column in the Sunday Washington Post. The column addresses how the continued rollbacks on civil liberties in the United States conflicts with the view of the country as the land of the free. If we are going to adopt Chinese legal principles, we should at least have the integrity to adopt one Chinese proverb: “The beginning of wisdom is to call things by their right names.” We seem as a country to be in denial as to the implications of these laws and policies. Whether we are viewed as a free country with authoritarian inclinations or an authoritarian nation with free aspirations (or some other hybrid definition), we are clearly not what we once were. [Update: in addition to the column below, a later column in the Washington Post explores more closely the loss of free speech rights in the West]. Every year, the State Department issues reports on individual rights in other countries, monitoring the passage of restrictive laws and regulations around the world. Iran, for example, has been criticized for denying fair public trials and limiting privacy, while Russia has been taken to task for undermining due process. Other countries have been condemned for the use of secret evidence and torture. Even as we pass judgment on countries we consider unfree, Americans remain confident that any definition of a free nation must include their own — the land of free. Yet, the laws and practices of the land should shake that confidence. In the decade since Sept. 11, 2001, this country has comprehensively reduced civil liberties in the name of an expanded security state. The most recent example of this was the National Defense Authorization Act, signed Dec. 31, which allows for the indefinite detention of citizens. At what point does the reduction of individual rights in our country change how we define ourselves? While each new national security power Washington has embraced was controversial when enacted, they are often discussed in isolation. But they don’t operate in isolation. They form a mosaic of powers under which our country could be considered, at least in part, authoritarian. Americans often proclaim our nation as a symbol of freedom to the world while dismissing nations such as Cuba and China as categorically unfree. Yet, objectively, we may be only half right. Those countries do lack basic individual rights such as due process, placing them outside any reasonable definition of “free,” but the United States now has much more in common with such regimes than anyone may like to admit. These countries also have constitutions that purport to guarantee freedoms and rights. But their governments have broad discretion in denying those rights and few real avenues for challenges by citizens — precisely the problem with the new laws in this country. The list of powers acquired by the U.S. government since 9/11 puts us in rather troubling company. Assassination of U.S. citizens President Obama has claimed, as President George W. Bush did before him, the right to order the killing of any citizen considered a terrorist or an abettor of terrorism. Last year, he approved the killing of U.S. citizen Anwar al-Awlaqi and another citizen under this claimed inherent authority. Last month, administration officials affirmed that power, stating that the president can order the assassination of any citizen whom he considers allied with terrorists. (Nations such as Nigeria, Iran and Syria have been routinely criticized for extrajudicial killings of enemies of the state.) Indefinite detention Under the law signed last month, terrorism suspects are to be held by the military; the president also has the authority to indefinitely detain citizens accused of terrorism. While Sen. Carl Levin insisted the bill followed existing law “whatever the law is,” the Senate specifically rejected an amendment that would exempt citizens and the Administration has opposed efforts to challenge such authority in federal court. The Administration continues to claim the right to strip citizens of legal protections based on its sole discretion. (China recently codified a more limited detention law for its citizens, while countries such as Cambodia have been singled out by the United States for “prolonged detention.”) Arbitrary justice The president now decides whether a person will receive a trial in the federal courts or in a military tribunal, a system that has been ridiculed around the world for lacking basic due process protections. Bush claimed this authority in 2001, and Obama has continued the practice. (Egypt and China have been denounced for maintaining separate military justice systems for selected defendants, including civilians.) Warrantless searches the president may now order warrantless surveillance**,** including a new capability to force companies and organizations to turn over information on citizens’ finances, communications and associations. Bush acquired this sweeping power under the Patriot Act in 2001, and in 2011, Obama extended the power, including searches of everything from business documents to library records. The government can use “national security letters” to demand, without probable cause, that organizations turn over information on citizens — and order them not to reveal the disclosure to the affected party. (Saudi Arabia and Pakistan operate under laws that allow the government to engage in widespread discretionary surveillance.) Secret evidence The government now routinely uses secret evidence to detain individuals and employs secret evidence in federal and military courts. It also forces the dismissal of cases against the United States by simply filing declarations that the cases would make the government reveal classified information that would harm national security — a claim made in a variety of privacy lawsuits and largely accepted by federal judges without question. Even legal opinions, cited as the basis for the government’s actions under the Bush and Obama administrations, have been classified. This allows the government to claim secret legal arguments to support secret proceedings using secret evidence. In addition, some cases never make it to court at all. The federal courts routinely deny constitutional challenges to policies and programs under a narrow definition of standing to bring a case. War crimes The world clamored for prosecutions of those responsible for waterboarding terrorism suspects during the Bush administration, but the Obama administration said in 2009 that it would not allow CIA employees to be investigated or prosecuted for such actions. This gutted not just treaty obligations but the Nuremberg principles of international law. When courts in countries such as Spain moved to investigate Bush officials for war crimes, the Obama administration reportedly urged foreign officials not to allow such cases to proceed, despite the fact that the United States has long claimed the same authority with regard to alleged war criminals in other countries. (Various nations have resisted investigations of officials accused of war crimes and torture. Some, such as Serbia and Chile, eventually relented to comply with international law; countries that have denied independent investigations include Iran, Syria and China.) Secret court The government has increased its use of the secret Foreign Intelligence Surveillance Court, which has expanded its secret warrants to include individuals deemed to be aiding or abetting hostile foreign governments or organizations. In 2011, Obama renewed these powers, including allowing secret searches of individuals who are not part of an identifiable terrorist group. The administration has asserted the right to ignore congressional limits on such surveillance. (Pakistan places national security surveillance under the unchecked powers of the military or intelligence services.) Immunity from judicial review Like the Bush administration, the Obama administration has successfully pushed for immunity for companies that assist in warrantless surveillance of citizens, blocking the ability of citizens to challenge the violation of privacy. (Similarly, China has maintained sweeping immunity claims both inside and outside the country and routinely blocks lawsuits against private companies.) Continual monitoring of citizens The Obama administration has successfully defended its claim that it can use GPS devices to monitor every move of targeted citizens without securing any court order or review. It is not defending the power before the Supreme Court — a power described by Justice Anthony Kennedy as “Orwellian.” (Saudi Arabia has installed massive public surveillance systems, while Cuba is notorious for active monitoring of selected citizens.) Extraordinary renditions The government now has the ability to transfer both citizens and noncitizens to another country under a system known as extraordinary rendition, which has been denounced as using other countries, such as Syria, Saudi Arabia, Egypt and Pakistan, to torture suspects. The Obama administration says it is not continuing the abuses of this practice under Bush, but it insists on the unfettered right to order such transfers — including the possible transfer of U.S. citizens. These new laws have come with an infusion of money into an expanded security system on the state and federal levels, including more public surveillance cameras, tens of thousands of security personnel and a massive expansion of a terrorist-chasing bureaucracy. Some politicians shrug and say these increased powers are merely a response to the times we live in. Thus, Sen. Lindsey Graham (R-S.C.) could declare in an interview last spring without objection that “free speech is a great idea, but we’re in a war.” Of course, terrorism will never “surrender” and end this particular “war.” Other politicians rationalize that, while such powers may exist, it really comes down to how they are used. This is a common response by liberals who cannot bring themselves to denounce Obama as they did Bush. Sen. Carl Levin (D-Mich.), for instance, has insisted that Congress is not making any decision on indefinite detention: “That is a decision which we leave where it belongs — in the executive branch.” And in a signing statement with the defense authorization bill, Obama said he does not intend to use the latest power to indefinitely imprison citizens. Yet, he still accepted the power as a sort of regretful autocrat. An authoritarian nation is defined not just by the use of authoritarian powers, but by the ability to use them**.** If a president can take away your freedom or your life on [their] own authority**,** all rights become little more than a discretionary grant subject to executive will. The framers lived under autocratic rule and understood this danger better than we do. James Madison famously warned that we needed a system that did not depend on the good intentions or motivations of our rulers: “If men were angels, no government would be necessary.” Benjamin Franklin was more direct. In 1787, a Mrs. Powel confronted Franklin after the signing of the Constitution and asked, “Well, Doctor, what have we got — a republic or a monarchy?” His response was a bit chilling: “A republic, Madam, if you can keep it.” Since 9/11, we have created the very government the framers feared**:** a government with sweeping and largely unchecked powers resting on the hope that they will be used wisely.

#### Two scenarios:

#### First is abuse of power – authoritarianism sequences every impact

Caplan 6 Department of Economics and Center for Study of Public Choice [Bryan Caplan at George Mason University, “The Totalitarian Threat,” January 06] / MM

It is obviously harder to refine my numbers than it is to refine estimates of the probability of an extinction-level asteroid impact. The regularities of social science are neither as exact nor as enduring as the regularities of physical science. But this is a poor argument for taking social disasters like totalitarianism less seriously than physical disasters like asteroids. We compare accurately-measured to inaccurately-measured things all the time. Which is worse for a scientist to lose: 1 point of IQ, or his "creative spark"? Even though IQ is measured with high accuracy, and creativity is not, loss of creativity is probably more important. Finally, it is tempting to minimize the harm of a social disaster like authoritarianism, because it would probably not lead to human extinction. Even in Cambodia, the totalitarian regime with the highest death rate per-capita, 75% of the population remained alive after three years of rule by the Khmer Rouge. (Margolin 1999b) But perhaps an eternity of totalitarianism would be worse than extinction. It is hard to read Orwell and not to wonder: Do you begin to see, then, what kind of world we are creating? It is the exact opposite of the stupid hedonistic Utopias that the old reformers imagined. A world of fear and treachery and torment, a world of trampling and being trampled upon, a world which will grow not less but more merciless as it refines itself. Progress in our world will be progress towards more pain. The old civilizations claimed that they were founded on love or justice. Ours is founded upon hatred. In our world there will be no emotions except fear, rage, triumph and self-abasement. Everything else we shall destroy – everything... There will be no loyalty, except loyalty towards the Party. There will be no love, except the love of Big Brother. There will be no laughter, except for the laugh of triumph over a defeated enemy. There will be no art, no literature, no science. When we are omnipotent we shall have no more need of science. There will be no distinction between beauty and ugliness. There will be no curiosity, no enjoyment of the process of life. All competing pleasures will be destroyed. (1983: 220)

#### Second is modeling – Democracy is low now – recovery is essential

Muggah 1/12 Robert Muggah, 1-12-2018, "The global liberal democratic order might be down, but it's not out," World Economic Forum, [https://www.weforum.org/agenda/2018/01/the-global-liberal-democratic-order-might-be-down-but-its-not-out /](https://www.weforum.org/agenda/2018/01/the-global-liberal-democratic-order-might-be-down-but-its-not-out%20/) MM

For the first time in over half a century liberal democracy is in retreat. The democratic waves that ebbed and flowed between the 19th and 20th centuries appear to be receding once more. The signs of pushback against liberal values and democratic institutions are not just visible in parts of Africa, Asia and Latin America, but also in the strongholds of Western Europe and North America. After triumphantly declaring the "end of history" in 1989, scholars like Francis Fukuyama now fear that the world is moving from a "democratic recession" toward a "democratic depression." With illiberalism on the rise, there are fears that this could be the year the global liberal order dies. The order consists of a dense network of international agreements, trade arrangements and military alliances. Drawing on enlightenment era values of liberty and reason, it was constructed by U.S. President Roosevelt and the Western allies in 1945. Its express purpose was to prevent the recurrence of war and the economic nationalism that inspired conflict to begin with. While the order has come under criticism in the past, it has never experienced anything quite like the assault of the present. At the centre of the global liberal order are a clutch of organizations designed to defend democratic governance, open economies and common security. Among them are the United Nations, the International Monetary Fund and the World Bank (all founded in 1945), the General Agreement on Tariffs and Trade that later became the World Trade Organization (in 1995), the North Atlantic Treaty Organization (in 1949) and others. Taken together, their express goal is to generate positive sum, or win-win, solutions. While critics routinely grumbled about their legitimacy, effectiveness and overstretch, on balance, they have helped preserve stability, extend democracy and expand economic opportunity. While the global liberal democratic order is most certainly down, it is far from out. According to the Polity Project which tracks trends in autocracy and democracy, democratic governance is still spreading. In 1989, at the time of Mr. Fukuyama's pronouncement, there were 52 democracies. By 2009, at the start of the Obama administration, the number had risen to 87. Today there are at least 103, accounting for over 60 per cent of the world's population. Even China and Russia are less repressive to their own populations than in the past. It is true that some democracies in parts of Western and Eastern Europe have experienced set-backs and a spike in reactionary nationalism, but these are nevertheless remarkable achievements. So what explains the fears of a democratic deficit and the decline of the global liberal order? According to columnist Edward Luce, a big part of the story has to do with the spectacular rise of China. The country's economic growth is nothing short of breathtaking: Its GDP grew from $950-billion (U.S.) in 2000 to $22-trillion in 2016. What's more, China benefited from three geopolitical windfalls over this period – the Iraq War in 2003, the 2008 global financial meltdown and the 2016 election of Donald Trump. Each of these developments bolstered the appeal of China's alternative, and authoritarian, pathway to development, emboldening autocrats who may have previously been swayed by the political and economic dividends of liberalism.

#### Bad US practices spillover

Gates 12 Kelly Gates is an Associate Professor in the Department of Communication and the Science Studies Program at University of California, San Diego. Gates specializes in the study of surveillance, digital media, and visual culture, from an analytical perspective that bridges science and technology studies and cultural and media studies. (“d. The globalization of homeland security,” *Routledge Handbook of Surveillance Studies*, Google Books, 2012) / MM

How have the priorities of "homeland security" in the post—9/11 era been mobilized to bolster an expanding global industry, and what are the consequences of this industry expansion on surveillance practices transnationally? It is the aim of this chapter to consider the globalization of homeland security. It examines the extent to which the US model of homeland security has been exported to other countries, and what the results have been for the spread of new surveillance practices across national borders. “Homeland security" is typically understood as a policy program instituted in the United States as a response to the 9/11 terrorist attacks. I argue that it is more adequately understood as a broader governmental rationality that reconﬁgures the US Cold War “national security" regime in ways more amenable to the post-Cold War context, and to the priorities of an emerging global security industry. In order to be promoted as a form of national identity, the US model of “homeland security" has been and must continue to be defined as uniquely "American." However, it is also being globalized in particular ways in order to serve as a powerful political and economic strategy in the "war on terror" (see also Hayes, this volume). One focus of this strategy has been the USA-led effort to create a global surveillance apparatus, a dis- persed system of monitoring and identiﬁcation that aims to enact a USA-centric politics of inclusion and exclusion on a global scale. Not only the USA, but much of the world, is engaged in what Giorgio Agamben (2005) has called a permanent “state of exception." Here constitutional laws and human rights are suspended indeﬁnitely, and individuals are continuously called upon to demonstrate their legitimate identity and right to exist. As the USA and its allies carry out the seemingly endless "war on terror," a heavily ﬁnanced “security-industrial complex" has taken shape. Along with it has come a seemingly endless and increasingly integrated stream of new surveillance systems and practices.

**Good modeling of US democracy prevents human rights abuses and massive impacts**

Kasparov 17 Garry Kasparov, Testimony to Congress, 2/16/2017 Chairman of the Human Rights Foundationand author of Winter Is Coming: Why Vladimir Putin and the Enemies of the Free World Must Be Stopped [“Democracy and Human Rights: The Case for U.S. Leadership” https://www.foreign.senate.gov/imo/media/doc/021617\_Kasparov\_%20Testimony.pdf / MM

As one of the countless millions of people who were freed or protected from totalitarianism by the United States of America, it is easy for me to talk about the past. To talk about the belief of the American people and their leaders that this country was exceptional and had special responsibilities to match its tremendous power. That a nation founded on freedom was bound to defend freedom everywhere. I could talk about the bipartisan legacy of this most American principle, from the Founding Fathers, to Democrats like Harry Truman, to Republicans like Ronald Reagan. I could talk about how the American people used to care deeply about human rights and dissidents in far-off places, and how this is what made America a beacon of hope, a shining city on a hill. America led by example and set a high standard, a standard that exposed the hypocrisy and cruelty of dictatorships around the world. But there is no time for nostalgia. Since the fall of the Berlin Wall, the collapse of the Soviet Union, and the end of the Cold War, Americans, and America, have retreated from those principles, and the world has become much worse off as a result. American skepticism about America’s role in the world deepened in the long, painful wars in Afghanistan and Iraq, and their aftermaths. Instead of applying the lessons learned about how to do better, lessons about faulty intelligence and working with native populations, the main outcome was to stop trying. This result has been a tragedy for the billions of people still living under authoritarian regimes around the world, and it is based on faulty analysis. You can never guarantee a positive outcome— not in chess, not in war, and certainly not in politics. The best you can do is to do what you know is right and to try your best. I speak from experience when I say that the citizens of unfree states do not expect guarantees. They want a reason to hope and a fighting chance. People living under dictatorships want the opportunity for freedom, the opportunity to live in peace and to follow their dreams. From the Iraq War to the Arab Spring to the current battles for liberty from Venezuela to Eastern Ukraine, people are fighting for that opportunity, giving up their lives for freedom. The United States must not abandon them. The United States and the rest of the free world has an unprecedented advantage in economic and military strength today. What is lacking is the will. The will to make the case to the American people, the will to take risks and invest in the long-term security of the country, and the world. This will require investments in aid, in education, in security that allow countries to attain the stability their people so badly need. Such investment is far more moral and far cheaper than the cycle of terror, war, refugees, and military intervention that results when America leaves a vacuum of power. The best way to help refugees is to prevent them from becoming refugees in the first place. The Soviet Union was an existential threat, and this focused the attention of the world, and the American people. There existential threat today is not found on a map, but it is very real. The forces of the past **are making** steady **progress against the** modern **world order**. **Terrorist movements** in the Middle East, **extremist parties** across Europe, a paranoid tyrant in **North Korea** threatening nuclear blackmail, and, at the center of the web, an aggressive KGB dictator in **Russia**. They all want to turn the world back to a dark past because **their survival is threatened by** the values of **the free world,** epitomized by the United States. And **they are thriving as the U.S.** has **retreated**. The global freedom index has declined for ten consecutive years. No one like to talk about the United States as a global policeman, but this is what happens when there is no cop on the beat. American leadership begins at home, right here. **America cannot lead** the world on democracy and human rights **if there is no unity** on the meaning and importance of these things. Leadership is required to make that case clearly and powerfully. Right now, Americans are engaged in politics at a level not seen in decades. It is an opportunity for them to rediscover that making America great begins with believing America can be great. The Cold War was won on American values that were shared by both parties and nearly every American. Institutions that were created by a Democrat, Truman, were triumphant forty years later thanks to the courage of a Republican, Reagan. This bipartisan consistency created the decades of **strategic stability** **that is the great strength of democracies. Strong institutions** that outlast politicians **allow** for long-range **planning**. In contrast, **dictators** can operate only tactically, not strategically, because they are not constrained by the balance of powersbut **cannot** afford to **think beyond** their own **survival**. This is why a dictator like Putin has an advantage in chaos, the ability to move quickly. This can only be met by strategy, by long-term goals that are based on shared values, not on polls and cable news. The fear of making things worse has paralyzed the United States from trying to make things better. There will always be setbacks, but the United States cannot quit. The spread of **democracy is the only proven remedy for** nearly **every crisis** that plagues the world **today. War, famine, poverty, terrorism**–all are generated and exacerbated by authoritarian regimes. A policy of America First inevitably puts American security last. American leadership is required because there is no one else, and because it is good for America. There is no weapon or wall that is more powerful for security than America being envied, imitated, and admired around the world. Admired not for being perfect, but for having the exceptional courage to always try to be better. Thank you

### Solvency

**In the United States, the public’s right to know ought to be valued above the right to privacy of candidates for public office. We’ll grant generic topic links to avoid unnecessary theory debates.**

#### Exposing public officials is uniquely key for educated voter decisions and political change to reform democracies.

Kang 13 Michael Kang Professor of Law at Emory University School of Law. Minneesota Law Review Copyright © 2013 by Michael Kang Campaign Disclosure in Direct Democracy

The irony is that **campaign disclosure in direct democracy is more valuable to voter competence** than in candidate elections for the same reason that the perceived risk of harassment, and therefore **the** vulnerability **to constitutional challenge, is more salient**. Indeed, the same defining characteristic of direct democracy makes the perceived risk of harassment greater for ballot measures but also explains why voters need campaign disclosure in direct democracy far more so than in candidate elections. This defining characteristic, of course, is the absence of intermediation in direct democracy by candidates and parties. The Progressive Era insight of direct democracy was to mitigate the agency costs of representative democracy by bypassing elected representatives altogether for a determined set of policy questions. Direct **democracy puts decision-making on a discrete policy question directly into the hands of the electorate, without the representative filter of elected officials**. As a result, the usual concerns about quid pro quo corruption associated with campaign finance are inapplicable in direct democracy.60 For this reason, the principal government interest in regulating campaign finance—the prevention of quid pro quo corruption and the appearance thereof—does not apply in direct democracy as a matter of law. The Court explained that “[t]he risk of corruption perceived in cases involving candidate elections . . . simply is not present in a popular vote on a public issue.” There is quite literally no candidate to corrupt in the usual sense of quid pro quo exchange. At least **on a given policy question, the representative process is bypassed, and** the public decides for itself. 61 Given that most campaign finance regulation is based on the government interest in prevention of corruption,62 the grounds for campaign finance regulation in direct democracy is far more limited than in candidate elections. For instance, the Court has held that limits on contributions to support campaigning on ballot measures are unconstitutional, even though limits on contributions to candidates are almost always upheld.63 Similarly, based on the narrower ground for regulation of direct democracy, the Court long ago struck down prohibitions on corporate electioneering on ballot measures,64 while upholding analogous prohibitions on corporate electioneering in candidate elections until only recently. Campaign finance disclosure in direct democracy, however, has always enjoyed strong constitutional support from courts under a separate government interest in voter competence. As described earlier, the Court continues to recognize a government interest in informing voters that undergirds the constitutionality of compelled campaign finance disclosure.66 Just as in candidate elections, the Court has found in direct democracy too that “**identification of the source of advertising may be required as a means of disclosure, so that the people will be able** to evaluate th**e arguments to which they are being subjected**.”67 This interest in voter information supports campaign finance **disclosure in candidate elections, work**ing **in connection with the government interest in** preventing corruption applicable there. But in direct democracy where the anticorruption interest does not apply, the Court has nonetheless upheld campaign finance disclosure requirements for ballot measure campaigning based solely on the interest of voter competence. 68 This interest in voter competence is particularly salient in direct democracy, much more so than in candidate elections. In the absence of candidates and parties to simplify and bundle issues for voters, voters need to know more to vote competently about a ballot measure than they do when they vote on candidates.69 63. See Citizens Against Rent Control/Coal. for Fair Hous. v. City of Berkeley, 454 U.S. 290, 296 (1981). Candidates and parties work hard to build a brand reputation that simplifies politics for voters and gives voters the ability to vote confidently for their interests without knowing many specifics about politics and public policy.70 Although voters are famously ignorant about basic information in politics, **voters nonetheless learn much of what they need to know to** navigate **their vote choices over candidates** and parties by referring to simple heuristics that boil down a lot of information into crude but useful voting cues.71 Those cues are crucial for voting in candidate election but largely absent in direct democracy.72

**Increasing public information increases government transparency and reduces corruption**  
Agrawal 12, Chetan Agrawal, (Cromwell College of IT and Management, London), Journal of Management and Public Policy Vol. 3, No. 2, June 2012, pp. 26-38 ISSN (Print): 0976-013X ISSN (Online): 0976-0148 Right to Information: A Tool for Combating Corruption in India [https://www.researchgate.net/publication/282809378\_Right\_to\_Information\_A\_Tool\_for\_Combating\_Corruption\_in\_India/](https://www.researchgate.net/publication/282809378_Right_to_Information_A_Tool_for_Combating_Corruption_in_India//s) / MM RECUT  
In an environment riddled with intrigue, secrecy and corruption, the RTI Act 2005 was promulgated by Government of India to bring transparency. Indian citizens have used this law very effectively to bring about changes that are both big and small. The RTI Act has fundamentally changed the power equation between the government and the governed – those who wield power of the state in any form on the one hand and millions of those who are affected by the decisions and working of the state machinery on the other. Thanks to the RTI Act, in India, real master –the proverbial ‘common man’ is finally being recognized by the ‘public servants’. No other law on India’s statute book gives citizens so much power, so simply, to question any public authority in the country. The study clearly showed that the RTI Act has given a historic opportunity to root out corruption and the culture of secrecy from the Indian government affairs and pave the way for governance reform, greater accountability and transparency in government affairs. Across the country, a growing number of people are using the RTI applications as a weapon to fight corruption and demand their rights. The RTI is enabling people to say no to bribes. The RTI has been used to bring about policy changes as well as to feed hungry mouths. It is an all-encompassing act with consequences that have prompted some to say that it is the most important legislation since independence. The study supports that aligning public service architecture with appropriate transparency mechanisms does promote transparency. The study also supports the point raised by Jenkins and Goetz (1999) that the power of the RTI should not be underestimated. The literature of corruption and anti-corruption overemphasizes the role of the state as cause and remedy and fails to recognize the role of social movements in surfacing the existence of different forms of corruption. But much needs to be done before full power of the RTI can be realized. Indian Government should provide better infrastructure and ensure speedy processing of the RTI cases to motivate the demand side i.e. civil society. Signs of transparency are becoming visible and if the current trend has to continue and to comply with the Act in letter and in spirit, a fundamental change in the attitude within the bureaucracy is necessary. Therefore, for the Act to be utilized to its full potential, Indian Government will have to make serious efforts to inculcate in the bureaucracy respect for citizens’ right and give up its old functioning style characterized by cloak of secrecy and opaqueness.

#### The right to know sets a democratic norm that gets modeled globally – empirics prove

Blanton 9. Thomas Blanton, [Thomas Blanton is director of the National Security Archive at George Washington University]. 11-11-2009,” The World’s Right to Know,” Foreign Policy, h ps://foreignpolicy.com/2009/11/11/the-worlds-right-to-know. / MM

Today, as a consequence of globalization, the very concept of freedom of information is expanding from the purely moral stance of an indictment of secrecy to include a more value-neutral meaning — as another form of market regulation, of more efficient administration of government, and as a contributor to economic growth and the development of information industries. Hungary’s adoption of a freedom-of-information statute, for example, signaled a rejection of its communist past. But perhaps even more important, the law combined new access rights to government records with strong data protection provisions for business, in an attempt to attract German corporate investment by conforming to European — and particularly German — standards that guard trade secrets and personal information. Financial transparency measures do not necessarily help the cause of political reform, but agile advocates have harnessed the language of transparency to push for political liberalization at the local level. In fact, legal reformers in China, as well as the Communist Party’s anticorruption activists, are using this argument to help open the decision-making process in local and provincial governments. Their argument, which acquires greater weight as China enters the World Trade Organization (WTO), is that regulating governments and corporations (especially global ones) may be done more efficiently by promoting full disclosure of their activities, rather than by relying on multiple bureaucracies in multiple countries that provide multiple opportunities for corruption. Such efforts to promote local transparency are more likely to succeed than would any attempt to implement a national freedom-of-information statute — especially one that would apply to law enforcement or national security or Communist Party deliberations. Membership in a supranational organization, such as the WTO, does not always encourage transparency— as when NATO refuses to release files without a consensus among all NATO members or requires Poland to adopt a new law on state secrets. But more often than not, supranational organizations create a demand for greater access to information, both be- tween and within countries. These global or regional governance institutions set up multiple information flows among national governments, multinational organizations, the media, and private citizens’ groups, who use each party’s information to leverage the others, often with significant domestic impact. For example, the Slovakian press reported EU criticism of misleading economic statistics under the government of former Prime Minister Vladimir Meciar. This negative publicity led to the revamping of the state statistical office and contributed to both Meciar’s political decline and Slovakia’s formal adoption of a freedom-of-information law. THE ABCs OF OPENNESS Making good use of both moral and efficiency claims, the international freedom-of-information movement stands on the verge of changing the definition of democratic governance. The movement is creating a new norm, a new expectation, and a new threshold requirement for any government to be considered a democracy. Yet at the same time, the disclosure movement does not even know it is a movement; its members are constantly reinventing the wheel and searching for relevant models. Moreover, entrenched state interests continue to launch vigorous counterattacks in the United States and abroad, citing national security and the need for privacy in the deliberative process as counter-weights to freedom-of-information arguments. The ideal openness regime would have governments publishing so much that the formal request for specific information (and the resulting administrative and legal process) would become almost unnecessary. Until that time, openness advocates have reached consensus on the five fundamentals of effective freedom-of-information statutes:

### Framing

#### Reliability means that consequences matter

Nagel 86 Thomas Nagel 86, The View from Nowhere, HUP, 1986: 156-168. / MM BRACKETS FOR GENDERED LANGUAGE\*\*

I shall defend the unsurprising claim that sensory **pleasure is good and pain bad, no matter who** they are. The point of the exercise is to see how the pressures of objectification operate in a simple case. Physical pleasure and pain do not usually depend on activities or desires which themselves raise questions of justification and value. They are just sensory experiences in relation to which we are fairly passive, but toward which we feel involuntary desire or aversion**.** Almost **everyone takes** the **avoidance of** [their] own **pain and** the **promotion of** [their] own **pleasure as subjective reasons for action** in a fairly simpleway; they are not back up by any further reasons. On the other hand if someone pursues pain or avoids pleasure, either it as a means to some end or it is backed up by dark reasons like guilt or sexual masochism**.** What sort of general value, if any, ought to be assigned to pleasure and pain when we consider these facts from an objective standpoint? What kind of judgment can we reasonably make about 2these things when we view them in abstraction from who we are? We can begin by asking why there is no plausibility in the zero position, that pleasure and pain have no value of any kind that can be objectively recognized. That would mean that I have no reason to take aspirin for a severe headache, however I may in fact be motivated; and that looking at it from outside, you couldn't even say that someone had a reason not to put his hand on a hot stove, just because of the pain. Try looking at it from the outside and see whether you can manage to withhold that judgment. If the idea of objective practical reason makes any sense at all, so that there is some judgment to withhold, it does not seem possible. If the general arguments against the reality of objective reasonsare no good, then **it is at least possible that I have a reason**, and not just an inclination, **to refrain from putting my hand on a hot stove.** But given the possibility, it seems meaningless to deny that this is so. Oddly enough, however, we can think of a story that would go with such a denial. It might be suggested that the aversion to pain is a useful phobia—having nothing to do with the intrinsic undesirability of pain itself—which helps us avoid or escape the injuries that are signaled by pain. (The same type of purely instrumental value might be ascribed to sensory pleasure: the pleasures of food, drink, and sex might be regarded as having no value in themselves, though our natural attraction to them assists survival and reproduction.) There would then be nothing wrong with pain in itself, and someone who was never motivated deliberately to do anything just because he knew it would reduce or avoid pain would have nothing the matter with him. [They] **would have involuntary avoidance reactions**, otherwise it would be hard to say that [they] felt pain at all. **And** [they] **would be motivated to reduce pain** for other reasons—**because it was an effective way to avoid** the **danger** being signaled, or because interfered with some physical or mental activity that was important to [them]. He just wouldn't regard the pain as itself something he had any reason to avoid, even though he hated the feeling just as much as the rest of us. (And of course he wouldn't be able to justify the avoidance of pain in the way that we customarily justify avoiding what we hate without reason—that is, on the ground that even an irrational hatred makes its object very unpleasant!) There is nothing self-contradictory in this proposal, but it seems nevertheless insane. Without some positive reason to think there is nothing in itself good or bad about having an experience you intensely like or dislike, we can't seriously regard the common impression to the contrary as a collective illusion. Such things are at least good or bad for us, if anything is. What seems to be going on here is that we cannot from an objective standpoint withhold a certain kind of endorsement of the most direct and immediate subjective value judgments we make concerning the contents of our own consciousness. We regard ourselves as too close to those things to be mistaken in our immediate, nonideological evaluative impressions. **No objective view** we can attain **could possibly overrule our subjective authority** in such cases.There can be no reason to reject the appearances here.

#### Thus, the standard is maximizing wellbeing and minimizing harms

#### Prefer additionally:

#### The intrinsic value of people is best respected through util

Cummiskey 90 David, a Philosophy Professor at Bates College “Kantian Consequentialism.” Ethics, Vol. 100, No. 3. 1990. <http://www.jstor.org/stable/2381810>. / MM

We must not obscure the issue by characterizing this type of case as the sacrifice of individuals for some abstract “social entity.” It is not a question of some persons having to bear the cost for some elusive “overall social good.” Instead, the question is whether some persons must bear the inescapable cost for the sake of other persons. Robert Nozick, for example, argues that “to use a person in this way does not sufficiently respect and take account of the fact that he is a separate person, that his is the only life he has.” But why is this not equally true of all those whom we do not save through our failure to act? **By emphasizing solely the one who must bear the cost if we act, we fail to** sufficiently **respect** and take account of **the many other** separate **persons**, each with only one life, **who will bear the cost of our inaction**. In such a situation, what would a conscientious Kantian agent, an agent motivated by the unconditional value of rational beings, choose? A morally good agent recognizes that the basis of all particular duties is the principle that “rational nature exists as an end in itself”. Rational nature as such is the supreme objective end of all conduct. If one truly believes that all rational beings have an equal value, then the rational solution to such a dilemma involves maximally promoting the lives and liberties of as many rational beings as possible. In order to avoid this conclusion, the non-consequentialist Kantian needs to justify agent-centered constraints. As we saw in chapter 1, however, even most Kantian deontologists recognize that agent-centered constraints require a non- value-based rationale. But we have seen that Kant’s normative theory is based on an unconditionally valuable end. How can a concern for the value of rational beings lead to a refusal to sacrifice rational beings even when this would prevent other more extensive losses of rational beings? If the moral law is based on the value of rational beings and their ends, then what is the rationale for prohibiting a moral agent from maximally promoting these two tiers of value? If I sacrifice some for the sake of others, I do not use them arbitrarily, and I do not deny the unconditional value of rational beings. **Persons** may **have “dignity**, that is, an unconditional and incomparable worth” **that transcends any** market **value, but persons also have** a fundamental **equality that dictates that some must** sometimes **give way for the sake of others.** The concept of the end-in-itself does not support the view that we may never force another to bear some cost in order to benefit others.

#### Actor specificity

Goodin 90 Robert Goodin, Professor of Government, University of Essex, Australian National Defense University, “THE UTILITARIAN RESPONSE,” p. 141-2, 1990. / MM

My larger argument turns on the proposition that there is Something special about the situation of public officials that makes utilitarianism more probable for them than private individuals. Before proceeding with the large argument, I must therefore say what it is that makes it so special about public officials and their situations that make it both more necessary and more desirable for them to adopt a more credible form of util.itarianism. Consider, first, the argument from necessity. Public officials are obliged to make their choices under uncertainty., and uncertainty of a very special sort at that. All choices – public and private alike – are made under some degree of uncertainty, of course. But in the nature of things, private Individuals will usually have more complete information on the peculiarities of their own circumstances. and on the ramifications that alternative possible choices might have for them. Public officials, in contrast, are relatively poorly informed as to the effects that their choices will have on individuals, one by one. What they typically do know are generalities: averages and aggregates. They know what will happen most often to most people as a result of their various possible choices, but that is all. That is enough to allow public policy-makers to use the utilitarian calculus. – assuming they want to use it at all – to choose general rules or conduct.

**The role of the ballot is to vote for the debater with the best policy option to fight dominant institutions, rejection will never work, discussion about the state teach valuable real-world skills that allow us to challenge it**

Zanotti 14[Dr. Laura Zanotti, Associate Professor of PoliSci, Virginia Tech. “Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World.” Alternatives: Global, Local, Political, Vol. 38, p. 288-304. A little unclear if this is late 2013 or early 2014 – the stated “Version of Record” is Feb 20, 2014, but was originally published online on December 30th, 2013.] / MM

By questioning substantialist representations of power and subjects, inquiries on the possibilities of political agency are reframed in a way that focuses on power and subjects’ relational character and the contingent processes of their (trans)formation in the context of agonic relations. Options for resistance to governmental scripts are not limited to ‘‘rejection,’’ ‘‘revolution,’’ or ‘‘dispossession’’ to regain a pristine ‘‘freedom from all constraints’’ or an immanent ideal social order. It is found instead in multifarious and contingent struggles that are constituted within the scripts of governmental rationalities and at the same time exceed and transform them. This approach questions oversimplifications of the complexities of liberal political rationalities and of their interactions with non-liberal political players and nurtures a radical skepticism about identifying universally good or bad actors or abstract solutions to political problems. International power interacts in complex ways with diverse political spaces and within these spaces it is appropriated, hybridized, redescribed, hijacked, and tinkered with. Governmentality as a heuristic focuses on performing complex diagnostics of events. It invites historically situated explorations and careful differentiations rather than overarching demonizations of ‘‘power,’’ romanticizations of the ‘‘rebel’’ or the ‘‘the local.’’ More broadly, theoretical formulations that conceive the subject in non-substantialist terms and focus on processes of subjectification, on the ambiguity of power discourses, and on hybridization as the terrain for political transformation, open ways for reconsidering political agency beyond the dichotomy of oppression/rebellion. These alternative formulations also foster an ethics of political engagement, to be continuously taken up through plural and uncertain practices, that demand continuous attention to ‘‘what happens’’ instead of fixations on ‘‘what ought to be.’’83 Such ethics of engagement would not await the revolution to come or hope for a pristine ‘‘freedom’’ to be regained. Instead, it would constantly attempt to twist the working of power by playing with whatever cards are available and would require intense processes of reflexivity on the consequences of political choices. To conclude with a famous phrase by Michel Foucault ‘‘my point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do. So my position leads not to apathy but to hyper- and pessimistic activism.’’

#### Debates about state-based change are valuable

Williams 70 Robert F Williams [American civil rights leader and author best known for serving as president of the Monroe, North Carolina chapter of the NAACP and being a complete badass] “Interviews” The Black Scholar. Volume 01, No. 7. BLACK REVOLUTION. May 1970, pp. 2-14.

Williams: It is erroneous to think that one can isolate oneself completely from institutions of a social and political system that exercises power over the environment in which [they] he resides. Self-imposed and premature isolation, initiated by the oppressed against the organs of a tyrannical establishment, militates against revolutionary movements dedicated to radical change. It is a grave error for militant and just minded youth to reject struggle-serving opportunities to join the man's government and the services, police forces, peace corps and vital organs of the power structure. Militants should become acquainted with the methods of the oppressor. Meaningful change can be more thoroughly effectuated by militant pressure from within as well as without. We can obtain valuable know-how from the oppressor. Struggle is not all violence. Effective struggle requires tactics, plans, analysis and a highly sophisticated application of mental aptness. The forces of oppression and tyranny have perfected highly articulate systems of infiltration for undermining and frustrating the efforts of the oppressed in trying to upset the unjust status quo. To a great extent, the power structure keeps itself informed as to the revolutionary activity of freedom fighters. With the looming threat of extermination looming menacingly before black Americans, it is pressingly imperative that our people enter the vital organs of the establishment. Infiltrate the man's institutions.

#### Rejecting terminal forms of power IS NOT SUFFICIENT **-** those criticisms neglect the underlying forces that create systems of domination – the task of the revolutionary is to address particular instances to dismantle larger systems of power

Atterton 94 philosophy professor, University of California San Diego, HISTORY OF THE HUMAN SCIENCES JOURNAL, 1994, p. [http://www.acusd.edu/~atterton/Publications/foucault.htm. /](http://www.acusd.edu/~atterton/Publications/foucault.htm.%20/) MM

Foucault considers all these are possible, with appropriate reservations and qualifications: "Are there no great radical ruptures, massive binary divisions, then? Occasionally, yes. But more often one is dealing with mobile and transitory points of resistance, producing cleavages in a society... Just as a network of power relations ends by forming a dense web that passes through apparatuses and institutions, without being exactly localized in them, so too the swarms of points of resistance traverses social stratifications and individual unities. And it is doubtless the strategic codification of tthese points of resistance that makes a revolution possible, somewhat similar to the way in which the state relies on the institutional integration of power relationships."

#### **The 1AC encourages transparency and challenging the corrupt status-quo – the necessary starting point of criticism requires transcending the generic ideas that “the state is bad” or “the state is good” and instead redefining our relation towards power and finding value out of our voice**

Giroux 13 [Henry A. Giroux | Violence, USA: The Warfare State and the Brutalizing of Everyday Life Wednesday, 02 May 2012 10:03 By Henry A. Giroux, Truthout | Op-Ed.] / MM

**Even public school reform is now justified in the** dehumanizing **language of national security, which increasingly legitimates the transformation of schools into** adjuncts of **the** surveillanceand police state. '3 **The privatization and militarization of schools mutually inform each other as students are** increasingly **subjected to** disciplinary apparatuses that limit their capacity for critical thinking **while molding them** into consumers, testing them into submission, **stripping them of** any sense of social responsibility, and convincing large numbers of poor minority students that they are better off under the jurisdiction of the criminal justice system instead of being treated as valued members of the public schools. Schools are increasingly absorbing the culture of prisons and are aggressively being transformed into an extension of the criminal justice system. Many public schools are being militarized to resemble prisons instead of being safe places that would enable students to learn how to be critical and engaged citizens. Rather than being treated with dignity and respect, students are increasingly treated as if they were criminals, given that they are repeatedly "photographed, fingerprinted, scanned, x-rayed, sniffed and snooped on."" As I mentioned in chapter 2, the space of the school resembles a high-security prison with its metal detectors at the school entrances, drug-sniï¬‚ing dogs in school corri- dors, and surveillance cameras in the hallways and classrooms. Student behaviors that were once considered child play are now elevated to the status of a crime. Young people who violate dress codes, engage in food fights, hug each other, doodle, and shoot spit wads are no longer repri- manded by the classroom teacher or principal; instead their behavior is criminalized. Consequently, the police are called in to remove them is criminalized. Consequently, the police are called in to remove them from the classroom, handcuff them, and put them in the back of a police car to be carted off to a police station where they languish in a holding cell. There is a kind of doubling that takes place here between the culture of punishment, on the one hand, and the feeding of profits for the security-surveillance industries. What has emerged in the United States is a civil and political order structured around the problem of violent crime. This governing- through-crime model produces a highly authoritarian and mechanistic approach to addressing social problems that often focuses on low- income and poor minorities, promotes highly repressive policies, and places undue emphasis on personal security rather than considering the larger complex of social and structural forces that fuels violence in the first place. Far from promoting democratic values, a respect for others, and social responsibility, a governing-through-crime approach criminalizes a wide range of behaviors and in doing so often functions largely to humiliate, punish, and demonize. "lhe abuse and damage that criminalizes a wide range of behaviors and in doing so often functions largely to humiliate, punish, and demonize. The abuse and damage that is being imposed on young people as a result of the ongoing militariza- tion and criminalization of public schools defy the imagination. And ;';.':;~.n='.~m':' 74 AMERICA'S EDUCATION DEFICIT AND THE WAR ON the trivial nature of the behaviors that produce such egregious prac- tices is hard to believe. A few examples will suffice: In November 2011, a 14-year-old student in Brevard County, Florida, was suspended for hugging a female friend, an act which even the principal acknowledged as innocent. A 9-year-old in Charlotte, North Carolina, was suspended for sexual harassment after a substitute teacher overheard the child tell another student that the teacher was "cute." A 6-year-old in Georgia was arrested, handcuffed and suspended for the remainder of the school year after throwing a temper tantrum in class. A 6-year-old boy in San Francisco was accused of sexual assault following a game of tag on the playground. A 6-year-old in Indiana was arrested, handcuffed and charged with battery after kicking a school principal. Twelve- year-old Alexa Gonzalez was arrested and handcuffed for doodling on a desk. Another student was expelled for speaking on a cell phone with his mother, to whom he hadn't spoken in a month because she was in Iraq on a military deployment. Four high school students in Detroit were arrested and handcuffed for participating in a food fight and charged with a misdemeanor with the potential for a 90-day jail sentence and a $500 fine. A high school student in Indiana was expelled after sending a profanity-laced tweet through his Twitter account after school hours. The school had been con- ducting their own surveillance by tracking the tweeting habits of all students. These are not isolated incidents. In 2010, some 300,000 Texas schoolchildren received misdemeanor tickets from police officials. One 12-year-old Texas girl had the police called on her after she sprayed perfume on herself during class." **Public spaces that should promote** dialogue, thoughtfulness, and **critical exchange** are ruled by fear and become the ideological corollary of a state that aligns its priorities to war and munitions sales while declaring a state of emergency (under the aegis of a permanent war) as a major reference for shaping domestic policy. In addition, the media and **other cultural apparatuses now** produce, circulate, and **validate** forms of symbolic and real violencethat dissolve the democratic bonds of social reciprocity. **This dystopian use of violence** as enter- tainment and spectacle **is reinforced through the media's incessant appeal to the** market-driven egocentric interests of the autonomous individual, **a fear of the Other**, and a stripped-down version of security that narrowly focuses on personal safety rather than collective security nets and social welfare. One consequence is that those who are viewed as disposable and reduced to zones of abandonment are forced "to address the reality of extreme violence. in the very heart of their everyday life."'Â° Violence in everyday life is matched by a surge of violence in popular culture. Violence now runs through media and popular culture like an electric current. As the New York Times reported recently, "The top-rated show on cable TV is rife with shoot- ings, stabbings, machete attacks and more shootings. The top drama at the box office fills theaters with the noise of automatic weapons fire. The top-selling video game in the country gives players the choice to kill or merely wound their quarry.""' SK

## 1AC Lay

### Trigger Warning: One line in one of the cards references sexual assault

### Framing

#### I affirm, Resolved: In a democracy, the public’s right to know ought to be valued above the right to privacy of candidates for public office

#### I value morality because the word “ought” in the resolution implies a moral obligation

#### **Reliability is the only way to find epistemic truths, because of this, our moral calculus must be based around the consequences of our actions.**

Nagel writes Thomas Nagel 86, The View from Nowhere, HUP, 1986: 156-168. / MM BRACKETS FOR GENDERED LANGUAGE\*\*

I shall defend the unsurprising claim that sensory **pleasure is good and pain bad, no matter who** they are. The point of the exercise is to see how the pressures of objectification operate in a simple case. Physical pleasure and pain do not usually depend on activities or desires which themselves raise questions of justification and value. They are just sensory experiences in relation to which we are fairly passive, but toward which we feel involuntary desire or aversion**.** Almost **everyone takes** the **avoidance of** [their] own **pain and** the **promotion of** [their] own **pleasure as subjective reasons for action** in a fairly simpleway; they are not back up by any further reasons. On the other hand if someone pursues pain or avoids pleasure, either it as a means to some end or it is backed up by dark reasons like guilt or sexual masochism**.** What sort of general value, if any, ought to be assigned to pleasure and pain when we consider these facts from an objective standpoint? What kind of judgment can we reasonably make about 2these things when we view them in abstraction from who we are? We can begin by asking why there is no plausibility in the zero position, that pleasure and pain have no value of any kind that can be objectively recognized. That would mean that I have no reason to take aspirin for a severe headache, however I may in fact be motivated; and that looking at it from outside, you couldn't even say that someone had a reason not to put his hand on a hot stove, just because of the pain. Try looking at it from the outside and see whether you can manage to withhold that judgment. If the idea of objective practical reason makes any sense at all, so that there is some judgment to withhold, it does not seem possible. If the general arguments against the reality of objective reasonsare no good, then **it is at least possible that I have a reason**, and not just an inclination, **to refrain from putting my hand on a hot stove.** But given the possibility, it seems meaningless to deny that this is so. Oddly enough, however, we can think of a story that would go with such a denial. It might be suggested that the aversion to pain is a useful phobia—having nothing to do with the intrinsic undesirability of pain itself—which helps us avoid or escape the injuries that are signaled by pain. (The same type of purely instrumental value might be ascribed to sensory pleasure: the pleasures of food, drink, and sex might be regarded as having no value in themselves, though our natural attraction to them assists survival and reproduction.) There would then be nothing wrong with pain in itself, and someone who was never motivated deliberately to do anything just because he knew it would reduce or avoid pain would have nothing the matter with him. [They] **would have involuntary avoidance reactions**, otherwise it would be hard to say that [they] felt pain at all. **And** [they] **would be motivated to reduce pain** for other reasons—**because it was an effective way to avoid** the **danger** being signaled, or because interfered with some physical or mental activity that was important to [them]. He just wouldn't regard the pain as itself something he had any reason to avoid, even though he hated the feeling just as much as the rest of us. (And of course he wouldn't be able to justify the avoidance of pain in the way that we customarily justify avoiding what we hate without reason—that is, on the ground that even an irrational hatred makes its object very unpleasant!) There is nothing self-contradictory in this proposal, but it seems nevertheless insane. Without some positive reason to think there is nothing in itself good or bad about having an experience you intensely like or dislike, we can't seriously regard the common impression to the contrary as a collective illusion. Such things are at least good or bad for us, if anything is. What seems to be going on here is that we cannot from an objective standpoint withhold a certain kind of endorsement of the most direct and immediate subjective value judgments we make concerning the contents of our own consciousness. We regard ourselves as too close to those things to be mistaken in our immediate, nonideological evaluative impressions. **No objective view** we can attain **could possibly overrule our subjective authority** in such cases.There can be no reason to reject the appearances here.

#### Thus, the value criterion is maximizing wellbeing and minimizing harms

#### Prefer additionally:

#### The intrinsic value of people is best respected through consequentialism

Cummiskey writes David, a Philosophy Professor at Bates College “Kantian Consequentialism.” Ethics, Vol. 100, No. 3. 1990. <http://www.jstor.org/stable/2381810>. / MM

We must not obscure the issue by characterizing this type of case as the sacrifice of individuals for some abstract “social entity.” It is not a question of some persons having to bear the cost for some elusive “overall social good.” Instead, the question is whether some persons must bear the inescapable cost for the sake of other persons. Robert Nozick, for example, argues that “to use a person in this way does not sufficiently respect and take account of the fact that he is a separate person, that his is the only life he has.” But why is this not equally true of all those whom we do not save through our failure to act? **By emphasizing solely the one who must bear the cost if we act, we fail to** sufficiently **respect** and take account of **the many other** separate **persons**, each with only one life, **who will bear the cost of our inaction**. In such a situation, what would a conscientious Kantian agent, an agent motivated by the unconditional value of rational beings, choose? A morally good agent recognizes that the basis of all particular duties is the principle that “rational nature exists as an end in itself”. Rational nature as such is the supreme objective end of all conduct. If one truly believes that all rational beings have an equal value, then the rational solution to such a dilemma involves maximally promoting the lives and liberties of as many rational beings as possible. In order to avoid this conclusion, the non-consequentialist Kantian needs to justify agent-centered constraints. As we saw in chapter 1, however, even most Kantian deontologists recognize that agent-centered constraints require a non- value-based rationale. But we have seen that Kant’s normative theory is based on an unconditionally valuable end. How can a concern for the value of rational beings lead to a refusal to sacrifice rational beings even when this would prevent other more extensive losses of rational beings? If the moral law is based on the value of rational beings and their ends, then what is the rationale for prohibiting a moral agent from maximally promoting these two tiers of value? If I sacrifice some for the sake of others, I do not use them arbitrarily, and I do not deny the unconditional value of rational beings. **Persons** may **have “dignity**, that is, an unconditional and incomparable worth” **that transcends any** market **value, but persons also have** a fundamental **equality that dictates that some must** sometimes **give way for the sake of others.** The concept of the end-in-itself does not support the view that we may never force another to bear some cost in order to benefit others.

#### Governments are morally obligated to use consequential calculus

Goodin writes Robert Goodin, Professor of Government, University of Essex, Australian National Defense University, “THE UTILITARIAN RESPONSE,” p. 141-2, 1990. / MM

My larger argument turns on the proposition that there is Something special about the situation of public officials that makes utilitarianism more probable for them than private individuals. Before proceeding with the large argument, I must therefore say what it is that makes it so special about public officials and their situations that make it both more necessary and more desirable for them to adopt a more credible form of util.itarianism. Consider, first, the argument from necessity. Public officials are obliged to make their choices under uncertainty., and uncertainty of a very special sort at that. All choices – public and private alike – are made under some degree of uncertainty, of course. But in the nature of things, private Individuals will usually have more complete information on the peculiarities of their own circumstances. and on the ramifications that alternative possible choices might have for them. Public officials, in contrast, are relatively poorly informed as to the effects that their choices will have on individuals, one by one. What they typically do know are generalities: averages and aggregates. They know what will happen most often to most people as a result of their various possible choices, but that is all. That is enough to allow public policy-makers to use the utilitarian calculus. – assuming they want to use it at all – to choose general rules or conduct.

### My sole contention is that the Right to Know is key to government transparency

#### Securitization is on the rise – Trump’s expansion of the surveillance apparatus is a key example

Volz writes Dustin Volz, 1-20-2018, "Trump signs bill renewing NSA's internet surveillance program," U.S., [https://www.reuters.com/article/us-usa-trump-cyber-surveillance/trump-signs-bill-renewing-nsas-internet-surveillance-program-idUSKBN1F82MK /](https://www.reuters.com/article/us-usa-trump-cyber-surveillance/trump-signs-bill-renewing-nsas-internet-surveillance-program-idUSKBN1F82MK%20/) MM

U.S. President Donald Trump on Friday said he signed into law a bill renewing the National Security Agency’s warrantless internet surveillance program, sealing a defeat for digital privacy advocates. “Just signed 702 Bill to reauthorize foreign intelligence collection,” Trump wrote on Twitter, referring to legislation passed by the U.S. Congress that extends Section 702 of the Foreign Intelligence Surveillance Act (FISA). The law renews for six years and with minimal changes the National Security Agency (NSA) program, which gathers information from foreigners overseas but incidentally collects an unknown amount of communications belonging to Americans. The measure easily passed the U.S. House of Representatives last week despite mixed signals posted on Twitter by Trump and narrowly avoided a filibuster in the Senate earlier this week that split party lines. The measure had drawn opposition from a coalition of privacy-minded Democrats and libertarian Republicans. In his tweet on Friday, Trump attempted to clarify why he signed the bill despite repeating an unsubstantiated claim that his Democratic predecessor, Barack Obama, ordered intelligence agencies to eavesdrop on Trump’s 2016 Republican presidential campaign. “This is NOT the same FISA law that was so wrongly abused during the election,” Trump wrote. “I will always do the right thing for our country and put the safety of the American people first!” Last September, the U.S. Justice Department said in a court filing that it had no evidence to support Trump’s claim about improper surveillance during the campaign. Without Trump’s signature, Section 702 had been set to expire on Friday, though intelligence officials had said the surveillance program could continue to operate until April. Under the law, the NSA is allowed to eavesdrop on vast amounts of digital communications from foreigners living outside the United States via U.S. companies like Facebook Inc, Verizon Communications Inc and Alphabet Inc’s Google. But the program also incidentally scoops up Americans’ communications, including when they communicate with a foreign target living overseas, and can search those messages without a warrant. The White House, U.S. intelligence agencies and congressional Republican leaders have said the program is indispensable to national security, vital to protecting U.S. allies and needs little or no revision. Privacy advocates say it allows the NSA and other intelligence agencies to grab data belonging to Americans in a way that represents an affront to the U.S. Constitution.

#### That creates authoritarianism– securitizing power coupled with the absence of judicial review kills any possibility of democracy

Turley writes, 2012 (Jonathan, Shapiro professor of public interest law at George Washington University, “10 reasons the U.S. is no longer the land of the free,” <http://jonathanturley.org/2012/01/15/10-reasons-the-u-s-is-no-longer-the-land-of-the-free/>) / MM BRACKETS FOR GENDERED LANGUAGE\*\*

Below is today’s column in the Sunday Washington Post. The column addresses how the continued rollbacks on civil liberties in the United States conflicts with the view of the country as the land of the free. If we are going to adopt Chinese legal principles, we should at least have the integrity to adopt one Chinese proverb: “The beginning of wisdom is to call things by their right names.” We seem as a country to be in denial as to the implications of these laws and policies. Whether we are viewed as a free country with authoritarian inclinations or an authoritarian nation with free aspirations (or some other hybrid definition), we are clearly not what we once were. [Update: in addition to the column below, a later column in the Washington Post explores more closely the loss of free speech rights in the West]. Every year, the State Department issues reports on individual rights in other countries, monitoring the passage of restrictive laws and regulations around the world. Iran, for example, has been criticized for denying fair public trials and limiting privacy, while Russia has been taken to task for undermining due process. Other countries have been condemned for the use of secret evidence and torture. Even as we pass judgment on countries we consider unfree, Americans remain confident that any definition of a free nation must include their own — the land of free. Yet, the laws and practices of the land should shake that confidence. In the decade since Sept. 11, 2001, this country has comprehensively reduced civil liberties in the name of an expanded security state. The most recent example of this was the National Defense Authorization Act, signed Dec. 31, which allows for the indefinite detention of citizens. At what point does the reduction of individual rights in our country change how we define ourselves? While each new national security power Washington has embraced was controversial when enacted, they are often discussed in isolation. But they don’t operate in isolation. They form a mosaic of powers under which our country could be considered, at least in part, authoritarian. Americans often proclaim our nation as a symbol of freedom to the world while dismissing nations such as Cuba and China as categorically unfree. Yet, objectively, we may be only half right. Those countries do lack basic individual rights such as due process, placing them outside any reasonable definition of “free,” but the United States now has much more in common with such regimes than anyone may like to admit. These countries also have constitutions that purport to guarantee freedoms and rights. But their governments have broad discretion in denying those rights and few real avenues for challenges by citizens — precisely the problem with the new laws in this country. The list of powers acquired by the U.S. government since 9/11 puts us in rather troubling company. Assassination of U.S. citizens President Obama has claimed, as President George W. Bush did before him, the right to order the killing of any citizen considered a terrorist or an abettor of terrorism. Last year, he approved the killing of U.S. citizen Anwar al-Awlaqi and another citizen under this claimed inherent authority. Last month, administration officials affirmed that power, stating that the president can order the assassination of any citizen whom he considers allied with terrorists. (Nations such as Nigeria, Iran and Syria have been routinely criticized for extrajudicial killings of enemies of the state.) Indefinite detention Under the law signed last month, terrorism suspects are to be held by the military; the president also has the authority to indefinitely detain citizens accused of terrorism. While Sen. Carl Levin insisted the bill followed existing law “whatever the law is,” the Senate specifically rejected an amendment that would exempt citizens and the Administration has opposed efforts to challenge such authority in federal court. The Administration continues to claim the right to strip citizens of legal protections based on its sole discretion. (China recently codified a more limited detention law for its citizens, while countries such as Cambodia have been singled out by the United States for “prolonged detention.”) Arbitrary justice The president now decides whether a person will receive a trial in the federal courts or in a military tribunal, a system that has been ridiculed around the world for lacking basic due process protections. Bush claimed this authority in 2001, and Obama has continued the practice. (Egypt and China have been denounced for maintaining separate military justice systems for selected defendants, including civilians.) Warrantless searches the president may now order warrantless surveillance**,** including a new capability to force companies and organizations to turn over information on citizens’ finances, communications and associations. Bush acquired this sweeping power under the Patriot Act in 2001, and in 2011, Obama extended the power, including searches of everything from business documents to library records. The government can use “national security letters” to demand, without probable cause, that organizations turn over information on citizens — and order them not to reveal the disclosure to the affected party. (Saudi Arabia and Pakistan operate under laws that allow the government to engage in widespread discretionary surveillance.) Secret evidence The government now routinely uses secret evidence to detain individuals and employs secret evidence in federal and military courts. It also forces the dismissal of cases against the United States by simply filing declarations that the cases would make the government reveal classified information that would harm national security — a claim made in a variety of privacy lawsuits and largely accepted by federal judges without question. Even legal opinions, cited as the basis for the government’s actions under the Bush and Obama administrations, have been classified. This allows the government to claim secret legal arguments to support secret proceedings using secret evidence. In addition, some cases never make it to court at all. The federal courts routinely deny constitutional challenges to policies and programs under a narrow definition of standing to bring a case. War crimes The world clamored for prosecutions of those responsible for waterboarding terrorism suspects during the Bush administration, but the Obama administration said in 2009 that it would not allow CIA employees to be investigated or prosecuted for such actions. This gutted not just treaty obligations but the Nuremberg principles of international law. When courts in countries such as Spain moved to investigate Bush officials for war crimes, the Obama administration reportedly urged foreign officials not to allow such cases to proceed, despite the fact that the United States has long claimed the same authority with regard to alleged war criminals in other countries. (Various nations have resisted investigations of officials accused of war crimes and torture. Some, such as Serbia and Chile, eventually relented to comply with international law; countries that have denied independent investigations include Iran, Syria and China.) Secret court The government has increased its use of the secret Foreign Intelligence Surveillance Court, which has expanded its secret warrants to include individuals deemed to be aiding or abetting hostile foreign governments or organizations. In 2011, Obama renewed these powers, including allowing secret searches of individuals who are not part of an identifiable terrorist group. The administration has asserted the right to ignore congressional limits on such surveillance. (Pakistan places national security surveillance under the unchecked powers of the military or intelligence services.) Immunity from judicial review Like the Bush administration, the Obama administration has successfully pushed for immunity for companies that assist in warrantless surveillance of citizens, blocking the ability of citizens to challenge the violation of privacy. (Similarly, China has maintained sweeping immunity claims both inside and outside the country and routinely blocks lawsuits against private companies.) Continual monitoring of citizens The Obama administration has successfully defended its claim that it can use GPS devices to monitor every move of targeted citizens without securing any court order or review. It is not defending the power before the Supreme Court — a power described by Justice Anthony Kennedy as “Orwellian.” (Saudi Arabia has installed massive public surveillance systems, while Cuba is notorious for active monitoring of selected citizens.) Extraordinary renditions The government now has the ability to transfer both citizens and noncitizens to another country under a system known as extraordinary rendition, which has been denounced as using other countries, such as Syria, Saudi Arabia, Egypt and Pakistan, to torture suspects. The Obama administration says it is not continuing the abuses of this practice under Bush, but it insists on the unfettered right to order such transfers — including the possible transfer of U.S. citizens. These new laws have come with an infusion of money into an expanded security system on the state and federal levels, including more public surveillance cameras, tens of thousands of security personnel and a massive expansion of a terrorist-chasing bureaucracy. Some politicians shrug and say these increased powers are merely a response to the times we live in. Thus, Sen. Lindsey Graham (R-S.C.) could declare in an interview last spring without objection that “free speech is a great idea, but we’re in a war.” Of course, terrorism will never “surrender” and end this particular “war.” Other politicians rationalize that, while such powers may exist, it really comes down to how they are used. This is a common response by liberals who cannot bring themselves to denounce Obama as they did Bush. Sen. Carl Levin (D-Mich.), for instance, has insisted that Congress is not making any decision on indefinite detention: “That is a decision which we leave where it belongs — in the executive branch.” And in a signing statement with the defense authorization bill, Obama said he does not intend to use the latest power to indefinitely imprison citizens. Yet, he still accepted the power as a sort of regretful autocrat. An authoritarian nation is defined not just by the use of authoritarian powers, but by the ability to use them**.** If a president can take away your freedom or your life on [their] own authority**,** all rights become little more than a discretionary grant subject to executive will. The framers lived under autocratic rule and understood this danger better than we do. James Madison famously warned that we needed a system that did not depend on the good intentions or motivations of our rulers: “If men were angels, no government would be necessary.” Benjamin Franklin was more direct. In 1787, a Mrs. Powel confronted Franklin after the signing of the Constitution and asked, “Well, Doctor, what have we got — a republic or a monarchy?” His response was a bit chilling: “A republic, Madam, if you can keep it.” Since 9/11, we have created the very government the framers feared**:** a government with sweeping and largely unchecked powers resting on the hope that they will be used wisely.

#### There are two impact scenarios:

#### First is abuse of power – authoritarianism sequences every impact and leads to constant suffering and bare life conditions

Caplan writes Department of Economics and Center for Study of Public Choice [Bryan Caplan at George Mason University, “The Totalitarian Threat,” January 06] / MM

It is obviously harder to refine my numbers than it is to refine estimates of the probability of an extinction-level asteroid impact. The regularities of social science are neither as exact nor as enduring as the regularities of physical science. But this is a poor argument for taking social disasters like totalitarianism less seriously than physical disasters like asteroids. We compare accurately-measured to inaccurately-measured things all the time. Which is worse for a scientist to lose: 1 point of IQ, or his "creative spark"? Even though IQ is measured with high accuracy, and creativity is not, loss of creativity is probably more important. Finally, it is tempting to minimize the harm of a social disaster like authoritarianism, because it would probably not lead to human extinction. Even in Cambodia, the totalitarian regime with the highest death rate per-capita, 75% of the population remained alive after three years of rule by the Khmer Rouge. (Margolin 1999b) But perhaps an eternity of totalitarianism would be worse than extinction. It is hard to read Orwell and not to wonder: Do you begin to see, then, what kind of world we are creating? It is the exact opposite of the stupid hedonistic Utopias that the old reformers imagined. A world of fear and treachery and torment, a world of trampling and being trampled upon, a world which will grow not less but more merciless as it refines itself. Progress in our world will be progress towards more pain. The old civilizations claimed that they were founded on love or justice. Ours is founded upon hatred. In our world there will be no emotions except fear, rage, triumph and self-abasement. Everything else we shall destroy – everything... There will be no loyalty, except loyalty towards the Party. There will be no love, except the love of Big Brother. There will be no laughter, except for the laugh of triumph over a defeated enemy. There will be no art, no literature, no science. When we are omnipotent we shall have no more need of science. There will be no distinction between beauty and ugliness. There will be no curiosity, no enjoyment of the process of life. All competing pleasures will be destroyed. (1983: 220)

#### The second impact is modeling – democracy is low now – recovery is essential to ensure checks

Muggah writes Robert Muggah, 1-12-2018, "The global liberal democratic order might be down, but it's not out," World Economic Forum, [https://www.weforum.org/agenda/2018/01/the-global-liberal-democratic-order-might-be-down-but-its-not-out /](https://www.weforum.org/agenda/2018/01/the-global-liberal-democratic-order-might-be-down-but-its-not-out%20/) MM

For the first time in over half a century liberal democracy is in retreat. The democratic waves that ebbed and flowed between the 19th and 20th centuries appear to be receding once more. The signs of pushback against liberal values and democratic institutions are not just visible in parts of Africa, Asia and Latin America, but also in the strongholds of Western Europe and North America. After triumphantly declaring the "end of history" in 1989, scholars like Francis Fukuyama now fear that the world is moving from a "democratic recession" toward a "democratic depression." With illiberalism on the rise, there are fears that this could be the year the global liberal order dies. The order consists of a dense network of international agreements, trade arrangements and military alliances. Drawing on enlightenment era values of liberty and reason, it was constructed by U.S. President Roosevelt and the Western allies in 1945. Its express purpose was to prevent the recurrence of war and the economic nationalism that inspired conflict to begin with. While the order has come under criticism in the past, it has never experienced anything quite like the assault of the present. At the centre of the global liberal order are a clutch of organizations designed to defend democratic governance, open economies and common security. Among them are the United Nations, the International Monetary Fund and the World Bank (all founded in 1945), the General Agreement on Tariffs and Trade that later became the World Trade Organization (in 1995), the North Atlantic Treaty Organization (in 1949) and others. Taken together, their express goal is to generate positive sum, or win-win, solutions. While critics routinely grumbled about their legitimacy, effectiveness and overstretch, on balance, they have helped preserve stability, extend democracy and expand economic opportunity. While the global liberal democratic order is most certainly down, it is far from out. According to the Polity Project which tracks trends in autocracy and democracy, democratic governance is still spreading. In 1989, at the time of Mr. Fukuyama's pronouncement, there were 52 democracies. By 2009, at the start of the Obama administration, the number had risen to 87. Today there are at least 103, accounting for over 60 per cent of the world's population. Even China and Russia are less repressive to their own populations than in the past. It is true that some democracies in parts of Western and Eastern Europe have experienced set-backs and a spike in reactionary nationalism, but these are nevertheless remarkable achievements. So what explains the fears of a democratic deficit and the decline of the global liberal order? According to columnist Edward Luce, a big part of the story has to do with the spectacular rise of China. The country's economic growth is nothing short of breathtaking: Its GDP grew from $950-billion (U.S.) in 2000 to $22-trillion in 2016. What's more, China benefited from three geopolitical windfalls over this period – the Iraq War in 2003, the 2008 global financial meltdown and the 2016 election of Donald Trump. Each of these developments bolstered the appeal of China's alternative, and authoritarian, pathway to development, emboldening autocrats who may have previously been swayed by the political and economic dividends of liberalism.

#### Bad practices get modeled globally – the US proves

Gates writes Kelly Gates is an Associate Professor in the Department of Communication and the Science Studies Program at University of California, San Diego. Gates specializes in the study of surveillance, digital media, and visual culture, from an analytical perspective that bridges science and technology studies and cultural and media studies. (“d. The globalization of homeland security,” *Routledge Handbook of Surveillance Studies*, Google Books, 2012) / MM

How have the priorities of "homeland security" in the post—9/11 era been mobilized to bolster an expanding global industry, and what are the consequences of this industry expansion on surveillance practices transnationally? It is the aim of this chapter to consider the globalization of homeland security. It examines the extent to which the US model of homeland security has been exported to other countries, and what the results have been for the spread of new surveillance practices across national borders. “Homeland security" is typically understood as a policy program instituted in the United States as a response to the 9/11 terrorist attacks. I argue that it is more adequately understood as a broader governmental rationality that reconﬁgures the US Cold War “national security" regime in ways more amenable to the post-Cold War context, and to the priorities of an emerging global security industry. In order to be promoted as a form of national identity, the US model of “homeland security" has been and must continue to be defined as uniquely "American." However, it is also being globalized in particular ways in order to serve as a powerful political and economic strategy in the "war on terror" (see also Hayes, this volume). One focus of this strategy has been the USA-led effort to create a global surveillance apparatus, a dis- persed system of monitoring and identiﬁcation that aims to enact a USA-centric politics of inclusion and exclusion on a global scale. Not only the USA, but much of the world, is engaged in what Giorgio Agamben (2005) has called a permanent “state of exception." Here constitutional laws and human rights are suspended indeﬁnitely, and individuals are continuously called upon to demonstrate their legitimate identity and right to exist. As the USA and its allies carry out the seemingly endless "war on terror," a heavily ﬁnanced “security-industrial complex" has taken shape. Along with it has come a seemingly endless and increasingly integrated stream of new surveillance systems and practices.

Good modeling of democracy prevents human rights abuses and massive impacts

Kasparov writes Garry Kasparov, Testimony to Congress, 2/16/2017 Chairman of the Human Rights Foundationand author of Winter Is Coming: Why Vladimir Putin and the Enemies of the Free World Must Be Stopped [“Democracy and Human Rights: The Case for U.S. Leadership” https://www.foreign.senate.gov/imo/media/doc/021617\_Kasparov\_%20Testimony.pdf / MM

As one of the countless millions of people who were freed or protected from totalitarianism by the United States of America, it is easy for me to talk about the past. To talk about the belief of the American people and their leaders that this country was exceptional and had special responsibilities to match its tremendous power. That a nation founded on freedom was bound to defend freedom everywhere. I could talk about the bipartisan legacy of this most American principle, from the Founding Fathers, to Democrats like Harry Truman, to Republicans like Ronald Reagan. I could talk about how the American people used to care deeply about human rights and dissidents in far-off places, and how this is what made America a beacon of hope, a shining city on a hill. America led by example and set a high standard, a standard that exposed the hypocrisy and cruelty of dictatorships around the world. But there is no time for nostalgia. Since the fall of the Berlin Wall, the collapse of the Soviet Union, and the end of the Cold War, Americans, and America, have retreated from those principles, and the world has become much worse off as a result. American skepticism about America’s role in the world deepened in the long, painful wars in Afghanistan and Iraq, and their aftermaths. Instead of applying the lessons learned about how to do better, lessons about faulty intelligence and working with native populations, the main outcome was to stop trying. This result has been a tragedy for the billions of people still living under authoritarian regimes around the world, and it is based on faulty analysis. You can never guarantee a positive outcome— not in chess, not in war, and certainly not in politics. The best you can do is to do what you know is right and to try your best. I speak from experience when I say that the citizens of unfree states do not expect guarantees. They want a reason to hope and a fighting chance. People living under dictatorships want the opportunity for freedom, the opportunity to live in peace and to follow their dreams. From the Iraq War to the Arab Spring to the current battles for liberty from Venezuela to Eastern Ukraine, people are fighting for that opportunity, giving up their lives for freedom. The United States must not abandon them. The United States and the rest of the free world has an unprecedented advantage in economic and military strength today. What is lacking is the will. The will to make the case to the American people, the will to take risks and invest in the long-term security of the country, and the world. This will require investments in aid, in education, in security that allow countries to attain the stability their people so badly need. Such investment is far more moral and far cheaper than the cycle of terror, war, refugees, and military intervention that results when America leaves a vacuum of power. The best way to help refugees is to prevent them from becoming refugees in the first place. The Soviet Union was an existential threat, and this focused the attention of the world, and the American people. There existential threat today is not found on a map, but it is very real. The forces of the past **are making** steady **progress against the** modern **world order**. **Terrorist movements** in the Middle East, **extremist parties** across Europe, a paranoid tyrant in **North Korea** threatening nuclear blackmail, and, at the center of the web, an aggressive KGB dictator in **Russia**. They all want to turn the world back to a dark past because **their survival is threatened by** the values of **the free world,** epitomized by the United States. And **they are thriving as the U.S.** has **retreated**. The global freedom index has declined for ten consecutive years. No one like to talk about the United States as a global policeman, but this is what happens when there is no cop on the beat. American leadership begins at home, right here. **America cannot lead** the world on democracy and human rights **if there is no unity** on the meaning and importance of these things. Leadership is required to make that case clearly and powerfully. Right now, Americans are engaged in politics at a level not seen in decades. It is an opportunity for them to rediscover that making America great begins with believing America can be great. The Cold War was won on American values that were shared by both parties and nearly every American. Institutions that were created by a Democrat, Truman, were triumphant forty years later thanks to the courage of a Republican, Reagan. This bipartisan consistency created the decades of **strategic stability** **that is the great strength of democracies. Strong institutions** that outlast politicians **allow** for long-range **planning**. In contrast, **dictators** can operate only tactically, not strategically, because they are not constrained by the balance of powersbut **cannot** afford to **think beyond** their own **survival**. This is why a dictator like Putin has an advantage in chaos, the ability to move quickly. This can only be met by strategy, by long-term goals that are based on shared values, not on polls and cable news. The fear of making things worse has paralyzed the United States from trying to make things better. There will always be setbacks, but the United States cannot quit. The spread of **democracy is the only proven remedy for** nearly **every crisis** that plagues the world **today. War, famine, poverty, terrorism**–all are generated and exacerbated by authoritarian regimes. A policy of America First inevitably puts American security last. American leadership is required because there is no one else, and because it is good for America. There is no weapon or wall that is more powerful for security than America being envied, imitated, and admired around the world. Admired not for being perfect, but for having the exceptional courage to always try to be better. Thank you

#### Exposing public officials is uniquely key for educated voter decisions and political change to reform democracies.

Kang writes Michael Kang Professor of Law at Emory University School of Law. Minneesota Law Review Copyright © 2013 by Michael Kang Campaign Disclosure in Direct Democracy

The irony is that **campaign disclosure in direct democracy is more valuable to voter competence** than in candidate elections for the same reason that the perceived risk of harassment, and therefore **the** vulnerability **to constitutional challenge, is more salient**. Indeed, the same defining characteristic of direct democracy makes the perceived risk of harassment greater for ballot measures but also explains why voters need campaign disclosure in direct democracy far more so than in candidate elections. This defining characteristic, of course, is the absence of intermediation in direct democracy by candidates and parties. The Progressive Era insight of direct democracy was to mitigate the agency costs of representative democracy by bypassing elected representatives altogether for a determined set of policy questions. Direct **democracy puts decision-making on a discrete policy question directly into the hands of the electorate, without the representative filter of elected officials**. As a result, the usual concerns about quid pro quo corruption associated with campaign finance are inapplicable in direct democracy.60 For this reason, the principal government interest in regulating campaign finance—the prevention of quid pro quo corruption and the appearance thereof—does not apply in direct democracy as a matter of law. The Court explained that “[t]he risk of corruption perceived in cases involving candidate elections . . . simply is not present in a popular vote on a public issue.” There is quite literally no candidate to corrupt in the usual sense of quid pro quo exchange. At least **on a given policy question, the representative process is bypassed, and** the public decides for itself. 61 Given that most campaign finance regulation is based on the government interest in prevention of corruption,62 the grounds for campaign finance regulation in direct democracy is far more limited than in candidate elections. For instance, the Court has held that limits on contributions to support campaigning on ballot measures are unconstitutional, even though limits on contributions to candidates are almost always upheld.63 Similarly, based on the narrower ground for regulation of direct democracy, the Court long ago struck down prohibitions on corporate electioneering on ballot measures,64 while upholding analogous prohibitions on corporate electioneering in candidate elections until only recently. Campaign finance disclosure in direct democracy, however, has always enjoyed strong constitutional support from courts under a separate government interest in voter competence. As described earlier, the Court continues to recognize a government interest in informing voters that undergirds the constitutionality of compelled campaign finance disclosure.66 Just as in candidate elections, the Court has found in direct democracy too that “**identification of the source of advertising may be required as a means of disclosure, so that the people will be able** to evaluate th**e arguments to which they are being subjected**.”67 This interest in voter information supports campaign finance **disclosure in candidate elections, work**ing **in connection with the government interest in** preventing corruption applicable there. But in direct democracy where the anticorruption interest does not apply, the Court has nonetheless upheld campaign finance disclosure requirements for ballot measure campaigning based solely on the interest of voter competence. 68 This interest in voter competence is particularly salient in direct democracy, much more so than in candidate elections. In the absence of candidates and parties to simplify and bundle issues for voters, voters need to know more to vote competently about a ballot measure than they do when they vote on candidates.69 63. See Citizens Against Rent Control/Coal. for Fair Hous. v. City of Berkeley, 454 U.S. 290, 296 (1981). Candidates and parties work hard to build a brand reputation that simplifies politics for voters and gives voters the ability to vote confidently for their interests without knowing many specifics about politics and public policy.70 Although voters are famously ignorant about basic information in politics, **voters nonetheless learn much of what they need to know to** navigate **their vote choices over candidates** and parties by referring to simple heuristics that boil down a lot of information into crude but useful voting cues.71 Those cues are crucial for voting in candidate election but largely absent in direct democracy.72

#### The right to know sets a democratic norm that gets modeled globally – empirics prove

Blanton writes. Thomas Blanton, [Thomas Blanton is director of the National Security Archive at George Washington University]. 11-11-2009,” The World’s Right to Know,” Foreign Policy, h ps://foreignpolicy.com/2009/11/11/the-worlds-right-to-know. / MM

Today, as a consequence of globalization, the very concept of freedom of information is expanding from the purely moral stance of an indictment of secrecy to include a more value-neutral meaning — as another form of market regulation, of more efficient administration of government, and as a contributor to economic growth and the development of information industries. Hungary’s adoption of a freedom-of-information statute, for example, signaled a rejection of its communist past. But perhaps even more important, the law combined new access rights to government records with strong data protection provisions for business, in an attempt to attract German corporate investment by conforming to European — and particularly German — standards that guard trade secrets and personal information. Financial transparency measures do not necessarily help the cause of political reform, but agile advocates have harnessed the language of transparency to push for political liberalization at the local level. In fact, legal reformers in China, as well as the Communist Party’s anticorruption activists, are using this argument to help open the decision-making process in local and provincial governments. Their argument, which acquires greater weight as China enters the World Trade Organization (WTO), is that regulating governments and corporations (especially global ones) may be done more efficiently by promoting full disclosure of their activities, rather than by relying on multiple bureaucracies in multiple countries that provide multiple opportunities for corruption. Such efforts to promote local transparency are more likely to succeed than would any attempt to implement a national freedom-of-information statute — especially one that would apply to law enforcement or national security or Communist Party deliberations. Membership in a supranational organization, such as the WTO, does not always encourage transparency— as when NATO refuses to release files without a consensus among all NATO members or requires Poland to adopt a new law on state secrets. But more often than not, supranational organizations create a demand for greater access to information, both be- tween and within countries. These global or regional governance institutions set up multiple information flows among national governments, multinational organizations, the media, and private citizens’ groups, who use each party’s information to leverage the others, often with significant domestic impact. For example, the Slovakian press reported EU criticism of misleading economic statistics under the government of former Prime Minister Vladimir Meciar. This negative publicity led to the revamping of the state statistical office and contributed to both Meciar’s political decline and Slovakia’s formal adoption of a freedom-of-information law. THE ABCs OF OPENNESS Making good use of both moral and efficiency claims, the international freedom-of-information movement stands on the verge of changing the definition of democratic governance. The movement is creating a new norm, a new expectation, and a new threshold requirement for any government to be considered a democracy. Yet at the same time, the disclosure movement does not even know it is a movement; its members are constantly reinventing the wheel and searching for relevant models. Moreover, entrenched state interests continue to launch vigorous counterattacks in the United States and abroad, citing national security and the need for privacy in the deliberative process as counter-weights to freedom-of-information arguments. The ideal openness regime would have governments publishing so much that the formal request for specific information (and the resulting administrative and legal process) would become almost unnecessary. Until that time, openness advocates have reached consensus on the five fundamentals of effective freedom-of-information statutes:

#### Transparency is uniquely key – it helps citizens find the truth and sparks activism

Neuman writes Laura Neuman. “Access To Information- A Key To Democracy.” The Carter Center. November 2002. Web. October 10, 2018. <https://www.cartercenter.org/documents/1272.pdf>. / MM

Knowledge is power, and transparency is the remedy to the darkness under which corruption and abuse thrives. Democracy depends on a knowledgeable citizenry whose access to a broad range of information enables them to participate fully in public life, help determine priorities for public spending, receive equal access to justice, and hold their public officials accountable. When the government and quasi-governmental agencies perform under a veil of secrecy, people are denied the right to know about public affairs, and the press is only able to speculate and subsist on rumors. Poor public access to information feeds corruption. Secrecy allows back- room deals to determine public spending in the interests of the few rather than the many. Lack of information impedes citizens’ ability to assess the decisions of their leaders, and even to make informed choices about the individuals they elect to serve as their representatives. Although perhaps most often considered in the fight against corruption, access to information is equally critical for citizens’ capacity to exercise their rights and to uphold the responsibilities and accountability of their leaders. Access to information laws allow individuals and groups to understand the policies with which the government makes determinations relating to health, education, housing and infrastructure projects and the factual basis for such decisions. Armed with such knowledge, citizens around the world are effectuating change that allows them to improve their living standards and better their lives.

#### The right to know does not require ALL conditions to be disclosed- candidates can still maintain some privacy – you should not view the aff as “we always disclose all information”, but instead materially and respective to the candidate

Streiffer writes, Robert. “Medical Privacy And The Public’s Right To Vote: What Presidential Candidates Should Disclose.” Journal of Medicine and Philosophy. September 23, 2006. Web. October 10, 2018. <https://doi.org/10.1080/03605310600860825 >. / MM BRACKETS FOR CONTROVERSIAL LANGAUGE\*\*

First, by limiting disclosure to information relevant only to the core functions of office, our view does not require candidates to disclose information that is irrelevant or only controversially relevant to their ability to perform as president. Thus, while our view would have required disclosure that his cancer had relapsed, it would not require Mary Smith to disclose information about [sexual assault]. Thus, while requiring disclo- sure of potentially damaging but uncontroversially relevant information, our view avoids requiring disclosure of potentially damaging but at best contro- versially relevant information. Second, by limiting disclosure to information about conditions that are likely to have serious effects, our view does not require disclosure of all medical conditions that might have some bearing, no matter how small, on the candidate’s ability to perform the core functions of the office. Just as a patient’s right to informed consent does not require the doctor to disclose absolutely every risk and benefit of a treatment, no matter how minor or remote, the fact that a candidate has sensitive skin or minor asthma could conceivably affect his ability to fulfill the functions of office, but would not need to be disclosed under the standard we pro- pose. This ensures that information about important risks and benefits is not lost amid a sea of mostly useless information, and it provides a procedural safeguard against a slippery slope towards disclosing inappropriate medical information. In addition to the advantages already mentioned, limiting disclosure in both of these ways protects candidates’ important privacy interests and protects the political process against those who might hijack political deliberation with specious arguments about relatively trivial medical mat- ters. And, as we will discuss in more detail in Section IV, it does so while giving due weight to the rights and interests of voters, unlike a view that permits complete confidentiality.8

#### **Allowing the government to surveil discussions shuts down conversations about every day violence – you as a judge should endorse effective discussions about the state that encourage students to challenge it**

Giroux writes [Henry A. Giroux | Violence, USA: The Warfare State and the Brutalizing of Everyday Life Wednesday, 02 May 2012 10:03 By Henry A. Giroux, Truthout | Op-Ed.] / MM

**Even public-school reform is now justified in the** dehumanizing **language of national security, which increasingly legitimates the transformation of schools into** adjuncts of **the** surveillanceand police state. '3 **The privatization and militarization of schools mutually inform each other as students are** increasingly **subjected to** disciplinary apparatuses that limit their capacity for critical thinking **while molding them** into consumers, testing them into submission, **stripping them of** any sense of social responsibility, and convincing large numbers of poor minority students that they are better off under the jurisdiction of the criminal justice system instead of being treated as valued members of the public schools. Schools are increasingly absorbing the culture of prisons and are aggressively being transformed into an extension of the criminal justice system. Many public schools are being militarized to resemble prisons instead of being safe places that would enable students to learn how to be critical and engaged citizens. Rather than being treated with dignity and respect, students are increasingly treated as if they were criminals, given that they are repeatedly "photographed, fingerprinted, scanned, x-rayed, sniffed and snooped on."" As I mentioned in chapter 2, the space of the school resembles a high-security prison with its metal detectors at the school entrances, drug-sniï¬‚ing dogs in school corri- dors, and surveillance cameras in the hallways and classrooms. Student behaviors that were once considered child play are now elevated to the status of a crime. Young people who violate dress codes, engage in food fights, hug each other, doodle, and shoot spit wads are no longer repri- manded by the classroom teacher or principal; instead their behavior is criminalized. Consequently, the police are called in to remove them is criminalized. Consequently, the police are called in to remove them from the classroom, handcuff them, and put them in the back of a police car to be carted off to a police station where they languish in a holding cell. There is a kind of doubling that takes place here between the culture of punishment, on the one hand, and the feeding of profits for the security-surveillance industries. What has emerged in the United States is a civil and political order structured around the problem of violent crime. This governing- through-crime model produces a highly authoritarian and mechanistic approach to addressing social problems that often focuses on low- income and poor minorities, promotes highly repressive policies, and places undue emphasis on personal security rather than considering the larger complex of social and structural forces that fuels violence in the first place. Far from promoting democratic values, a respect for others, and social responsibility, a governing-through-crime approach criminalizes a wide range of behaviors and in doing so often functions largely to humiliate, punish, and demonize. "lhe abuse and damage that criminalizes a wide range of behaviors and in doing so often functions largely to humiliate, punish, and demonize. The abuse and damage that is being imposed on young people as a result of the ongoing militariza- tion and criminalization of public schools defy the imagination. And ;';.':;~.n='.~m':' 74 AMERICA'S EDUCATION DEFICIT AND THE WAR ON the trivial nature of the behaviors that produce such egregious prac- tices is hard to believe. A few examples will suffice: In November 2011, a 14-year-old student in Brevard County, Florida, was suspended for hugging a female friend, an act which even the principal acknowledged as innocent. A 9-year-old in Charlotte, North Carolina, was suspended for sexual harassment after a substitute teacher overheard the child tell another student that the teacher was "cute." A 6-year-old in Georgia was arrested, handcuffed and suspended for the remainder of the school year after throwing a temper tantrum in class. A 6-year-old boy in San Francisco was accused of sexual assault following a game of tag on the playground. A 6-year-old in Indiana was arrested, handcuffed and charged with battery after kicking a school principal. Twelve- year-old Alexa Gonzalez was arrested and handcuffed for doodling on a desk. Another student was expelled for speaking on a cell phone with his mother, to whom he hadn't spoken in a month because she was in Iraq on a military deployment. Four high school students in Detroit were arrested and handcuffed for participating in a food fight and charged with a misdemeanor with the potential for a 90-day jail sentence and a $500 fine. A high school student in Indiana was expelled after sending a profanity-laced tweet through his Twitter account after school hours. The school had been con- ducting their own surveillance by tracking the tweeting habits of all students. These are not isolated incidents. In 2010, some 300,000 Texas schoolchildren received misdemeanor tickets from police officials. One 12-year-old Texas girl had the police called on her after she sprayed perfume on herself during class." **Public spaces that should promote** dialogue, thoughtfulness, and **critical exchange** are ruled by fear and become the ideological corollary of a state that aligns its priorities to war and munitions sales while declaring a state of emergency (under the aegis of a permanent war) as a major reference for shaping domestic policy. In addition, the media and **other cultural apparatuses now** produce, circulate, and **validate** forms of symbolic and real violencethat dissolve the democratic bonds of social reciprocity. **This dystopian use of violence** as enter- tainment and spectacle **is reinforced through the media's incessant appeal to the** market-driven egocentric interests of the autonomous individual, **a fear of the Other**, and a stripped-down version of security that narrowly focuses on personal safety rather than collective security nets and social welfare. One consequence is that those who are viewed as disposable and reduced to zones of abandonment are forced "to address the reality of extreme violence. in the very heart of their everyday life."'Â° Violence in everyday life is matched by a surge of violence in popular culture. Violence now runs through media and popular culture like an electric current. As the New York Times reported recently, "The top-rated show on cable TV is rife with shoot- ings, stabbings, machete attacks and more shootings. The top drama at the box office fills theaters with the noise of automatic weapons fire. The top-selling video game in the country gives players the choice to kill or merely wound their quarry.""' SK

## Add On’s

### Demo Promo

#### Strong democracy maintains global peace – the best research proves

**Cortright 13**, David Cortright is the director of Policy Studies at the Kroc Institute for Peace Studies at the University of Notre Dame, Chair of the Board of Directors of the Fourth Freedom Forum, and author of 17 books, Kristen Wall is a Researcher and Analyst at the Kroc Institute, Conor Seyle is Associate Director of One Earth Future, Governance, Democracy, and Peace How State Capacity and Regime Type Influence the Prospects of War and Peace, [https://oefresearch.org/sites/default/files/documents/publications/Cortright-Seyle-Wall-Paper.pdf / MM /](https://oefresearch.org/sites/default/files/documents/publications/Cortright-Seyle-Wall-Paper.pdf%20/%20MM%20/) Meta level analysis of over 100 other studies

Drawing from the empirical literature, this paper identifies two underlying pathways through which state governance systems help to build peace. These are: State capacity. If states lack the ability to execute their policy goals or to maintain security and public order in the face of potentially violent groups, armed conflict is more likely. State capacity refers to two significant aspects: security capacity and social capacity. Security capacity includes the ability to control territory and resist armed incursion from other states and nonstate actors. Social capacity includes the ability to provide social services and public goods. Institutional quality. Research suggests that not all governance systems are equally effective or capable of supporting peace**. Governance systems are** seen as more credible and legitimate, and are **better at** supporting peace, **when** they are **characterized by inclusiveness, representativeness, transparency, and accountability**. In particular, systems allowing citizens to voice concerns, participate politically, and hold elected leaders accountable are more stable and better able to avoid armed conflict. **Both dimensions**—state capacity and quality—**are** crucial tothe prevention of armed conflict and are the focus of part one of this paper. Part two of the paper focuses on **democracy as the most common way of structuring state government to allow for inclusive systems while maintaining state capacity. The** two **parts summarize** important research findings **on** the **features of governance that are most** strongly associated **with prospects for peace. Our analysis, based on** an extensive review of empirical literature**, seeks to identify** the **specific dimensions of governance** that are **most strongly associated with peace. We show evidence of** a direct link between peace and a state’s capacity to both exert control **over its territory and provide a full range of social services through effective governance institutions**. We apply a governance framework to examine three major factors associated with the outbreak of war—border disputes, ethnic conflict, and dependence on commodity exports—and emphasize the importance of inclusive and representative governance structures for the prevention of armed conflict.

#### Transition wars wrong

Lynn-Jones 92 Sean M. Lynn-Jones, “Why the United States Could Spread Democracy,” International Security Program, Belfer Center for Science and International Affairs, JFK School of Government, Harvard University, March 1998, [www.ciaonet.org/wps/lys02/#note26](http://www.ciaonet.org/wps/lys02/#note26)

Mansfield and Snyder have advanced an important new argument, but even if partially true, it does not refute the case for spreading democracy internationally. Taken to extremes, the Mansfield/Snyder argument would amount to a case for opposing all political change on the grounds that it might cause instability. Promoting democracy makes more sense than this course, because the risks of democratization are not so high and uncontrollable that we should give up on attempts to spread democracy. First, there are reasons to doubt the strength of the relationship between democratization and war. Other quantitative studies challenge the statistical significance of Mansfield and Snyder's results, suggest that there is an even stronger connection between movements toward autocracy and the onset of war, find that it is actually unstable transitions and reversals of democratization that increase the probability of war, and argue that democratization diminishes the likelihood of militarized international disputes. 115 In particular, autocracies are likely to exploit nationalism and manipulate public opinion to launch diversionary wars—the same causal mechanisms that Mansfield and Snyder claim are at work in democratizing states. Mansfield and Snyder themselves point out that "reversals of democratization are nearly as risky as democratization itself," thereby bolstering the case for assisting the consolidation of new democracies. 116 In addition, very few of the most recent additions to the ranks of democracies have engaged in wars. In Central and Eastern Europe, for example, Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia have avoided major internal and external conflicts. Of these countries, only Slovenia was involved in brief series of military skirmishes with Serbia. 117 Russia has been involved in a number of small wars on or near its borders, but so far it has undergone a dramatic transition toward democracy without becoming very warlike. 118 There is little evidence of international war in Latin America, which also has witnessed a large-scale transition to democracy in recent years. Countries such as Mongolia and South Africa appear to have made the transition to democracy without going to war. The new democracies plagued by the most violence, including some former Soviet republics and the republics of the former Yugoslavia, are those that are the least democratic and may not qualify as democracies at all. All of this evidence suggests that whatever may have increased the war-proneness of democratizing states in the past may not be present in the contemporary international system. It may be that states making the transition from feudalism to democracy became more war-prone or that the emerging democracies of the 19th century were European great powers that embarked on imperial wars of conquest. These factors will not lead today's new democracies into war. Finally, if the democratic peace proposition is correct, the higher proportion of democracies in the current international system may further reduce the risk that new democracies will not engage in war, because they will find themselves in a world of many democracies instead of one of many potentially hostile nondemocracies. Second, it is possible to control any risks of war posed by democratization. Mansfield and Snyder identify several useful policies to mitigate any potential risks of democratization. Old elites that are threatened by democratization can be given "golden parachutes" that enable them to at least retain some of their wealth and to stay out of jail. 119 New democracies also need external assistance to build up the journalistic infrastructure that will support a "marketplace of ideas" that can prevent manipulation of public opinion and nationalistic mythmaking. 120 Finally, an international environment conducive to free trade can help to move new democracies in a benign direction.

### vs. Structural Violence

#### Minority groups are disproportionately targeted from securitization

**Giroux 14**-Global TV Network Chair Professorship at McMaster University in the English and Cultural Studies Department and a Distinguished Visiting Professorship at Ryerson University [Henry, “Totalitarian Paranoia in the Post-Orwellian Surveillance State,” Truthout, February 10, 2014, <http://www.truth-out.org/opinion/item/21656-totalitarian-paranoia-in-the-post-orwellian-surveillance-state>] ellipses included in original article / MM

*The practice of surveillance is both separate and unequal.* ... Welfare recipients ... are more vulnerable to surveillance because they are members of a group that is seen as an appropriate target for intrusive programs. Persistent stereotypes of poor women, especially women of color, as inherently suspicious, fraudulent, and wasteful provide ideological support for invasive welfare programs that track their financial and social behavior. Immigrant communities are more likely to be the site of biometric data collection than native-born communities because they have less political power to resist it. ... Marginalized people are subject to some of the most technologically sophisticated and comprehensive forms of scrutiny and observation in law enforcement, the welfare system, and the low-wage workplace. They also endure higher levels of direct forms of surveillance, such as stop-and-frisk in New York City.60 The corporate-surveillance state collects troves of data, but the groups often targeted by traditional and new forms of digital surveillance are more often than not those who fall within the parameters of either being a threat to authority, reject the consumer culture or are simply considered disposable under the regime of neoliberal capitalism. The political, class and racial nature of suppression has a long history in the United States and cannot be ignored by whitewashing the issue of surveillance as a form of state violence by making an appeal to the necessity of safety and security.

### Vs. Sinhibabhu Ad Hom

#### Pain is bad and pleasure is good

Nagel 86 Thomas Nagel 86, The View From Nowhere, HUP, 1986: 156-168. / MM BRACKETS FOR GENDERED LANGUAGE\*\*

I shall defend the unsurprising claim that sensory **pleasure is good and pain bad, no matter who** they are. The point of the exercise is to see how the pressures of objectification operate in a simple case. Physical pleasure and pain do not usually depend on activities or desires which themselves raise questions of justification and value. They are just sensory experiences in relation to which we are fairly passive, but toward which we feel involuntary desire or aversion**.** Almost **everyone takes the avoidance of** [their] own **pain and** the **promotion of** [their] own **pleasure as subjective reasons for action** in a fairly simpleway; they are not back up by any further reasons. On the other hand if someone pursues pain or avoids pleasure, either it as a means to some end or it is backed up by dark reasons like guilt or sexual masochism**.** What sort of general value, if any, ought to be assigned to pleasure and pain when we consider these facts from an objective standpoint? What kind of judgment can we reasonably make about 2these things when we view them in abstraction from who we are? We can begin by asking why there is no plausibility in the zero position, that pleasure and pain have no value of any kind that can be objectively recognized. That would mean that I have no reason to take aspirin for a severe headache, however I may in fact be motivated; and that looking at it from outside, you couldn't even say that someone had a reason not to put his hand on a hot stove, just because of the pain. Try looking at it from the outside and see whether you can manage to withhold that judgment. If the idea of objective practical reason makes any sense at all, so that there is some judgment to withhold, it does not seem possible. If the general arguments against the reality of objective reasonsare no good, then **it is at least possible that I have a reason**, and not just an inclination, **to refrain from putting my hand on a hot stove.** But given the possibility, it seems meaningless to deny that this is so. Oddly enough, however, we can think of a story that would go with such a denial. It might be suggested that the aversion to pain is a useful phobia—having nothing to do with the intrinsic undesirability of pain itself—which helps us avoid or escape the injuries that are signaled by pain. (The same type of purely instrumental value might be ascribed to sensory pleasure: the pleasures of food, drink, and sex might be regarded as having no value in themselves, though our natural attraction to them assists survival and reproduction.) There would then be nothing wrong with pain in itself, and someone who was never motivated deliberately to do anything just because he knew it would reduce or avoid pain would have nothing the matter with him. [They] **would have involuntary avoidance reactions**, otherwise it would be hard to say that [they] felt pain at all. **And** [they] **would be motivated to reduce pain** for other reasons—**because it was an effective way to avoid** the **danger** being signaled, or because interfered with some physical or mental activity that was important to [them]. He just wouldn't regard the pain as itself something he had any reason to avoid, even though he hated the feeling just as much as the rest of us. (And of course he wouldn't be able to justify the avoidance of pain in the way that we customarily justify avoiding what we hate without reason—that is, on the ground that even an irrational hatred makes its object very unpleasant!) There is nothing self-contradictory in this proposal, but it seems nevertheless insane. Without some positive reason to think there is nothing in itself good or bad about having an experience you intensely like or dislike, we can't seriously regard the common impression to the contrary as a collective illusion. Such things are at least good or bad for us, if anything is. What seems to be going on here is that we cannot from an objective standpoint withhold a certain kind of endorsement of the most direct and immediate subjective value judgments we make concerning the contents of our own consciousness. We regard ourselves as too close to those things to be mistaken in our immediate, nonideological evaluative impressions. **No objective view we can attain could possibly overrule our subjective authority** in such cases.There can be no reason to reject the appearances here.

### vs. K Debater

#### Saying the case “doesn’t solve enough” is unethical – before saying “reform is impossible” consider what the affirmative does

Delgado 9 Chair of Law at the University of Alabama Law School, J.D. from the University of California, Berkeley, his books have won eight national book prizes, including six Gustavus Myers awards for outstanding book on human rights in North America, the American Library Association’s Outstanding Academic Book, and a Pulitzer Prize nomination.  Professor Delgado’s teaching and writing focus on race, the legal profession, and social change, 2009, “Does Critical Legal Studies Have What Minorities Want, Arguing about Law”, p. 588-590

The CLS critique of piecemeal reform Critical scholars reject the idea of piecemeal reform. Incremental change, they argue, merely postpones the wholesale reformation that must occur to create a decent society. Even worse, an unfair social system survives by using piecemeal reform to disguise and legitimize oppression. Those who control the system weaken resistance by pointing to the occasional concession to, or periodic court victory of, a black plaintiff or worker as evidence that the system is fair and just. In fact, Crits believe that teaching the common law or using the case method in law school is a disguised means of preaching incrementalism and thereby maintaining the current power structure.“ To avoid this, CLS scholars urge law professors to abandon the case method, give up the effort to ﬁnd rationality and order in the case law, and teach in an unabashedly political fashion. The CLS critique of piecemeal reform is familiar, imperialistic and wrong. Minorities know from bitter experience that occasional court victories do not mean the Promised Land is at hand. The critique is imperialistic in that it tells minorities and other oppressed peoples how they should interpret events affecting them. A court order directing a housing authority to disburse funds for heating in subsidized housing may postpone the revolution, or it may not. In the meantime, the order keeps a number of poor families warm. This may mean more to them than it does to a comfortable academic working in a warm office. It smacks of paternalism to assert that the possibility of revolution later outweighs the certainty of heat now, unless there is evidence for that possibility. The Crits do not offer such evidence. Indeed, some incremental changes may bring revolutionary changes closer, not push them further away. Not all small reforms induce complacency; some may whet the appetite for further combat. The welfare family may hold a tenants’ union meeting in their heated living room. CLS scholars’ critique of piecemeal reform often misses these possibilities, and neglects the question of whether total change, when it comes, will be what we want.

#### Critique is useless without a concrete policy option that solves for your harms.

Bryant 12 Levi Bryant (Professor of Philosophy at Collin College) “A Critique of the Academic Left” 2012 <https://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/> / MM

Unfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignor[es]ing how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park: The underpants gnomes have a plan for achieving profit that goes like this: Phase 1: Collect Underpants Phase 2: ? Phase 3: Profit! They even have a catchy song to go with their work: Well this is sadly how it often is with the academic left. Our plan seems to be as follows: Phase 1: Ultra-Radical Critique Phase 2: ? Phase 3: Revolution and complete social transformation! Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express [critiques] them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc.

#### Excessive focus on representations kills the liberal movements you seek to promote.

Chait 15 Jonathan Chait “How the language police are perverting liberalism.” NY Magazine January 275h 2015 [http://nymag.com/daily/intelligencer/2015/01/not-a-very-pc-thing-to-say.html /](http://nymag.com/daily/intelligencer/2015/01/not-a-very-pc-thing-to-say.html%20/) MM

Or maybe not. The p.c. style of politics has one serious, possibly fatal drawback: It is exhausting. Claims of victimhood that are useful within the left-wing subculture may alienate much of America. The movement’s dour puritanism can move people to outrage, but it may [and] prove ill suited to the hopeful mood required of mass politics. Nor does it bode well for the movement’s longevity that many of its allies are worn out. “It seems to me now that the public face of social liberalism has ceased to seem positive, joyful, human, and freeing,” confessed the progressive writer Freddie deBoer. “There are so many ways to step on a land mine now, so many terms that have become forbidden, so many attitudes that will get you cast out if you even appear to hold them. I’m far from alone in feeling that it’s typically not worth it to engage, given the risks.” Goldberg wrote recently about people “who feel emotionally savaged by their involvement in [online feminism] — not because of sexist trolls, but because of the slashing righteousness of other feminists.” Former Feministing editor Samhita Mukhopadhyay told her, “Everyone is so scared to speak right now.” That the new political correctness has bludgeoned even many of its own supporters into despondent silence is a triumph, but one of limited use. Politics in a democracy is still based on getting people to agree with you, not making them afraid to disagree. The historical record of political movements that sought to expand freedom for the oppressed by eliminating it for their enemies is dismal. The historical record of American liberalism, which has extended social freedoms to blacks, Jews, gays, and women, is glorious. And that glory rests in its confidence in the ultimate power of reason, not coercion, to triumph.

#### The 1AC’s educational process turns state-bad arguments.

Williams 70 – Robert F Williams [American civil rights leader and author best known for serving as president of the Monroe, North Carolina chapter of the NAACP and being a complete badass] “Interviews” The Black Scholar. Volume 01, No. 7. BLACK REVOLUTION. May 1970, pp. 2-14.

Williams: It is erroneous to think that one can isolate oneself completely from institutions of a social and political system that exercises power over the environment in which [they] he resides. Self-imposed and premature isolation, initiated by the oppressed against the organs of a tyrannical establishment, militates against revolutionary movements dedicated to radical change. It is a grave error for militant and just minded youth to reject struggle-serving opportunities to join the man's government and the services, police forces, peace corps and vital organs of the power structure. Militants should become acquainted with the methods of the oppressor. Meaningful change can be more thoroughly effectuated by militant pressure from within as well as without. We can obtain valuable know-how from the oppressor. Struggle is not all violence. Effective struggle requires tactics, plans, analysis and a highly sophisticated application of mental aptness. The forces of oppression and tyranny have perfected highly articulate systems of infiltration for undermining and frustrating the efforts of the oppressed in trying to upset the unjust status quo. To a great extent, the power structure keeps itself informed as to the revolutionary activity of freedom fighters. With the looming threat of extermination looming menacingly before black Americans, it is pressingly imperative that our people enter the vital organs of the establishment. Infiltrate the man's institutions.

#### The state is inevitable - learning to speak the language of power creates the only possibility of social change debate can offer and opens up options for resistance

Coverstone 05 Alan Coverstone (masters in communication from Wake Forest, longtime debate coach) “Acting on Activism: Realizing the Vision of Debate with Pro-social Impact” Paper presented at the National Communication Association Annual Conference November 17th 2005 / MM

An important concern emerges when Mitchell describes reflexive fiat as a contest strategy capable of “eschewing the power to directly control external actors” (1998b, p. 20). Describing debates about what our government should do as attempts to control outside actors is debilitating and disempowering. Control of the US government is exactly what an active, participatory citizenry is supposed to be all about. After all, if democracy means anything, it means that citizens not only have the right, they also bear the obligation to discuss and debate what the government should be doing. Absent that discussion and debate, much of the motivation for personal political activism is also lost. Those who have co-opted Mitchell’s argument for individual advocacy often quickly respond that nothing we do in a debate round can actually change government policy, and unfortunately, an entire generation of debaters has now swallowed this assertion as an article of faith. The best most will muster is, “Of course not, but you don’t either!” The assertion that nothing we do in debate has any impact on government policy is one that carries the potential to undermine Mitchell’s entire project. If there is nothing we can do in a debate round to change government policy, then we are left with precious little in the way of pro-social options for addressing problems we face. At best, we can pursue some Pilot-like hand washing that can purify us as individuals through quixotic activism but offer little to society as a whole. It is very important to note that Mitchell (1998b) tries carefully to limit and bound his notion of reflexive fiat by maintaining that because it “views fiat as a concrete course of action, it is bounded by the limits of pragmatism” (p. 20). Pursued properly, the debates that Mitchell would like to see are those in which the relative efficacy of concrete political strategies for pro-social change is debated. In a few noteworthy examples, this approach has been employed successfully, and I must say that I have thoroughly enjoyed judging and coaching those debates. The students in my program have learned to stretch their understanding of their role in the political process because of the experience. Therefore, those who say I am opposed to Mitchell’s goals here should take care at such a blanket assertion. However, contest debate teaches students to combine personal experience with the language of political power. Powerful personal narratives unconnected to political power are regularly co-opted by those who do learn the language of power. One need look no further than the annual state of the Union Address where personal story after personal story is used to support the political agenda of those in power. The so-called role-playing that public policy contest debates encourage promotes active learning of the vocabulary and levers of power in America. Imagining the ability to use our own arguments to influence government action is one of the great virtues of academic debate. Gerald Graff (2003) analyzed the decline of argumentation in academic discourse and found a source of student antipathy to public argument in an interesting place. I’m up against…their aversion to the role of public spokesperson that formal writing presupposes. It’s as if such students can’t imagine any rewards for being a public actor or even imagining themselves in such a role. This lack of interest in the public sphere may in turn reflect a loss of confidence in the possibility that the arguments we make in public will have an effect on the world. Today’s students’ lack of faith in the power of persuasion reflects the waning of the ideal of civic participation that led educators for centuries to place rhetorical and argumentative training at the center of the school and college curriculum. (Graff, 2003, p. 57) The power to imagine public advocacy that actually makes a difference is one of the great virtues of the traditional notion of fiat that critics deride as mere simulation. Simulation of success in the public realm is far more empowering to students than completely abandoning all notions of personal power in the face of governmental hegemony by teaching students that “nothing they can do in a contest debate can ever make any difference in public policy.” Contest debating is well suited to rewarding public activism if it stops accepting as an article of faith that personal agency is somehow undermined by the so-called role playing in debate. Debate is role-playing whether we imagine government action or imagine individual action. Imagining myself starting a socialist revolution in America is no less of a fantasy than imagining myself making a difference on Capitol Hill

#### The right fills in and makes it so much worse

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1. In the early days of the crisis there was widespread anticipation of change. From the collapse of large banks and public anger at acquisitive capitalists, to the collapse in faith in neoliberal 2 ideologues and political elites, this was a watershed moment for the radical Left. However, given its failure to provide a coherent response to the crisis, many radicals have begun to explore what it means to be of the ‘radical Left’ today (Chandler, 2009a; Smith, 2008; Cox, 2009; Harvey, 2009; Castree, 2009; contributors to Pugh, 2009). Importantly, we are still therefore at a time of opportunity for the Left. 2. The crisis has highlighted the salience of the state, representational and party politics. It has done so because while of course the ‘masses’ have not emerged as a political force, making strong demands of the state, the state nevertheless became, by default, the main institution that the general population left to resolve the crisis. 3. Seizing this opportunity, governments (in Britain, the USA, and across much of the West) have used trillions of dollars of taxpayer money to continue to intervene in the interests of capital and the neo-liberal model. Across Europe, as elsewhere, the Right and neo-liberals get this point, using the economic power of government in recent months to support their causes. 4. Some (clearly not all) on the radical Left have therefore misread the public mood when it comes to the role of the nation state. Despite predictions and aspirations from those civil society organisations that want to withdraw and deterritorialise from the state, most other people, if reluctantly, have moved in the opposite direction. 5. Some radicals had reduced radical politics to living more ethical lifestyles. Their aim is to produce ethical individuals, to raise awareness, not a collective and instrumental political project for the state. This is not providing an effective challenge to the Right and neo-liberals, who as just noted post-crisis are capturing the powerful institutions of politics. 6. Articulate and intelligent, the ‘philosophical militant’ has done much to shift and change our understanding of the world in recent decades. However, the crisis shows that there is a difference between doing philosophy and doing politics. Philosophy does not provide the detailed, tangible, instrumental mechanisms needed today. Some radicals have therefore attached too much importance to their philosophical interventions and critique, making them political acts, in and of themselves. I do not claim to be able to make intricate connections between these various points in this brief, largely rhetorical paper. They are simply a list to provide food for thought to those engaged with that disparate label that we call ‘the radical Left’. And for those who have perhaps, like me, been shocked at our impotence. Most People Looked to the State, Not Away From It As noted, my first point is directed toward those who seek to avoid the salience of the state, representational, and party politics post-crisis. Before the crisis Michael Hardt and Antonio Negri (2000) produced what was widely heralded at radical conferences as the Communist Manifesto for the twenty-first century. Sadly for many, the crisis proved it to be incorrect. For while Hardt and Negri (2000, p. 48) were seeking ‘lines of flight’ from territorial government, through the deterritorialised multitude, post crisis most people have, by default, allowed a strong state to address the specificities of the crisis

#### The law is key to *sustaining* reforms—incremental changes increase the likelihood of wholescale upheavals

Delgado 9 Richard Delgado 9, self appointed Minority scholar, Chair of Law at the University of Alabama Law School, J.D. from the University of California, Berkeley, his books have won eight national book prizes, including six Gustavus Myers awards for outstanding book on human rights in North America, the American Library Association’s Outstanding Academic Book, and a Pulitzer Prize nomination. Professor Delgado’s teaching and writing focus on race, the legal profession, and social change 2009, Arguing about Law, p. 588-590

2. The CLS critique of piecemeal reform Critical scholars reject the idea of piecemeal reform. Incremental change, they argue, merely postpones the wholesale reformation that must occur to create a decent society. Even worse, an unfair social system survives by using piecemeal reform to disguise and legitimize oppression. Those who control the system weaken resistance by pointing to the occasional concession to, or periodic court victory of, a black plaintiff or worker as evidence that the system is fair and just. In fact, Crits believe that teaching the common law or using the case method in law school is a disguised means of preaching incrementalism and thereby maintaining the current power structure.“ To avoid this, CLS scholars urge law professors to abandon the case method, give up the effort to ﬁnd rationality and order in the case law, and teach in an unabashedly political fashion. The CLS critique of piecemeal reform is familiar, imperialistic and wrong. Minorities know from bitter experience that occasional court victories do not mean the Promised Land is at hand. The critique is imperialistic in that it tells minorities and other oppressed peoples how they should interpret events affecting them. A court order directing a housing authority to disburse funds for heating in subsidized housing may postpone the revolution, or it may not. In the meantime, the order keeps a number of poor families warm. This may mean more to them than it does to a comfortable academic working in a warm office. lt smacks of paternalism to assert that the possibility of revolution later outweighs the certainty of heat now, unless there is evidence for that possibility. The Crits do not offer such evidence. Indeed, some incremental changes may bring revolutionary changes closer, not push them further away. Not all small reforms induce complacency; some may whet the appetite for further combat. The welfare family may hold a tenants‘ union meeting in their heated living room. CLS scholars‘ critique of piecemeal reform often misses these possibilities, and neglects the question of whether total change, when it comes, will be what we want. 3. CLS Idealism The CLS program is also idealistic. CLS scholars’ idealism transforms social reality into mental construct.“ Facts become intelligible only through the categories of thought that we bring to experience. Crits argue that the principal impediments to achieving an ideal society are intellectual. People are imprisoned by a destructive system of mental categories that blocks any vision of a better world." Liberal capitalist ideology so shackles individuals that they willingly accept a truncated existence and believe it to be the best available. Changing the world requires primarily that we begin to think about it differently.“ To help break the mental chains and clear the way for the creation of a new and better world, Crits practice "trashing"—a process by which law and social structures are shown to be contingent, inconsistent and irrationally supportive of the status qua without good reason. CLS scholars' idealism has a familiar ring to minority ears. We cannot help but be reminded of those fundamentalist preachers who have assured us that our lot will only improve once we "see the light" and are "saved."

#### Including the state in analysis is necessary for effective

Booth 14**,** Aberystwyth international politics professor, 2014 (Ken, International Relations: All That Matters, 7/25, google books)

Scholars love to debate the definition of their discipline. This is hardly surprising, as there is always a great deal riding on where one draws the line between what is in or out. In this book, ‘international relations’ is defined simply as the international level of world politics. By ‘international level’ I mean the interactions largely (but not exclusively) of sovereign states; by ‘world politics’ I mean ‘who gets what, when and how across the world’, to stretch Harold Lasswell’s classical definition of ‘politics’. The reason for accentuating the international level of world politics is twofold. First, as already mentioned, the international is a level with enormous ‘causal weight’. Second, to engage with ‘who gets what, when and how across the world’ without a coherent focus such as ‘the international level’ is to invite bewilderment in the face of information overload. This problem is evident in many of the doorstep-sized textbooks about ‘world’ or ‘global’ politics: what in the world is not a matter of ‘world politics’? The formulation proposed offers a distinct focus (‘the international’), while being empirically open (‘the world’). I owe this way of thinking largely to C.A.W. Manning, an early doyen of IR, who described academic international relations as having ‘a focus but not a periphery’. By focusing on the international, critics will say that I have succumbed to a ‘state-centric’ view of the world. This is the idea that states are the fundamental reality of world politics. Such a view is sometimes also described as being ‘statist’, meaning endorsing the idea that the state is and should be the highest level of both political decision-making and loyalty. My position is more complicated: I want to recognize the empirical significance of states and their relations without being statist politically or ethically. This is like an atheist arguing about ‘religion’. An atheist cannot for long discuss religion without talking about God, but this does not make the atheist ‘God-centric’; it only means that the atheist is aware of the significance of God when talking about religion. The book will argue that the international level of world politics is state-dominated in an empirical sense (some states are the most powerful ‘actors’ in the world) without succumbing to state-centrism in a normative sense (believing that the contemporary states-system represents the best of all possible worlds). Later chapters will underline that states are not the only actors at the international level: some multinational corporations have more clout than some states. Nonetheless, it would be foolish to play down the continuing significance of especially the most powerful states in determining ‘who gets what’ across the world, or the continuing ‘causal weight’ of state interactions in shaping the ‘when and how’ of things happening. Recognizing these empirical realities is perfectly consistent with accepting that one of the aims of studying IR is to challenge what is done, and why, and consider whether different worlds are possible and desirable. Matters of continuity and change are always present in international relations. According to the ‘realist’ tradition (explained later), the international level or system has had, again in Waltz’s term, a distinct ‘texture’ (a persisting set of characteristics) over the centuries. This continuity allows us to have a time-transcending understanding of the situations, dilemmas and crises faced by leaders and peoples in other places in other eras. Critics of this view - those dazzled by what’s new - tend to argue that talk of ‘texture’ exaggerates continuity. This is mistaken. There can be no doubt that we live in a new era when it comes to technology and its potential, for example, but have relations between political units fundamentally changed? We cannot, and should not, assume that everything will always be the same, but it would be foolish to underestimate the stubborn continuities of state interactions.

### Vs. Ethical FW

#### **Reliability means that our moral calculus must be based around the consequences of our actions.**

Sinhibabu 13Neil, 13 (National University of Singapore) “The epistemic argument for hedonism” [http://philpapers.org/archive/SINTEA /](http://philpapers.org/archive/SINTEA%20/) MM

While **widespread error** leaves open the possibility that one has true beliefs, it reduces the probability that my beliefs are true. Consider a parallel case. I have no direct evidence that I have an appendix, but I know that previous investigations have revealed appendixes in people. So induction suggests that I have an appendix. Similarly, I know on the basis of 1 and 2 that people's moral beliefs are, in general, rife with error. So even if I have no direct evidence of error in my moral beliefs, induction suggests that they are rife with error as well. 3 invokes the reliability of the processes that produce our beliefs. Assessing processes of belief-formation for **reliability is an important part of our epistemic practices**. If someone tells me that my belief is entirely produced by wishful thinking, I can't simply accept that and maintain the belief. Knowing that wishful thinking is unreliable, I must either deny that my belief is entirely caused by wishful thinking or abandon the belief. But if someone tells me that my belief is entirely the result of visual perception, I'll maintain it, assuming that it concerns sizable nearby objects or something else about which visual perception is reliable. While providing precise criteria for individuating processes of belief-formation is hard, as the literature on the generality problem for reliabilism attests, individuating them somehow is indispensable to our epistemic practices.1

#### He continues that…

our epistemic and anthropological situation, combined with plausible metaethical and epistemic principles, forces us to abandon our moral beliefs. But if a reliable process of moral belief-formation exists, 4 is false, and we can answer the moral skeptic. The rest of this paper discusses the only reliable process I know of. 2.1 Phenomenal introspection reveals pleasure's goodness Phenomenal introspection, a reliable way of forming true beliefs about our experiences, produces the belief that pleasure is good. Even as our other processes of moral belief-formation prove unreliable, it provides reliable access to pleasure's goodness, justifying the positive claims of hedonism. This section clarifies what phenomenal introspection and pleasure are and explains how phenomenal introspection provides reliable access to pleasure's value. Section 2.2 argues that pleasure's goodness is genuine moral value, rather than value of some other kind. In phenomenal introspection we consider our subjective experience, or phenomenology, and determine what it's like. Phenomenal introspection can be reliable while dreaming or hallucinating, as long as we can determine what the dreams or hallucinations are like. By itself, phenomenal introspection doesn't produce beliefs about things outside experience, or about relations between our experiences and non-experiential things. So it doesn't produce judgments about the rightness of actions or the goodness of non-experiential things. It can only tell us about the intrinsic properties of experience itself. Phenomenal introspection is generally reliable, even if mistakes about immediate experience are possible. Experience is rich in detail, so one could get some of the details wrong in belief. Under adverse conditions involving false expectations, misleading evidence about what one's experiences will be, or extreme emotional states that disrupt belief-formation, larger errors are possible. Paradigmatically reliable processes like vision share these failings. Vision sometimes produces false beliefs under adverse conditions, or when we're looking at complex things. Still, it's so reliable as to be indispensible in ordinary life. Regarding phenomenal introspection as unreliable is about as radical as skepticism about the reliability of vision. While contemporary psychologists reject introspection into one's motivations and other psychological causal processes as unreliable, phenomenal introspection fares better. Daniel Kahneman, for example, writes that “experienced utility is best measured by moment-based methods that assess the experience of the present.”22 Even those most skeptical about the reliability of phenomenal introspection, like Eric Schwitzgebel, concede that we can reliably introspect whether we are in serious pain.23 Then we should be able to introspectively determine what pain is like. So I'll assume the reliability of phenomenal introspection. One can form a variety of beliefs using phenomenal introspection. For example, one can believe that one is having sound experiences of particular noises and visual experiences of different shades of color. When looking at a lemon and considering the phenomenal states that are yellow experiences, one can form some beliefs about their intrinsic features – for example, that they're bright experiences. And when considering experiences of pleasure, one can make some judgments about their intrinsic features – for example, that they're good experiences. Just as one can look inward at one's experience of lemon yellow and recognize its brightness, one can look inward at one's experience of pleasure and recognize its goodness.24 When I consider a situation of increasing pleasure, I can form the belief that things are better than they were before, just as I form the belief that there's more brightness in my visual field as lemon yellow replaces black. And when I suddenly experience pain, I can form the belief that things are worse in my experience than they were before. Having pleasure consists in one's experience having a positive hedonic tone. Without descending into metaphor, it's hard to give a further account of what pleasure is like than to say that when one has it, one feels good. As Aaron Smuts writes in defending the view of pleasure as hedonic tone, “to 'feel good' is about as close to an experiential primitive as we get.” 25 Fred Feldman sees pleasure as fundamentally an attitude rather than a hedonic tone.26 But as long as hedonic tones are real components of experience, phenomenal introspection will reveal pleasure's goodness. Opponents of the hedonic tone account of pleasure usually concede that hedonic tones exist, as Feldman seems to in discussing “sensory pleasures,” which he thinks his view helps us understand. Even on his view of pleasure, phenomenal introspection can produce the belief that some hedonic tones are good while others are bad. There are many different kinds of pleasant experiences. There are sensory pleasures, like the pleasure of tasting delicious food, receiving a massage, or resting your tired limbs in a soft bed after a hard day. There are the pleasures of seeing that our desires are satisfied, like the pleasure of winning a game, getting a promotion, or seeing a friend succeed. These experiences differ in many ways, just as the experiences of looking at lemons and the sky on a sunny day differ. It's easy to see the appeal of Feldman's view that pleasures “have just about nothing in common phenomenologically” (79). But just as our experiences in looking at lemons and the sky on a sunny day have brightness in common, pleasant experiences all have “a certain common quality – feeling good,” as Roger Crisp argues (109).27 As the analogy with brightness suggests, hedonic tone is phenomenologically very thin, and usually mixed with a variety of other experiences.28 Pleasure of any kind feels good, and displeasure of any kind feels bad. These feelings may or may not have bodily location or be combined with other sensory states like warmth or pressure. “Pleasure” and “displeasure” mean these thin phenomenal states of feeling good and feeling bad. As Joseph Mendola writes, “the pleasantness of physical pleasure is a kind of hedonic value, a single homogenous sensory property, differing merely in intensity as well as in extent and duration, which is yet a kind of goodness” (442).29 What if Feldman is right and hedonic states feel good in fundamentally different ways? Then phenomenal introspection suggests a pluralist variety of hedonism. Each fundamental flavor of pleasure will have a fundamentally different kind of goodness, as phenomenal introspection more accurate than mine will reveal. This isn't my view, but I suggest it to those convinced that hedonic tones are fundamentally heterogenous. If phenomenal introspection reliably informs us that pleasure is good, how can anyone believe that their pleasures are bad? Other processes of moral belief-formation are responsible for these beliefs. Someone who feels disgust or guilt about sex may not only regard sex as immoral, but the pleasure it produces as bad. Even if phenomenal introspection on sexual pleasure disposes one to believe that it's good, stronger negative emotional responses to it may more strongly dispose one to believe that it's bad, following the emotional perception model suggested in section 1.4. Explaining disagreement about pleasure's value in terms of other processes lets hedonists maintain that phenomenal introspection univocally supports pleasure's goodness. As long as negative judgments of pleasure come from unreliable processes instead of phenomenal introspection, the argument from disagreement eliminates them. The parallel between yellow’s brightness and pleasure’s goodness demonstrates the objectivity of the value detected in phenomenal introspection. Just as anyone's yellow experiences objectively are bright experiences, anyone's pleasure objectively is a good experience.30 While one's phenomenology is often called one's “subjective experience”, facts about it are still objective. “Subjective” in “subjective experience” means “internal to the mind”, not “ontologically dependent on attitudes towards it.” My yellow-experiences objectively have brightness. Anyone who thought my yellow-experiences lacked brightness would be mistaken. Pleasure similarly is objectively good. It's true that anyone's pleasure is good. Anyone who denies this is mistaken. As Mendola writes, the value detected in phenomenal introspection is “a plausible candidate for objective value” (712). Even though phenomenal introspection only tells me about my own phenomenal states, I can know that others' pleasure is good. Of course, I can't phenomenally introspect their pleasures, just as I can't phenomenally introspect pleasures that I'll experience next year. But if I consider my experiences of lemon yellow and ask what it would be like if others had the same experiences, I must think that they would be having bright experiences. Similarly, if in a pleasant moment I consider what it's like for others to have exactly the experience I'm having, I must think that they're having good experiences. If they have exactly the same experiences I'm having**,** their experiences will have exactly the same intrinsic properties as mine. This is also how I know that if I have the same experience in the future, it'll have the same intrinsic properties. Even though the only pleasure I can introspect is mine now, I should believe that others' pleasures and my pleasures at other times are good, just as I should believe that yellow experienced by others and myself at other times is bright. My argument thus favors the kind of universal hedonism that supports utilitarianism, not egoistic hedonism.

#### Reductionism – empirics prove.

Parfit 84 Derek Parfit, cool hair. “Reasons and Persons” 1984. / MM BRACKETS FOR GENDER\*\*

Some recent medical cases provide striking evidence in favour of the Reductionist View. Human beings have alower brain and two upper hemispheres, which are connected by a bundle of fibres. In treating a few people with severe epilepsy, **surgeons have cut these fibres.** The aim was to reduce the severity of epileptic fits, by confining their causes to a single hemisphere. This aim was achieved. But the operations had another unintended consequence. **The effect**, in the words of one surgeon, **was the creation of** ‘two separate spheres of consciousness.’ **This effect was revealed by** various **psychological tests.** These made use of two facts. We control our right arms with our left hemispheres, and vice versa. And what is in the right halves of our visual fields we see with our left hemispheres, and vice versa. When someone’s hemispheres have been disconnected, **psychologists can thus present** to this person two different written **questions in the two halves of [their] visual field and can receive** two different answers written by this person’s two hands.

#### Non-ideal theories are key to prevent oppressive structures

Mills 5 Charles W. Mills (John Evans Professor of Moral and Intellectual Philosophy) ““Ideal Theory” as Ideology” Hypatia vol. 20, no. 3 (Summer 2005) / MM

Now what distinguishes ideal theory is not merely the use of ideals, since obviously nonideal theory can and will use ideals also (certainly it will appeal to the moral ideals, if it may be more dubious about the value of invoking idealized human capacities). What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual. As O’Neill emphasizes, this is not a necessary corollary of the operation of abstraction itself, since one can have abstractions of the ideal-as-descriptive-model type that abstract without idealizing. But ideal theory either tacitly represents the actual as a simple deviation from the ideal, not worth theorizing in its own right, or claims that starting from the ideal is at least the best way of realizing it. Ideal theory as an approach will then utilize as its basic apparatus some or all of the following concepts and assumptions (there is necessarily a certain overlap in the list, since they all intersect with one another): An idealized social ontology. Moral theory deals with the normative, but it cannot avoid some characterization of the human beings who make up the society, and whose interactions with one another are its subject. So some overt or tacit social ontology has to be presupposed. An idealized social ontology of the modern type (as against, say, a Platonic or Aristotelian type) will typically assume the abstract and undifferentiated equal atomic individuals of classical liberalism. Thus it will abstract away from relations of structural domination, exploitation, coercion, and oppression, which in reality, of course, will profoundly shape the ontology of those same individuals, locating them in superior and inferior positions in social hierarchies of various kinds. • Idealized capacities. The human agents as visualized in the theory will also often have completely unrealistic capacities attributed to them—unrealistic even for the privileged minority, let alone those subordinated in different ways, who would not have had an equal opportunity for their natural capacities to develop, and who would in fact typically be disabled in crucial respects. • Silence on oppression. Almost by defi nition, it follows from the focus of ideal theory that little or nothing will be said on actual historic oppression and its legacy in the present, or current ongoing oppression, though these may be gestured at in a vague or promissory way (as something to be dealt with later). Correspondingly, the ways in which systematic oppression is likely to shape the basic social institutions (as well as the humans in those institutions) will not be part of the theory’s concern, and this will manifest itself in the absence of ideal-as-descriptive-model concepts that would provide the necessary macroand micro-mapping of that oppression, and that are requisite for understanding its reproductive dynamic. • Ideal social institutions. Fundamental social institutions such as the family, the economic structure, the legal system, will therefore be conceptualized in ideal-as-idealized-model terms, with little or no sense of how their actual workings may systematically disadvantage women, the poor, and racial minorities. • An idealized cognitive sphere. Separate from, and in addition to, the idealization of human capacities, what could be termed an idealized cognitive sphere will also be presupposed. In other words, as a corollary of the general ignoring of oppression, the consequences of oppression for f the social cognition of these agents, both the advantaged and the disadvantaged, will typically not be recognized, let alone theorized. A general social transparency will be presumed, with cognitive obstacles minimized as limited to biases of self-interest or the intrinsic difficulties of understanding the world, and little or no attention paid to the distinctive role of hegemonic ideologies and group-specifi c experience in distorting our perceptions and conceptions of the social order.

### Vs. Topicality/Theory

#### The US is a democracy – hard stop

Volokh 15 Eugene Volokh, 5-13-2015, "Is the United States of America a republic or a democracy?," Washington Post, <https://www.washingtonpost.com/news/volokh-conspiracy/wp/2015/05/13/is-the-united-states-of-america-a-republic-or-a-democracy/> / MM

To be sure, in addition to being a representative democracy, the United States is also a constitutional democracy, in which courts restrain in some measure the democratic will. And the United States is therefore also a constitutional republic. Indeed, the United States might be labeled a constitutional federal representative democracy. But where one word is used, with all the oversimplification that this necessary entails, “democracy” and “republic” both work. Indeed, since direct democracy — again, a government in which all or most laws are made by direct popular vote — would be impractical given the number and complexity of laws that pretty much any state or national government is expected to enact, it’s unsurprising that the qualifier “representative” would often be omitted. Practically speaking, representative democracy is the only democracy that’s around at any state or national level. Now one can certainly argue that some aspects of U.S. government should become less direct and filtered through more layers of representation. One can argue, for instance, that the 17th Amendment should be repealed, and that U.S. senators should no longer be elected directly by the people, but should return to being elected by state legislators who are elected by the people. Or one can argue for repealing state- and local-level initiative and referendum schemes. Or one can argue for making the Electoral College into a deliberative body, in which the electors are supposed to discuss the candidates and make various political deals, rather than being elected solely to vote for particular candidates. And of course one can equally argue for making some aspects of U.S. government more direct, for instance by shifting to truly direct election of the president, or by institute a federal-level initiative and referendum. But there is no basis for saying that the United States is somehow “not a democracy, but a republic.” “Democracy” and “republic” aren’t just words that a speaker can arbitrarily define to mean something (e.g., defining democracy as “a form of government in which all laws are made directly by the people”). They are terms that have been given meaning by English speakers more broadly. And both today and in the Framing era, “democracy” has been generally understood to include representative democracy as well as direct democracy.

### Vs. Ableism

#### Normal means does not require ALL conditions to be disclosed- candidates can still maintain privacy, view the aff MATERIALLY

Streiffer 18, Robert. “Medical Privacy And The Public’s Right To Vote: What Presidential Candidates Should Disclose.” Journal of Medicine and Philosophy. September 23, 2006. Web. October 10, 2018. <https://doi.org/10.1080/03605310600860825 >. / MM BRACKETS FOR CONTROVERSIAL LANGAUGE\*\*

First, by limiting disclosure to information relevant only to the core functions of office, our view does not require candidates to disclose information that is irrelevant or only controversially relevant to their ability to perform as president. Thus, while our view would have required disclosure that his cancer had relapsed, it would not require Mary Smith to disclose information about [sexual assault]. Thus, while requiring disclo- sure of potentially damaging but uncontroversially relevant information, our view avoids requiring disclosure of potentially damaging but at best contro- versially relevant information. Second, by limiting disclosure to information about conditions that are likely to have serious effects, our view does not require disclosure of all medical conditions that might have some bearing, no matter how small, on the candidate’s ability to perform the core functions of the office. Just as a patient’s right to informed consent does not require the doctor to disclose absolutely every risk and benefit of a treatment, no matter how minor or remote, the fact that a candidate has sensitive skin or minor asthma could conceivably affect his ability to fulfill the functions of office, but would not need to be disclosed under the standard we pro- pose. This ensures that information about important risks and benefits is not lost amid a sea of mostly useless information, and it provides a procedural safeguard against a slippery slope towards disclosing inappropriate medical information. In addition to the advantages already mentioned, limiting disclosure in both of these ways protects candidates’ important privacy interests and protects the political process against those who might hijack political deliberation with specious arguments about relatively trivial medical mat- ters. And, as we will discuss in more detail in Section IV, it does so while giving due weight to the rights and interests of voters, unlike a view that permits complete confidentiality.8

### Solvency Add Ons

**Increasing public information increases government transparency and reduces corruption – India proves**  
Agrawal 12, Chetan Agrawal, (Cromwell College of IT and Management, London), Journal of Management and Public Policy Vol. 3, No. 2, June 2012, pp. 26-38 ISSN (Print): 0976-013X ISSN (Online): 0976-0148 Right to Information: A Tool for Combating Corruption in India [https://www.researchgate.net/publication/282809378\_Right\_to\_Information\_A\_Tool\_for\_Combating\_Corruption\_in\_India/](https://www.researchgate.net/publication/282809378_Right_to_Information_A_Tool_for_Combating_Corruption_in_India//s) / MM RECUT  
In an environment riddled with intrigue, secrecy and corruption, the RTI Act 2005 was promulgated by Government of India to bring transparency. Indian citizens have used this law very effectively to bring about changes that are both big and small. The RTI Act has fundamentally changed the power equation between the government and the governed – those who wield power of the state in any form on the one hand and millions of those who are affected by the decisions and working of the state machinery on the other. Thanks to the RTI Act, in India, real master –the proverbial ‘common man’ is finally being recognized by the ‘public servants’. No other law on India’s statute book gives citizens so much power, so simply, to question any public authority in the country. The study clearly showed that the RTI Act has given a historic opportunity to root out corruption and the culture of secrecy from the Indian government affairs and pave the way for governance reform, greater accountability and transparency in government affairs. Across the country, a growing number of people are using the RTI applications as a weapon to fight corruption and demand their rights. The RTI is enabling people to say no to bribes. The RTI has been used to bring about policy changes as well as to feed hungry mouths. It is an all-encompassing act with consequences that have prompted some to say that it is the most important legislation since independence. The study supports that aligning public service architecture with appropriate transparency mechanisms does promote transparency. The study also supports the point raised by Jenkins and Goetz (1999) that the power of the RTI should not be underestimated. The literature of corruption and anti-corruption overemphasizes the role of the state as cause and remedy and fails to recognize the role of social movements in surfacing the existence of different forms of corruption. But much needs to be done before full power of the RTI can be realized. Indian Government should provide better infrastructure and ensure speedy processing of the RTI cases to motivate the demand side i.e. civil society. Signs of transparency are becoming visible and if the current trend has to continue and to comply with the Act in letter and in spirit, a fundamental change in the attitude within the bureaucracy is necessary. Therefore, for the Act to be utilized to its full potential, Indian Government will have to make serious efforts to inculcate in the bureaucracy respect for citizens’ right and give up its old functioning style characterized by cloak of secrecy and opaqueness.

#### Transparency solves – it helps citizens find the truth and sparks activism

Neuman 02 Laura Neuman. “Access To Information- A Key To Democracy.” The Carter Center. November 2002. Web. October 10, 2018. <https://www.cartercenter.org/documents/1272.pdf>. / MM

Knowledge is power, and transparency is the remedy to the darkness under which corruption and abuse thrives. Democracy depends on a knowledgeable citizenry whose access to a broad range of information enables them to participate fully in public life, help determine priorities for public spending, receive equal access to justice, and hold their public officials accountable. When the government and quasi-governmental agencies perform under a veil of secrecy, people are denied the right to know about public affairs, and the press is only able to speculate and subsist on rumors. Poor public access to information feeds corruption. Secrecy allows back- room deals to determine public spending in the interests of the few rather than the many. Lack of information impedes citizens’ ability to assess the decisions of their leaders, and even to make informed choices about the individuals they elect to serve as their representatives. Although perhaps most often considered in the fight against corruption, access to information is equally critical for citizens’ capacity to exercise their rights and to uphold the responsibilities and accountability of their leaders. Access to information laws allow individuals and groups to understand the policies with which the government makes determinations relating to health, education, housing and infrastructure projects and the factual basis for such decisions. Armed with such knowledge, citizens around the world are effectuating change that allows them to improve their living standards and better their lives.

#### Exposing public officials is uniquely key for educated voter decisions and political change to reform democracies.

Kang ’13 Michael Kang Professor of Law at Emory University School of Law. Minneesota Law Review Copyright © 2013 by Michael Kang Campaign Disclosure in Direct Democracy

The irony is that **campaign disclosure in direct democracy is more valuable to voter competence** than in candidate elections for the same reason that the perceived risk of harassment, and therefore **the** vulnerability **to constitutional challenge, is more salient**. Indeed, the same defining characteristic of direct democracy makes the perceived risk of harassment greater for ballot measures but also explains why voters need campaign disclosure in direct democracy far more so than in candidate elections. This defining characteristic, of course, is the absence of intermediation in direct democracy by candidates and parties. The Progressive Era insight of direct democracy was to mitigate the agency costs of representative democracy by bypassing elected representatives altogether for a determined set of policy questions. Direct **democracy puts decision-making on a discrete policy question directly into the hands of the electorate, without the representative filter of elected officials**. As a result, the usual concerns about quid pro quo corruption associated with campaign finance are inapplicable in direct democracy.60 For this reason, the principal government interest in regulating campaign finance—the prevention of quid pro quo corruption and the appearance thereof—does not apply in direct democracy as a matter of law. The Court explained that “[t]he risk of corruption perceived in cases involving candidate elections . . . simply is not present in a popular vote on a public issue.” There is quite literally no candidate to corrupt in the usual sense of quid pro quo exchange. At least **on a given policy question, the representative process is bypassed, and** the public decides for itself. 61 Given that most campaign finance regulation is based on the government interest in prevention of corruption,62 the grounds for campaign finance regulation in direct democracy is far more limited than in candidate elections. For instance, the Court has held that limits on contributions to support campaigning on ballot measures are unconstitutional, even though limits on contributions to candidates are almost always upheld.63 Similarly, based on the narrower ground for regulation of direct democracy, the Court long ago struck down prohibitions on corporate electioneering on ballot measures,64 while upholding analogous prohibitions on corporate electioneering in candidate elections until only recently. Campaign finance disclosure in direct democracy, however, has always enjoyed strong constitutional support from courts under a separate government interest in voter competence. As described earlier, the Court continues to recognize a government interest in informing voters that undergirds the constitutionality of compelled campaign finance disclosure.66 Just as in candidate elections, the Court has found in direct democracy too that “**identification of the source of advertising may be required as a means of disclosure, so that the people will be able to** evaluate **the arguments to which they are being subjected**.”67 This interest in voter information supports campaign finance **disclosure in candidate elections, work**ing **in connection with the government interest in** preventing corruption applicable there. But in direct democracy where the anticorruption interest does not apply, the Court has nonetheless upheld campaign finance disclosure requirements for ballot measure campaigning based solely on the interest of voter competence. 68 This interest in voter competence is particularly salient in direct democracy, much more so than in candidate elections. In the absence of candidates and parties to simplify and bundle issues for voters, voters need to know more to vote competently about a ballot measure than they do when they vote on candidates.69 63. See Citizens Against Rent Control/Coal. for Fair Hous. v. City of Berkeley, 454 U.S. 290, 296 (1981). Candidates and parties work hard to build a brand reputation that simplifies politics for voters and gives voters the ability to vote confidently for their interests without knowing many specifics about politics and public policy.70 Although voters are famously ignorant about basic information in politics, **voters nonetheless learn much of what they need to know to** navigate **their vote choices over candidates** and parties by referring to simple heuristics that boil down a lot of information into crude but useful voting cues.71 Those cues are crucial for voting in candidate election but largely absent in direct democracy.72

#### The ability for Democracy to work rests on the ability of knowledge obtain by the Right to Know

Meiklejohn 48 Alexander Meiklejohn, 1948, "Free Speech And Its Relation to Self-Government," U.S.,  [https://books.google.com/books/about/Free\_Speech\_and\_Its\_Relation\_to\_Self\_gov.html?id=Ky-cGSUN\_TwC&printsec=frontcover&source=kp\_read\_button#v=onepage&q&f=false /](%20https://books.google.com/books/about/Free_Speech_and_Its_Relation_to_Self_gov.html?id=Ky-cGSUN_TwC&printsec=frontcover&source=kp_read_button#v=onepage&q&f=false /)

The First Amendment to the Constitution, as we all know, forbids the federal Congress to make any law which shall abridge the freedom of speech. In recent years, however, the government of the United States has in many ways limited the freedom of public discussion. For example, the Federal Bureau of Investigation has built up, throughout the country, a system of espionage, of secret police, by which hundreds of thousands of our people have been listed as holding this or that set of opinions. The only conceivable justification of that listing by a government agency is to provide a basis for action by the government in dealing with those persons. And that procedure reveals an attitude toward freedom of speech which is widely held in the United States. Many of us are now convinced that, under the Constitution, the government is justified in bringing pressure to bear against the holding or expressing of beliefs which are labeled “dangerous.” Congress, we think, may rightly abridge the freedom of such beliefs. Again, the legislative committees, federal and state, which have been appointed to investigate un-American activities, express the same interpretation of the Constitution. All the inquiring and questionings of those committees are based upon the assumption that certain forms of political opinion and advocacy should be, and legitimately may be, suppressed. And, further, the Department of Justice, acting on the same assumption, has recently listed some sixty or more organizations, association with which may be taken by the government to raise the question of “disloyalty” to the United States. And finally, the President’s Loyalty Order, moving with somewhat uncertain steps, follows the same road. We are officially engaged in the suppression of “dangerous” speech. Now, these practices would seem to be flatly contradictory of the First Amendment. Are they? What do we mean when we say that “Congress shall make no law . . . abridging the freedom of speech . . .?” What is this “freedom of speech” which we guard against invasion by our chosen and authorized representatives? Why may not a man be prevented from speaking if, in the judgment of congress, his ideas are hostile and harmful to the general welfare of the nation? Are we, for example, required by the First Amendment to give men freedom to advocate the abolition of the First Amendment? Are we bound to grant freedom of speech to those who, if they had the power, would refuse it to us? The First Amendment, taken literally, seems to answer, “yes” to those questions. It seems to say that no speech, however dangerous, may, for that reason, be suppressed. But the Federal Bureau of Investigation, the un-American Activities committees, the Department of Justice, the President, are, at the same time, answering “No” to the same question. Which answer is right? What is the valid American doctrine concerning the freedom of speech? Throughout our history, the need of clear and reasonable answering of that question has been very urgent. In fact, under our system of dealing with problems of domestic policy by “party” discussion and “party” action, the demand for such clarity and reasonableness is basic to our “democratic” way of life. But, with the ending of World War II, that demand has taken on a new, and even greater, urgency. Our nation has now assumed, or has had thrust upon it by fate, a new role. We have taken leadership in the advocating of freedom of expression and of communication not only at home, but also throughout the world. In the waging of that campaign we Americans have made many accusations against our enemies in war, hot or cold. But our most furious and righteous charge has been that they have suppressed, and are suppressing, the free exchange of information and of ideas. That evil drawing of a smoke curtain, we have declared, we will not tolerate. We will not submit to it within our own borders. We will not allow it abroad if, by legitimate means, we can prevent it. We are determined that, with respect to the freedom of its communications, the human world shall be a single community. Now, the assuming of that high and heavy responsibility for a political principle requires of us, first of all, that we understand what the principle is. We must think for it as well as fight for it. No fighting, however successful, will help to establish freedom unless the winners know what freedom is. What, then – we citizens under the constitution must ask – what do we mean when we utter the flaming proclamation of the First Amendment? Do we mean that speaking may be suppressed or that it shall not be suppressed? And, in either case, on what grounds has the decision been made? The issue here presented has been dramatically, though perhaps not very effectively, thrust upon the attention of the citizens of the United States by a recent order of the Attorney General. That order restricts the freedom of speech of temporary foreign visitors to our shores. It declares that certain classes of visitors are forbidden, except by special permission, to engage in public discussion of public policy while they are among us. Why may we not hear what these men from other countries, other systems of government, have to say? For what purpose does the Attorney General impose limits upon their speaking, upon our hearing? The plain truth is that he is seeking to protect the minds of the citizens of this free nation of ours from the influence of assertions, of doubts, of questions, of plans, of principles which the government judges to be too “dangerous” for us to hear. He is afraid that we, whose agent he is, will be led astray by opinions which are alien and subversive. Do We, the people of the United States, wish to be thus mentally “protected”? To say that would seem to be an admission that we are intellectually and morally unfit to play our part in what Justice Holmes has called the “experiment” of self-government. Have we, on that ground, abandoned or qualified the great experiment? Here, then, is the question which we must try to answer as we interpret the First Amendment to the Constitution. In our discussions of public policy at home, do we intend that “dangerous” ideas shall be suppressed? Or are they, under the constitution, guaranteed freedom from such suppression? And, correspondingly, in our dealings with other nations, are we saying to them, “The general welfare of the world requires that you and we shall not, in any way, abridge the freedom of expression and communication”? Or are we saying, “Every nation may, of course, forbid and punish the expression of ideas which are dangerous to the form of government or of industrial organization which it has established and is attempting to maintain”? No one, of course, may prescribe that citizens of the United States shall interpret the Constitution in this way or that. It is not even required that the meaning of the Constitution shall be in the future what it has been in the past. We are free to change that meaning both by interpretation and by explicit amendment. But what is required of us by every consideration of honesty and self-respect is that we practice what we preach, that we preach only what we practice. What, then, as we deal with the present, as we plan for the future, do we intend that the principle of the freedom of speech shall mean? The purpose of these lectures is to consider the freedom of speech which is guaranteed by the Constitution of the United States. The most general thesis of the argument is that, under the Constitution, there are two different freedoms of speech, and, hence, two different guarantees of freedom rather than only one. More broadly, it may be asserted that our civil liberties, in general, are not all of one kind. They are of two kinds which, though radically different in constitutional status, are easily confused. And that confusion has been, and is, disastrous in its effect upon our understanding of the relations between an individual citizen and the government of the United States. The argument of these lectures is an attempt to clear away that confusion. As an instance of the first kind of civil liberty I would offer that of religious or irreligious belief. In this country of ours, so far as the Constitution is effective, men are free to believe and to advocate or to disbelieve and to argue against, any creed. And the government is unqualifiedly forbidden to restrict that freedom. As an instance of the second kind, we may take the liberty of an individual to own, and to use the income from, his labor or his property. It is agreed among us that every man has a right, a liberty, to such ownership and use. And yet it is also agreed that the government may take whatever part of a man’s income it deems necessary for the promoting of the general welfare. The liberty of owning and using property is, then, as contrasted with that of religious belief, a limited one. It may be invaded by the government. And the constitution authorizes such invasion. It requires only that the procedure shall be properly and impartially carried out and that it shall be justified by public need. Our Constitution, then, recognizes and protects two different sets of freedoms. One of these is open to restriction by the government. The other is not open to such restriction. It would be of great value to our argument and, in fact, to all attempts at political thinking in the United States, if there were available two sharply defined terms by which to identify these two fundamentally different kinds of civil liberty. But, alas, no such accurate use of words has been established among us. Men speak of the freedom of belief and the freedom of property as if, in the Constitution, the word “freedom,” as used in these two cases, had that same meaning. Because of that confusion we are in constant danger of giving to a man’s possessions the same dignity, the same status, as we give to the man himself. From that confusion our national life has suffered disastrous effects in all its phases. But for this disease of our minds there is, so far as I know, no specific semantic cure. All that we can do at present is to remember that such terms as liberty, freedom, civil rights, etc., are ambiguous. We must, then, in each specific case, try to keep clear what meaning we are using. We Americans think of ourselves as politically free. We believe in self-government. If men are to be overpermed, we say, then that governing must be done, not by others, but by themselves. So far, therefore, as our own affairs are concerned, we refuse to submit to alien control. That refusal, if need be, we will carry to the point of rebellion, of revolution. And if other men, within the jurisdiction of our laws, are denied their right to political freedom, we will, in the same spirit, rise to their defense. Governments, we insist, derive their just powers from the consent of the governed. If that consent be lacking, governments have no just powers. Now, this political program of ours, though passionately advocated by us, is not – as we ask refigure – fully worked out in practice. Over one hundred and seventy years have gone by since the Declaration of Independence was written. But, to an unforgivable degree, citizens of the United States are still subjected to decisions in the making of which they have had no effective share. So far as that is true, we are not self-governed; we are not politically free. We are governed by others. And, perhaps worse, we are, without their consent, the governors of others. But a more important point – which we Americans do not so readily recognize – is that of the intellectual difficulties which are inherent in the making and administering of this political program of ours. We do not see how baffling, even to the point of desperation, is the task of using our minds, to which we are summoned by our plan of government. That plan is not intellectually simple. Its victories are chiefly won, not by the carnage of battle, but by the sweat and agony of the mind. By contrast with it, the idea of alien government which we reject – whatever its other merits or defects – is easy to understand. It is suited to simple-minded people who are unwilling or unable to question their own convictions, who would defend their principles by suppressing that hostile criticism which is necessary for their clarification. The intellectual difficulty of which I am speaking is sharply indicated by Professor Edward Hallett Carr, in his recent book, The Soviet Impact on the Western World. Mr. Carr tells us that our American political program, as we formulate it, is not merely unclear. It is essentially self-contradictory and hence, nonsensical. “Confusion of thought,” he says, “is often caused by the habit common among politicians and writers of the English-speaking world, of defining democracy in formal and conventional terms as ‘self-government’ or ‘government by consent.’ “What these terms define, he continues, “is not democracy, but anarchy. Government of some kind is necessary in the common interest precisely because men will not govern themselves. ‘Government by consent’ is a contradiction in terms; for the purpose of government is to compel people to do what they would not do of their own volition. In short, government is a process by which some people exercise compulsion on others.”

One of the most important Application of the right to Know is in whistleblowing scenarios

Emmerson 76 Thomas I. Emmerson, 1976, "Legal Foundations of the Right to Know," Washington University Law Review, *Issue 1 Symposium: The first Amendment and the Right to know*  [https://books.google.com/books/about/Free\_Speech\_and\_Its\_Relation\_to\_Self\_gov.html?id=Ky-cGSUN\_TwC&printsec=frontcover&source=kp\_read\_button#v=onepage&q&f=false /](%20https://books.google.com/books/about/Free_Speech_and_Its_Relation_to_Self_gov.html?id=Ky-cGSUN_TwC&printsec=frontcover&source=kp_read_button#v=onepage&q&f=false /)

The most potentially significant application of the right to know lies in the area of obtaining information. Here legal doctrine can rely upon and give effect to the central purpose of the right to know. While some of the problems relate to the right to gather materials from private sources, the main issues concern government secrecy and the right to obtain information from government sources. This aspect of the problem will be discussed first. In my judgment the greatest contribution that could be made in this whole realm of law would be explicit recognition by the courts that the constitutional right to know embraces the right of the public to obtain information from the government. There is a firm, indeed overwhelming, theoretical base for accepting this position. While I doubt that the Meiklejohn theory is adequate as a foundation for the whole system. of freedom of expression, in this area his theory is clear and convincing. The public, as sovereign, must have all information available in order to instruct its servants, the government. As a general proposition, if democracy is to work, there can be no holding back of information; otherwise ultimate decision-making by the people, to whom that function is committed, becomes impossible. Whether or not such a guarantee of the right to know is the sole purpose of the first amendment, it is surely a main element of that provision and should be recognized as such. A close analogy can be drawn here to the right of the legislative and judicial branches of government to obtain information from the executive branch. In United States v. Nixon, the Supreme Court expressly upheld the right of the judiciary to obtain data necessary to a grand jury investigation from the President himself.20 Similarly, while there is no Supreme Court confirmation as yet, the power of Congress to, force the executive to produce materials necessary to the congressional function cannot be doubted. These rights are subject, as the Court ruled in the Nixon case, to a right of executive privilege, but the basic constitutional right to information must be regarded as amply established. If one conceives of the citizenry as constituting a fourth branch of government, its right to information would flow from the same premises. Indeed, as the dominant branch of government, the citizens would possess rights superior to those of the other branches. Moreover, the whole concept of government information as public information has received increasing recognition in recent years. One clear manifestation of this has been the growing number of federal and state freedom of information laws, sunshine laws, and similar legislation. The experience of the nation with Watergate has spurred this development. Clearly the country has come to accept the notion that the ordinary citizen is entitled to access to government information. This concept, so broadly based, is ready to be incorporated in constitutional doctrine. Indeed, the Supreme Court has given some hint that it is moving in that direction. In its 1974 decisions in Pell v. Procunier and Saxbe v. Washington Post Co., the Court considered the validity of regulations which prohibited journalists from interviewing prison inmates. A majority of the Court rejected the contention that members of the press have a first amendment right to interview any prisoner willing to talk to them. But it was careful to point out that the regulations involved did allow substantial access by the press and the public to the prisons and that the purpose of the provision in question was not "to conceal from the public the conditions prevailing in federal prisons." The clear implication was that a total foreclosure of information about the internal operation of prisons would run afoul of the first amendment. Moreover, a strong minority of four Justices made the position explicit. Justice Powell pointed out that "First Amendment concerns encompass the receipt of information and ideas as well as the right of free expression," and concluded that "the underlying right" is the "right of the public to the information needed to assert ultimate control over the political process ... ." Justice Douglas, in another dissenting opinion, took the same view, contending that it was not the right of the journalists that was involved "but rather the right of the people, the true sovereign under our constitutional scheme, to govern in an informed manner. '2 1 There is only one other case in which the Supreme Court has dealt with a similar issue. In United States v. Richardson the Court held that despite the provisions of article I, section 9 of the Constitution, requiring "a regular Statement and Account of the Receipts and Expenditures of all public Money," a taxpayer and citizen has no standing to demand information about the CIA budget.2 2 The case must be accounted an unusual one, in view of the national security problems involved, and of course the Court did not reach the merits. It is hard to believe that government regulations which cut off all access to government information, such as one that totally prohibited the press from talking to government employees, would be sustained under the first amendment. One would seem to be on solid ground, therefore, in asserting a constitutional right in the public to obtain information from government sources necessary or proper for the citizen to perform his function as ultimate sovereign. Furthermore, this right would extend, as a starting point, to all information in the possession of the government. It is hard to conceive of any government information that would not be relevant to the concerns of the citizen and taxpayer. Moreover, the right should be enforced by giving all parties whose interests are at stake, namely the citizen or taxpayer, standing to assert their rights in the courts. Without delving into the intricacies of standing law at this point, and despite the Richardson case, recognition of such a cause of action would not take the courts much beyond the point they have already reached in the Data Processing, Sierra Club, SCRAP, and similar cases.28 Starting from this initial point, some exceptions would have to be formulated. In theory these exceptions should be scrupulously limited to those that are absolutely essential to the effective operation of government institutions. Many would exist only for a limited time. In practice, if one approaches the problem with the view that government information is public information, the exceptions would be confined to a very narrow compass. It is impossible to consider these problems in detail here. In general it may be said that some allowance would have to be granted for sensitive national security data, but only to the extent that tactical military movements, design of weapons, operation of espionage or counterespionage, and similar matters are concerned. Diplomatic negotiations and collective bargaining negotiations might also need some protection, at least temporarily. Criminal investigations and uncompleted litigation, and possibly also trade secrets, may fall into the same category. Beyond this, the major areas in which withholding of information would be justified would be those when it is necessary to protect the right of executive officials to receive full and frank advice from subordinates and colleagues-that is, executive privilege-and those where the privacy of individuals is involved. Establishment of this much of the constitutional right to know through judicial procedures would, of course, be a long and tedious process. Fortunately, a good start has already been made to achieve the same end through legislation. The Federal Freedom of Information Act adopts much of the basic pattern just outlined. It commences with a blanket requirement that every government agency presented with a request for records "shall make the records promptly available to any person." It then provides for nine exceptions, some of which are excessively broad, but which cover much the same areas set forth above. Equally important, the Act contains detailed provisions for enforcing agency compliance, including judicial review. Some states have passed similar legislation, and others have adopted sunshine laws which provide for open meetings. Recognition of the right to obtain information from the government has thus made substantial progress. Acceptance of the constitutional right would provide a firm foundation for further development and close important gaps in the legislative structure. Mention should be made of one other area in which the right to obtain information, embodied in a constitutional right to know, becomes important. This concerns the power of government to control the communication of information by its employees and former employees, and to control the dissemination of information that has leaked out of the government apparatus. Despite the Pentagon Papers case2 " and the Marchetti case,25 both constitutional and statutory law in this area remain obscure. Conscientious adherence to right to know principles would remove much of the uncertainty.

#### One of the most important parts of the right to know is government leakers

Emmerson 76 Thomas I. Emmerson, 1976, "Legal Foundations of the Right to Know," Washington University Law Review, *Issue 1 Symposium: The first Amendment and the Right to know*  [https://books.google.com/books/about/Free\_Speech\_and\_Its\_Relation\_to\_Self\_gov.html?id=Ky-cGSUN\_TwC&printsec=frontcover&source=kp\_read\_button#v=onepage&q&f=false /](%20https://books.google.com/books/about/Free_Speech_and_Its_Relation_to_Self_gov.html?id=Ky-cGSUN_TwC&printsec=frontcover&source=kp_read_button#v=onepage&q&f=false /)

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Nixon, the Supreme Court expressly upheld the right of the judiciary to obtain data necessary to a grand jury investigation from the President himself.20 Similarly, while there is no Supreme Court confirmation as yet, the power of Congress to, force the executive to produce materials necessary to the congressional function cannot be doubted. These rights are subject, as the Court ruled in the Nixon case, to a right of executive privilege, but the basic constitutional right to information must be regarded as amply established. If one conceives of the citizenry as constituting a fourth branch of government, its right to information would flow from the same premises. Indeed, as the dominant branch of government, the citizens would possess rights superior to those of the other branches. Moreover, the whole concept of government information as public information has received increasing recognition in recent years. One clear manifestation of this has been the growing number of federal and state freedom of information laws, sunshine laws, and similar legislation. The experience of the nation with Watergate has spurred this development. Clearly the country has come to accept the notion that the ordinary citizen is entitled to access to government information. This concept, so broadly based, is ready to be incorporated in constitutional doctrine. Indeed, the Supreme Court has given some hint that it is moving in that direction. In its 1974 decisions in Pell v. Procunier and Saxbe v. Washington Post Co., the Court considered the validity of regulations which prohibited journalists from interviewing prison inmates. A majority of the Court rejected the contention that members of the press have a first amendment right to interview any prisoner willing to talk to them. 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It is hard to believe that government regulations which cut off all access to government information, such as one that totally prohibited the press from talking to government employees, would be sustained under the first amendment. One would seem to be on solid ground, therefore, in asserting a constitutional right in the public to obtain information from government sources necessary or proper for the citizen to perform his function as ultimate sovereign. Furthermore, this right would extend, as a starting point, to all information in the possession of the government. It is hard to conceive of any government information that would not be relevant to the concerns of the citizen and taxpayer. Moreover, the right should be enforced by giving all parties whose interests are at stake, namely the citizen or taxpayer, standing to assert their rights in the courts. Without delving into the intricacies of standing law at this point, and despite the Richardson case, recognition of such a cause of action would not take the courts much beyond the point they have already reached in the Data Processing, Sierra Club, SCRAP, and similar cases.28 Starting from this initial point, some exceptions would have to be formulated. In theory these exceptions should be scrupulously limited to those that are absolutely essential to the effective operation of government institutions. Many would exist only for a limited time. In practice, if one approaches the problem with the view that government information is public information, the exceptions would be confined to a very narrow compass. It is impossible to consider these problems in detail here. In general it may be said that some allowance would have to be granted for sensitive national security data, but only to the extent that tactical military movements, design of weapons, operation of espionage or counterespionage, and similar matters are concerned. Diplomatic negotiations and collective bargaining negotiations might also need some protection, at least temporarily. Criminal investigations and uncompleted litigation, and possibly also trade secrets, may fall into the same category. Beyond this, the major areas in which withholding of information would be justified would be those when it is necessary to protect the right of executive officials to receive full and frank advice from subordinates and colleagues-that is, executive privilege-and those where the privacy of individuals is involved. Establishment of this much of the constitutional right to know through judicial procedures would, of course, be a long and tedious process. Fortunately, a good start has already been made to achieve the same end through legislation. The Federal Freedom of Information Act adopts much of the basic pattern just outlined. It commences with a blanket requirement that every government agency presented with a request for records "shall make the records promptly available to any person." It then provides for nine exceptions, some of which are excessively broad, but which cover much the same areas set forth above. Equally important, the Act contains detailed provisions for enforcing agency compliance, including judicial review. Some states have passed similar legislation, and others have adopted sunshine laws which provide for open meetings. Recognition of the right to obtain information from the government has thus made substantial progress. Acceptance of the constitutional right would provide a firm foundation for further development and close important gaps in the legislative structure. Mention should be made of one other area in which the right to obtain information, embodied in a constitutional right to know, becomes important. This concerns the power of government to control the communication of information by its employees and former employees, and to control the dissemination of information that has leaked out of the government apparatus. Despite the Pentagon Papers case2 " and the Marchetti case,25 both constitutional and statutory law in this area remain obscure. Conscientious adherence to right to know principles would remove much of the uncertainty.

#### The Right to Know is a Human Right that guarantees checks on Government

Florini 07 Ann Florini, Ann Florini is Visiting Professor at the University of Maryland School of Public Policy"The Right to Know: Transparency for an Open World" 2007, pg 1-3 https://books.google.com/books/about/The\_Right\_to\_Know.html?id=DmI4nQpCBr4C&source=kp\_book\_description

The cliché is not quite right: information by itself is not power. But it is an essential first step in the exercise of political and economic power. Opening up flows of information changes who can do what. That is, why there are few more important struggles in the world today than the battle over who gets to know what. But the debate over transparency and access to information is more than a power struggle. It is also a war of ideas about what transparency is good for and when secrecy may better serve the public interest. This is no trivial or arcane debate. The arguments for and against transparency reflect fundamental issues about the nature of democracy, good governance, economic efficiency, and social justice, at levels ranging from villages to global institutions. The debate is encapsulated in part in competing words: “transparency” and “the right to know” versus “privacy” and “national security.” It is showing up in a host of skirmishes, in arenas ranging from the offices of municipal governments to corporate boardrooms to the halls of major international organizations. By and large, “transparency” – the term – has been winning the rhetorical debate, so much so that *Webster’s* proclaimed it the “Word of the Year” for 2003. But the outcome of the fight for widespread access to information is yet to be decided. Over the past few decades, citizens in all parts of the world have shown themselves to be increasingly unwilling to tolerate secretive decision making. As a result, India, South Africa, the UK, Japan, Mexico, and a host of other countries all have adopted major freedom of information laws; intergovernmental organizations such as the World Bank and the IMF have adopted sweeping new disclosure policies; and hundreds of major multinational corporations have adopted voluntary codes that require them to disclose a wide range of information about their environmental, labor, and other practices. Citizens are insisting that governments, IGOs, and corporations should disclose more information on many grounds. Often, demands for greater transparency go with a push to crack down on corruption. The name of the leading anticorruption organizations is Transparency International. And transparency is indeed a potent weapon in the anticorruption arsenal. An unfortunately large number of officials and executives seem to need that bright light shining on them to deter them from turning public service into a means of private gain. But the proponents of greater disclosure argue vociferously that transparency is far more than an instrument for cleaning up governments. It is a key component of public policy effectiveness and efficiency. Even the most competent and honest decision makers need feedback on how the policies they have set are working out in practice, feedback that is only possible when information’s flows freely in both directions. And information access may provide a key to overcoming the disjunctures of globalization. There is a huge disconnect between the global and regional scales at which problems increasingly need to be solves and rules made, and the national scope of political institutions. Examples abound, from highly integrated global capital markets to manufacturing systems to trade policies to public health. Without free access to information, people in one part of the world have little change of even knowing about – much less having a say in – decisions made far away that affect them. Beyond the pragmatic arguments for transparency, we find fundamental moral claims. One relates to democracy. As democratic norms become entrenched more widely around the world, it is becoming apparent that a broad right of access to information is fundamental to the functioning of a democratic society. The essence of representative democracy is informed consent, which requires that information about government practices and policies be disclosed. And in democracies, by definition, information about government belongs to the people, not the government. A human rights argument combines pragmatic and moral claims, seeing access to information as both a fundamental human right and a necessary concomitant of the realization of all other rights. Those of course include the political and civil rights with which freedom of information has long been associated. As Article 19 of the Universal Declaration of Human Rights makes clear, the freedom to speak on public issues is meaningless without the freedom to be informed. Beyond this, advocates increasingly argue that information access is the right that makes possible the achievement of social and economic justice, “one that levers and supports the realization of rights to proper welfare support, clean environment, adequate housing, health care, or education,” in the words of one recent book.

# ---1AR---

# Extensions

### 1AR O/V (0:45)

#### The modern United States is securitized – the increasing power of the surveillance state with no judicial check on it means that the government can do whatever they want with no brightline.

#### That means authoritarianism – abuse of power outweighs any impact because the government can control its citizens and take away and give rights as they please and make them work in state interest. No individual can feel truly rational or free when all communications can be seen by the government.

#### It also makes the US set a bad democratic norm – the Trump administration has set a standard that control of citizens is okay under modern democracy. That gets modeled globally – democracy solves the root cause of every impact because when the US has set bad democratic models in the past, terror, famine, war, and poverty increase globally and tells those governments that model democracy that IT IS OKAY.

### 2AR O/V

#### The nexus question of this debate is whether knowing more about the government is good or not.

#### The US is a surveillance state where all information can be controlled and shaped in state interest – that justifies authoritarianism and infinite abuses by the government with no brightline. It also creates bad international models for democracy and is the root cause of an infinite amount of impacts.

#### Learning more about candidates and the policies they implement helps spark activism and create better international norms about what is going on behind closed doors. If we win a 1% impact or chance of case solvency then you vote aff on our offense because dominant ideologies control ALL other potential reform.

### 1AR Lay O/V

#### Securitization is on the rise – the increasing power of the surveillance state with no judicial check on it means that the government can do whatever they want with no brightline.

#### That means authoritarianism – abuse of power outweighs any impact because the government can control its citizens and take away and give rights as they please and make them work in state interest. No individual can feel truly rational or free when all communications can be seen by the government.

#### It also sets bad democratic norms that get modeled globally – the Trump administration has set a standard that control of citizens is okay under modern democracy. That gets modeled globally – democracy solves the root cause of every impact because bad democratic models have historically increased, terror, famine, war, and poverty and tells governments that IT IS OKAY.

#### Only by setting better democratic norms can we create better global modeling to check authoritarian governments. Knowing more about our candidates is a starting point to a more transparent government and sets global standards that spark activism. Any chance that the affirmative produces effective discussions of this outweighs – you should reject dominant ideologies in any instance because it controls all other potential reform.

### 2AR Lay O/V

#### The nexus question of this debate is whether knowing more about the government is good or not.

#### We live in a surveillance state where all information can be controlled and shaped in state interest – that justifies authoritarianism and infinite abuses by the government with no brightline. It also creates bad international models for democracy and is the root cause of an infinite amount of impacts.

#### Learning more about candidates and the policies they implement helps spark activism and create better international norms about what is going on behind closed doors. If we win a 1% impact or chance that the affirmative is a better option then you vote aff on our offense because dominant ideologies control ALL other potential reform.

### ROTB O/V

#### The roll of the ballot is to vote for the debater with the best policy option to reject dominant institutions, prefer it

#### Real world – we can’t completely reject institutions because new institutions will always rise up, the only concrete solution is understanding how to work within the state and find life out of it, our Williams, Zanotti, and Atterton evidence say that the only way to find power and fix institutions is by understanding the oppressors and their tactics

#### Critical education – you should endorse an advocacy that fights against an institution that allows for the suffering of millions of people and justifies it by watching our every move, before they can completely control our lives we should use this space as a place of understanding how the surveillance state works and finding ways to reject its power, this means our ROTB wins on uniqueness

### Util O/V

#### Prefer our framework, it prevents the suffering of millions of people

#### It’s the most reliable – pain is the most historically reliable way to assume something is ethically true because everyone sees pain as bad. I.e. when you look at a hot stove you get a natural instinct to not put your hand on it. Only our framework can account for how people naturally act

#### It’s the most real-world – governments naturally act to minimize consequences, anything else is abstraction and doesn’t focus on how acts play out in the real world

#### It treats beings as equal – other frameworks say certain beings and actions can’t be moral, util puts it on an equal playing field and says that every being is equal and that no one can have more worth than another

# 1AR Theory

## Condo

### One Condo Short

### Multiple-Condo Short

### Actual Shell

## Condo PICs

## PICs

### Short

# 1AR Kritiks

## Fuck Kant

## Spikes

# A2: Case Objections

## Conal’s Util Prep Out

# A2: Disads

## Generic Responses

### Extinction Framing Bad

## AT: HIPAA

#### No link – aff doesn’t require medical disclosure – that was the Streiffer ev in the 1AC

#### Internal link between trust and bioterror is garbage – this Walker evidence doesn’t even say HIPAA is the reason why people are comfortable talking to their doctors, the evidence BARELY talks about HIPAA, it’s just talking about how HIPAA needs to change in the face of increased technology and increased medical records and that it’s good for keeping records, but not at all in the context of HIPAA being key to trust. Mis-cutting is an independent voting issue for evidence ethics – he can cut the card to say whatever he wants it to and win which is straight up cheating.

#### No link uniqueness – Girgis is talking about medical speculations in the 2016 election and how it violated HIPAA, if these issues already happened it should’ve triggered the impact.

## AT: Campaign Finance Disclosure

#### Information shortcuts from financial disclosures are key for the public deciding who to support and would disappear in an anonymous campaign finance system

**Mayer ’03** (Kenneth, Professor of Political Science at the University of Wisconsin-Madison, “Political Realities and Unintended Consequences: Why Campaign Finance Reform is Too Important To Be Left To The Lawyers,” May 2003, KED)

The most likely consequence of the donation booth is that it would deprive the public, but not the candidates, of information regarding donations. Large donors would simply make their claims privately to candidates. These private signals would still be credible, and candidates would still know with reasonable certainty who is giving to them. But, the public would be in the dark. Currently, even though the public might not know what interest groups say to candidates, we do know what the give. Under the blind trust regime, neither communications nor contributions would be publicly visible. This is not a step forward. Moreover, to the extent that the cheap talk regime works, it will have the effect of driving valuable information out of the electoral arena. If candidates are to be confused about the identity of their real contributors, then it is axiomatic that voters will be even more so. The advantages of disrupting potential corruption must therefore be balanced against the disadvantages in forcing voters to make choices without important cues. A significant literature attests to the importance of information shortcuts, or cues that voters use to evaluate candidates when de- tailed information is hard to come by or absorb.159 Key among these is the identity of a candidate’s supporters. Such cues allow otherwise unsophisticated and uninformed voters to act ration- ally, in the sense that they can make the same decisions that they would have made if they had invested considerable time investigating the issues.160 Interest groups have the incentive and the ability to evaluate political information about a candidate’s preferences, behavior, history, and policy positions.161 Ackerman and Ayres dismiss this notion with the assertion that “[r]esearchers have yet to find an election . . . in which information about funding actually made a difference in the outcome.”162 Even if true, this misses the point. Elections need not turn on this information for voters to find it useful.163 Candidates certainly behave as though this information matters, and one of the first steps in any campaign research effort is a study of Where the opponent’s money comes from.164 A group’s Willingness to commit its resources to a candidate is an unambiguous signal of Where it stands, and knowledge about who has given money can be vital to a voter’s evaluation of a candidate. For example, has the candidate made donations to EMILY’S List,165 or the Conservative Victory Fund?166 Handgun Control Inc.,167 or the NRA Political Victory Fund,168 or National Abortion Rights Action League169 or Right to Life?170 Driving this information out of the campaign, or intentionally introducing con- fusion, seems unlikely to improve the election process.

#### Information leaks inevitable – there’s no way to ensure donations are fully anonymous

**Mayer ’03** (Kenneth, Professor of Political Science at the University of Wisconsin-Madison, “Political Realities and Unintended Consequences: Why Campaign Finance Reform is Too Important To Be Left To The Lawyers,” May 2003, KED)

No matter how much attention is devoted to the process of maintaining the confidentiality of contribution data, some unambiguous, traceable, and authoritative record of each transaction would have to exist. The need for such definitive records is obvious, as Without them it would be impossible to carry out the audits necessary to insure that contributions go where the donors intended, apply contribution limits, or enforce any kind of source restriction, such as a ban on foreign or corporate contributions. Many people-hundreds, possibly thousands-would need routine access to this information, and the donation booth system would have to mesh closely with existing financial institutions to insure that contributions are properly debited from donor accounts. It is thus a given that the information will exist, and no encryption code or organizational wall could keep names separate from dollar amounts forever. How, then, do you protect it from being revealed? The procedural solution offered in Voting with Dollars is to limit the number of people with access to the data, prohibit trust employees from fraternizing with candidates or campaign staff, and to insist that under no circumstances would donor names be revealed beyond the $200 threshold.171 Ackerman and Ayres also propose criminal penalties. Section 21 of the Citizen Sovereignty Act, Ackerman and Ayres’s model statute, pro- vides for criminal penalties of up to five years in prison and a $25,000 fine for violating “any provision” of the act.172 Ayres has suggested that the Federal Election Commission (“FEC”) should be authorized to conduct field audits to see if campaigns and trusts are willing to compromise donor anonymity.173 It is not at all clear how such rules would work, and even less clear that they could be enforced. Ultimately, the blind trust regime would have to be more airtight than the national security classification system. Otherwise it is inevitable that those with access to the information would find a way to transmit it to candidates or the public. In the extreme case, trust employees could simply provide documents to reporters or candidates, or selectively disclose particular contributions through leaks. The dismal track record of restrictions on the dissemination of political in- formation-such as leaks of Voter News Service exit poll data and the total flouting of the French ban on the broadcast of public opinion polls within one week of elections-should engender considerable skepticism that contribution records would be kept un- der wraps.174 Once the information is out, the government is to- tally powerless to do anything about it.

## AT: Base

#### No impact-there’s nothing useful in Trump’s tax returns

Buchanan 17

Neil H. Buchanan, “[Neil H. Buchanan](https://www.law.gwu.edu/neil-h-buchanan) is an economist and legal scholar, a professor of law at [George Washington University](https://www.gwu.edu/) and a senior fellow at the [Taxation Law and Policy Research Institute at Monash University in Melbourne, Australia.](https://business.monash.edu/business-law-and-taxation) He teaches tax law, tax policy, contracts, and law and economics. His research addresses the long-term tax and spending patterns of the federal government, focusing on budget deficits, the national debt, health care costs and Social Security.” 2-25-2017, "Neil Buchanan: Why Trump’s tax returns are going to stay secret," Newsweek, <https://www.newsweek.com/neil-buchanan-why-trump-tax-returns-stay-secret-559644>, SS

I have yet to hear an informed argument that convinces me that the tax returns would definitively show Russian entanglements, for example. Maybe they would, but it is quite possible that they would not (even if such entanglements exist). And another popular claim, that the tax returns would prove that Trump's net worth is not what he claims, is almost surely wishful thinking. Annual tax returns simply do not collect the various pieces of information necessary to draw such conclusions, except incidentally and imperfectly. Even so, that the tax returns would not tell us everything does not mean that they would tell us nothing. And as long as Trump is being so secretive, in a context in which he is so shamelessly flouting longstanding practice, he is all but begging to keep the story alive. And his opponents are—quite appropriately—only too happy to oblige.

#### Trump will divert through Twitter – not war

Bershidsky 1-29-2017 – Bloomberg view columnist (Leonid, “Trump a master of diversionary tactics,” *Frederick News Post*, <http://www.fredericknewspost.com/opinion/trump-a-master-of-diversionary-tactics/article_19f13378-2e36-5d9b-bec2-6a15b056ee0c.html)> / MM

President Donald Trump’s executive activity has been frantic in the first days of his term. He has moved to keep a number of the scary promises that were easier to dismiss as unfeasible during the campaign than to accept as actual policies in the real world. But the big stories he has generated have had nothing to do with these actions. According to data collected by BuzzSumo.com, the most widely shared CNN news story about Donald Trump since Jan. 21 was one about his press secretary, Sean Spicer, attacking the media for their reporting on inauguration attendance. It was shared 169,700 times on Facebook. A story on Trump’s executive order to start rolling back Obamacare clocked just 71,100 shares. On The New York Times’ website, the most widely shared story debunked Spicer’s “alternative facts.” It showed up on Facebook 170,900 times. The New York Times piece about Trump’s executive order abandoning the Trans-Pacific Partnership got 44,600 shares. This is the result of a manipulation strategy described long ago by Noam Chomsky: “Keep the adult public attention diverted away from the real social issues, and captivated by matters of no real importance.” Leftists such as Chomsky argue that this is what capitalist elites do, but I know it as a common tactic of kleptocratic regimes such as Vladimir Putin’s in Russia. There’s even a term for the tactic: “diversionary conflict.” Faced with economic difficulties or other problems potentially threatening to its survival, the regime starts a war somewhere or sharpens domestic ethnic divisions. Since the oil price plummeted in late 2014, the Putin regime has kept Russians on a steady diet of war news from eastern Ukraine and Syria (Russia and its allies have been winning). With the Syrian operation, Putin sharply raised his international standing, but a big reduction in protests against worsening economic conditions has probably been more important to him. In neighboring Ukraine, every time a government finds itself in trouble and particularly unpopular, the matter of the country’s linguistic division surfaces, with various groups trying to promote or ban the Russian language. Former President Viktor Yanukovych used the language matter as cover for passing other unpopular legislation. Now, with President Petro Poroshenko’s popularity at a nadir, reforms stalled and the cost of living rising sharply, Ukrainians are distracted by the discussion of a new language law that would make Ukrainian obligatory in public life, under threat of fines. Trump doesn’t need to start wars: He and his team know how emotional many Americans are about him. He can choose what he wants to be hated for -- preferably for something silly and unrelated to his actual priorities at the moment. He used this to his advantage during the campaign: His alleged sexual misconduct took up so much media time and public attention than issues like his business history, his tax returns and his proposals. As the inauguration attendance argument played, Trump has been busy. Apart from starting the Obamacare rollback and withdrawing from the TPP, he has frozen a reduction of mortgage insurance premiums, allowed the Keystone Pipeline to go ahead and prepared to sign an executive order to begin construction of a border wall. Well aware that some of these important actions might cause indignation and targeted protest, Trump has tossed out another meaningless football for the media and the public to fixate on. “I will be asking for a major investigation into VOTER FRAUD, including those registered to vote in two states, those who are illegal and even those registered to vote who are dead,” he tweeted. Sure enough, at the time of this writing, the CNN story about this was the most shared in the last 24 hours, with news about the border wall order coming a distant second. Just as it was unimportant how many people attended the inauguration, it doesn’t matter at all at this point whether undocumented immigrants actually voted last November and whether any votes were cast for dead people. No one is challenging the results of the election. The wall and the Keystone Pipeline matter, yet are much smaller stories in terms of readership. Trump and his team are already showing a flair for diversion. Is it enough to discourage the kinds of mass protests that such aggressive moves on lightning-rod issues might spark? We’ll know in the coming days and weeks, though protesters’ energy was certainly sapped by the massive women’s march, which took place before Trump actually did anything damaging to women’s rights. Trump’s and his team’s communications look awkward, inept, gallingly primitive. It’s time to wise up: These people know what they’re doing. They want their political opponents to be confused, to flail at windmills, to expend emotions on meaningless scandals to distract them from any targeted, coordinated action against specific threats. There are going to be many of these: Trump appears intent on keeping his promises. Calm concentration is needed to counteract dangerous policies.

# A2: Counterplans

## Gerrymandering

#### Democracy is an impact to the aff, not an internal link - your Klaas evidence doesn’t warrant at all why American democracy is ruined, it just says it’s a reason why gerrymandering could be a hail marry option to help democracy

#### Doesn’t solve the authoritarianism scenario or structural harms scenarios, they messed up the internal links - killing Gerrymandering doesn’t change the way that we elect executives, there are more problems with the public and courts not checking the executive branch, Gerrymandering isn’t the core of that issue and no card warrants that.

## Abolish the NSA

#### Permutation do both – we do not think that it’s a good thing for the NSA to do what it’s doing, the net benefit is the ability to have more open information about candidates, that’s something only the aff can solve

#### Can’t solve the case – the NSA is just an example of what causes a securitizing state, there are a ton of other systems and autocrats that the US is electing that enact policies that are authoritarian – i.e. the Patriot Act, the FISA court and the FBI STILL EXISTS.

#### The NSA collects a miniscule amount of info

**Dickerson, 15 -** Julie Dickerson is currently a 3L at Harvard Law School, and previously served as Senior Editor for the Harvard National Security Journal (“Meaningful Transparency: The Missing Numbers the NSA and FISC Should Reveal” Harvard National Security Journal, <http://harvardnsj.org/2015/02/meaningful-transparency-the-missing-numbers-the-nsa-and-fisc-should-reveal/> / MM

Under § 702 of the USA-PATRIOT Act, the NSA uses information from U.S. electronic communication service providers to target non-Americans outside the United States for documented foreign intelligence purposes. The NSA collects more than 250 million internet communications under this power each year. While a large absolute number, it is unclear what percent of total internet communications these § 702 communications constitute. The NSA has revealed that the internet carries 1,826 Petabytes of information per day, the NSA touches 1.6% of that data in its foreign intelligence mission, and the NSA only selects 0.025% of that data for review. The net result is that NSA analysts look at a mere [four one hundred thousandths of a percent] 0.00004% of the world’s traffic. These percentages of total data traffic, though indicative that the percent of § 702 communications collected is likely miniscule, do not map perfectly onto percentages of total communications

# A2: Kritiks

## Generic Responses

### Top Level

### AT: Reform Bad

### AT: High Theory

#### The 1NC is no different than a professor giving a lecture about some really cool and interesting stuff. You could vote aff, still agree with everything they said and give them a ton of speaker points.

#### The mechanism for change is not flushed out. Be skeptical that their critical theory will get us anywhere.

Hynek 13 et al; Dr. Nik Hynek is Associate Professor of International Relations and Theory of Politics at the Metropolitan University Prague and Charles University. He holds PhD degree in International Politics and Security Studies from the Department of Peace Studies at the University of Bradford - "No emancipatory alternative, no critical security studies"- Critical Studies on Security - Volume 1, Issue 1, 2013. / MM

These ‘post-emancipatory’ scholars still frame Western and international intervention in potentially emancipatory terms, but the horizons and aspirations have been substantially lowered from the universalist call to radical academic policy advocacy, of the founders of emancipatory approaches within security studies. While the initial confident calls for emancipatory alternatives at least had an understanding of the need for emancipatory agency, unfortunately found only in Western powers and international institutions, the later approaches lack this clarity and confidence, merely suggesting that more ‘open’, ‘unscripted’, ‘locally sensitive’, ‘desecuritised’ and less ‘universalist’ and ‘liberal’ approaches can avoid the ‘resistances’ held to come from the local level. If these approaches are ‘emancipatory’ they lack any clear project or program as to what these claims might mean or how they might be carried out in reality and are little different to mainstream think tank proposals calling for more ‘local ownership’, ‘local capacity-building’, ‘empowerment’, ‘sustainability’ and ‘resilience’ (see Chandler 2012, Forthcoming). This article has argued that the appendage ‘critical’ should be removed to allow Security Studies to free itself of the baggage of its founding. It is clear that what little emancipatory content critical security theorizing had initially has been more than exhausted and, in fact, thoroughly critiqued. The boom in CSS in the 1990s and early 2000s was essentially parasitical on the shift in Western policy discourses, which emphasized the radical and emancipatory possibilities of power, rather than on the basis of giving theoretical clarity to counter-hegemonic forces. We would argue that the removal of the prefix ‘critical’ would also be useful to distinguish security study based on critique of the world as it exists from normative theorizing based on the world as we would like it to be. As long as we keep the ‘critical’ nomenclature, we are affirming that government and international policy-making can be understood and critiqued against the goal of emancipating the non-Western Other. Judging policy-making and policy outcomes, on the basis of this imputed goal, may provide ‘critical’ theorists with endless possibilities to demonstrate their normative standpoints but it does little to develop academic and political understandings of the world we live in. In fact, no greater straw man could have been imagined, than the ability to become ‘critical’ on the basis of debates around the claim that the West was now capable of undertaking emancipatory policy missions. Today, as we witness a narrowing of transformative aspirations on behalf of Western policy elites, in a reaction against the ‘hubris’ of the claims of the 1990s (Mayall and Soares de Oliveira 2012) and a slimmed down approach to sustainable, ‘hybrid’ peacebuilding, CSS has again renewed its relationship with the policy sphere. Some academics and policy-makers now have a united front that rather than placing emancipation at the heart of policy-making it should be ‘local knowledge’ and ‘local demands’.

## AT: Set Col

## AT: Ableism

## AT: Fem

## AT: Habeas Viscus

## AT: Baudy

## AT: Cap

### Ishan

### Dump

## AT: Queer Theory

## AT: Afropess

### Osmane

### Ishan

### Top Level

## AT: Black Theology

### Top Level

### Cards

# A2: NCs

## AT: Paternalism

## AT: Ideal Theory

## AT: Extinction First

## AT: Structural Violence

### Top Level

### 1AR (Short)

### 1AR (Long)

## AT: Kant

### Framing O/V

### AT: Omnilateral Will

### Fuck Kant

### Don’t Be Homophobic

## AT: Libertarianism

## AT: Particularism

## AT: Hobbes

## AT: Pragmatism

# A2: ROTBs

## AT: Truth Testing

### V. Conal

### Overview (General)

# A2: Theory/Topicality

## Generic Responses

### Overview – Theory Bad

### AT: Can’t Weigh Case

### Reasonability Brightline

## Weighing Args

### Fairness > education

### Education > fairness

### Use competing interps

### Use reasonability

### RVIs on topicality good

## AT: Spec

### 1AR v Public Spec

### 1AR v Democracy Spec

### 1AR v Candidate/Democracy Spec

### 1AR v Actor Spec

### 1AR v Enforcement Spec

### We Meet

### Bruh the US is a Democracy

### Reasonability Brightline