## T

#### Definition: Unconditional means “without exception”

Thesaurus.plus Undated

https://thesaurus.plus/related/unconditional/unqualified

“*Unconditional* adjective – *Having no exceptions or restrictions*.”

#### Literature base supports – exceptions for classes of workers are exceptions to unconditional right to strike

**Brudney 21**

{James Brudney, Yalke Law Journal, “The Right to Strike as Customary International Law”, <https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1710&context=yjil>, Professor of Law, Fordham University)

The international right to strike is far from absolute. It may be restricted in exceptional circumstances, or even prohibited, pursuant to national regulation.

For a start, Convention 87 provides that members of the armed forces and the police may be excluded from the scope of the Convention in general, including the right to strike. In addition, applications by the CFA and CEACR have concluded that three distinct forms of substantive restriction on the right to strike are compatible with Convention 87.

1. Substantive Limitations

One important restriction applies to certain categories of public servants. The CEACR and CFA have made clear that public employees generally enjoy the same right to strike as their counterparts in the private sector; at the same time, in order to ensure continuity of functions in the three branches of government, this right may be restricted for public servants exercising authority in the name of the State. Examples include officials performing tasks that involve the administration of necessary executive branch functions or that relate to the administration of justice.

Each country has its own approach to classifying public servants exercising authority in the name of the State. When considering the international right under Convention 87, some public servant exceptions seem clearly applicable, such as officials auditing or collecting internal revenues, customs officers, or judges and their close judicial assistants.

Some public servant exceptions seem inapplicable, such as teachers, or public servants in State-owned commercial enterprises. Whether public servants are exercising authority in the name of the State can be a close question under particular national law, one on which the CEACR and CFA have offered encouragement and guidance, as has the Committee on Economic, Social and Cultural Rights (CESCR).

A second equally important restriction on the right to strike involves essential services in the strict sense of the term. This is an area in which both the CEACR and CFA have developed a detailed set of applications and guidelines.

The two committees consider that essential services, for the purposes of restricting or prohibiting the right to strike, are only those “the interruption of which would endanger the life, personal safety or health of the whole or part of the population.”

#### VIOLATION – the aff failed to meet its burden to prove that a just government must recognize an unconditional right to strike. Rather, the aff at best proves only that a conditional right to strike be established, based on the condition that you are an employee in the \_\_\_\_\_\_ sector

#### VOTING ISSUE for multiple reasons

#### Fairness – allowing the aff to defend strikes only for a particular set of workers creates an impossible research burden. There are thousands of worker classifications, and neg teams couldn’t possibly research them all

#### Predictable limits – both dictionary and literature base show an unconditional right to strike includes all workers in all circumstances; exceptions render the right conditional. The neg can’t prepare if the aff effectively runs a neg case, defending only a conditional right to strike

#### Allows abusive affs – Aff could argue that workers who are literally legally enslaved and paid no wages should have an unconditional right to strike. This would put the neg in the unwinnable and disgusting position of having to defend slavery.

# Partial Res

#### Give cap and inch it will take a mile—we need to fight oppression absolutely because it is a slippery slope—{make warrant}

#### The right to strike is a fundamental right and any exceptions undermine it

#### Any Exceptions to Right to Strike Risk Oppression

Lim 19

https://www.thecrimson.com/article/2019/12/11/lim-right-to-strike/

The right to strike is a [right](https://jacobinmag.com/2018/07/right-to-strike-freedom-civil-liberties-oppression) to resist oppression.

The strike (and the credible threat of a strike) is an indispensable part of the collective bargaining procedure. Collective bargaining (or “agreement-making”) provides workers and employees with the opportunity to influence the establishment of workplace rules that govern a large portion of their lives. The concerted withdrawal of labor allows workers to promote and defend their unprotected economic and social interests from employers’ unilateral decisions, and provide employers with pressure and incentives to make reasonable concessions. Functionally, strikes provide workers with the bargaining power to drive fair and meaningful negotiations, offsetting the inherent inequalities of bargaining power in the employer-employee relationship. The right to strike is essential in preserving and winning rights. Any curtailment of this right involves the risk of weakening the very basis of collective bargaining.

## Abolition K

#### The 1AC sees criminal justice as reformable – prevents understanding carcerality as the structuring principle of society. Criminal justice reform gets coopted, strengthening the prison regime.

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The global U.S. prison regime has no precedent or peer and has become a primary condition of schooling, education, and pedagogy in every possible site. Aside from its sheer accumulation of captive bodies (more than 2.5 million, if one includes children, military captives, undocumented migrants, and the mentally ill/disordered),1 the prison has become central to the (re)production and (re)invention of a robust and historically dynamic white supremacist state: at its farthest institutional reaches, the prison has developed a capacity to organize and disrupt the most taken-for-granted features of everyday social life, including “family,” “community,” “school,” and individual social identities. Students, teachers, and administrators of all kinds have come to conceptualize “freedom,” “safety,” and “peace” as a relatively direct outcome of state-conducted domestic war (wars on crime, drugs, gangs, immigrants, terror, etc.), legitimated police violence, and large-scale, punitive imprisonment. In what follows, I attempt to offer the outlines of a critical analysis and schematic social theory that might be useful to two overlapping, urgent tasks of the radical teacher: 1) to better understand how the prison, along with the relations of power and normalized state violence that the prison inhabits/produces, form the everyday condition of possibility for the teaching act; and 2) to engage a historically situated abolitionist praxis that is, in this moment, primarily pedagogical. A working conception of the “prison regime” offers a useful tool of critical social analysis as well as a theoretical framework for contextualizing critical, radical, and perhaps abolitionist pedagogies. In subtle distinction from the criminological, social scientific, and common sense understandings of “criminal justice,” “prisons/ jails,” and the “correctional system,” the notion of a prison regime focuses on three interrelated technologies and processes that are dynamically produced at the site of imprisonment: first, the prison regime encompasses the material arrangements of institutional power that create informal (and often nominally illegal) routines and protocols of militarized physiological domination over human beings held captive by the state. This domination privileges a historical anti-black state violence that is particularly traceable to the latter stages of continental racial chattel slavery and its immediate epochal aftermath in “post-emancipation” white supremacy and juridical racial segregation/apartheid—a privileging that is directly reflected in the actual demography of the imprisoned population, composed of a Black majority. The institutional elaborations of this white supremacist and anti-black carceral state create an overarching system of physiological domination that subsumes differently racialized subjects (including whites) into institutional routines (strip searching and regular bodily invasion, legally sanctioned torture, ad hoc assassination, routinized medical neglect) that revise while sustaining the everyday practices of genocidal racial slavery. While there are multiple variations on this regime of physiological dominance—including (Latino/a, Muslim, and Arab) immigrant detention, extra-territorial military prisons, and asylums—it is crucial to recognize that the genealogy of the prison’s systemic violence is anchored in the normalized Black genocide of U.S. and New World nation-building.2 Second, the concept of the prison regime understands the place of state-ordained human capture as a modality of social (dis)organization that produces numerous forms of interpersonal and systemic (race, class, gender, sexual) violence within and beyond the physical sites of imprisonment. Here, the multiple and vast social effects of imprisonment (from affective disruptions of community and extended familial ties to long-term economic/geographic displacement) are understood as fundamental and systemic dimensions of the policing and imprisonment apparatus, rather than secondary or unintended consequences of it.3 Third, the prison regime encompasses the multiple knowledges and meanings that are created around the institutional site and cultural symbol of “the prison,” including those that circulate in popular culture and among the administrative bureaucracies and curriculum of schools. Given this conception of the prison regime as a far-reaching and invasive arrangement of social power, state violence, and human domination, we might better be able to understand the significance of everyday routines of school-based discipline that imply the possibility of imprisonment as the punitive bureaucratic outcome of misbehavior, truancy, and academic failure. What, then, is the condition of “teaching” in the context of a prison regime that is so relentless in its innovation and intrusiveness? We might depart from another critical premise: that the prison 4 (jail, detention center, etc.) cannot be conceptualized as a place that is wholly separate or alienated from the normalized intercourses of civil society or “the free world.” Speaking more precisely to the concerns raised by this issue of Radical Teacher, the massive carceral-cultural form of the prison has naturalized a systemic disorientation of the teaching act, so that teaching is no longer separable from the work of policing, juridical discipline, and state-crafted punishment. Thus, I do not think the crucial question in our historical moment is whether or not our teaching ultimately supports or adequately challenges the material arrangements and cultural significations of the prison regime - just as I believe the central question under the rule of apartheid is not whether a curriculum condones or opposes the spatial arrangements of white supremacy and intensified racist state violence. Rather, the primary question is whether and how the act of teaching can effectively and radically displace the normalized misery, everyday suffering, and mundane state violence that are reproduced and/or passively condoned by both hegemonic and critical/counterhegemonic pedagogies. I am arguing that our historical conditions urgently dictate that a strategic distinction must be drawn between liberal, social justice, critical, and even "radical" pedagogies that are capable of even remotely justifying, defending, or tolerating a proto-genocidal prison regime that is without precedent or peer, on the one hand, and those attempts at abolitionist pedagogy that - in an urgent embracing of the historical necessity of innovation, improvisation, and radical rearticulation - are attempting to generate new epistemic and intellectual approaches to meaning, knowledge, learning, and practice for the sake of life, liberation, and new social possibilities. I am concerned with addressing a pedagogical tendency that artificially separates the teacher- student relation and "the school" from "the prison." Such strategic distinctions are useful for delineating the ways that multiple pedagogical epistemes5 (including otherwise critical and radical ones) operate from the a priori notion that prisons and policing serve necessary, peace-and-safety making, and "good" social functions that are somehow separable or recuperable from their historical primacy to socioeconomic/class repression, American apartheid,6 racial slavery,7 indigenous land displacement and cultural genocide,8 and white supremacist colonization.9 In other words, what might happen to the disoriented teaching act if it were re-oriented against the assumptive necessity, integrity, and taken-for-grantedness of prisons, policing, and the normalized state violence they reproduce? Schooling Regime The structural symbiosis between schools and the racist policing/prison state is evident in the administrative, public policy, and pedagogical innovations of the War on Drugs, “Zero Tolerance,” “No Child Left Behind,” and the school-based militarizations of the “school to prison (and military) pipeline.”10 Angela Y. Davis has suggested that “when children attend schools that place a greater value on discipline and security than on knowledge and intellectual development, they are attending prep schools for prison.”11 These punitive iterations of an increasingly carceral schooling industrial complex, however, represent a symptomatic reflection of how the racist state—and white supremacist social formation generally—are producing new categories of social identities (and redefining older ones) that can only be “taught” within a direct relationship to the regulatory mechanisms and imminent (state) violence of the prison industrial complex and the U.S. prison regime. (Even while some are relatively privileged by the institutional logics of relative de-criminalization, their bodily mobility and academic progression are contingent on the state’s capacity to separate and “protect” them from the criminalized.) There are, at first, categories of social subjects that are apprehended and naturalized by the school-as-state—gifted and talented, undocumented, gang affiliated, exceptional, at-risk, average—who are then, by ontological necessity, hierarchically separated through the protocols of pseudo-standardized intelligence quotient, socioeconomic class, race, gender, citizenship, sexuality, neighborhood geography, etc. This seemingly compulsory, school-sited reproduction of the deadly circuits of privilege and alienation is anything but new, and has always been central to the routines of the U.S. schooling regime, particularly in its colonialist and post-emancipationist articulations.12 The idea of the U.S. prison apparatus as a regime, in this context, brings attention to how prisons are not places outside and apart from our everyday lives, but instead shape and deform our identities, communities, and modes of social interaction. I have written elsewhere that the prison regime is an apparatus of power/violence that cannot be reduced to a minor “institution” of the state, but has in fact become an apparatus that possesses and constitutes the state, often as if autonomous of its authority.13 Here, I am interested in how this regime overlaps with and mutually nourishes the multiple “schooling regimes” that make up the U.S. educational system. The U.S. prison, in other words, has become a model and prototype for power relations more generally, in which 1) institutional authority is intertwined with the policing and surveillance capacities (legitimated violence) of the state, 2) the broadly cultural and peculiarly juridical racial/gender criminalization of particular social subjects becomes a primary framework for organizing institutional access, and 3) the practice of systemic bodily immobilization (incarceration) permeates the normal routines of the “free world.” To trace the movements of the prison’s modeling of power relations to the site of the school is to understand that policing/surveillance, criminalization, and immobilization are as much schooling practices as they are imprisonment practices. The teacher is generally being asked to train the foot soldiers, middle managers, administrators, workers, intellectuals, and potential captives of the school/prison confluence, whether the classroom is populated by criminalized Black and Brown youth or white Ph.D. candidates. Two thoughts are worth considering: the teaching act is constituted by the technologies of the prison regime, and the school is inseparable from the prison industrial complex. The “prison industrial complex,” in contrast to the prison regime, names the emergence over the last three decades of multiple symbiotic institutional relationships that dynamically link private business (such as architectural firms, construction companies, and uniform manufacturers) and government/state apparatuses (including police, corrections, and elected officials) in projects of multiply-scaled human immobilization and imprisonment. The national abolitionist organization Critical Resistance elaborates that the prison industrial complex is a “system situated at the intersection of governmental and private interests that uses prisons as a solution to social, political, and economic problems.”14 In fact, as many abolitionist scholars have noted, the rise of the prison industrial complex is in part a direct outcome of the liberal-progressive “prison reform” successes of the 1970s. The political convergence between liberals, progressives, and “law and order” conservatives/reactionaries, located within the accelerating political and geographical displacements of globalization,15 generated a host of material transformations and institutional shifts that facilitated— in fact, necessitated—the large-scale reorganization of the prison into a host of new and/or qualitatively intensified structural relationships with numerous political and economic apparatuses, including public policy and legislative bodies, electoral and lobbying apparatuses, the medical and architectural/construction industries, and various other hegemonic institutional forms. Concretely, the reform of the prison required its own expansion and bureaucratic multiplication: for example, the reform of prison overcrowding came to involve an astronomical growth in new prison construction (rather than decarceration and release), the reformist outrage against preventable deaths and severe physiological suffering from (communicable, congenital, and mental) illnesses yielded the piecemeal incorporation of medical facilities and staff into prison protocols (as opposed to addressing the fact that massive incarceration inherently creates and circulates sickness), and reformist recognition of carceral state violence against emotionally disordered, mentally ill, and disabled captives led to the creation of new prisons and pharmaceutical regimens for the “criminally insane,” and so on. Following the historical trajectory of Angela Y. Davis’ concise and accurate assessment that “during the (American) revolutionary period, the penitentiary was generally viewed as a progressive reform, linked to the larger campaign for the rights of citizens,”16 it is crucial to recognize that the prison industrial complex is one of the most significant “reformist” achievements in U.S. history and is not simply the perverse social project of self-identified reactionaries and conservatives. Its roots and sustenance are fundamentally located in the American liberal-progressive impulse toward reforming institutionalized state violence rather than abolishing it. The absolute banality of the prison regime’s presence in the administrative protocols, curricula, and educational routines of the school is almost omnipresent: aside from the most obvious appearances of the racist policing state on campuses everywhere, it is generally the fundamental epistemological (hence pedagogical) assumption of the school that 1) social order (peace) requires a normalized, culturally legitimated proliferation of state violence (policing, juridical punishment, war); 2) the survival of civil society (schools, citizenship, and individual “freedom”) depends on the capacity of the state to isolate or extinguish the criminal/dangerous; and 3) the U.S. nationbuilding project is endemically decent or (at least) democratic in spirit, and its apparent corruptions, contradictions, and systemic brutalities (including and especially the racial, gender, and class-based violence of the prison industrial complex) are ultimately reformable, redeemable, or (if all else fails) forgivable.

#### The aff is a superficial tweak to the criminal justice system that preserves its legitimacy and coopts the movement toward structural change.

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The emerging “criminal justice reform” consensus is superficial and deceptive. It is superficial because most proposed “reforms” would still leave the United States as the greatest incarcerator in the world. It is deceptive because those who want largely to preserve the current punishment bureaucracy—by making just enough tweaks to protect its perceived legitimacy—must obfuscate the difference between changes that will transform the system and tweaks that will curb only its most grotesque flourishes. Nearly every prominent national politician and the vast majority of state and local officials talking and tweeting about “criminal justice reform” are, with varying levels of awareness and sophistication, furthering this deception. These “reform”-advancing punishment bureaucrats are co-opting a movement toward profound change by convincing the public that the “law enforcement” system as we know it can operate in an objective, effective, and fair way based on “the rule of law.” These punishment bureaucrats are dangerous because, in order to preserve the human caging apparatus that they control, they must disguise at the deepest level its core functions. As a result, they focus public conversation on the margins of the problem without confronting the structural issues at its heart. Theirs is the language that drinks blood. In this Essay, I examine “criminal justice reform” by focusing on the concepts of “law enforcement” and the “rule of law.” Both are invoked as central features of the American criminal system. For many prominent people advocating “reform,” the punishment bureaucracy as we know it is the inevitable result of “law enforcement” responding to people “breaking the law.” To them, the human caging bureaucracy is consistent with, and even required by, the “rule of law.” This world view—that the punishment bureaucracy is an attempt to promote social well-being and human flourishing under a dispassionate system of laws—shapes their ideas about how to “fix” the system. But few ideas have caused more harm in our criminal system than the belief that America is governed by a neutral “rule of law.” The content of our criminal laws—discussed in Part V—and how those laws are carried out—addressed in Part VI—are choices that reflect power. The common understanding of the “rule of law” and the widely accepted use of the term “law enforcement” to describe the process by which those in power accomplish unprecedented human caging are both delusions critical to justifying the punishment bureaucracy. This is why it is important to understand how they distort the truth. I apply these arguments in Part VII, explaining why the current “criminal justice reform” discourse is so dangerous. I focus on several prominent national punishment bureaucrats and a new local wave of supposedly “progressive prosecutors.” Finally, in Part VIII, I discuss the new generation of directly impacted people, organizers, lawyers, faith leaders, and academics on the libertarian left and right who understand the punishment bureaucracy as a tool of power in service of white supremacy and profit. I explain why this growing movement must reject the “criminal justice reform” discourse of punishment bureaucrats and speak clearly about why the legal system looks the way that it does. I urge those interested in changing the punishment bureaucracy to ground every discussion that they have and every proposed reform that they evaluate in a set of guiding principles rooted in this movement’s vision. I sketch some of those principles for their consideration below.

#### Vote neg for an abolitionist pedagogy that locates itself within a living history of radical anti-carceral movements. That’s the only ethical response to dominant carceral logics which will ensure genocidal violence and extinction.

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Contrary to the thinly disguised ideological Alinskyism that contemporary liberal, progressive, critical, and “radical” teaching generally and tacitly assumes in relation to the prison regime, what is usually required, and what usually works as a strategy for teaching against the carceral common sense, is a pedagogical approach that asks the unaskable, posits the necessity of the impossible, and embraces the creative danger inherent in liberationist futures. About a decade of teaching a variety of courses at the undergraduate and graduate levels at one of the most demographically diverse research universities in the United States (the University of California, Riverside) has allowed me the opportunity to experiment with the curricular content, assignment form, pedagogical mode, and conceptual organization of coursework that directly or tangentially addresses the formation of the U.S. prison regime and prison industrial complex. Students are consistently (and often unanimously) eager to locate their studies within an abolitionist genealogy—often understanding their work as potentially connected to a living history of radical social movements and epistemological-political revolt—and tend to embrace the high academic demands and rigor of these courses with far less resistance and ambivalence than in many of my other Ethnic Studies courses. There are some immediate analytical and scholarly tools that form a basic pedagogical apparatus for productively exploding the generalized common sense that creates and surrounds the U.S. prison regime. In fact, it is crucial for teachers and students to collectively understand that it is precisely the circulation and concrete enactment of this common sense that makes it central to the prison regime, not simply an ideological “supplement” of it. Put differently, many students and teachers have a tendency to presume that the cultural symbols and popular discourses that signify and give common sense meaning to prisons and policing are external to the prison regime, as if these symbols and discourses (produced through mass media, state spokespersons and elected officials, right-wing think tanks, video games, television crime dramas, etc.) simply amount to “bad” or “deceptive” propaganda that conspiratorially hide some essential “truth” about prisons that can be uncovered. This is a seductive and self-explanatory, but far too simplistic, way of understanding how the prison regime thrives. What we require, instead, is a sustained analytical discussion that considers how multiple layers of knowledge—including common sense and its different cultural forms—are constantly producing a “lived truth” of policing and prisons that has nothing at all to do with an essential, objective truth. Rather, this fabricated, lived truth forms the template of everyday life through which we come to believe that we more or less understand and “know” the prison and policing apparatus, and which dynamically produces our consent and/or surrender to its epochal oppressive violence. As a pedagogical tool, this framework compels students and teachers to examine how deeply engaged they are in the violent common sense of the prison and the racist state. Who is left for dead in the common discourse of crime, “innocence,” and “guilt”? How has the mundane institutionalized violence of the racist state become so normalized as to be generally beyond comment? What has made the prison and policing apparatus in its current form appear to be so permanent, necessary, and immovable within the common sense of social change and historical transformation? In this sense, teachers and students can attempt to concretely understand how they are a dynamic part of the prison regime’s production and reproduction— and thus how they might also be part of its abolition through the work of building and teaching a radical and liberatory common sense (this is political work that anyone can do, ideally as part of a community of social movement). Additionally, the abolitionist teacher can prioritize a rigorous—and vigorous—critique of the endemic complicities of liberal/progressive reformism to the transformation, expansion, and ultimate reproduction of racist state violence and (proto)genocide; this entails a radical critique of everything from the sociopolitical legacies of “civil rights” and the oppressive capacities of “human rights” to the racist state’s direct assimilation of 1970s-era “prison reform” agendas into the blueprints for massive prison expansion discussed above.17 The abolitionist teacher must be willing to occupy the difficult and often uncomfortable position of political leadership in the classroom. To some, this reads as a direct violation of Freirian conceptions of critical pedagogy, but I would argue that it is really an elaboration and amplification of the revolutionary spirit at the heart of Freire’s entire lifework. That is, how can a teacher expect her/ his students to undertake the courageous and difficult work of inhabiting an abolitionist positionality—even if only as an “academic” exercise—unless the teacher herself/himself embodies, performs, and oozes that very same political desire? In fact, it often seems that doing the latter is enough to compel many students (at least momentarily) to become intimate and familiar with the allegedly impossible. Finally, the horizon of the possible is only constrained by one’s pedagogical willingness to locate a particular political struggle (here, prison abolition) within the long and living history of liberation movements. In this context, “prison abolition” can be understood as one important strain within a continuously unfurling fabric of liberationist political horizons, in which the imagination of the possible and the practical is shaped but not limited by the specific material and institutional conditions within which one lives. It is useful to continually ask: on whose shoulders does one sit, when undertaking the audacious identifications and political practices endemic to an abolitionist pedagogy? There is something profoundly indelible and emboldening in realizing that one’s “own” political struggle is deeply connected to a vibrant, robust, creative, and beautiful legacy of collective imagination and creative social labor (and of course, there are crucial ways of comprehending historical liberation struggles in all their forms, from guerilla warfare to dance). While I do not expect to arrive at a wholly satisfactory pedagogical endpoint anytime soon, and am therefore hesitant to offer prescriptive examples of “how to teach” within an abolitionist framework, I also believe that rigorous experimentation and creative pedagogical radicalism is the very soul of this praxis. There is, in the end, no teaching formula or pedagogical system that finally fulfills the abolitionist social vision, there is only a political desire that understands the immediacy of struggling for human liberation from precisely those forms of systemic violence and institutionalized dehumanization that are most culturally and politically sanctioned, valorized, and taken for granted within one’s own pedagogical moment. To refuse or resist this desire is to be unaccountable to the historical truth of our moment, in which the structural logic and physiological technologies of social liquidation (removal from or effective neutralization within civil society) have merged with history’s greatest experiment in punitive human captivity, a linkage that increasingly lays bare racism’s logical outcome in genocide.18 Abolitionist Position and Praxis Given the historical context I have briefly outlined, and the practical-theoretical need for situating an abolitionist praxis within a longer tradition of freedom struggle, I contend that there can be no liberatory teaching act, nor can there be an adequately critical pedagogical practice, that does not also attempt to become an abolitionist one. Provisionally, I am conceptualizing abolition as a praxis of liberation that is creative and experimental rather than formulaic and rigidly programmatic. Abolition is a “radical” political position, as well as a perpetually creative and experimental pedagogy, because formulaic approaches cannot adequately apprehend the biopolitics, dynamic statecraft, and internalized violence of genocidal and proto-genocidal systems of human domination. As a productive and creative praxis, this conception of abolition posits the material possibility and historical necessity of a social capacity for human freedom based on a cultural-economic infrastructure that supports the transformation of oppressive relations that are the legacy of genocidal conquest, settler colonialism, racial slavery/capitalism,19 compulsory hetero-patriarchies, and global white supremacy. In this sense, abolitionist praxis does not singularly concern itself with the “abolition of the prison industrial complex,” although it fundamentally and strategically prioritizes the prison as a central site for catalyzing broader, radical social transformations. In significant part, this suggests envisioning and ultimately constructing “a constellation of alternative strategies and institutions, with the ultimate aim of removing the prison from the social and ideological landscape of our society.”20 In locating abolitionist praxis within a longer political genealogy that anticipates the task of remaking the world under transformed material circumstances, this position refracts the most radical and revolutionary dimensions of a historical Black freedom struggle that positioned the abolition of “slavery” as the condition of possibility for Black—hence “human”—freedom. To situate contemporary abolitionism as such is also to recall the U.S. racist state’s (and its liberal allies’) displacement and effective political criminalization of Black radical abolitionism through the 13th Amendment’s 1865 recodification of the slave relation through the juridical reinvention of a racial-carceral relation: Amendment XIII Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.21 [emphasis added] Given the institutional elaborations of racial criminalization, policing, and massive imprisonment that have prevailed on the 13th Amendment’s essential authorization to replace a regime of racist chattel slavery with racist carceral state violence, it is incumbent on the radical teacher to assess the density of her/his entanglement in this historically layered condition of violence, immobilization, and capture. Prior to the work of formulating an effective curriculum and teaching strategy for critically engaging the prison industrial complex, in other words, is the even more difficult work of examining the assumptive limitations of any “radical pedagogy” that does not attempt to displace an epistemological and cultural common sense in which the relative order and peace of the classroom is perpetually reproduced by the systemic disorder and deep violence of the prison regime. In relation to the radical challenging of common sense discussed above, another critical analytical tool for building an abolitionist pedagogy entails the rigorous, scholarly dismantling of the “presentist” and deeply ahistorical understanding of policing and prisons. Students (and many teachers) frequently enter such dialogues with an utterly mystified conception of the policing and prison apparatus, and do not generally understand that 1) these apparatuses in their current form are very recent creations, and have not been around “forever”; and 2) the rise of these institutional forms of criminalization, domestic war, and mass-scale imprisonment forms one link in a historical chain of genocidal and proto-genocidal mobilizations of the racist state that regularly take place as part of the deadly global process of U.S. nation-building. In other words, not only is the prison regime a very recent invention of the state (and therefore is neither a “permanent” nor indestructible institutional assemblage), but it is institutionally and historically inseparable from the precedent and contemporaneous structures of large-scale racist state violence. Asserting the above as part of the core analytical framework of the pedagogical structure can greatly enable a discussion of abolitionist possibility that thinks of the critical dialogue as a necessary continuation of long historical struggles against land conquest, slavery, racial colonialism, and imperialist war. This also means that our discussions take place within a longer temporal community with those liberation struggles, such that we are neither “crazy” nor “isolated.” I have seen students and teachers speak radical truth to power under difficult and vulnerable circumstances based on this understanding that they are part of a historical record. I have had little trouble "convincing" most students - across distinctions of race, class, gender, age, sexuality, and geography - of the gravity and emergency of our historical moment. It is the analytical, political, and practical move toward an abolitionist positionality that is (perhaps predictably) far more challenging. This is in part due to the fraudulent and stubborn default position of centrist-to-progressive liberalism/reformism (including assertions of "civil" and "human" rights) as the only feasible or legible response to reactionary, violent, racist forms of state power. Perhaps more troublesome, however, is that this resistance to engaging with abolitionist praxis seems to also derive from a deep and broad epistemological and cultural disciplining of the political imagination that makes liberationist dreams unspeakable. This disciplining is most overtly produced through hegemonic state and cultural apparatuses and their representatives (including elected officials, popular political pundits and public intellectuals, schools, family units, religious institutions, etc.), but is also compounded through the pragmatic imperatives of many liberal and progressive nonprofit organizations and social movements that reproduce the political limitations of the nonprofit industrial complex.22 In this context, the liberationist historical identifications hailed by an abolitionist social imagination also require that such repression of political-intellectual imagination be fought, demystified, and displaced. Perhaps, then, there is no viable or defensible pedagogical position other than an abolitionist one. To live and work, learn and teach, and survive and thrive in a time defined by the capacity and political willingness to eliminate and neutralize populations through a culturally valorized, state sanctioned nexus of institutional violence, is to better understand why abolitionist praxis in this historical moment is primarily pedagogical, within and against the "system" in which it occurs. While it is conceivable that in future moments, abolitionist praxis can focus more centrally on matters of (creating and not simply opposing) public policy, infrastructure building, and economic reorganization, the present moment clearly demands a convening of radical pedagogical energies that can build the collective human power, epistemic and knowledge apparatuses, and material sites of learning that are the precondition of authentic and liberatory social transformations**.** The prison regime is the institutionalization and systemic expansion of massive human misery. It is the production of bodily and psychic disarticulation on multiple scales, across different physiological capacities. The prison industrial complex is, in its logic of organization and its production of common sense, at least proto-genocidal. Finally, the prison regime is inseparable from - that is, present in - the schooling regime in which teachers are entangled. Prison is not simply a place to which one is displaced and where one's physiological being is disarticulated, at the rule and whim of the state and its designated representatives (police, parole officers, school teachers). The prison regime is the assumptive premise of classroom teaching generally. While many of us must live in labored denial of this fact in order to teach as we must about "American democracy," "freedom," and "(civil) rights," there are opportune moments in which it is useful to come clean: the vast majority of what occurs in U.S. classrooms - from preschool to graduate school - cannot accommodate the bare truth of the proto-genocidal prison regime as a violent ordering of the world, a primary component of civil society/school, and a material presence in our everyday teaching acts. As teachers, we are institutionally hailed to the service of genocide management, in which our pedagogical labor is variously engaged in mitigating, valorizing, critiquing, redeeming, justifying, lamenting, and otherwise reproducing or tolerating the profound and systemic violence of the global-historical U.S. nation building project. As "radical" teachers, we are politically hailed to betray genocide management in order to embrace the urgent challenge of genocide abolition. The short-term survival of those populations rendered most immediately vulnerable to the mundane and spectacular violence of this system, and the long-term survival of most of the planet's human population (particularly those descended from survivors of enslavement, colonization, conquest, and economic exploitation), is significantly dependent on our willingness to embrace this form of pedagogical audacity.

## Cruel Optimism DA

#### Right to Strike Inherently Ineffective

Ahmed **White**, 20**18**, University of Colorado Law School https://scholar.law.colorado.edu/cgi/viewcontent.cgi?article=2369&context=articles

As this all played out, it left in its wake a right to strike, but one whose power consists almost entirely of the ability of workers to pressure employers by withholding labor, while also maybe publicizing the workers’ issues and bolstering their morale. But while publicity and morale are not irrelevant, in the end they are not effective weapons in their own right. Nor are they generally advanced when strikes are broken. Moreover, the withholding of labor, unless it could be managed on a very large scale—something the law also tends to prohibit by its restrictions on secondary boycotts, by barring sympathy strikes and general strikes—is inherently ineffective in all but a small number of cases where workers remain irreplaceable. Of course, striking in such a conventional way accords with liberal notions of property and social order; but precisely because of this it is simply not coercive enough to be effective. And it is bound to remain ineffective, particularly in a context where workers far outnumber decent jobs, where mechanization and automation have steadily eaten away at the centrality of skill, where the perils that employers face in the course of labor disputes are as impersonal as the risks to workers are not, where employers wield overwhelming advantages in wealth and power over workers, where the state’s machinery for enforcing property rights and social order have never been more potent—where, in fact, capital is capital and workers are workers.

#### Right to Strike is Fantasy that Keeps Workers from Achieving True Political Change

Ahmed **White**, 20**18**, University of Colorado Law School https://scholar.law.colorado.edu/cgi/viewcontent.cgi?article=2369&context=articles

From this perspective, the quest for an effective right to strike emerges as a fantasy—an appealing fantasy for many, but a fantasy no less, steeped in a misplaced and exaggerated faith in the law and a misreading of the class politics of modern liberalism. The campaign to resurrect such a right appears, too, not only as a dead-end and a distraction, but an undertaking that risks blinding those who support viable unionism and the interests of the working class to the more important and fundamental fact that liberalism and the legal system are, in the end, antithetical to a meaningful system of labor rights. It is for this reason that the call for an effective right to strike should be set aside in favor of more direct endorsement of militancy and a turn away from the law and instead towards a political program that might advance the interests of the working class regardless of what the law might hold.

#### Encouraging Workers To Improve Conditions Leads to Cruel Optimism, Prevents Meaningful Change

John **Clarke**, Doctorate, **No Date** (?), https://theabolitionary.ca/author/theabolitionist618347819/

To see insecurity at the heart of wage labor (rather than a condition of its absence) is to complicate the current denunciatory discourse of precarity. Critiques of precarity—whether explicitly or as another element of what Thorkelson (2016) describes as its political unconscious—uphold full‐time, wage‐labor employment as an ideal. One problem with this politics of precarity is that it ignores how wage labor can itself be an experience of insecurity, degradation, exploitation, and abuse. For example, Franco Barchiesi (2011) makes this argument through his study of wage labor as a technique of governance in both colonial and postcolonial South Africa. He shows how colonial administrators emphasized the “dignity of work” as a way to use wage labor to discipline African populations seen as “uncivilized” and “unruly.” Many African workers refused waged employment, instead opting for various forms of subsistence labor or self‐employment that, while insecure, allowed them to avoid the discipline and indignity experienced when working in factories and mines. In this historical context, Barchiesi argues, “precarious employment was not a condition of disadvantage but enabled opposition to the labor‐centered citizenship of Western modernity” (15). Barchiesi goes on to show how today, the continued emphasis on “decent jobs” and “job creation” in postapartheid South Africa fuels the precariousness of workers by continuing to link social citizenship to full‐time wage labor at the same time that stable employment is increasingly scarce (see also Barchiesi, 2012b). The emphasis on decent jobs also reinforces forms of masculinity, nationalism, and inequality that a social order structured around wage labor produced. In short, the demand for decent jobs, as a solution to precarity, generates a conservative politics attached to the valorization of wage labor. It also precludes the “political potentials of precarity” (Barchiesi, 2012b, 248) or what I have described elsewhere as the possibility that forms of work beyond wage labor might open up other ways of fashioning work and life (Millar, 2014).

This brings me back to the question that began this article: what are we holding onto through the ubiquitous, denunciatory discourse of precarity? One answer to this question is certainly wage labor. Or more precisely, many critiques of precarity remain attached to what Kathi Weeks (2011) has described as the taken‐for‐granted valorization of waged work as an economic necessity, social duty, and moral practice. This attachment to waged work is part of a broader response to precarity that has reaffirmed normative modes of life. For example, Lauren Berlant (2011) argues that conditions of precarity have led to deepened aspirations for and reinvestments in the normative good life—a stable job, middle‐class home, guaranteed rewards for hard work, and the promise of upward mobility. These forms of attachment, she suggests, paradoxically become obstacles to fulfilling the very desires that are wrapped up with the aspiration for a good life. This produces what Berlant calls a “relation of cruel optimism” (170).

## ROB+ CAP (not a k)

#### role of the ballot is to decide if the resolution is true or not

#### what makes just gov is where cap is rejected and right to strike would be rendered irrelevant—their version of a just government is one in which workers have the right to strike ie the right of workers to negotiate against corporations for better wages and working conditions—this premise is inherently capitalist because it assumes a world in which corporations are in control—and workers attempt to use strikes to level out the playing field—this is a system of oppression that enivitably fails—pacifies workers and prevents political revolution—instead a just government would be one in which workers owned the means of production

#### Right to Strike Unnecessary Under Communism

**Caute 88**

(“The Fellow Travelers: Intellectual Friends of Communism, <https://books.google.com/books?id=zZ6YqBm3O2wC&pg=PA351&lpg=PA351&dq=%22the+right+to+strike?+there+was+no+need+for+that%22&source=bl&ots=4iBWCyaO5X&sig=ACfU3U0Y1gsZfLXdlP8fgiwwLnBQxp96BA&hl=en&sa=X&ved=2ahUKEwjy3vTy96X0AhWwTTABHQeTAEoQ6AF6BAgCEAM#v=onepage&q=%22the%20right%20to%20strike%3F%20there%20was%20no%20need%20for%20that%22&f=false>)

“The right to strike? There was no need for that, Davidson thought, in a society possessed by a spirit of unity and harmony. Communism was about unselfishness: Liu Shao-ch’I had said as much in lectures delivered in 1939, entitled “How to be a Good Communist”. (Who was to know that Lie would turn out to be a bad communist – the root of all evil, according to the Great Helmsman?) And what of intellectual freedom? Davidson was impressed: “. . . most of the intellectuals you meet. . .are manifestly at their ease, full of projects for the future, and unobsessed by fear of sudden sanctions or some shadow-like terror in the background.”

#### Independently, them saying that strikes are failing/going down now and absent of the aff people wont be able to strike—means that workers wont revolte and overthrow capatilism to put the power back in their hands—they uniquely destroy what will lead to the political revolution

#### Unions and Right to Strike Fail, Entrench Capitalism & Class Domination, Prevent Needed Political Change

Garvey 11

http://insurgentnotes.com/2011/12/the-1-of-the-99-and-an-anti-capitalist-alternative/

In the current economic and social crisis, the ability for workers to effectively make gains through the structures of our unions is almost non-existent. In fact, for the past two months of the occupation movement here in the United States, union leaders have either scrambled to play catch-up with the social needs of the working class, undermined the movement’s grassroots efforts at contesting these attacks by moving to the right of them, or acted its own policing force against not only its official members, but political activity in general.

But if we look historically, these union strategies are consistent with their historical role within capitalist society as the mediation between management and workers. The primary activity of the trade union—through the means of a group of people in leadership positions, or the bureaucracy–is to negotiate a contract for the benefits, wages, and (sometimes) specific working conditions of labor in their exploitative relation with their employers. In order to accomplish this, they operate as an organization over and above rank and file workers in order to maintain an exclusive and specialized relationship with management, thereby perpetuating a relationship of dominance over their members despite occasionally, and partially, allowing them to express their dissent. In fact, this dissent can help negotiations as well: “If you don’t promise X, Y, or Z, we cannot be held responsible for what these crazy workers might do! However, if you do promise [which doesn’t mean carry out] we can most likely keep them working productively for you.” Additionally, and within the context of the current crisis, trade unions are able to achieve less and less, and as a result, the rank and file are left without any means to struggle through the union. And because the results of negotiations which, for example, bargained away the “right” to strike, are carried forward into a time when it is structurally impossible for capitalism to make concessions, struggles beyond bureaucracy are more and more of a necessity. To hope that the union bureaucracy will respond to the needs of the working class is to circumscribe hope as the leash of submission.

This position does not come from the individual politics of trade union bureaucrats themselves, from their personalities, or even from a particular caucus that has leadership. It is instead the historical role of unions as the mediators between labor, that is, the workers who produce the profit, goods, education, etc. for society as a whole, and capital. The union bureaucracy cannot imagine a world without capitalism, because their existence is predicated upon negotiations within its mechanisms and enforcements.

If we look at the activities of the unions in New York over the last month alone, for example, we can see this clearly. For many of those involved in the occupation movement, who have remarked that Occupy Wall Street itself has shifted the unions towards a more left position, there is a surprise when the first signs militancy within the protests brings with it derailment as the union leaders transform the anger of the working class into platforms for the Democratic Party. Let us take a closer look at some recent events.

November 17th: Upwards of 50,000 people protested in the streets of New York. There were marches and mobilizations all over the city, at least one of which avoided police intervention all the way from Union Square to Foley Square, as well as an occupation of a university space to provide free anti-capitalist education for both students and non-students alike. Later in the evening, at least 32,000 people attempted to take the Brooklyn Bridge in an effort at direct action. People were bewildered and dismayed when they tried to go onto the street itself to block traffic, they instead witnessed a number of trade union leaders funneling people onto the walkways. When the march got to Brooklyn, it was again confounded when a series of political leaders and bureaucrats were arrested peacefully in a clearly pre-negotiated “planned civil disobedience”, which was much more of a performance than anything that stopped the movement of capital.

November 21st and 28th: Several hundred protested at a CUNY Board of Trustees public hearing at Baruch College. The college has high levels of security and turnstiles. When students attempted to hold a forum in the lobby, which is open to the public, a combination of police and campus security officers beat and arrested several students. The following week, another protest was held. This time, a coalition of the PSC (an AFT local that represents faculty and staff at CUNY), city council-members including Charles Barron, and other union and non-profit groups held a barricaded protest and with the assistance of members of various “left” political parties, as well as progressive students, directed protestors into the barricades. Protesters were visibly dispirited to move from a boisterous protest in the streets of midtown Manhattan, into a police corral and subjected to speeches on the importance of voting. A week later, the PSC held a teach-in where they valorized the arrests of the 21st; this was exploitative and hypocritical.

MTA Contract Negotiations: Regarding the ongoing contract negotiations of the Transport Workers Union (TWU), due to expire early next year, the Local 100 leadership has demonstrated explicitly that it has no plans for combating the MTA’s proposed cutbacks in jobs, wages, benefits, services, as well as a 3- year wage freeze for transit workers. It is assumed that any grassroots efforts at striking will be met with the same union response in 2005: openly bringing in scabs as well arguing in court for the illegality of any walk-out.

Those are just a few examples of the practical activity of trade unions, and their structural inability to do what’s necessary: to actually confront and overthrow capitalism itself.

What we need right now is for autonomous political organizing in both unionized and non-unionized workplaces, schools,and in the streets. These are the efforts that made the November 2nd Port Shutdown on the west coast possible. It was not the arbitration of the bureaucracy through its attempts at domesticating class struggle, but instead the participation of multiple fractions of the proletariat, both unionized, non-unionized, and the unemployed, which took the initiative to construct the blockades. On December 12th, again there are plans to shut down shipping ports all along the west coast, including that of Los Angeles, San Diego, Portland, Tacoma, Seattle, Vancouver and Anchorage, without official union authorization. As is to be expected, the ILWU leadership stands opposed to such an action that practically calls into question the circulation of capital and commodities. Despite this however, both longshoremen and other unionized, non-unionized, and unemployed workers will participate on December 12th, and in doing so, will demonstrate the increasing antiquated forms of the hierarchical union bureaucracies for expressing the needs and desires of the proletariat itself.

These events have certainly shown that union bureaucrats are not ignoring struggles beyond their shops. However, their responses to the crisis remain profoundly uncritical in confronting the severity of developing conditions. There can be no illusions that in the external management of the class as a whole, this representation (that is, the unions) radically opposes itself to the working class itself. A bureaucracy which directs the workers and pacifies an inherently antagonistic relationship between capital and labor cannot help but be the enforcers of class domination. However, when we discover the unions collaborate in the constant reinforcement of class domination, not only in the form of its labor as commodity to be bought and sold, but also in the form of unions and parties, we also discover that we are as opposed to the parties and union bureaucrats as the bosses themselves. We contain a revolution that will not leave anything outside ourselves!

#### Your fw says structural violence important to combat but you literally don’t combat structural violence you just put a lil bandaid on the problem to pacify workers

## Theory (prempt) mayve

#### 1ar theory bad for debate—aff bias—the aff gets first and last speech don’t let them skew the debate further by reading a ton of frivolous voting issues in the rebuttal—ruins fairness and destroys clash