# **Teacher Strikes AC – v1**

## **Framing**

#### **First, to clarify the round, I offer the following definitions:**

#### **Merriam Webster defines ought as a moral obligation – thus I value morality.**

#### **The criterion is maximizing expected well being, or utilitarianism**

#### **1) States must use utilitarianism – there’s no act omission distinction**

**Sunstein et al. 05:** [Cass R. Sunstein and Adrian Vermeule. The University of Chicago Law School. “Is Capital Punishment Morally Required? The Relevance of Life‐Life Tradeoffs.” JOHN M. OLIN LAW and ECONOMICS WORKING PAPER NO. 239. The Chicago Working Paper Series. March 2005]   
In our view, both the argument from causation and the argument from intention go wrong by overlooking the distinctive features of government as a moral agent. Whatever the general status of the act-omission distinction as a matter of moral philosophy,38 the distinction is least impressive when applied to government.39 The most fundamental point is that unlike individuals, governments always and necessarily face a choice between or among possible policies for regulating third parties. The distinction between acts and omissions may not be intelligible in this context, and even if it is, the distinction does not make a morally relevant difference. Most generally, government is in the business of creating permissions and prohibitions. When it explicitly or implicitly authorizes private action, it is not omitting to do anything, or refusing to act.40 Moreover, the distinction between authorized and unauthorized private action—for example, private killing—becomes obscure when the government formally forbids private action, but chooses a set of policy instruments that do not adequately or fully discourage it.

#### **2) Util comes lexically prior – in order for us to engage in discussions about morality, we need to be alive such that we can have the capacity to reflect on our circumstances. There’s no virtue you’re dead.**

### **Spikes**

#### **Observation 1: The affirmative burden is to prove that an unconditional right to strike should be recognized for some amount of workers. The resolution says that a just government ought to recognize an unconditional right of workers to strike. The current system bans teacher strikes in most states. We are defending an unconditional right of these workers – the teachers – to strike.**

#### **A] – Textuality – the resolution simply states “workers”, not “all workers”. This implies that the affirmative can defend a specific subset of workers gaining the right to strike. Any interpretation of the topic that requires the aff to defend all workers is arbitrary and not grounded in the text of the resolution.**

#### **Observation 2: The negative burden is to prove that the right to strike is bad in general, not to prove specific instances**

#### **A] Common usage – we would consider rights like free speech to be unconditional, but there are still limited circumstances where they can be restricted**

#### **B] Definitions – Collins Dictionary defines unconditional**

**If you describe something as unconditional, you mean that the person doing or giving it does not require anything to be done by other people in exchange.**

#### **The right to strike as defended by the affirmative is given by the government and doesn’t require anything in exchange. This definition doesn’t include anything about lack of restrictions on the right to strike.**

#### **C] Fairness - Forcing the affirmative to defend every single instance of strikes makes affirming impossible – the negative can always pick the worst examples of strikes, and the aff has to respond to every single one – only debating about general principles can lead to a balanced topic.**

## **C1: Teacher Strikes**

### **Subpoint A: State policy makes strikes near impossible**

#### **Status quo policies mean public employees will be fired if they strike**

**Campbell 19**

Alexia Fernandez Campbell is a politics & policy reporter for Vox, “5 questions about labor strikes that you were too embarrassed to ask”, <https://www.vox.com/policy-and-politics/2019/9/20/20873867/worker-strike-walkout-stoppage-firing-job>, *Vox*, published 9-20-19, accessed 10-26-21 // mk

The National Labor Relations Act of 1935 enshrined the right to strike into law. At the time, workers were reeling from the Great Depression and President Franklin D. Roosevelt’s pro-labor administration saw collective bargaining as a fundamental right. But the law only covered workers in the private sector, as they were more at risk of being exploited. The NLRA reversed years of federal opposition to organized labor and guaranteed the right of employees to organize, form unions, and bargain collectively with their employers. Striking was considered the most powerful tool in collective bargaining, so it was given special emphasis in the NLRA. “The law protects the right to strike, no question,” Ruben Garcia, co-director of the Workplace Law Program at the University of Nevada Las Vegas, said to me, regarding employees in the private sector. “You don’t have to give any notice or any reason for walking.” But this doesn’t apply to all workers. The NLRA doesn’t cover certain transportation workers, agricultural laborers, or public employees. Government employees — state, local, and federal — do not have a right to strike under the federal law. That said, [eight states](https://www.vox.com/2019/8/30/20838389/best-and-worst-states-to-work) allow most government employees to strike. Illinois and California, for example, allow teachers to strike. Yet it’s illegal for police and firefighters to walk off the job in any state.

#### **These policies make strikes too risky for teachers**

**Casey 20**

Leo Casey, 12-2-2020, "The Teacher Strike: Conditions for Success," Dissent Magazine, <https://www.dissentmagazine.org/online_articles/the-teacher-strike-conditions-for-success> // rc mk

The most essential organizational task is winning and keeping the allegiance of teachers to the strike. Teachers are knowledgeable and discerning political actors. They understand full well that strikes are a high-intensity and high-risk tactic, with the potential both to deliver advances and victories that could not be otherwise obtained and to end in major setbacks and defeats. The risk side of this equation is particularly acute in the three-quarters of all states where teacher strikes are illegal; in these states, striking becomes an act of civil disobedience and can result in severe penalties to teachers and their unions. To be willing to go on strike and stay out until a settlement is won, therefore, teachers need to be convinced on a number of different counts: first, that they are fighting for important, worthwhile objectives; second, that those objectives cannot be achieved through other means that are not as high-intensity and high-risk as a strike; third, that the strike has reasonable prospects of success; fourth, that the strike objectives have strong support in the community; and fifth, that the solidarity among teachers, which is essential to a strike’s success, is strong and will hold. In significant measure, the last of these points is dependent not simply on the organization and mobilization of the strike, but also on the four antecedent conditions. If teachers become doubtful on any of these points, it will become difficult to mount or sustain a successful strike.

### **Subpoint B: Right to strike solves**

#### **The right to strike is the key internal link to democracy and union power**

**Pope 18**

James Gray Pope is a member of the National Lawyers Guild and serves on the Executive Council of the Rutgers AAUP/AFT (AFL-CIO). His articles about workers’ rights, constitutional law, and labor history have appeared in a wide variety of publications. “Labor’s right to strike is essential”, <https://www.psc-cuny.org/clarion/september-2018/labor%E2%80%99s-right-strike-essential>, *PSC-CUNY*, published September 2018, accessed 10-26-21 // mk

The right to strike should be a no-brainer for any self-respecting candidate who claims to care about working people. It isn’t some transitory policy fix; it’s a fundamental human right, recognized in international law. Without the right to strike, workers have no effective recourse against unhealthy conditions, inadequate wages, or employer tyranny. Before the American labor movement began its long decline, unions made the right to strike a litmus test for supporting candidates. Labor leaders held that anti-strike laws imposed “involuntary servitude” in violation of the Thirteenth Amendment to the United States Constitution. Corporate interests ridiculed this claim, arguing that the Amendment guaranteed only the individual right to quit and go elsewhere. But workers and unions held their ground. “The simple fact is that the right of individual workers to quit their jobs has meaning only when they may quit in concert, so that in their quitting or in their threat to quit they have a real bargaining strength,” Congress of Industrial Organizations (CIO) General Counsel Lee Pressman explained. “It is thus hypocritical to suggest that a prohibition on the right to strike is not in practical effect a prohibition on the right to quit individually.” Labor leaders quoted the Supreme Court’s statement that the Amendment was intended “to make labor free, by prohibiting that control by which the personal service of one man is disposed of or coerced for another’s benefit which is the essence of involuntary servitude.” Although they never convinced the Supreme Court that this principle covered the right to strike, Congress did embrace the core of their claim when it protected the right to strike in two historic statutes, the Norris-LaGuardia Act of 1932 and the Wagner National Labor Relations Act of 1935. The “individual unorganized worker,” explained Congress, “is helpless to exercise actual liberty of contract and to protect his freedom of labor.” A DEMOCRATIC NEED The recent teacher strikes underscore another, equally vital function of the strike: political democracy. It is no accident that strikers often serve as midwives of democracy. Examples include Poland in the 1970s, where shipyard strikers brought down the dictatorship, and South Africa in the 1970s and 1980s, where strikers were central to the defeat of apartheid. Even in relatively democratic countries like the United States, workers often find it necessary to withhold their labor in order to offset the disproportionate power of wealthy interests and racial elites. During the 1930s, for example, it took mass strikes to overcome judicial resistance to progressive economic regulation. Today, workers confront a political system that has been warped by voter suppression, gerrymandering and the judicial protection of corporate political expenditures as “freedom of speech.” With corporate lackeys holding a majority of seats on the Supreme Court, workers may soon need strikes to clear the way for progressive legislation just as they did in the 1930s. But if the right to strike is a no-brainer, then how did Cuomo and de Blasio justify attacking it? “The premise of the Taylor Law,” said Cuomo, “is you would have chaos if certain services were not provided,” namely police, firefighters and prison guards. If that’s the premise, then why not endorse Nixon’s proposal as to teachers and most public workers, and propose exceptions for truly essential services? That’s the approach of international law, and that’s what Nixon clarified she supports. But Cuomo couldn’t explain why teachers and other non-essential personnel should be denied this basic human right. As for de Blasio, he claimed that the Taylor Law accomplishes “an important public purpose” and that “there are lots of ways for workers’ rights to be acknowledged and their voices to be heard.” What public purpose? Forcing workers to accept inadequate wages and unsafe conditions? What ways to be heard? Groveling to politicians for a raise in exchange for votes? The ban forces once-proud unions to serve as cogs in the political machines of Wall Street politicians. No sooner did Nixon endorse the right to strike than two prominent union leaders rushed to provide cover for Cuomo. Danny Donohue, president of the Civil Service Employees Association, called her “incredibly naive” and charged that “clearly, she does not have the experience needed to be governor of New York.” Evidently Cuomo, who was elected governor on a program of attacking unions and followed through with cuts to public workers’ pensions and wages, does have the requisite experience. John Samuelsen of the Transport Workers Union, which represents more than 40,000 New York City transit workers, also lashed out, saying, “I believe that she will cut and run when we shut the subway down…. As soon as her hipster Williamsburg supporters can’t take public transit to non-union Wegmans to buy their kale chips, she will call in the National Guard and the Pinkertons.”

## **C2: Shortages**

#### **Strikes alone** **are key to solve teacher pay disparities - empirics**

**Mishel 18**

Lawrence Mishel is a distinguished fellow at EPI after serving as president from 2002–2017. Mishel first joined EPI in 1987 as research director. In the more than three decades he has been with EPI, Mishel has helped build it into the nation’s premier research organization focused on U.S. living standards and labor markets, <https://www.epi.org/blog/evidence-shows-collective-bargaining-especially-with-the-ability-to-strike-raises-teacher-pay/>**, “**Evidence shows collective bargaining—especially with the ability to strike—raises teacher pay”, *Economic Policy Institute*, published 3-30-18, accessed 10-26-21 // mk

More recent evidence on the effect of unions on teacher pay Any analysis of unionized public-sector teachers’ pay needs to separate out two points of comparison: one is a comparison of teachers’ pay with what similar workers earn in the private sector; the other is a comparison between what unionized and non-unionized teachers earn in the public sector. Economist Sylvia Allegretto and I have [demonstrated](https://www.epi.org/publication/the-teacher-pay-gap-is-wider-than-ever-teachers-pay-continues-to-fall-further-behind-pay-of-comparable-workers/) that since the mid-1990s a substantial penalty has emerged for public school teachers relative to similar workers in the private sector. In 1994, teachers’ wages were about 2 percent below those of comparable workers in the private sector. By 2015, teachers’ wages were about 17 percent below similar workers in the private sector. This wage gap was partially offset by improved benefits, but there was still a record “total compensation” gap of 11 percent in 2015. At the same time, we also found that, “Collective bargaining helps to abate the teacher wage gap. In 2015, teachers not represented by a union had a 25.5 percent wage gap—and the gap was 6 percentage points smaller for unionized teachers.” This suggests that teacher unions may have had a more substantial impact in the last few decades than what Paglayan found. Two other recent papers also conclude that teachers unions do moderately raise wages and benefits and thereby lessen the pay penalty that teachers face relative to comparable workers in the private sector. A February 2018 report for EPI by Jeffrey Keefe, [“Pennsylvania’s teachers are undercompensated—and new pension legislation will cut their compensation even more](https://www.epi.org/publication/pennsylvanias-teachers-are-undercompensated-and-new-pension-legislation-will-cut-their-compensation-even-more-undercompensation-is-likely-a-factor-in-pennsylvanias-growing-t/)” notes that prior research indicates: More than three-quarters of teachers today (including more than 70 percent of new teachers) say that, absent the union, their working conditions and salaries would suffer. A majority of teachers also agree that without the union they would be more vulnerable to school politics and would have nowhere to turn in the face of unfair charges by parents or students. Fully 84 percent say their union protects teachers through due process and grievance procedures, with 71 percent of teachers giving “excellent” or “good” ratings to their unions. Union teachers were found to be more enthusiastic about teaching and less likely to leave for better-paying jobs. Keefe conducted his own analysis of Current Population Survey Outgoing Rotation Group (CPS-ORG) data for the years 2013 to 2015 to examine the union impact on pay. Specifically, Keefe compared the weekly earnings of union and nonunion teachers across the United States with controls for education, experience, gender, race, ethnicity, marital status, disability, citizenship, region, weeks worked per year, and weekly hours of work. He found that union membership, on average, resulted in “5.1 percent higher wages and 5.4 percent higher total compensation for its members when compared with the compensation of public school teachers who are not union members.” Separately, Allegretto and Tojerow, in [Teacher staffing and pay differences: public and private schools,](https://doi.org/10.21916/mlr.2014.33) published in Bureau of Labor Statistics’ Monthly Labor Review, provide estimates of the union impact on teacher pay between 1996 and 2012. They pooled Current Population Survey data to estimate pay gaps for four teacher groups: unionized public sector teachers, unionized private sector teachers, nonunionized public sector teachers, and nonunionized private sector teachers. Their results, therefore, “compare teacher pay relative to that of comparable workers and among the four teacher groups.” Allegretto and Tojerow use traditional human capital controls plus employ year and state fixed effects. They find: Results indicate that the pay gap between nonteacher workers and similar unionized public school teachers is -13.2 percent while it is -17.9 percent for nonunionized public school teachers. The gap for unionized private school teachers is -26.2 percent, compared with -32.1 percent for the more likely situation of nonunion private school teachers. Thus, unionization helps to mitigate the teacher pay gap with nonteacher workers for both sectors. And: For female public sector teachers, the pay gaps with female nonteacher workers are -7.2 percent for union workers and -14.2 percent for nonunion workers; for the male sample of public sector teachers, the corresponding pay gaps with male nonteacher workers are -24.6 percent and -26.8 percent. Allegretto and Tojerow’s results indicate that teacher unionization lifted wages in the public sector by 4.7 percent (17.9 percent less 13.2 percent) overall, by 7.0 percent among female teachers (14.2 percent less 7.2 percent) and by just 2.2 percent for male public school teachers (26.8 percent less 24.6 percent). Consistent with what Allegretto and I found in our earlier study, these results demonstrate that the teacher wage penalty was smaller for teachers in unions. The role of strikes Media attention has focused on the finding that the expansion of public-sector collective bargaining between 1959 and 1990 was not associated with increases in expenditures on education over and above pre-existing trends. But, the paper explains these results by arguing that many states granted collective bargaining rights and, at the same time, severely restricted new unions’ legal ability to strike. In Paglayan’s view, state collective bargaining legislation “often contain[ed] both pro- and anti-union provisions” (p. 30, emphasis in original). Restrictions on strikes, in her view, had a substantial impact on the way teachers unions affect state expenditures on education. In summarizing her findings, Paglayan writes: “…many mandatory bargaining laws contained provisions designed to limit unions’ ability to strike…[and] laws that did not contain these provisions did lead to increased education spending.” Paglayan’s own assessment of her findings is not that collective bargaining failed to increase educational expenditures, but rather it was the lack of collective bargaining coupled with the legal right to strike that limited teachers ability to help to direct additional resources to state educational budgets.

#### **Independently, the status quo teachers shortage threatens the future of American education**

**García & Weiss 19**

Emma García was at the Economic Policy Institute from 2013 to 2021, specializing in the economics of education and education policy. Elaine Weiss is an EPI research associate and the former National Coordinator of the Broader, Bolder Approach to Education. “The teacher shortage is real, large and growing, and worse than we thought” <https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/>, *Economic Policy Institute*, published 3-26-19, accessed 10-26-21 // mk

The teacher shortage is real and has serious consequences In recent years, education researchers and journalists who cover education have called attention to the growing teacher shortage in the nation’s K–12 schools. They cite a variety of indicators of the shortage, including state-by-state subject area vacancies, personal testimonials and data from state and school district officials, and declining enrollment in teacher preparation programs.[1](https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/#_note1) These indicators are critical signals. They help analysts detect when there are not enough qualified teachers to fill staffing needs in a labor market that does not operate like other labor markets. School teachers’ wages are not subject to market pressures—they are set by school districts through contracts that take time to negotiate. Therefore, economists can’t use trends in wages—sudden or sustained wage increases—to establish that there is a labor market shortage (as the textbook explanation would indicate). It is also hard to produce direct measurements of the number of teachers needed and available (i.e., “missing”). To date, the only direct estimate of the size of the teacher shortage nationally comes from the Learning Policy Institute’s seminal 2016 report, [A Coming Crisis in Teaching? Teacher Supply, Demand, and Shortages in the U.S.](https://learningpolicyinstitute.org/sites/default/files/product-files/A_Coming_Crisis_in_Teaching_REPORT.pdf) (Sutcher, Darling-Hammond, and Carver-Thomas 2016). The report noted that many school districts—finally hiring again after years of teacher layoffs during the Great Recession and in its wake—“had serious difficulty finding qualified teachers for their positions.” As the authors noted, school districts were challenged with not only restoring student-to-teacher ratios to pre-crisis levels but also with broadening curriculum offerings and meeting projected increases in student populations. Defining shortages as “the inability to staff vacancies at current wages with individuals qualified to teach in the fields needed,” the authors estimated that, barring any major changes, the annual teacher shortage would reach about 110,000 by the 2017–2018 school year. Figure A replicates Figure 1 in their report and shows the gap between the supply of teachers available to enter the classroom in a given year and the demand for new hires. As recently as the 2011–2012 school year, the estimated supply of teachers available to be hired exceeded the demand for them—i.e., there was a surplus of teachers in that year’s labor market. But estimated projected demand soon exceeded the estimated supply and the projected gap grew sharply in just a handful of years—from around 20,000 in 2012–2013, to 64,000 teachers in the 2015–16 school year, to over 110,000 in 2017–2018. In other words, the shortage of teachers was projected to more than quadruple in just five years and the gap to remain at those 2017–2018 levels thereafter. The teacher shortage has serious consequences. A lack of sufficient, qualified teachers threatens students’ ability to learn (Darling-Hammond 1999; Ladd and Sorensen 2016). Instability in a school’s teacher workforce (i.e., high turnover and/or high attrition) negatively affects student achievement and diminishes teacher effectiveness and quality (Ronfeldt, Loeb, and Wyckoff 2013; Jackson and Bruegmann 2009; Kraft and Papay 2014; Sorensen and Ladd 2018). And high teacher turnover consumes economic resources (i.e., through costs of recruiting and training new teachers) that could be better deployed elsewhere. Filling a vacancy costs $21,000 on average (Carver-Thomas and Darling-Hammond 2017; Learning Policy Institute 2017) and Carroll (2007) estimated that the total annual cost of turnover was $7.3 billion per year, a cost that would exceed $8 billion at present.[2](https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/#_note2) The teacher shortage also makes it more difficult to build a solid reputation for teaching and to professionalize it, further perpetuating the shortage. We argue that, when issues such as teacher quality and the unequal distribution of highly qualified teachers across schools serving different concentrations of low-income students are taken into consideration, the teacher shortage problem is much more severe than previously recognized. The teacher shortage is even larger when teaching credentials are factored in The current national estimates of the teacher shortage likely understate the magnitude of the problem because the estimates consider the new qualified teachers needed to meet new demand. However, not all current teachers meet the education, experience, and certification requirements associated with being a highly qualified teacher. We examine the U.S. Department of Education’s National Teacher and Principal Survey data from 2015–2016 to show, in Figure B, for all public noncharter schools, the share of teachers in the 2015–2016 school year who do and who do not hold teaching credentials associated with more effective teaching (see, for example, Darling-Hammond 1999; Kini and Podolsky 2016; Ladd and Sorensen 2016).[3](https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/#_note3) These credentials include being fully certified (they have a regular standard state certificate or advanced professional certificate), they participated in a traditional certification program (versus an alternative certification program), they have more than five years of experience, and they have educational background in the subject of the main assignment. These credentials also align with the federal definition of a “highly qualified” teacher, and the U.S. Department of Education’s Educator Equity Profiles.[4](https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/#_note4) Figure C shows how the share of teachers without each of the quality credentials has grown since the 2011–2012 school year (building on the Department of Education’s Schools and Staffing Survey data from 2011–2012). The shares of teachers not holding these credentials are not negligible.

#### **That’s particularly true because of COVID: the teacher shortage has become a national crisis**

**García & Weiss 20**

Emma García was at the Economic Policy Institute from 2013 to 2021, specializing in the economics of education and education policy. Elaine Weiss is an EPI research associate and the former National Coordinator of the Broader, Bolder Approach to Education. “Policy solutions to deal with the nation’s teacher shortage—a crisis made worse by COVID-19” https://www.epi.org/blog/policy-solutions-to-deal-with-the-nations-teacher-shortage-a-crisis-made-worse-by-covid-19/, *Economic Policy Institute*, published 10-16-20, accessed 10-26-21 // mk

Teachers may be leaving the profession due to new challenges brought by COVID-19 First, with respect to the supply of teachers, growing evidence indicates an increase in teachers’ decisions to [retire](https://blogs.edweek.org/teachers/teaching_now/2020/06/teachers_say_theyre_more_likely_leave_classroom_because_coronavirus.html) [early](https://www.usatoday.com/story/news/education/2020/05/26/coronavirus-schools-teachers-poll-ipsos-parents-fall-online/5254729002/?csp=chromepush) as a result of COVID-19-related challenges that either mirror or exacerbate those described in our [series of reports](https://www.epi.org/research/teacher-shortages/), and even [bring in new ones](https://www.youtube.com/watch?v=tt7IcAeBDTA&feature=youtu.be): unsafe working environments, lack of supports, stresses associated with remote instruction, burnout, and other professional and personal factors. At this stage of the pandemic, perceived lack of safety is likely a major factor. Around one in three teachers say that COVID-19 pandemic has made them more likely to retire early or leave the profession, a figure that increases to about one in two or more among those [with more than 30 years of experience](https://www.nea.org/advocating-for-change/new-from-nea/safety-concerns-over-covid-19-driving-some-educators-out) or [those ages 50 or older](https://www.aft.org/sites/default/files/survey_school-reopening_augsept2020.pdf) (one in six public school teachers are 55 or older, according to the [most recent NCES data](https://nces.ed.gov/pubs2020/2020142rev.pdf)). The shortage in some states was actually artificially small because a significant group of older, more experienced teachers [who were eligible to retire had stayed in the classroom into their 60s](https://www.youtube.com/watch?v=CZ2Xv3jbF8k&feature=youtu.be). Now, as the most vulnerable to COVID-19, they are likely to be the first to go. Similarly, the challenges of teaching remotely, and the lack of support needed to do so well, will turn off new (and even less new) teachers, likely increasing already high rates of attrition. Moreover, the [combination of losing colleagues to COVID-19](https://www.tcrecord.org/Content.asp?ContentID=23395) and the [intense personal stresses](https://www.epi.org/blog/what-teaching-is-like-during-the-pandemic-and-a-reminder-that-listening-to-teachers-is-critical-to-solving-the-challenges-the-coronavirus-has-brought-to-public-education/) and [demands](https://www.rand.org/pubs/research_reports/RRA168-2.html) that the pandemic is exacting on virtually all teachers will likely drive out still more. COVID-19 is increasing the number of teachers needed—but budget cuts caused by the economic recession will make it harder to meet that need Second, the forces driving demand for teachers are in conflict. Meeting the safety requirements public health experts recommend for schools to operate safely, and providing the resources needed to lift up students who have lost ground, will greatly increase demand. At the most basic level, for example, [just reducing class sizes to meet social distance requirements](https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html#anchor_1589932092921) in class could substantially increase the number of teachers needed. (We further discuss needs for more, not fewer, highly credentialed teachers, below.) Yet budgets for personnel and other needed resources are moving in the opposite direction. Severe budget cuts affecting states have already reduced and are expected to further reduce the ability of school districts to satisfy the underlying demand. We know [from the Great Recession](https://data.bls.gov/timeseries/CES9093161101) and [from recent estimates](https://learningpolicyinstitute.org/blog/impact-covid-19-recession-teaching-positions) that budget cuts have led to severe reductions in public education jobs. Indeed, [in April 2020](https://www.epi.org/blog/public-education-job-losses-in-april-are-already-greater-than-in-all-of-the-great-recession/) alone, U.S. public school systems lost close to 470,000 jobs—a more sudden and more severe version of what happened in the three years after the onset of the Great Recession, when more than 316,000 education jobs were lost. These losses will almost certainly become more severe as the recession drags on, especially if the federal government continues to fail to counter its impacts.

#### **That devastates educational outcomes**

**SAANYS 18**

School Administration Association of New York State, “Teacher Shortages Impede Educational Opportunities for Students”, <https://saanys.org/news/teacher-shortages-impede-educational-opportunities-for-students/>, published 2-28-20, accessed 10-26-21 // mk

Trends in New York parallel the larger crisis New York’s teacher shortages are reflective of larger trends throughout the United States. In the Learning Policy Institute’s 2016 report, “A Coming Crisis in Teaching? Teacher Supply, Demand and Shortages in the U.S.,” researchers projected the need for around 300,000 new teachers annually by 2020. In March 2019, the Economic Policy Institute reviewed the report, along with more recent data, and concluded, “The teacher shortage is real, large and growing, and worse than we thought…A shortage of teachers harms students, teachers and the public education system as a whole. Lack of sufficient, qualified teachers and staff instability threaten students’ ability to learn and reduce teachers’ effectiveness, and high teacher turnover consumes economic resources that could be better deployed elsewhere… In addition, the fact that the shortage is distributed so unevenly among students of different socioeconomic background challenges the U.S. education system’s goal of providing a sound education equitably to all children.” Substitute teacher shortage also threatens education system In addition to the overall teacher shortage, New York’s schools are also struggling to find substitute teachers. June 2019 survey data from the New York State School Boards Association (NYSSBA) indicates that 96% of superintendents had difficulties finding substitutes in the 2018-19 school year. District leaders also indicated that this was a long-standing problem for both daily and long-term substitutes. To further assess the problem, BOCES district superintendents conducted a month-long study to collect data on the number of teacher absences, requests for substitutes and the number of requests that could be filled. During this time, the rates at which substitutes could be secured varied widely throughout the state, from 59% to 94%; the average was 81%. Several factors contribute to the shortage of substitutes. For example, individuals in teacher preparation programs (or recent graduates) often substitute so they can gain experience in the classroom; fewer enrollees mean, correspondingly, fewer substitutes. Also, when the economy is strong, those who might otherwise take substitute teaching positions opt for more secure full-time jobs with benefits. State regulations also hamper efforts to recruit substitute teachers, as individuals without certification cannot substitute for more than 40 days in a single school district each school year. New York’s classrooms also lacking educators from diverse backgrounds School districts are also grappling with the lack of diversity in the educator workforce—in short, the workforce is far from reflecting the rich diversity of students in New York or the nation as a whole. Currently, students of color and those from underrepresented groups comprise 56% of New York’s pupil enrollments, while 80% of teachers in the state are white. If current trends in teacher attrition rates continue, this gap will grow even more. According to the New York State Education Department (NYSED), between the 2017-18 and 2018-19 school years, 22% of black or African American teachers and 19% of Hispanic or Latino teachers did not return to the classroom; this compares to 13% of white teachers. In effect, fewer teachers of color are in the workforce and those who do enter are more likely than their white counterparts to leave the profession. The attrition rates result from a variety of factors. Teachers of color sometimes feel isolated due to an absence of colleagues from similar backgrounds. Additionally, they are more likely to be working in districts with high turnover rates, and they sometimes face unreasonable expectations—for example, they may be relied upon to bridge cultural divides and/or act as mentors to racially diverse students before considering their personal and professional growth. Shortages are shortchanging our students All of these shortages negatively impact our students: • According to the Learning Policy Institute report mentioned earlier, teacher shortages may mean districts have to hire less experienced teachers, reduce the total number of courses offered or increase class sizes—all of which affect student learning. The report also points out, “turnover impacts the achievement of all students in a school, not just those with a new teacher, by disrupting school stability, collegial relationships, collaboration, and the accumulation of institutional knowledge.” Taking this one step further, an examination of 850,000 New York City fourth- and fifth-graders over eight years showed math and English language arts achievement was lower for grades with high teacher turnover. • Substitute teacher shortages also harm students. When substitutes are unavailable, regular faculty members sometimes give up their preparation periods to cover classes. This is a lose-lose situation for all students involved because teachers don’t have time to prepare for their classes or collaborate with colleagues. Building leaders and paraprofessionals might also step in to cover classes, meaning their regular job duties are compromised, as well. • In some cases, students are “distributed” to other classrooms when substitute teachers cannot be placed into schools, leading to larger class sizes. Again, learning is disrupted, as educators aren’t always teaching at the same pace as their colleagues and students may be distributed to classes that are either ahead or behind their own class. The simple fact of being in a larger class also hampers pupil learning. • The lack of diversity in the education workforce also negatively impacts New York’s learners. Research shows that teachers of color enhance the learning experiences of all students. In particular, these educators are more likely to see black or brown students’ potential and recommend them for advanced coursework, have higher expectations for their students of color and act as reliable role models and mentors. For white students, interacting with a diverse set of adults prepares them to successfully move through today’s continually changing workplaces and communities. • Looking at the bigger picture, an overall shortage of teachers also affects the number of high-quality educational leaders for students, as principals are drawn from the teaching ranks.

#### **AND the teacher shortage uniquely widens the gap between low-income and wealthy students.**

**García & Weiss 19, previously cited**

Emma García was at the Economic Policy Institute from 2013 to 2021, specializing in the economics of education and education policy. Elaine Weiss is an EPI research associate and the former National Coordinator of the Broader, Bolder Approach to Education. “The teacher shortage is real, large and growing, and worse than we thought” <https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/>, *Economic Policy Institute*, published 3-26-19, accessed 10-26-21 // mk

The teacher shortage is more acute in high-poverty schools The published estimates of the increasing teacher shortage further understate the magnitude of the problem because the estimates don’t reflect the fact that the shortage of qualified teachers is not spread evenly among all schools but is more acute in high-poverty schools. While we don’t have specific estimates of the shortage in low- and high-poverty schools analogous to the national shortage estimates of Sutcher, Darling-Hammond, and Carver-Thomas (2016), we can infer the greater shortage of highly qualified teachers in high-poverty schools from the following premises and from our own data analyses.[5](https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/#_note5) First, highly qualified teachers are in higher demand and therefore tend to have more options with respect to where they want to teach. They are more likely to be recruited by higher-income school districts and to join the staffs of schools that provide them with better support and working conditions and more choices of grades and subjects to teach.[6](https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/#_note6) Second, although teachers with stronger credentials are less likely to quit the profession or move to a different school,[7](https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/#_note7) the link between strong credentials and retention might be less powerful in high-poverty schools. It would not be surprising to find that the retention power of strong credentials varies across schools, given the research showing that other factors are dependent on school poverty.[8](https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/#_note8) This weakened retention effect could also apply to new teachers who don’t have experience but who have the other credentials of highly qualified teachers, meaning strong new teachers would be looking at alternatives to the low-income schools where they are more likely to begin their careers. We examine the same National Teacher and Principal Survey data from 2015–2016 now to show that the share of teachers who are highly qualified is smaller in high-poverty schools than in low-poverty schools. In this analysis, due to available information, we look at the composition of the group of students under the teacher’s instruction (instead of the student body composition of the school, which is the standard metric used to describe school poverty).[9](https://www.epi.org/publication/the-teacher-shortage-is-real-large-and-growing-and-worse-than-we-thought-the-first-report-in-the-perfect-storm-in-the-teacher-labor-market-series/#_note9) We consider a teacher to be working in a low-poverty school if less than 25 percent of the students in the teacher’s class are eligible for free or reduced-price lunch programs. A teacher is in a high-poverty school if 50 percent or more of his or her students are eligible for those programs. We find that low-income children are consistently, albeit modestly, more likely to be taught by lower-credentialed and novice teachers, as shown in the third and fourth columns in Table 1. In high-poverty schools, the share of teachers who are not fully certified is close to three percentage points higher than it is in low-poverty schools. Also relative to low-poverty schools, the share of inexperienced teachers (teachers with five years or less of experience) is 4.8 percentage points higher in high-poverty schools; the share of teachers who followed an alternative route into teaching is 5.6 percentage points higher in high-poverty schools; and the share of teachers who don’t have educational background in their subject of main assignment is 6.3 percentage points higher in high-poverty schools.

## **C3: Democracy**

#### **Teacher strikes improve union legitimacy**

**DiSalvo and Harney 20**

Daniel, DiSalvo and Michael Hartney. “Teachers Unions in the Post-Janus World.” Education Next, 2 Sept. 2020, www.educationnext.org/teachers-unions-post-janus-world-defying-predictions-still-hold-major-clout/[ Daniel Disalvo

Professor and Chair of Political Science at the City College of New York Michael Hartney is assistant professor of political science at Boston College.]// dhsNJ // rc mk

It is probably not a coincidence that public-school teachers began engaging in strikes and work stoppages soon after the Janus decision was handed down. In 2018, teacher walkouts occurred in the Republican-leaning, weak-union states of Oklahoma, Kentucky, Arizona, West Virginia, North Carolina, and Colorado. Of these, the largest work stoppage was by the Arizona Education Association and involved 81,000 teachers. The second-largest strike, by the Oklahoma Education Association, included 45,000 teachers. Overall, the 20 major teacher strikes of 2018 involved the highest number of workers—485,000—since 1986. Aside from forcing local workplace issues to the bargaining table, strikes can also serve as a union recruitment and retention strategy. Calling a strike enlists the rank-and-file in a collective enterprise and thereby enhances union solidarity. Because only union members can vote to authorize a strike, union leaders can use such occasions to recruit nonmembers to join. Strikes also gain teachers unions sympathetic national press coverage. In 2019, a smaller wave of strikes occurred in Democrat-dominated, strong-union cities, including Los Angeles, Oakland, Denver, and Chicago, as well as in a number of smaller school districts in Oregon, California, and New Jersey. Prior to 2018–2019, only two notable teacher strikes had occurred in big cities in the past 20 years: a 7-day walkout in Chicago in 2012 and a 16-day walkout in Detroit in 2006. Besides pay, a major point of contention in these strikes was the demand that school districts hire more teachers to reduce class sizes and employ more support staff. Regardless of whether such measures make wise policy, they clearly serve to increase the pool of potential union members. Consider that, in Los Angeles, the district and the union settled on a deal that added 300 nurses, 82 librarians, 77 counselors, and some new teachers to reduce class sizes. In Chicago, the district and the union settled a five-day strike with a contract that included caps on class sizes, which necessitated adding more teachers, and promises to hire 250 nurses and 209 social workers. All of these new employees are potential union members. There is evidence that teachers-union activity post-Janus did increase solidarity. A survey by Educators for Excellence found that 54 percent of teachers in 2020 felt that union membership provided them with “feelings of pride and solidarity,” up from 46 percent in 2018. In addition, a little more than half of teachers who do not belong to the union say they are likely to join their union next year. The strikes have also increased public support for the teaching profession. Although a vigorous debate persists among analysts, it is now the popular wisdom that teachers are underpaid. West Virginia and Arizona both ended teacher walkouts by passing across-the-board pay increases. Early in the current presidential campaign, some Democratic candidates proposed using federal funds to top up teacher salaries. Public opinion has notably shifted in favor of increasing teacher salaries. The 2019 Education Next survey found that, among respondents who were not told the average salary of teachers in their home state, 72 percent said teacher pay should increase, while just 3 percent favored cutting it. Even among respondents who were told how much teachers currently make, 56 percent favored hiking these salaries—a 20 percent increase since 2017—and only 5 percent wanted to decrease them. Beyond pay, one study found that the recent strike wave increased support for teachers unions. The survey found that parents of school-age children with firsthand experience with the recent strikes supported greater legal rights for teachers unions and favored a stronger labor movement. This is a notable finding, given that teacher work stoppages make life difficult for parents, who must scramble to find childcare and things for kids to do. In short, the teachers unions have gained public sympathy, while education reformers have lost some. Consider the cover of Time magazine at the dawn of the education-reform movement in 1980: “Help! Teacher Can’t Teach.” Forty years later, in the aftermath of the Great Recession and red-state teacher strikes, Time once again put the image of a schoolteacher on its cover, but the headline told a different story: “I have a master’s degree, 16 years of experience, work two extra jobs, and donate blood plasma to pay the bills. I’m a teacher in America!”

#### **That alone upholds democracy – multiple internal links.**

**Khalenberg 16** Kahlenberg, — Richard D. “How Defunding Public Sector Unions Will Diminish Our Democracy.” The Century Foundation, 5 Oct. 2016, tcf.org/content/report/how-defunding-public-sector-unions-will-diminish-our-democracy/?session=1. [Richard D. Kahlenberg is director of K–12 equity and senior fellow at The Century Foundation. The author or editor of seventeen books, he has expertise in education, civil rights, and equal opportunity. Kahlenberg has been called “the intellectual father of the economic integration movement” in K–12 schooling and “arguably the nation’s chief proponent of class-based affirmative action in higher education admissions.” He is also an authority on teachers’ unions, private school vouchers, charter schools, community colleges, housing segregation, and labor organizing.]//dhsNJ

On January 11, the U.S. Supreme Court will hear oral arguments in Friedrichs v. California Teachers Association. The case pits the right of public employees to band together and form effective unions to pursue the common interests of workers against the free speech rights of dissenting public employees to abstain from funding collective bargaining efforts with which they disagree.1 A decision by the Court against the teachers association could not only significantly weaken public sector unions, but also endanger the nation’s core democratic values. In the suit, a public school teacher, Rebecca Friedrichs, argues that a state law requiring her to pay fees to the California Teachers Association (CTA) violates her First Amendment rights not to subsidize speech to which she objects. The CTA counters that in order to promote peaceful and orderly labor relations, and as a matter of basic fairness, the state may require Friedrichs to cover the costs of collective bargaining agreements, from which she benefits, preventing her from being a “free rider.” Union supporters worry that a decision in Friedrichs’ favor could devastate public sector unions across the nation. These unions, whose numbers were once small compared to the vibrant private sector union movement, now represent nearly a majority of unionized workers.2 The one bright spot in an otherwise deteriorating American labor movement, public sector unions are now under extraordinary legal and political assault. More broadly, many progressives see the Friedrichs case as an effort to defund the American left, given the financial support public sector unions provide a variety of liberal causes, from civil rights to raising the minimum wage.3 This report highlights an additional problem that should concern people across the political spectrum: **defunding public sector unions could deal a substantial blow to a critical driver of American democracy. Public sector unions promote democratic values and practices in a variety of ways. They serve as a check on arbitrary government power and help sustain middle-class wages and benefits; serve as schools of democracy for workers; and, in the case of teacher unions, help support a public school system that promotes democratic values.** These larger interests should enter into the calculus the Supreme Court uses to weigh free speech rights against state interests. Indeed, the whole idea of unionism is based on basic democratic values. The fundamental idea that duly-elected union leadership has the right to collect dues and advocate as the majority of workers wants is analogous to a democracy’s right to impose taxation in order to promote the common good. The 1935 National Labor Relations Act embodied this democratic vision. Section 1 provides: “It is declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection”4 (emphasis supplied). Subsequent state laws governing collective bargaining for public sector employees were modeled on the NLRA’s vision. The report proceeds in four parts. Part I analyzes the claims in Friedrichs under the current framework of balancing envisioned by the Supreme Court, and concludes that fair share fees are justified. Part II broadens the discussion to consider the state’s powerful interest in promoting institutions that strengthen American democracy. Part III considers an objection raised by supporters of Friedrichs: that public sector unions will do just fine if they lose the Friedrichs case. Part IV concludes. Balancing First Amendment Rights against the State’s Interests The current legal framework in which courts weigh cases such as Friedrichs is narrowly constrained, balancing the free speech rights of dissenting union members against the state’s interests in promoting stable labor relations with its public employees. In the 1977 case of Abood v. Detroit Board of Education, the U.S. Supreme Court reached a sensible compromise that properly balanced these two sets of interests by splitting union dues into two categories: those that support political speech, and those that support bread–and-butter collective bargaining. Because the First Amendment’s free speech clause provides a right to not be compelled by the state to subsidize speech with which one disagrees, dissenting public employees cannot be required by the state to join a union, or to subsidize the union’s political and lobbying efforts to promote certain positions of public concern.5 On the other hand, the Court recognized that the state, as an employer, has an interest in promoting harmonious labor relations. To discourage the formation of multiple unions with competing claims, the state has an interest in facilitating a single union negotiating on the behalf of all workers, whether or not individual employees choose to be a member of the union. Under an exclusive bargaining arrangement, the union has a duty to represent members and nonmembers alike. Accordingly, the Court held, the state may prevent employees from being “free riders” by compelling contribution to that portion of union membership dues that underwrite the cost of collective bargaining over issues such as wages and benefits. More recently, in Harris v. Quinn (2014), the Supreme Court was asked to apply the Abood principle to unionized home care workers. The Supreme Court rejected that extension, finding that home care workers, although paid with public funds, were only “partial public employees.” They work for individual patients in private homes and answer mostly to the patients for their work. The Supreme Court created a new test, as scholar Catherine Fisk notes, which suggests that fair share fees can only be justified when “the cited benefits” require imposition of such fees. “No such showing” was made in Harris, the justices held, noting that under Illinois law, the union negotiated a limited number of issues and had no role in enforcing contracts for nonmembers.6 Although Harris sustained the 1977 Abood holding, a majority hinted that it might be willing to overturn Abood in a future case.7 In Friedrichs, the petitioner explicitly seeks to have the Supreme Court overrule the longstanding Abood compromise.8 That would be a serious mistake, for reasons outlined below. Current Rules Balance Free Speech Rights The U.S. Supreme Court has long recognized that First Amendment rights extend beyond the right to speak to include the right not to be compelled to subsidize speech to which an individual objects. The lawyers for Friedrichs invoke Thomas Jefferson’s statement “to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.”9 The state cannot require that, as a condition of employment, public employees must contribute to an ideological cause they may oppose. Friedrichs tries to argue that the distinction between political speech and collective bargaining for public sector unions outlined in Abood is illusory; that because collective bargaining over wages and benefits impacts state budgets, it is inherently political speech. But respondents point out that if this were true—that collective bargaining is a form of political speech—how could it be legal for states to ban it among public employees, as several states currently do? Moreover, the Abood Court noted that dissenting public employees are still free to express their disagreements with the union publicly and vocally. A “public employee who believes that a union representing him is urging a course that is unwise as a matter of public policy is not barred from expressing his viewpoint.”10 And, of course, if teachers such as Friedrichs are upset with union leadership, they can seek to have leaders ousted through periodic democratic elections of officers, or even run for office themselves. Countervailing State Interests Recognized in Abood Free speech rights are never absolute. Jefferson’s statement about compelled contributions, for example, cannot be taken literally. For instance, the government may, in fact, compel taxation from an individual who is opposed to the war in Afghanistan, and then use those funds to engage in speech to recruit soldiers for the war effort. Free speech rights must always be balanced against other considerations. In the case of public sector unions, the Abood Court noted the state has two major interests. The opinion, written by Potter Stewart, an Eisenhower appointee, identified one as labor peace and workplace stability, and the other as reducing the risk of “free ridership” and unfairness.11 In the United States, a single union normally represents all employees in order to promote “labor peace.” “The principle of exclusive union representation,” the Court noted, “is a central element in the congressional structure of industrial relations.” The National Labor Relations Act—and many state collective bargaining laws—provide for a single representative to avoid “the confusion that would result from attempting to enforce two or more agreements specifying different terms and conditions of employment.” The Court noted that the arrangement also “prevents inter-union rivalries from creating dissension within the workforce and eliminating the advantages to the employer of collectivization.” Finally, the Court observed, exclusive union representation “also frees the employer from the possibility of facing conflicting demands from different unions, and permits the employer and a single union to reach agreements and settlements that are not subject to attack from rival labor organizations.”12 In the context of public employee unions, the Court noted, “confusion and conflict” could reign, for example, if rival teachers unions held different positions on issues such as “class hours, class sizes, holidays, tenure provisions,” and the like.13 A second, related, state interest is to prevent what is known as the “free rider” problem in cases of collective action. Because of exclusive representation, unions have a duty “fairly and equitably to represent all employees . . . union and non-union.” Given this arrangement, in which employees benefit from collective bargaining whether they are union members or not, a classic “free rider” issue arises, the Court noted, whereby employees could “refuse to contribute to the union while obtaining the benefits of union representation that necessarily accrue to all employees.”14 Free rider problems exist in many organizations. Why donate to a religious institution if you can still attend and enjoy services whether or not you pay? To counter this, some groups can provide “special advantages” to backers—a leadership position in the church, for example. Unions cannot take this approach, however. As Justice Kagan noted in Harris v. Quinn, because “the law compels unions to represent—and represent fairly—every worker in the bargaining union, regardless whether they join or contribute to the union,” the collective action problem is “of far greater magnitude than in the typical interest group.”15 She referenced Justice Antonin Scalia’s opinion in an earlier decision, making this point: “where the state creates in the nonmembers a legal entitlement from the union, it may compel them to pay the cost.”16 This principle, “there is no free lunch,” is something conservatives usually understand well. According to the counsel for Friedrichs, annual dues to the CTA amount to approximately $1,000 per teacher, of which nonmembers receive a refund of roughly $350 to $400 for expenses unrelated to collective bargaining.17 In other words, Friedrichs is happy to accept increases in wages and benefits the union negotiates hard to win, but does not want to pay the $600 to $650 per year that other members contribute in order to make those wage gains possible. Will she give back her raises, forgo health care benefits, give up the right to pursue grievances, and agree to teach larger classes that the union negotiated? The amicus brief of the American Federation of Teachers and the American Association of University Professors put it well: there is no “constitutional right to a free ride.”18 Promoting Democracy Should Be Considered in Balancing Free Speech and State Interests In balancing the rights of free speech and state interests, Abood came to the correct conclusion—free speech rights can sometimes be curtailed to serve state interests in labor peace and avoiding free ridership. But these are only a subset of state interests. Indeed, the Abood court substantially understated the interests of states in preserving fair share fees. For example, amici in the case, such as the National Women’s Law Center and seventy other civil rights groups, note that there are myriad ways in which labor unions generally—and public sector unions specifically—improve the conditions of minorities and women, a vitally important state interest.19 **All unions—including, and perhaps especially, public sector unions—also contribute to one of the most important foundational interests of the state: democracy. And they do this in many different ways. Unions are critical civic organizations that serve as a check on government power. They are important players in promoting a strong middle class, upon which democracy depends. They serve as schools of democracy for workers. And teacher unions, in particular, help ensure that our educational system is sufficiently funded to teach children to become thoughtful and enlightened citizens in our self-governing democracy. Democracies Need Unions to Serve as a Check on Government Power** Alexis de Tocqueville famously marveled at the **thriving civic associations that keep American democracy vitalized; and for the past century, unions have been a critical part of that framework.** Recognizing the important role of unions in liberal democracies, the 1948 Universal Declaration of Human Rights provides in Article 23 that “Everyone has the right to form and join trade unions for the protection of his interests.” In 1980, President Ronald Reagan championed the role of Polish unions in challenging dictatorial rule by the Communist Party. Reagan declared in a Labor Day speech that year, “where free unions and collective bargaining are forbidden, freedom is lost.” **Albert Shanker, the legendary president of the American Federation of Teachers from 1974 to 1997, saw a pattern in authoritarian regimes. “There is no freedom or democracy without trade unions,” he noted. “The first thing a dictator does is to get rid of the trade unions.”20 Public sector unions, in particular, have played an important role in bringing down dictators in countries such as Chile.21 In free societies across the globe, from Finland to Japan, the rights of teachers and other public sector employees to unionize are well established. Indeed, when the United States attempts to plant the seeds of democracy in other countries, free trade unions—for private and public sector workers alike—are critical elements of what we advocate.** If such unions are to have the capacity to wield influence, they cannot be starved of the fees from workers necessary to play that role**. Democracies Need a Strong Middle Class to Avoid Plutocracy Going back to Aristotle, it has been recognized that democracies are more likely to thrive when a vibrant middle class can support them.22 Large inequalities of wealth can undermine democracy. As philosopher Sidney Hook observed, “It is possible for people to be politically equal as voters, yet so unequal in educational, economic, and social opportunities, that ultimately, even the nature of the political equality is affected.”23 In highly unequal societies, large income gaps can give wealthy interests an outsized role in electing officials.** Theodore Roosevelt warned of the dangers of having “a small class of enormously wealthy and economically powerful men, whose chief object is to hold and increase their power.”24 More recently, Nobel Prize–winning economist Michael Spence told the New York Times that we have seen “an evolution from one propertied man, one vote; to one man, one vote; to one person, one vote; trending to one dollar, one vote.”25 **Strong unions helped build the middle class in America after the Great Depression, and continue to have a positive effect on ameliorating extreme inequalities of wealth. By bargaining for fair wages and benefits, unions in the public and private sector help foster broadly shared prosperity. Research finds, for example, that unions compress wage differences between management and labor. According to one study, “controlling for variation in human resource practices, unionized establishments have an average of 23.2 percentage point lower management-to-worker pay ratio relative to non-union workplaces.”26 By the same token, as the Center for American Progress’s David Madland has vividly illustrated, the decline in union density in the United States between 1969 and 2009 has been accompanied by a strikingly similar decline in the share of income going to the middle class (the middle three-fifths of the income distribution; see Figure 1). &nbsp;The middle class is hollowing out: in 1971, 61 percent of Americans were middle class, but a December 2015 Pew Research Center report found that a slight majority of Americans now live in low- or upper-income households**.27 Although there are many reasons for middle-class wage stagnation—including globalization and the rise in technology—**Lawrence Mishel of the Economic Policy Institute finds that the decline in union bargaining power is “the single largest factor suppressing wage growth for middle-wage workers over the last few decades.”** **The International Monetary Fund, likewise, has linked decline in unions worldwide with rises in income inequality.**28 Figure 1. chartDOWNLOAD **International studies also connect the relatively low levels of U.S. union density (when compared with other nations) and the higher level of economic inequality found in the United States. According to a 2011 analysis by the Center for Economic and Policy Research looking at twenty-one wealthy nations, nine countries had more than 80 percent of their workers covered by collective bargaining agreements; nine had between 30 and 80 percent covered; and just three—the United States, Japan, and New Zealand—had coverage rates below 20 percent. Using data from the Central Intelligence Agency’s World Factbook on levels of income inequality, my colleague Moshe Marvit and I demonstrate in Why Labor Organizing Should Be a Civil Right that the three nations with the lowest collective bargaining coverage also were among the four countries with the highest degrees of income inequality, as measured by the Gini coefficient**.29 **Defunding public sector unions will only accelerate the extreme economic inequality that threatens our political democracy.** Unions Are Needed to Serve as Schools for Democracy Civic organizations that are run democratically can be an important mechanism for acculturating citizens to the inner workings of democracy. Unions are among the most important of these organizations, bringing together rank and file workers from a variety of ethnic, racial, and religious backgrounds, and serving as what Harvard sociologist Robert Putnam calls “schools for democracy.” Union members learn skills that are essential to a well-functioning democracy: how to run meetings, debate one another, and organize for political action.30 **Labor unions can also help create a culture of participation among workers. Being involved in workplace decisions and the give and take of collective bargaining, voting on union contracts, and voting for union leadership have all been called important drivers of “democratic acculturation.”31 In addition, union members routinely engage in civic activities, such as staffing phone banks and canvassing voters door to door. This involvement can boost civic participation among union members and nonmembers alike. One study found that for every one-percentage-point increase in a state’s union density, voter turnout increased between 0.2 and 2.5 percentage points.** In a presidential election, a ten-percentage-point increase in union density could translate into 3 million more voters.32 **Democracies Need Well-Educated Citizens, Which Teachers Unions Help Produce** Democracies need well-educated citizens, and one important subset of public sector **unions—those representing teachers—play a vital role in promoting that** goal. Of the 17 million state and local government employees in 2010, 6.9 million were teachers.33 Most contemporary political rhetoric emphasizes the importance of education in creating a skilled workforce. But the original purpose of public education was to provide an educated citizenry that could make our ongoing experiment in self-governance work. **Democracy requires a thinking people who are not easily swayed by demagoguery**. Thomas Jefferson argued that public schooling was necessary “to ensure that citizens would know how to protect their liberty.” Nineteenth century educator Horace Mann, widely seen as the father of public education, put it more colorfully: “A republican form of government, without intelligence in the people, must be, on a vast scale, what a mad-house, without superintendent or keepers, would be on a small one.” At root, the idea of self-governance requires an educated citizenry because the people themselves rule. All nations, as historian Paul Gagnon noted, provide an excellent education to “those who are expected to run the country,” and that quality of education “cannot be far from what everyone in a democracy needs to know.”34 In the Friedrichs case, the lawyers for the petitioner try to make the case that teachers unions have a “detrimental” effect on education. Citing the Hoover Institution’s Terry Moe, the attorneys for Friedrichs argue, “there is strong evidence that, as union-negotiated agreements become denser with rules and procedural protections, student achievement falls, especially among minority students.”35 Critics such as Jay Greene of the University of Arkansas compare teacher unions to special interests like the Tobacco Institute. But the difference, of course, is that the latter is dedicated to getting more children addicted to deadly cigarettes, while the former represent rank and file teachers who are trying to help teach children to read and understand math and science.36 **As the amicus brief of the American Federation of Teachers and the American Association of University Professors points out, states with “fair share” collective bargaining provisions have higher academic performance on average than those who do not. Fourth grade math proficiency is 9 percent higher, while reading proficiency is 13 percent higher; and in eighth grade, by which time students have spent more time in school, the difference is more pronounced: 16 percent higher in both math and reading proficiency**.37 (See Figure 2.) Figure 2. chartDOWNLOAD Of course, there are lots of other factors, such as poverty, that influence a state’s student achievement levels. **But careful studies that seek to control for those additional factors tend to find higher achievement in states with strong teacher unions.** **A review by sociologist Robert Carini concluded that “there is an emerging consensus in the literature that teacher unionism favorably influences achievement for most students, as measured by a variety of standardized tests.**”38 Carini’s 2002 review of seventeen widely cited **studies observed that twelve found positive effects, and five found negative effects (see Figure 3). Moreover, the twelve concluding positive results were more methodologically rigorous than the five that found negative effects, because they were more likely to look at student level data (rather than using state or district averages) and to control for more variables.39 Figure 3. chartDOWNLOAD Union representation is plausibly connected to higher achievement, as Leo Casey of the Albert Shanker Institute has noted, because “the working conditions of teachers are, in significant measure, the learning conditions of students, and so, improvements in the working lives of teachers generally translate into improvements in the education of students.”**40 Before Albert Shanker and his colleagues in New York City began bargaining collectively for teachers in the early 1960s, teachers were paid less than people who washed cars for a living.41 Subsequently, unions began bargaining for higher teacher salaries, which are likely to attract better candidates, and smaller class sizes, which can improve student learning. **Unions also seek greater voice for teachers in school decision making, which can reduce teacher turnover.42 Indeed, one could argue that teachers unions provide a healthy enhancement to democratic decision-making on education policy because teachers, as much as any other group in society, serve as powerful advocates for those Americans who cannot vote—school children**. **As journalist Jonathan Chait has noted, politicians—who have short-term horizons—are prone to under-investing in education, and teachers unions “provide a natural bulwark” against that tendency. Since most voters do not have children in the public school system, those parents who do need political allies have their concerns heard. The interests of teachers and their unions do not always coincide with those of students, but on the really big issues, such as overall investment in education, the convergence of interests is strong**. And evidence suggests that the alliance is working. **In general, American society consistently under-invests in children outside of schools, compared with other leading democratic societies**. According to the Organisation for Economic Co-operation and Development (OECD), the child poverty rate in the United States is 21.6 percent, the fifth highest among the forty member-nations. Only Turkey, Romania, Mexico, and Israel have higher child poverty rates. Put differently, the United States is in the bottom eighth in preventing child poverty. By contrast, when the interests of children are represented by and connected to the interests of teachers—as they are on the question of public education spending—the United States ranks close to the top third. Among thirty-nine OECD nations, the United States ranks fourteenth in spending on primary and secondary education as a percentage of gross domestic product.43 There is little doubt that, without the voice of teachers, the United States would under-spend on public education as well. In her dissent in Harris v. Quinn, Justice Elena Kagan made a parallel argument about home care workers. Patients suffer when low wages induce workforce shortages and high turnover. “The individual customers are powerless to address those systemic issues,” Kagan wrote, but the unionization of home-care assistants helped doubled wages over ten years.44 There is a final, important way in which **teacher unions can promote democratic citizenship: by modeling workplace democracy for children. In schools where educators have a voice, as my colleague Halley Potter and I noted in A Smarter Charter: Finding What Works for Charter Schools and Public Education, “teachers are not simply workers who implement the directives of principles but are active participants in decision making. Students see workplace democracy in action, underlining the lessons found in the civics books**.”45

#### **US democracy is the greatest international stabilizer; without it, the norms-based liberal order descends into authoritarianism**

Kelly **Magsamen et. al. 18**, Max Bergmann, Michael Fuchs, and Trevor Sutton, 9-5-2018, "Securing a Democratic World," Center for American Progress, https://www.americanprogress.org/issues/security/reports/2018/09/05/457451/securing-democratic-world/

Policy recommendations Revitalizing global democracy is an immense and complex task that will take many years. But in the short term, the threat presented by opportunist authoritarian regimes urgently requires a rapid response. That is why America’s democracy rebalance needs both an immediate defensive line of effort to protect democratic values at home and around the world from creeping authoritarianism and a sustained long-term effort to expand the global democratic community and address the drivers of democratic retrenchment. Strengthen democracy at home American foreign policy starts at home with the strength of our own democratic model. None of the initiatives proposed in this report is likely to succeed if the United States does not embrace its own democratic values and norms and lead by example. The next administration will need to simultaneously re-establish international credibility and strengthen the democratic compact with its own citizens. For the United States to compete effectively in the global battle of ideas, it must continue to perfect its own democracy and leverage its own comparative strengths: rule of law, strong institutions, the ability to self-correct as a nation, and the innovation and perseverance of the American people. While domestic policy is not the focus of this report, the authors felt it was essential to draw the connection between the health of American democracy and the strategic impact that the United States can drive globally in the context of rising competition.