# Disclosure

#### **Interpretation: Debaters must disclose tags, citations, and first and last three words of evidence of all broken positions on the NDCA 2020-21 LD Wiki.**

#### **Violation: They don’t even have a wiki – screenshots in the doc**

#### **Standards**

#### **1] Preparation – disclosure leads to more in depth round where debaters can research and engage with their opponents’ positions pre-round. Absent disclosure, debaters are incentivized to break sketchy and bad arguments that could be easily defeated with a little research and win with the element of surprise. Impacts a] clash – disclosure leads to debates with better clash of arguments which is the unique educational benefit of debate – that outweighs, b] reciprocity – there’s a prep skew – I open sourced my aff while I had no idea what they could be reading which means you should assume they came into this round with an arbitrary advantage – independently that also means you err in my favor on the flow**

#### **2] Small Schools – disclosure is key to equal access to intel – absent disclosure, flow-sharing and large school entries favor well-connected and established programs. Disclosure levels the playing field since everyone gets access to everyone else’s arguments. That’s key to fairness to level out arbitrary differences within the debate community.**

#### **3] Evidence Ethics – disclosure’s key to check evidence ethics violations pre-round – I can’t read all your evidence closely or check the original sources within the 45 minutes of the round – that outweighs because it’s critical to learning to be ethical scholars**

#### **Voters**

#### **1] Fairness – it’s inherent to debate – arguing against fairness presumes that your arguments will be evaluated fairly in the first place**

#### **2] Education – it’s the only lasting skill we get from debate, which is the internal link to why schools fund it – debate loses value if it doesn’t teach us skills**

#### **Drop the debater for norm-setting – that’s key to spreading the disclosure norm – they will be more likely to disclose in the future if they lose ballots on it**

#### **No RVIs – a] they deter people from reading theory on abusive positions in fear of losing the theory debate on technicalities b] illogical, it’s your burden to be fair and educational so you don’t win on it**

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#### **The right to strike is a tool of bourgeois crisis management that controls revolutionary energy. The only proper way to strike is a violent, revolutionary strike against the foundations of capitalism itself.**

**Crepon 19**

Marc Crepon is a professor of philosophy at the École Normale Supérieure.. “The Right to Strike and Legal War in Walter Benjamin’s “Toward the Critique of Violence””. Translated by Micol Bez. DOI: 10.1215/26410478-7708331, published August 2019, accessed 11-4-21 // mk

In other words, nothing would endanger the law more than the possibility of its authority being contested by a violence over which it has no control. The function of the law would therefore be, first and foremost, to contain violence within its own boundaries. It is in this context that, to demonstrate this surprising hypothesis, Benjamin invokes two examples: the right to strike guaranteed by the state and the law of war. Let us return to the place that the right to strike occupies within class struggle. To begin with, the very idea of such a struggle implies certain forms of violence. The strike could then be understood as one of the recognizable forms that this violence can take. However, this analytical framework is undermined as soon as this form of violence becomes regulated by a “right to strike,” such as the one recognized by law in France in 1864. What this recognition engages is, in fact, the will of the state to control the possible “violence” of the strike. Thus, the “right” of the right to strike appears as the best, if not the only, way for the state to circumscribe within (and via) the law the relative violence of class struggles. We might consider this to be the perfect illustration of the aforementioned hypothesis. Yet, there are two lines of questioning that destabilize this hypothesis that we would do well to consider First, is it legitimate to present the strike as a form of violence? Who has a vested interest in such a representation? In other words, how can we trace a clear and unequivocal demarcation between violence and nonviolence? Are we not always bound to find residues of violence, even in those actions that we would be tempted to consider nonviolent? The second line of questioning is just as important and is rooted in the distinction established by Georges Sorel, in his Reflections on Violence, between the “political strike” and the “proletarian general strike,” to which Benjamin dedicates a set of complementary analyses in §13 of his essay. Here, again, we are faced with a question of limits. What is at stake is the possibility for a certain type of strike (the proletarian general strike) to exceed the limits of the right to strike— turning, in other words, the right to strike against the law itself. The phenomenon is that of an autoimmune process, in which the right to strike that is meant to protect the law against the possible violence of class struggles is transformed into a means for the destruction of the law. The difference between the two types of strikes is nevertheless introduced with a condition: “The validity of this statement, however, is not unrestricted because it is not unconditional,” notes Benjamin in §7. **We would be mistaken in believing that the right to strike is granted and guaranteed unconditionally**. Rather, it is structurally subjected to a conflict of interpretations, those of the workers, on the one hand, and of the state on the other. From the point of view of the state, the partial strike cannot under any circumstance be understood as a right to exercise violence, but rather as the right to extract oneself from a preexisting (and verifiable) violence: that of the employer. In this sense, the partial strike should be considered a nonviolent action, what Benjamin named a “pure means.” The interpretations diverge on two main points. The first clearly depends on the alleged “violence of the employer,” a predicate that begs the question: Who might have the authority to recognize such violence? Evidently it is not the employer. The danger is that the state would similarly lack the incentive to make such a judgment call. It is nearly impossible, in fact, to find a single instance of a strike in which this recognition of violence was not subject to considerable controversy. The political game is thus the following: the state legislated the right to strike in order to contain class struggles, with the condition that workers must have “good reason” to strike. However, it is unlikely that a state systematically allied with (and accomplice to) employers will ever recognize reasons as good, and, as a consequence, it will deem any invocation of the right to strike as illegitimate. Workers will therefore be seen as abusing a right granted by the state, and in so doing transforming it into a violent means. On this point, Benjamin’s analyses remain extremely pertinent and profoundly contemporary. They unveil the enduring strategy of governments confronted with a strike (in education, transportation, or healthcare, for example) who, after claiming to understand the reasons for the protest and the grievances of the workers, deny that the arguments constitute sufficient reason for a strike that will likely paralyze this or that sector of the economy. They deny, in other words, that the conditions denounced by the workers display an intrinsic violence that justifies the strike. Let us note here a point that Benjamin does not mention, but that is part of Sorel’s reflections: this denial inevitably contaminates the (socialist) left once it gains power. What might previously have seemed a good reason to strike when it was the opposition is deemed an insufficient one once it is the ruling party. In the face of popular protest, it always invokes a lack of sufficient rationale, allowing it to avoid recognizing the intrinsic violence of a given social or economic situation, or of a new policy. And it is because it refuses to see this violence and to take responsibility for it that the left regularly loses workers’ support. The second conflict of interpretation concerns what is at stake in the strike. For the state, the strike implies a withdrawal or act of defiance vis-à-vis the employer, while for the workers it is a means of pressuring, if not of blackmail or even of “hostage taking.” The diference is thus between an act of suspension (which can be considered nonviolent) and one of extortion (which includes violence). Does this mean that “pure means” are not free of ambiguity, and that there can be no nonviolent action that does not include a residue of violence? It is not clear that Benjamin’s text allows us to go this far. Nevertheless, the problem of pure means, approached through the notion of the right to strike, raises the following question: Could it be that the text “Zur Kritik der Gewalt,” which we are accustomed to reading as a text on violence, deals in fact with the possibility and ambiguity of nonviolence? The opposition between the aforementioned conflicts of interpretation manifests itself in Benjamin’s excursus on the revolutionary strike, and specifically in the opposition between the political strike and the proletarian general strike, and in the meaning we should attribute to the latter. As previously discussed, the state will never admit that the right to strike is a right to violence. Its interpretative strategy consists in denying, as much as possible, the effective exercise of the right that it theoretically grants. Under these conditions, the function of the revolutionary strike is to return the strike to its true meaning; in other words, to return it to its own violence. In this context, the imperative is to move beyond idle words: a call to strike is a call to violence. This is the reason why such a call is regularly met with a violent reaction from the state, because trade unions force the state to recognize what it is trying to ignore, what it pretends to have solved by recognizing the right to strike: the irreducible violence of class struggles. This means that the previously discussed alternative between “suspension” and “extortion” is valid only for the political strike—in other words, for a strike whose primary vocation is not, contrary to that of the proletarian general strike, to revolt against the law itself. Essentially, the idea of a proletarian general strike, its myth (to borrow Sorel’s words), is to escape from this dichotomous alternative that inevitably reproduces and perpetuates the violence of domination.

#### **Capitalism is doomed—ecological, structural, and psychological limits cause short term extinction and massive inequality. (Inequality - blame - environment - pvt protection - inability to expand)**

**Robinson 16** (William, Professor of sociology, global studies and Latin American studies at the University of California at Santa Barbara. His most recent book is Global Capitalism and the Crisis of Humanity. | “Sadistic Capitalism: Six Urgent Matters for Humanity in Global Crisis” in *Truth-out*, April 12, 2016. <http://www.truth-out.org/opinion/item/35596-sadistic-capitalism-six-urgent-matters-for-humanity-in-global-crisis> )//tbrooks

The "luxury shanty town" in South Africa is a fitting metaphor for global capitalism as a whole. Faced with a stagnant global economy, elites have managed to turn war, structural violence and inequality into opportunities for capital, pleasure and entertainment. It is hard not to conclude that unchecked capitalism has become what I term "sadistic capitalism," in which the suffering and deprivation generated by capitalism become a source of aesthetic pleasure, leisure and entertainment for others. I recently had the opportunity to travel through several countries in Latin America, the Middle East, North Africa, East Asia and throughout North America. I was on sabbatical to research what the global crisis looks like on the ground around the world. Everywhere I went, social polarization and political tensions have reached explosive dimensions. Where is the crisis headed, what are the possible outcomes and what does it tell us about global capitalism and resistance? This crisis is not like earlier structural crises of world capitalism, such as in the 1930s or 1970s. This one is fast becoming systemic. The crisis of humanity shares aspects of earlier structural crises of world capitalism, but there are six novel, interrelated dimensions to the current moment that I highlight here, in broad strokes, as the "big picture" context in which countries and peoples around the world are experiencing a descent into chaos and uncertainty. 1) The level of global social polarization and inequality is unprecedented in the face of out-of-control, over-accumulated capital. In January 2016, the development agency Oxfam [published a follow-up](https://www.oxfam.org/en/pressroom/pressreleases/2016-01-18/62-people-own-same-half-world-reveals-oxfam-davos-report) to its report on global inequality that had been released the previous year. According to the new report, now just 62 billionaires -- down from 80 identified by the agency in its January 2015 report -- control as much wealth as one half of the world's population, and the top 1% owns more wealth than the other 99% combined. Beyond the transnational capitalist class and the upper echelons of the global power bloc, the richest 20 percent of humanity owns some 95 percent of the world's wealth, while the bottom 80 percent has to make do with just 5 percent. This 20-80 divide of global society into haves and the have-nots is the new global social apartheid. It is evident not just between rich and poor countries, but within each country, North and South, with the rise of new affluent high-consumption sectors alongside the downward mobility, "precariatization," destabilization and expulsion of majorities. Escalating inequalities fuel capitalism's chronic problem of over-accumulation: The transnational capitalist class cannot find productive outlets to unload the enormous amounts of surplus it has accumulated, leading to stagnation in the world economy. The signs of an impending depression are everywhere. The front page of the February 20 issue of The Economist read, "[The World Economy: Out of Ammo?](http://www.economist.com/news/leaders/21693204-central-bankers-are-running-down-their-arsenal-other-options-exist-stimulate)" Extreme levels of social polarization present a challenge to dominant groups. They strive to purchase the loyalty of that 20 percent, while at the same time dividing the 80 percent, co-opting some into a hegemonic bloc and repressing the rest. Alongside the spread of frightening new systems of social control and repression is heightened dissemination through the culture industries and corporate marketing strategies that depoliticize through consumerist fantasies and the manipulation of desire. As "Trumpism" in the United States so well illustrates, another strategy of co-optation is the manipulation of fear and insecurity among the downwardly mobile so that social anxiety is channeled toward scapegoated communities. This psychosocial mechanism of displacing mass anxieties is not new, but it appears to be increasing around the world in the face of the structural destabilization of capitalist globalization. Scapegoated communities are under siege, such as the Rohingya in Myanmar, the Muslim minority in India, the Kurds in Turkey, southern African immigrants in South Africa, and Syrian and Iraqi refugees and other immigrants in Europe. As with its 20th century predecessor, 21st century fascism hinges on such manipulation of social anxiety at a time of acute capitalist crisis. Extreme inequality requires extreme violence and repression that lend to projects of 21st century fascism. 2) The system is fast reaching the ecological limits to its reproduction. We have reached several tipping points in what environmental scientists refer to as nine crucial "planetary boundaries." [We have already exceeded these boundaries in three areas](http://www.amazon.com/Ecological-Rift-Capitalisms-War-Earth/dp/1583672184/ref=sr_1_1?ie=UTF8&qid=1460153228&sr=8-1&keywords=the+ecological+rift) -- climate change, the nitrogen cycle and diversity loss. There have been five previous mass extinctions in earth's history. While all these were due to natural causes, for the first time ever, human conduct is intersecting with and fundamentally altering the earth system. We have entered what Paul Crutzen, the Dutch environmental scientist and Nobel Prize winner, termed the Anthropocene -- a new age in which humans have transformed up to half of the world's surface. We are altering the composition of the atmosphere and acidifying the oceans at a rate that undermines the conditions for life. The ecological dimensions of global crisis cannot be understated. "We are deciding, without quite meaning to, which evolutionary pathways will remain open and which will forever be closed," observes Elizabeth Kolbert in her best seller, [The Sixth Extinction](http://www.amazon.com/Sixth-Extinction-Unnatural-History/dp/1250062187/ref=sr_1_1?s=books&ie=UTF8&qid=1457393458&sr=1-1&keywords=the+sixth+extinction). "No other creature has ever managed this ... The Sixth Extinction will continue to determine the course of life long after everything people have written and painted and built has been ground into dust." [Capitalism cannot be held solely responsible](http://www.amazon.com/Collapse-Societies-Choose-Succeed-Revised/dp/0143117009/ref=sr_1_1?ie=UTF8&qid=1460153265&sr=8-1&keywords=collapse+book). The human-nature contradiction has deep roots in civilization itself. The ancient Sumerian empires, for example, collapsed after the population over-salinated their crop soil. The Mayan city-state network collapsed about AD 900 due to deforestation. And the former Soviet Union wrecked havoc on the environment. However, given capital's implacable impulse to accumulate profit and its accelerated commodification of nature, it is difficult to imagine that the environmental catastrophe can be resolved within the capitalist system. "Green capitalism" appears as an oxymoron, as sadistic capitalism's attempt to turn the ecological crisis into a profit-making opportunity, along with the conversion of poverty into a tourist attraction. 3) The sheer magnitude of the means of violence is unprecedented, as is the concentrated control over the means of global communications and the production and circulation of knowledge, symbols and images. We have seen the spread of frightening new systems of social control and repression that have brought us into the panoptical surveillance society and the age of thought control. This real-life Orwellian world is in a sense more perturbing than that described by George Orwell in his iconic novel 1984. In that fictional world, people were compelled to give their obedience to the state ("Big Brother") in exchange for a quiet existence with guarantees of employment, housing and other social necessities. Now, however, the corporate and political powers that be force obedience even as the means of survival are denied to the vast majority. Global apartheid involves the creation of "green zones" that are cordoned off in each locale around the world where elites are insulated through new systems of spatial reorganization, social control and policing. "Green zone" refers to the nearly impenetrable area in central Baghdad that US occupation forces established in the wake of the 2003 invasion of Iraq. The command center of the occupation and select Iraqi elite inside that green zone were protected from the violence and chaos that engulfed the country. Urban areas around the world are now green zoned through gentrification, gated communities, surveillance systems, and state and private violence. Inside the world's green zones, privileged strata avail themselves of privatized social services, consumption and entertainment. They can work and communicate through internet and satellite sealed off under the protection of armies of soldiers, police and private security forces. Green zoning takes on distinct forms in each locality. In Palestine, I witnessed such zoning in the form of Israeli military checkpoints, Jewish settler-only roads and the apartheid wall. In Mexico City, the most exclusive residential areas in the upscale Santa Fe District are accessible only by helicopter and private gated roads. In Johannesburg, a surreal drive through the exclusive Sandton City area reveals rows of mansions that appear as military compounds, with private armed towers and electrical and barbed-wire fences. In Cairo, I toured satellite cities ringing the impoverished center and inner suburbs where the country's elite could live out their aspirations and fantasies. They sport gated residential complexes with spotless green lawns, private leisure and shopping centers and English-language international schools under the protection of military checkpoints and private security police. In other cities, green zoning is subtler but no less effective. In Los Angeles, where I live, the freeway system now has an express lane reserved for those that can pay an exorbitant toll. On this lane, the privileged speed by, while the rest remain one lane over, stuck in the city's notorious bumper-to-bumper traffic -- or even worse, in notoriously underfunded and underdeveloped public transportation, where it may take half a day to get to and from work. There is no barrier separating this express lane from the others. However, a near-invisible closed surveillance system monitors every movement. If a vehicle without authorization shifts into the exclusive lane, it is instantly recorded by this surveillance system and a heavy fine is imposed on the driver, under threat of impoundment, while freeway police patrols are ubiquitous. Outside of the global green zones, warfare and police containment have become normalized and sanitized for those not directly at the receiving end of armed aggression. "Militainment" -- portraying and even glamorizing war and violence as entertaining spectacles through Hollywood films and television police shows, computer games and corporate "news" channels -- may be the epitome of sadistic capitalism. It desensitizes, bringing about complacency and indifference. In between the green zones and outright warfare are prison industrial complexes, immigrant and refugee repression and control systems, the criminalization of outcast communities and capitalist schooling

. The omnipresent media and cultural apparatuses of the corporate economy, in particular, aim to colonize the mind -- to undermine the ability to think critically and outside the dominant worldview. A neofascist culture emerges through militarism, extreme masculinization, racism and racist mobilizations against scapegoats. 4) We are reaching limits to the extensive expansion of capitalism. Capitalism is like riding a bicycle: When you stop pedaling the bicycle, you fall over. If the capitalist system stops expanding outward, it enters crisis and faces collapse. In each earlier structural crisis, the system went through a new round of extensive expansion -- from waves of colonial conquest in earlier centuries, to the integration in the late 20th and early 21st centuries of the former socialist countries, China, India and other areas that had been marginally outside the system. There are no longer any new territories to integrate into world capitalism. Meanwhile, the privatization of education, health care, utilities, basic services and public land are turning those spaces in global society that were outside of capital's control into "spaces of capital." Even poverty has been turned into a commodity. What is there left to commodify? Where can the system now expand? With the limits to expansion comes a turn toward militarized accumulation -- making wars of endless destruction and reconstruction and expanding the militarization of social and political institutions so as to continue to generate new opportunities for accumulation in the face of stagnation. 5) There is the rise of a vast surplus population inhabiting a "planet of slums," alienated from the productive economy, thrown into the margins and subject to these sophisticated systems of social control and destruction. Global capitalism has no direct use for surplus humanity. But indirectly, it holds wages down everywhere and makes new systems of 21st century slavery possible. These systems include prison labor, the forced recruitment of miners at gunpoint by warlords contracted by global corporations to dig up valuable minerals in the Congo, sweatshops and exploited immigrant communities (including the rising tide of immigrant female caregivers for affluent populations). Furthermore, the global working class is experiencing accelerated "precariatization." The "new precariat" refers to the proletariat that faces capital under today's unstable and precarious labor relations -- informalization, casualization, part-time, temp, immigrant and contract labor. As communities are uprooted everywhere, there is a rising reserve army of immigrant labor. The global working class is becoming divided into citizen and immigrant workers. The latter are particularly attractive to transnational capital, as the lack of citizenship rights makes them particularly vulnerable, and therefore, exploitable. The challenge for dominant groups is how to contain the real and potential rebellion of surplus humanity, the immigrant workforce and the precariat. How can they contain the explosive contradictions of this system? The 21st century megacities become the battlegrounds between mass resistance movements and the new systems of mass repression. Some populations in these cities (and also in abandoned countryside) are at risk of genocide, such as those in Gaza, zones in Somalia and Congo, and swaths of Iraq and Syria. 6) There is a disjuncture between a globalizing economy and a nation-state-based system of political authority. Transnational state apparatuses are incipient and do not wield enough power and authority to organize and stabilize the system, much less to impose regulations on runaway transnational capital. In the wake of the 2008 financial collapse, for instance, the governments of the G-8 and G-20 were unable to impose transnational regulation on the global financial system, despite a series of emergency summits to discuss such regulation.

#### **The alternative is to join the Party – the only viable way forward for a socialist movement in the 21st century.**

**Escalante 19**

Alyson Escalante, Marxist Leninist activist, read her articles thx, <https://theforgenews.org/2018/09/21/party-organizing-in-the-21st-century/>**,** “Party Organizing in the 21st Century”, kiv

I would argue that within the base building movement, there is a move towards party organizing, but this trend has not always been explicitly theorized or forwarded within the movement. My goal in this essay is to argue that base building and dual power strategy can be best forwarded through party organizing, and that party organizing can allow this emerging movement to solidify into a powerful revolutionary socialist tendency in the United States. One of the crucial insights of the base building movement is that the current state of the left in the United States is one in which revolution is not currently possible. There exists very little popular support for socialist politics. A century of anticommunist propaganda has been extremely effective in convincing even the most oppressed and marginalized that communism has nothing to offer them. The base building emphasis on dual power responds directly to this insight. By building institutions which can meet people’s needs, we are able to concretely demonstrate that communists can offer the oppressed relief from the horrific conditions of capitalism. Base building strategy recognizes that actually doing the work to serve the people does infinitely more to create a socialist base of popular support than electing democratic socialist candidates or holding endless political education classes can ever hope to do. Dual power is about proving that we have something to offer the oppressed.The question, of course, remains: once we have built a base of popular support, what do we do next? If it turns out that establishing socialist institutions to meet people’s needs does in fact create sympathy towards the cause of communism, how can we mobilize that base? Put simply: in order to mobilize the base which base builders hope to create, we need to have already done the work of building a communist party. It is not enough to simply meet peoples needs. Rather, we must build the institutions of dual power in the name of communism. We must refuse covert front organizing and instead have a public face as a communist party. When we build tenants unions, serve the people programs, and other dual power projects, we must make it clear that we are organizing as communists, unified around a party, and are not content simply with establishing endless dual power organizations. We must be clear that our strategy is revolutionary and in order to make this clear we must adopt party organizing. By “party organizing” I mean an organizational strategy which adopts the party model. Such organizing focuses on building a party whose membership is formally unified around a party line determined by democratic centralist decision making. The party model creates internal methods for holding party members accountable, unifying party member action around democratically determined goals, and for educating party members in communist theory and praxis. A communist organization utilizing the party model works to build dual power institutions while simultaneously educating the communities they hope to serve. Organizations which adopt the party model focus on propagandizing around the need for revolutionary socialism. They function as the forefront of political organizing, empowering local communities to theorize their liberation through communist theory while organizing communities to literally fight for their liberation. A party is not simply a group of individuals doing work together, but is a formal organization unified in its fight against capitalism. Party organizing has much to offer the base building movement. By working in a unified party, base builders can ensure that local struggles are tied to and informed by a unified national and international strategy. While the most horrific manifestations of capitalism take on particular and unique form at the local level, we need to remember that our struggle is against a material base which functions not only at the national but at the international level. The formal structures provided by a democratic centralist party model allow individual locals to have a voice in open debate, but also allow for a unified strategy to emerge from democratic consensus. Furthermore, party organizing allows for local organizations and individual organizers to be held accountable for their actions. It allows criticism to function not as one independent group criticizing another independent group, but rather as comrades with a formal organizational unity working together to sharpen each others strategies and to help correct chauvinist ideas and actions. In the context of the socialist movement within the United States, such accountability is crucial. As a movement which operates within a settler colonial society, imperialist and colonial ideal frequently infect leftist organizing. Creating formal unity and party procedure for dealing with and correcting these ideas allows us to address these consistent problems within American socialist organizing. Having a formal party which unifies the various dual power projects being undertaken at the local level also allows for base builders to not simply meet peoples needs, but to pull them into the membership of the party as organizers themselves. The party model creates a means for sustained growth to occur by unifying organizers in a manner that allows for skills, strategies, and ideas to be shared with newer organizers. It also allows community members who have been served by dual power projects to take an active role in organizing by becoming party members and participating in the continued growth of base building strategy. It ensures that there are formal processes for educating communities in communist theory and praxis, and also enables them to act and organize in accordance with their own local conditions. We also must recognize that the current state of the base building movement precludes the possibility of such a national unified party in the present moment. Since base building strategy is being undertaken in a number of already established organizations, it is not likely that base builders would abandon these organizations in favor of founding a unified party. Additionally, it would not be strategic to immediately undertake such complete unification because it would mean abandoning the organizational contexts in which concrete gains are already being made and in which growth is currently occurring. What is important for base builders to focus on in the current moment is building dual power on a local level alongside building a national movement. This means aspiring towards the possibility of a unified party, while pursuing continued local growth. The movement within the Marxist Center network towards some form of unification is positive step in the right direction. The independent party emphasis within the Refoundation caucus should also be recognized as a positive approach. It is important for base builders to continue to explore the possibility of unification, and to maintain unification through a party model as a long term goal. In the meantime, individual base building organizations ought to adopt party models for their local organizing. Local organizations ought to be building dual power alongside recruitment into their organizations, education of community members in communist theory and praxis, and the establishment of armed and militant party cadres capable of defending dual power institutions from state terror. Dual power institutions must be unified openly and transparently around these organizations in order for them to operate as more than “red charities.” Serving the people means meeting their material needs while also educating and propagandizing. It means radicalizing, recruiting, and organizing. The party model remains the most useful method for achieving these ends. The use of the party model by local organizations allows base builders to gain popular support, and most importantly, to mobilize their base of popular support towards revolutionary ends, not simply towards the construction of a parallel economy which exists as an end in and of itself. It is my hope that we will see future unification of the various local base building organizations into a national party, but in the meantime we must push for party organizing at the local level. If local organizations adopt party organizing, it ought to become clear that a unified national party will have to be the long term goal of the base building movement. Many of the already existing organizations within the base building movement already operate according to these principles. I do not mean to suggest otherwise. Rather, my hope is to suggest that we ought to be explicit about the need for party organizing and emphasize the relationship between dual power and the party model. Doing so will make it clear that the base building movement is not pursuing a cooperative economy alongside capitalism, but is pursuing a revolutionary socialist strategy capable of fighting capitalism. The long term details of base building and dual power organizing will arise organically in response to the conditions the movement finds itself operating within. I hope that I have put forward a useful contribution to the discussion about base building organizing, and have demonstrated the need for party organizing in order to ensure that the base building tendency maintains a revolutionary orientation. The finer details of revolutionary strategy will be worked out over time and are not a good subject for public discussion. I strongly believe party organizing offers the best path for ensuring that such strategy will succeed. My goal here is not to dictate the only possible path forward but to open a conversation about how the base building movement will organize as it transitions from a loose network of individual organizations into a unified socialist tendency. These discussions and debates will be crucial to ensuring that this rapidly growing movement can succeed.

#### **The pressing political question of the 21st century is whether we will choose socialism or barbarism. Ecological catastrophe and the rise of global nationalist politics are more than the global order can bear – absent a course correction liberal democracy will enable massive violence.**

**Dean 15**

**Jodi Dean, communist philosopher and political science professor at Hobart and William Smith Colleges, “Red, Black and Green”, *Rethinking Marxism*, 7-16-15, kiv**

Two ideas voiced in the present discussion impress the urgency of the need for a left party oriented toward communism: racism (Buck 2015) and the Anthropocene (Healy 2015). Given anthropogenic climate change, the stakes of contemporary politics are almost unimaginably high. They range from the continued investment in extractive industries and fossil fuels constitutive of the carbon-combustion complex (see Oreskes and Conway 2014), to the dislocations accompanying mass migration in the wake of floods and droughts to the racist response of states outside what Christian Parenti (2011, 9) calls the “Tropic of Chaos” (the band around the “belt of economically and politically battered post-colonial states girding the planet’s mid-latitudes,” where climate change is “beginning to hit hard”), all the way to human extinction. That one city, state, or country brings carbon emissions under control—while certainly a step in the right direction—may be irrelevant from the standpoint of overall warming. Perhaps its carbon-emitting industries were shipped elsewhere. Perhaps another country chose to expand its own drilling operations. Climate change forces us to acknowledge that we can’t build new worlds (Helepololei). We live in one world, the heating up of which threatens humans and other species. Not all communities, economies, or ways of life are compatible. Those premised on industries and practices that continue to contribute to planetary warming have to change significantly, and soon. Forcing that change is the political challenge of our time. Given the persistence of racialized violence and the operation of the state as an instrument for the maintenance not only of capitalist modes of production but also and concomitantly of racialized hierarchy, the challenges of organizing politically across issues and identities are almost insurmountably daunting. No wonder the Left resorts to moralism and self-care instead. It’s easier to catalog difference than it is to build up a Left strong enough to exercise power, especially given the traversal of state power by transnational corporations, trade, and treaties. It’s also easier to go along with the dominant ideology of individualism, which enjoins us first and foremost to look after ourselves, than it is to put ourselves aside and focus on formulating a strategy for using collective power to occupy, reconfigure, and redirect institutions at multiple levels. Here again, not every vision of community is compatible with every other. Those premised on fantasies of racial, religious, ethnic, or linguistic purity directly oppose those premised on diversity. Those premised on reproducing structures of class hierarchy directly oppose those insisting on equality. If something like a party of the radical Left can stretch beyond Greece and Spain, if it can be imagined in North America, it will only be possible as a combination of communism, antiracism, and climate activism. I use “red, black, and green” as a heuristic for the coalition of concerns necessary for such a party. I invoke the heuristic here to double down against critics who prefer a thousand alternatives to the party form. A thousand alternatives (see Healy 2015) is no alternative. It leaves the political system we have—the one that puts all its force behind the preservation of capitalist class interests—intact. Some ideas need to be chosen, systematized into a program, and defended. Consciously reiterating the colors of the Black Liberation Flag, the red, black, and green heuristic positions itself within the histories of communist, people’s, and anticolonial struggles. Left Unity in the UK uses red, black, and green in their logo to suggest a similar constellation. The colors don’t have a fixed meaning; they have appeared differently in the histories of emancipatory egalitarian struggle. In recent struggles, red suggests a politics against debt, austerity, and corporate personhood and allies with anticapitalism and communism as well. Black pays tribute to the IWW, anarchists, black power, and movements against aggressive policing, incarceration, and the murder of African Americans. Green points to climate justice, an approach to climate change that exceeds capitalist emphases on carbon markets and green commodities to encompass the dismantling of the carbon-based economy and the global redistribution of wealth. The three colors should not be read as three separate issues or groups. They should rather be understood as a kind of mutually supporting and inflecting scaffold. An equitable response to the changing climate, for example, is incompatible with the continuation of capitalism. A communism anchored in extractive industry is incompatible with the mitigation of and adaptation to climate change. Antiracism directs our attention to those most likely to be exploited and sacrificed in market-driven schemes to address climate change. It also marks the fact of the history of divisions within the Left that have stood in the way of our forging collective counterpower. Here and now, movements are pushing the organizational convergence of communist, climate, and race politics. Moral Mondays, the ongoing protests in North Carolina, bring together an array of political concerns around racial justice, cuts to public services, and the environment. These protests include marches and acts of civil disobedience. The heartbreaking reminder that “Black lives matter” calls for the abolition of structures of institutionalized power that continue to impoverish, imprison, and kill black people everywhere. Protests in Ferguson, Missouri, in the wake of the murder of Michael Brown, have turned the spotlight on the militarization of the police and the buildup of state forces for the defense of the wealthy and white against the proletarianized—poor, brown, and black. Similar buildups of police borders in the United States and abroad attempt to push back the many on the move in response to the “catastrophic convergence” of decades of violent expropriation and climate change (Parenti 2011). The demand for climate justice places the economic inequalities accompanying and constitutive of capitalist “development” at the center of global discussions of climate change. Images from New Orleans after Hurricane Katrina and terms like “sacrifice zones” help articulate the two. Every time an activist reminds us that issues can’t be considered in isolation or every time a student repeats the mantra of intersectionality, the Left is instructing itself to make connections and formulate a politics capable of grasping complexity and of changing the world. The party is a form for that connecting. It provides a location where we see and relate to ourselves as comrades, as solidary members of a fighting collective.

#### **The role of the ballot is to endorse the best practice for producing the correct political orientation against capitalism. Only through a lens of class struggle can we understand the world and resolve violence.**

**Mao 07 // bracketed for gendered language**

Mao Zedong, landlord removal specialist, “Practice and Contradiction”,published 2007, gendered language is struck through next to brackets kiv

Where do correct ideas come from? Do they drop from the skies? No. Are they innate in the mind? No. They come from social practice, and from it alone; they come from three kinds of social practice: the struggle for production, the class struggle and scientific experiment. It is ~~man’s~~ [human] social being that determines his thinking. Once the correct ideas characteristic of the advanced class are grasped by the masses, these ideas turn into a material force which changes society and changes the world. In their social practice, men engage in various kinds of struggle and gain rich experience, both from their successes and from their failures. Countless phenomena of the objective external world are reflected in a man’s brain through his five sense organs – the organs of sight, hearing, smell, taste and touch. At first, knowledge is perceptual. The leap to conceptual knowledge, i.e., to ideas, occurs when sufficient perceptual knowledge is accumulated. This is one process in cognition. It is the first stage in the whole process of cognition, the stage leading from objective matter to subjective consciousness, from existence to ideas. Whether or not one’s consciousness or ideas (including theories, policies, plans or measures) do correctly reflect the laws of the objective external world is not yet proved at this stage, in which it is not yet possible to ascertain whether they are correct or not. Then comes the second stage in the process of cognition, the stage leading from consciousness back to matter, from ideas back to existence, in which the knowledge gained in the first stage is applied in social practice to ascertain whether the theories, policies, plans or measures meet with the anticipated success. Generally speaking, those that succeed are correct and those that fail are incorrect, and this is especially true of man’s struggle with nature. In social struggle, the forces representing the advanced class sometimes suffer defeat not because their ideas are incorrect but because, in the balance of forces engaged in struggle, they are not as powerful for the time being as the forces of reaction; they are therefore temporarily defeated, but they are bound to triumph sooner or later. Man’s knowledge makes another leap through the test of practice. This leap is more important than the previous one. For it is this leap alone that can prove the correctness or incorrectness of the first leap in cognition, i.e., of the ideas, theories, policies, plans or measures formulated in the course of reflecting the objective external world. There is no other way of testing truth. Furthermore, the one and only purpose of the proletariat in knowing the world is to change it. Often, correct knowledge can be arrived at only after many repetitions of the process leading from matter to consciousness and then back to matter, that is, leading from practice to knowledge and then back to practice. Such is the Marxist theory of knowledge, the dialectical materialist theory of knowledge. Among our comrades there are many who do not yet understand this theory of knowledge. When asked the sources of their ideas, opinions, policies, methods, plans and conclusions, eloquent speeches and long articles, they consider the question strange and cannot answer it. Nor do they comprehend that matter can be transformed into consciousness and consciousness into matter, although such leaps are phenomena of everyday life. It is therefore necessary to educate our comrades in the dialectical materialist theory of knowledge, so that they can orient their thinking correctly, become good at investigation and study and at summing up experience, overcome difficulties, make fewer mistakes, do their work better, and struggle hard so as to build China into a great and powerful socialist country and help the broad masses of the oppressed and exploited throughout the world in fulfilment of our great internationalist duty.

## **Case Answers**

### **Wildcat Strikes DA**

#### **Illegal strike activity in the status quo solves the affirmative – the aff is an attempt to regulate the ongoing strike wave**

**Olivier 10/28**

Indigo Olivier is a Brooklyn-based freelance journalist covering politics, labor, and higher education. “Striketober: America’s workers are rising up”, <https://conversationalist.org/2021/10/28/striketober-americas-workers-are-rising-up/>, published 10-28-21, accessed 11-4-21 // mk

Workers across the United States are finally saying they’ve had enough. Nineteen months into the pandemic, 24,000 of them are exercising the strongest tool they have: the power to withhold their labor. With the country already facing severe supply chain disruptions, these strikes have put added pressure on employers to improve wages and working conditions. At the John Deere factories in Iowa, Kansas, and Illinois, 10,000 employees represented by the United Auto Workers (UAW) went on strike after rejecting a proposed contract that included wage increases below inflation levels and the elimination of pensions for new employees. Other strikes include 2,000 [healthcare](https://www.cbsnews.com/news/mercy-hospital-nurses-strike-labor-shortage-2021/) workers at Buffalo’s Mercy Hospital; 1,800 telecom workers at California’s Frontier Communications; and 1,400 production workers at several Kellogg’s cereal plants. Thousands of additional workers have authorized strike votes. Earlier this month, an overwhelming majority of workers in the International Alliance of Theatrical Stage Employees (IATSE), which represents over 60,000 people in the film and TV industry, [voted in favor](https://iatse.net/by-a-nearly-unanimous-margin-iatse-members-in-tv-and-film-production-vote-to-authorize-a-nationwide-strike/) of a strike. A few days later, [24,000](https://www.washingtonpost.com/business/2021/10/11/24000-kaiser-permanente-workers-authorize-strike-over-pay-working-conditions/) Kaiser Permanente healthcare workers in California and Oregon followed suit. Harvard’s graduate student union, with roughly 2,000 members, also authorized a strike with a 92 percent vote. “Workers are fed up working through the pandemic under the conditions they’ve been working in,” says Joe Burns, a former union president and [author of](https://www.akpress.org/strikebackupdated.html) “Strike Back: Using the Militant Tactics of Labor’s Past to Reignite Public Sector Unionism Today.” The strike wave “also reflects that there’s a tight labor market.” “We’ve noticed a considerable uptick in the month of October,” says Johnnie Kallas, a PhD student at Cornell’s School of Industrial and Labor Relations (ILR) and Project Director for the ILR [Labor Action Tracker](https://striketracker.ilr.cornell.edu/about.html). The ILR has tracked 189 strikes this year. Of those, 42 are ongoing in October while 26 were initiated this month Kallas and his team have been collecting data on strikes and labor protests since late 2020; they officially launched the Labor Action Tracker on May Day of this year. “There’s a lack of adequate strike data across the United States, says Kallas. “We thought this was a really important gap to fill.” The Bureau of Labor Statistics (BLS), he explains, only keeps track of work stoppages involving 1,000 employees or more, and which last an entire shift. “As you can imagine, this leaves out the vast majority of labor activity,” Kallas says. Workers are demanding higher wages, adequate benefits like healthcare and pensions, improved safety and working conditions, especially concerning COVID-19, and reasonable working hours. The ILR Tracker has also been keeping tabs on “labor protests” —i.e., “collective action by a group of people as workers but without withdrawing their labor” —which aren’t recorded by BLS at all. The federal minimum wage has been stagnant at $7.25 an hour since 2009, even as inflation has increased by 28 percent since then. Meanwhile, over the past year consumers have seen a sharp increase in the cost of everyday goods such as bacon, gasoline, eggs, and toilet paper due to the pandemic. This means workers’ wages aren’t going nearly as far as they used to. For months, the media has been [reporting](https://www.reuters.com/business/no-end-sight-labor-shortages-us-companies-fight-high-costs-2021-10-26/) on a “labor shortage” that has purportedly left employers unable to fill jobs. Fast food restaurants have [posted signs](https://twitter.com/ABC15Patrick/status/1382415576006496264?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1382415576006496264%7Ctwgr%5E%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fwww.the-sun.com%2Fnews%2F2741287%2Fsonic-viral-sign-workers-dont-want-to-work%2F) that read: “We are short-staffed. Please be patient with the staff that did show up. No one wants to work anymore.” Small business owners and corporate CEOs alike have gone on cable news to complain about the hundreds of thousands of people who prefer to live on government assistance rather than find a job. But the truth, said Kallas, is that there’s [no shortage of labor](https://www.orlandoweekly.com/Blogs/archives/2021/10/20/a-florida-man-applied-for-60-entry-level-jobs-in-a-month-to-prove-the-so-called-labor-shortage-is-a-myth). Rather, employers can’t find people to work [for the wages they’re offering](https://www.orlandoweekly.com/Blogs/archives/2021/10/20/a-florida-man-applied-for-60-entry-level-jobs-in-a-month-to-prove-the-so-called-labor-shortage-is-a-myth). Saturation coverage of the labor shortage has come at the expense of amplifying the human cost of the government’s having cut unemployment benefits for 7.5 million workers on Labor Day, while an additional three million lost their weekly $300 pandemic unemployment assistance. Time magazine [called it](https://time.com/nextadvisor/in-the-news/unemployment-benefits-expire-in-september/) the “largest cutoff of unemployment benefits in history.” Just two weeks earlier, a [flurry](https://www.cnbc.com/2021/08/23/ending-unemployment-benefits-had-little-impact-on-jobs-study-says.html) of newly published [studies](https://www.nytimes.com/2021/08/20/business/economy/unemployment-benefits-economy-states.html) showed that states that chose to withdraw earlier from federal benefits did not succeed in pushing people back to work. Instead, they [hurt their own economies](https://www.businessinsider.com/cutting-off-unemployment-hurts-states-did-not-help-employment-research-2021-9) as households cut their spending to compensate for the lost benefits. In Wisconsin, instead of increasing benefits or raising the minimum wage, state legislators have decided to address the labor shortage by putting children to work. Last week, the state senate [approved a bill](https://www.businessinsider.com/labor-shortage-wisconsin-senate-jobs-work-teenagers-child-labor-hours-2021-10) that would allow 15 and 16-year-olds to work as late as 9 p.m. on school nights and 11 p.m. on days that aren’t followed by a school day. The only state legislator to speak out against the bill was Senator Bob Wirch, who [said that](https://wisconsinexaminer.com/2021/10/21/senate-votes-to-extend-work-hours-for-some-teens-under-16/) “kids should be doing their homework, being in school, instead of working more hours.” Despite these setbacks, the tight labor market has given workers considerable leverage. “Workers are more confident that they can strike and not be replaced,” says Burns. In places where non-union labor, or “scabs,” have been brought in to replace striking workers, there have been several incidents that underscore the importance of a union in creating a safe work environment. Jonah Furman, a labor activist who has been covering the John Deere strike closely, reported that poorly trained replacement workers brought in to a company facility were involved in a serious [tractor accident](https://labor411.org/411-blog/scab-crashes-tractor-on-day-1-of-john-deeres-replacement-of-striking-workers/) on the morning of their first day. A higher profile and more deadly incident occurred last week when the actor Alec Baldwin fatally shot cinematographer Halyna Hutchins with a prop gun that was supposed to contain only blank rounds. According to [several](https://www.insider.com/rust-camera-crew-walked-off-protest-hours-before-fatal-shooting-2021-10) [reports](https://www.motherjones.com/media/2021/10/rust-alec-baldwin-strike-labor-gun-iatse/) on the incident, the union camera crew quit their jobs and walked off the set earlier that day to protest abysmal safety standards—and were immediately replaced with inexperienced, non-union labor. “Corners were being cut — and they brought in nonunion people so they could continue shooting,” one crew member told the [LA Times](https://www.latimes.com/entertainment-arts/business/story/2021-10-22/alec-baldwin-rust-camera-crew-walked-off-set). Kallas says the incident “clearly demonstrates the importance of workplace safety and the significance of capturing both strikes and labor protests” when collecting data. “What’s becoming increasingly common are these walkouts and mass resignations,” he says. He mentioned a Burger King in Nebraska where the entire [staff walked out](https://globalnews.ca/news/8023338/burger-king-sign-quit-employees-lincoln-nebraska/#:~:text=Fed%2Dup%20Burger%20King%20staff,%E2%80%9CSorry%20for%20the%20inconvenience.%E2%80%9D) to protest poor working conditions that included a broken air conditioner in 90° F temperatures and staff shortages. They left a note on the door that said, “We all quit. Sorry for the inconvenience.” In another non-strike labor action, dozens of non-union school bus drivers in Charles County, Maryland [called in sick](https://www.wusa9.com/article/news/education/150-school-bus-routes-affected-friday-in-charles-county-after-rumoured-driver-sick-out-maryland/65-88bf184f-0cf1-4182-aa06-05e983188934) to protest their low wages and lack of benefits. Over 160 bus routes were affected by the action. Meanwhile, adjacent school districts that are critically short of bus drivers find themselves unable to attract new candidates because of the perceived risk associated with driving a bus crowded with children during the pandemic. In an [Opinion piece](https://www.theguardian.com/commentisfree/2021/oct/13/american-workers-general-strike-robert-reich) for The Guardian US, former Secretary of Labor Robert Reich suggested that the United States was in the grips of an unofficial general strike, with workers quitting their jobs “at the highest rate on record.” Why? Because they were “burned out,” fed up with “back-breaking or mind-numbing low-wage shit jobs.” The pandemic, asserted Reich, was “the last straw.” In July, an anonymous group [called for a](https://boldtv.com/cheyenner/2021/07/19/did-you-know-theres-going-to-be-a-general-strike-in-2021/) general strike on October 15, but the day came and went without much fanfare. “Traditionally, general strikes happen because workers actually want to go on strike, and not because someone declares it on Facebook or Twitter,” says Burns. Rosa Luxemburg, the German socialist and philosopher who rose to prominence at the beginning of the last century, believed general strikes were the tool to usher in social revolution after developing class consciousness through the patient building of worker organizations, such as unions. “That’s not happening today,” says Burns. The 24,000 striking workers today pale in comparison to the mass strikes of the early to mid-twentieth century, when workers shut down production by the hundreds of thousands. Some [4.6 million workers](http://www.rochesterlabor.org/strike/) went on strike in 1946, accounting for 10 percent of the workforce. Today things aren’t as simple. In August 1981, President Ronald Reagan fired over 11,000 air traffic controllers who went on strike after negotiations between the Federal Aviation Administration broke down. These workers were prohibited from ever working for the federal government again, creating a chilling effect among unions. Reagan’s action set the tone for labor relations for the next four decades, while his administration ushered in a new era of corporate dominance, known as neoliberalism. Today, corporations such as Amazon regularly [use threats](https://www.nytimes.com/2021/03/16/technology/amazon-unions-virginia.html), [intimidation tactics](https://nowthisnews.com/news/amazon-accused-of-intimidating-workers-after-warehouse-votes-to-not-unionize), and [surveillance](https://www.theguardian.com/commentisfree/2021/mar/02/mcdonalds-unions-workers-rights) against employees to prevent them from unionizing. “When workers engage in a true strike wave, politicians want to step in and regulate it and establish some procedures,” says Burns. The Taft-Hartley Act was passed one year after the [general strikes of 1946](https://www.encyclopedia.com/history/encyclopedias-almanacs-transcripts-and-maps/strike-wave-united-states), making wildcat strikes, secondary boycotts, and union donations to federal political campaigns illegal. The act also allowed states to pass right-to-work laws, severely limiting effective union organizing, and required union officers to sign affidavits pledging they were not communists. The Red Scare, initially sparked by the Russian Revolution of 1917, resulted in sustained attacks against organized labor, particularly the leftist Industrial Workers of the World, or “Wobblies.” By the end of the Second World War, with labor militancy intensifying and the power of the Soviet Union growing, the Red Scare had morphed into a reign of terror against an “internal enemy.” Reagan later used language from the Taft-Hartley Act that prohibited workers from striking against the government to declare the air traffic controllers’ strike illegal. Today, workers face serious legal barriers to organizing under a system of labor law that favors the employer. Over the years, these laws have restricted the scale with which strikes can be organized and the total number of workers who belong to unions. At the peak of organized labor in 1954, [34.8 percent of](https://www.pewresearch.org/fact-tank/2014/02/20/for-american-unions-membership-trails-far-behind-public-support/) American wage and salary workers belonged to a union; by 2020, that number was down [to](https://www.bls.gov/news.release/union2.nr0.htm#:~:text=The%20number%20of%20wage%20and,workers)%2C%20or%206.7%20percent.) 10.8 percent, a trend that has been closely linked to decreased wages over the last few decades. Against these grim numbers, legislation like the [Protecting the Right to Organize (PRO) Act](https://www.npr.org/2021/03/09/975259434/house-democrats-pass-bill-that-would-protect-worker-organizing-efforts) could make a huge difference to labor organizing. The PRO Act would allow workers to engage in secondary boycotts, restrict right-to-work laws, ban anti-union captive audience meetings and exact financial penalties against companies found to be in violation of the law. The bill is something President Joe Biden campaigned on during the 2020 presidential election and has pushed to include in his Build Back Better agenda. “I’m skeptical based on actual history that we’re gonna see a legislative fix to this problem,” says Burns. “**When workers are militant and engaged in activity, legislation will follow.** Not the other way around.” The strike wave we’re witnessing today speaks to a growing militancy against several decades of sustained corporate combat. It’s an uphill battle that no one union can win in isolation. With organized labor depleted and battle weary, the only path forward is to enlist other workers to fight by organizing new unions and activating those that already exist. Only by growing its numbers will labor enact the systemic change necessary to put working people on better footing. As labor activists have long proclaimed, “**there’s no such thing as an illegal strike, only an unsuccessful one.”**

#### **Wildcat strikes are more effective – the 2018 red state teacher strikes prove our link argument**

**Blanc 20**

Eric Blanc is a doctoral candidate in sociology at NYU researching public sector labor organizing, information and communications technologies, and working-class politics. “Breaking the Law: Strike Bans and Labor Revitalization in the Red State Revolt”, <https://journals.sagepub.com/doi/pdf/10.1177/0160449X20901632>, published 2020, accessed 11-4-21 // mk

What explains the reluctance of the state in West Virginia and Arizona to implement its legal threats? One common explanation was that these were superintendent-sanctioned “walkouts,” not real strikes. As we have seen, it is true that local superintendent and school board support was significant. By agreeing to close the schools, district leaders avoided hard picket lines and enabled full-time school employees to continue to get paid during the strikes, as they could make up the missed days later in the year. But superintendent and school board support was decidedly more uneven than has often been described in the media. West Virginia and Arizona’s action were real strikes—and illegal ones at that. Whatever the personal inclinations of different district leaders, the initiative for the work stoppages always came from below. The schools only closed after workers first voted to shut them down. In both West Virginia and Arizona, Republican state officials had more than enough legal justification to punish striking educators—work stoppages throughout U.S. history have been broken on much flimsier legal grounds. And despite the apparent support of some local superintendents for their employees, the state’s highest governmental bodies were clear about the illegal nature of these work stoppages. Arizona Superintendent Douglas directly addressed the question of how to define these actions: “It is illegal to strike in Arizona, and by every definition I’ve read, this is a strike” (KTAR News 2018). She was not wrong. U.S. courts have generally followed the strict categorization of “strike” codified in the 1947 TaftHartley Act, that is, “any concerted stoppage of work by employees . . . and any concerted slow-down or other concerted interruption of operations by employees.”9 Douglas openly rejected claims that teachers “didn’t strike” because “the [school] doors were closed” by local superintendents. She was not wrong to note that “the doors would have never been closed if the teachers didn’t vote to walk out” (Arizona Daily Sun 2018). Another explanation of the government’s legal inaction was that the teacher shortage tied the politicians’ hands. According to this argument, which was shared by many in the teachers’ movement, the state could not take repressive action against educators because it had no one to replace them with. It is certainly true that the shortage undercut many educators’ fears about getting fired. But even had there been no educator shortage, the sheer number of employees on strike would have made it very hard to fire all strikers. Moreover, state officials had many means to break the strikes other than mass dismissals, including the imposition of steep fines on individuals or organizations, union decertification, and firing (or jailing) the strike leaders. None of these measures, however, were imposed in Arizona or West Virginia. It would appear that politicians avoided this route above all for political reasons. Repression risked emboldening, rather than intimidating, the strikers and their supporters. It also risked further alienating politicians from the public at large, which continued to overwhelming back the strikers. Unlike in the corporate world, a large layer of employers in the public sector—governors, legislators, statewide superintendents, and local school board members—are generally subject to popular re-election, which tends to make them take public opinion more seriously. Given the educators’ widespread public support in these strikes, it is unsurprising that politicians and local superintendents (who are chosen by elected school boards) in the recent strike wave were reluctant to resort to legal sanctions. As one recent labor relations textbook drily notes, “Firing striking public employees can provoke more problems than officials want, and the real politics of public sector strike policy often diverge substantially from formal provisions in the statutes.”10 This is not a new phenomenon. In the public employee upsurge of the 1960s and 1970s, the state also frequently found it difficult to impose legal penalties against well-organized and well-supported strikes (Burns 2014). State officials were refreshingly upfront about the political reasons underlying their reluctance to resort to repression in early 2018. When asked in a post-strike press conference why he had not tried to impose an injunction, West Virginia State Superintendent Steve Paine’s reply was to the point. It only would have “added gas to the fire,” he acknowledged (Jarvis 2018). For her part, West Virginia teacher Emily Comer summed up the lesson of the strike wave as follows: **“It doesn’t matter if an action is illegal if you have enough people doing it.”** Oklahoma’s Legal Walkout Like in Arizona, Oklahoma’s movement erupted immediately in the wake of the West Virginia strike. Mickey Miller recalled how the mood among Oklahoma educators was transformed: Oklahoma teachers have felt hopeless and powerless for years. So when I first heard about West Virginia, I didn’t think it would spill over for us. But teachers here started closely watching the strike. They began saying, “Wait a second, they did it there, they were able to get all counties to go out. Why can’t we do that here?” Oklahoma’s walkout, however, ended up taking a significantly different course than both West Virginia and Arizona. One important reason for this disjuncture is that the inexperienced rank-and-file leader that came to head Oklahoma’s insurgent Facebook page pushed for a legal walkout organized in conjunction with friendly superintendents, instead of building up workplace power for an illegal strike. On February 28, in an effort to seize the moment created by West Virginia, Stillwater teacher Alberto Morejon created the Facebook group Oklahoma Teacher Walkout— The Time Is Now! (TTN). Within hours, the membership of TTN had shot up to 18,000—within weeks, it had become Oklahoma educators’ central political and communications hub, with over 70,000 members.11 Virtually overnight, Morejon had become a political celebrity in Oklahoma and the rank-and-file’s most important leader by far. Morejon had no previous activist experience, nor was he a member of the union. He ran TTN on his own as an individual, rather than using it as a platform for coalescing a rank-and-file network. Politically, he was a registered Republican—though he insisted that party labels mattered less for him than a demonstrated commitment to supporting teachers and improving Oklahoma’s public schools. In Morejon’s view, the establishment of a Facebook page to push for a walkout was a direct translation of the West Virginia experience. As Morejon explained, “we learned a lot from West Virginia, it set a precedent.” Yet the actual organizing approach initiated by Morejon differed in major ways from the militant base-building efforts of West Virginian—and, later, Arizonan—rank-and-file leaders. Events moved quickly in early March. Instead of promoting escalating actions and organizing efforts in the direction of a strike authorization vote, Morejon on a March 3 Facebook post proposed that the walkout should begin the following April 2. Most responses on the Facebook page were enthusiastic; thousands voiced their approval in comments to his posts. Yet, Morejon did not suggest that the decision to stop work should be voted on at school by all employees. Instead, he relied on Facebook comments and periodic Facebook polls to get a rough sense of where educators were at. This relative underestimation of organizational and action preparation went hand in hand with Morejon’s orientation to closely collaborating with the superintendents. In Oklahoma, like in West Virginia and Arizona, it is illegal to strike against the school board or superintendent, but were Oklahoma superintendents to proactively support a walkout, no legal action could be taken against the teachers. As Morejon announced to TTN on March 2: the goal is to allow superintendents and school board members to discuss the possibility of a school shutdown/suspension until something is done . . . I will be organizing a day next week where everyone in this group will email their districts superintendent and school board members to ask them where they stand on this issue. In early March’s rush of excitement, the problematic implications of this approach were appreciated by few Oklahoma educators. But without school-site votes to decide on a work stoppage, it remained unclear who had the ultimate authority to start or stop the action. As the course of the walkout would later demonstrate, the absence of such votes resulted in a very different relationship of forces between employees and superintendents—and between rank-and-filers and top union officials. Looking back at this issue months later, speech pathologist Stephanie Price in Moore, Oklahoma, made the following self-critique: I honestly feel like we gave too much power to the districts to determine our plan for us—we were basically waiting for our superintendents to give us permission to walk out. We allowed ourselves to sit back and wait to until we were told “Yes, you’re allowed to walk out.” We should have just said “We’re doing this.” To be sure, organizing independently of—and, if necessary, against—superintendents would have subjected school employees to serious legal risks. A districtapproved walkout, in contrast, avoided the threat of injunctions and firings. But one of the key lessons of West Virginia was precisely that if workers have the organizational strength, numbers, and political momentum, it is possible for illegal strikes to break the law and win. Convincing Oklahoma educators—and pressuring their union—to engage in such a risky action, however, would have taken a concerted effort on the part of grassroots teacher leaders and their supporters. It would have also taken a considerable amount of time for organizers to test school employees’ strike readiness—particularly among support staff, for whom a walkout necessarily entailed greater financial and job security risks. The OEA—the principal educators’ union—shared the same moderate political and strategic approach as its counterparts in West Virginia and Arizona. Despite their hesitancy to take militant action, OEA leaders were ultimately willing to cede to the ranks’ desire for a work stoppage. But, unlike in West Virginia and Arizona, Oklahoma’s union leaders were not pressured into supporting an illegal strike, because the rank-and-file leadership was not oriented to building toward an illegal strike. After Morejon called for a walkout to begin on April 2, the union (after initially proposing a later date in May) ceded to the rank-and-file push initiated by TTN. OEA’s Associate Executive Director Amanda Ewing explained, “We decided: ‘It’s going to happen with or without us, so we need to help.’” In widely publicized March 7 video message, OEA President Alicia Priest announced that the union was calling for statewide school closures “beginning April 2—we will be at the capitol until a solution is passed and signed by the governor . . . Our members are ready to act now, so we are accelerating our strategy.” Over the coming weeks, both the union and TTN sought to generate enthusiasm for the walkout, though neither was able nor willing to systematically build up site-based organizing. Three weeks, in any case, was very little time to cohere forces for a successful work stoppage. On March 26, in a last-ditch effort to prevent the upcoming walkout, Republican legislators passed a pay raise for Oklahoma educators. But, like in West Virginia and Arizona, concessions by politicians on the eve of the work stoppage proved to be insufficient to head off the grassroots upsurge. Oklahoma educators were adamant about sticking with their planned action to win more school funding for students. Despite growing superintendent and OEA leadership hesitancy, the walkout began as planned on April 2. Morejon and the OEA’s approach to organizing a walkout within the confines of the law had prevented the state from making any threats to fire or sanction teachers. Yet it also helped undermine the internal unity of the work stoppage, because only teachers could legally participate in a walkout if their superintendents voluntarily canceled school. Service personnel, in contrast, still had to report to work. The upshot was that schools remained open during the walkout (though students generally did not attend). The vast majority of support staff reported to work for the entirety of the work stoppage. To quote OEA’s Amanda Ewing, “though they tried to support the movement in their districts, it was rare for support staff to attend the protests at the capitol; most ended up reporting to work each day.” The lack of participation by service personnel was a significant weakness. Price notes, this really hurt the walkout, because think about how many paras and support staff there are in Oklahoma—that’s a huge loss of numbers. And in terms of solidarity, not having everyone participate in the action set up a sort of an invisible barrier between us. Despite the absence of support staff participation, the work stoppage begun on April 2 was initially relatively solid. Over 50,000 educators and allies participated in the largest of the capitol rallies. Yet the movement’s reliance on legal means through superintendent support eventually proved to be one of its major shortcomings. Although most superintendents and school boards initially remained publicly supportive of the work stoppage, behind the scenes they were, to quote former OEA union organizer Nick Singer, “really seriously undermining the action—honestly, they were the biggest cowards.” By the end of week 1, with state testing looming, district leaders—including prominent presumed allies like Bartlesville’s superintendent Chuck McCauley—began systematically pressuring employees to return to work. Price recalls a similar dynamic: Politicians were telling everybody “Look, you’re not going to get anything else, so just go home.” I feel like part of the reason we didn’t have the momentum to make them back down was that some superintendents started calling teachers back to work in the second week for state testing. This then sent a very clear message to other districts (and the legislature). It was like a domino effect. I think that if large districts hadn’t pulled out before the end of walkout was announced, we would have had momentum to really change things. Resisting these pressures was possible—indeed, teachers in districts like Moore fought hard to stay out. But without strong workplace organizations, or the political precedent and authority generated by a rank-and-file strike vote, this task proved to be exceedingly difficult. By Thursday, April 12, most urban districts remained closed and, according to polls, over 70 percent of the public continued to support the walkout. But in the absence of a clear lead from OEA or an organized effort from below, crowd numbers at the capitol were declining. So was momentum. The work stoppage had gone on nine days and Republican lawmakers still showed no signs of budging. It was in this context that OEA officials abruptly called off the walkout at a Thursday evening press conference. Teachers across Oklahoma were outraged at OEA leaders. Hundreds dropped their dues, and social media was immediately filled by incensed teachers denouncing OEA for “betraying us” and “selling us out.” One of the most measured responses on April 12 came from teacher Gabrielle Price, who posted on Facebook that “I’m upset, I’m tired, I’m frustrated. I was used, I was thrown under the bus, and I was misrepresented.” Hoping to replicate West Virginia’s wildcat action, Morejon called for the work stoppage to continue. But he lacked the organizational strength, and the walkout lacked the momentum, to materialize this possibility. By Friday, it was clear that the work stoppage was over. Although most angry educators blamed the union leaders, a few teachers felt that the main reason for the walkout’s impasse was tactical decisions taken at the beginning of March. Stephanie Price made an important point: I literally sat in my kitchen and cried when I heard OEA called off the walkout. I was so mad at OEA and Alicia Priest. But, looking back, maybe the main problem wasn’t OEA saying we’re done on April 12, but the other factors leading up to this decision. So I don’t blame OEA and Alicia Priest, but things could have been done differently—for example, if we had told districts from the beginning that were going out and staying out, whether they liked it or not. As Price notes, the 2018 Oklahoma educator movement was limited virtually from inception by its commitment to working within legal parameters. Although the wage gain won by educators in Oklahoma was significant, the Sooner State’s experience on the whole illustrates why reviving organized labor is unlikely within the strict confines of repressive U.S. labor law. Conclusion For decades, labor leaders and sympathetic scholars have put forward a wide array of proposals for reversing the fortunes of the labor movement. Most have sought either to work around draconian legal restrictions or to reform these away through legislative efforts. This paper has examined the early 2018 statewide education strikes to test the feasibility of an alternative path to labor revitalization: illegal strike action. Breaking the law was a central dynamic in the two most successful strikes of the 2018 red state revolt—that is, West Virginia and Arizona. Organizers systematically built up the school-site organization and momentum necessary to enable individual educators to take the risk of participating in an illegal strike. In contrast, Oklahoma’s legal work stoppage floundered, at least in part, because a legal walkout required that teachers rely on the support of their district employers, rather than their own independent organization. In addition, respecting the law undercut the potential for a united walkout of all school employees. To be sure, the issue of breaching or respecting the law was not the only variable in the outcome of the strikes. Questions of Republican state official stances, union officialdom decisions, rank-and-file leadership experience, and preexisting union strength were also important factors. West Virginia’s work stoppage, for instance, benefited from relatively stronger public education unions and a real, if waning, tradition of labor militancy in the state. Yet one cannot necessarily ascribe the limitations of Oklahoma’s walkout to a less favorable political context. Arizona’s educators had an even weaker labor movement and faced an even more hostile state government, yet they won more from their state—and they achieved far more organizational gains— than their peers in Oklahoma. This paper does not seek to imply that illegal strikes are some sort of political panacea. The risks involved are very real, particularly if attempted without strong public support generated through broad “common good” demands and consistent outreach efforts—or without the requisite workplace organizational strength. In this sense, it is important to consider the following 1968 quote from militant American Federation of State, County and Municipal Employees leader Jerry Wurf: “I have never been impressed with the injunction. If you got the power to win the strike, it’s academic. If you ain’t got the power, they are going to knock your head off anyway” (Burns 2014, 147). Wurf was right to stress not only the possibilities for strikes to successfully break the law but also the dangers of striking without sufficient strength. One can point to numerous recent examples that confirm the latter danger. In 2005, for instance, a relatively poorly organized strike by New York City transport workers resulted in the jailing of their president, a US$ 2.5 million fine, and the end of automatic union dues deductions. The 2018 red state revolt also witnessed some similar, if more small-scale, setbacks. In late April, seven bus drivers in Georgia’s DeKalb County were fired after leading their co-workers in a three-day wildcat “sick-out” (Wilson 2018). Although illegal workplace action is not a cure-all for the ills of organized labor, the experience of West Virginia, Oklahoma, and Arizona raises important strategic questions for workers, union leaders, and scholars across the United States. Decades of working within the parameters of an anti-labor industrial relations system has helped lead the trade union movement to its current impasse. Labor law reform is certainly necessary, but if history is any guide, it will become a feasible legislative possibility only after a concerted working-class upsurge. As such, rank-and-file workers and militant union officials today may need to reconsider the old adage of the Industrial Workers of the World: “**Strikers are to disobey and treat with contempt all judicial injunctions**.”