## A. Interpretation

#### [Hill] The aff must defend a just government as the agent of action – that means a state that treats people equally.

Hill: Hill, R.A. [Professor of Political Philosophy, Virginia State University] “Government, Justice, and Human Rights.” Boston University, August 10-15, 1998. <https://www.bu.edu/wcp/Papers/Poli/PoliHill.htm> CH

Why not have differing levels of respect and noninterference depending on differing abilities? Human beings demonstrating mind-numbing levels of rationality or scoring in the 99th percentile on rationality tests could be accorded higher levels of respect and noninterference than others. But the respect is not parceled out in chunks upon receipt of rationality vouchers, or distributed as a reward for dexterity in forming Venn diagrams or executing syllogistic reasoning. It results from humanity as a group crossing a threshhold; because human beings can make choices, importantly moral choices, and formulate plans, they are due the opportunity to make the choices and design the plans. No matter how well or poorly thought-out the plans or how selfish or altruistic the choices, the fundamental human ability to choose and plan grounds the moral rights equally for all human beings. The ability is a shared, species-wide ability (I do not mean to claim that this has some biological foundation) and the concomitant moral rights are also equally shared. Being treated equally is one of the indicators of justice. Rawls muses about justice "always expressing a kind of equality" (1971, p. 58) and John Stuart Mill claims that equality is "included among the precepts of justice" (1987, p. 474). Being treated justly, in the sense of being treated fairly and equitably, would seem to flow naturally out of the minimal moral rights mentioned above. (I am referring here only to fairness and equity in respect of basic rights, not with respect to distribution of resources, as presented by Rawls.) Relating to others respectfully requires evenhandedness: It would be disrespectful to take advantage of someone, cheat her or coerce her into an action. A State, recast here as a collective of human beings, should operate with the injunction that it must respect all human beings based on recognition of their moral rights. In its pursuit of that goal, it would be forced to act justly, for to treat another with respect, in Kantian terms as an "end" rather than as a "means" only, is simply to act with the equality and impartiality that characterize justice. It might be charged that if the government has to treat everyone justly and with this minimal level of respect, then it would have to treat citizen and non-citizen in the same way. Citizen and non-citizen would be afforded security and protection under the law. So diffuse would government regulation become that it would be difficult to tell where one country ended and another began since all persons would be showered with benign superintendence. This charge stretches "minimal respect and just dealings" to an unsupportable extent. The possession of minimal rights does not entail voting rights or other benefits accruing from citizenship. It simply ushers forth forbearance from harm, justice in transactions. A question has been raised as to whether grounding the justification of the state in the upholding the rights of its citizens may not be too strong; that is, it would preclude states from taking actions that are necessary for the maintenance and progress of the state, such as sending citizens to war, or exercising "eminent domain" over property. To this objection I would argue that having a right does not guarantee that a person always gets her way. This would depend on whether there were another competing and equally valid right held by another or whether there were some compelling need by other right-holders which could temporarily override the claiming of the original right. Having rights would entail that a person's concerns, goals, interests would be taken into account and weighed carefully against the competing claims of other rights-holders. It would ensure that citizens not be sent to fight wars for frivolous or unjust causes, that they not be tricked or forced into testing mustard gas, Agent Orange, or suffering unnecessarily the long-term effects of syphilis, and that they not have their house demolished to build a freeway without good reason and compensation. If, as Locke and others argue, the state's only raison d'être is the betterment of its citizens' lives, then I see no reason why the argument that the state must recognize the rights of its citizens and base its actions on upholding those rights would be deemed dangerous. A State is obligated, then, because of the moral rights attached to humanity, to relate to all human beings with which it comes into contact with at least minimal respect and forbearance, or more succinctly, with justice.

## B. Violation

#### [Crump] Their aff makes the U.S. the actor – that’s a FUNDAMENTALLY UNJUST AND ANTI-BLACK STATE.

Crump: Crump, Benjamin. [American attorney who specializes in civil rights] “Racial Injustice in America.” Bencrump.com, 2021. <https://bencrump.com/blog/racial-injustice-in-america/> CH

Systemic injustice and racism have deep historical roots in this country. Broadly speaking, these terms are defined as deeply ingrained racist thinking, practices, and actions embedded in the core foundations of American society that have persisted over centuries and continue today. The struggle against racial injustice issues in America boiled over once again in 2020 following the murders of George Floyd, Breonna Taylor, Ahmaud Arbery, and countless other Black men and women. Attorney Ben Crump – a fierce advocate for equality, justice, and civil rights – represents the Floyd, Taylor, and Arbery families, and many more families of those killed, harmed, or marginalized due to systemic injustice and racism. This article highlights racial injustice in America and reveals the many ways that it affects Black people’s health, education, livelihoods, and lives. Readers will come away with a heightened awareness of how the web of systemic inequities in America works against Black Americans. Racial Injustice Definition To understand how racial injustice affects the lives of people of color in the United States, we must first understand the meaning of racial injustice. Anytime a person is denied their constitutional rights based upon the color of their skin, racial injustice has occurred. Whether it is apparent or not, this form of discrimination is woven into the very fabric of our society, from our economy to our healthcare system to our education system. For a free legal consultation, call 800-730-1331 Civil Rights Lawyer Ben Crump Explains Racial Injustice Attorney Ben Crump is a civil rights crusader who has dedicated his career to combating racial injustice. Here, he explains how racial inequality affects many issues in the US. Institutional and Systemic Racism in America Discrimination Is Pervasive in American Life Environmental Injustice in America Black LGBTQ Discrimination in America Racism and Discrimination in Sports Injustice in the Workplace Racism and Black Mental Health Black Protest Income Inequality Political Inequality and Voting While Black Racial Inequalities in Education Healthcare Inequalities: COVID Criminal Justice Inequalities #LivingWhileBlack #BreathingWhileBlack Institutional and Systemic Racism in America If you think of contemporary forms of racism such as police brutality, racial profiling and racial disparities as the leaves or fruit of white supremacy, then the roots of this metaphoric tree would be colonialism, slavery, Jim Crow, and other past structural inequalities that have subjugated Black people and people of color. The terms institutional racism and systemic racism are now often used interchangeably to describe broad systems of racial oppression that occur in social and other institutions. While some contemporary forms of discrimination or racism may look or seem new to some, anti-Black racism is fundamentally unchanged. During the Black Power movement of the 1960s, activists Stokely Carmichael and Charles Hamilton coined the term institutional racism in their book Black Power: The Politics of Liberation in America (1967) to distinguish between individual and institutional racism. As Michael Eric Dyson reminds us in Tears We Cannot Stop, “Institutional racism requires neither conscious effort nor individual intent.” In short, racism is deeply ingrained in all aspects of our society, producing social, economic, and political inequalities that are inextricably connected to the past. In 1939 Billie Holiday sang about “strange fruit” hanging from trees, a reference to lynched Black bodies in the South. Systemic racism tells us that the seeds of this “strange fruit” were sown long ago and that this fruit continues to rot in our present. The tragic killing of George Floyd is a modern day example of that. Discrimination Is Pervasive in American Life Some people assume that racism happens primarily on an individual level or that only people enact racism.

## **C. Net Benefit**

#### [Roberts & Rizzo] THEY REINFORCE RACISM – their unquestioning acceptance of the U.S. as just PASSIVELY PERPETUATES THE PROBLEM.

Roberts & Rizzo: Roberts, Steven O. [Assistant Professor of Psychology, Stanford University], and Michael T. Rizzo [Department of Psychology, New York University] The psychology of American racism. *American Psychologist*, 76(3), 475-487, 2021. <http://dx.doi.org/10.1037/amp0000642> CH

American Passivism Perhaps the most insidious component of American racism is passive racism; an apathy toward systems of racial advantage or denial that those systems exist. The American psychologist Beverly Tatum (1997) characterized racism as a moving walkway at an airport. Individuals who are actively racist, she argued, acknowledge racial hierarchy and the thoughts, feelings, and behaviors that reinforce it, and choose to walk—or run—along with it. Individuals who are passively racist, on the other hand, simply stand still and are moved along by the walkway. These individuals are not actively reinforcing racism, but they are nonetheless moving in the same direction as those who are. As an illustration, imagine two people playing a game of Monopoly. One player is allowed to collect $200 whenever they pass go, build property wherever and whenever they want, and has a lower probability of drawing “Go to Jail” cards. The other player gets none of these luxuries. To rectify the system of advantage, one could restart the game, redefine the rules and redistribute the wealth, or stop playing the game altogether. To maintain the system, however, one could simply do nothing, or have both players follow the same rules moving forward (i.e., both players can now collect $200 whenever they pass go, build property wherever and whenever they want, and have an equal probability of drawing “Go to Jail” cards), while leaving the unequal wealth distribution intact. Continuing to play under this guise of “equality” would not entail actively contributing to the system; it would entail passively maintaining it (i.e., one player is still advantaged).3 This scenario is in many ways analogous to American racism, in which for centuries, Americans of color were forced into free or cheap labor and denied the right to own businesses and properties, vote in political elections, and receive an education or fair employment. These realities, many of which persist today, continue to exert their effect. For example, in 1983, the median net worth of White Americans was $86,500 higher than that of Black Americans, and by 2013, this difference rose to $133,000 (Stepler, 2016). In 2015, the household median net worth for White Bostonians was $247,000, whereas for Black Bostonians, it was $8 (Johnson, 2017). To maintain such racism, individuals and institutions need only do nothing about it. There are many pathways to passive racism. One is through ignorance (Nelson, Adams, & Salter, 2013). Consider again the Monopoly scenario. If a child observes that one player has amassed greater wealth than the other, but is ignorant as to how this inequality came to be, they will likely have no reason to intervene and may even develop preferences for the wealthier player (Roberts, Ho, et al., 2020). Yet if the child learns that there exists a structural reason for the inequality (i.e., racism), rather than a dispositional reason (i.e., the poor player’s incompetence), they may perceive the game as unfair and in need of intervention (Rizzo & Killen, 2018). Indeed, U.S. adults who are ignorant about historical racism often deny contemporary racism (Nelson et al., 2013). A second (and related) pathway to passive racism is through denial. Both White Americans and Americans of color are more likely than ever to deny that racism is a major problem facing U.S. society, which reduces the motivation to support antiracist policies, such as affirmative action or the redistribution of wealth, and could promote the belief that racial inequality is justified by differences in effort (e.g., Black people should simply work harder; Kraus, Onyeador, Daumeyer, Rucker, & Richeson, 2019; Salter et al., 2018). A third pathway to passive racism is through the observation of inaction in others. Darley and Latané (1968) found that in emergencies, people are less likely to help others when surrounded by bystanders (i.e., individuals who observe but do not act). This phenomenon, recognized as the “bystander effect,” is motivated by at least three psychological factors: (a) a feeling of less responsibility in the presence of others (i.e., diffusion of responsibility), (b) a fear that helping will elicit negative public judgment (i.e., evaluation apprehension), and (c) the belief that the situation must not really be an emergency if nobody is helping (i.e., pluralistic ignorance, see Hortensius & de Gelder, 2018). These factors may apply to racism as well. Taking refuge in the comfort of other societal bystanders, fearing the ramifications of speaking out against racist institutions, and the denial of the full weight of the consequences of living in a racist society all passively reinforce racism. Those who observe others do nothing about racism may reason that there is no problem in need of solving, and may subsequently become passively, if not actively, racist. Note that White Americans who are passively racist are further advantaged by racism, whereas Americans of color who are passively racist continue to be disadvantaged by it.

Treating the U.S. as just means we can’t question its actions – we assume they’re fair from the outset.

## D. Voter

#### **[Voter] CRITICAL EDUCATION** – we can’t critique American injustice if we treat the state as just in the first place – means they ACTIVELY MISEDUCATE DEBATERS by shutting down major objections. That comes first, since we defeat the purpose of debate as an activity if we can’t use it to question the squo.

#### [DTD] DROP THE DEBATER: the aff is HARMFUL TO THE DEBATE SPACE, since it props up anti-Black institutions – dropping the arg doesn’t make sense, since the entire aff is based on equating the U.S. with justice.

#### [No RVIs] NO RVIs: generic justifications for reading a spec aff aren’t responsive to this shell – I’m calling out the SPECIFIC framing of the U.S. as just – and even showing that the U.S. IS just doesn’t warrant an aff ballot; it just means they don’t link.

#### [Competing Interps] USE COMPETING INTERPS: T is a binary – you can’t be “reasonably” T. Competing interps forces them to justify their aff – drop them if they can’t.

## CP

#### CP text: Extend the definition of the NLRA to include agricultural laborers - that’s the CP

#### The aff does not defend the res, it defends the CP – this case AFFIRMS the CP not the plan text because there’s nothing about strikes in it

## Unions DA

#### [Boldea] Strikes DESTROY unions – they decrease support for them and cause harm to communities.

**Boldea**: Boldea Patrick [University of California-Berkeley] “Striking Out: Why Strikes Weaken Union Positions Politically” Berkeley Political Review, 2019. MB

The GM strike, beginning in September of 2019, is set to be the largest strike of the past 18 years. In fact, 2018 as a whole saw the largest number of strikes in decades and support for labor unions has polled at a 20 year high with candidates like Bernie Sanders highlighting their importance in his economic and political strategies. Many left-leaning individuals often express admiration for the union golden era of the 1940s and 50s, when there were sometimes as many as 400 strikes of over 1000 people per year and union membership was at a historic high. With all the positive rhetoric surrounding unions, it may be difficult for someone to understand why anyone, aside from cartoonish caricatures of capitalist pig-men in coat and tails, would ever dislike unions. However, the unintended consequences of the GM strike highlight the ways in which the main tool of unions, the strike, is deeply flawed from a political economy perspective. With a decline in union membership and manufacturing in the US and the interconnectivity of global supply chains, the benefits of a strike fall to fewer and fewer hands while the direct consequences of the strike can still cause great harm to the local economy. Many in America live paycheck-to-paycheck, and strikes can have a strong impact on the financial well-being of the strikers who have to tighten their belt or go into debt. In communities that rely on money from manufacturing workers to spend, this can cause an intense ripple effect that can be felt for miles. If Bob the tire quality control specialist doesn’t have any money, then he doesn’t buy coffee from his local diner, which in turn affects the income of the cooks in the diner who may then forgo purchases at other stores. This is essentially the so-called “virtuous cycle” of economic growth working in reverse, which can cause an intense contraction, which some fear could cause a recession locally as well as statewide. Thusly, even ordinary working people in an area attached to a factory town have a vested interest in ensuring union strikes are ended quickly and do not happen often. This generally results in anti-union legislation or in legislation to cement union desires into public policy without causing the type of damage typically associated with strikes. Locals near an autoplant are not the only people that have direct financial stake in ensuring strikes don’t happen. Suppliers up and down the chain are also deeply affected and even more intimately attached to these strikes. Within GM itself, roughly 10,000 non-union workers have been placed on furlough as a result of the strike mentioned at the beginning of the piece. This is because without unionized labor in certain fields, the whole cycle of production shuts down, and everyone involved is unable to continue working. With chains of supply so directly interlinked, a stop at any point, union or non-union, could cause a work-stop for all other points in the chain. Workers in Canada and Mexico have also been placed on unpaid furlough, causing them to lose income without any possibility of gain and with no incentive on behalf of their American counterparts to represent their competing interests. Auto parts suppliers to GM, such as American Axle & Manufacturing Holdings, have already reported having to lay off workers due to projected losses from the strike. Car dealerships, which are up the supply chain from the plant, have reported hardships in servicing GM cars due to shortages of materials as well. This point brings me to the last victim of strikes: the wider public. America is fundamentally a consumption heavy economy. Our strength relies on our ability to purchase and consume. Almost 70 percent of our GDP comes from consumption. Any reduction in consumption affects the economy as a whole in a big way, and strikes cause a reduction in production and consumption of the product in question and other products inadvertently. If prices or parts get too scarce, that causes prices to go up and consumers to be shut out of the market. Even worse than that, many states such as Tennessee rely almost exclusively on sales tax for government revenue (California still nets about 20 billion a year in sales taxes). A strike not only affects consumers but also affects the most vulnerable members of our society who rely on government sponsored welfare. In conclusion, part of the reason for the decline in political support for unions is due to incredible destructive and disruptive power of strikes. While national labor standards laws can be achieved through the ballot box, the picket line drives a wedge between union interests and the rest of society. Unions should stick to grassroots and political organization because, while strikes can bring them short term gains, they hurts those around them and expose the single-minded interest that unions have for their membership and the ability to disregard and harm their community at large.

#### [Perez et al] TURNS CASE: union legitimacy is key to worker retention, good conditions, and more.

**Perez et al:** Perez, Daniel [a research assistant at the Economic Policy Institute] McNicholas, Celine [the director of policy and government affairs/general counsel at the Economic Policy Institute] Rhinehart, Lynn [a senior fellow at EPI] Poydock, Margaret [assists the policy team in managing EPI’s legislative and policy initiatives] Schierholtz, Heidi [the president of the Economic Policy Institute] “Why unions are good for workers—especially in a crisis like COVID-19,” *Economic Policy Institute,* August 25, 2020, <https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/> AA

Reform must be responsive to the lessons we have learned from the challenges working people have faced during the pandemic. One of the main lessons is the need for and power of workers’ collective voice in the workplace. **Where workers have been able to act collectively and through their union, they have been able to secure enhanced safety measures, additional premium pay, and paid sick time.** **Unionized workers have had a voice in how their employers navigate the pandemic, including negotiating for terms of furloughs or work-share arrangements to save jobs.** Research shows the advantages workers in unions have over nonunionized workers. **Workers with strong unions have been able to set industry standards for wages and benefits that help all workers**, both union and nonunion (Rhinehart and McNicholas 2020). Never in recent history has this dynamic been more clear. **Never has it been more important that all workers have a voice in the workplace and access to a union.** Workers’ lives and the health and safety of working families depends on their ability to have a say in how they do their jobs.

**They add:**

The **Trump** administration**’s failure to provide** essential workers with **basic protections** during the coronavirus pandemic **has underscored the importance of unions** (McNicholas and Poydock 2020b). **With a union, workers have negotiated additional pay**,[10](https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/#_note10) **health and safety measures,**[11](https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/#_note11)**paid sick leave,**[12](https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/#_note12) **and job preservation.**[13](https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/#_note13) Furthermore, unionized workers have felt more secure speaking out about hazards (Jamieson 2020). **Without unions, many workers are forced to work without personal protective equipment or access to paid leave or premium pay. And when nonunion workers have advocated for health and safety protections or wage increases, they have often been retaliated against or even fired for doing so** (Paul 2020; Davenport, Bhattarai, and McGregor 2020; Kruzel 2020; Eidelson 2020; Miller 2020). The lack of these basic protections has led to thousands of essential workers becoming infected with the coronavirus, and many are dying as a result (Bhattarai 2020; Kaplan and Kent 2020; Jewett, Bailey, and Renwick 2020).