## 1

#### Interpretation - the aff can't defend that one country ought to recognize a right to strike. The article “a” implies a nonspecific or generic reading of “a just government”

Walden 20 Walden University [The Writing Center provides a broad range of writing instruction and editing services for students at Walden University, including writing assistance for undergraduates, graduate students, and doctoral capstone writers], “"A" or "An"” last modified July 14 2020, <https://academicguides.waldenu.edu/writingcenter/grammar/articles> SM

When to Use "A" or "An" "A" and "an" are used with singular countable nouns when the noun is nonspecific or generic. I do not own a car. In this sentence, "car" is a singular countable noun that is not specific. It could be any car. She would like to go to a university that specializes in teaching. "University" is a singular countable noun. Although it begins with a vowel, the first sound of the word is /j/ or “y.” Thus, "a" instead of "an" is used. In this sentence, it is also generic (it could be any university with this specialization, not a specific one). I would like to eat an apple. In this sentence, "apple" is a singular countable noun that is not specific. It could be any apple.

#### Violation – they only defend the US

#### Vote neg—

#### 1] Semantics outweigh:

#### a] Topicality is a constitutive rule of the activity and a basic aff burden, they agreed to debate the topic when they came to the tournament

#### b] Jurisdiction -- you can’t vote affirmative if they haven’t affirmed

#### c] It’s the only stasis point we know before the round so it controls the internal link to engagement, and there’s no way to use ground if debaters aren’t prepared to defend it.

#### 2] Limits:

#### a] Education – they overexplode the topic – skirts from core to fringes of lit which kills education

#### b] Fairness – we would have to prep for infinite affs which is literally impossible

#### 3] TVA solves – read the aff as advantage

#### Topicality is a voting issue for predictable limits – the debate is irreparably skewed. It should be evaluated through competing interpretations- it’s not what you do it’s what you justify.

## 2

#### Security is a psychological construct- the aff’s scenarios for conflict are products of paranoia that project our violent impulses onto the other. Claims of war and conflict create a false dichotomy between the good us and the evil them, ignoring our role in provoking the aggression.

Mack, MD @ Harvard, 91

(John, former Professor of Psychology at Harvard and Pulitzer Prize Winner, <http://johnemackinstitute.org/1988/08/the-enemy-system-short-version/>) BW

The threat of nuclear annihilation has stimulated us to try to understand what it is about mankind that has led to such self-destroying behavior. Central to this inquiry is an exploration of the adversarial relationships between ethnic or national groups. It is out of such enmities that war, including nuclear war should it occur, has always arisen. Enmity between groups of people stems from the interaction of psychological, economic, and cultural elements. These include fear and hostility (which are often closely related), competition over perceived scarce resources,[3] the need for individuals to identify with a large group or cause,[4] a tendency to disclaim and assign elsewhere responsibility for unwelcome impulses and intentions, and a peculiar susceptibility to emotional manipulation by leaders who play upon our more savage inclinations in the name of national security or the national interest. A full understanding of the “enemy system”[3] requires insights from many specialities, including psychology, anthropology, history, political science, and the humanities. In their statement on violence[5] twenty social and behavioral scientists, who met in Seville, Spain, to examine the roots of war, declared that there was no scientific basis for regarding man as an innately aggressive animal, inevitably committed to war. The Seville statement implies that we have real choices. It also points to a hopeful paradox of the nuclear age: threat of nuclear war may have provoked our capacity for fear-driven polarization but at the same time it has inspired unprecedented efforts towards cooperation and settlement of differences without violence. The Real and the Created Enemy Attempts to explore the psychological roots of enmity are frequently met with responses on the following lines: “I can accept psychological explanations of things, but my enemy is real. The Russians [or Germans, Arabs, Israelis, Americans] are armed, threaten us, and intend us harm. Furthermore, there are real differences between us and our national interests, such as competition over oil, land, or other scarce resources, and genuine conflicts of values between our two nations. It is essential that we be strong and maintain a balance or superiority of military and political power, lest the other side take advantage of our weakness”. This argument does not address the distinction between the enemy threat and one’s own contribution to that threat-by distortions of perception, provocative words, and actions. In short, the enemy is real, but we have not learned to understand how we have created that enemy, or how the threatening image we hold of the enemy relates to its actual intentions. “We never see our enemy’s motives and we never labor to assess his will, with anything approaching objectivity”.[6] Individuals may have little to do with the choice of national enemies. Most Americans, for example, know only what has been reported in the mass media about the Soviet Union. We are largely unaware of the forces that operate within our institutions, affecting the thinking of our leaders and ourselves, and which determine how the Soviet Union will be represented to us. Ill-will and a desire for revenge are transmitted from one generation to another, and we are not taught to think critically about how our assigned enemies are selected for us. In the relations between potential adversarial nations there will have been, inevitably, real grievances that are grounds for enmity. But the attitude of one people towards another is usually determined by leaders who manipulate the minds of citizens for domestic political reasons which are generally unknown to the public. As Israeli sociologist Alouph Haveran has said, in times of conflict between nations historical accuracy is the first victim.[8] The Image of the Enemy and How We Sustain It Vietnam veteran William Broyles wrote: “War begins in the mind, with the idea of the enemy.”[9] But to sustain that idea in war and peacetime a nation’s leaders must maintain public support for the massive expenditures that are required. Studies of enmity have revealed susceptibilities, though not necessarily recognized as such by the governing elites that provide raw material upon which the leaders may draw to sustain the image of an enemy.[7,10] Freud[11] in his examination of mass psychology identified the proclivity of individuals to surrender personal responsibility to the leaders of large groups. This surrender takes place in both totalitarian and democratic societies, and without coercion. Leaders can therefore designate outside enemies and take actions against them with little opposition. Much further research is needed to understand the psychological mechanisms that impel individuals to kill or allow killing in their name, often with little questioning of the morality or consequences of such actions. Philosopher and psychologist Sam Keen asks why it is that in virtually every war “The enemy is seen as less than human? He’s faceless. He’s an animal”.” Keen tries to answer his question: “The image of the enemy is not only the soldier’s most powerful weapon; it is society’s most powerful weapon. It enables people en masse to participate in acts of violence they would never consider doing as individuals”.[12] National leaders become skilled in presenting the adversary in dehumanized images. The mass media, taking their cues from the leadership, contribute powerfully to the process. The image of the enemy as less than human may be hard to dislodge. For example, a teacher in the Boston area reported that during a high school class on the Soviet Union a student protested: “You’re trying to get us to see them as people”. Stephen Cohen and other Soviet experts have noted how difficult it is to change the American perception of the Soviet Union, despite the vast amount of new information contradicting old stereotypes.” Bernard Shaw in his preface to Heartbreak House, written at the end of World War I, observed ironically: “Truth telling is not compatible with the defense of the realm”. Nations are usually created out of the violent defeat of the former inhabitants of a piece of land or of outside enemies, and national leaders become adept at keeping their people’s attention focused on the threat of an outside enemy.[14] Leaders also provide what psychiatrist Vamik Volkan called “suitable targets of externalization”[10] – i.e., outside enemies upon whom both leaders and citizens can relieve their burdens of private defeat, personal hurt, and humiliation.[15] All-embracing ideas, such as political ideologies and fixed religious beliefs act as psychological or cultural amplifiers. Such ideologies can embrace whole economic systems, such as socialism or capitalism, or draw on beliefs that imply that a collectivity owes its existence to some higher power in the universe. It was not Stalin as an individual whom Nadezhda Mandelstam blamed for the political murder of her poet husband Osip and millions of other citizens but the “craving for an all-embracing idea which would explain everything in the world and bring about universal harmony at one go”.[16] Every nation, no matter how bloody and cruel its beginnings, sees its origins in a glorious era of heroes who vanquished less worthy foes. One’s own race, people, country, or political system is felt to be superior to the adversary’s, blessed by a less worthy god. The nuclear age has spawned a new kind of myth. This is best exemplified by the United States’ strategic defense initiative. This celestial fantasy offers protection from attack by nuclear warheads, faith here being invested not in a god but in an anti-nuclear technology of lasers, satellites, mirrors, and so on in the heavens.

#### Threats are constructed – their security discourse creates a self fulfilling prophecy that makes true understanding of structural causes behind “threats” impossible. Mack 91

Dr. Mack, professor at Harvard Medical School, 1991, (John E., “The Psychodynamics of International Relationships” Vol 1 p. 58-59)

Attempts to explore the psychological roots of enmity are frequently met with an argument that, reduced to its essentials , goes something like this: “It’s very well to psychologize but my enemy is real. The Russians (or Germans, Arabs, Israelis, Americans) are armed, threaten us, and intend us harm. Furthermore, there are real struggles between us and them and differing national interests: competition over oil, land or scarce resources and genuine conflicts of values between our two nations (or political systems) It is essential that we be strong and maintain a balance of superiority of (military and political) power, lest the other side take advantage of our weakness.” This argument is neither wrong nor right, but instead simply limited. It fails to grapple with a critical distinction that informs the entire subject. Is the threat really generated by the enemy as it appears to be at any given moment, or is it based on one’s own contribution to the threat, derived from distortion of perception by provocative words and actions in a cycle of enmity and externalization of responsibility? In sum, the enemy IS real, but we have not learned to identify our own role in creating that enemy or in elaborating the threatening image we hold of the other group or country and its actual intentions or purposes. “we never see our enemy’s motives and we never labor to asses his will with anything approaching objectivity.”

#### Economic liberalism is a Trojan horse meant to reproduce US society globally. However, economic homogenization produces the threats its meant to alleviate

Ronnie Lipchutz, PhD UC Berkeley, MS MIT, BS UT Austin, Prof Dept of Politics UC Santa Cruz, On Security, Ed Ronnie D Lipschutz, 1998 (no pages- from CIAO)

The struggle to define the parameters of a concept is only one part of the security problematique; of equal importance are very real questions about the referent object of security. What, in the final analysis, is being secured? If ozone holes are a threat, is the enemy us? If immigrants are a threat, do police become soldiers? If the economic competitiveness of our allies is a threat, is Corporate America to be protected against leveraged buyouts by foreign capital or against those who have been fired during self-protective downsizings? If one social group threatens the mores of another, are there front lines in the "culture wars?" Perhaps it is the unemployed college graduate who is most to be feared, since he or she has much time in which to plot the overthrow of the regime deemed responsible for that insecure status.39 All of these possibilities raise questions about what is to be made secure through the security practices of the state. Paradoxically, perhaps, the particular phenomena alluded to above are all material consequences of a process of economic globalization that was first set in train by the Cold War security policies of the United States. Material processes have consequences for security, it would seem and, in today's world, the effort to (re)define security results not only from a changing world but also from changes in the state itself.40 These changes, having primarily to do with the global economic system, affect material conditions within states--safety, welfare, sovereignty--in ways that serve to undermine the traditional roles of governments,41 making them less willing or able to protect their citizens from these forces or provide services that might mitigate their impacts.42 These transformative forces also have effects on the capabilities of states, by creating contradictions between the accustomed practices of governments and the responses needed to buffer against those forces, as illustrated by the demise of the Soviet Union and the endless fiscal troubles suffered by the United States. Consider, then, the consequences of the intersection of security policy and economics during and after the Cold War. In order to establish a "secure" global system, the United States advocated, and put into place, a global system of economic liberalism. It then underwrote, with dollars and other aid, the growth of this system.43 One consequence of this project was the globalization of a particular mode of production and accumulation, which relied on the re-creation, throughout the world, of the domestic political and economic environment and preferences of the United States. That such a project cannot be accomplished under conditions of really-existing capitalism is not important; the idea was that economic and political liberalism would reproduce the American self around the world.44 This would make the world safe and secure for the United States inasmuch as it would all be the self, so to speak. The joker in this particular deck was that efforts to reproduce some version of American society abroad, in order to make the world more secure for Americans, came to threaten the cultures and societies of the countries being transformed, making their citizens less secure. The process thereby transformed them into the very enemies we feared so greatly. In Iran, for example, the Shah's efforts to create a Westernized society engendered so much domestic resistance that not only did it bring down his empire but also, for a time, seemed to pose a mortal threat to the American Empire based on Persian Gulf oil. Islamic "fundamentalism," now characterized by some as the enemy that will replace Communism, seems to be U.S. policymakers' worst nightmares made real,45 although without the United States to interfere in the Middle East and elsewhere, the Islamic movements might have never acquired the domestic power they now have in those countries and regions that seem so essential to American "security." The ways in which the framing of threats is influenced by a changing global economy is seen nowhere more clearly than in recent debates over competitiveness and "economic security." What does it mean to be competitive? Is a national industrial policy consistent with global economic liberalization? How is the security component of this issue socially constructed? Beverly Crawford (Chapter 6: "Hawks, Doves, but no Owls: The New Security Dilemma Under International Economic Interdependence") shows how strategic economic interdependence--a consequence of the growing liberalization of the global economic system, the increasing availability of advanced technologies through commercial markets, and the ever-increasing velocity of the product cycle--undermines the ability of states to control those technologies that, it is often argued, are critical to economic strength and military might. Not only can others acquire these technologies, they might also seek to restrict access to them. Both contingencies could be threatening. (Note, however, that by and large the only such restrictions that have been imposed in recent years have all come at the behest of the United States, which is most fearful of its supposed vulnerability in this respect.) What, then, is the solution to this "new security dilemma," as Crawford has stylized it? According to Crawford, state decisionmakers can respond in three ways. First, they can try to restore state autonomy through self-reliance although, in doing so, they are likely to undermine state strength via reduced competitiveness. Second, they can try to restrict technology transfer to potential enemies, or the trading partners of potential enemies, although this begins to include pretty much everybody. It also threatens to limit the market shares of those corporations that produce the most innovative technologies. Finally, they can enter into co-production projects or encourage strategic alliances among firms. The former approach may slow down technological development; the latter places control in the hands of actors who are driven by market, and not military, forces. They are, therefore, potentially unreliable. All else being equal, in all three cases, the state appears to be a net loser where its security is concerned. But this does not prevent the state from trying to gain. How can a state generate the conditions for legitimating various forms of intervention into this process? Clearly, it is not enough to invoke the mantra of "competitiveness"; competition with someone is also critical. In Europe, notwithstanding budgetary stringencies, state sponsorship of cutting-edge technological R&D retains a certain, albeit declining, legitimacy; in the United States, absent a persuasive threat, this is much less the case (although the discourse of the Clinton Administration suggests that such ideological restraints could be broken). Thus, it is the hyperrealism of Clyde Prestowitz, Karel Van Wolferen, and Michael Crichton, imagining a Japan resurgent and bent anew on (non-)Pacific conquest, that provides the cultural materials for new economic policies. Can **new industrialized enemies be conjured into existence** so as to justify new cold wars and the remobilization of capital, under state direction, that must follow? Or has the world changed too much for this to happen again?

#### Catastrophe scenarios program us affectively to accept violence and dehumanization

Evans And Reid, PhD’s, 14

(Brad, International Studies @ Bristol, Julian, International Politics @ Lapland, Resilient Life: The art of Living Dangerously)

Anybody who has experienced immunization will appreciate the violence of the encounter. The whole process begins with the awareness of some vaguely looming threat which promises in the worst case an extremely violent ending. To pre-empt this happening, the subject is physically penetrated by the alien body with a controlled level of the lethal substance which, although producing violent sickness, is a fate less than death. Such violence unto oneself offers to counter violence with violence such that life may carry on living in spite of the dangers we are incapable of securing ourselves against. It is to give over to a form of self-harm albeit in a way that is actively desired and positively conceived. How else may we live otherwise? Resilience follows a similar logic. It encourages that we partake in the violence of the world to keep death at bay. For in the process of learning to live through the insecurity of the times, the subject is asked to incorporate the catastrophic intellectually, viscerally and affectively, thereby providing certain immunization against a more endangering fate. Indeed, since the ultimate litmus test is to bring to question the worst case scenario, the future cannot appear to us as anything other than completely monstrous. What, however, is actually slain as the future is wagered by the violence of the present may only become revealed with the passage of time. None of this operates outside of the realm of power politics. We only have to consider here (a) the moral judgements and political stakes associated with HIV as a pandemic that is more than simply biological, and (b) the development of viral analogies to explain more generally the problems ‘infecting’ societies from terror to criminality to evidence the point. Immunization is precisely about exposing oneself to something that is potentially lethal, thereby raising the threshold level for existence such that violence is normalized on account of our vulnerabilities to that which may be tempered but remains undefeatable. We are drawn here to Stellan Rye's (1913) silent horror movie The Student from Prague (Der Student von Prag) which has inspired a number of compelling literary and cinematic classics. In this tragic tale of poverty and violence, the impoverished student, Balduin, makes a bargain with the Devil as he exchanges the reﬂection of image for more immediate compensations. Upon eventually seeing himself, however, the student is avenged by an angry double that begins to wreak havoc as it seeks out revenge in light of its betrayal. Following an eventual violent confrontation the student has with his double, Balduin shatters the mirror that is central to the plot, and invariably destroys the fantasy of endangerment which also became the source of his afflicted curse. Inevitably, however, since the double was an essential element of this Faustian agreement, in killing the violent double, so the student kills himself. Otto Rank famously related this to the narcissistic self whose very sense of loneliness and alienation is caused by an anguish of a fear of death; even though it is precisely the violence of the pact which pushes the subject further towards the precipice. Whilst it is tempting to read this in familiar dialectical terms, there is a more sophisticated double move at work here, as the violence is already encoded within the initial act of demonic violation before the tragic encounter. For the double merely highlights the self-propelling tendency, from the fantasy of endangerment to the reality of the catastrophic. There is also a semantic interchange at work in Rye's Doppelganger as it stakes out the choice between a violated/violent life and eventual death. Since reason or logic prove utterly incapable of explaining the condition of Balduin's existence, let alone offering any promise of salvation from the oppressive situation to which he is fatefully bound, the double serves as an important metaphor for the narcissism of the times, as the subject wilfully accepts a violation and all the violence this entails in exchange for an illusion or fantasy of security which proves in the end to have been imbued with the catastrophic from the outset. Our understanding of the fundamental tenets of violence is invariably transformed such that we are forced to think about forms of violation/ intervention prior to any sense of dialectical enmity. Premetic Violence René Girard's thesis Violence and the Sacred offers a theory of violence that is exclusively bound to the desire to ‘overcome’ tragedy. To develop this theory, Girard speciﬁcally relates to the classic Greek play by Sophocles, Oedipus Rex, which he uses to illustrate the relationship between tragic dispossession and violence. It is through the tale of Oedipus and his return to reclaim the realm from which he was abandoned that we uncover a genesis of sacriﬁcial violence that is linked to some ‘past tragedy’.3\_9 Oedipus thus epitomizes the motif of the lost prince whose modes of contestation can be understood through competing claims to the ‘same object of desire: The story follows that when two uncompromising entities vie over the same object of desire, violence necessarily erupts. Through Girard's decoding of the Oedipus myth, what we therefore ﬁnd is any attempt to re-possess the object of desire necessarily requires the guilt of those currently in possession - a sacriﬁcial victim. Thus, to overcome tragedy one must come from the ‘outside’ - a violently destined return that can only be justiﬁed by making a claim to the original sin, or what Girard terms a return to the ‘original scene: However, as Sophocles tells it, such violence is more than simply a reclamation of that which has been taken. The violence of the already dispossessed desires to re-establish the authentic order which has been falsely appropriated - the paradise lost. Importantly, for Girard, such violence is not a relation of difference but is more deﬁned by the logic of mimesis: ‘At ﬁrst, each of the protagonists believes that he can quell the violence; at the end each succumbs to it. All are drawn unwittingly into a violent reciprocity - which they always think they are outside of, because they all initially came from outside and mistake this positional and temporary advantage for a permanent and fundamental superiority.40 Plunging into an opposition which ‘reduces the protagonists into a uniform condition of violence’, all claims to ‘difference’ are effectively ‘eclipsed’ by ‘a resurgence of reciprocity.41 It has been common to read Rye's doubling as a clear example of mimetic behaviour. This has found clear applications from Hegelian-inspired revolutionary accounts of dialectical reasoning, to Frantz Fanon's theory of (post)colonial brutality, onto the exceptional violence of Schmitt's sovereign decisionism. While accepting how this logic has played a structural role in the demar- cation of certain regimes of violence which came to hallmark distinct marks of separation, we need to depart from this logic if we are to make sense of the violence of the catastrophic imaginary. What, in other words, becomes of violence once we reconceptualize the idea of the original scene and its logics of exposure such that violence itself becomes virtually ordained? That is to say, what becomes of violence once it begins to precede any dialectical arrangement? Mimetic violence, we have noted, is obj ectiﬁable. Based upon establishing various forms of mystical foundations, it has a distinct materiality to it that permits clear lines of demarcation and embodiment. These work both spatially and temporally. The object for violence is locatable, while the time of its occurrence offers clear (if sometimes contested) conceptions as to its beginning and ending. It beneﬁts, then, from the guarantees of identiﬁcation and the ability to represent that which must be vanquished at a given moment ‘in timei The virtual nature of the violence endured by the resilient subject offers no such guarantees. Collapsing the space-time continuum of mimetic rivalry, it is merely projected into the future without the prospect of bounce-back. Internalized, however, into the very living conditions of the subject now permanently under siege, the violence is no less real. As any author of horror ﬁction will tell, the mind can be a terrifying place to inhabit. Once the source of endangerment becomes unknowable by deﬁnition, everything becomes the potential source of a violent encounter. Resilience challenges the logic of mimetic violence, therefore, in two fundamental ways. Firstly, it shows us that our only way of dealing with endangerment is to absorb its lethal tendencies. That which has the potential to destroy must become part ofsociety's make-up and its epistemic fabric. We too, in the process, become more lethally endowed as a result. Invariably, the more lethal we become, the more we end up embracing the biophysical conditions of our potential undoing as a principle form of human conditioning. The body accepts the lethality on account of preparedness. Secondly, there is an outward projection against that which could potentially threaten our existence. But this projection doesn't connect to any mimetic rival. We have no clear sense of what it is that so endangers in its particular guise, only a generalizable indication that something which is part of the integral whole will eventually bring about our ﬁnal demise. Deprived, then, of the potential to ‘at last stand’ upon a terrain whose forms of endangerment were known in advance, we continue to walk through a veritable mineﬁeld of potential disasters of a multi-dimensional nature, not knowing when the explosion will happen, with little comfort provided by the intellectual comforts of the past, and with no fence on the horizon beyond which relative security may be achieved and freedom from endangerment realized. The only solution, we are told, remains to expose oneself to all its disastrous permutations so that we may be better prepared against those already charged and yet to detonate, along with those yet to even be inserted into this catastrophic topography. But what does it mean to say that violence is now beyond representation? And what type of reality are we producing if we are calling into question the depths of ﬁeld that once gave qualitative and quantitative meaning to our relations to violence? For Paul Virilio, whose work we may connect to the premetic, this inaugurates ‘the futurism of the instant’ whose kairos shatters all metaphysical meaning: This spells disorientation in knowledge acquired over the course of millennia regarding the spatial environment and the cycle of seasons; an integral accident in knowledge of history as well as of the usual concrete geography that goes with it, the unity of place and time of a secular history. No doubt this is the fatal novelty of the historic tragedy befalling humanity and a progress that will no longer be exclusively technologistical and extra-planetary, but merely human, ‘all too human’. Masochism vis-a-vis an abhorred past that no longer passes muster is now symmetrically doubled with a masochism in relation to a future where, for want of fear, we will, this time, have space, all the space of a miniscule planet reduced to nothing, or as good as, by the progress of our discoveries.2 Nihilism Unbound Writing in the nineteenth century, Nietzsche argued that nothing was more deeply characteristic of the modern world than the power of nihilism.E Nietzsche's intervention here allowed us to move beyond the well-rehearsed attack upon Platonic reason or Christian faith, to focus instead upon ‘the radical repudiation of value, meaning and desirabilityiﬁ Nihilism, thus understood, referred to the triumph of reactive thinking. It was all about the negation of life as it appeared to be incapable of afﬁrming that which is properly and creatively different to human existence. Hence, for Nietzsche, nihilism was not simply reducible to some historical event in time, i.e. an exceptional moment in history which could be shamefully written into annals of human suffering. Nihilism was the recurring motor of history as the operation of power leads to a will to nothingness that strips life of any purposeful meaning. Crucially, as Nietzsche understood, this repudiation of the afﬁrmative realm of experience is something we create for ourselveaﬁ Nihilism, in other words, is to be understood through a sophisticated manipulation of desires such that the individual subject depreciates itself to such an extent that it actively participates in a custom of political self- annihilation. Central to Nietzsche's thinking on the perpetuation of nihilism is the notion of ressentiment. In his On the Genealogy of Morality, Nietzsche explains this in terms of the slave mentality. This produces a feeling of impotence which not only translates into vengefulness, but more problematic still, teaches the slave that the only way it can become free is to give over to the prevailing reason mastery has set in place. Sloterdijk equates this ressentiment with rage, the basis of all great theisms.4i Such a condition, as Nietzsche understood, was ‘paralysing’ insomuch as it annuls the possibility of thinking and acting otherwise, and it was ‘exhausting’ insomuch as life was forced to compromise with the very lethality that put its condition originally into question. Through a ‘spirit of revenge’ what is lacking is therefore produced in a double movement, for lack is not some original gesture, it derives out of the ressentiment to deny us the opportunity to bring something different into the world. This raises a number of pressing questions: Could it be that not only have we become slaves to our biological existence, but in claiming false mastery of the earth we have given to ourselves an illusionary sovereignty? For how can we have mastery if that which we claim to be able to dominate as the principle force makes us increasingly vulnerable with each passing moment? Have we not, then, become slaves to ourselves and slaves to the earth, and resentful of them as a result? Nihilism has never been alien to liberal biopolitics. It is arguably its most potent expression. Its early development can be traced to Kant's Copernican revolution of the mind. Placing life at the centre of its universe, Kant forced us to look for meaning beyond the realms of theological destiny. Whilst this moved us beyond the suffering and lament of the Christian subject which so irked Nietzsche, Kant's universal substitute proved to be no substitute at all. The universal was actually denied to us due to the limits of our reason and our imperfections as ﬁnite beings - imperfections that signiﬁcantly proved incapable of moving us beyond the reductionism of metaphysical idealism and its crude representations, towards a more afﬁrmative form of meta- physics that worked in practice. As Drucilla Cornell writes, ‘Martin Heidegger famously wrote that Kant takes us to the limit of the very notion of critique and ultimately raises, but does not fully address, the question of ‘who’ is this ﬁnite being that must think through the transcendental imaginationfﬂ In a remarkably potent yet tragic stroke, Kant wrote the death of the omnipotent God and the types of docile subjects it produced who were rendered immobile due to its vengeance and fury, while putting in its place a fallen subject that was fated to be forever incomplete because of the burdens of its own actions. While Kant's thinking paved the way for new eschatological forms of power to emerge that took leave of traditional sovereign moorings, the fallen subject was compelled to become resentful of its biological existence. Bios were to remain forever imperfect by design and fated to be judged accordingly. With life fated to live a biologically endowed existence, it is stripped of its capacity to have a meaningful existence beyond the limits of its bodily formations, while political strategies operate by governing through the problem of ﬁnitude, even though the ﬁnite inevitably became a philosophical problem too difﬁcult to comprehend. As a result, forced to endure a growing resentment of its unfolding drama, liberalism slowly became morally equipped to continually intervene upon the souls of the living simply by offering to prolong the subject's existence better than any other political rationality. Such was the realization of our ﬁnite entrapment in the bodily form that the ability to philosophically transgress the injunction between life and death became increasingly impossible. Indeed, as we shall point out later, while liberal societies have a particular relationship to the question of dying as our existence is continually put into question, such that with each passing second we learn to survive until we become truly meaningless in the end, the idea of death remains incommensurable to the liberal subject. No longer does the resilient subject solely project its resentfulness onto the souls of ‘Others’. It resents the living world, for it too is radically endangering. It is here that catastrophic imaginaries begin to truly thrive. The resilient subject is shaped and anxiously mobilized by the prospect of the coming catastrophe. It fears the transformation of the subject, just as it fears the transformation of the ecosystem that gives sustenance to life. Our rage as such, to borrow from Sloterdijk, has become truly limitless. As everything becomes the source of our endangerment, we internalize the ressentiment and proliferate our impotence with unrivalled intensity and absolute necessity. Hence this produces a form of nihilism which is ‘unbounded: For no longer do we simply resent the teleological unfolding of history as we phase shift from masters to slaves to masters; there is no mastery to speak of and as a result all our lament ﬁlters into a politics of ressentiment as we are left to simply govern through our continually unfolding state of unending emergency. (111-17)

#### Representations must precede policy discussion. Thus, the role of the ballot should be to assume the position of a critical intellectual- debate is primarily an academic activity. The signal sent intellectually outweighs any specific policy proposal

Neta Crawford ,PhD MA MIT, BA Brown, Prof. of poli sci at boston univ. Argument and Change in World Politics, 2002 p. 19-21

Coherent arguments are unlikely to take place unless and until actors, at least on some level, agree on what they are arguing about. The at least temporary resolution of meta-arguments- regarding the nature of the good (the content of prescriptive norms); what is out there, the way we know the world, how we decide between competing beliefs (ontology and epistemology); and the nature of the situation at hand( the proper frame or representation)- must occur before specific arguments that could lead to decision and action may take place. Meta-arguments over epistemology and ontology, relatively rare, occur in instances where there is a fundamental clash between belief systems and not simply a debate within a belief system. Such arguments over the nature of the world and how we come to know it are particularly rare in politics though they are more frequent in religion and science. Meta-arguments over the “good” are contests over what it is good and right to do, and even how we know the good and the right. They are about the nature of the good, specifically, defining the qualities of “good” so that we know good when we see it and do it. Ethical arguments are about how to do good in a particular situation. More common are meta-arguments over representations or frames- about how we out to understand a particular situation. Sometimes actors agree on how they see a situation. More often there are different possible interpretations. Thomas Homer-Dixon and Roger karapin suggest, “Argument and debate occur when people try to gain acceptance for their interpretation of the world”. For example, “is the war defensive or aggressive?”. Defining and controlling representations and images, or the frame, affects whether one thinks there is an issue at stake and whether a particular argument applies to the case. An actor fighting a defensive war is within international law; an aggressor may legitimately be subject to sanctions. Framing and reframing involve mimesis or putting forward representations of what is going on. In mimetic meta-arguments, actors who are struggling to characterize or frame the situation accomplish their ends by drawing vivid pictures of the “reality” through exaggeration, analogy, or differentiation. Representations of a situation do not re-produce accurately so much as they creatively re-present situations in a way that makes sense. “mimesis is a metaphoric or ‘iconic argumentation of the real.’ Imitating not the effectivity of events but their logical structure and meaning.” Certain features are emphasized and others de-emphasized or completely ignored as their situation is recharacterized or reframed. Representation thus becomes a “constraint on reasoning in that it limits understanding to a specific organization of conceptual knowledge.” The dominant representation delimits which arguments will be considered legitimate, framing how actors see possibities. As Roxanne Doty argues, “the possibility of practices presupposes the ability of an agent to imagine certain courses of action. Certain background meanings, kinds of social actors and relationships, must already be in place.” If, as Donald Sylvan and Stuart Thorson argue, “politics involves the selective privileging of representations, “it may not matter whether one representation or another is true or not. **Emphasizing whether frames articulate accurate or inaccurate perceptions misses the rhetorical import** of representation- how frames affect what is seen or not seen, and subsequent choices. Meta-arguments over representation are thus crucial elements of political argument because an actor’s arguments about what to do will be more persuasive if their characterization or framing of the situation holds sway. But, as Rodger Payne suggests, “No frame is an omnipotent persuasive tool that can be decisively wielded by norm entrepreneurs without serious political wrangling.” Hence framing is a meta-argument.

#### The alternative is to reject the AFF’s security representations as a critical intellectual labor that makes imagination of a more peaceful future possible. Neocleous 08

(Neocleous 8 — Prof of Government @ Brunel University; London (Mark, Critique of Security, pg. 184-5)

Anyone well versed in history or with experience of university life will know about the shameful ways in which large numbers of academics have elevated venality into the cardinal academic virtue, complying with the demands of those in power and the wishes of those with money: witness the political scientists, historians, anthropologists, geographers, cartographers, sociologists, linguists and many others who reworked their disciplines according to the principles and myths, and the principle myths, of fascism.' 'Academic life under fascism', notes Christopher Hutton, 'is a dismal ... episode in an unedifying story of relations between the modem academic and the state, and between academics and power both within and outside the university. But this part of the history of fascism is merely the worst moment in the wider and equally unedifying story of relations between academics and the state more generally, merely one way m which intellectuals have kowtowed to the principles and myths, and the principle myths, concerning security and the state. Spouting the jargon of security and enthralled by the trappings of power, their intellectual labour consists of nothing less than attempts to write hand-books for the princes of the new security state. The death of countless numbers in a more 'efficient' bombing of a city, the stationing of troops halfway around the World in order to bring to an end any attempt at collective self-determination, the use of military machines against civilians, the training of police forces in counter-insurgency practices, but more than anything the key concepts and categories used to explain and justify these things - all defended, supported and even ‘improved” by security intellectuals for whom, ultimately, intelIecua1 labour boils down to little more than the question of the most efficient manner. In which to achieve the security demanded by the state and bourgeois order. In rationalizing the political and corporate logic of security, the security intellectual conceals the utter irrationality of the system as a whole. The security intellectual then is nothing less than the security ideologue, peddling the fetish of our time. The only way out of such a dilemma, to escape the fetish, is perhaps to eschew the logic of security altogether - to reject it as so ideologically loaded in favour of the state that any real political thought other than the authoritarian and reactionary should be pressed to give it up, That is clearly something that can not be achieved within the limits of bourgeois thought and thus could never even begin to be imagined by the security intellectual. It is also something that the constant iteration of the refrain ‘this is an insecure world’ and reiteration of one fear, anxiety and insecurity after another will also make it hard to do, but it is something that the critique of security suggests we may have to consider if we want a political way out of the impasse of security. This impasse exists because security has now become so all-encompassing that it marginalizes all else, most notably the constructive conflicts, debates and discussions that animate political life. The constant prioritizing of a mythical security as a political end - as the political end - constitutes a rejection of politics in any meaningful sense of the term. That is, as a mode of action in which differences can be articulated, in which the conflicts and struggles that arise from such differences can be fought for and negotiated, in which people might come to believe that another world is possible - that they might transform the world and in turn be transformed. Security politics simply removes this; worse, it removes it while purportedly addressing it. In so doing it suppresses all issues of power and turns political questions into debates about the most efficient way to achieve ‘security’, despite the fact that we are never quite told - never could be told – what might count as having achieved it. Security politics is, in this sense, an anti-politics,” dominating political discourse in much the same manner as the security state tries to dominate human beings, reinforcing security fetishism and the monopolistic character of security on the political imagination. We therefore need to get beyond security politics, not add yet more ‘sectors to it in a way that simply expands the scope of the state, and legitimizes state intervention in yet more and more areas of our lives. Simon Dalby reports a personal communication with Michael Williams, co-editor of the important text Critical Security Studies, in which the latter asks: if you take away security, what do you put in the hole that’s left behind? But I’m inclined to agree with Dalby: maybe there is no hole. The mistake has been to think that there is a hole and that this hole needs to be filled with a new vision or revision of security in which it is re-mapped or civilised or gendered or humanised or expanded or whatever. All of these ultimately remain within the statist political imaginary, and consequently end up re-affirming the state as the terrain of modem politics, the grounds of security. The real task is not to fill the supposed hole with yet another vision of security, but to fight for an alternative political language which takes us beyond the narrow horizon of bourgeois security and which therefore does not constantly throw us into the arms of the state. That’s the point of critical politics: to develop a new political language more adequate to the kind of society we want. Thus while much of what I have said here has been of a negative order, part of the tradition of critical theory is that the negative may be as significant as the positive in setting thought on new paths. For if security really is the supreme concept of bourgeois society and the fundamental thematic of liberalism, then to keep harping on about insecurity and to keep demanding ‘more security’ (while meekly hoping that this increased security doesn’t damage our liberty) is to blind ourselves to the possibility of building real alternatives to the authoritarian tendencies in contemporary politics. To situate ourselves against security politics would allow us to circumvent the debilitating effect achieved through the constant securitizing of social and political issues, debilitating in the sense that ‘security’ helps consolidate the power of the existing forms of social domination and justifies the short-circuiting of even the most democratic forms. It would also allow us to forge another kind of politics centered on a different conception of the good. We need a new way of thinking and talking about social being and politics that moves us beyond security. This would perhaps be emancipatory in the true sense of the word. What this might mean, precisely, must be open to debate. But it certainly requires recognizing that security is an illusion that has forgotten it is an illusion; it requires recognising that security is not the same as solidarity; it requires accepting that insecurity is part of the human condition, and thus giving up the search for the certainty of security and instead learning to tolerate the uncertainties, ambiguities and ‘insecurities’ that come with being human; it requires accepting that securitizing an issue does not mean dealing with it politically, but bracketing it out and handing it to the state; it requires us to be brave enough to return the gift.

## Case

**A right does not guarantee more/better strikes – multiple warrants**

**Waas PhD 12**

Professor Bernard Waas, Sep 2012, "Strike as a Fundamental Right of the Workers and its Risks of Conflicting with other Fundamental Rights of the Citizens " World Congress General Report, [https://www.islssl.org/wp-content/uploads/2013/01/Strike-Waas.pdf //](https://www.islssl.org/wp-content/uploads/2013/01/Strike-Waas.pdf%20//) AW

No national laws on strike action are alike. Notably, the law on strike action is part of a much broader picture. As strikes are mostly related to collective bargaining, distinct perspectives that may exist in national systems in this regard inevitably influence assessments of strikes. If the room for bargaining is deemed an area in which the state does not interfere, the decision to use strike action may essentially be left to the autonomous decision-making of trade unions. If, on the other hand, the state tightly regulates collective bargaining, then it seems plausible for regulations on strikes to be subject to similar rules. A possible link between collective bargaining and strikes may also have other implications. If the right to conclude collective agreements is, for instance, limited to the most representative unions only, then the case might be that only members from those unions actually enjoy the right to strike. More generally, legal systems differ considerably with respect to who may represent workers´ interests. In many countries, trade unions exercise monopoly power in the representation of workers. In other countries, dual systems are in place. Works councils, for instance, may be the representative bodies at the level of the individual establishment, while trade unions may represent workers´ interests at the company and, in particular, at the branch level. Though collective agreements can be concluded at all these levels, it may very well be that works councils are prevented from staging a strike when the employer is reluctant to conclude an agreement. Instead of calling a strike, the works council may have to take recourse to arbitration as is indeed the case, for instance, in Germany. 2 Second, entirely different attitudes exist towards strikes. In some countries, strikes are considered “a right to self-defence” which is not necessarily directed at the employer; in other countries, the area of admissible industrial action may be necessarily congruent with the relationship between employers and employees. In yet other countries, strikes are seen as acts of “self-empowerment” which have very little to do with a legal order granting certain powers or rights. Finally, in some countries, the right to strike is viewed as being firmly rooted in human dignity, granted to each individual worker and not waivable by him or her, and in others, the perspective may be more “technical” with a considerable power to dispose of the right to strike. Third, as strikes are a means of balancing power between the employer and the workers, socio-economic conditions which influence this relationship may have to be considered when determining the rules on strikes. To give only two examples: Today, many companies are highly dependent on each other. Some of them may even form clusters. A move to reduce in-process inventory and associated carrying costs has made just in time production prevalent among, for instance, car manufacturers. Accordingly, a strike at a supplier will quickly start affecting the customers, a fact that lends additional power to unions and can therefore not be easily disregarded when determining the rules on strikes. Similarly, if employers can move factories beyond borders, which is indeed possible in times of a globalized economy, the question what workers should be able to throw into the balance needs to be addressed. The following comparative overview tries to shed light on the various legal systems and the solutions they provide to the most important issues relating to strikes. It must be noted, however, that **descriptions of the legal situation can only do so much**. As every comparatist knows, **a considerable gap exists between the “law in the books” and reality**. This may, in particular, be true with regard to strikes, because **striking is part of a “fight” which raises the question of power, a question that cannot be answered by simply referring to legal rules**. In some countries, into strike action often takes place outside the scope of the legal framework. Not only are many strikes unofficial, strikers all too often do not care much about the law. Accordingly, to get a clear understanding of what strike action means “on the ground”, one would have to broaden the perspective and take industrial relations as whole account. In this context, many questions would have to be raised, for instance, about the number and structure of the relevant “players”, about trade union democracy, discipline 3 among trade union members, accountability and the feeling of responsibility on the part of unions as well as employers, dependence or independence of trade unions, the scope of inter-union rivalry, etc. Many questions have yet to be answered and the answers may often be disputable. The following section discusses the legal situation of strike law.

**A right to strike is circumvented through criminal law restricting effective strike strategies, the use of court injunctions to bar strikes, and the definitions of unfair labor practices.**

**White 08 (Ahmed A. White (J.D. at Yale, Professor of Law, and Nicholas Rosenbaum Professor of Law Chair at University of Colorado), March 2008, "The Crime of Staging an Effective Strike and the Enduring Role of Criminal Law in Modern Labor Relations," WorkingUSA: The Journal of Labor and Society,** <https://lawweb.colorado.edu/profiles/pubpdfs/white/White11WUSA.pdf>**) // CR**

As many union members and labor activists already know, the reality is quite different than this view suggests. Rather than having been banished by modern labor laws from the realm of labor relations, the criminal law continues to play a decisive role in limiting the right tostrike. Nowadays, though, this antistrike function is a more ancillary and insidious one, as the criminal law is brought to bear to compel workers to surrender to the authority of the labor law itself, particularly in regards to how the law allows employers to respond to strikes and how, in turn, labor may counter this. Especially significant is the use of the criminal law to protect employers’ right to defeat strikes by resuming business with scabs: workers who cross the picket line and replacement. The criminal law essentially ensures that employers may break a strike by this means strikers without any real fear that unions might lawfully use the strike itself to counter this; it thus secures for employers an enormously powerful weapon. As I will try to show, this huge advantage is thoroughly unilateral, as the criminal law affords organized labor no comparable advantage in vindicating its rights under the labor law. The criminal law carries out this function in three distinct but mutually reinforcing ways. The first involves the arrest and prosecution of unionists who resort to overly militant tactics in trying to frustrate employers’ use of scab workers. Used in this fashion, the criminal law prohibits the very tactics that proved so vital to labor’s momentous organizing gains in the 1930s and 1940s— and the only tactics liable to foil an employer’s attempt to break a strike today. The second way that criminal law touches the right to strike is by employers’ use of court injunctions, backed by the prospect of criminal contempt, to bar strike activity. Like the straightforward arrest or prosecution of workers, this second approach is very much a resurrection of a practice all too common in pre-New Deal times, complete with a usual focus on supposedly violent, destructive, and threatening conduct. The difference, though, is that nowadays injunctions are issued in the name of vindicating rights under the labor law, even if this means the right of employers to break strikes. The third way the criminal law is used to undermine strikes involves the Board’s (and courts’) use of the criminal law to define union unfair labor practices and to draw the boundaries of strike activity that will be protected by the labor law from employer reprisals. This approach leaves workers whose actions surrounding a strike are so much as arguably criminal vulnerable to being disciplined or fired, especially if they do this trying to prevent the use of scabs. In these ways the criminal law maintains a key role in limiting the right to strike and ultimately preventing labor from using the strike to mount any effective challenge to employers’ hegemony over the workplace. As I have already suggested, appreciating this function of the criminal law can be difficult, though. For the suppression of labor rights seems no longer to be what criminal law is all about in modern society. Prior to the New Deal, it was difficult for anyone not to perceive the use of the criminal law in labor disputes as a crude assault on workers’ rights. Nowadays, though, things seem very different. Not only is the labor law itself, properly speaking, devoid of important criminal provisions; but the criminal law is seldom used as a bludgeon against unionists. It is rare to find the trumped-up charges, the lack of any semblance of proper procedures, the crimes tailor-made to undermine unions, or other outrages of the sort so common through most of the first half of the last century. When the criminal law is brought to bear, it is in the name of neutral enforcement of the law and vindication of the labor law itself.

**Multiple status quo worker intimidation tactics deck aff solvency- it cancels out the right to strike and means strikes are not effective and don’t happen. Prefer our ev- it aggregates data and analyzes inside accounts of unionization and employers**

**Lafer & Loustaunau 20** [Gordon Lafer is a political economist and is a Professor at the University of Oregon’s Labor Education and Research Center. He has written widely on issues of labor and employment policy, and is author of The Job Training Charade (Cornell University Press, 2002). Lafer has served as an economic policy analyst for the Office of the Mayor in New York City and has testified as an expert witness before the U.S. Senate, House of Representatives, and state legislatures. Lafer is the founding co-chair of the American Political Science Association’s Labor Project, and has taught as a visiting faculty member at the University of Massachusetts’ Union Leadership Academy and at the Universidad Latina de America in Michoacan, Mexico. In 2009–2010, Lafer took leave from his faculty position to serve as Senior Labor Policy Advisor for the U.S. House of Representatives Committee on Education and Labor. Lola Loustaunau is an assistant research fellow at the Labor Education and Research Center, University of Oregon, Eugene. “Fear at work An inside account of how employers threaten, intimidate, and harass workers to stop them from exercising their right to collective bargaining.” Economic Policy Insititute. July 23, 2020. <https://www.epi.org/publication/fear-at-work-how-employers-scare-workers-out-of-unionizing/>] HW Alex Lee

What this report finds: **Most American workers want a union in their workplace but very few have it, because the right to organize—supposedly guaranteed by federal law—has been effectively cancelled out by a combination of legal and illegal employer intimidation tactics.** This report focuses on the legal tactics—heavy-handed tactics that would be illegal in any election for public office but are regularly deployed by employers under the broken National Labor Relations Board’s union election system. Under this system, employees in workplace elections have no right to free speech or a free press, are threatened with losing their jobs if they vote to establish a union, and can be forced to hear one-sided propaganda with no right to ask questions or hear from opposing viewpoints. Employers—including many respectable, name-brand companies—**collectively spend $340 million per year on “union avoidance”** consultants who teach them how to exploit these weakness of federal labor law to effectively scare workers out of exercising their legal right to collective bargaining. Inside accounts of unionization drives at a tire manufacturing plant in Georgia and at a pay TV services company in Texas illustrate what those campaigns look like in real life. Below are some of the common employer tactics that often turn overwhelming support for unions at the outset of a campaign into a “no” vote just weeks later. All of these are legal under current law: **Forcing employees to attend daily anti-union meetings where pro-union workers have no right to present alternative views and can be fired on the spot if they ask a question.** Plastering the workplace with anti-union posters, banners, and looping video ads—and denying pro-union employees access to any of these media. Instructing managers to tell employees that there’s a good chance they will lose their jobs if they vote to unionize. Having supervisors hold multiple one-on-one talks with each of their employees, stressing why it would be bad for them to vote in a union. Having managers tell employees that pro-union workers are “the enemy within.” Telling supervisors to grill subordinates about their views on unionization, effectively destroying the principle of a secret ballot. Why it matters: The right to collective bargaining is key to solving the crisis of economic inequality. When workers have the ability to bargain collectively with their employers, the division of corporate profits is more equally shared between employees, management, and shareholders. When workers can’t exercise this right, inequality grows and wages stagnate, as shown in the long-term decline of workers’ wages over the past 40 years: CEO compensation has grown 940% since 1978, while typical worker compensation has risen only 12%—and that was before the coronavirus pandemic hit. The importance of unions has been even further heightened by both the COVID-19 pandemic and the national protests around racial justice. In recent months, thousands of nonunion workers walked off their jobs demanding personal protective equipment, hazard pay, and access to sick leave. The concrete realization that these things could only be won through collective action has also led many of these workers to seek to unionize in order to protect themselves and their families. At the same time, the importance of the power of collective bargaining for essential workers and Black workers has become clearer. Unionization has helped bring living wages to once low-wage jobs in industries such as health care and is a key tool for closing racial wage gaps. In recent years the Black Lives Matter movement has joined with the fight for a $15 minimum wage and other union efforts in order to win economic dignity for African American workers. What we can do about it: Congress must act to ensure that workers have a right to vote to unionize in an atmosphere defined by free speech and open communication, and without fear of retaliation for one’s political views. The House of Representatives took an important step in this direction when it passed the Protecting the Right to Organize (PRO) Act in February 2020. If adopted by the Senate, the PRO Act would help ensure that workers have a meaningful right to organize and bargain collectively by streamlining the process when workers form a union, bolstering workers’ chances of success at negotiating a first agreement, and holding employers accountable when they violate the law. Beyond passing the PRO Act, legislators should back a package of proposals advanced by a group of 70 economists, academics, and labor leaders led by Harvard University’s Center for Labor and Worklife program. Their Clean Slate for Worker Power agenda includes extending labor rights to farmworkers, domestic workers, and independent contractors who are now excluded from federal union rights; requiring meaningful employee representation on corporate boards of directors; mandating a national requirement that employees may only be fired for just cause rather than arbitrarily; and enabling workers to engage in sector-wide negotiations rather than single-employer bargaining. These proposals would help create shared prosperity by starting to restore balance and effective democratic standards in federal labor law. Introduction The central fact of our economy is the long-term decline of employment conditions over the past 40 years. Since the late 1970s, corporate profits, executive salaries, and shareholder returns have grown handsomely while wages of workers creating this prosperity have stagnated.1 Chief executive officer compensation grew 940% from 1978 to 2018, while typical worker compensation rose only 12% in that period.2 Even the low unemployment rate reached by 2018 had not been enough to spur truly significant wage growth, leading one economic analyst to declare that “the competitive supply-and-demand model of labor markets is fundamentally broken.”3 Workers have responded to falling wages by working longer hours.4 Thus, American workers find themselves working harder, running faster, and still sliding slowly backwards. One of the primary causes of this growing economic inequality is the shrinking share of American workers who have a union in their workplace.5 When workers have the ability to bargain collectively with their employers, the division of corporate profits is more equally shared. On average, if one compares a union employee with a nonunion employee of the same gender, race, ethnicity, education, and years of experience, working in the same occupation, same industry, and same geographic area, the unionized worker’s wages are 13.2% higher than the nonunion counterpart. When the value of health and pension benefits are added in, the union pay advantage is greater still.6 Unsurprisingly, many nonunion workers wish that they too could earn union wages and benefits and access the other protections that come with unions. In a 2017 survey, 49% of nonmanagerial nonunion employees—who in the population at large represent roughly 58 million workers—told pollsters they would vote for having a union if given the opportunity to do so.7 Yet that same year, only 50,000 employees were able to establish a new union through National Labor Relations Board (NLRB) elections, or less than 1% of the number who want a union.8 What makes unions so rare despite being so popular? The fact that federal labor law is profoundly broken. Instead of serving as a neutral expression for workers’ preferences, the NLRB election system forces workers to run a gauntlet of fear, threats, intimidation, forced propaganda, and stifled speech. This is what must change for American workers to have a meaningful right to collective bargaining and for our country to find our way out of the crisis of economic inequality. Current events make the need to reform labor laws even more urgent. The COVID-19 pandemic and the national protests around racial justice have heightened the importance of unions. As the pandemic swept across the country, thousands of nonunion workers walked off their jobs demanding personal protective equipment, hazard pay, and access to sick leave. The concrete realization that these things could only be won through collective action has also led many of these workers to seek to unionize in order to protect themselves and their families.9 At the same time, the importance of the power of collective bargaining for essential workers and Black workers has become clearer. Unionization has helped bring living wages to once low-wage jobs in industries such as health care and is a key tool for closing racial wage gaps.10 In recent years the Black Lives Matter movement has joined with the fight for a $15 minimum wage and other union efforts in order to win economic dignity for African American workers.11 Elections without democracy As the world’s first modern democracy, the United States has long served as the global standard-bearer for defining what constitutes “free and fair” elections, including equal access to the voters for all political parties, equal access to the media, freedom of speech for both candidates and voters, and a guarantee that voters will not be financially bribed or coerced to support one candidate or another. People who first hear of union “elections” may assume these elections are conducted according to the same standards. However, the standard practice of anti-union employers makes NLRB-supervised elections look more like the discredited customs of rogue regimes abroad than anything we would call American. First, because there is no meaningful enforcement for violating voters’ rights, these rights are often violated. And those rights themselves are limited. There is, for instance, no right of free speech for voters in union elections. There is no equal access to media. Indeed, there is not even equal access to the names and contact information of eligible voters. And there is no protection against economic coercion of voters. Anti-union employers take advantage of the lack of rights in many ways, as the following sections show. Finally, even when workers vote to unionize and that vote is legally certified by the NLRB, employers often continue to deny these employees the right to collective bargaining by refusing to negotiate a contract. As illustrated in the second of the case studies below, this can be accomplished through both illegal and legal means, including legal tactics that create multiyear delays, causing workers to lose faith in their own power and often leading activists to quit the employer. Again, the norms of American democracy require that winning candidates assume their positions at the appointed time; if there are challenges about the election, these are addressed at a later time, but legal delaying tactics cannot be used to perpetuate an incumbent’s rule after voters have elected to replace the incumbent with a challenger. But under the National Labor Relations Act (NLRA), even when employees vote for collective bargaining, the outcome of this vote may not be implemented for years, if at all. Lawlessness at work: How employers undermine workers’ legal right to organize The National Labor Relations Act of 1935 established the right to a union and collective bargaining for all private-sector workers. However, in the 85 years since the law was enacted, those rights have become increasingly unattainable. In 2018, only 6.4% of private-sector workers had unions.12 Workers’ inability to secure union representation is in large part a product of the rampant lawlessness that characterizes NLRB elections, made possible by the absence of meaningful penalties under the law. In elections for Congress, those who violate elections law may face fines, imprisonment, or loss of commercial licenses. But in NLRB elections, even employers who willfully and repeatedly break the law by threatening employees, bribing employees, destroying union literature, firing union supporters, or lying to federal officials in an effort to cover up these deeds can never be fined a single cent, have any license or other commercial privilege revoked, or serve a day in prison. As a result, it is not merely rogue employers who violate workers’ rights under law, but many mainstream employers who decide it is worth breaking the law in order to intimidate employees out of organizing a union. A December 2019 EPI report highlighted the rampant lawlessness that characterizes workplace elections under the NLRB.13 In 2016–2017: Employers were charged with violating workers’ legal rights in 41.5% of all NLRB-supervised union elections.14 Employers were charged with illegally firing workers in at least one-fifth (19.9%) of elections. In nearly a third (29.2%) of all elections, employers were charged with illegally coercing, threatening, or retaliating against workers for union support. Larger employers are even more likely than others to break the law: in elections involving more than 60 voters, more than half (54.4%) of employers were charged with at least one illegal act. To put these findings in the context of what we normally expect from democratic elections, the Federal Elections Commission reports a total of 372 charges of illegal activity related to federal election campaigns in 2016–2017, or one charge for every 367,000 voters.15 In comparison, NLRB-supervised elections saw one charge for every 161 eligible voters.16 By this math, illegalities are more than 2,000 times more common in NLRB elections than in elections for the U.S. Congress or president. Such widespread intimidation recalls the worst of authoritarian regimes abroad; but these are the conditions that govern unionization elections in workplaces across the country. Lawful but exploitive coercion: Employers spend $340 million per year on “union avoidance” consultants to deny workers the right to organize Even when employers obey the law, they rely on a set of tactics that are legal under the NLRA but illegal in elections for Congress, city council, or any other public office. A $340 million industry of “union avoidance” consultants helps employers exploit the weaknesses of federal labor law to deny workers the right to collective bargaining.17 Over the past five years, employers using union avoidance consultants have included FedEx, Bed Bath & Beyond, and LabCorp, among others. Table 1, reproduced from an EPI report published in late 2019, lists just a few of these employers, along with the reported financial investments they made to thwart union organizing during the specified years.18 TABLE 1 Employers spend millions on union avoidance consultants Amounts union avoidance consultants reported receiving from selected employers for work performed in 2014–2018 Employer Amount reported Years Laboratory Corporation of America $4,300,000 2014–2018 Mission Foods $2,900,000 2016–2017 Albert Einstein Medical Center $1,100,000 2014–2017 Simmons Bedding Co. $848,000 2015–2017 FedEx $837,000 2014–2018 Trump International Hotel Las Vegas $569,000 2015–2016 Nestle, USQ $566,000 2014–2018 Bed Bath & Beyond $506,000 2014, 2018 J.B. Hunt Transport $354,000 2016–2018 Hilton Grand Vacations $340,000 2014–2015 Owens Corning $340,000 2014–2017 Archer Daniels Midland $324,000 2016–2017 Robert Wood Johnson University Hospital $316,000 2014–2016 Caterpillar $279,000 2014–2016 Quest Diagnostics $200,000 2015–2017 Associated Grocers of New England $190,000 2014–2017 Pier 1 Imports $169,000 2015–2016 Source: Lafer and Loustaunau’s analysis of LM-20 and LM-21 forms filed by consultants with the U.S. Department of Labor (DOL) Office of Labor-Management Standards (OLMS), 2014–2018 Share Tweet Embed Download image These firms’ tactics **lie at the core of explaining why so few American workers who want a union actually get one**, and their success in blocking unionization efforts represents a significant contribution to the country’s ongoing crisis of economic inequality. The lack of a right of free speech enables coercion NLRB elections are fundamentally framed by one-sided control over communication, with no free-speech rights for workers. Under current law, employers may require workers to attend mass anti-union meetings as often as once a day (mandatory meetings at which the employer delivers anti-union messaging are dubbed “captive audience meetings” in labor law). Not only is the union not granted equal time, but pro-union employees may be required to attend on condition that they not ask questions; those who speak up despite this condition can be legally fired on the spot.19 The most recent data show that nearly 90% of employers force employees to attend such anti-union campaign rallies, with the average employer holding 10 such mandatory meetings during the course of an election campaign.20 In addition to group meetings, employers typically have supervisors talk one-on-one with each of their direct subordinates.21 In these conversations, the same person who controls one’s schedule, assigns job duties, approves vacation requests, grants raises, and has the power to terminate employees “at will” conveys how important it is that their underlings oppose unionization. As one longtime consultant explained, a supervisor’s message is especially powerful because “the warnings…come from…the people counted on for that good review and that weekly paycheck.”22 Within this lopsided campaign environment, the employer’s message typically focuses on a few key themes: unions will drive employers out of business, unions only care about extorting dues payments from workers, and unionization is futile because employees can’t make management do something it doesn’t want to do.23 Many of these arguments are **highly deceptive or even mutually contradictory**. For instance, the dues message stands in direct contradiction to management’s warnings that unions inevitably lead to strikes and unemployment. If a union were primarily interested in extracting dues money from workers, it would never risk a strike or bankruptcy, because no one pays dues when they are on strike or out of work. But in an **atmosphere in which pro-union employees have little effective right of reply, these messages may prove extremely powerful**. Table 2 list the most common legal but anti-democratic tactics used to defeat union organizing.

**A right to strike is circumvented through the use of temps, who are readily available to employers and can have the skills of union workers. They allow employers to continue business during a strike.**

**Hatton 14 (Erin Hatton (PhD, Associate Professor of Sociology at University of Buffalo), January 2014, "Temporary Weapons: Employers’ Use of Temps Against Organized Labor," *ILR Review*,** https://www.jstor.org/stable/pdf/24369593.pdf**) // CR**

While this single counterexample is hardly conclusive, it underlines a central finding of this study: The temporary help industry has become a tool for implementing employers' anti-union offensive. This study thus suggests that the temporary help industry has had a more direct role in restructuring the employment relationship than previously thought. The temp industry has not only enabled the wide-scale replacement of permanent employees with temps and exerted downward pressure on employment standards, as previous research has shown, but has also facilitated employers' attacks against unions by helping employers block union organization drives, weaken or eliminate existing unions, force concessions at the bargaining table, and harass striking workers. Although employers have a long history of hiring "scab" labor to accomplish these goals, the scale of worker replacement afforded by the temporary help industry makes this a distinctly different anti-union weapon. Temp agencies are not only able to mobilize hundreds of workers with little notice, they are able to mobilize hundreds of highly skilled workers, as evidenced by the agencies that specialize in supplying nurses and other health care workers to medical facilities during disputes. As a result, employers are using agency temps not only to replace workers who go on strike but also to replace workers who try to organize a union, workers who might vote in favor of a union, workers who refuse to capitulate at the bargaining table, and workers who consider going on strike but do not. In other words, as a result of the easy availability of temps, the bar for replacing pro-union workers with nonunion labor has been lowered. Without such easy access to so many workers, however, employers' ability to do so would be severely diminished, as suggested by the Heartland Human Services case. But easy access to large numbers of workers is not the only basis for temps' strength as an anti-union weapon. The unique precarity of agency temps means that, even if they support unions, they almost certainly cannot unionize. Aside from a few well-publicized exceptions, temps are often considered "un organizable" (Cook 2000). Although temp agencies might employ thousands of temporary workers, few of them actually work together. Instead they are sent from workplace to workplace, isolated from both their temporary and permanent counterparts. Even if they work for a prolonged time at a single worksite, few temps can risk engaging in union activities. They could lose their current job as well as any future jobs by being branded so-called trouble makers. Temps' economic survival depends on the continued approbation of their worksite employer and their temp agency, which generally means not getting involved in union activities. The structure of the triangular employment relationship requires temps to depend on their worksite employer for their economic survival, and it also requires temp agencies to depend on those same employers. As these findings suggest, at times this means that temp agencies will comply with employer demands—both legal and not—at the expense of workers in order to retain the company's business. Thus we saw temp agencies—at the behest of their client companies—illegally screening temps for union sentiment, illegally harassing workers on the picket line, and bending over backward to convert temps into permanent employees over the course of a weekend. If temps were to risk unionizing, moreover, the structural ambiguity of the triangular employment relationship hinders their ability to defend their right to union organizing. Although all workers cannot legally be fired or discriminated against for engaging in union activities, temps who try to organize might not be "fired." Instead, they might be assigned to a new job, or not sent out on assignment at all. If proven to be retaliatory, such actions would be considered illegal. But for most temps the burden of proof would be too great: both temp agencies and employers can blame a temp's job loss on the vagaries of the business cycle rather than their union activities. (In 17 states, in fact, temps are not considered "unemployed"—even if they have not been given a job assignment—if they do not contact their temp agencies before applying for unemployment insurance [NELP 2001].) Such ambiguity means that temporary workers are less protected against illegal retribution for union activities, which adds yet another layer of vulnerability to their structural precarity. The very structure of the triangular employment relationship—which generally positions the temp agency as the official employer of temps—also currently acts as a legal barrier to temps' union organizing. This structure allows employers to replace pro-union workers with another employer's (highly precarious) employees, and it prevents temps from joining the unions of regular employees—at least under labor law as currently construed. As mentioned above, at the time of this writing the NLRB maintains that, because temps and their permanent counterparts are legally employed by different employers, bargaining units containing temps are "multi employer" units that require the consent of each employer—consent that is seldom forthcoming. Ultimately, then, employers' use of agency temps to defeat workers' unions is a distinctively new weapon. "Temporary weapons" offer employers a range of anti-union tools – tools that might once have been used only by large, dedicatedly anti-union employers but are now available to any company with a phone. While it is difficult to know the scale of their use, taking measure of that scale is of utmost importance, foremost because currently little stands in the way of expanding implementation of such tools. Scholars and labor practitioners should thus focus on 1) bringing temps into the labor movement and 2) taking them out of the anti-labor movement.

#### No nuke winter- science and history.

Kroenig, PhD, ‘18

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At this point, some may object to the above attempt to measure gradations of nuclear war by claiming that the effects of any nuclear war would be unimaginable and could potentially even result in “nuclear winter” and complete human extinction. The possibility of nuclear winter, however, has long been dismissed by leading scientists.14 In the early 1980s, the scientist and public intellectual Carl Sagan and colleagues popularized the idea of “nuclear winter.”15 He and other experts argued that the heat from a nuclear explosion would set ablaze wooden structures and other flammable material in cities, sending large quantities of smoke into the Earth’s atmosphere, thus blocking out the sun’s rays. This would have the effect of reducing the Earth’s temperature and wiping out global agricultural production. Crude climate models at the time estimated that the effect could be so large as to result in mass starvation and possibly even human extinction. The arguments had a profound effect on elites and the general public on both sides of the Iron Curtain. Then–Soviet Premier Mikael Gorbachev later admitted that fear of nuclear winter was a factor motivating him to end the Cold War.16 Subsequent research employing more sophisticated climate modeling has demonstrated, however, that early fears about nuclear winter resulting in human extinction were overblown.17 Even scientists who initially proposed the idea, including the physicist Richard P. Turco (the person who coined the phrase “nuclear winter”) disavowed these arguments just a few years later. Climate scientists working in this area today sometimes refer instead to the possibility of “nuclear autumn.” The smoke from a large-scale nuclear exchange could indeed obstruct sunlight and reduce agricultural production, but the effects would be milder than Sagan and others warned in the early 1980s. Evidence against nuclear winter comes not only from better climate models but also from data obtained from analysis of other events that emitted large quantities of smoke into the Earth’s atmosphere, such as the firebombing of Dresden and Tokyo during World War II, Saddam Hussein’s ignition of 600 oil wells in Iraq during the first Gulf War, and the volcanic eruptions at Krakatoa and Tambora.18 Tambora, for example, was a 33-gigaton explosion, equivalent to the simultaneous detonation of 2.5 million Hiroshima-size bombs. These events all spewed large amounts of soot into the Earth’s atmosphere, but only Tambora resulted in a noticeable decrease in the Earth’s temperature, and the effects were not catastrophic. (Indeed, it is said that Mary Shelly was inspired to write Frankenstein during an unusually gloomy European summer in 1816 that, unbeknownst to her, was the result of the Tambora volcano in faraway Indonesia).19 Depending on the size, timing, and location of a nuclear attack, agricultural production could be affected and this could result in disruptions to food supplies in vulnerable populations around the world. As such, “nuclear autumn” is included as a possible source of casualties in the above discussion. Most importantly for our purpose in this section, however, nuclear war, at least with nuclear forces heretofore accumulated, would not mean nuclear winter, human extinction, or the end of the world.