# 1NC

## Off-Case

### DA

#### Solitary confinement is rare now, but harmful impacts such as social pain, mental torture, and premature deaths are magnified and widespread via the plan

Herring 12-8-20 [Tiana Herring is a Research Associate at the Prison Policy Initiative and recent graduate of the University of North Carolina at Chapel Hill where she studied Political Science and Contemporary European Studies. She is the co-author of States of Emergency: The failure of prison system responses to COVID-19 and States of Incarceration: The Global Context 2021. For her honors thesis, she conducted research on state laws regarding prison reentry services and their impact on recidivism rates. “The research is clear: Solitary confinement causes long-lasting harm.” Prison Policy Initiative. December 8, 2020. <https://www.prisonpolicy.org/blog/2020/12/08/solitary_symposium/>] HW AL

Prisons and jails are already inherently harmful, and placing people in solitary confinement adds an extra burden of stress that has been shown to cause permanent changes to people’s brains and personalities. In fact, the part of the brain that plays a major role in memory has been shown to physically shrink after long periods without human interaction. And since humans are naturally social beings, **depriving people of the ability to socialize can cause “social pain**,” which researchers define as “the feelings of hurt and distress that come from negative social experiences such as social deprivation, exclusion, rejection, or loss.” **Social pain affects the brain in the same way as physical pain, and can actually cause more suffering because of humans’ ability to relive social pain** months or even years later. graph show mortality risk with solitary confinement Premature deaths — by suicide, homicide, or opioid overdose — after release from prison are more likely for those that **spent any amount of time** **(even one day) in solitary confinement** than those who never did. **The effects of solitary confinement on mental health can be lethal**. Even though people in solitary confinement **comprise only 6% to 8% of the total prison population**, they account for approximately half of those who die by suicide. Relatedly, observation cells in prisons, which are used for suicide watch — often with similar conditions to solitary confinement — are disproportionately filled with transfers from segregation. People often cycle between the two units without receiving adequate professional help to address their underlying mental health concerns.

#### When incarcerated workers strike, they face immediate crackdown and are punished with solitary confinement

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Today, nearly 900,000 US prisoners work while incarcerated. The Bureau of Prisons, which oversees all federal inmates requires that all prisoners (barring medical reasons) work. State prisoners are in the same boat; according to Eric Fink, a professor at Elon Law school, in all or nearly all US states prisoners must work. If they refuse, they can be punished with solitary confinement, revoking visitation, or other measures.

#### Solitary confinement is the worst possible method of punishment that tortures and inflicts psychological harm on prisoners, a common practice utilized by authorities

**Melzer 20** (Mr. Nils Melzer, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, is part of what is known as the Special Procedures of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the world. Special Procedures experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. They are independent of any government or organisation and serve in their individual capacity. https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25633)//HWLD

"These practices trigger and exacerbate psychological suffering, in particular in inmates who may have experienced previous trauma or have mental health conditions or psychosocial disabilities," Melzer noted. "The severe and often irreparable psychological and physical consequences of solitary confinement and social exclusion are well documented and can range from progressively severe forms of anxiety, stress, and depression to cognitive impairment and suicidal tendencies. "This deliberate infliction of severe mental pain or suffering may well amount to psychological torture," the Special Rapporteur said. Inflicting solitary confinement on those with mental or physical disabilities is prohibited under international law. Even if permitted by domestic law, prolonged or indefinite solitary confinement cannot be regarded as a "lawful sanction" under the Mandela Rules. The Mandela Rules, updated in 2015, are a revised minimum standard of UN rules that defines solitary confinement as "the confinement of prisoners for 22 hours or more a day without meaningful human contact." Solitary confinement may only be imposed in exceptional circumstances, and "prolonged" solitary confinement of more than 15 consecutive days is regarded as a form of torture.

#### The US average length of solitary confinement is well beyond the limit for torture

**Rockwood et al 14** (journalist for PBS reporting on prisons https://www.pbs.org/wgbh/pages/frontline/criminal-justice/locked-up-in-america/how-much-time-u-s-prisoners-spend-in-solitary/)//HWLD

Most corrections officials don’t call it solitary. They refer instead to punitive segregation, which typically has a time limit, usually 30 days or less, for violating prison rules — and administrative segregation, also known as restricted housing or special housing units. “Ad seg” is used to isolate gang members or those with a history of assaulting others, but often those in protective custody or with mental-health problems, and in some states, juveniles, end up there, too. Stays typically start at 30 days but can last indefinitely. If inmates continue to misbehave in isolation, their punishment is typically more seg time.

#### The exacerbation or creation of mental health problems from solitary confinement leads to recidivism and turns case

**Dean 20** ( cornell journalist reporting findings regarding cornell study and relationship between solitary confinement and reintegration with prisoners <https://news.cornell.edu/stories/2020/06/short-stays-solitary-can-increase-recidivism-unemployment)//HWLD>

For corrections officials, recidivism and employment are two of the most important measures of former inmates’ success at re-entering society. New Cornell research shows inmates who have spent even short periods of time in solitary confinement may face worse outcomes on both fronts. “Being placed in solitary confinement substantially increases the risk of committing more crimes after getting released from prison, and may decrease the probability of employment,” said Christopher Wildeman, professor of policy analysis and management in the College of Human Ecology. Wildeman and co-author Lars Andersen – both are researchers for the Rockwool Foundation Research Unit in Denmark – reported those findings in “Long-Term Consequences of Being Placed in Disciplinary Segregation,” published March 12 in Criminology. The study offers one of the strongest assessments yet of how brief stays in solitary confinement – usually less than a week and sometimes as short as a day or two – may affect post-release outcomes.

### CP

#### Text: The 49 United States excluding California ought to recognize an unconditional right for incarcerated workers to strike. California should recognize a right for incarcerated workers, except those in the prison firefighter program, to strike.

#### Firefighter programs decidedly better than prison and solve megafires – saves numerous preventable deaths.

Hahn, 21

[Matthew Hahn, union electrician and meditation teacher who writes about his time in prison and issues related to criminal justice: “Sending us to fight fires was abusive. We preferred it to staying in prison.” Published by Washington Post on 10-15-21. https://www.washingtonpost.com/outlook/prison-firefighter-california-exploit/2021/10/15/3310eccc-2c61-11ec-8ef6-3ca8fe943a92\_story.html]//AD

On the perimeter of the smoldering ruins of Lassen National Forest in Northern California this summer, an orange-clad crew of wildland firefighters worked steadily to contain the Dixie Fire, the largest single wildfire in state history. Using rakes, axes and chain saws, they literally moved the landscape, cleaving burned from unburned to contain the flames. This work was dangerous, and they made just a few dollars per hour, working 24-hour shifts. But it was better than being in prison.I used to be one of the incarcerated people whom California employs to fight wildfires, and I was fortunate. During my nine years in prison for drug-related burglaries, ending in 2012, I never met a fellow prisoner who didn’t want to be in “fire camp,” as the program is known. Some dreamed of going but knew they would never be allowed to live in such a low-security facility. Others, like me, did everything in their capacity to ensure that they got there as soon as humanly possible. For the most part, this meant being savvy and lucky enough to stay out of trouble during the first few years of my incarceration. Though the program is voluntary, some well-meaning people on social media and in activist circles like to compare fire camp to slavery. Every fire season, they draw attention to its resemblance to chain gangs of the past, its low wages and its exploitative nature. Some argue that incarcerated firefighters face insurmountable barriers to careers in that field after parole, though this has started to change in recent years. Others argue that the voluntary nature of fire camp is a ruse, that consent cannot be offered by the coerced. There is some truth to these objections, but they ignore the reality of why people would want to risk life and limb for a state that is caging them: The conditions in California prisons are so terrible that fighting wildfires is a rational choice. It is probably the safest choice as well.I’m from a long line of California ranchers. Now we flee fires all the time. California prisons have, on average, three times the murder rate of the country overall and twice the rate of all American prisons. These figures don’t take into account the sheer number of physical assaults that occur behind prison walls. Prison feels like a dangerous place because it is. Whether it’s individual assaults or large-scale riots, the potential for violence is ever-present. Fire camp represents a reprieve from that risk.Sure, people can die in fire camp as well — at least three convict-firefighters have died working to contain fires in California since 2017 — but the threat doesn’t weigh on the mind like the prospect of being murdered by a fellow prisoner. I will never forget the relief I felt the day I set foot in a fire camp in Los Angeles County, like an enormous burden had been lifted.The experience was at times harrowing, as when my 12-man crew was called to fight the Jesusita Fire, which scorched nearly 9,000 acres and destroyed 80 homes in the Santa Barbara hills back in 2009. I distinctly remember our vehicle rounding an escarpment along the coast when the fire revealed itself, the plume rising and then disappearing into a cloud cover of its own making. Bright orange fingers of flame danced along the top of the mountains. The fire had been moving in the patches of grass and brush between properties, so we zigzagged our way between homes, cutting down bushes, beating away flames and leaving a four-foot-wide dirt track in our wake. I was perpetually out of breath, a combination of exertion and poor air quality. My flame-resistant clothing was soaked with sweat, and I remember seeing steam rise from my pant leg when I got too close to the burning grass. The fire had ignited one home’s deck and was slowly burning its way to the structure. We cut the deck off the house, saving the home. I often fantasize about the owners returning to see it still standing, unaware and probably unconcerned that an incarcerated fire crew had saved it. There was satisfaction in knowing that our work was as valuable as that of any other firefighter working the blaze and that the gratitude expressed toward first responders included us.

#### The program reduces recidivism and violent crime by ingraining first-responder logic.

Lockheart, 20

[Rasheed, former prisoner, 10-1-2020, "Being a Prison Firefighter Taught Me to Save Lives," Marshall Project, https://www.themarshallproject.org/2020/10/01/being-a-prison-firefighter-taught-me-to-save-lives]//AD

There’s a full-fledged firehouse equipped with engines at San Quentin Prison. To work for the department, which serves the facility and over 100 units of mostly employee housing on the grounds, prisoners have to interview with the fire chief and captains and go before a panel composed of the warden and other staff. You have to be a good fit and know how to work in a team. And they only consider people who have a record of good behavior within the last five years—that means few or no disciplinary write-ups or infractions. You cannot have been convicted of arson, sex offenses, murder or attempted escape, and you have to be at the lowest security level.When I applied in 2016, I had five years left in my sentence. Dozens of guys were trying to get into the firehouse, but they only take nine to 12 at a time. I thought I was in great shape—I was on the San Quentin A’s baseball team, and I played football. But I was nowhere close to being in firefighting shape. We had to be able to hike more than a mile with a 75-pound hose on our backs. I didn’t think I was going to make it at first.It wasn’t really the act of firefighting that made me want to join. Initially, I just wanted the job because I would get to sleep in a room by myself, eat good and train dogs. Plus those guys just look cool. Who as a kid didn’t think firefighters were awesome? Joining the department was also an opportunity to escape the politics and culture of prison. I wouldn't be confined to a cell or have COs hanging over my shoulder all the time; I would be treated like a human being. After years of incarceration I was sold. I didn’t expect it, but firefighting would be the most influential thing I’d ever taken part in. Being a member of the department meant being available 24/7 for calls inside and outside the prison. On the outside, we had house fires, medical emergencies, car accidents and grass fires. Inside we responded to cell fires, provided CPR and transported bodies from housing units to the hospital. In my nearly three years on the job, I did CPR almost 50 times. Only four people lived. The sad truth is that San Quentin has an aging population of people either dying of old age or giving up. There were suicides and a fentanyl outbreak. Sometimes we’d get five overdoses in a week. In 2017, almost 20 people died of various causes. I did CPR on every one of them. On one call, a gentleman had fallen off his bunk and hit his head. He went through three rounds of CPR and two with the defibrillator. On the third round of CPR, I felt him gasp for breath and I could feel his heartbeat underneath my hands. I said to my captain, “Holy shit, I think he's breathing!” He lived and was back on the yard two days later. I can't explain what it feels like to have someone come back to life under your hands. There's nothing like it. One thing I noticed early on was the difference between the mentalities of people on death row and those in the general population. When we were doing CPR or taking a dead body off the tier, the men on death row had a look of resignation, like ‘Damn, he made it out.’ There was one guy on death row who committed suicide. He always sticks with me because he had his beard trimmed and his hair lined up. He died perfectly groomed but with a look on his face like, I think this is a mistake. People in the general population avoided watching us carry out dead bodies. If you have a life sentence in California, it doesn’t necessarily mean you’ll be incarcerated forever. If you do all the right things and invest in yourself, there is a possibility that you will make it out. With the chance of release, the men in general population didn’t want to think about their own mortality. At times I did feel survivor's guilt about being at the firehouse living the good life. When I was responding to a call, I didn’t have time to be in an emotional space with it. The guilt would kick in when I came back from a call involving one of my incarcerated peers. These were guys I hung out with and played basketball with. But contrary to popular belief about prison culture being dominated by envy, people loved to see me rising above incarceration. I regularly had guys I didn't even know saying they were proud of me and thanking me for representing them. It was like, That’s one of ours. When I was about to be released, I already knew I couldn’t be a firefighter on the outside because my armed robbery felony would exclude me from getting a license. But in September, Gov. Newsom signed AB 2147, a law that puts me on a path to expunging my record and getting my EMT certification. It’s not a fix-all, but it makes the pathway a little bit easier .Once you're a first responder, you're always a first responder. It never leaves your system. There's not a day that goes by that I don't smell smoke. Once you've lived that life, it's a hard thing to leave behind.

#### Megafires kill biodiversity.

Stevens, 12

[Bonnie, 5-15-2012, "An era of mega fires," Arizona Daily Sun, https://azdailysun.com/news/science/an-era-of-mega-fires/article\_a14f3c7d-7a36-5c12-a48e-75a8ea4e3fff.html]//AD

"Mega fires are huge, landscape-scale fires in excess of 100-thousand acres," said Covington, executive director of the Ecological Restoration Institute (ERI) at Northern Arizona University. "We're seeing this throughout the West, but Arizona is on the leading edge." Covington says mega fires are symptoms of an unhealthy forest caused by a century of actions -- mostly fire suppression, and overgrazing during the late 1800s -- that have changed the structure and function of ponderosa pine and dry mixed conifer forests."We need to stop being surprised by the types of fires we're having," said Summerfelt, wildland fire management officer for the city of Flagstaff. "My first fire was on the North Kaibab and it was considered huge. It was 20 acres. A 20-acre fire now means nothing. So in those three-and-a-half decades in my career, I've been able to watch fire change in size and intensity to levels today that even a decade ago would have been unthinkable. And we're not done breaking records." Covington says Arizona is set up for three more enormous crown fires across the Mogollon Rim that burn through the tops of old growth trees and can ignite spot fires as far as 3 miles ahead of the blaze. "There's the Payson to Winslow corridor, the Sedona to Flagstaff corridor and the Prescott corridor. If we don't get out in front of these and do restoration treatments, it's just going to be a matter of time before we have three more major landscapes burn up." As we approach the 10th anniversary of the Rodeo-Chediski Fire, scientists, firefighters and natural resource managers are examining today's forest conditions and reviewing lessons learned from the state's two largest fires. To compare, both fires were started by people on warm, dry, windy days. "With the Wallow Fire, we knew we were in extreme conditions. We had fuel everywhere and our probability of ignition for any fire that hit the ground was 100 percent. With 62 mph wind gusts, it was blowing so hard it was tough to walk," said Zornes. Former Forest Service ranger and firefighter Jim Paxon, now Arizona Game and Fish Department spokesperson, describes the 468,000-acre Rodeo-Chediski Fire as a plume-dominated fire. "It was pretty much fuels related, fed by the millions of excess trees in our overcrowded forests. It had extremely high energy. When I started fighting fire in the late'60s we didn't have these big columns of plumes that would build up, collapse in an explosion on the ground and create hurricane winds. This didn't happen until the '90s." As a result, 49 percent of the area in the Rodeo-Chediski Fire was considered severely burned. For the 538,000-acre Wallow Fire, that figure is 28 percent. "It could take a couple hundred years for these forests to return back to what they were," said Alpine District Ranger Rick Davalos. "Some of the severely burned area includes older growth trees." ERI researchers say crown fires that kill old growth trees also destroy critical wildlife habitat."The Mexican spotted owl is the biggest concern we have as an endangered species that we're trying to help out," Paxon said. "The Forest Service is under extreme pressure not to do any cutting around the nesting sites. So between the two fires we lost 20 percent of the Mexican spotted owl nests that exist in the world." In addition, heat from the Wallow Fire baked streams and killed aquatic life. Then floods, from monsoon rains after the fire, moved silt into rivers and lakes making matters worse."The problem with these fires is they remove so much of the vegetation they can create hydrophobic soils. The water won't penetrate the soil. It runs across the surface so all that ash and sediment ends up in streams and rivers. In the Wallow Fire it ruined the habitat for the re-introduced Apache trout," Covington said. "So, whether you look at fish or you look at birds or you look at mammals, the impact of these mega fires over the long haul is very negative."

## Case

### AT FW

#### The standard is maximizing expected well-being:

#### 1. Governments must use util since they can’t focus on every individual rights violation

Goodin 95 Robert, 1995, Philosopher of Political Theory, Public Policy, and Applied Ethics. Utilitarianism as a Public Philosophy, Cambridge University Press, pg. 26-27

The great advantage of utilitarianism as a guide to public conduct is that it avoids gratuitous sacrifices, it ensures as best we are able to ensure in the uncertain world of public policy-making that policies are sensitive to people’s interests or desires or preferences. The great failing of more deontological theories, applied to those realms, is that they fixate upon duties done for the sake of duty rather than for the sake of any good that is done by doing one’s duty. Perhaps it is permissible (perhaps it is even proper) for private individuals in the course of their personal affairs to fetishize duties done for their own sake. It would be a mistake for public officials to do likewise, not least because it is impossible. The fixation on motives makes absolutely no sense in the public realm, and might make precious little sense in the private one even, as Chapter 3 shows. The reason public action is required at all arises from the inability of uncoordinated individual action to achieve certain morally desirable ends. Individuals are rightly excused from pursuing those ends. The inability is real; the excuses, perfectly valid. But libertarians are right in their diagnosis, wrong in their prescription. That is the message of Chapter 2. The same thing that makes those excuses valid at the individual level – the same thing that relieves individuals of responsibility – makes it morally incumbent upon individuals to organize themselves into collective units that are capable of acting where they as isolated individuals are not. When they organize themselves into these collective units, those collective deliberations inevitably take place under very different circumstances and their conclusions inevitably take very different forms. Individuals are morally required to operate in that collective manner, in certain crucial respects. But they are practically circumscribed in how they can operate, in their collective mode. And those special constraints characterizing the public sphere of decision-making give rise to the special circumstances that make utilitarianism peculiarly apt for public policy-making, in ways set out more fully in Chapter 4. Government house utilitarianism thus understood is, I would argue, a uniquely defensible public philosophy.

#### 2. Extinction justifies moral loopholes – therefore, ignoring it is unethical.

Bok, 1988 (Sissela Bok, Professor of Philosophy, Brandeis, Applied Ethics and Ethical Theory, Ed. David Rosenthal and Fudlou Shehadi, 1988)

The same argument can be made for Kant’s other formulations of the Categorical Imperative: “So act as to use humanity, both in your own person and in the person of every other, always at the same time as an end, never simply as a means”; and “So act as if you were always through actions a law-making member in a universal Kingdom of Ends.” No one with a concern for humanity could consistently will to risk eliminating humanity in the person of himself and every other or to risk the death of all members in a universal Kingdom of Ends for the sake of justice. To risk their collective death for the sake of following one’s conscience would be, as Rawls said, “irrational, crazy.” And to say that one did not intend such a catastrophe, but that one merely failed to stop other persons from bringing it about would be beside the point when the end of the world was at stake.For although it is true that we cannot be held responsible for most of the wrongs that others commit, the Latin maxim presents a case where we would have to take such a responsibility seriously—perhaps to the point of deceiving, bribing, even killing an innocent person, in order that the world not perish.

#### Prefer –

#### You can weigh structural violence under util but it allows us to also discuss other impacts which is a clear net benefit

#### Devolves to util – it’s impossible to weigh between two structural violence impacts without devolving to util calc so their FW is just a hidden disguise to weed out impacts they don’t want to debate

#### Their actor is the US – focusing on structural violence turns case because it results in policies that ignore public majority threats which results in backlash and more violence

#### Reliance on the vague concept of “structural violence” recreates oppression.

#### Theories of “structural violence” distract solutions to material conditions in favor of vague criticism of poorly defined systems. Existing structures will co-opt your criticism and the process trades off with more effective reforms.

#### 1.Structural violence obscures analysis necessary to reduce poverty and violence- this card is on fire. Boulding 77

KennethBoulding, Prof Univ. of Michigan and UC Boulder, Journal of Peace Research 1977; 14; 75 p. Boulding p. 83-4

Finally, we come to the great Galtung metaphors of ’structural violence’ and ’positive peace’. They are metaphors rather than models, and for that very reason are suspect. Metaphors always imply models and metaphors have much more persuasive power than models do, for models tend to be the preserve of the specialist. But when a metaphor implies a bad model it can be very dangerous, for it is both persuasive and wrong. The metaphor of structural violence I would argue falls right into this category. The metaphor is that poverty, deprivation, ill health, low expectations of life, a condition in which more than half the human race lives, is ’like’ a thug beating up the victim and taking his money away from him in the street, -or it is ’like’ a conqueror stealing the land of the people and reducing them to slavery. The implication is that poverty and its associated ills are the fault of the thug or the conqueror and the solution is to do away with thugs and conquerors. While there is some truth in the metaphor, in the modem world at least there is not very much. Violence, whether of the streets and the home, or of the guerilla, of the police, or of the armed forces, is a very different phenomenon from poverty. The processes which create and sustain poverty are not at all like the processes which create and sustain violence, although like everything else in the world, everything is somewhat related to everything else. There is a very real problem of the structures which lead to violence, but unfortunately Galtung’s metaphor of structural violence as he has used it has diverted attention from this problem. Violence in the behavioral sense, that is, somebody actually doing damage to somebody else and trying to make them worse off, is a ’threshold’ phenomenon, rather like the boiling over of a pot. The temperature under a pot can rise for a long time without its boiling over, but at some threshold boiling over will take place. The study of the structures which underlie violence are a very important and much neglected part of peace research and indeed of social science in general. Threshold phenomena like violence are difficult to study because they represent ’breaks’ in the system rather than uniformities. Violence, whether between persons or organizations, occurs when the ’strain’ on a system is too great for its ‘~s~trength’. The metaphor here is that violence is like what happens when we break a piece of chalk. Strength and strain, however, especially in social systems, are so interwoven historically that it is very difficulty to separate them. The diminution of violence involves two possible strategies, or a mixture of the two; one is the increase in the strength of the system, ~the other is the diminution of the strain. The strength of systems involves habit, culture, taboos, and sanctions, all these things, which enable a system to stand Increasing strain without breaking down into violence. The strains on the system are largely dynamic in character, such as arms races, mutually stimulated hostility, changes in relative economic position or political power, which are often hard to identify. Conflict of interest are only part of the strain on a system, and not always the most important part. It is very hard for people to know their interests, and misperceptions of interests take place mainly through the dynamic processes, not through the structural ones. It is only perceptions of interest which affect people’s behavior, not the ’real’ interests, whatever these may be, and the gap between perception and reality can be very large and resistant to change. However, what Galitung calls structural violence (which has been defined by one unkind commentator as anything that Galltung doesn’~t like) was originally defined as any unnecessarily low expectation of life, an that assumption that anybody who dies before the allotted span has been killed, however unintentionally and unknowingly, by somebody else. The concept has been expanded to include all the problems off poverty, destitution, deprivation, and misery. These are enormously real and are a very high priority for research and action, but they belong to systems which are only peripherally related to the structures which, produce violence. This is not to say that the cultures of violence and the cultures of poverty are not sometimes related, though not all poverty cultures are culture of violence, and certainly not all cultures of violence are poverty cultures. But the dynamics of poverty and the success or failure to rise out off ’it are of a complexity far beyond anything which the metaphor of structural violence can offer. While the metaphor of structural violence performed a ’service in calling attention to a problem, it may have done a disservice in preventing us from finding the answer.

#### 2. Galtung’s theory of structural violence perpetuates the status quo of dominant states by offering an overly vague criticism of oppression. Lawler 89

Peter Lawler (1989) A question of values: A critique of Galtung's peace research, Interdisciplinary Peace Research: formerly Pacifica Review: Peace, Security & Global Change, 1:2, 27-55, DOI: 10.1080/14781158908412711

In the late 1960's Galtung's foundational model of peace research was subjected to considerable criticism as part of a general upheaval within the peace research community. A group of young, mostly Scandinavian, radicals employed a neo-Marxist perspective to attack the assumptions of symmetry and ideological neutrality that formed the core of Galtung's argument (Schmid 1968, 1970; Olsen and Jarvad 1969; Eckhardt 1971; Dencik 1982). Though their primary target was American conflict research and its contribution to the analysis of the Vietnam War, they questioned also Galtung's assumption that the path to peace lay in the principles of integration and cooperation. For the radicals, Galtung's approach neglected the political-economy of relations between the developed and underdeveloped worlds and in its attempt to preserve a sym- metrical approach to violent conflict was guilty of 'idealistic universal- ism'. From the perspective of the oppressed, an argument for the further integration of the international system was tantamount to defending a status quo which reflected the interests of the dominant states and the beneficiaries of the world capitalist economy. Against this, the radicals called for a peace research that openly sided with the exploited and advocated the 'sharpening' of the various latent conflicts of interests that characterised global politics.

#### 3. Resolving “structural violence” requires action by international powers, as they are the only bodies capable of amending existing “structures”. This reliance on current institutions preserves existing structures of dominance. Schmid 68

Peace Research and Politics; Herman Schmid; Journal of Peace Research, Vol. 5, No. 3, pp. 217-232; 1968; Sage Publications; http://www.jstor.org/stable/423274

Peace research is an applied or 'oriented' science. An applied science has to be applied by somebody who has the power to apply it. In the case of peace research, this means there must be some kind of institutionalized link between peace re- searchers and decision-makers on the supranational level. Thus, the universalist ethos of peace research becomes operationalized into identification with the interests of the existing international system, that is the interests of those who have power 229 in the international system. So peace research becomes a factor supporting the status quo of the international power structure, providing the decision-makers of the system with knowledge for control, manipulation and integration of the system. That is the institutional aspect of peace research. The theoretical frame of reference dominating peace research closely cor- responds to the institutional needs: the peace researcher/specialist is trained in an ideology of internationalism; he has learned how to solve conflicts, how to integrate a system, how to avoid manifest organized violence, how to prevent major uprisings against the system; and he believes that what is good for the system is in the long run also good for its elements. His concept of peace is essentially a negative one, stressing the need for stable peace,38 and the 'common interest' he will have to fall back on is the avoidance of catastrophe. His positive concept of peace is not sui generis but a negation of his negative peace concept. The essence of peace research is concentrated in the concepts of control of the international sys- tem to prevent major breakdowns, and integration of the international system to make it more stable. That is the ideological aspect of peace research. The institutional and the ideological aspects presuppose and condition each other. To become applied, peace research must meet the needs of the decision- makers. To satisfy their concern about stable peace, peace researchers must ally themselves with the decision-makers of the international system. Given this situation, change of the system can not be advocated by peace research. Structural change would be a threat to the power-holders of the international system. Only adaptive change within the system is possible.

all! But the drive for equality as such is extremely strong in all his writings.

### AT Underview

#### On (A) Ethics, turn – don’t be skeptical of neg. They concede structural violence is widespread and huge magnitude, so be more skeptical of any one-sentence “plan” that claims to solve it

#### On (B) Compound Probability, turn – your whole 1AC is a long link chain. That’s what debate is about, so weigh the probability of the DA relative to the probability of the case. If we’re ahead on the techy work, you should assign the DA high probability in the context of this round

#### On (C) Causal Direction, their example is overexaggerated – our link is that more prison strikes will result in crackdown and more violence, that’s not a ridiculous link at all. Make them make the turns for why our specific DA link is contrived or bad in the 1AR. Until then, our link chain is intact

#### On (D) Complexity-

#### If it’s true that people will realize the dangerous path they are on and revert, that still wins us the debate! It’s a concession of the DA and means the plan gets rolled back so aff gets zero solvency

#### Why hasn’t that happened for the problems the 1AC talk about? There are a ton of factors to people “realizing they are on a dangerous path” like bipartisan opinion, passing the right policies, etc

#### The reading and praising of the 1AC as the solution to these problems link turns this argument – it means people will never realize the dangerous path which magnifies the probability and time frame of the DA

#### On (E) Decision Gridlock, if we win extinction is likely in the context of this round we should get to weigh it. Calling DAs “unrealistic” is not new nor an argument- your aff is equally unrealistic for thinking it can solve structural violence and prison injustices with one sentence

### AT Case

#### Top-level be skeptical of the aff-

#### They give zero uniqueness of why prisoners aren’t striking enough in the squo- in fact, most of their cards cite examples of prisoners literally going on strike. That means all of their impacts should already have triggered. NONE of their ev ever says that we need to give prisoners a right to strike because they currently don’t have that, they just talk about why the prison strikes we literally have right now are good and helpful

#### Double-bind- if they defend only non-violent strikes then they get no solvency because most strikes will turn violent or result in crackback which is proven by their own ev. If they want to defend all prison strikes they still get no solvency because prisoners are already striking

#### There’s already a law that prevents violence in prisons but it’s being super easily circumvented. That means there’s no reason why a R2S for prisoners won’t lead to violence

Equal Justice Initiative ND [EJI is a private, 501(c)(3) nonprofit organization that provides legal representation to people who have been illegally convicted, unfairly sentenced, or abused in state jails and prisons. We challenge the death penalty and excessive punishment and we provide re-entry assistance to formerly incarcerated people. “Prison Conditions.” Equal Justice Initiative. <https://eji.org/issues/prison-conditions/>] HW AL

2 Escalating Violence **The Constitution requires that prison and jail officials protect incarcerated people from physical harm and sexual assault. But facilities nationwide are failing to meet this fundamental duty, putting incarcerated people at risk** of being beaten, stabbed, and raped. Alabama’s prisons are the most violent in the nation. The U.S. Department of Justice found in a statewide investigation that Alabama routinely violates the constitutional rights of people in its prisons, where homicide and sexual abuse is common, knives and dangerous drugs are rampant, and incarcerated people are extorted, threatened, stabbed, raped, and even tied up for days without guards noticing. Serious understaffing, systemic classification failures, and official misconduct and corruption have left thousands of incarcerated individuals across Alabama and the nation vulnerable to abuse, assaults, and uncontrolled violence.3

#### Prisons would go down fighting – causes legal lobbying to extend prison sentences to secure the labor pool – turns case.

Serwer, 14

[Adam, Buzzfeed News National Editor: "California AG "Shocked" To Learn Her Office Wanted To Keep Eligible Parolees In Jail To Work," BuzzFeed News, 11-18-2014. https://www.buzzfeednews.com/article/adamserwer/some-lawyers-just-want-to-see-the-world-burn]//AD

Lawyers for California Attorney General Kamala Harris argued in court this fall against the release of eligible nonviolent prisoners from California's overcrowded prisons — because the state wanted to keep them as a labor force.

Harris, a rising star in the Democratic Party, said she learned about the argument when she read it in the paper.

"I will be very candid with you, because I saw that article this morning, and I was shocked, and I'm looking into it to see if the way it was characterized in the paper is actually how it occurred in court," Harris told BuzzFeed News in an interview Monday. "I was very troubled by what I read. I just need to find out what did we actually say in court."

The Supreme Court found California's prisons were so overcrowded in 2011 that the conditions violated the Constitution's prohibition on cruel and unusual punishment. Since then, California has been under federal court supervision as it seeks to comply with the order that the state reduce its prison population. In February, the state had agreed to reduce its population by releasing nonviolent prisoners with only two felonies who had served half their sentences.

Last week, the Los Angeles Times reported that attorneys in Harris' office had unsuccessfully argued in court that the state could not release the prisoners it had agreed to release because "if forced to release these inmates early, prisons would lose an important labor pool." Those prisoners, the Times reported, earn wages that range from "8 cents to 37 cents per hour."

In a Sept. 30 filing in the case, signed by Deputy Attorney General Patrick McKinney but under Harris' name, the state argued, "Extending 2-for-1 credits to all minimum custody inmates at this time would severely impact fire camp participation — a dangerous outcome while California is in the middle of a difficult fire season and severe drought."

Approximately 4,400 California prisoners help the state battle wildfires, at wages of about $2 a day. There is an exception in the agreement that allows the state to retain firefighters — but only firefighters — who are otherwise eligible for release.

Like incarcerated firefighters, inmates who perform "assignments necessary for the continued operation of the institution and essential to local communities" draw from the same pool of inmates who pose a limited threat to public safety, the state argued in a September filing. Therefore, reducing that population would require the prisons to draw more incarcerated workers away from its firefighting crews.

### AT Unions

**Unions make strikes less effective and less common**

**Maynard 12**

Melissa (Melissa Maynard is a senior officer with The Pew Charitable Trusts' Fiscal 50), 9-25-2012, "Public Strikes Explained: Why There Aren't More of Them," Pew Trusts, [https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2012/09/25/public-strikes-explained-why-there-arent-more-of-them //](https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2012/09/25/public-strikes-explained-why-there-arent-more-of-them%20//) AW

Strikes often end without an agreement but come with significant costs for both sides. They can damage public opinion toward both elected leaders and the public employees involved, and bring real financial **consequences for the strikers**. Strikes have been especially rare in the budget-cutting environment that has been the reality in most states for the past few years. This isn't because labor relations are generally rosy — far from it. But striking public workers tend not to fare well in the court of public opinion because the public expects them to share in the widespread economic pain. “Strikes tend to be won or lost on public support more than anything else," says Joseph Slater, professor at the University of Toledo College of Law. “[Workers] may rightly feel put upon, but they have to be very leery of alienating the public.” Few politicians have been thrown out of office for supporting cuts to public employee pay and benefits in recent years, despite the toll those cuts have taken on labor relations. **Many public sector union contracts include “no strike clauses” as a condition of employment, even in states where strikes are legal.** In some cases, the terms of the prior agreement remain in force even after a contract expires until a new agreement is reached, giving workers little incentive to negotiate but also little motivation to strike.

**Unionizing hurts employment + wages**

**Greeman and Kleiner PhDs Econ 90**

Freeman, Richard Barry (so many awards he has a wikipedia page – a PhD in econ from harvard and teaches in London and gives lectures around the world), and Morris M. Kleiner. (M.A. in Labor and Industrial Relations, and Ph.D. in economics from the [University of Illinois](https://en.wikipedia.org/wiki/University_of_Illinois) and his undergraduate degree in economics)1990. The impact of new unionization on wages and working conditions. Journal of Labor Economics 8(1) Part 2: S8-S25. // AW

This article has presented the results of a survey of 364 establishments covering over 146,000 workers, some which faced union organizing drives during the 1980s and some which did not face such drives. Our data show that firms that lost elections to unions and signed collective contracts increased wages and benefits more rapidly than control firms but fell far short of the gains needed to reach the 15%-25% union wage premium found in cross-section studies. Our data also show that the newly organized workers obtained substantial "voice" benefits such as grievance procedures and seniority provisions, while **experiencing declines in employment compared to control firms**. We hypothesize that the smal l wage effects that we found are likely to reflect "period" effects due to the economic environment of the 1980s and "first-contract" effects due to the tendency of new union organizations to use their bargaining power to enhance industrial democracy and decision making by rules rather than to raise wages. They may also reflect differences in the estimated size of union wage premium between establishment and individual-worker data sets.

#### The American labor system is built upon discriminating against Black people and excluding them. From collective unity (unions), which is still a prevalent issue today - strikes are ingrained in this system and thus inherently racist.

**Dogan ‘17**

(Shamed Dogan, November 13, 2017, Dogan is a Missouri State Representative abd he was served for 7 years, his agenda focusing on education reform, ethics reform, and criminal justice reform, “Unions ignore long history of excluding minorities from jobs”, [https://www.stltoday.com/opinion/columnists/unions-ignore-long-history-of-excluding-minorities-from-jobs/article\_ef58bccd-f04a-5172-8dbd-18b8ee5eb9e2.html //](https://www.stltoday.com/opinion/columnists/unions-ignore-long-history-of-excluding-minorities-from-jobs/article_ef58bccd-f04a-5172-8dbd-18b8ee5eb9e2.html%20//) HM)

One such tool wielded against minorities was prevailing wage laws. In the 1930s, New York Congressman Robert Bacon, angry that black Americans were competing with white workers for jobs, introduced the Davis-Bacon Act, which requires contractors on federally funded construction projects to pay the “local prevailing wage.” This policy has been implemented in many states as well, including Missouri, to force governments to only negotiate with white-dominated unions. This policy remains as a vestige of a racist past, and it **harms American workers** and **taxpayers to this day.** In addition, minimum wage laws were instituted a century ago in large part to prevent white workers from having to compete with cheaper labor from immigrants and African-Americans. Even though today’s “Fight for $15” effort to raise the minimum wage to $15/hour is supported by many minority groups with good intentions, it would likely have the unintended consequence of replacing young low-wage workers with older workers, disproportionately hurting minority youth. Unfortunately, the days of union bosses fighting to protect their own interests over the interests of minority workers are not just in the past. According to a 2016 report prepared for the AFL-CIO, “Whole sectors of workers have been ignored or neglected by the labor movement for shortsighted or xenophobic reasons. ... Those workers also tend to be largely **p**eople **o**f **c**olor and women, further enlarging the racial and gender divide that makes up the labor movement.” And in Virginia’s recent election, unions made headlines for successfully demanding that the African-American candidate for lieutenant governor be deleted from the Democratic Party’s campaign mailers and then excluding him from the union’s sample ballot on Election Day. (The candidate, Justin Fairfax, won despite the union’s opposition.) Here in Missouri, union leaders have long clashed with African-American leaders because of a lack of inclusion on big union projects and a disparity in contributions to African-American political candidates, even when those candidates have pro-union voting records. Before her comments hoping for President Donald Trump to be assassinated thrust her into the national spotlight, state Sen. Maria Chappelle-Nadal, D-University City, made headlines last year with a speech on the Senate floor that highlighted “the racism and inequality that exists in the labor movement” and in which she read numerous racist and sexist comments from union members directed to her on social media. Though the unions have formed various diversity councils and hired staffers to work on making their ranks more diverse, they still have a long way to go to produce the hoped-for results. Systems designed to be discriminatory and anti-competitive should not be the basis for our economy: Prevailing wage, arbitrary minimum wages and forced union membership are examples of policies that unfairly exclude Americans from the workplace. For Missouri to move forward, we should not allow such misguided policies to determine employer/employee relations. Bold reform is needed, and the Republican Legislature is paving the way for just that.

#### Racism is institutionalized in the creation of Unions and in turn striking – It creates a Catch 22 and stonewalls Black workers, so they feel the lack of accessibility to unions is their own fault rather than the racist institution.

**Watson 6-14**

(Travis Watson, June 14, 2021, Watson is the chair of the Boston Employment Commission (BEC), he is also a member of the board for YouthBuild Boston and NEI General Contracting’s Workforce Opportunity Resource Center, and he created ADOSconstruction.org which helps to create more inclusive construction unions, ““Union Construction’s Racial Equity and Inclusion Charade (SSIR)”, [https://ssir.org/articles/entry/union\_constructions\_racial\_equity\_and\_inclusion\_charade //](https://ssir.org/articles/entry/union_constructions_racial_equity_and_inclusion_charade%20//) HM)

**Six Practices That Institutionalized Racism in Union Construction** The Catch 22 | White union construction workers often stymie prospective Black workers’ attempts to join a union by trapping them in a Catch-22: requiring the worker to have a job prior to being admitted into a union, but also requiring union membership before getting a construction job. Former United Community Construction Workers activist Omar Cannon recalls **Black workers being told by white union officers** that they “had to be in the union to get a job.” However, the problem, [Cannon explains](https://www.jstor.org/stable/j.ctv941wxz.23?seq=1#metadata_info_tab_contents), is that “you had to get a job to get in the union.” Former Army veteran and construction worker Gilbert Banks has told a [similar story](https://www.google.com/books/edition/Black_Power_at_Work/16RmDwAAQBAJ?hl=en&gbpv=0) about treatment by foremen and unions: “They’d say, ‘Have you got a (union membership) book?’ I’d say, ‘No.’ ‘Well,’ they said, ‘Go get a book and we’ll give you a job.’ And I’d go to the union and ask them for a book. They’d say, ‘Listen, if you get the job, we’ll give you a book.’ There was no way of fighting it.” This no-win situation is not a coincidence. This Catch-22 is a form of structural racism intended to **exclude people not already on the inside**. Stonewalling | Another strategy white union members use to frustrate Black workers into giving up their effort to join a union is intentionally **refusing communication, ignoring, and silencing them**. Stonewalling effectively blocks Black workers from jobs and from unions, even when those workers have superlative skills, training, and experience. For example, former member of the Congress of Racial Equity (CORE) and construction activist [Oliver Leeds recalls](https://www.jstor.org/stable/10.7591/j.ctt7v804) how his work as an Army engineer wasn’t enough to even get considered for work and union acceptance: “I was in the Corps of Engineers. And you know what we do? We worked to win the war. We built anything that could be built: bridges, tunnels, houses, officers’ quarters, Myers quarter, roads, and airstrips. We loaded and unloaded ships. We did anything in the way that involved work, construction work. You know, when I got back to the United States, after the war, I couldn’t get a job in construction, that **there was no union that would let me in**? And there was damn little that I couldn’t do in the way of construction work. They’ll take you and turn you into construction workers in the army, in a segregated army, and then when you get back into civilian life, you can’t get a construction job.” These first two strategies—the Catch 22 and stonewalling—cloak the structural racism operating within unions by displacing the consequence onto the Black person: that they gave up, or that they got frustrated, rather than seeing the mechanisms at work that produced this outcome.

#### Unions are built around keeping Black workers out and/or beneath white workers by stealing opportunities for greater societal advancement via: gatekeeping, racist testing, voter suppression, etc.

**Watson 6-14**

(Travis Watson, June 14, 2021, Watson is the chair of the Boston Employment Commission (BEC), he is also a member of the board for YouthBuild Boston and NEI General Contracting’s Workforce Opportunity Resource Center, and he created ADOSconstruction.org which helps to create more inclusive construction unions, ““Union Construction’s Racial Equity and Inclusion Charade (SSIR)”, [https://ssir.org/articles/entry/union\_constructions\_racial\_equity\_and\_inclusion\_charade //](https://ssir.org/articles/entry/union_constructions_racial_equity_and_inclusion_charade%20//) HM)

Biased Gatekeepers | Many construction unions place unemployed members “on the bench” while they wait to be sent to work by dispatchers, the union members who distribute the jobs. Dispatchers play a central role in access to jobs and, therefore, to union entry. However, by intentionally refusing to send Black workers to jobs, racially biased dispatchers play a pivotal role in keeping unions white. In Boston, former construction worker Earl Quick [recalls](https://www.newspapers.com/newspage/437214073/) receiving his union book but never being assigned work. “White guys would come in and go right into the business agent’s office and they’d get work and me and the rest of the Black guys would just sit there,” he explains. “I never did work in Boston.” [According to](https://www.jstor.org/stable/10.7591/j.ctt7v804) the former Northwest American Friends Service Committee Director Arthur Dye, “Some [Black] workers appeared at the hiring hall day after day for several months and were never dispatched. If they began to ask questions why they were not dispatched they would be sent out to jobs … a hundred miles or so away, only to find out that when they arrived at their destination there wasn’t a job. Or they would be dispatched to a job where there was considerable possibility for physical intimidation.” Because this is a well-known practice, Black workers have often [applied directly to employers](https://www.jstor.org/stable/10.7591/j.ctt7v804), going around the union hiring halls. But in most cases, employers are required **by union policy** to hire only workers referred by union hiring hall dispatchers. And even when employers [intentionally](https://www.reviewjournal.com/local/local-las-vegas/vegas-discrimination-lawsuit-could-be-headed-to-arbitration/) seek to diversify their employees and union contractors, dispatchers can thwart this effort. For example, when Robert Lucas, the president of the refrigeration contractor Lewis Refrigeration, who is a white man, [called Local Union 32](https://hcommons.org/deposits/objects/hc:16486/datastreams/CONTENT/content) and **specifically asked for a Black plumber** to be dispatched to his job, the dispatcher reportedly laughed and dismissed his request. Discriminatory Testing | Some construction unions require that applicants pass a test for admittance. To keep their membership as white as possible, some local unions went so far as to pass white applicants regardless of how they scored, while failing nearly every Black applicant. Journalist Gary McMillan reported in the [Boston Globe](https://www.newspapers.com/newspage/437214073/), that “in 1980, a federal court in Boston found that the oral section of the exam given by the Ironworkers was so subjective and so open to abuse that it had almost no bearing on ability to do the job. For some reason, the court also found, whites almost always passed the test but Blacks almost always failed.” This blatant discriminatory testing enables the construction industry to remain an “old-boys club,” and barring entry to people of color keeps their ranks as white as possible going forward. Without equal access to unions, Black workers have been deprived of apprenticeship, mentorship, and other networking opportunities that are crucial to their professional advancement and success. Explicit Racism | Some white construction workers take a more overtly racist and aggressive approach to keeping Black membership as low as possible. This strategy has been tactically employed through the use of racist language and putting Black workers in dangerous situations. In Seattle, Donald Kelly, a white apprentice in Local 86 [recalls hearing](https://www.jstor.org/stable/10.7591/j.ctt7v804), “We have no Negro apprentices, and we will never have no Negro apprentices … No Black [expletives] will ever work out of this union as long as I am business agent.” In Boston, Earl Quick had union men [drop bolts on him and call him the N-word.](https://www.newspapers.com/newspage/437214073/) As McMillan enumerated, “almost every Black construction worker interviewed by the [Boston Globe in 1983](https://www.newspapers.com/newspage/437214073/) … has had ‘accidents’ on the job: boards or bolts dropped from above, a steel beam swing very close to his head, live wires left at his feet as he walked by.” But these **incidents of overt racism and aggression aren’t just relics of the past**. Last year, places like Toronto, Las Vegas, and Portland, Oregon, have had incidents of [nooses](https://www.archpaper.com/2020/06/nooses-found-at-construction-sites-in-las-vegas-toronto-and-elsewhere/) being left at construction sites. And this year, in Boston, International Brotherhood of Electrical Workers International Vice President Mike Monahan referred to Black people as “[colored.](https://www.wgbh.org/news/local-news/2021/03/18/boston-planning-agency-vice-chair-criticized-for-racist-language)” And, in response to my critique about the lack of diversity in union construction, he emailed me with the following threatening message, which included a pointed reference to “sun down towns”: “Goodnight — what time does the sun set and rise in Falmouth? Make sure you lock the doors.” Voter Suppression | And lastly, some unions go to great lengths to exclude Black people from participating in their elections. In Boston, for example, union construction limits the number of Black members through voter suppression. Voter suppression is as American as the second amendment, a tool used to maintain white power and silence Black voices for decades. For most of us, voter suppression manifests itself through draconian policies—things like making it more difficult to vote by mail, voter ID laws, and restricting access to early voting. But while many of the elected officials behind such policies are Republican lawmakers, the Greater Boston building trades unions have been taking a page from their book; one of Boston’s most extensive and ingrained systems of voter suppression resides within their halls. First, let’s take a closer look at the Greater Boston building trades unions as a system: The Greater Boston building trades union is a group of 20 construction unions operating in the Greater Boston area. Each of the 20 construction unions is governed by their own elected officials/officers. Of these elected officials/officers, 100 percent of the senior leadership is white men. The overwhelming majority of members that are responsible for recruiting new members, administering entrance exams, and conducting interviews are white men. Not a single union will disclose the number of Black members they have or the number of union-signatory companies owned by Black people. What does this have to do with voter suppression? By keeping Black membership low through exclusionary practices, the Greater Boston building trades unions control the total number of Black voters participating in union elections. This ensures that Black representation in union votes will never be sufficient to correct exclusionary or racist union policies. This also suffocates any possibility for progressive Black leadership to be elected to senior leadership positions. White union members have gone to extreme lengths to maintain their power and dominance in the construction industry. They have designed the entire system to benefit themselves and other white men, often in direct opposition to Black membership. While many of these examples occurred in the past, their roots took hold and are still manifest in today’s union construction industry, which helps white men keep unions—and especially their leadership—white.