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#### Strike-focused politics privatizes worker struggle – it channels it towards specific employers rather than class domination as a whole while ensuring the dictatorship of the bourgeoisie by privileging alternative modes of settlement outside and in spite of the specifics of the law itself.

Feldman, 94

[George, Assistant Prof. @ Wayne State Law: “Unions, Solidarity, and Class: The Limits of Liberal Labor Law,” Berkeley Journal of Employment and Labor Law, Volume 15, No. 2, 1994. https://heinonline.org/HOL/Page?handle=hein.journals/berkjemp15&div=14&g\_sent=1&casa\_token=&collection=journals#]//AD

In other ways, however, the liberal vision of labor law that Justice Brennan exemplified has been severely limited. 19 One obvious limitation, for instance, has been the Court's preference for arbitration.20 \*\*\*FOOTNOTE 20 STARTS HERE\*\*\* 20. The Court's tendency to privilege arbitration has led it to impose legal limitations on the right to strike that are unsupported by the language, policy, or history of the labor laws. See Boys Mkts., Inc. v. Retail Clerks Union, Local 770, 398 U.S. 235 (1970); Gateway Coal Co. v. United Mine Workers of Am., 414 U.S. 368 (1974), discussed infra at part III.C. For criticism of the Court's weakening of the right to strike, see Matthew W. Finkin, Labor Policy and the Enervation of the Economic Strike, 1990 U. ILL. L. REV. 547, 548-49; JAMES B. ATLESON, VALUES & AssuMiPTIONS IN AMERICAN LABOR LAW \*\*\*FOOTNOTE 20 ENDS HERE\*\*\* (1983). Yet a different kind of limit also has been present in the labor jurisprudence of the Court's liberal wing-a limit that is less obvious, usually has less immediate impact, but that is perhaps more deeply seated. The Court's privileging of arbitration restricts the means by which unions legally may act in response to concerns that are concededly legitimate. The limits discussed here, by contrast, define the legitimate boundaries of collective actions and collective concerns. The cases discussed here reflect the liberal doctrine that labor law protects unions only insofar as they limit their role to that of representative of the employees of an individual employer, and that the law will resist any union attempt to move beyond this limitation. That doctrine rejects protection when the underlying issue implicates the proper role of unions in American society. That question emerges in a variety of contexts. In some, a broad definition of unions' societal function may require, or may seem to require, limiting individual rights;21 in others, the Court's conclusion, or something very similar to it, is so clearly required by statute that the conclusion cannot be ascribed to the conscious or unconscious ideological views of the Justices.22 \*\*\*FOOTNOTE 21 STARTS HERE\*\*\* 21. When such a conflict is actually present, the proper place to draw the line is fairly subject to debate; a judge determined to protect both strong unions and individual employee rights might resolve apparent conflicts between the two in different ways without forfeiting a claim of taking each seriously. See infra notes 237-41; cf Emporium Capwell Co. v. Western Addition Community Org., 420 U.S. 50 (1975). \*\*\*FOOTNOTE 21 ENDS HERE\*\*\* At other times, however, liberal members of the Court have narrowed the range of permissible union concerns and therefore of unions' social role in contexts in which the law would have allowed a broader understanding, and in which the danger of conflict with individual rights was either absent or too attenuated to serve as a reasonable justification. In some cases this desire to narrow the sphere of union activity is central to the Court's reasoning; in others, it is a subsidiary theme, or is present only as an underlying assumption, unstated and perhaps unconscious, whose presence helps account for the result reached. This article examines what the members of the Supreme Court who have been identified with its liberal wing have said explicitly or by necessary implication about what is the legitimate sphere of union activity in American life. This vision of the role that unions should play in society has both practical and ideological consequences. Modern labor law, faithful to the Wagner Act's premises, aims to particularize rather than generalize workers' struggles; it directs them towards their specific relationship to their employer, rather than to the larger relationship of their class to employers and to work; it privatizes and depoliticizes those struggles.23 \*\*\*FOOTNOTE 23 STARTS HERE\*\*\* 23. It is in this sense that I think the frequently voiced point of authors associated with the Critical Legal Studies movement is correct. It is not that workers' struggles are channeled to arbitration rather than to a public body like the National Labor Relations Board (NLRB), see Katherine Van Wezel Stone, The Post-War Paradigm in American Labor Law, 90 YALE L.J. 1509 (1981). but rather that whatever method workers employ-even including a strike or other collective job actions-the locus of the struggle remains the particular workplace or employer. It is in this sense that workers' struggles are channeled away from "political" dimensions. \*\*\*FOOTNOTE 23 ENDS HERE\*\*\* Given the contextual limitations mentioned, this analysis necessarily must be cautious. It must take account of the constraints of statutory language and congressional intent and, where applicable, of judicial deference to the decisions of the NLRB. 24 This analysis also must recognize the presence of other policy or ideological considerations that are unrelated to the theme of limiting the breadth of union concerns. Nonetheless, this theme is demonstrably present in a wide variety of legal settings, transecting the doctrinal categorizations that abound in labor law.

#### Strikes cause worker atomization – decks class consciousness

Smith 78

Michael R. Smith,( professor of sociology @mcgill) “The Effects of Strikes on Workers: A Critical Analysis” The Canadian Journal of Sociology / Cahiers canadiens de sociologie Vol. 3, No. 4 (Autumn, 1978), pp. 457-472 (16 pages), <https://www.jstor.org/stable/3339777?seq=1#metadata_info_tab_contents> // Comrade AW

Workers in an industry are no doubt aware that their managers earn substantially more than them; they exist in a work environment where supervision and, increasingly, the design of work itself circumscribe their capacity for discretion; they may well feel insecure in the context of an unpredictable labor market. Going on strike as Blackburn has argued, and as the Vauxhall incident tends to show, is likely to lead them to focus the discontent associated with this condition on their employers. That is an 469 This content downloaded from 67.209.48.103 on Tue, 16 Nov 2021 17:23:39 UTC All use subject to htt increased sense of opposition. But the consequences of such an action for a sense of identity are likely to be problematic. Those consequences will depend upon the extent to which their strike is supported by other workers. In North America in particular where many unions do seem to operate with a business union philosophy (cf. Bell, 1962; Laxer, 1976) with decentralized bargaining (cf. Task Force, 1968), significant support will often fail to materialize. If consciousness "explodes" in a strike the result is likely to be an acute sense of inequality, but by no means necessarily a sense of a fate shared with a class. On the contrary, it is often likely to be a sense that the workers in a particular plant (or sometimes, industry) should look after themselves. That, of course, would constitute an obstacle to a shift to the level of consciousness that Mann calls totality. Moreover, the political configuration in capitalist societies with universal suffrage will not only depend upon the consciousness of workers who strike but also on the reaction to strikes of workers who, because conditions are not favorable, themselves rarely strike. These kinds of workers are likely to be increasingly unenthusiastic about the strikes of their more fortunate fellow workers. Both groups, of course, are less privileged in comparison to employers and managers but, as Runciman (1966) has shown, **much of the working class compares its own condition with other members of the working class rather than with capital**. The consequence of the extant distribution of strikes is, then, to reduce the sense of identity of a good part of the working class.12 The Gallup Poll data suggest that it is not simply a question of identity which is at issue. In Mann's view, the most advanced stage of development of consciousness involves "The conception of an alternative society" which develops "through the struggle with the opponent" (Mann, 1973:13). The opponent that Mann has in mind is employers. But the analysis that has been presented in this paper suggests that intra-working class antagonisms may be equally important in determining workers' conceptions of an alternative society. Sentiment on the part of many trade unionists seems to be linked to a conception of an alternative society in which the government acts as an authoritative arbiter in industrial relations. For these trade unionists, its role is just as much to keep wage increases (of other workers) moderate as to keep price increases moderate. The anti free collective bargaining sentiments that appear in Table 6 tend to support this interpretation. In his conclusion to Consciousness and Action among the Western Working Class, Mann argues that: Coexisting with a normally passive sense of alienation is an experience of (largely economic) interdependence with the employer at a factual, if not normative level. Surges of class consciousness are continually undercut by economism and capitalism survives. (1973:68) In this paper I have accepted the view that strikes are quite likely to generate surges of class consciousness on the part of the strikers. But the actual distribution of strikes, the fact that the bulk of man-days lost from strikes are accounted for by a better off section of the labor force, means that those same **strikes are an additional obstacle to the development of class consciousness. This is true not only because of their effect on workers' sense of identity: it is also true because the reaction of many workers to the maldistribution of strikes** 12. Deaton (1973) has already dealt with this for the case of public service workers. 470 This content downloaded from 67.209.48.103 on Tue, 16 Nov 2021 17:23:39 UTC All use subject to htt and, in particular, to the fact that striking is not a resource as readily available to them, seems to be to look to the Canadian state for solutions rather than to trade unions which are more directly organizations of the working class. Since the state, at the very least, can be said to have "links" with the class of employers (cf. Porter, 1965; Clement, 1975), that kind of policy preference provides the elements of a sort of interclass alliance between employers and less well off workers against better off workers. Even if strikes in Canada do serve to "advance" the consciousness of that section of the working class involved in them (some of the time), with their present distribution, they are as likely to "retard" the consciousness of a good part of the rest of the working class with rather unprogressive political consequences. A strike wave then, may be rather less of a threat to capitalist hegemony than is sometimes thought.

#### Class consciousness is the single and easiest possible solution to inequality and insatiable consumption under capitalism

Edles 15

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2015, “Sociological theory in the classical era : text and readings,” ISBN 978-1-4522-0361-4 // Comrade AW

This was precisely the purpose of Marx’s political activities: he sought to generate class consciousness—an awareness on the part of the working class of its common relationship to the means of production and common source of the workers’ oppressive conditions. Marx believed that this awareness was a vital key for sparking a revolution that would create a “dictatorship of the proletariat,” transforming it from a wage-earning, propertyless mass into the ruling class. Unlike all previous class-based revolutions, however, this one would be fought in the interests of the vast majority of the population and not for the benefit of a few, because the particular class interests of the proletariat had come to represent the universal interests of humanity. The epoch of capitalism was a necessary stage in this evolution—and the last historical period rooted in competitive class conflict (see Figure 2.2). Capitalism, with its unleashing of immense economic productivity, had created the capital and technology needed to sustain a communist society—the final stage of history —capable of providing for the needs of all of its inhabitants

#### 1AC Brands and Edel shows that Aff’s attempts to further US’ control over geopolitical communities is undergirded by capitalist development and extraction

Petras and Veltmeyer 18 [Prof. James Petras taught Sociology at Binghamton University and Prof. Henry Veltmeyer teaches development studies at the Universidad Autónoma de Zacatecas, “Imperialism and Capitalism: Rethinking an Intimate Relationship,” Global Research, 4-30-2018, https://www.globalresearch.ca/imperialism-and-capitalism-rethinking-an-intimate-relationship/5496284] //AT

1.The dynamic forces of capitalist development are both global in their reach and uneven in their outcomes. Furthermore the capital accumulation process engages both the geo-economics of capital—the advance of capital in time and place—and the agency of the imperial state in facilitating this advance: the geopolitics of capital. 2. Class analysis provides an essential tool for grasping the changing economic and political dynamics of imperial power in the various conjunctures of capitalist development. It allows us to trace out different stages in the development of the forces of production and the corresponding relations of production and dynamics of class struggle. These dynamics, which we have traced out in the Latin American context, are both internal and international, implicating both the capital-labour relation and a north-south divide in the world capitalist system. 3. Whereas in the 1980s imperialism was called upon to remove the obstacles to the advance of capital and to facilitate the flow of productive investment into the region in the new millennium it has been called upon to assist capital in its relation of conflict with the communities directly affected by the operations of extractive capital, as well as cope with the broader resistance movement. 4. The shift in world economic power in the new millennium, and the new geoeconomics of capital in the region, have significant implications for US imperialism and US-Latin American relations, reducing both the scope of US state power and the capacity of Washington to dictate policy or dominate economic and political relations. This is reflected inter alia in the formation of CELAC, a new political organisation of states that explicitly excludes the United States and Canada, the two imperial states on the continent. 5. The new millennium, in conditions of a heightened global demand for natural resources, the demise of neoliberalism as an economic model and a number of popular upheavals and mass mobilizations, released new forces of resistance and a dynamic process of regime change. 6. The centre-left regimes that came to power under these conditions called for public ownership of society’s wealth of natural resources, the stratification and renationalization of privatized firms, the regulation of extractive capital in regard to its negative impact on livelihoods and the environment (mother nature), and the inclusionary activism of the state in securing a progressive redistribution of wealth and income. As in the 1990s, the fundamental agency of this political development process were the social movements with their social base in the indigenous communities of peasant farmers and a rural proletariat of landless or near-landless workers. These movements mobilized the forces of resistance against both the neoliberal agenda of “structural reform” in macroeconomic policy, the negative socio-environmental impact of extractive capitalism, and the projection of imperial power in the region. 7. These forces of change and resistance did not lead to a break with capitalism. Instead some of “centre-left” regimes took power and, benefitting from high commodity prices, proceeded to stimulate an economic recovery and with it an improvement in the social condition of the population (extreme poverty). But the policies of these regimes led to the demobilization of the social movements and a normalization of relations with Washington, albeit with greater state autonomy. In this context Washington in this period lost allies and collaborator clients in Argentina, Brazil, Uruguay, Bolivia, Venezuela and Ecuador—and, subsequently faced strong opposition throughout the region. However, Washington retained or regained clients in Panama, Costa Rica, Honduras, Colombia, Peru, Mexico and Chile. Of equal importance the centre-left regimes that emerged in the region stabilized capitalism, holding the line or blocking any move to reverse the privatization policy of earlier regimes or to move substantively towards what President Hugo Chávez termed “the socialism of the 21st century.” 8. The fluidity of US power relations with Latin America is a product of the continuities and changes that have unfolded in Latin America. Past hegemony continues to weigh heavily but the future augurs a continued decline. Barring major regime breakdowns in Latin America, the probability is of greater divergences in policy and a sharpening of existing contradictions between the spouting of rhetoric and political practice on the political left. 9. In the sphere of military influence and political intervention, collaborators of the US suffered major setbacks in their attempted coups in Venezuela (2002, 2003) and Bolivia (2008), and in Ecuador with the closing of the military base in Manta; but they were successful in Honduras (2009). The US secured a military base agreement with Colombia, a major potential military ally against Venezuela, in 2009. However, with a change in the presidency in Colombia, Washington suffered a partial setback with the reconciliation between President Chávez and Santos. A lucrative 8 billion US dollars trade agreements with Venezuela trumped Colombia’s military-base agreements with Washington. 10.It is unlikely that the Latin American countries that are pursuing an extractivist strategy of national development based on the extraction of natural resources and the export of primary commodities will be able to sustain the rapid growth in the context of contradictions that are endemic to capitalism but that are sharper and have assumed particularly destructive form with extractive capitalism. 11. The destructive operations of extractive capital, facilitated and supported by the imperial state has generated powerful forces of resistance. These forces are changing the contours of the class struggle, which today is focused less on the land and the labour struggle than on the negative socio-environmental impacts of extractive capital and the dynamics of imperialist plunder and natural resource-grabbing. 12. The correlation of forces in the anti-imperialist struggle is unclear and changing, but it is evident that the United States has lost both power and influence. Taken together these historical continuities argue for greater caution in assuming a permanent shift in imperial power relations with Latin America. Nevertheless, there are powerful reasons to consider the decline in US power as a long-term and irreversible trend.

#### 1AC fiorino engages in rhetoric of US heg and militarism promoting democracy/freedom -- that bolsters its ability to structure the global economy in self-fulfilling neoliberal tactics

Shariati ’08 (Mehdi, PhD Professor of Economics at Kansas City Kansas, “Socializing the Cost of Globalization, Imperialism, and Militarism: The Case of U.S. National Debt,” https://www.kckcc.edu/files/docs/ejournal/volume-two/number-one-march-2008/socializing-the-cost-of-globalization-imperialism-and-militarism-the-case-of-u-s-national-debt.pdf?origin\_team=TKG0WGK4J)/ly

The mapping of a truly hegemonic global capitalist system began in earnest in the period immediately after World War II-the beginning of the era of what Ernst Mandel called "late capitalism." The concerted efforts toward a strong bloc of capitalist states with overwhelming political, economic and military power involved the incorporation of colonial and post-colonial social formations as reproducible capitalist entities into the system. In this regard the creation of an international capitalist class alliance equipped with modernization theory anchored on Social Darwinism was indispensable. As the leader of the "free World" the United States assumed the greatest role in the implementation of the hegemonic strategy for the purpose of capital accumulation through its military, economic and political might. Attempting to understand and to address the new World Order and all of its contradictions, forced many to revisit classical theories of imperialism and introduced various theories on capitalist states and state in capitalist societies . In both cases an analysis of systemic contradictions took the center stage. Systemic contradictions as they relate to accumulation have been addressed by classic and most recent theories of imperialism, dependency/world system argument, internationalization of capital, global capitalist class alliance, and the transnational "historical bloc." A very useful angle of revisiting imperialism and global class conflict is the "transnational historical materialism" (Murphy, 1994; Augelli and Murphy, 1998; Cox, 1981, 1983, 1993; Gil 1990, 1993, 1995, Rupert, 1995; Robinson, 1998, 2001). The proponents posit a world in which the global or transnational class supported by a transnational political apparatus and military power expands its interest on a global scale and at the expense of the international proletariat's interests. Therefore, the class conflict on a national level is transformed into an international class conflict. Embedded in this analysis is a touch of Gramsci (1999) and his concept of hegemony, where the new alliance is sustained and its interests expanded through the production and reproduction of ideology of the dominant class and their cultural leadership (hegemonic ideas). Gramsci pointed out that the Western ruling classes ensure the consolidation of their dominant position by manipulating institutions such as the media, schools, churches, and so on. The "historical bloc" composed of the capitalists, state apparatus and the "organic intellectuals" negotiates as a bloc with subordinate classes to ensure the structure of domination and its reproduction. Although the bloc seeks to maintain total hegemony, occasionally it is confronted by challenges from the subordinates (the struggling masses). To confront these challenges, the bloc attempts at cooption of the anger and opposition by changing slightly the social and economic arrangements. Although not referred to by name, social imperialism has been historically the "bloc's" strategy of dealing with challenges to its domination. The strength of the bloc in this contemporary period is immense and enjoys the assistance of a new breed of organic intellectuals well versed in theorizing and structuring a transnational hegemonic order. Ideologically loaded words such as "freedom and democracy," "free trade," "free enterprise system," "free market," (and host of other free this and free that) are embedded in a language which aims at structuring the world in the image of the hegemon. The new bloc as Eagan (2003:3) argues seeks the "institutionalization" of the concept of "new constitutionalism" as proposed by Gill (1995). New constitutionalism has three components: "disciplinary neo-liberalism," "panopticism," and "market civilization" (commodification) of everyday life. But it is essential that the process of "internationalization of the state" -the conversion of the state into a "transmission belt," (Robinson, 1996) and an "agency" for the adjustment of the internal structure of the state to policy implementation needs of the global order (Cox, 1987: 254) is in place and reproducible. Cox (1987:109) identifies three distinct world orders, each having its own hegemonic strategy, beginning with the liberal international economy (1789-1873); the era of imperialist rivalries (1873-1945) and that of the post World War II or the era of internationalization of capital and production led by the United States-the "Pax Americana" period . Contemporary debate surrounds the concept of globalization in its historical and structural context and impact. In fact the two main opposing camps regarding globalization have used the concept to mean any one or various combination of internationalization, westernization, democratization, trans-nationalization, civilization, humanization, enculturation, universalization, polarization, modernization and as the "triumph of human liberty" among others. But the connotations of these terms vary and on the one end the apologists for the globalizing empires and their agents regard globalization as any of above as an improvement and others see them as synonymous with subjugation and exploitation. A somewhat reminiscent of the modernization/developmental theories of the 1940s and 1950s in the Western particularly American Social and political Sciences projected a postcolonial world as happy family of nations pursuing prosperity through modernization (capitalist development). By reading the old imperialist theories based on Marx (i.e., Lenin, Luxumberg, Hilferding, and Bukharine) many have drawn a parallel between globalization of today and imperialism of yesteryear (Harvey among others). If globalization is viewed as imperialism, it inevitably involves militarism and militarism in most cases requires a form of nationalism. If globalization is viewed as an agent of change bent on reshaping the World in the image of what capitalism requires, then it ought to involve suggestions for challenging its overwhelming power while resisting the impossible attempt at stopping it all together. The scope of this paper does not allow an exhaustive treatment of conceptual convergence and divergence. But its implications as they relate to the national debt are incorporated. The U.S. national debt has been discussed on various occasions from many political persuasions. Yet the links to structural dynamics and contradictions rarely have been made.

#### Threat of war and need for “a strong industrial workforce” as in 1AC Bloomberg is utilized as a way to stabilize economic growth

Cypher ’84

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During the long postwar boom, the vast bulk of US military expenditures were designed to foster private capital accumulation within the US economy and to stabilize the economy during business cycles. In other words, they were designed mainly to prime the Keynesian pump of capital accumulation and to stimulate the circulation of commodities during business cycles. Military forces did intervene throughout the Third World in the 1940s, '50s and '60s, but the size of the US military apparatus cannot be explained by the need to project power into these regions, or by a "Soviet threat." The postwar US military buildup occurred at the precise time (1948-53) when the USSR was economically, demographically and militarily decimated. Into the 1970s, the constant theme in military contracting was one of cost overruns, weapons that frequently failed to meet specifications, the failure to deliver contract- specified numbers of weapons (while the total sum of the contract was paid), the construction of weapons systems that were then declared obsolete and never used, and wanton profiteering. Moreover, military spending fluctuated almost precisely and in a counteracting way with the business cycle. The Pentagon had enough equipment to fight two and one-half wars, but no opponents. The chief purpose of all of this was capitalist planning in a nation so ideologically beholden to the free market that no other form of Keynesianism would work. The Marshall Plan and subsequent plans to prime the pump of accumulation on a global scale (e.g., foreign aid, support for the World Bank), had to be wrapped in the trappings of the Soviet threat to gain support from the Congress, the media and the voting populace. Other forms of the welfare state were developed grudgingly, if at all, in small increments. Military Keynesianism became the uniquely US way to attempt to 16 extend and stabilize the growth of the economy in the postwar period.20 Since the 1970s, US militarism has been going through a process of transformation. Policymakers continue to use military expenditures to counter and to control the velocity and depth of the economic downturn, but unlike the Keynesians they are not concerned with using military expenditures to create a high-wage economy operating at near full-employment. Rather, they seek a low-wage, highly productive economy to enhance the competitive position of the US in the world market. Yet the state planners also seek a particular advantage they long enjoyed in the Keynesian era privileged access to Third World resources and markets. Partly this access is secured through the US ability to dominate the capital lending process to debtor nations. But monetary violence can only assure access to those caught in the web of the debt trap. For the rest, the US has placed a heightened emphasis on functional militarism. Military spending today has become secondarily Keynesian and primarily functional: to intervene in the Third World. Functional militarism, still enveloped in the rhetoric of the "Soviet threat," is designed to address what the Committee on the Present Danger-new right factions see as a dangerous drift toward Third World autonomy. Renewed base construction (especially in the Middle East and Central America), the creation of the Rapid Deployment Force (now known as the Central Command), and the emphasis on the conventional weapons buildup especially the Navy are the major components of this program. Militarism is one means by which the US seeks to attain a prime niche in the evolving international system. It aims at lowering costs of production via secure long-term access to Third World raw materials, markets, and investment opportunities. Here, in the military arena, the US has a "comparative advantage" vis a vis the rival capitalist powers, with its established military forces and bases and core of support at home for intervention in the Third World. But the extent to which the Reagan administration has been able to displace the "Vietnam syndrome" is unclear. There does not seem to be a broad popular base in the US for any prolonged and costly intervention. Another limiting factor is that US allies/rivals like France and Britain have demonstrated a readiness to intervene for their own purposes and to withold support for US interventions. With the completion of the Siberian gas pipeline, the Europeans are less dependent on US domination in the Middle East for their oil supplies and may increasingly decline to follow the US lead in the Third World.

#### Neoliberalism turns democracy and creates an environment of misinformation that promotes fascism in the political sphere

Giroux, 18 [Distinguished Scholar in Critical Pedagogy, The Politics of Neoliberal Fascism, <https://www.tikkun.org/the-politics-of-neoliberal-fascism>, 8/21/18] -TB

Democracy is the scourge of neoliberalism and its ultimate humiliation. As the ideas, values, and institutions crucial to a democracy have withered under a savage neoliberalism, which has been fifty years in the making, fascistic notions of racial superiority, social cleansing, apocalyptic populism, hyper-militarism, and ultra-nationalism have gained in intensity moving from the repressed recesses of US history to the centers of state and corporate power. [7] Decades of mass inequality, wage slavery, the collapse of the manufacturing sector, tax giveaways to the financial elite, and savage austerity policies that drove a frontal attack on the welfare state have further strengthened fascistic discourses and redirected populist anger against vulnerable populations and undocumented immigrants, Muslims, the racially oppressed, women, LGBTQ people, public servants, critical intellectuals, and workers. Not only has neoliberalism undermined the basic elements of democracy by escalating the mutually reinforcing dynamics of economic inequality and political inequality– accentuating the downhill spiral of social and economic mobility–it has also created conditions that make fascist ideas and principles more attractive. Under these accelerated circumstances, neoliberalism and fascism conjoin and advance in a comfortable and mutually compatible movement that connects the worst excesses of capitalism with authoritarian “strong man” ideals—the veneration of war, a hatred of reason and truth; a celebration of ultra-nationalism and racial purity; the suppression of freedom and dissent; a culture which promotes lies, spectacles, scapegoating the other, a discourse of deterioration, brutal violence, and ultimately erupting in state violence in heterogeneous forms. In the Trump administration, neoliberal fascism is on steroids and represents a fusion of the worse dimensions and excesses of gangster capitalism with the fascist ideals of white nationalism and racial supremacy associated with the horrors of the past.[8] Neoliberal structural transformation has both undermined and refigured “the principles, practices, cultures, subjects and institution of democracy understood as rule by the people.”[9] Since the earlier seventies, the neoliberal project has mutated into a revolt against human rights, democracy, and created a powerful narrative that refigures freedom and authority so as to legitimate and produce massive inequities in wealth and power.[10] Its practices of offshoring, restructuring everything according to the dictates of profit margins, slashing progressive taxation, eliminating corporate regulations, unchecked privatization, and the ongoing commercializing of all social interactions “inflicts alienating misery” on a polity newly vulnerable to fascist ideals, rhetoric, and politically extremist movements.[11] Furthermore, the merging of neoliberalism and fascism has accelerated as civic culture is eroded, notions of shared citizenship and responsibility disappear, and reason and informed judgment are replaced by the forces of civic illiteracy. State sanctioned attacks on the truth, facts, and scientific reason in Trump’s America are camouflaged as one expect of the first Reality TV president– by a corporate controlled culture of vulgarity that merges celebrity culture with a non-stop spectacle of violence. Neoliberalism strips democracy of any substance by promoting an irrational belief in the ability of the market to solve all social problems and shape all aspects of society. This shift from a market economy to a market-driven society has been accompanied by a savage attack on equality, the social contract, and social provisions as wages have been gutted, pensions destroyed, health care put out of reach for millions, job security undermined, and access to crucial public goods such as public and higher education considerably weakened for the lower and middle classes. In the current historical moment, neoliberalism represents more than a form of hyper capitalism, it also denotes the death of democracy if not politics itself. Anis Shivani’s articulation of the threat neoliberalism poses to democracy is worth quoting at length: Neoliberalism believes that markets are self-sufficient unto themselves, that they do not need regulation, and that they are the best guarantors of human welfare. Everything that promotes the market, i.e., privatization, deregulation, mobility of finance and capital, abandonment of government-provided social welfare, and the reconception of human beings as human capital, needs to be encouraged, while everything that supposedly diminishes the market, i.e., government services, regulation, restrictions on finance and capital, and conceptualization of human beings in transcendent terms, is to be discouraged….One way to sum up neoliberalism is to say that everything—everything—is to be made over in the image of the market, including the state, civil society, and of course human beings. Democracy becomes reinterpreted as the market, and politics succumbs to neoliberal economic theory, so we are speaking of the end of democratic politics as we have known it for two and a half centuries.[12] What is particularly distinctive about the conjuncture of neoliberalism and fascism is how the full-fledged liberation of capital now merges with an out-and-out attack on the racially oppressed and vulnerable populations considered disposable. Not only do the oppressive political, economic and financial structures of casino capitalism bear down on people’s lives, but there is also a frontal attack on the shared understandings and beliefs that hold a people together. One crucial and distinctive place where neoliberalism and fascism converge is in the undermining of social bonds and moral boundaries. Displacement, disintegration, atomization, social isolation, and deracination have a long history in the United States, which has been aggressively exploited by Trump, taking on a distinctive right-wing twenty-first century register. There is more at work here than the heavy neoliberal toll of social abandonment. There is also, under the incessant pedagogical propaganda of right-wing and corporate controlled media, a culture that has become cruel and cultivates an appetite for maliciousness that undermines the capacity for empathy, making people indifferent to the suffering of others or, even worse, willing participants in their violent exclusion. Irish journalist, Fintan O’Toole, warns that fascism unravels the ethical imagination through a process in which individuals eventually “learn to think the unthinkable…followed, he writes, “by a crucial next step, usually the trickiest of all.”: You have to undermine moral boundaries, inure people to the acceptance of acts of extreme cruelty. Like hounds, people have to be blooded. They have to be given the taste for savagery. Fascism does this by building up the sense of threat from a despised out-group. This allows the members of that group to be dehumanised. Once that has been achieved, you can gradually up the ante, working through the stages from breaking windows to extermination.[13] What is often labeled as an economic crisis in American society is also a crisis of morality, of sociality, and of community. Since the 1970s, increasing unregulated capitalism has hardened into a form of market fundamentalism that has accelerated the hollowing out of democracy through its capacity to reshape the commanding political, social, and economic institutions of American society, making it vulnerable to the fascist solutions proposed by Trump. As an integrated system of structures, ideologies, and values, neoliberalism economizes every aspect of life, separates economic activity from social costs, and depoliticizes the public through corporate controlled disimagination machines that trade in post-truth narratives, enshrine the spectacle of violence, debase language, and distort history. Neoliberalism now wages a battle against any viable notion of the social, solidarity, the collective imagination, the public good, and the institutions that support them. As the realm of the political is defined in strictly economic terms, the institutions, public goods, formative cultures, and modes of identity essential to a democracy disappear along with the informed citizens necessary to sustain them.

#### Our critique independently outweighs the case - neoliberalism causes extinction and massive social inequalities – the affs single issue legalistic solution is the exact kind of politics neolib wants us to engage in so the root cause goes unquestioned – and treat this as a no long-term solvency argument – the inequalities of labor relations are fundamental to capitalism. Farbod 15

( Faramarz Farbod , PhD Candidate @ Rutgers, Prof @ Moravian College, Monthly Review, http://mrzine.monthlyreview.org/2015/farbod020615.html, 6-2)

Global capitalism is the 800-pound gorilla. The twin ecological and economic crises, militarism, the rise of the surveillance state, and a dysfunctional political system can all be traced to its normal operations. We need a transformative politics from below that can challenge the fundamentals of capitalism instead of today's politics that is content to treat its symptoms. The problems we face are linked to each other and to the way a capitalist society operates. We must make an effort to understand its real character. The fundamental question of our time is whether we can go beyond a system that is ravaging the Earth and secure a future with dignity for life and respect for the planet. What has capitalism done to us lately? The best science tells us that this is a do-or-die moment. We are now in the midst of the 6th mass extinction in the planetary history with 150 to 200 species going extinct every day, a pace 1,000 times greater than the 'natural' extinction rate.1 The Earth has been warming rapidly since the 1970s with the 10 warmest years on record all occurring since 1998.2 The planet has already warmed by 0.85 degree Celsius since the industrial revolution 150 years ago. An increase of 2° Celsius is the limit of what the planet can take before major catastrophic consequences. Limiting global warming to 2°C requires reducing global emissions by 6% per year. However, global carbon emissions from fossil fuels increased by about 1.5 times between 1990 and 2008.3 Capitalism has also led to explosive social inequalities. The global economic landscape is littered with rising concentration of wealth, debt, distress, and immiseration caused by the austerity-pushing elites. Take the US. The richest 20 persons have as much wealth as the bottom 150 million.4 Since 1973, the hourly wages of workers have lagged behind worker productivity rates by more than 800%.5 It now takes the average family 47 years to make what a hedge fund manager makes in one hour.6 Just about a quarter of children under the age of 5 live in poverty.7 A majority of public school students are low-income.8 85% of workers feel stress on the job.9 Soon the only thing left of the American Dream will be a culture of hustling to survive. Take the global society. The world's billionaires control $7 trillion, a sum 77 times the debt owed by Greece to the European banks.10 The richest 80 possess more than the combined wealth of the bottom 50% of the global population (3.5 billion people).11 By 2016 the richest 1% will own a greater share of the global wealth than the rest of us combined.12 The top 200 global corporations wield twice the economic power of the bottom 80% of the global population.13 Instead of a global society capitalism is creating a global apartheid. What's the nature of the beast? Firstly, the "egotistical calculation" of commerce wins the day every time. Capital seeks maximum profitability as a matter of first priority. Evermore "accumulation of capital" is the system's bill of health; it is slowdowns or reversals that usher in crises and set off panic. Cancer-like hunger for endless growth is in the system's DNA and is what has set it on a tragic collision course with Nature, a finite category. Secondly, capitalism treats human labor as a cost. It therefore opposes labor capturing a fair share of the total economic value that it creates. Since labor stands for the majority and capital for a tiny minority, it follows that classism and class warfare are built into its DNA, which explains why the "middle class" is shrinking and its gains are never secure. Thirdly, private interests determine massive investments and make key decisions at the point of production guided by maximization of profits. That's why in the US the truck freight replaced the railroad freight, chemicals were used extensively in agriculture, public transport was gutted in favor of private cars, and big cars replaced small ones. What should political action aim for today? The political class has no good ideas about how to address the crises. One may even wonder whether it has a serious understanding of the system, or at least of ways to ameliorate its consequences. The range of solutions offered tends to be of a technical, legislative, or regulatory nature, promising at best temporary management of the deepening crises. The trajectory of the system, at any rate, precludes a return to its post-WWII regulatory phase. It's left to us as a society to think about what the real character of the system is, where we are going, and how we are going to deal with the trajectory of the system -- and act accordingly. The critical task ahead is to build a transformative politics capable of steering the system away from its destructive path. Given the system's DNA, such a politics from below must include efforts to challenge the system's fundamentals, namely, its private mode of decision-making about investments and about what and how to produce. Furthermore, it behooves us to heed the late environmentalist Barry Commoner's insistence on the efficacy of a strategy of prevention over a failed one of control or capture of pollutants. At a lecture in 1991, Commoner remarked: "Environmental pollution is an incurable disease; it can only be prevented"; and he proceeded to refer to "a law," namely: "if you don't put a pollutant in the environment it won't be there." What is nearly certain now is that without democratic control of wealth and social governance of the means of production, we will all be condemned to the labor of Sisyphus. Only we won't have to suffer for all eternity, as the degradation of life-enhancing natural and social systems will soon reach a point of no return**.**

#### The alternative is to affirm the model of the Communist Party – only party organizing can provide effective accountability mechanisms to correct chauvinist tendencies, educate and mobilize marginalized communities, and connect local struggles to a movement for global liberation.

Escalante, Philosophy @ UOregon, 18

[Alyson, M.A., is a Marxist-Leninist, Materialist Feminist and Anti-Imperialist activist. “PARTY ORGANIZING IN THE 21ST CENTURY” September 21st, 2018 <https://theforgenews.org/2018/09/21/party-organizing-in-the-21st-century/>] rVs

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

rob

#### K First - There is no material world that we can separate from the lens through which we view it. Deconstructing the AFF scholarship is a prior question that has material effects.

#### And the plan never passes – deconstructing the assumptions behind the politics which the aff supports is the only impact

#### Therefore the ROB is one of deconstruction – vote for the side which best challenges neoliberal “scholarship”

Springer 12

Simon Springer - Department of Geography, University of Otago. “Neoliberalism as discourse: between Foucauldian political economy and Marxian poststructuralism.” Routledge. May 2012. JJN from file \*bracketing in original

Conclusion In arguing for an understanding of neoliberalism as discourse, I do not presume that comprehending neoliberalism separately as a hegemonic ideology, a policy and program, a state form, or as a form of governmentality is wrong or not useful. Rather I have simply attempted to provoke some consideration for the potential reconcilability of the different approaches. My argument should accordingly be read as an effort to destabilize the ostensible incompatibility that some scholars undertaking their separate usage seem keen to assume. Without at least attempting to reconcile the four approaches we risk being deprived of a coherent concept with which to work, and thus concede some measure of credibility to Barnett’s (2005) claim that ‘there is no such thing as neoliberalism’. Such a position renders the entire body of scholarship on neoliberalism questionable, as scholars cannot be sure that they are even discussing the same thing. More perilously, to accept such a claim throws the project of constructing solidarities across space into an uneasy quandary, where the resonant violent geographies of our current moment may go unnoticed, a condition that plays perfectly into the ideological denial maintained by the current capitalist order (Zizek, 2011). In ignoring such relational possibilities for resistance to the contemporary zeitgeist, Barnett (2005) seems keen to engage in disarticulation ad nauseam. Yet deconstruction is meant to be interruptive not debilitating. As Spivak (1996, p. 27) contends, ‘Deconstruction does not say there is no subject, there is no truth, there is no history. ... It is constantly and persistently looking into how truths are formed’. It is about noticing what we inevitably leave out of even the most searching and inclusive accounts of phenomena like neoliberalism, which opens up and allows for discursive understandings. Rather than making nice symmetrical accounts of the ‘real’ at the meeting point of representational performance and structural forces, neoliberalism understood as a discourse is attuned to processual interpretation and ongoing debate. While there are inevitable tensions between the four views of neoliberalism that are not entirely commensurable, their content is not diametrically opposed, and indeed a considered understanding of how power similarly operates in both a Gramscian sense of hegemony and a Foucauldian sense of governmentality points toward a dialectical relationship. Understanding neoliberalism as discourse allows for a much more integral approach to social relations than speech performances alone. This is a discourse that encompasses material forms in state formation through policy and program, and via the subjectivation of individuals on the ground, even if this articulation still takes place through discursive performatives. By formulating discourse in this fashion, we need not revert to a presupposed ‘real-world’ referent to recognize a materiality that is both constituted by and constitutive of discourse. Instead, materiality and discourse become integral, where one cannot exist without the other. It is precisely this understanding of discourse that points to a similitude between poststructuralism and Marxian political economy approaches and their shared concern for power relations. I do not want to conclude that I have worked out all these tensions, my ambition has been much more humble. I have simply sought to open an avenue for dialogue between scholars on either side of the political economy/ poststructuralist divide. The importance of bridging this gap is commensurate with ‘the role of the intellectual ... [in] shaking up habits, ways of acting and thinking, of dispelling commonplace beliefs, of taking a new measure of rules and institutions ... and participating in the formation of a political will’ (Foucault, quoted in Goldstein, 1991, pp. 11– 12). Such reflexivity necessarily involves opening ourselves to the possibility of finding common ground between the epistemic and ontological understandings of political economy and poststructuralism so that together they may assist in disestablishing neoliberalism’s rationalities, deconstructing its strategies, disassembling its technologies, and ultimately destroying its techniques. In changing our minds then, so too might we change the world.

## Case

**The National Labor Relation Act serves to protect workers right to strike  
National Labor Relations Board, no date,** “The Right to Strike”, <https://www.nlrb.gov/strikes#:~:text=Section%207%20of%20the%20National,for%20employees%20by%20this%20section>., //NL

Section 7 of the National Labor Relations Act states in part, “Employees shall have the right. . . to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.” Strikes are included among the concerted activities protected for employees by this section. Section 13 also concerns the right to strike. It reads as follows:

Nothing in this Act, except as specifically provided for herein, shall be construed so as either to interfere with or impede or diminish in any way the right to strike, or to affect the limitations or qualifications on that right.

It is clear from a reading of these two provisions that: **the law not only guarantees the right of employees to strike, but also places limitations and qualifications on the exercise of that right.** See for example, restrictions on strikes in health care institutions (set forth below).

**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.

**Strikes hurt worker’s relationship with the company – no chance for better working conditions**

**Orechwa 19**

Jennifer Orechwa (30 years of supporting Human Resources & Labor Relations professionals. Award-winning Employee Engagement Expert ProjectHR Podcast Host ), 10-01-2019, "How Unions Hurt Workers: The 2019 GM Strike," Projections, <https://projectionsinc.com/unionproof/how-unions-hurt-workers-the-gm-strike-continues/>

The reality is that a strike hurts the workers the most. They don’t hurt the union. In fact, union leaders see a strike as a chance to get some nationwide publicity as an organization helping the “little guys” take on the big bad abusive employer. Strikes don’t permanently hurt the company because a large company like GM has a contingency plan and is prepared to keep operating without the striking workers by taking steps like temporarily shutting down some plants and consolidating operations. It’s the workers that are hurt, encouraged by the unions and some politicians to subject themselves to **loss of income and job stability**. Instead of encouraged, it should read that workers are “used” by the unions and [political parties](https://www.cnbc.com/2019/09/16/2020-election-democrats-cheer-uaw-strike-against-gm-criticize-trump.html) to push their agenda. Unions thrive on making employers look bad, and politicians that believe America’s big businesses take advantage of employees use the strikes as proof. The general line is that, “If employees are willing to suffer a loss of income, benefit and job stability, the workplace policies must be abusive.” The negotiations for a new 4-year collective bargaining agreement started July 16, 2019, and two months later the strike began after negotiations reached an [impasse](https://projectionsinc.com/unionproof/collective-bargaining-good-faith-impasse/). On September 16, 2019, more than 48,000 union members at 55 plants in the Midwest and South GM factories went on strike. […] You may think a company suffers as much as or more than workers during a strike. That is the message unions give workers. If union members didn’t believe that, there would be no reason to go on strike. The whole purpose of a strike is to hurt the business so the employer caves in to union demands. Of course, strikes are a powerful example in which unions hurt workers. However, consider the fact it’s the employees walking picket signs in all kinds of weather. It’s not the employer. As the strike starts its second week, it’s the employees who will have to live on $250 per week strike pay after the eighth day of the strike. It’s the workers who toss-and-turn at night while wondering how they will support their families pay their bills. During the first week of the strike, GM chose to [shift the cost of healthcare payments](https://www.reuters.com/article/us-usa-autos-labor/gm-switches-health-insurance-costs-to-union-for-striking-workers-talks-continue-idUSKBN1W21TW) for striking employees to the union, in order to help make up for likely stalled vehicle production and to demonstrate the costs the company carries (over $900 million each year) to provide excellent benefits to its workers. The unions will have to pay the money for health insurance out of their strike fund, including for COBRA payments for hourly employees. The strike fund does not cover vision, dental, and hearing, so all workers are penalized again for striking. […]Stay Union Free [Unions use words](https://projectionsinc.com/unionproof/the-language-of-unionization/) like “sacrifice” and “taken advantage of” to appeal to people’s emotions. They don’t talk about local businesses hurt by the strikes. They don’t make mortgage payments for their members. Additionally, they don’t offer to increase strike pay to put food on people’s tables. Ultimately, they don’t recognize or address the ways unions hurt workers. All of this is a good reminder that keeping a business union free remains an important strategy for long-term business sustainability. [Educate your leaders and employees on unions](https://projectionsinc.com/) by taking advantage of communication tools like [video, web and eLearning](https://projectionsinc.com/unionproof), engage your employees and be transparent about changes needed to remain competitive. It’s the path to becoming an employer of choice with a workforce that has no need for unions.

**Key players refuse to stand with striking workers – no chance for strikes to have impact beyond individual companies**

**Jabali 19**

Malaika Jabali, (Masters degree and law degree from Columbia University), 10-4-2019, "A wave of labour organizing is sweeping America. Will Democratic leadership catch on?," [https://www.theguardian.com/commentisfree/2019/oct/04/a-wave-of-strikes-is-sweeping-the-us-will-the-democratic-party-stand-with-workers //](https://www.theguardian.com/commentisfree/2019/oct/04/a-wave-of-strikes-is-sweeping-the-us-will-the-democratic-party-stand-with-workers%20//) AW

Workers are fed up. From teachers and hotel workers to nurses and auto workers, about three dozen labor strikes since 2018 have made the nation’s headlines. Over the weekend, a youth-led climate strike spanned the globe and a [walkout of General Motors workers entered its second week.](https://www.freep.com/story/money/cars/general-motors/2019/09/25/gm-uaw-strike-update-why-so-long-bernie-sanders/2434259001/) For the [past several weeks](https://www.modernhealthcare.com/providers/85000-kaiser-permanente-workers-threaten-strike), thousands of medical practitioners at Kaiser Permanente have been preparing for a national strike against the healthcare company in October. This groundswell of labor activism has intersected with a number of progressive issues debated among Democratic party presidential candidates, including the urgency of climate change, exploitation of undocumented immigrants, Medicare for All, and concentrated wealth amassed by corporate profiteers, often at the expense of everyday workers. The signs indicate American workers are moving left. The question is: will the national Democratic party leadership move with them? Frequently, strikes and other forms of labor organizing transcend the specific demands of a company’s employees – they raise questions about corporate malfeasance more broadly and make workers more attuned to the systems that enable inequality. The Fight for $15 campaign, for instance, started in 2012 with New York City fast-food workers demanding $15 an hour and union rights. The campaign now fights for “underpaid workers everywhere”, according to the group’s website, and has spread to more than [300 cities on six continents](https://fightfor15.org/about-us/). Likewise, Amazon workers formed Amazon Employees for Climate Justice and [nearly 2,000](https://medium.com/@amazonemployeesclimatejustice/amazon-employees-are-joining-the-global-climate-walkout-9-20-9bfa4cbb1ce3) participated in the recent climate strike to protest against the company’s role in climate change. Workers in its Whole Foods division have [pushed back](https://www.businessinsider.com/whole-foods-workers-demand-amazon-sever-ties-to-ice-2019-8) against the company’s contract with Palantir, a big data company that has [helped Ice raid workplaces for undocumented immigrants.](https://www.businessinsider.com/palantir-employees-ice-petition-alex-karp-2019-8) Instead of championing this progressive wave, House leaders, Democratic leaders seem to be taking steps to undermine it On Wednesday, in Detroit, Senator Bernie Sanders [joined](https://www.detroitnews.com/story/business/autos/2019/09/25/bernie-sanders-calls-justice-outside-detroit-hamtramck-gm-plant/2423023001/) United Auto Workers members participating in the General Motors strike and addressed corporate greed beyond GM executives. Peppering his remarks were [supportive shouts and applause from the audience](https://twitter.com/_ericdlawrence/status/1176874954043875328) when he mentioned justice, inadequate healthcare, the practice of corporate offshoring and the fatigue of Americans around the country who work multiple jobs. Strikers joined him in shouting “[enough is enough](https://twitter.com/_ericdlawrence/status/1176876591638622209?s=20)”. Despite this growing progressive fervor, the Democrats’ congressional leadership – including Nancy Pelosi and Chuck Schumer – have focused almost entirely on targeting Donald Trump, reaching a zenith with Pelosi’s announcement to [launch an impeachment inquiry](https://www.theguardian.com/us-news/2019/sep/24/pelosi-impeachment-inquiry-trump-ukraine) into his interactions with Ukraine. Outside of this singular focus, where is the Democrats’ vision? What policies are they advocating to show that they, too, stand with the thousands of workers enduring economic stagnation and a weakened social safety net as [corporate profits soar?](https://www.nytimes.com/2018/07/13/business/economy/wages-workers-profits.html) Unfortunately, instead of championing this progressive wave, House leaders, Democratic leaders seem to be taking steps to undermine it. In September, the Los Angeles Times [reported](https://www.latimes.com/politics/story/2019-09-03/democratic-committee-accused-of-trying-to-hinder-progressive-candidates) that political consultants were warned that the Democratic Senatorial Campaign Committee would boycott their services if they worked with progressive senatorial candidates in Colorado and Maine. The likely justification Democratic leaders will fall back on is that they are catering to the center to win competitive swing districts and thus the Senate. But instead of “Blue No Matter Who”, the approach seems to be more like “Blue, But Not You”. And there is no evidence that it’s a winning a strategy. In a May [New York Times interview,](https://www.nytimes.com/2019/05/04/us/politics/nancy-pelosi.html) Pelosi pressed Democrats to “own the center left, own the mainstream”, and have been [backing moderate Senate candidates](https://www.latimes.com/politics/story/2019-09-03/democratic-committee-accused-of-trying-to-hinder-progressive-candidates) over progressives, including the pro-fracking John Hickenlooper. In last year’s midterms, the Democratic Congressional Campaign Committee [reportedly sent internal memos](https://www.vox.com/policy-and-politics/2018/5/3/17290902/dccc-2018-midterms-primaries-democrats-nancy-pelosi-laura-moser) telling candidates not to fight for gun reform or Medicare for All. If electability is the concern, why waffle on policies [most Americans agree with?](https://www.cnbc.com/2019/03/27/majority-of-americans-support-progressive-policies-such-as-paid-maternity-leave-free-college.html) The steady support for Bernie Sanders and increasing support for Elizabeth Warren have cut into Joe Biden’s lead in [some polls](http://emersonpolling.com/2019/09/17/biden-sanders-warren-in-statistical-tie-in-democratic-primary-harris-struggles-in-home-state/), while the centrist candidates the DSCC is championing [have done little to prove that they can actually win.](https://theintercept.com/2019/08/15/senate-democrats-2020-chuck-schumer/) **The 2016 election should have been a sign that there was a growing disconnect between the priorities of the political establishment and the American public**. Impeachment proceedings may provide temporary cover, but they do not replace sustainable, visionary leadership. For that, we may have to rely on those emboldened workers who continue to shout across America that “enough is enough”.

**Strikes hurt unions and their members**

**Gardapee 12**

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Whether you are a small business or a big business, strikes can hurt both the business and the members. Although companies have options during a strike, the labor union members have very few options after the strike vote is cast and the members walk out. **The affect of a strike on union members is just as hard as it is for the business.** Earnings The earnings that a labor union member is used to making will stop. Although there is a strike fund that provides some money to strikers every week, the amount doesn’t make up for lost wages. Every union is different, but members could only make a fraction of their normal wages, depending on the union to which they belong and the funds available. However, the only way to get paid from the union strike fund is to walk the picket line. If an employee belongs to the union, that person cannot choose to work without resigning from the union or he could face fines because he is not abiding by the bylaws set forth by the union. If a union member doesn’t resign from the union before working for the employer, the union will fine that person and can sue him for the money. Benefits ref Labor union members who strike for long periods of time can lose benefits such as sick pay, vacation and medical insurance. The company can only stop benefits if the actual expired contract stipulates it, however. Some unions also have funds to pay for some or all employee benefits during a strike. Morale Moral is likely to deteriorate if the strike drags on. Companies will be watching for this problem with labor union members. Members start feeling the strain from loss of wages, benefits and available work. Relationships feel the strain when a wage earner is no longer bringing home enough money to feed the family or pay the bills. When the strike lasts longer than a few weeks, morale continues to decline. Communication Communication with the company may stop. This can affect all the striking members. Companies can opt to hire workers to replace the striking members. When and if the strikers return to work, there will be a strain between the members and the management team caused by a strike. The workers hired during the strike can keep their jobs even after the strike is over if the company chooses, which means labor union members will lose their jobs. The company does not have to rehire the union members.