# 1AC

### UQ/Inherency

#### COVID has heightened the impact of racial capitalism on black and brown workers – Amazon is a prime example.

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As millions of Americans have suffered over the course of the COVID-19 pandemic, Amazon has emerged as a clear winner. The corporation’s stock price has swelled as independent businesses have shuttered and home-bound Americans have grown reliant on delivery services. CEO Jeff Bezos, already the world’s richest man, is now on track to become the world’s first trillionaire. Yet the pandemic has also pulled back the curtain on how Amazon’s power is built on the exploitation of Black and brown people for profit. In the wake of protests over the murders of George Floyd, Breonna Taylor, and Ahmaud Arbery, that fact is more clear than ever. Amazon made a show of responding to the protests, issuing a statement on a somber black background declaring, “The inequitable and brutal treatment of Black people in this country must stop.” The irony, apparently, was lost on Amazon’s corporate leadership. If there is one company that exemplifies the exploitative nature of racial capitalism, Amazon is it.  If Amazon really wanted to stop the inequitable and brutal treatment of Black people, it could just take a look at its own operations. From its treatment of workers to its alliances with law enforcement, Amazon has built a deeply racist business model. Workers have long raised concerns about the conditions in Amazon’s fulfillment and distribution centers, the core of its operations. In its relentless pursuit of profits, Amazon has forced the largely Black and brown workers in its warehouses to undergo unbearable brutality — peeing in bottles and working in 110+ degree heat are just two of the horror stories. It should come as no surprise that the proportion of Amazon frontline workers who are Black is [more than three times](https://www.aboutamazon.com/working-at-amazon/diversity-and-inclusion/our-workforce-data) the proportion of Black workers in management.  Amazon’s focus on the bottom line hasn’t waned during the COVID-19 pandemic — if anything, it’s only grown worse. It has taken direct, militant, and public worker action to get Amazon to make available gloves, masks, and hand sanitizer — and workers report that, despite company announcements, [protection remains hard to come by](https://twitter.com/forrespect/status/1253354326875164677). Perhaps worst of all, the company continues to refuse calls from workers and lawmakers to reveal how many workers have tested positive for COVID-19, putting the burden of assessing risk squarely on workers without the information they need to make meaningful decisions.  Instead of listening to workers who summon the courage to speak up, the company has gotten rid of them. Chris Smalls, a Black worker at JFK8, was unceremoniously fired just hours after leading workers in the first walkout against the company’s policies in March. A [leaked document](https://www.vice.com/en_us/article/5dm8bx/leaked-amazon-memo-details-plan-to-smear-fired-warehouse-organizer-hes-not-smart-or-articulate)from Amazon later showed that the company planned a racist smear campaign to label him as “not smart, or articulate.” At least four more warehouse workers have been fired for speaking out. It should come as no surprise that all of them are Black.  Amazon’s failure to be transparent about the rate of COVID-19 spread in its facilities doesn’t just land hardest on Black workers — it widens the racial gap for all communities of color. Even before the pandemic, Amazon’s facilities were largely concentrated in neighborhoods of color, particularly in California’s Inland Empire. The air pollution these facilities emit raises the risk for respiratory illnesses like asthma, [exacerbating](https://grist.org/justice/as-amazon-speeds-up-a-warehouse-community-braces-for-a-deadly-combo-air-pollution-and-coronavirus/?utm_content=bufferc7274&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer) the racially disparate impact of the pandemic. When workers spoke up about the risks Amazon was exposing them to, they were speaking for their communities as a whole. If the COVID-19 crisis has shone a harsh light on Amazon’s brutality towards Black workers, the violent state-sanctioned response to the protests of the past few weeks has brought new attention to the company’s profiteering off the incarceration of Black people.

### Orientation/FW

#### The role of the ballot is to prioritize the dismantling of racial capitalism.

#### 1] Interpreting and critiquing the status quo through fiat creates counter-states that, through playful simulation, transform politics and prefigure transformative directions for social movements

Cooper ‘16 (Davina, Prof. of Law @ U. of Kent, “Enacting counter-states through play,” *Contemporary Political Theory* 15, no. 4, pp. 453-460)

This contribution is part of a larger project on reimagining what it could mean to be a state in ways that might support a transformative progressive politics. I see this project as complementing work on state reform and on developing radical non-state projects. What it suggests is the value of a different political project, one that seeks to ‘‘prefigure’’ what states could be. Prefiguration is a term used in various ways, including as a description of process-oriented politics; and as such it has been criticized for showing excessive interest in internal organizational affairs. My focus, however, is on prefiguration as an activity that enacts in the present a future which is desired or, alternatively, that develops new forms of sociality to prefigure or support the emergence of not yet knowable ‘‘better’’ ways of living (see Boggs, 1977; Maeckelbergh, 2011; Yates, 2015). Prefiguration doesn’t have to take a leftward direction but that is my focus here. I want to explore counter-states as progressive prefigurative initiatives, oriented to expanding public responsibility, environmental well-being, social freedom and equality across existing boundaries and scales. We might think of such counter-states as combining, in their practice, governmental registers that are quotidian, activist, and care based. These registers don’t always coincide, but the tensions between them are central to counter-states as democratic, politically transformative formations that straddle and engage, even as they also oppose, formal state apparatuses (for further discussion, see Cooper, 2017). If counter-states, then, are a way of refashioning what states could be, how can they be enacted? What techniques are available for their performance and practice? I want to focus here on what might seem a rather off-centre political technique, namely, play – specifically play in its mimetic, role-playing, ‘‘as if’’ guise (see Nachmanovitch, 2009). We tend to associate this kind of play with children who, acting as if they are shop-keepers, train drivers, witches or doctors, depict these roles and the effects of these roles on others, without actually (or really) performing them. Or, to put it another way, to the extent children’s role-playing does actually perform characters and their effects, both remain embedded within the play-world from which they emanate. Is it then possible to take up this idea of imitative role- play to think about counter-states? Can prefigurative exercises in statehood (or statecraft) also be playfully performed? Despite some writing on state and parastate mimicry (Ferguson, 2002; Hoehne, 2009), play in general (and imitative play in particular) are not normally associated with states. Play is typically seen, rather, as the antithesis of state-making; for, where states are perceived as grave, weighty, and outcome-oriented, play is seen as ludic, autotelic and captured by its own ‘‘magic circle.’’ Yet, states engage in various forms of play: from state actors’ everyday joking, to the legislative and cultural support given to recreation or play-time particularly for children, to the spectacle of agonistic politics and strategic inter-state gaming. Play, as creative practice in public space, can also prove an important means of enacting state aspirations. De Cesari (2012, p. 86) provides a good illustration of this in relation to ‘‘the making of the Palestinian state-to-come’’, which she traces as taking shape in artistic ventures such as the Palestinian exhibition at the Venice Biennale. De Cesari (2012, p. 95) writes, ‘‘behaving ‘as if’ the Palestinian exhibition were a proper national pavilion was a way to evoke the future existence of the Palestinian state through what I call anticipatory representation, the performance or prefiguration of an institution that does not yet fully exist.’’ Creative and imaginative practices are important, desirable dimensions of prefigurative engagement, for at the heart of prefigurative politics is the rejection of a mechanistic approach intent on pursuing predetermined ends. But to what extent can states be playfully prefigured – enacted in forms other than they presently appear to be? The power which makes states ‘‘states’’ cannot simply be acquired through wanting or willing it, and playing at statehood appears to be, well, simply play. Mock parliaments, for instance, may simulate parliamentary processes in order to help kids learn, but mock parliaments don’t have the effects formal parliaments are intended to have.1 Erica Rackley (2012, pp. 407–408) describes a similar lack of ‘‘real’’ efficacy in her discussion of the Feminist Judgments project (described below), which aimed to rewrite senior court judgments along feminist lines. ‘‘However skilled the academic judgment writer is, however effectively they mimic the form and style of the real thing, an academic judgment lacks the authority and power to do [in Robert Cover’s words] ‘violence’.’’ Playing at statecraft or law, it would seem, reveals the lack of power and impact that imitation has. But while there seems much truth in this assessment, does it make playful forms of re-creation pointless? Or is there still some value in simulating counter-states, a prefigurative kind of play that traces and adventures into what states could be? Prefiguration approaches play’s ‘‘as if’’ quality in a very particular way because what is being simulated (performed rather than merely symbolized) is an aspirational conception of the state, what it could be rather than what it is. Typically recognized as an impossible aspiration, for present-day play rarely (if ever) provides a blueprint for subsequent institutional practice, prefigurative forms of play nevertheless revolve around the desire for change. Mock parliaments – organized to give children a taste of how legislative activity works – typically present parliaments in conventional, idealized ways. As such, mock parliaments may seem a legitimating form of play (even though as play they have the capacity to exceed that function). But imitative play can also work in other ways. I want to draw here on three recent British examples to illustrate my argument: the ‘‘People’s Constitution’’ initiative of the London School of Economics; the Feminist Judgments project; and the putative secession of Brighton and Hove. In an ambitious constitutional project, which ran from 2013 to 2015, the LSE Institute of Public Affairs, with Conor Gearty its key steering figure, set out to draft a new constitution for Britain. While academics guided the initiative, the aim was to develop an extensive and intensive democratic process, involving people through a range of digital and face-to-face encounters. Conor Gearty subsequently wrote in May 2015: We are enormously proud of it, though we claim credit only as midwives to the efforts of others rather than writers in our own right. For what you see here is truly the work of a ‘‘crowd’’ ... who availed of the chance we gave them to knuckle down as constitutional players ... and suggest, argue for, persuade and promote any parts of the country’s new proposed constitutional order.... The thousands who participated took what was not only an open book but a blank one too and over two exciting years they filled it with what mattered to them.2 In a political context where constitution writing is associated with parliamentary or governmental action, assuming the job of engineering a people’s constitution clearly appears a prefigurative act. But, as with my other examples, this prefiguration is a simulated one; without parliamentary take-up and enactment the draft constitution has no legal force. But does this mean, then, that it is only play? Or is this to diminish play? I return to these dilemmas below. My second example is the jurisdiction-travelling, early twenty-first century Feminist Judgments project. As with the LSE’s constitutional initiative, it demonstrates a kind of play that is explicitly framed and defined by the boundaries and discipline of what it is simulating, here the established conventions of ‘‘proper’’ legal judgment. Inspired by the Women’s Court of Canada, and seeding across a range of jurisdictions (see Rackley, 2012), in Britain feminist academics produced a collection of simulated appellate court judgments, each one reworking a selected case (contemporary or historical) (Hunter et al., 2010). An important feature of the Judgments project was the requirement that judgments conform to the law, knowledge and conditions of the period when the original judgment was written. Thus, the challenge was to accomplish this, while simultaneously demonstrating the flexibility immanent to law, its capacity to be interpreted in unexpected and controversial feminist registers. As those running the project remarked, ‘‘The judgment-writers engage in a form of parodic – and hence subversive – performance... These feminist academics dressed up as judges powerfully denaturalize existing judicial and doctrinal norms’’ (Hunter et al., 2010, p. 8). My third example comes from outside the academy. Taking its place within a colourful history of satirical-critical ‘‘free states’’, such as the Pollok Free State, a Scottish ecological protest camp, established in 1994 to resist motorway building (Routledge, 1997), the independent republic of Brighton and Hove (on the south England coast) was playfully claimed after the unexpected 2015 Conservative general election victory. The new minister for miscommunication is quoted as remarking: ‘‘This started as a joke and is rapidly becoming something which actually improves the quality of lives on the ground.’’3 According to its founder, ‘‘I just wanted somewhere to share my grief’’, says Jason Smart, on the moment of visceral mourning that led him to declare the independence of the People’s Republic of Brighton and Hove. Nations have been founded on a whim, but the People’s Republic of Brighton and Hove may be the first to be founded as a therapeutic device after an unexpected Tory victory. ... There have already been requests for asylum from neighbouring Kemptown... There is also talk of building a tactical alliance with ‘‘our natural allies, the Scots.’’4 In a strangely playful inversion of conventional nation-formation, the republic developed an anthem,5 flag, constitution, and passports6 as citizens petitioned Prime Minister David Cameron for independence, citing the new republic’s status ‘‘at odds with your Government’s policies towards the sick & the vulnerable, to the arts and the environment, and to education and the NHS, we feel it is no longer tenable for us to remain a part of your ‘United’ Kingdom.’’7 In different ways, these three examples demonstrate forms of political (and legal) play. But what can play, and especially imitative rather than more combative forms of play, bring to a political project of counter-state creation that ambitiously (if impossibly) prefigures what statehood could mean, forging simulations of states as, for instance, participatory, activist and care-providing? The obvious answer is that play adds fun; as such, it motivates action as people take part for reasons of pleasure, stimulation and satisfaction (including, at times, a melancholy satisfaction). Play also gains compliance because players want the play to continue and to remain in the game. Participants don’t tend to comply for reasons of coercion or even morality. But there are other qualities that play brings to politics. While play’s seemingly ludic character may seem to undermine the political meaningfulness of action, qualities of playfulness displayed in role-playing or structured decision-making games can enhance negotiation, disagreement and experimentation as Innes and Booher (1999) and Lerner (2014) usefully explore. In their interesting account on the use of creative role-playing to build consensus among governmental and community participants involved in water management and conservation in California, Innes and Booher (1999) suggest role-playing makes it possible to adopt positions tentatively (with less rigid investments), revise them when necessary, and that the presence of play and humour defuse tension. These benefits may also arise in counter-imitative forms of play, but what the latter can also do is provide a place of critique, as Les Moran (2012, p. 289) remarks in his review of Feminist Judgments. ‘‘The judgments that make up this collection are at the end of the day elaborate works of fiction. But to describe them as ‘fictions’ is not to degrade or dismiss them. These fictions perform the role of mirrors reflecting back onto judicial practice’’ (italics added). Moran’s depiction of ‘‘mirrors’’ echoes arguments made in utopian studies, which emphasize the critical distance many utopian fictional texts offer, positing better worlds in distant times and spaces as a way of denaturalizing taken-for-granted aspects of the present. But Moran’s comments also faced criticism from the project’s designers. According to Rackley (2012, p. 392), ‘‘It was not a work of academic fiction, in the sense of being located entirely in the realm of the imaginary. Rather, it is better seen as an alternative history, an exercise in the ‘art of the possible’.’’ As Rackley suggests, utopian imaginaries, like prefigurative forms of play, don’t just function as critique. They also have a developmental aspect. Feminist judgments, crowd-sourced constitutions, the secession of states in search of social justice trace what institutional practices could be like: how law could be attentive to gendered power relations, the harms caused by social structures, and the importance of care; how Britain could become a disestablished republic; how a new city state might foreground health provision, education and arts policy. But this doesn’t mean a blueprint of a better future exists that play transparently enacts. Utopian and prefigurative studies are both fields in which the importance of discussion, uncertainty and error are foregrounded, and an important dimension of play is ‘‘failure.’’ Prominent in children’s play, lines of action become routinely dead-ended or casually aborted as they fail to work out. Choosing where next to go, players may try a pathway which becomes evident not to have been the best one or that peters out in the face of more successful lines. The developmental capacity of play through its tolerance of, and even its need for, failure has been drawn on in commercial and international development contexts (Hinthorne and Schneider, 2012; Statler et al., 2009, 2011). But the so-called ‘‘serious play’’ is not only about learning from failure; th[r]ough play, new possibilities for action become imaginable and also realizable. Majury (2006, p. 6) comments in relation to the Women’s Court of Canada (precursor to the British Feminist Judgments Project): ‘‘In our early discussions, we raised the possibility of doing a women’s court as satire or spoof. Interestingly, none of us was really drawn to this idea... That we have styled ourselves the Women’s Court of Canada reflects a commitment to articulate how equality can be taken seriously.’’ Through play, participants grow skilled in playing with others; while new players are valued for the stimulation and fresh perspectives they bring (something I explore further in Cooper, 2014). But whether simulating state institutions is done lightly or with gravity, something more seems to be required to move from playing at state functions to enacting new counter-states. This is less about the distinction (or even relationship) between representation and performance, and more about the fact that constitution-making, judgment-writing, and secession remain practices some distance from statehood, even a counter-statehood, while they function as discrete fragments untied to other (counter-)state parts. It is the material and imagined articulations between state parts that is central to the composition and identity of states as opposed to the more limited remit and scope of counter-institutions. How counter-states might assemble is a difficult question. While a rich array of initiatives exist performing progressive forms of governance and state provision in both simulated and more materially tangible ways, the task of linking these alternatives together remains (see Dixon, 2012; Murray, 2014). The Feminist Judgments project, for instance, has travelled extensively as feminists in different jurisdictions take up and develop its methods; but in its British incarnation it appears to have little relationship to other counter-state practices – simulated or material. A similar comment could be made about the LSE’s People’s Constitution initiative. How then might play help us to imagine and simulate counter-state-making processes, where states are treated as assembled or ‘‘multi-identity’’ formations rather than institutional fragments or political shards? In the world of official nation-states, state parts are assembled and connected through a range of systems and hierarchies, drawing on a complex mix of legal instruments, policies, chains of command, psychic attachments, coercion and resourcing. What might alternative articulations look like; how can they be imagined, represented and staged? How, for instance, could a project intent on creating feminist judgments link up to a project that has democratically drafted a new progressive constitution or to a project that has established, in semi-parodic form, a city republic? In searching for examples of more holistic, joined-up forms of prefigurative statehood, social movements offer one, perhaps counter-intuitive, example. Here, a kind of stateness is tacitly performed, not as an explicit simulation of what alternative states could be like, but as a material effect of social movement activism, which in reinterpreting present conditions and advocating change also creates a collective home for its members. Immersion in social movements leads members’ material, emotional, social and cultural needs to be addressed (and new needs forged). Through social movements, people gain (albeit in ways very different to conventional state provision) education, accommodation, work, creative opportunities, cultural experiences, travel, health care, friends, lovers and family. Social movements also exert a regulatory force – participants learn what is acceptable to say and do, the consequences of non-compliance, and the means by which norms, knowledge, codes of conduct and ‘‘policies’’ change (e.g., Yates, 2015). What, if anything, can we take from the experience of social movements in thinking about the development of counter-states? To the extent they function as spaces and networks of community and governance, movements such as feminism, Occupy, and others have been criticized for being exclusionary, hierarchical and socially disciplining –where ideological and cultural alignment too often prove the informal tacit condition for accessing support. To the extent social movements create a place of belonging, they repeat some of the fraught dimensions of state-building, with their logic of unequal dwelling and imaginary attachments that are far from evenly shared. At the same time, social movements provide some instructive pathways for thinking about counter-state formation. First, they reveal how governing and the take-up of public responsibility can happen as a side-show or backdrop, that counter-states may emerge in the course of doing something else. Second, social movements demonstrate those aspects of progressive transformative statecraft identified at the start: namely embeddedness within the everyday, activism, and care (or stewardship). Indeed, it may be their commitment to these three features that lead social movements to develop public provision and governance in more joined-up ways. If simulated forms of play are to learn from the counter-state practices of social movements about how to develop statecraft that is activist, embedded and caring, does it mean dropping the disciplines of form that keep make-believe tethered to the conventions of existing state structures (of written constitutions, formal judgments, flags, anthems and secession); or does effective counter-state play mean working with and through these disciplines, demonstrating their porosity, openness and flexibility so the articulations between different kinds of state parts are not only forged, but forged differently? I want to close with this question. But in doing so to emphasize that simulation and make-believe, so often trivialized, may prove important registers for exploring what counter-states could entail. In part, this is because play allows attachments to remain lighter ones in conditions where an orientation towards outsiders and strangers is sustained since play thrives on diversity, surprise and tension. But it is also because play here is not simply an imitation of what is. Mock parliaments that shadow ‘‘real’’ counterparts may rely upon, and even consolidate, a distinction between the actual and that which is pretend. Mock counter-states, by contrast, have no already existing counter-state to copy. Thus, as they develop, they have the potential to become not simply simulated states, operating solely in the realm of play, but formations with far more materializing effects.

#### 2] It’s a prerequisite to investigate the epistemology of their positions – racial capitalism has seeped into academia and infiltrated the way we understand the world, means that the aff is a pre-req to access non-biased truths about the world

#### 3] Reject Ideal theory – presupposes that all subjects are equal or come from the same starting point which is an egregious claim: a white middle-class worker is distinctly different from the Black Amazon workers working in terrible conditions during Covid.

4] weigh probability first: philosophers have been debating about morality and ethics for centuries with no solid conclusion BUT the violence we see today is real and happening now, which means you have an obligation to take action on real world violence over hypothetical idealistic worlds that have no real conclusion.

#### 5] Unnecessarily intense suffering is world destroying—doesn’t allow space for reflection

White 12 Richard White is associate professor of philosophy Creighton University "Levinas, the Philosophy of Suffering, and the Ethics of Compassion" The Heythrop Journal Volume 53, Issue 1, pages 111–123, Published online esept 27 2011, official publication date: January 2012, Wiley

What is suffering? Suffering includes the extremity of physical pain, as well as the emotional anguish and spiritual despair which every individual is bound to experience at some point in her life. It has been suggested that there is a significant difference between ‘pain’ and ‘suffering’, since the first is primarily ‘physical’ while the latter is basically ‘mental’. As Eliot Deutsch comments: ‘One has a pain or “that is painful”, but “I am suffering”. Where there is no ego there is no suffering – although there might be pain’.[9] Against this, however, the language of physical experience is often used to describe what Deutsch would regard as purely ‘mental’ aspects of suffering: This is why we express emotional suffering in physical terms; when we say that we are tortured by guilt, or burning with shame; or our heart aches because of something that happened. Indeed, it would not be surprising if every form of suffering, including those which are primarily ‘spiritual’ or ‘emotional’ had a physical correlate in the body itself – fear is both physical and mental, for example, and depression always has a somatic aspect. The upshot of all this is that it may be possible to understand the nature of suffering by focusing on physical pain as its most direct and unmediated form. – In suffering, we experience the limits of self-assertion, and the most extreme form of this is physical anguish, in which the self is rendered passive and impotent by the torment that ruins it as a subject. Herbert Fingarette puts this point succinctly when he notes that: ‘To suffer is to be compelled to endure, undergo, and experience the humbled will, rather than to be able to impose one's will’.[10] This means that the experience of suffering is the opposite of self-assertion and is shot through with the will's experience of impotence and limitation. Something like this is also the starting-point for Levinas's own account of what it is to suffer. In the course of several books and numerous articles, Emmanuel Levinas sketches the outlines of a phenomenology of suffering. Suffering is not always a central concern of his philosophy, but it is possible to reconstruct his basic view of suffering by examining comments drawn from several different texts. In Time and the Other, for example, Levinas announces that he will focus his remarks on ‘the pain lightly called physical’, for ‘in it engagement in existence is without any equivocation’.[11] Once again, the point here is that physical suffering is the purest form of suffering since it completely overwhelms the sovereignty of the self and as such it is an experience without mediation. As Steven Tudor notes in his account of compassion and remorse: ‘Many physical pains intrude so forcefully into one's consciousness that they impose their own significance which no stoic attitude can alter – that significance possibly being a pure sense of raging chaos that obliterates all other matters of significance, so rupturing, so consuming is the pain’.[12] Levinas also notes that in spiritual suffering it is still possible to preserve an attitude of dignity and distance from whatever affects one, and in this respect one remains independent and ‘free’. Indeed, it can be argued that spiritual suffering is itself a kind of luxury that can only exist for as long as we are not disturbed by physical pain. As Levinas comments, from one perspective (which he refers to as ‘socialism’), ‘solitude and its anxieties are an ostrichlike position in a world that solicits solidarity and lucidity; they are epiphenomena – phenomena of luxury or waste – of a period of social transformation, the senseless dream of an eccentric individual, a luxation in the collective body’.[13] By contrast, physical suffering in its most extreme form effaces subjectivity and all subjective attitudes. For Levinas, physical suffering involves the ‘irremissibility’ of being and the absence of all refuge; in such pain we are backed up against being with no possibility of escape, and for this reason it provides the clearest, most unambiguous model for suffering in general. As Levinas notes, significant suffering corrodes all the structures of meaning that we project into the world; it overwhelms all ‘virility’ – or the effort to be masters of our own fate – until finally one is reduced to a state resembling helpless infancy: ‘Where suffering attains its purity, where there is no longer anything between us and it, the supreme responsibility of this extreme assumption turns into supreme irresponsibility, into infancy. Sobbing is this, and precisely through this it announces death. To die is to return to this state of irresponsibility, to be the infantile shaking of sobbing’.[14] In her own account of torture in The Body in Pain, Elaine Scarry confirms this point, when she argues that more than resisting language, suffering and pain actively destroy language and all other meaningful projects, so that the subject reverts to ‘a state anterior to language, to the sounds and cries a human being makes before language is learned’.[15] In this way, suffering is world-destroying. Indeed, to suffer greatly is to have one's world reduced to the content of one's pain. In the passage cited above, Levinas notes a connection between suffering and death. According to Levinas, the one announces the other: There is not only the feeling and the knowledge that suffering can end in death. Pain of itself includes it like a paroxysm, as if there were something about to be produced even more rending than suffering, as if despite the entire absence of a dimension of withdrawal that constitutes suffering, it still had some free space for an event, as if it must still get uneasy about something, as if we were on the verge of an event beyond what is revealed to the end in suffering.[16] Extreme suffering involves complete passivity. In suffering we are subject to something which does not come from ourselves and which tends to undermine all meaningful structures of subjectivity. In this respect, suffering is the anticipation of death as the encounter with something that cannot be avoided or held at arm's length. Both suffering and death involve the end of mastery, and with each, the contents of consciousness are destroyed. In his collection of essays, At the Mind's Limits, Jean Amery, who was tortured by the Nazis, also seeks to articulate the strong sense of a connection between acute physical suffering and death. Speculating on the meaning of his own experience, he comments that Pain … is the most extreme intensification imaginable of our bodily being. But maybe it is even more, that is: death. No road that can be travelled by logic leads us to death, but perhaps the thought is permissible that through pain a path of feeling and premonition can be paved to it for us. In the end, we would be faced with the equation: Body = Pain = Death, and in our case this could be reduced to the hypothesis that torture, through which we are turned into body by the other, blots out the contradiction of death and allows us to experience it personally.[17] In extreme physical suffering, such as the torment that Amery describes, the individual becomes purely a body, ‘and nothing else besides that’. For as long as it continues there is no space for reflection; and this violent reduction to physical being is the most intense form of negation which seems to parallel the negation of death. Elaine Scarry agrees: death and suffering are ‘the purest expressions of the anti-human, of annihilation, of total aversiveness, though one is an absence and the other a felt presence, one occurring in the cessation of sentience, the other expressing itself in grotesque overload’.[18]

### Solvency

#### Thus, I affirm: A just government ought to recognize an unconditional right of workers to strike. I’ll spec or clarify anything in CX to avoid friv theory debates and I’ll grant you your choice of definitions within CX within reason.

#### Recognizing the right to strike allows left-wing movements to resist oppression and enact civil disobedience against capitalism.

ALEX GOUREVITCH, an associate professor of political science at Brown University, 2018 – [“The Right to Strike: A Radical View”, p. 9, doi:10.1017/S0003055418000321]

The Radical View: The Right to Resist Oppression The radical view has a number of advantages over the liberal and social democratic accounts. First and foremost, it is a more adequate response to the facts of oppression in actually existing liberal economies. Where the liberal view recognizes no particular injustice, and the social democratic view focuses primarily on inequalities of bargaining power, the radical view is based on the social analysis sketched in the second section of this article. That social analysis identifies the full range of oppressions, and their interlocking character, that are typical of actually existing class-divided liberal societies. That is why I call this view radical: not for the sectarian frisson sometimes associated with that word but because radical means going to the root of a problem. Second, the radical view goes to the root not just because it properly identifies all of the relevant facts, but because it thereby more accurately identifies the kind of interest that the right to strike is supposed to protect. It identifies the guiding interest of the right not as an interest (only) in creating fair contracts or in distributive justice narrowly conceived but, rather, as an interest in claiming freedom against its illegitimate limitation. Workers have an interest in not facing certain kinds of coercive restraints against their access to property, in not being subject to unfair ways of forcing them to work, in not being required to accept various kinds of labor contracts, and in not being dominated in the workplace. These are elements of the same interest that workers have in self-determination, or in enjoying those liberties that allow them to have the personal and political autonomy they ought to. This is the full sense in which the radical view is more responsive to the facts of oppression than other accounts. This further means that the radical argument is compatible with, or at least in the neighborhood of, any number of egalitarian theories of justice—such as those arguing for property-owning democracy or for workplace democracy and free time32—that are concerned with these wider forms of unfreedom. It is, for the same reason, compatible with a wide range of socialist and other left-wing criticisms of power and unfreedom in capitalist workplaces (e.g., Arnold 2017; Ezorsky 2007;Weeks 2011). The third virtue of the radical approach is that it gives a distinct explanation for the shape of the right to strike. Recall that the liberal and the social democratic approaches can have a tendency to explain the shape of that right by reference either to (a) the basic liberties of actual liberal societies, or (b) the liberties one enjoys in an ideal constitution, or (c) through a mixture of both arguments. That form of reasoning imparts a particular shape to the right: it must respect the basic liberties with which it comes in conflict. On the best version of the social democratic view, that methodological error is avoided. But it is present in any version of the argument in which the shape of the legal right to strike one ought to enjoy is the same as or similar to the right workers exercise when suffering economic injustice. But on the right to resist oppression view, the shape of the right is explained exclusively by reference to the liberty interest it is supposed to protect under conditions of oppression. The right is justified instrumentally, by reference to the fact that strikes are generally effective means for resisting the oppression to which workers are subject. And, further, the right is justified by reference to the interest workers have in using their own collective power to reduce and resist that oppression. Under conditions of oppression, that use of collective power is one of the primary ways workers can give expression to the demand for self-determination. But that aspect of the justification also depends upon strikes being generally effective means for resisting oppression, since otherwise they would just be collective acts of self-delusion or symbolic gestures of resistance but not acts self-determination. For that to be the case, the right to strike must **include the use of** at least some of the **means that make strikes effective** for those subject to oppression. That the right comprises permissions to use some effective means is a defining feature of the radical argument. After all, for the right to strike to protect the interest that justifies it, it must be shaped in ways that permit the right’s exercise in ways that actually protect that interest. That follows directly from the liberty based justification of the right. So, on this account, there would be no strict prohibition on the use of coercive strike tactics like sit-downs and mass pickets.33 A fourth virtue of the radical approach follows from the third. If the radical right to strike does not contain, internal to its justification, the same restraints on the means strikers may use, there is still the question of why the right to strike would have moral priority over other basic liberties in the case of labor disputes. On the radical view, the important point is not just that there is economic oppression but that the economic oppression that workers faced is in part created and sustained by the legal articulation and protection of those basic economic and civil liberties. Workers find themselves oppressed because of the way property rights, contractual liberties, corporate authority, tax and labor law create and maintain that oppression. If that is the case, then the normal justification of those liberties, which is supposed to establish their ‘basicness’ and thus priority is weak. Their priority is normally explained by the thought that, ideally speaking, the protection of those liberties creates more or less non-oppressive, non-exploitative relations of social cooperation.34 In reality, their legal protection achieves the opposite. Meanwhile, the right to strike, as a way of reducing that oppression has a **stronger claim** to be protecting a zone of activity that actually serves **the aims of justice itself**—of coercing people into relations of less oppressive social cooperation. That is why the right to strike would **have priority over** some of these **basic economic and civil liberties**, like property rights, freedom of contract, and freedom of association. For the foregoing reasons, we can see why the right to strike as a right to resist oppression resolves the opening dilemma in a forceful and distinctive way. Workers may use coercive strike tactics, like sit-downs and mass pickets, because those are necessary means for the most oppressed workers to go on strike with some reasonable chance of success. The radical right to strike does not ex ante prohibit the use of those means and, given the actual social effects of the legal protection of basic liberties, it has priority over the basic liberties. Moreover, those strikes can be aimed at the full range of oppressions workers in those industries might face— not just denial of adequate respect for their labor rights or poverty wages, but as acts of resistance to various features of workplace oppression and the unfair distribution of work requirements. We can also see that this version of the right to strike permits—though does not require—mass civil disobedience in those frequent instances where the state decides to enforce the law against strikers. For one, the property, contract, and related laws that strikers break are the ones that create systematic oppression. The systematic and serious character of that oppression undermines any general claim to political obligation, or local claim to an obligation to obey those laws.35 Moreover, when the state decides, as it historically has done, that coercive strike tactics violate the law or otherwise violate the fundamental rights of legal persons, it has used sometimes quite extraordinary violence to suppress strikes.36 Workers would be within their rights to resist that illegitimate use of violence, though it will often be prudential not to do so. It is important to draw this conclusion because it is a direct implication of the argument. Moreover, if one does not agree that workers are justified in mass civil disobedience as part of the exercise of the right to strike, then one is committed to arguing that the state is justified in the violent suppression of strikes—a violence with a long and bloody history. One might very well draw that latter conclusion, but then one must be clear about the side one is choosing. Either workers are justified in resisting the use of legal violence to suppress their strikes, or the state is justified in violent suppression of coercive strike tactics. There is no way around that stark fact about the liberal state and coercive strike tactics

#### A black general strike disrupts the capitalist economy to restructure the workplace and works to dismantle the structure of white supremacy in all parts of life.

Lorenzo Kom’boa Ervin, an American writer, activist, and black anarchist. He is a former member of the Black Panther Party and Concerned Citizens for Justice, 2001 – [“Black capitalism”, <https://theanarchistlibrary.org/category/author/lorenzo-kom-boa-ervin>]

Because of the role they play in production, Black workers are potentially the most powerful sector of the Black community in the struggle for Black freedom. The vast majority of the Black community is working class people. Barring the disproportionate numbers of unemployed, about 11 million Black men and women are today part of the work force of the United States. About 5 -6 million of these are in basic industry, such as steel and metal fabrication, retail trades, food production and processing, meatpacking, the automobile industry, railroading, medical service and communications. Blacks number l/3 to l/2 of the basic blue-collar workers, and 1/3 of clerical laborers. Black labor is therefore very important to the Capitalist economy.

Because of this vulnerability to job actions by Black workers, who are some of the most militant workers on the job, they could take a leading role in a protest campaign against racism and class oppression If they are properly organized they would be a class vanguard within our movement since they are at the point of production. Black workers could lead a nationwide General Strike at their place of work as a protest against racial discrimination in jobs and housing, the inordinately high levels of Black unemployment brutal working conditions, and to further the demands of the Black movement generally. This general strike is a Socialist strike, not just a strike for higher wages and over general working conditions; it is revolutionary in politics using other means. This general strike can take the form of industrial sabotage, factory occupations or sit-ins, work slowdowns, wildcats, and other work stoppages as a protest to gain concessions on the local and national level and restructure the workplace and win the 4-hour day for North American labor. The strike would not only involve workers on the job, but also Black community and progressive groups to give support with picket line duty, leafleting and publishing strike support newsletters, demonstrations at company offices and work sites, along with other activities.

It will take some serious community and workplace organizing to bring a general strike off. In workplaces all over the country, Black workers should organize General Strike Committees at the workplaces, and Black Strike Support Committees to carry on the strike work inside the Black community itself. Because such a strike would be especially hard-fought and vicious, Black workers should organize Worker’s Defense Committees to defend workers fired or black listed by the bosses for their industrial organizing work. This defense committee would publicize a victimized worker’s case and rally support from other workers and the community. The defense committee would also establish, a Labor strike and defense fund and also start food cooperative to financially and material support such victimized workers and their families while carrying on the strike.

Although there will definitely be an attempt to involve women and white workers; where they are willing to cooperate, the strike would be under Black leadership because only Black workers can effectively raise those issues which most affect them. White workers have to support the democratic rights of Blacks and other nationally oppressed laborers, instead of just white rights campaigns” on so-called “common economic issues,” led by the North American left. In addition to progressive North American individuals or union caucuses, the labor union locals themselves should be recruited, but they are not the force to lead this struggle, although their help can be indispensable in a particular campaign. It takes major organizing to make them break free of their racist and conservative nature. So although we want and need the support of our fellow workers of other nationalities and genders, it is ridiculous and condescending to just tell Black workers to sit around and wait for a “white workers vanguard” to decide it wants to fight. We will educate our fellow workers to the issues and why they should fight white supremacy at our side, but we will not defer our struggle for anyone! WE MUST ORGANIZE THE GENERAL STRIKE FOR BLACK FREEDOM!

#### Enforcement through IFAs is normal means – that solves credibility concerns and legal loopholes which encourages striking.

Neill 12 [Emily CM; “The Right to Strike: How the United States Reduces it to the Freedom to Strike and How International Framework Agreements can Redeem it,” 1/1/12; Labor & Employment Law Forum Volume 2 Issue 2 Article 6; <https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1047&context=lelb>]

IFAs open the door to collective bargaining by creating a space that alters the traditionally antagonistic employer-employee engagement and is more hospitable to the organizing process.83 MNC commitment to respect the core ILO principles of freedom of association and the rights to organize and collectively bargain through IFAs are instrumental to realizing that purpose.84

1. The Creation and Proliferation of International Framework Agreements

An IFA is an agreement negotiated between an MNC and typically85 a global union86 to establish an ongoing relationship between the signatories and ensure adherence to uniform labor standards by the MNC in all countries in which it operates.87 IFAs are the first and only formally-negotiated instruments between unions and corporations at the global level and a significant development in labor relations.88 Since the signing of the first IFA in 1988, they have spread at a steadily increasing rate. 89 Their proliferation since 2000 has been especially dramatic—with the number of IFAs signed in 2003-2006 nearly doubling the number signed in the first fifteen years.90 By 2008, approximately sixty-five agreements had been concluded.91 At the end of 2010, that number had jumped to seventy-six.92

2. Context of Framework Agreements: Corporate Social Responsibility

While both corporate codes of conduct and IFAs can be traced to a consumer driven push for corporate social responsibility, a key difference separates the two: credibility. In the late 1980’s, MNCs in the United States began to respond to campaigns by non-governmental organizations accusing MNCs of international human rights abuses by elaborating internal codes of conduct.93 These codes, unilaterally written and implemented, tend to be vague and provide for no enforcement mechanism.94 The voluntary, self-enforcing nature of these commitments has led critics to conclude that they are mere marketing ploys lacking in credibility or having any real social impact.95

IFAs were developed, in part, as an alternative to corporate codes of conduct to raise labor standards.96 Unlike unilateral codes, IFAs are negotiated between the two principal actors—employers and workers—in the employment relationship.97 Involvement of the very party the agreement is meant to protect attaches greater meaning and significance to the instrument.98

The purpose of IFAs is to promote fundamental labor rights by regulating corporate conduct on a global level.99 This brings us to another key distinction between corporate codes of conduct and IFAs: their concrete normative content.

3. Core ILO Principles as the Substantive Content of IFAs

Whereas codes tend to be vague in their commitments, MNCs commit themselves to concrete international labor norms through framework agreements. The key areas of IFAs are the acceptance of the four core labor standards, as articulated in the 1998 ILO Declaration.100 The Declaration itself is typically not mentioned, but rather the four rights are referred to in IFAs by their convention numbers.101 Thus, apart from a very few exceptions, IFAs refer explicitly to ILO Conventions 87 and 98 on freedom of association and the right to organize and collective bargaining, respectively.102

As previously discussed, ILO standards are the principal source of international labor norms.103 ILO Conventions 87 and 98 are perhaps the most important of ILO principles since the right to organize and bargain collectively is essential to the defense of working conditions like wages, hours, and health and safety through the collective bargaining process.104

4. Scope of IFAs, MNCs and Supply Chains

One of the most important features of IFAs is their goal of addressing behavior not only within the signatory MNC, but along their supply chains as well.105 According to one study, of the IFAs in existence as of 2008, eighty eight percent explicitly indicated that the norms of the agreements applied to their subsidiaries and seventy-three percent contained provisions defining their application to suppliers and subcontractors.106 These provisions contain varying degrees of commitment on behalf of the signatory MNC. Some MNCs agree to place very concrete obligations on supply chain parties, going so far as to detail sanctions to be imposed upon non-compliant suppliers.107 Others contain provisions that are less mandatory, limiting the MNC’s obligation to informing or encouraging its suppliers and subsidiaries to respect the principles of the agreement. For instance, the PSA Peugeot Citroen IFA was amended in 2010, changing its once relatively firm language by which suppliers are “required” to make similar commitments to a much weaker provision in which the MNC agrees to “request” that its suppliers a similar commitment in respect of their own suppliers and sub-contractors.108

III. ANALYSIS

The principal weapon workers have to leverage their bargaining power is the strike.109 The permanent strike replacement policy renders [strikes] this weapon almost meaningless by subjecting workers that employ it to a risk of job loss. This practice deviates from international norms on freedom of association, the right to organize, and bargain collectively, as enunciated in Conventions 87 and 98, and reaffirmed in the ILO 1998 Declaration to the point of rendering the right to strike a mere freedom to strike.110 Fortunately, IFAs have the potential to bring many U.S. operating companies into compliance with international standards on the right to strike, which prohibits the use of permanent replacements.

This Section first addresses the effect of the permanent replacement doctrine on the right to strike in the United States. It next argues that as a member of the ILO, the U.S. is obligated to amend this policy to guarantee workers protection in their right to strike. Finally, it argues that even if the U.S. permits permanent strike replacements, certain U.S. companies are bound to IFAs that prohibit them from taking advantage of the policy.

A. Interference with the Right to Strike is an Abridgement of ILO Principles

Collective bargaining is the mechanism through which workers present their demands to an employer and, through negotiations, determine the working conditions and terms of employment.111 The right to strike arises most often in the context of collective bargaining, though as a weapon of last resort.112 The employment relationship is an economic one—with most workers’ demands encompassing improved pay or other working conditions.113 To bring balance to the employment relationship at the bargaining table, one of the primary weapons available to workers in defending their interests is the threat of withholding labor to inflict costs upon the employer.114 The principle of the strike as a legitimate means of action taken by workers’ organizations is widely recognized in countries throughout the world, almost to the point of universal recognition.115 The ILO Committee on Freedom of Association holds the position that the right to strike is a basic consequence of the right to organize.116

Interference or impairment of the right to strike is inconsistent with Articles 3, 8, and 10 of Convention 87 guaranteeing workers freedom of association and the right to take concerted actions to further their interests. Article 3 recognizes the right of workers’ organizations to organize their activities and to formulate their programs.117 Article 10 states that the term “organization” means any organization for furthering and defending the interests of workers.118 When read together with Article 10, Article 3 protects activities and actions that are designed to further and defend the interests of workers. Recall that strikes are recognized as an essential means through which workers further and defend their interests.119 Article 8 declares that no national law may impair the guarantees of the Convention.120 Because strike action falls under the activities protected by Article 3, which are aimed at furthering and defending workers’ interests, limitations on the right to strike may contravene Conventions 87 and 98.121 This subsection addresses the lawful practice of hiring of permanent replacements for striking workers in the United States as it relates to ILO principles.

1. The Use of Permanent Strike Replacements Reduces the ‘Right’ to Strike to the Unprotected ‘Freedom’ to Strike

In refraining from ratifying ILO Conventions 87 and 98, the United States government has insisted that U.S. law sufficiently guarantees workers protections of the principles of freedom of association, the rights to organize, and bargain collectively.122 While Section 13 of the NLRA addresses the right to strike,123 in reality, enforcement of the NLRA falls short of its goals and departs from international norms, which afford the right to strike fundamental status.124

The Mackay doctrine, permitting permanent replacement of strikers renders the right a mere privilege, or freedom, because it removes meaningful protection of the right by stripping employers of a duty to refrain from interference with striking.125 Wesley Hohfeld’s famous account of legal rights provides a useful analytical framework for distinguishing between the colloquial uses of the “rights” and their implications.126 Under this framework, rights are distinguished from what he calls privileges, or freedoms, by the existence or inexistence of a corresponding duty. All rights have a corresponding duty, or a legal obligation to respect the legal interest of the right-holder and refrain from interfering with it.127 In the example of the right to strike, the correlative is the employer’s duty to not interfere with the employees’ right.128 On the other hand, a ‘freedom’ is the liberty to act, but without the imposition of a duty upon others.129 When one has the freedom to act, others simply do not have a right to prevent her from acting.130 In the strike context, if employees enjoy the freedom to strike, an employer does not have the right to stop the employees from striking, but does not have a duty to not interfere with the act of striking.131

In establishing the Mackay permanent strike replacement Doctrine, the Supreme Court reasoned that the ‘right’ to strike does not destroy an employer’s right to protect and continue business by filling the vacancies of the strikers.132 In so holding, the Court actually transformed the ‘right’ to strike it into the ‘freedom’ to strike by removing a corresponding affirmative duty not to interfere with the exercise of the right from the employer.133 The hire of permanent replacements interferes with strike action by inflicting substantial repercussions upon the employees that undertake the action, loss of employment opportunities.134

The Mackay doctrine forces an employee to choose to strike—at the risk of losing the very job that is the object of the gains and benefits sought— rendering the act virtually useless.135 The threat of being permanently replaced has, in fact, discouraged workers from exercising their ‘right’ to strike.136

Application of the Mackay doctrine produces results that are inconsistent with the NLRA’s provisions regarding protected activity, making the diminution of protection for striking employees even more apparent. In recognizing an employer right to hire permanent replacements, the Mackay Court created a loophole for employers who otherwise are prohibited from firing striking employees under the Section 8(a)(3) of the NLRA, which proscribes retaliation against employees that engage in protected union activity.137 While the act of permanently replacing strikers is lawful, firing strikers is unlawful, although both acts produce the same result: loss of a job as a consequence of striking.138 The result renders the NLRA’s protections for striking workers a dead letter. Although employers have a duty to refrain from retaliation against workers engaged in union activity in the form of firing, employers do not have a duty to refrain from reaching the same result through a different tactic—permanent replacement.139 Thus, this removal of a duty to refrain from interference renders the ‘right’ to strike, an unprotected ‘freedom’ to strike that yields to an employer’s corresponding freedom to replace strikers.140 In other words, the Mackay doctrine preserves the NLRA Section 13 reference to strike action as a lawful recourse for workers, but not one afforded the status of a protected right.

## Advantages

### Health

#### Racial capitalism is the root cause of health inequalities in the US – COVID proves

Whitney N. Laster Pirtle, Assistant Professor of Sociology at the University of California, Merced, 2020 – [“Racial Capitalism: A Fundamental Cause of Novel Coronavirus (COVID-19) Pandemic Inequities in the United States”, https://journals.sagepub.com/doi/pdf/10.1177/1090198120922942]

Racial capitalism is a fundamental cause of disease in the world and will be a root cause of the racial and socioeconomic inequities in COVID-19 that we will be left to sort out when the dust settles. What is a fundamental cause? In Link and Phelan’s widely cited (1995) theoretical article, they argued that a social condition is a basic, fundamental cause of disease disparities if it (a) influences multiple disease outcomes, (b) affects disease outcomes through multiple risk factors, (c) involves access to flexible resources that can be used to minimize both risks and the consequences of disease, and (d) is reproduced overtime through the continual replacement of intervening mechanisms. Sociological health research has since proven that both socioeconomic and racial social inequities are social conditions that fit the formula and contribute to socioeconomic and racial health inequities (i.e., Gee & Ford, 2011; Lutfey & Freese, 2005; Phelan & Link, 2015; Phelan et al., 2010; Sewell, 2016; Williams & Collins, 2001). I extend this conversation by arguing that the research is actually capturing how racial capitalism works to have a fundamental impact on health inequities, as Black radical thought traditions suggested as much decades ago. As introduced by Robinson (1983), racial capitalism is the idea that racialized exploitation and capital accumulation are mutually constitutive. Racial capitalism created the modern world system, through slavery, colonialism, and genocide because “the development, organization, and expansion of capitalist society pursued essentially racial directions, so too did social ideology” (Robinson, 1983, p. 2). Racially minoritized and economically deprived groups face capitalist and racist systems that continue to devalue and harm their lives, even within newer, supposedly deracialized neoliberal agendas (Clarno, 2017; Johnson, 2017). We have ample evidence of racial capitalism as a cause of health inequities in the United States though, collectively, scholarship has not always connected all the pieces. For instance, Pulido (2016) argues that racial capitalism is at the very core of the Flint, Michigan lead water crisis: The people of Flint are so devalued that their lives are subordinated to the goals of municipal fiscal solvency . . . this devaluation is based on both their blackness and their surplus status, with the two being mutually constituted. (p. 1) Additional research has found that exposure to the Flint water crisis has been linked to both physical (Sadler et al., 2017) and mental (Cuthbertson et al., 2016) health problems for poor and people of color and can be explained through multiple mechanisms, such as disinvested, racially segregated neighborhoods (Michigan Civil Rights Commission 2017). Travel just 70 miles down I-75 from Flint to Detroit, Michigan, and we are able to witness in real time the way racial capitalism is shaping COVID-19 health inequities. In a report by Michigan’s Health Department, as of April 3, 2020, Detroit City and surrounding counties have the largest number of cases in the state; as Nichols (2020) wrote for the New York Times, Detroit is already mourning. Detroit and its surrounding areas have large populations of people of color, most of whom are Black Americans and populations that are poor and working class (Nichols, 2020; Schulz et al., 2002). Even more striking than the incidence rates, however, is statistics that reveal that out of the direct deaths related to COVID-19, 40% of them are of Black residents in a state that has only 14% Black population. The clock is already ticking in Detroit on the racial time bomb in the coronavirus crisis (Blow, 2020), and data **replicate these trends in major metros** across the United States including Chicago, New Orleans, and New York (McCarthy, 2020). The overrepresentation in mortality among Black Americans, or death gap, is a result of structural violence (Ansell, 2017) as created through a racial capitalist system. In the sections that follow, I detail how racial capitalism acts as a fundamental cause of health inequities and COVID-19.

### Climate

#### Climate change is a result of racial capitalism – only by investigating and fighting the root cause do we stand a chance at creating any form of positive change.

Beth Gardiner is a journalist and the author of [*Choked: Life and Breath in the Age of Air Pollution*](https://www.amazon.com/Choked-Life-Breath-Age-Pollution/dp/022649585X/ref=sr_1_1?keywords=Choked%3A+Life+and+Breath+in+the+Age+of+Air+Pollution&qid=1560795846&s=books&sr=1-1), 2020 – [“Unequal Impact: The Deep Links Between Racism and Climate Change”, Gardiner is interviewing Elizabeth Yeampierre, co-chair of the [Climate Justice Alliance](https://climatejusticealliance.org/), she leads a coalition of more than 70 organizations focused on addressing racial and economic inequities together with climate change, https://e360.yale.edu/features/unequal-impact-the-deep-links-between-inequality-and-climate-change]//bread

Elizabeth Yeampierre: Climate change is the result of a legacy of extraction, of colonialism, of slavery. A lot of times when people talk about environmental justice they go back to the 1970s or ‘60s. But I think about the slave quarters. I think about people who got the worst food, the worst health care, the worst treatment, and then when freed, were given lands that were eventually surrounded by things like petrochemical industries. The idea of killing black people or indigenous people, all of that has a long, long history that is centered on capitalism and the extraction of our land and our labor in this country. For us, as part of the climate justice movement, to separate those things is impossible. The truth is that the climate justice movement, people of color, indigenous people, have always worked multi-dimensionally because we have to be able to fight on so many different planes. When I first came into this work, I was fighting police brutality at the Puerto Rican Legal Defense Fund. We were fighting for racial justice. We were in our 20s and this is how we started. It was only a few years after that I realized that if we couldn’t breathe, we couldn’t fight for justice and that’s how I got into the environmental justice movement. For us, there is no distinction between one and the other. In our communities, people are suffering from asthma and upper respiratory disease, and we’ve been fighting for the right to breathe for generations. It’s ironic that those are the signs you’re seeing in these protests — “I can’t breathe.” When the police are using chokeholds, literally people who suffer from a history of asthma and respiratory disease, their breath is taken away. When Eric Garner died [in 2014 from a New York City police officer’s chokehold], and we heard he had asthma, the first thing we said in my house was, “This is an environmental justice issue.” The communities that are most impacted by Covid, or by pollution, it’s not surprising that they’re the ones that are going to be most impacted by extreme weather events. And it’s not surprising that they’re the ones that are targeted for racial violence. It’s all the same communities, all over the United States. And you can’t treat one part of the problem without the other, because it’s so systemic. **e360:** Can you more explicitly draw the connection between climate change and the history of slavery and colonialism? **Yeampierre:**With the arrival of slavery comes a repurposing of the land, chopping down of trees, disrupting water systems and other ecological systems that comes with supporting the effort to build a capitalist society and to provide resources for the privileged, **using the bodies of black people to facilitate that**. The same thing in terms of the disruption and the stealing of indigenous land. There was a taking of land, not just for expansion, but to search for gold, to take down mountains and extract fossil fuels out of mountains. All of that is connected, and I don’t know how people don’t see the connection between the extraction and how black and indigenous people suffered as a result of that and continue to suffer, because all of those decisions were made along that historical continuum, all those decisions also came with Jim Crow. They came with literally doing everything necessary to control and squash black people from having any kind of power. You need to understand the economics. If you understand that, then you know that climate change is the child of all that destruction, of all of that extraction, of all of those decisions that were made and how those ended up, not just in terms of our freedom and taking away freedom from black people, but hurting us along the way. It’s all related. You can’t say that with Hurricane Maria in Puerto Rico and Hurricane Katrina in New Orleans the loss of lives was simply because there was an extreme weather event. The loss of life comes out of a legacy of neglect and racism. And that’s evident even in the rebuilding. It’s really interesting to see what happens to the land after people have been displaced, how land speculation and land grabs and investments are made in communities that, when there were black people living there, had endured not having the things people need to have livable good lives. These things, to me, are connected. It’s comfortable for people to separate them, because remember that the environmental movement, the conservation movement, a lot of those institutions were built by people who cared about conservation, who cared about wildlife, who cared about trees and open space and wanted those privileges while also living in the city, but didn’t care about black people. There is a long history of racism in those movements.

#### Prioritize epistemic violence first – anything else allows for marginalized populations to be sacrificed “for the greater good”.

Thom Davies also associated with School of Geography, University of Nottingham, UK, 2019 – [“Slow violence and toxic geographies: ‘Out of sight’ to whom?”, https://journals.sagepub.com/doi/full/10.1177/2399654419841063]//bread

I do not think it is, as Nixon (2011) intimates, a lack of ‘arresting stories, images and symbols’ (3) that allows instances of slow violence to persist unchecked. As ethnographers have repeatedly demonstrated (Little, 2014; Petryna, 2013; Shapiro, 2015), communities who are exposed to environmental hazards are pregnant with such narratives and testimony. In some instances, entire environmental justice movements are spurred on by stories of suffering, injustice, and ill-health. As Butler (2006) astutely observed, grief itself can have a galvanizing political capacity. Rather, slow violence persists because those ‘arresting stories’ do not count. Crucially, a politics of indifference about the suffering of marginalized groups helps to sustain environmental injustice, allowing local claims of toxic harm to be silenced. As O’Lear (2016: 4) rightly suggests, slow violence ‘can result from **epistemic and political dominance of particular narratives** or understandings’. Going further, one could argue that the dismissal of local or informal accounts of toxicity is a form of ‘epistemic violence’ (Spivak, 1988). Through denying environmental justice claims, this epistemic harm sustains the banal attrition of petrochemical pollution, rendering certain populations and landscapes **vulnerable to sacrifice** and being ‘**let to die’** (see Davies et al., 2017; Tyner and Rice, 2016); as lives and communities that are of limited value. In other words, ignoring local claims of environmental injustice helps create a self-reinforcing cycle of brutality that is structural, slow, and epistemic (see Figure 3).4 Informal knowledge is regularly overlooked in cases of environmental risk, while exclusive scientific expertise is often required to translate pollution into legible or legal forms. As Ottinger (2017) suggests, sometimes this creates a ‘narrative mismatch’ between official scientific (‘expert’) and unofficial (‘local’) accounts of polluted places. Toxic geographies therefore remain disputed and ambiguous spaces, and the violence of these landscapes will continue to be felt by their inhabitants. Much of Nixon’s (2011) argument is predicated on the assumption that slow violence is ‘spectacle deficient’ (47). Through my ethnographic research however, I caution against such a reading of gradual environmental harm, and counter Nixon’s statement by arguing that it depends on who is looking. For communities who live within toxic geographies, who are exposed to the daily traumas and uncertainties of environmental hazards, the ‘spectacle’ of pollution – if not its actual materiality – is often plain to see. Having spent almost a decade investigating the lives of communities in various toxic geographies – including Chernobyl, Fukushima, and now ‘Cancer Alley’ (Davies 2013, 2015, 2018), the last thing I would describe these spaces as, is lacking in spectacle. Communities who are exposed to theslow violence of toxic pollution are replete with testimonies, experiences, and bereavements that bear witness to the brutality of gradual environmental destruction. In the introduction to Slow Violence, Nixon (2011) perceptively asks, ‘How do we bring home—and bring emotionally to life—threats that take time to wreak their havoc, threats that never materialize in one spectacular, explosive, cinematic scene’ (14). As an ethnographer, my immediate reaction to this question is that we must deeply engage with people who are already experiencing the drawn-out havoc of environmental pollution. As this article has attempted to show, the threats of slow violence are already emotionally alive within communities that inhabit toxic geographies. That their stories, perspectives, and knowledge claims are often overlooked highlights the second thrust of this paper: the importance of looking at structural, slow, and epistemic violence in unison. Reflecting on Nixon’s question further, the ‘we’ he is referring to is important to consider. Nixon is a literary scholar and is speaking to other people who use words to affect change. The challenge for us as geographers or ‘earth writers’ (Springer, 2017) – as well as other social scientists – is to find the right words to convey the lived experience of slow suffering, without falling into the representative traps set by our disciplines’ collective colonial inheritance (Briggs and Sharp, 2004; inter alia Spivak, 1988). I suggest this process must not overlook the actually existing experiences of slow violence that already impact lives within frontline communities. It is their knowledge that should be at the forefront of writings about violence, be it slow, fast, or superficially hidden. By interrogating the seemingly ‘out of sight’ (Nixon, 2011: 2) nature of slow violence, and instead asking ‘out of sight to whom? we can become more attentive to alternative perspectives and knowledge claims in polluted spaces. In doing so, we are also less likely to sustain the epistemic, structural and slow harms we are investigating

### Underview

#### Aff gets 1AR theory – otherwise the neg can be infinitely abusive and there’s no way to check back. 1AR theory is drop the debater, competing interps, and the highest layer of the round – the 1ARs too short to be able to rectify abuse and adequately cover substance. No RVI or 2N theory because you have 6 minutes to go for them whereas I only have a 3 minute 2AR to respond so I get crushed on time skew.

#### Permissibility and presumption affirm: a] Statements are true before false since if I told you my name, you’d believe me. b] Epistemics – you wouldn’t be able to start a strand of reasoning since we’d have to question that reason. c] Squo Bias – you are cognitively biased to maintaining the squo so if both options are equal err on the side of change. d] If anything is permissible, then definitionally so is the aff since there is nothing that prevents us from doing it. e] Time skew – The 6-3 time skew ensures the negative will always be ahead by the end which means if we come out equal I did the better job debating so vote aff.