### 1

#### Interpretation – the Affirmative must present a delineated enforcement mechanism for the Plan.

#### Partial right to strike exists now – enforcement is the core question of the topic and there's no consensus on normal means so you must spec

Marley S. Weiss [Professor of Law, University of Maryland School of Law], 2000, “The Right To Strike In Essential Services Under United States Labor Law”, https://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=2189&context=fac\_pubs

2. Strikes, Lockouts, and Other Lawful Primary Weapons under the NLRA The parties, both labor and management, are under a duty to bargain in good faith with each other, “but such obligation does not compel either party to agree to a proposal or require the making of a concession”. The essential idea here is that both sides must genuinely try to reach mutual agreement. However, this simple concept is extremely difficult to enforce, and employers too often resort to bad faith bargaining, bargaining on the surface with no real intention of concluding an agreement, as part of a strategy to eliminate union representation from the workplace. In addition, the duty to bargain is limited to matters falling within the Section 8(d) statutory phrase, “wages, hours, and other terms and conditions of employment”, and the right to strike is similarly limited to issues falling within the scope of mandatory bargaining as defined by that phrase. Although the phrase has been broadly construed in many respects, as to certain issues, the contrary has been the case. Capital redeployment, that is, relocation of operations, disinvestment in unionized plants, subcontracting, and plant closure decisions, provide employers with a potent set of weapons against unions. While bargaining over the effects of such decisions is plainly mandatory, the extent to which bargaining is required over the decisions themselves have been hotly contested

#### Violation: they don’t

#### Standards

#### 1] Shiftiness- They can redefine the 1AC’s enforcement mechanism in the 1AR which allows them to recontextualize their enforcement mechanism to wriggle out of DA, NC and K links since all links are predicated on type of enforcement i.e. Cap K, violent strikes NC, contracts NC, – independently lets settlers shift out of discussing decolonization

#### 2] Real World - Policymakers will always specify how the mandates of the plan should be endorsed. It also means zero solvency, absent spec, governments can circumvent the Aff’s movement since there is no delineated way to enforce the affirmative which means there’s no way to actualize any of their solvency arguments – absent spec we can’t take resistance strategies into the real world which leaves indigenous people affected by IP out to dry.

#### ESpec isn’t regressive or arbitrary- it’s central to any advocacy about strikes since the only uniqueness of a right to strike is how effective its enforcement is – their lack of uniqueness ev on the 1AC proves the need to spec

#### Fairness and education are voters – its how judges evaluate rounds and why schools fund debate

#### DTD – it’s key to norm set and deter future abuse

#### Neg theory is DTD - 1ARs control the direction of the debate because it determines what the 2NR has to go for – DTD allows us some leeway in the round by having some control in the direction

#### Competing interps – Reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation – it also collapses since brightlines operate on an offense-defense paradigm

#### No RVIs – A – Going all in on theory kills substance education which outweighs on timeframe B - Discourages checking real abuse which outweighs on norm-setting C – Encourages theory baiting – outweighs because if the shell is frivolous, they can beat it quickly D – its illogical for you to win for proving you were fair – outweighs since logic is a litmus test for other arguments

### 2

#### Interpretation debaters must disclose new affs full text

#### Violation they didn’t – screenshots prove

A] kills pre-round prep which is the locus of negative strategy – they get infinite prep while I get 0 causes massive prep skew – there are also infinite 1ACs I need to know what people read to prep my neg positons

#### B] White comfort – we can never test their positions since they never publish them and open them up for criticism which means we cant find K links and kritik the aff

#### C] education – we can never research or learn about their position in our free time or engage in testing

#### D] evidence ethics -- they can just lie about evidence or articles and I cant verify before round sicnce the aff is new

#### c/a paradigm issues

### 3

#### All capitalism is racial capitalism – striker demands are inevitably satisfied through dehumanization and colonialism

Burden-Stelly 20, Visiting Scholar in the Race and Capitalism Project at the University of Chicago. She is currently an Assistant Professor of Africana Studies and Political Science at Carleton College (Charisse, July 1st, Modern U.S. Racial Capitalism, *The Monthly Review*, Volume 72, Number 3, Available at: <https://monthlyreview.org/2020/07/01/modern-u-s-racial-capitalism/>)

\*4-point font and paragraph merging for readability.

\*\*Footnote 14 is inserted below the paragraph it’s cited in, other footnotes excluded for readability.

Drawing on the intellectual production of twentieth-century Black anticapitalists, I theorize modern U.S. racial capitalism as a racially hierarchical political economy constituting war and militarism, imperialist accumulation, expropriation by domination, and labor superexploitation.14 The racial here specifically refers to Blackness, defined as African descendants’ relationship to the capitalist mode of production—their structural location—and the condition, status, and material realities emanating therefrom.15 It is out of this structural location that the irresolvable contradiction of value minus worth arises. Stated differently, Blackness is a capacious category of surplus value extraction essential to an array of political-economic functions, including accumulation, disaccumulation, debt, planned obsolescence, and absorption of the burdens of economic crises.16 At the same time, Blackness is the quintessential condition of disposability, expendability, and devalorization.

[Footnote 14]: Another feature of modern U.S. racial capitalism is property by dispossession. In Theft Is Property! Dispossession and Critical Theory, Robert Nichols draws on the experience of Indigenous peoples in the United States, Canada, and New Zealand to theorize how the “system of landed property” was fundamentally predicated on violent dispossession. While the Anglo-derived legal-political regimes differed in these localities, the “intertwined and co-constitutive” material effects converged in the legalized theft of indigenous territory amounting in “approximately 6 percent of the total land on the surface of Earth.” Such dispossession, Nichols notes, is recursive: “In a standard formulation one would assume that ‘property’ is logically, chronologically, and normatively prior to ‘theft.’ However, in this (colonial) context, theft is the mechanism and means by which property is generated: hence its recursivity. Recursive dispossession is effectively a form of property-generating theft.” As such, theft and dispossession, through property regimes, are an ongoing feature of the Indigenous reality of modern U.S. racial capitalism. Robert Nichols, Theft Is Property! Dispossession and Critical Theory (Durham: Duke University Press, 2020), 50–51.

My operationalization of capitalism follows Oliver Cromwell Cox’s explication in Capitalism and American Leadership.17 Modern U.S. racial capitalism arose in the context of the First World War, when, as Cox explains, the United States took advantage of the conflict to capture the markets of South America, Asia, and Africa for its “over-expanded capacity.”18 Cox further expounds upon this auspicious moment of ascendant modern U.S. racial capitalism thus: By 1914, the United States had brought its superb natural resources within reach of intensive exploitation. Under the stimulus of its foreign-trade outlets, the financial assistance of the older capitalist nations, and a flexible system of protective tariffs, the nation developed a magnificent work of transportation and communication so that its mines, factories, and farms became integrated into an effectively producing organism having easy access to its seaports.… [Likewise,] further internal expansion depended upon far greater emphasis on an ever widening foreign commerce.… Major entrepreneurs of the United States proceeded to step up their campaign for expansion abroad. The war accentuated this movement. It accelerated the growth of [modern] American [racial] capitalism and impressed upon its leaders as nothing had before the need for external markets.19 Relatedly, Peter James Hudson argues that the First World War fundamentally changed the terms of order of international finance, allowing New York to compete with London, Paris, and Berlin for the first time in the realm of global banking. This was not least because the Great War “drastically reordered global credit flows,” with the United States transforming from a debtor into a creditor nation.20 In addition to Latin American and Caribbean nations and businesses turning to the United States for financing and credit, domestic saving and investment patterns were altered to the benefit of imperial financial institutions like the City Bank.21 Although the United States is, to use Cox’s terminology, more a “lusty child of an already highly developed capitalism” than an exceptional capitalist power, the nation perfected its techniques of accumulation through its vast natural wealth, large domestic market, imbalance of Northern and Southern economies, and, importantly, through its lack of concern for the political and economic welfare of the overwhelming masses of its population, least of all the descendants of the enslaved.22 Modern U.S. racial capitalism is thus sustained by military expenditure, the maintenance of an extremely low standard of living in “dependent” countries, and the domestic superexploitation of Black toilers and laborers. Cox notes that **Black labor has been the “chief human factor” in wealth production;** as such, “the dominant economic class has always been at the motivating center of the spreads of racial antagonism. This is to be expected since the economic content of the antagonism, especially at its proliferating source in the South, has been precisely that of labor-capital relations.”23 In a general sense, racial capitalism in the United States constitutes “a peculiar variant of capitalist production” in which **Blackness expresses a structural location at the bottom of the labor hierarchy characterized by depressed wages, working conditions, job opportunities, and widespread exclusion from labor unions.**24 Furthermore, modern U.S. racial capitalism is rooted in the imbrication of anti-Blackness and antiradicalism. Anti-Blackness describes the reduction of Blackness to a category of abjection and subjection through narrations of absolute biological or cultural difference; ruling-class monopolization of political power; negative and derogatory mass media propaganda; the ascent of discriminatory legislation that maintains and reinscribes inequality, not least various modes of segregation; and social relations in which distrust and antipathy toward those racialized as Black is normalized and in which “interracial mass behavior involving violence assumes a continuously potential danger.”25 Anti-Blackness thus conceals the inherent contradiction of Blackness—value minus worth—obscuring and distorting its structural location by, as Ralph and Singhal remark, contorting it into only a “debilitated condition.”26 Antiradicalism can be understood as the physical and discursive repression and condemnation of anticapitalist and/or left-leaning ideas, politics, practices, and modes of organizing that are construed as subversive, seditious, and otherwise threatening to capitalist society. These include, but are not limited to, internationalism, anti-imperialism, anticolonialism, peace activism, and antisexism. Anti-Blackness and antiradicalism function as the legitimating architecture of modern U.S. racial capitalism, which includes rationalizing discourses, cultural narratives, technologies of repression, legal structures, and social practices that inform and are informed by racial capitalism’s political economy.27 Throughout the twentieth century, anti-Blackness propelled the “Black Scare,” defined as the specter of racial, social, and economic domination of superior whites by inferior Black populations. Antiradicalism, in turn, was enunciated through the “Red Scare,” understood as the threat of communist takeover, infiltration, and disruption of the American way of life.28 For example, in the 1919 Justice Department Report, Radicalism and Sedition Among the Negroes, As Reflected in Their Publications, it was asserted that the radical antigovernment stance of a certain class of Negroes was manifested in their “ill-governed reaction toward race rioting,” “threat of retaliatory measures in connection with lynching,” open demand for social equality, identification with the Industrial Workers of the World (IWW), and “outspoken advocacy of the Bolshevik or Soviet doctrine.”29 **Here, anti-Blackness, articulated through the fear of the “assertion of race consciousness,” was attached to the IWW and Bolshevism—in other words, to anticapitalism—to make it appear even more subversive and dangerous**. Likewise, antiradicalism, expressed through the denigration of the IWW and Soviet Doctrine, was made to seem all the more threatening and **antithetical to the social order in its linkage with Black insistence on equality and self-defense against racial terrorism.** In this way, **“defiance and insolently race-centered condemnation of the white race”** and “the Negro seeing red” **came to be understood as seditious in the context of modern U.S. racial capitalism**. The link between my theory of modern U.S. racial capitalism and Robinson’s catholic theory of racial capitalism, beyond his “suggest[ion] that it was there,” is vivified through the prison abolitionist and scholar Ruth Wilson Gilmore, who writes: “Capitalism…[is] never not racial.… Racial capitalism: a mode of production developed in agriculture, improved by enclosure in the Old World, and captive land and labor in the Americas, perfected in slavery’s time-motion, field factory choreography, its imperative forged on the anvils of imperial war-making monarchs.”30 Racial capitalism, she continues, “requires all kinds of scheming, including hard work by elites and their compradors in the overlapping and interlocking space-economies of the planet’s surface. They build and dismantle and reconfigure states, moving capacity into and out of the public realm. And they think very hard about money on the move.”31 Perhaps more than Gilmore, though, my approach aligns with that of Neville Alexander as described by Hudson.32 Like Alexander, who focused on South Africa, I offer a particularistic understanding of racial capitalism, mine being rooted in the political economy of Blackness and the legitimating architectures of anti-Blackness and antiradicalism in the United States. Gilmore qua Robinson offers a more universalist and transhistorical conception. Like Alexander, my theory of modern U.S. racial capitalism is primarily rooted in (Black) Marxist-Leninists and fellow travelers. This is an important epistemological distinction: whereas Robinson finds Marxism-Leninism to be, at best, inattentive to race, my theory of modern U.S. racial capitalism is rooted in the work of Black freedom fighters who, as Marxist-Leninists, were able to offer potent and enduring analyses and critiques of the conjunctural entanglements of racialism, white supremacy, and anti-Blackness, on the one hand, and capitalist exploitation and class antagonism on the other hand.33 Although Robinson draws on scholars like Fernand Braudel, Henri Pirenne, David Brion Davis, and Eli Heckscher to understand European history, socialist theory, and the European working class, the work of Black Marxists like James Ford, Walter Rodney, Amílcar Cabral, and Paul Robeson offer me those same intellectual, historical, and theoretical resources. Finally, I agree with Alexander that the resolution to racial capitalism is antiracist socialism, not a cultural-metaphysical Black radical tradition. In what remains of this essay, I will draw on the work of Black Marxist-Leninists and anticapitalists to explicate the defining features of modern U.S. racial capitalism—war and militarism, imperialist accumulation, expropriation by domination, labor superexploitation, and property by dispossession. In this, I demonstrate that their critiques and analyses offer a blueprint for theorizing modern U.S. racial capitalism. War and militarism facilitate the endless drive for profit. Military conflicts between imperial powers result in the reapportioning of boundaries, possessions, and spheres of influence that often exacerbate racial and spatial economic subjection. War and militarism also perpetuate the endless construction of “threats,” primarily in racialized and socialist states, against which to defend progress, prosperity, freedom, and security. The manufacturing of conflict legitimates the mobilization of extraordinary violence to expropriate untold resources that produce relations of underdevelopment, dependency, extraversion, and disarticulation in the Global South. Moreover, **the ruling elite** and labor aristocracy in imperialist countries, not least the United States, **wage perpetual war to defend their way of life and standard of living against the racialized majority** who, because they would benefit most from the redistribution of the world’s wealth and resources, **represent a perpetual threat**. Here, Du Bois’s 1915 essay, “The African Roots of War,” is instructive.34 Though he does not directly analyze the United States, he nonetheless demonstrates how racism, white supremacy, and the plunder of Africa underpinned the capitalist imperialist war that engulfed the world from July 1914 to November 1918—a war that catapulted the United States into the center of the capitalist world system. Using Du Bois’s own words, Hubert Harrison, the father of Harlem radicalism, makes the direct link: But since every industrial nation is seeking the same outlet for its products, clashes are inevitable and in these clashes beaks and claws—armies and navies—must come into play. Hence beaks and claws must be provided beforehand against the day of conflict, and hence the exploitation of white men in Europe and America becomes the reason for the exploitation of black and brown and yellow men in African and Asia. And, therefore, it is hypocritical and absurd to pretend that the capitalist nations can ever intend to abolish wars.… **For white folk to insist upon the right to manage their own ancestral lands**, free from the domination of tyrants, domestic and foreign, is variously described as “**democracy” and “self-determination.”** **For Negroes, Egyptians and Hindus to seek the same thing is impudence**.… Truly has it been said that “the problem of the 20th century is the problem of the ‘Color Line.'” And wars are not likely to end; in fact, **they are likely to be wider and more terrible—so long as this theory of white domination seeks to hold down the majority of the world’s people under the iron heel of racial oppression**.35 For Du Bois, the imperialist rivalry for the booty on offer in Africa drove Berlin’s efforts to consolidate its place in the sun by displacing London in particular. While Vladimir Lenin understood that “the war [was] a product of half a century of development of world capitalism and of billions of threads and connections,” Du Bois expanded this analysis by providing a critique of the racial foundations of capitalist expansion.36 He held that **the struggle to the death during the Great War for African resources and labor had begun to “pay dividends” centuries earlier** through the enslavement of African peoples, the subsequent conflation of color and inferiority, **and the reduction of what was routinely referred to as the “Dark Continent” to a space of backwardness ideally suited for dispossession.** He further noted that “with the waning possibility of Big Fortune…at home, arose more magnificently the dream of exploitation abroad,” especially in Africa—a dream shared by white labor and the ruling class.37 In other words, this “democratic despotism” allowed for the white working class to “share the spoil of exploiting‘chinks and niggers,'” and facilitated the creation of “a new democratic nation composed of united capital and labor” that perpetuated racial capitalism across class lines.38 Moreover, this **national unity was strengthened through the disrespect and dehumanization of the racialized toilers and peasants in the plundered colonies that mitigated the exploitation and impoverishment of the white working class in imperial countries**. **This superexploitation allowed white workers to get a share, however pitiful, of “wealth, power, and luxury…on a scale the world never saw before” and to benefit from the “new wealth” accumulated from the “darker nations of the world” through cross-class consent** “for governance by white folk and economic subjection to them”—a consensus solidified through the doctrine of “the natural inferiority of most men to the few.”39 Given the entanglement of racialization and capitalist exploitation, Du Bois averred, “Racial slander must go. Racial prejudice will follow…the domination of one people by another without the other’s consent, be the subject people black or white, must stop. The doctrine of forcible economic expansion over subject people must go.” Insofar as this admonishment applied as much to the United States as to European imperialists, beyond the international proletariat, it was the darker peoples and nations of the world who would challenge racial capitalism, not least “the twenty-five million grandchildren of the European slave trade…and first of all the ten million black folk in the United States.”40 Imperialist accumulation denotes the rapacious conscription of resources and labor for the purpose of superprofits through violent means that are generally reserved for populations deemed racially inferior. On the precipice of the Great Depression, the prominent Black communist James Ford beautifully explicated imperialist accumulation. In his 1929 report on the Second World Congress of the League Against Imperialism, he explained that the extant political economy constituted the consolidation of Africa’s partition and the “complete enslavement of its people”; the arresting of its industrialization, which hindered the development of the “toiling masses”; and the relegation of the continent to a source of raw material, a market for European goods, and a dumping ground for accumulated surplus capital. In the U.S. South, the Black poor were dehumanized by Wall Street, “white big business,” and the “rising Negro bourgeoisie” whose condition of possibility was the subjection of the Black working class. This oppression was exacerbated by rigid racial barriers, disenfranchisement, and lynching. Ford further argued that the West Indies, subjected to U.S. militarism and occupation on behalf of Wall Street, were largely transformed into a marketplace for U.S. goods. Moreover, throughout Africa, the U.S. South, and the Caribbean, Black workers were impressed into forced labor, laying railroads, building roads and bridges, and working in mines; were entrapped on plantations through peonage; and were subjected to convict leasing. In addition, they suffered intolerable working conditions and routinized violence.41

Expropriation by domination designates the seizure and confiscation of land, assets, property, bodies, and other sources of material wealth set to work by relations of economic dependence. This relationship exists both between nations and between groups. A quintessential enunciation of expropriation by domination between groups is We Charge Genocide: The Historic Petition to the United Nations for Relief from a Crime of the United States Government Against the Negro People, edited by the Black Communist William Patterson (with significant help from his wife and comrade Louise Thompson Patterson) and submitted to the United Nations by the Civil Rights Congress in 1951.42 The petition meticulously documented the past and **present expropriation of Black people** by the ruling class of modern U.S. racial capitalism through consistent and persistent discrimination in employment, unfair wages, forced ghettoization, inequitable and inferior accommodation and services, and the denial of justice in the courts. It further argued that this process was sustained by genocidal terror, white supremacist law, and the drive of monopoly capitalists for superprofits. Importantly, We Charge Genocide noted that, for primarily economic reasons, the historical and geographical locus of anti-Black genocide was the “Black Belt” of the Southern United States, a region expropriated by the Northern industrial capitalists and by Southern landowners alike. This was due in large part to plantation systems of sharecropping and peonage—legacies of slavery—in which Black political and economic rights were virtually nonexistent, Black laborers were inexorably tied to the land through debt, and the threat of violence and death precluded demands for justice. For Patterson, such expropriation by domination was the basis of “racist contamination that has spread throughout the United States.”43 We Charge Genocide further conveyed that expropriation by domination, a central element of modern U.S. racial capitalism, was more than a domestic concern because such practices “at home must inevitably create racist commodities for export abroad—must inevitably tend toward war.”44

#### Their affirmation of strikes as the right way to protest affirms the racial innocence of the state and criminalizes black movements – turns the aff

Naomi **Murawaka, 19** (Naomi Murawaka, ‘Racial Innocence: Law, Social Science and the Unknowing of Racism in the US Carceral State’, https://www.annualreviews.org/doi/pdf/10.1146/annurev-lawsocsci-101518-042649, 2019)//iLake-💣🍔

White Exemptions By contrast, theories of white criminality have been left in the dustbin of history. Ward (2015) reminds us of one such discarded theory. Having observed white youths attacking black people and their property throughout the 1950s, psychologist Clark (1959) hypothesized that white juvenile delinquency is an underdetected by-product of the white youth’s confused cynicism about proclaimed democratic egalitarianism alongside obvious white supremacy. Historically, there are classes of missing perpetrators whose whiteness reduces their likelihood of being reported, policed, or punished (Ward 2015). In the early–twentieth century urban North, **whites were extended the benefits of rehabilitation and decriminalization that were withheld from African Americans**, as “the black male criminal” supplanted white hoodlums and ethnic gangsters as the dominant signifier of urban criminality (Muhammad 2011). **Official measures of crime also largely exclude white “resistance”** to desegregation from the 1940s through the 1970s; such “resistance” might have been measured in Uniform Crime Report index crimes like aggravated assault, arson, and murder. Such **omissions exaggerate racial gaps in measures of the crime rate** (Ward 2015).

Present-day **white exemptions include,** to name just a few, **not having school discipline farmed out to police**, not being stopped or frisked, and **being permitted to engage in unpoliced disorderly conduct** (Lassiter 2015,Ward 2015).With “**real criminality” fastened to blackness**, prosecutors and judges are more likely to “divert” whites into drug courts, pretrial diversion, or other programming (Eaglin 2016, Schlesinger 2013). Contemporary practices are consistent with longer histories of creating and **reserving rehabilitation programs, and social insurance and welfare in general, for whites** (Alexander 2010, Muhammad 2010). By contrast, present-day returns to so-called therapeutic programming have reconfigured rehabilitation as responsibilization. **Working with large proportions of black, Latinx, and Native American people, contemporary programs “rehabilitate” by counseling people to lower their expectations, control their anger, correct their defective selves, and assume individual responsibility** (Cox 2017, McCorkel 2013, Miller & Alexander 2016, Miller & Stuart 2017).

Routine, Cumulative, Compounding Racial Inequality **Racial criminalization is routine and ubiquitous, not a single “event”** performed by a carceral administrator (Rios 2011, Shedd 2015). Given the pervasiveness of being watched with suspicion, young people of color experience “hypercriminalization,” the process by which “**everyday behaviors and styles become ubiquitously treated as deviant, risky, threatening, or criminal**, across social contexts” (Rios 2011, p. xiv). Brame et al. (2014) estimated that 30% of black boys have been arrested by age 18 (versus 22% for white boys). This figure increases to 49% by age 23; i.e., half of all black men hit young adulthood having been arrested at least once (versus 38% for white men).

Disadvantages of carceral contact accrue over the life course, although racial criminalization means that blacks are marked even without an official criminal record. Sociologist Pager’s (2007) groundbreaking racial audit studies, **which assess callback rates for entry-level jobs**, found that any kind of criminal record, **even a low-level felony conviction without evidence of incarceration, reduces callback rates for white and black applicants**. However, white applicants with a criminal record were three times as likely to receive a callback as equally qualified blacks with a criminal record (17% versus 5% called back). Further still, white applicants with a criminal record were just as likely to receive a callback as black applicants without any criminal history (17% versus 14% called back; the difference is not statistically significant) (Pager 2007, pp. 90–91; Shedd 2015). Internet search results are perhaps a more mundane example of reinforcing presumptions of black criminality. Compared with Google searches of white-sounding names (e.g., Geoffrey or Emma), searches of black-identifying names (e.g., DeShawn or Jermaine) are more likely to deliver results suggestive of an arrest record (Sweeney 2013). Results from a potential employer’s Google search may in effect compound racialized wealth inequality, even if based on misinformation.

Beyond the legally marked individual, the costs of racial criminalization ripple across families, neighborhoods, and generations. The cumulative risk of experiencing paternal imprisonment for black children (25.1%) and white children (3.6%) exacerbates racial inequality in children’s wellbeing, especially with regard to child homelessness and foster care placement, poverty, and food insecurity (Sykes & Pettit 2015, Wakefield & Wildeman 2014). Of all black children born in 1990 to fathers without a high school diploma, 50.5% would see their father imprisoned, up 130% from 1978. The risk of paternal imprisonment for black children of college-educated fathers (13.8%) is nearly twice the risk of paternal imprisonment for white children of fathers without a high school diploma (7.2%) (Wakefield & Wildeman 2014). The collateral consequences of punishment further entrench racial inequality in wealth, health, and well-being.

Statistical Illusions of Progress Recall that **“the Negro problem” safeguards fantasies of a just national order.** This dynamic is well demonstrated in research finding that high black incarceration rates have the perverse effect of creating statistical illusions of racial progress. Commonly used **surveys sample only individuals living in households**, not those living behind bars. These surveys include the Current Population Survey, the National Health Interview Survey, the National Survey on Drug Use and Health, and the Survey of Income and Program Participation. Studies that rely on these data actually underestimate the magnitude of racial inequality, creating what Pettit (2012) calls “illusions of progress” through “siphoning effects.” For example, Current Population Survey data suggest that men’s black–white gap in high school completion narrowed from 13.6 to 6.3 percentage points between 1980 and 2008. When Pettit (2012) counted the imprisoned, however, this narrowing of racial disparity all but disappeared. The racial gap in high school completion remained mostly stable, hovering at roughly 11 percentage points from 1988 to 2008 (Ewert et al. 2014, Pettit 2012). Similarly, conventional estimates of men’s black–white employment and wage gaps exaggerate narratives of racial progress because the most marginalized black people are siphoned off from the count (Western & Beckett 1999, Western & Pettit 2005).

LIBERAL REFORMISM This section considers liberal reformism as another mechanism for neutralizing radical protest and reaffirming the racial innocence of the carceral state. “**Racial innocence is the alchemy by which Americans turn enduring and otherwise visible inequality into redemptive stories of rights, equal protection, individualism, and progress**,” as Taylor (2015, p. 56) explains. This alchemy— of spinning virtue from hoarding and domination—**relies on a narrative of progress and liberal reformism**. **Racial innocence is adaptive, and** **the “American Creed” that celebrates procedural equality enables and constrains political reform** (Crenshaw 1988, HoSang 2010, Taylor 2015). **Liberal reform reflects the recognition that movement demands are powerful and threatening, and therefore preservation of power relations is best served by adopting some movement demands after reducing them to a suitably moderate form** (Omi & Winant 1986, Schept 2015).

Decarcerating the Relatively Innocent **Recent reforms have focused on** relatively **sympathetic figures like** the “non, non, nons”: **the nonserious, nonrepeat, and nonviolent offenders** (Beckett 2018, Gilmore 2015, Gottschalk 2015). This strategy, however, sidesteps the two most consequential macroshifts in sentencing policy since the 1970s: the increased likelihood that a felony arrest would result in prison admission and increased time served in prison (Beckett 2018, Tonry 2013, Travis et al. 2014). Confronting these equilibrium shifts would require massive sentencing reform, including but not limited to repealing mandatory minimums and three-strikes provisions, abolishing life sentences and virtual life sentences of greater than 40 years, replacing sentencing’s high floors with low ceilings, reinstating good-time early-release credits, and reducing parole length and terms of revocation (Beckett 2018; Gottschalk 2015; Kim et al. 2018; Mauer & Nellis 2018; Tonry 2013, 2016). **In short, advocating for the relatively innocent is inadequate**. Note, for example, that incarceration rates still would have quadrupled over the past 35 years even if all drug convictions were eliminated (Beckett 2018, Forman 2012, Gottschalk 2015).

**Advocating for the relatively innocent legitimizes the idea that the relatively guilty deserve what they get**. Based on content analysis of legislative reforms and media language from 2000 to 2012, Beckett et al. (2016) found that reforms pertaining to nonviolent offenses were often justified as freeing resources to incarcerate violent offenders for even longer sentences. That is, reformers demand less prison in the name of more prison (Beckett et al. 2016; Gilmore 2015, 2017). This reform tactic also hardens status divides between nonviolent and violent criminals, categories that are neither natural nor self-evident. Rather, police and district attorneys actively produce “serious” or “violent” felony charges, and “their use is part of a racial apparatus for determining ‘dangerousness”’ (Gilmore 2015)

Carceral Feminism “Carceral feminism” critically names efforts to criminalize away the routine violence of rape, domestic violence, and heteropatriarchy (Burnstein 2007, Davis 2016, Thuma 2019). As a major “lever of legitimacy for expanding the carceral state,” the Violence Against Women Act (VAWA) delivered unprecedented federal funding for sexual and domestic violence prosecution. VAWA was nested in the omnibus Violent Crime Control and Law Enforcement Act of 1994, which allocated nearly $10 billion for state prison construction and subsidized local hiring of more police officers (Thuma 2019). Other manifestations of carceral-feminist expansion include mandatory arrest policies and pro-prosecution protocols. Women who do not “fit the traditional image of the innocent victim”—that is, black women, women of color, poor women, sex workers, lesbians, and trans women—are likely to be criminalized rather than protected through such policies (Richie 2012, p. 123; Gottschalk 2006, Gruber 2018, Ritchie 2017).Much like “hate crime” legislation, carceral feminism builds punitive capacity while enabling lawmakers to stand in disavowal of state-sanctioned racial heteropatriarchy (Reddy 2011, Schept 2015, Spade 2015). In short, critics of carceral feminism highlight the mutually reinforcing dynamics of carceral expansion, coopted resistance, and falsely affirmed state legitimacy

Training and “Police Humanitarianism” Like the Black Lives Matter movement, liberation movements and uprisings throughout the 1960s identified police as frontline enforcers of racial hierarchy (Platt 2018, Taylor 2016). **Reformers in both moments turned to police training, promoting what some critically call “police humanitarianism” and “carceral humanism”** (Gilmore 2017, Gilmore & Gilmore 2016, Kilgore 2014, Schept 2015). In classic terms,The Iron Fist and the Velvet Glove identified the rise of “community policing” as complementary to the rise of aggressive paramilitary policing (Cent. Res. Crim. Justice 1975). Indeed, funding for community policing rose with SWAT teams and paramilitary units (Camp 2016, DeMichele & Kraska 2001, Hinton 2016).

Procedural justice and implicit bias dominate the current landscape of police training. Against the chorus of support, some scholars fear that **procedural-justice training**, as a stand-alone remedy, risks sustaining saturated police presence in communities of color, **essentially teaching police to continue the same patterns but with superficial niceties** (Bell 2017, Butler 2017, Epp et al. 2014, Vitale 2017). Some similar concerns apply to implicit-bias training, as companies like Fair & Impartial Policing® instruct police to cultivate the skill of acknowledging their cognitive bias. Framed as a pervasive yet individual-level phenomenon, implicit bias is presented as mitigatable through education (Lynch et al. 2013, Petersen 2018). This vision of training calls to mind HoSang’s (2010, p. 31) very definition of racial innocence: **It is the notion that “the self-possessed individual” can decide “to free himself or herself from the narrow trappings of prejudice” and “no longer be ‘guilty’ of racism.”**

Experimental tests of debiasing interventions demonstrate some success in very short-term reductions of implicit biases, but there is limited and conflicting evidence of whether reductions endure past two or three months (Smith 2015). Observations of implicit-bias police training paint a disturbing picture of racial criminalization reaffirmed, not deconstructed; one popular training module assures officers that implicit associations between blackness and criminality are partially justified by reality (Petersen 2018). Critical race theorists have long relied on implicit bias research to combat legal definitions of discrimination as intentional harm, but recent pushback against the implicit-bias preoccupation is illuminating in the context of police training. Marshalling long citation chains of experimentally confirmed implicit bias research is a satisfying “hard evidence” refutation of the intent standard, but not all racial harm can or should be attributed to cognitive bias in the unwitting racist’s interior (Seigel 2018, Selmi 2016). The habit of blaming implicit bias—a subset of the overarching habit of equating racism with psychological error—risks exonerating institutional arrangements that incentivize and legitimize racist harm (Butler 2017, Frymer 2005, Lynch et al. 2013, Obasogie & Newman 2018, Vitale 2017).

#### In response the role of the ballot is to endorse the best organizational tactics.

Escalante 19 [Alyson Escalante, M.A., Department of Philosophy @ University of Oregon, “Truth and Practice: The Marxist Theory of Knowledge,” 09/08/19, tinyurl.com/8jksnexs] pat

The world we live in today is in a dire state. Climate destruction continues at a fast pace, and every with every passing day, capitalism proves itself to be incapable of addressing this. Capitalist production and its endless drive for resources to match artificial market demands has created a climate crisis that leaves us on the brink of potential extinction.

Governments around the world are turning to far right and fascist leaders to assuage their fears of an uncertain future, and the most marginalized and oppressed suffer because of it. Fascism is on the rise, and history tells us very clearly what that can result in without opposition.

The decaying US empire continues to lash out in violence across the globe in a desperate attempt to re-assert its power and hegemony. Whole countries are destroyed in its desperate bids for more fossil fuels. The world burns from America’s white phosphorus weaponry.

The need for a revolutionary movement capable of replacing capitalism with something better has never been so clear. The choice between socialism or barbarism has never been so stark. More and more people are starting to realize that reform cannot save us, that capitalism and imperialism themselves are the problem, and that we must unite and band together to fight for a better world.

The question then is: how will we know what strategies, what tactics, and what ideas to unite around? If the skeptics and postmodernists are correct that knowledge is always relative and localized, then we cannot built a global and universal strategy to unite around. If they are correct then we are doomed to small acts of localized or individual resistance in the face of apocalypse. To embrace such a vision of the world (with its accompanying epistemological skepticism) is to embrace defeat.

The masses do not want to embrace defeat, they want to know how to fight back. Marxism can provide the tools necessary to engage in that fight.

Marxism, with its self criticism and its insistence on incorporating the valuable ideas of its critics has created a means for unifying workers across the globe with anti-colonial and anti-imperialist struggles. The Marxist belief in the possibility of true ideas, tested and verified in practice, creates the possibility for unity on a global scale. The scientific status of Marxism means that as our climate changes, as our world looks more and more grim, Marxism will adapt through struggle and practice; it will provide us with the ideas and tools we need to fight and win.

There will be no victory for the workers of the world without the ability to wield a revolutionary science. What is at stake in questions of Marxist epistemology is the very possibility of creating a philosophical and scientific basis for revolution. We must defend this possibility. We must defend the scientific status of Marxism, and must insist on the possibility of victory.

#### Vote neg for party building that combats the roots of capitalism and white supremacy

**Maoist Communist Party 20** -- pretty self-explanatory

9-1-2020, "The Kenosha Uprising and the Need for a People's Revolutionary Party — Hampton Institute," Hampton Institute, https://www.hamptonthink.org/read/kenosha-and-the-need-for-a-revolutionary-peoples-party

The course of the George Floyd Rebellion has demonstrated unequivocally that **the principle task** of the communist movement is the work of party building: the provision of revolutionary organization forged in the fires of class struggle and capable of **providing proletarian leadership to the mass movement.** It would be pure delusion to suggest that any contemporary communist formation has the capacity to provide that leadership and shift the objective situation we now face in the direction of a revolutionary break – the spontaneous rebellion which continues to rage across the country, most recently stoked by the police shooting of Jacob Blake in Kenosha, WI, is entirely outside of the control of the revolutionary movement, which now exists **only in small-group form**. The questions facing the communist camp revolve around our path forward and overall strategy: how to construct a fully constituted revolutionary communist party in our context, in the face of sharpening reactionary paramilitary aggression and a nearly unprecedented (at least in recent memory) wave of anticolonial uprisings.

The overall failure to seize upon the current juncture is an indictment of a left which has neglected to take seriously the anti-imperialist character of the popular struggle for black liberation, that is, the struggle for national liberation of the New Afrikan internal colony. Allowing the black liberation movement to be subsumed by a chauvinist politics of “class unity” has obfuscated the transformation of the **white proletariat into a labor aristocracy** which reaps a portion of the gains looted through **superexploitation of the colonized.** We have addressed the dialectics of this transformation [elsewhere](https://protect2.fireeye.com/v1/url?k=9e8fabde-c2b70cbc-9e8d52eb-000babd9f75c-df47be687fa3bb60&q=1&e=b7b11596-3c9c-4d0e-9708-471574e4dae8&u=https%3A%2F%2Fmaoistcommunistparty.org%2F2020%2F04%2F12%2Fdefend-marxism-leninism-maoism-against-gonzaloite-revisionism%2F), but in short, any meaningful class analysis of the so-called u.s.a. context reveals a proletariat cut across by imperialist contradictions which must be resolved through struggle against white supremacy and settler colonialism. **The fight against white supremacy must be considered as much a question of principle as of strategy; the liquidation of either component amounts to the liquidation of any practical path to revolutionary struggle itself.**

Recognizing the practical limitations of the contemporary communist movement within the so-called u.s.a. – consequences of decades of **sectarian squabbling**, the hegemony of **revisionism** and **white chauvinism**, and the complete absence of a truly mass-oriented politics guided by a **strategic revolutionary program** – means also recognizing that the only path forward is one of **constructing mass organizations** with a **burgeoning party formation at their core**, and of uniting the struggle for black liberation with the struggle for socialism by **putting politics, rather than dogma, in command.**

The following theses summarize the general strategic orientation of the Maoist Communist Party – Organizing Committee in this regard:

i. **The fight against white supremacy must take on a strategic priority**. Recent events have demonstrated to the world at large what the black revolutionary movement and the agents of the settler-state apparatus have both recognized for decades: the **oppression of the New Afrikan internal colony is the principal contradiction** in the contemporary u.s.a. context. The intense repression of the black revolutionary movement – indeed, the construction of all new repressive apparatuses for this singular purpose – speaks to the fear which the old bourgeoisie rightly feels in the face of this national liberation struggle. Lenin, during the Third International, changed the course of the international communist movement by correcting its slogan, from the famous lines of the Manifesto (“Workers of the world, unite!”) to “Workers and oppressed peoples of the world, unite!” Communist unity with the struggle of oppressed peoples for their liberation is not solely on the basis of national liberation struggles’ ability to ‘detonate’ the broader class struggle, but because the **anti-imperialist struggle is the leading force in the world revolutionary movement today**. A communist movement which is unable to unite the worker’s struggle with the black revolutionary struggle on the basis of anti-imperialism is destined for the dustbin of history. The MCP-OC directs its cadres to unite wherever possible with formations which organize for black liberation, principally the **New Afrikan Black Panther Party** and **the United Panther Movement.**

ii. The spontaneous uprisings across the country, in response to repressive violence against black people, are circumscribed by the overall level of mass organization existing in a given city. The broad success of the **state apparatus and its nonprofit wing in recuperating the energy of the George Floyd Rebellion into nonthreatening (and even counterrevolutionary) programs** is a direct consequence of **the absence of mass organizations capable of transforming the struggle for immediate demands** into a political struggle for power. Even the most militant rebellion will be limited to achieving only minor concessions from the state without the presence of revolutionary leadership armed with a political program. The task of our cadres in this context is not only to recruit for their own organizations, such as our For the People programs, which is ultimately a secondary objective. Instead, we instruct local cells to work towards the construction of **organizations composed of the masses themselves, leading alongside militants**. Such organizations must be made capable of resisting recuperation through ongoing and **explicit political education** and two line struggle; they must be made with the objective of **protracting the fight against the class enemy**, organizing for concessions from the enemy and operating as a “school of war.” Ultimately, they must be united with other mass organizations into a front under communist leadership.

iii. The experience of Kenosha – in particular, the murder of two demonstrators by the brownshirt Kyle Rittenhouse – not only speaks to the truth of the old adage “cops and Klan go hand in hand,” but provides an implicit critique of the liberal “abolitionist” line. **We cannot be fooled by the illusion that the racist violence of the state is an anomaly of “policing” or the “carceral state.”** Such rhetoric disguises the real class character of the repressive apparatus and its structural role – the amelioration of class struggle to defend the rule of the owning class. **The repression of black people as colonial violence plays a structurally necessary role in the maintenance of capitalist domination** – this will never be conceded so long as the capitalist system and its state apparatus continue to exist. Whether through traditional police officers or fascist paramilitaries, Capital will always defend itself. Thus, **the fight for abolition must be connected with the revolutionary struggle** and the initiation of people’s war. We reject the rightist line demanding “police abolition” as a political reform.

iv. As repressive violence escalates, the communist movement must respond by preparing the masses to defend themselves and their gains by any means necessary. **The construction of community self-defense organs** under the command of the mass organizations is an urgent task for our militants.

v. The rejection of the ballot as a tool for political struggle is a tactical necessity, not a metaphysical principle. **The broad masses have already demonstrated their distaste for the electoral sham carried out by the bourgeois class dictatorship** and have never attended the polls in high numbers; the passive electoral boycott of the masses must be transformed into an active electoral boycott that rejects the whole capitalist state system. Particularly **as the electoral terrain is offered up by the class enemy as a site of struggle for “social justice” in order to recuperate the creative energy of the masses unleashed by the current uprising**, our cadres must agitate around the electoral boycott and fight for revolutionary struggle. **Elections, no! People’s war, yes!**

### 4

#### The meta ethic is motivationalism – people need to decide on their own any other starting point begs the question of why we follow the framework in the first place.

#### Other frameworks fail. Motivational externalism collapses into internalism.

Joyce Joyce, Richard. “Richard Joyce - The Myth of Morality (Cambridge Studies in Philosophy) (2002).” www.docme.ru/doc/1269345/richard-joyce---the-myth-of-morality--cambridge-studies-i...

Back to the [Suppose] external reason[s]. Suppose it were claimed, instead, that I have a reason to refrain from drinking the coffee because it is tapu and must not be touched. This reason claim will be urged regardless of what I may say about my indifference to tapu, or my citing of nihilistic desires to tempt the hand of fate. [r]egardless of my desires (it is claimed) I ought not drink - l have a reason not to drink. But **how could** that reason ever explain any action of mine? Could the **external reason** even **explain** my **[action]** from drinking**?** Clearly, in order to explain it **the** external **reason must have some causal**ly efficacious **role [in]** among the antecedents of **the action** (in this case, an omission) — l must have. in some manner. "internalized" it. The only possibility, it would seem, consistent with its being an external reason, is that I believe the external reason claim [but] : I believe that the coffee is tapu. There's no doubting that such a belief can play a role in explaining actions - including my refraining from drinking the coffee. The question is whether the **belief alone can[not] produce action**, to which the correct answer is “No.” A very familiar and eminently sensible view says that **in order to explain** an **action** the **belief must couple with desire**s (such that those same desires had in the absence of the belief would not have resulted in the action). And this seems correct: if I believe that the coffee is [bad] tapu but really just don’t care about that, then I will not refrain from drinking it. So in order for the belief to explain action it must couple with [desire] elements - but in that case the putative **external reason collapses into** an **internal** one.3

#### Agents can only be motivated their own desires; not the external desires of another because there are infinite desires of others that aren’t communicated and thus accounted for.

#### Only contractarianism’s foundation in the empirical fact that individuals have desires provides a non-circular origin for the ability to form a moral obligation.

Gauthier**,** Gauthier, David P. *Morals by Agreement*. Oxford: Clarendon, 1986. Print.

**“A contractarian theory** of morals, developed as part of the theory of rational choice, has evident strengths. It enables us to **demonstrate[s] the rationality of impartial constraints on the pursuit of individual interest to persons who** may **take no interest in others'** interests**.** Morality **is** thus **given a** sure **grounding in a** weak and widely accepted **conception of practical rationality. No alternative account** of morality **accomplishes this. Those who claim that** moral **principles are objects of rational choice in special circumstances fail to establish the rationality of actual compliance** with these principles. Those who claim **to establish the rationality of such compliance appeal[s] to a** strong and controversial **conception of reason that** seems to **incorporate[s] prior** moral **suppositions**. No alternative account generates morals, as a rational constraint on choice and action, from a non-moral, or morally neutral, base.”

#### The standard is consistency with contractual obligations.

#### Consequences aren’t relevant. Contractual obligations are a question of the inherent action not aggregating violations.

#### Prefer additionally

#### A] Actor spec: States are formed through contracts. Policymakers have a plurality of changing views, but the only static characteristic of a government it’s legal structure. Absent contracts, it’s impossible to generate obligations since each policymaker has their own view of morality that can’t be resolved.

#### 1] Right to strike violates Labor contracts – no normal means multi-actor fiat and non-governmental agreements

**Aronowitz, 11** (Stanley, a professor of sociology, cultural studies, and urban education at the CUNY Graduate Center. No-Strike Clauses Hold Back Unions, Labor Notes, https://labornotes.org/blogs/2011/12/no-strike-clauses-hold-back-unions, 12-13-2011)//iLake-💣🍔

When leaders of the Occupy movement’s most reliable labor ally, the Longshore Union (ILWU), declared the union would not participate in Monday’s shutdown of West Coast ports, they illustrated a great weakness plaguing our unions.

Labor is confined by contract unionism, whose core is the no-strike clause.

Recall that during the 1999 mass protests against the World Trade Organization, the ILWU used its power to shut down all West Coast ports for a day, a stroke of exemplary solidarity.

The decision not to support the current call was influenced by the fact that, like almost all unions that sign collective bargaining agreements, the ILWU is bound by a clause barring strikes during the life of the contract. The last time ILWU supported a shutdown of the Oakland port, it suffered a fine of $65,000.

For more than 75 years, the labor movement has been enclosed by law and custom by collective bargaining, whose goal is to achieve a contract that seals in wages, benefits, a grievance procedure, and work rules. In return, workers and their union agree, crucially, to surrender their right to withhold their labor.

The penalties for violation are often severe: stiff fines and imprisonment of union officials. After the three-day walkout by New York City transit workers in 2005, a court order barred check-off of union dues, levied $2.5 million in penalties, and handed the union president a 10-day jail sentence.

Even when unionists and their allies flooded Madison, Wisconsin, last winter with huge protests, there was little debate about the limits of contract unionism.

HOLD US BACK

Why do contracts hold back unions?

1. The contract has the force of law. It is a compromise between labor and the employer, private or public. The workers agree to suspend most of their demands for as long as the contract lasts. In the past decade that period has grown, sometimes to as much as six years. Even if conditions change, the union cannot reopen the contract unless the employer consents.

2. The union is responsible for enforcing the contract, including disciplining the workers. Of course, management regularly bypasses or brazenly violates the contract. To remedy these infractions, the union can grieve and finally arbitrate. Although arbitration is heavily weighted on the employers’ side, workers have no other recourse, under the law of the contract.

If they (rarely, these days) resort to a wildcat walkout or other job action, their union is obliged to renounce the strike and “order” workers back to the job.

3. Under these conditions, the union tends to become conservative, at best, or, at worst, an agent of shop floor workers’ subordination. The weight of the law mostly prevails.

With the employers’ offensive of the last generation, collective bargaining is now mostly a form of collective begging. Yet collective bargaining remains a sacred cow. Few are willing to advocate that, at the minimum, contracts leave the strike weapon unrestricted.

The labor movement has forgotten its own traditions: Until the 1930s, labor contracts were fairly rare. Workers—and not only IWW members—used to fight for their demands continuously and agree to return to work only when they were met.

Skeptics ask why employers should sign contracts if they cannot buy labor peace. But European unions do not, typically, agree to limitations on strikes.

The main factor underlying labor relations is the power of workers and their unions. Until they re-examine the trap of collective bargaining, the downward slide will accelerate.

#### 2] The aff isnt a contractual obligation – presumption and permissibility negate a] statements are more likely to be false b] they haven’t met their burden of proof