### Off 1

#### The affirmative’s call for criminal justice reform perpetuates and reinforces the systemic violence of the carceral state.

Rodríguez 19 — Dylan Rodríguez, Professor of Ethnic Studies and Chair of the Academic Senate at the University of California-Riverside, holds a Ph.D. in Ethnic Studies from the University of California-Berkeley, 2019 (“Abolition as Praxis of Human Being: A Foreword,” *Harvard Law Review*, Volume 132, April 10th, Available Online at <https://harvardlawreview.org/wp->content/uploads/2019/04/1575-1612\_Online.pdf, Accessed 03-23-2020, p. 1576-1577)

Contemporary reformist approaches to addressing the apparent overreach and scandalous excesses of the carceral state — characterized by calls to end “police brutality” and “mass incarceration” — fail to recognize that the very logics of the overlapping criminal justice and policing regimes systemically perpetuate racial, sexual, gender, colonial, and class violence through carceral power. Thus, in addition to being ineffective at achieving their generally stated goals of alleviating vulnerable peoples’ subjection to legitimated state violence, reformist approaches ultimately reinforce a violent system that is fundamentally asymmetrical [end page 1576] in its production and organization of normalized misery, social surveillance, vulnerability to state terror, and incarceration.6

It is within this irreconcilable reformist contradiction that an abolitionist historical mandate provides a useful and necessary departure from the liberal assumption that either the carceral state or carceral power is an inevitable and permanent feature of the social formation. This historical mandate animates abolition as a creative, imaginative, and speculative collective labor: while liberal-to-progressive reformism attempts to protect and sustain the institutional and cultural-political coherence of an existing system by adjusting and/or refurbishing it, abolitionism addresses the historical roots of that system in relations of oppressive, continuous, and asymmetrical violence and raises the radical question of whether those relations must be uprooted and transformed (rather than reformed or “fixed”) for the sake of particular peoples’ existence and survival as such.7

#### Their notion that the plan can resolve for global capitalism when you have no solvency advocate is the exact logic of the carceral state does not create a revolutionary tatic but rather comes with false hope that allows room for cooption.

#### So-called “criminal justice reform” take the underlying carceral system for granted in ways that preclude transformative change.

Karakatsanis 19 — Alec Karakatsanis, Founder of Civil Rights Corp—a nonprofit organization that uses innovative litigation, advocacy, and storytelling to challenge the systemic injustice of the criminal punishment bureaucracy, former Public Defender in Alabama and Washington, DC, Recipient of the 2018 Champion of Public Defense Award by the National Association of Criminal Defense Lawyers and the 2016 Trial Lawyer of the Year Award by Public Justice, holds a J.D. from Harvard Law School, 2019 (“The Punishment Bureaucracy: How to Think About ‘Criminal Justice Reform’,” *Usual Cruelty: The Complicity of Lawyers in the Criminal Injustice System*, Published by The New Press, ISBN 9781620975282, p. ebook)

﻿III

[T]he movement for reforming the prisons, for controlling their functioning is not a recent phenomenon. It does not even seem to have originated in a recognition of failure. Prison “reform” is virtually contemporary with the prison itself: it constitutes, as it were, its programme.

—Michel Foucault12

A lot of people are talking about “criminal justice reform.” Much of that talk is dangerous. The conventional wisdom is that there is an emerging consensus that the criminal legal system is “broken.” But the system is “broken” only to the extent that one believes its purpose is to promote the well-being of all members of our society. If the function of the modern punishment system is to preserve racial and economic hierarchy through brutality and control, then its bureaucracy is performing well.

IV

Official language smitheryed to sanction ignorance and preserve privilege is a suit of armor polished to shocking glitter.… It is the language that drinks blood.…

—Toni Morrison13

The emerging “criminal justice reform” consensus is superficial and deceptive. It is superficial because most proposed “reforms” would still leave the United States as the greatest incarcerator in the world. It is deceptive because those who want largely to preserve the current punishment bureaucracy—by making just enough tweaks to protect its perceived legitimacy—must obfuscate the difference between changes that will transform the system and tweaks that will curb only its most grotesque flourishes.

Nearly every prominent national politician and the vast majority of state and local officials talking and tweeting about “criminal justice reform” are, with varying levels of awareness and sophistication, furthering this deception. These “reform”-advancing bureaucrats are co-opting a movement toward profound change by convincing the public that the “law enforcement” system as we know it can operate in an objective, effective, and fair way based on the “rule of law.” These punishment bureaucrats are dangerous because, in order to preserve the human caging apparatus that they control, they must disguise at the deepest level its core functions. As a result, they focus public conversation on the margins of the problem without confronting the structural issues at its heart. Theirs is the language that drinks blood.

It’s useful to think about “criminal justice reform” by focusing on the concepts of “law enforcement” and the “rule of law.” Both are invoked as central features of the American criminal system. For many prominent people advocating “reform,” the punishment bureaucracy as we know it is the inevitable result of “law enforcement” responding to people “breaking the law.” To them, the human caging bureaucracy is consistent with, and even required by, the “rule of law.” This worldview—that the punishment bureaucracy is an attempt to promote social well-being and human flourishing under a dispassionate system of laws—shapes their ideas about how to “fix” the system.

But few ideas have caused more harm in our criminal system than the belief that America is governed by a neutral “rule of law.” The content of our criminal laws—discussed in Part V—and how those laws are carried out—addressed in Part VI—are choices that reflect power. The common understanding of the “rule of law” and the widely accepted use of the term “law enforcement” to describe the process by which those in power accomplish unprecedented human caging are both delusions critical to justifying the punishment bureaucracy. This is why it is important to understand how they distort the truth.

I apply these arguments to explain why the current “criminal justice reform” discourse is so dangerous, focusing on several prominent national punishment ﻿bureaucrats and a new local wave of supposedly “progressive prosecutors.”

Finally, I discuss the new generation of directly impacted people, organizers, lawyers, faith leaders, and academics on the libertarian left and right who understand the punishment bureaucracy as a tool of power in service of white supremacy and profit. I explain why this growing movement must reject the “criminal justice reform” discourse of punishment bureaucrats and speak clearly about why the legal system looks the way that it does. I urge those interested in changing the punishment bureaucracy to ground every discussion that they have and every proposed reform that they evaluate in a set of guiding principles rooted in this movement’s vision. I sketch some of those principles for their consideration below.

#### Police and prison preservationist reforms require our pedagogical participation in genocide management. This tolerates and sustains land conquest, slavery, racial colonialism, and imperialist war — it outweighs and turns case.

#### The alternative is an abolitionist praxis of creative destruction that refuses existing systems of oppression and actively imagines radical new forms of collective power.

Rodríguez 19 — Dylan Rodríguez, Professor of Ethnic Studies and Chair of the Academic Senate at the University of California-Riverside, holds a Ph.D. in Ethnic Studies from the University of California-Berkeley, 2019 (“Abolition as Praxis of Human Being: A Foreword,” *Harvard Law Review*, Volume 132, April 10th, Available Online at <https://harvardlawreview.org/wp->content/uploads/2019/04/1575-1612\_Online.pdf, Accessed 03-23-2020, p. 1610-1612)

Consider abolition as an art form, the kind of creative truth that mixes the stuff of history into memory, survival, breath, and stubborn, vexed, and often-nourishing community that constantly escapes the guarantees of any organizing plan. In some ways, this is not the time to insist on the renewed urgency of a radical abolitionist struggle, because such a time preceded all of this, and its messengers have already presented themselves to us in the poetry, letters, manifestos, collect phone calls, and never-quite-private conspiratorial conversations we share with each other sometimes, but really, all the damn time. More than just a synonym or rhetorical cipher for revolutionary change or radical social transformation, abolition is an artful disruption of the presumed [end page 1610] futurity. Certainly, it is as Professor Ruth Wilson Gilmore says: “Abolition is a theory of change, it’s a theory of social life. It’s about making things.”116

Abolition, in such terms, is a fundamentally creative force, even and especially in those rare historical moments when a definitive destruction of oppressive structures and power relations appears possible, practical, and capable of catalyzing a (potentially) radically different social form. Within the last sesquicentennial, such periods of creative destruction and creativity from destruction have flourished through multiple genealogies of radical confrontation with the global Civilization form, resulting in the downfall of multiple apartheid orders, expulsion of colonial occupations, redistribution of life-sustaining wealth and resources, and periodic liberation of chattel-captive populations. It is imperative to apprehend such moments of victory as contradictory, imperfect, and flawed; put another way, the signature historical moments of “successful” abolitionist struggle produce utterly human historical outcomes in the most antihumanist, counter-Civilizational sense of “human” (contradictory, imperfect, flawed). Yet, it is equally imperative to critically study, teach, theorize, and narrate such historical moments as revelations of radical possibility that obliterate the cultural tendency to reify (which is to say, presume permanency and ahistorical existence of) existing systems of state violence, geographic displacement and capture, economic evisceration, and institutionalized dehumanization.117 Such a creative destruction, and creativity of thought-in-destruction, is a primary pedagogical purpose of abolitionist praxis.118

This historicized redefinition of incarceration exceeds conventional criminological notions of spatially and temporally discrete/compartmentalized, juridically sanctioned state captivity and conceptualizes steel and concrete places of containment for the “duly convicted” as centers of institutional gravity that materially reproduce, experiment with, and culturally signify a paradigm of social power that permeates social relations generally.

A genealogy of twentieth- and twenty-first-century radical thought among incarcerated and formerly incarcerated people in and beyond the United States has constructed a durable, rigorous, and dynamic critical theorization of the carceral state and social form. From George Jackson [end page 1611] and Assata Shakur to Raúl Salínas, Angela Y. Davis, Leonard Peltier, and Marilyn Buck,119 these thinkers articulate a complex urgency imperative to abolitionist praxis that pivots on its creative, collective, and transformative challenge to historical conditions of gendered, racial-colonial dominance that fundamentally relies on criminalization and systemic human immobilization to produce and reproduce a Civilizational order. Following this body of thought, abolition is a generative, imaginative, and productive concept precisely because it entails a radical reconfiguration of relations of power, community, collective identity, and sociality that does not rely on carcerality and its constitutive, oppressive forms of state and cultural violence.

Abolitionist praxis addresses carcerality as a logic of power that generates multiple, overlapping, and differently scaled carceral regimes (reservations, plantations, segregated cities/towns, prisons, military bases, and so forth). Thus, eliminating carceral-state violence via prisons, jails, police, detention centers, and military bases is but one aspect of a broader rethinking — and remaking — of collective, insurgent “power” that simultaneously asserts a liberated autonomy from and posits a radical challenge to long historical relations of gendered, racial-colonial dominance. This recognition of carcerality as an institutional logic and methodology informs abolition as a praxis of creativity — abolitionism articulates a fundamental critique of existing systems of oppression while attempting to actively imagine as it practices forms of collective power that are liberated from hegemonic paradigms, including but not limited to forms of power constituted by the logic of carcerality, patriarchy, coloniality, racial chattel, racial capitalism,120 and heteronormativity.

The following contributions must be cherished, discussed, and debated precisely because they originate from this creative imperative.

**—— Footnotes ——**

116 Clément Petitjean, Prisons and Class Warfare: An Interview with Ruth Wilson Gilmore, VERSO (Aug. 2, 2018), https://www.versobooks.com/blogs/3954-prisons-and-class-warfare-an- interview-with-ruth-wilson-gilmore [https://perma.cc/57DL-DPCE].

117 On institutionalized dehumanization, see generally LEWIS R. GORDON, FANON AND THE CRISIS OF EUROPEAN MAN: AN ESSAY ON PHILOSOPHY AND THE HUMAN SCIENCES 81 (1995) (describing institutionalized dehumanization as a state of war).

118 On the notion of abolition as pedagogy, see Dylan Rodríguez, The Disorientation of the Teaching Act: Abolition as Pedagogical Position, RADICAL TCHR., Summer 2010, at 7, 8–9.

119 While much of this praxis has circulated through unpublished correspondence, essays, poetry, and oral presentations, there are valuable and prominent published texts that are readily accessible. See ABU-JAMAL, supra note 50; IF THEY COME IN THE MORNING: VOICES OF RESISTANCE (Angela Y. Davis ed., Verso 2016) (1971); GEORGE L. JACKSON, BLOOD IN MY EYE (Black Classic Press 1990) (1972); RAÚL SALÍNAS, RAÚLRSALINAS AND THE JAIL MACHINE: MY WEAPON IS MY PEN: SELECTED WRITINGS (Louis G. Mendoza ed., 2006); SCHOOLING THE GENERA- TIONS IN THE POLITICS OF PRISON (Chinosole ed., 1996).

120 See CEDRIC J. ROBINSON, BLACK MARXISM: THE MAKING OF THE BLACK RADICAL TRADITION 9–29 (Univ. of N.C. Press, 2000) (1983).

#### The perm is a surface-level change. It distract from deeper change and gives cover for the State to covertly roll-back any Aff gains – this takes away ALL of the solvency of the affirmative

Feagin ‘13

et al; Joe Richard Feagin is a U.S. sociologist and social theorist who has conducted extensive research on racial and gender issues, especially in regard to the United States. He is currently the Ella C. McFadden Distinguished Professor at Texas A&M University. Feagin has taught at the University of Massachusetts, Boston, University of California, Riverside, University of Texas at Austin, University of Florida, and Texas A&M University. Feagin has done much research work on race and ethnic relations and has served as the scholar in residence at the U.S. Commission on Civil Rights. He has written over 60 books. He is the 2006 recipient of a Harvard Alumni Association achievement award and was the 1999–2000 president of the American Sociological Association. “Rethinking racial formation theory: a systemic racism critique” - Ethnic and Racial Studies - Special Issue: Symposium - Rethinking Racial Formation Theory - Volume 36, Issue 6, - p.931-960 - #E&F – available via Taylor & Francis Database.

The racist system does change, especially at a surface level, to meet external shifts and resistance pressures, but so far shifts have occurred without altering most of its racist foundation and essential racial structures (Wilson 1996; Feagin 2006, 2010b). In addition, whites’ recurring backtracking on earlier concessions to the social movement aims of people of colour is commonplace. Omi and Winant, among others, ~~overlook~~ (fail to consider) the serious reversals of racial justice and persistence of huge racial inequalities that have followed the 1960s civil rights movement and do not seriously address the actual effects of the ‘civil rights’ legislative and legal changes in society (Klinkner and Smith 1999). They fail to deal with the reality that in numerous geographical areas and societal arenas such changes, like ending official Jim Crow, only modestly or very partially altered massive underlying inequalities and everyday patterns of oppression..

#### The role of the ballot is to vote for the debater that best adess’ carceral violence. Approaches can’t compromise and must address root causes. Because the aff is more focused on the singular instance of strike—it functionally fails as a perm.

#### **Sanchez ‘20**

Alvaro S. Sanchez - Environmental equity director at The Greenlining Institute, holds an MA in Planning, Economic Development from The University of Southern California – From the article: “Why racial justice is climate justice”. From the section: “To build a better tomorrow, we need to deal with root causes” - Grist - Jun 4, 2020 - #E&F – Modified for language that may offend - https://grist.org/fix/combatting-climate-change-covid-19-and-systemic-injustice-on-the-same-front/

To build a better tomorrow, we need to deal with root causes

Alvaro S. Sanchez: Environmental equity director at The Greenlining Institute, Oakland

Racism is the sickness this country has never bothered to cure. The injustice, civil unrest, and oppressive use of force we witnessed last weekend clearly shows us that we have a deep need for racial justice. Whether it is a global pandemic, climate change, or policy brutality, people of color — particularly black communities — are always the first and worst hit, and it must end.

COVID-19 really pulled the curtain back to reveal just how quickly people went from kind of getting by, living paycheck to paycheck, to their lives just free falling.

It’s no coincidence that the people who are most impacted by this crisis don’t look like the protesters who are saying we should open up businesses. Some people are saying, “We can get on with our lives and it’s OK, it’s not a big deal,” whereas other people are literally dying because of the crisis.

I think it’s a tough road ahead. But there are things we can do. Number one, we have to center black and brown voices in our struggle for a better world. Our response to this crisis must meet the urgent needs of those who are hit hardest by the pandemic and looming recession: frontline workers, immigrants, the unhoused, and black and brown people. It must be guided by an inclusive ~~vision~~ (perspective) that deals with the root causes that got us into this crisis, and centers climate, economic, and racial justice.

### Off 2

#### Interp; Unconditional = Absolute

Merriam Webster ND "Definition of UNCONDITIONAL," No Publication, https://www.merriam-webster.com/dictionary/unconditional

Definition of unconditional

1: not conditional or limited : ABSOLUTE, UNQUALIFIED

#### Violation: they do not defend an unconditional right of workers to strike but a specific explansion

#### Standards:

#### Predictable Ground –rant

#### Limits - rant

Voter for fairness x education

### Framework

#### Fox flows neg – a. strikes are suppressed which forcloses revolutionary potential b. historal strikes prove no solvency

1AC Fox ‘20 [Taylor Fox; a fourth-year in the College studying Political Science and Human Rights; 05-01-2020; “Freedom, Caged: A Foucauldian Inquiry into the National Prison Strike”; Bachelor’s Thesis, University of Chicago; Advisor: Professor Reuben Miller; Preceptor: Alex Haskins; http://pozen.s3.amazonaws.com/system/ckeditor/attachments/435/Fox\_\_Taylor\_BA\_Thesis\_copy.pdf; Accessed 10-09-2021] AK Recut SAO

The National Prison Strike follows a long tradition of prison strikes in the U.S., beginning with insurrections in late 18th-century prisons. Incarceration was a popular form of criminal punishment, compared to the death penalty in England and elsewhere, and often required hard labor. In Philadelphia’s Walnut Prison, America’s first prison, incarcerated people regularly mounted work stoppages to protest brutal labor conditions. In turn, common features of today’s prison struggles can be traced to the founding of the U.S. prison system itself.67 Following the Civil War, Black convict laborers struggled in response to brutal labor practices demanded by the growing Southern plantation economy. In order to enforce social control over recently freed Black men and disincentivize poor whites from unionizing, these punitive labor regimes escalated in cruelty and violence.68 As this problem of incarceration grew in size and brutality, prisoners responded with over a dozen major riots and strikes between 1879 and 1892.69 Though quickly suppressed, these **strikes “symbolically empowered inmates**, who could no longer be considered ‘powerless, broken men who could do nothing but toil obediently for their masters.’”70 This “symbolic” register re-emerges throughout prison strike history, apparent in uprisings that failed to secure material gains but garnered significant outside attention. Yet scholars also consider the public outrage and media attention that ensued from these late-19th century strikes to be significant in their own right, contributing to the demise of contract prison labor and chain gangs.71 Moving to the 20th century, the period between 1968 and 1972 saw a significant uptick in **prison struggles, providing a testing ground for political** questions of unionism and revolutionary action that continue to beset prison strikes today. During this era, a broad coalition of prisoners’ rights groups, academics, lawyers, journalists, and incarcerated activists emerged in support of the growing prison movement. In particular, the 1970 Folsom Prison Strike was a major inflection point for the U.S. prison movement.72 While no demands were met, prisoners claimed the right to unionize for the first time in U.S. history, along with economic, labor, and general human rights. The early 70s saw other major prison uprisings, with San Quentin and Attica among the most notorious. Folsom was made possible by the rise of Black Power and its ideological import on political prisoners across the U.S. and beyond. Black Power organizers positioned themselves as a revolutionary alternative to NAACP-style legal change and proffered a distinct form of Black political consciousness that was embraced by prison radicals. Incarcerated Black Power organizers saw their task as a revolutionary challenge against the state and its necropolitics, which incarceration embodied. They claimed that white racism necessarily relied on Black captivity, which manifested in the prison being used “as,” and not “for,” punishment.73 For Black Power revolutionaries, criminalization was a racialized project designed to punish Blackness itself. In turn, Black prisoners were de facto political prisoners. Black Power’s redefinition of crime as something beyond moral failure – as a political act, and as a form of survival – exposed the indefensible logics of incarceration to a new generation of prison radicals.74 Beyond appealing to Black prisoners, Black radicalism attracted whites through its message that all incarcerated people belonged to a distinctly exploited underclass.75 The possibilities for **multiracial solidarity** presented by Black radicals **threatened the prison’s hegemony** over the socio- political order. During prison uprisings in Walla Walla and Walpole, for instance, Black Power organizers and prisoner unions fought and temporarily won self-governance.76 Though this demand for self-governance is largely absent from today’s prison struggles, the instinct toward self- determination remains visible in hunger strike campaigns that assert prisoners’ subjectivity.