# 1NC

## 1

### OFF

#### Interpretation: Topical affirmatives specify which type of strike they recognize in a delineated 1AC text. To clarify, this isn’t must spec subset, just specify which you defend.

#### Violation: they don’t

#### Standards –

#### 1] Topic lit – strikes are the core question of the topic and there’s no consensus on normal means so you must spec – “whole res” doesn’t cut it, each strike is different and has different ethical implications – No DA to specing, they specified enforcement which means reject all responses because they’re double turns

**Law Library** [“Strike”, N.D., <https://law.jrank.org/pages/10554/Strike-Status.html>, Law Library, This law and legal reference library provides free access to thousands of legal articles, covering important court cases, historical legal documents, state laws & statutes, and general legal information. Popular articles include Landlord and Tenant Relationship, Health Insurance Law and Employment Law. The legal reference database also covers historically important court cases such as the Ulysses obscenity trial, Plessy vs. Ferguson, Roe vs. Wade and many others. All of the legal information on this website was professionally written and researched, and each law article has been carefully selected -- all to create the most comprehensive legal information site on the web. Read more: Law Library - American Law and Legal Information - JRank Articles <https://law.jrank.org/#ixzz6yOIvCHj7>] [SS]

**Strikes can be divided into** two basic types: **economic and unfair labor practice**. An economic strike seeks to obtain some type of economic benefit for the workers, such as improved wages and hours, or to force recognition of their union. An unfair labor practice strike is called to protest some act of the employer that the employees regard as unfair. A Lexicon of Labor Strikes Over the years different types of labor strikes have acquired distinctive labels. **The following are the** most common **types of strikes, some of which are illegal: Wildcat strike A strike that is not authorized by the union that represents the employees. Although not illegal under law, wildcat strikes ordinarily constitute a violation of an existing collective bargaining agreement. Walkout An unannounced refusal to perform work. A walkout may be spontaneous or planned in advance and kept secret. If the employees' conduct is an irresponsible or indefensible method of accomplishing their goals, a walkout is illegal. In other situations courts may rule that the employees have a good reason to strike. Slowdown An intermittent work stoppage by employees who remain on the job. Slowdowns are illegal because they give the employees an unfair bargaining advantage by making it impossible for the employer to plan for production by the workforce. An employer may discharge an employee for a work slowdown. Sitdown strike** **A strike in which employees stop working and refuse to leave the employer's premises. Sitdown strikes helped unions organize workers in the automobile industry in the 1930s but are now rare. They are illegal under most circumstances.** **Whipsaw strike** **A work stoppage against a single member of a bargaining unit composed of several employers. Whipsaw strikes are legal and are used by unions to bring added pressure against the employer who experiences not only the strike but also competition from the employers who have not been struck. Employers may respond by locking out employees of all facilities that belong to members of the bargaining unit. Whipsaw strikes have commonly been used in the automobile industry.** **Sympathy strike A work stoppage designed to provide AID AND COMFORT to a related union engaged in an employment dispute. Although sympathy strikes are not illegal, unions can relinquish the right to use this tactic in a COLLECTIVE BARGAINING agreement. Jurisdictional strike A strike that arises from a dispute over which LABOR UNION is entitled to represent the employees. Jurisdictional strikes are unlawful under federal LABOR LAWS because the argument is between unions and not between a union and the employer.**

#### This acts as a resolvability standard. Debate has to make sense and be comparable for the judge to make a decision which means it’s an independent voter and outweighs.

#### Implications:

#### [1] Strat construction – 1AR clarification delinks neg positions that prove a specific strike is bad like a Jurisdictional strike that is illegal has different ethical implications than a Wildcat that isn’t authorized by the union – this also means I can’t debate over aff’s inherency because some are illegal and some are legally permissible like Whipsaw strikes.

#### [2] Prep skew – I don’t know what they will be willing to clarify until CX which means I could go 6 minutes planning to read an econ DA and then get screwed over in CX when they spec something that doesn’t link. Asking preround doesn’t check – a) it’s a question of norming you should already be good not my burden to make you better b) reject out of round justifications because things like photoshop and it didn’t happen in round so its not jurisdictional c) its better to have it under the aff in competing interps

#### Fairness is a voter because all arguments concede the validity of evaluation and you can’t tell who won if it’s unfairly evaluated – just like how you spread

#### Education is a voter because it’s the only reason schools fund debate and it’s the most portable

#### Reject the team – (1) No argument to drop and (2) strongest internal link to better norms through deterrence – conceded in cross norms are good

#### No RVI – (1) it’s illogical you don’t win for answering arguments (2) RVI don’t deter frivolous theory – there’s a reason people preempt RVI justifications which decks time anyways – frivolous theory is good because it establishes more critical thinking and we find better norms which impact turns substance education (3) People will bait out theory and be infinitely abusive just to win off of a prepped out counteirnterp

#### Competing interpretations – (1) Reasonability is arbitrary – impossible to know what is reasonable until you establish a brightline (2) Bites judge intervention – they have to gut check what they think is good (3) Collapses – you use offense/defense to evaluate offense under the brightline (4) Norms – you can sidestep norms by selectively choosing a different brightline you meet every round. subs

#### Theory before the K – A] Prior question. My theory argument calls into question the ability to run the argument in the first place. They can’t say the same even if they criticize theory because theory makes rules of the game not just normative statements about what debaters should say. B] Fair testing. Judge their arguments knowing I wasn’t given a fair shot to answer them. Prefer theory takes out K because they could answer my arguments, but I couldn’t answer theirs. Without testing their args, we don’t know if they’re valid, so you prefer fairness impacts on strength of link. Impact turns any critical education since a marketplace of ideas where we innovate, and test ideas presumes equal access.

These are also reasons why they cant weigh case

## 2

### OFF

#### A: Interpretation – Debaters must only read normatively justified frameworks.

#### B: Violation – You read an impact justified framework; defined as a framework that justifies its conclusion with reasons that thing is bad, rather than starting from a metaphysical truth claim about morality that can justify a comprehensive theory of what is right and wrong: You merely say human cap bad, death bad but why is it bad?

#### C: Standards –

#### 1. Strat skew – Reading an impact justified framework destroys my strategy: A) Turn ground – it artificially exclude impacts from a larger framework that would justify your impact being bad which means you can cherry pick any impact that flows one direction B) Limits – it makes it impossible for me to answer your framework because you can choose any impact that is always bad like racism which leaves me no ground and grants you an infinite number of impacts to defend that aren’t justified by a broader philosophy. Also, you should reject impact justified frameworks because they fail and derive a moral imperative to act.

#### 2. Phil ed – Impact justified framework destroy phil ed: A) Justification – impact justification destroys the requirement to learn concepts like normativity, metaphysics, meta-ethics, and other types of justifications for frameworks since all you need is reasons why one impact is bad Phil ed controls the internal link to education since it’s the internal link to knowing what counts as good education through philosophical justification.

## Case

### 1NC – This

#### Their theorizing of capitalism is outdated and can’t explain the semiotic economy – the new age of capitalism has created an age of constant information and signifiers floating through our phones and computers as media. This creates a dyslexia – reduced attention spans, no time for true human interaction – this leads to information overload, which is too fast for our organic minds to keep up with – that causes depression and drug use. It’s no coincidence that the rise of tech in the 80s was complimented with a drug epidemic. These signifiers come prior to action, thus debate should disrupt semiocapitalism.

**Berardi 09** [Franco Berardi, Italian communist theorist and activist in the autonomist tradition, whose work mainly focuses on the role of the media and information technology within post-industrial capitalism Precarious Rhapsody, by Franco Bifo Berardi et al., AK Press, 2009. P. 40-42 // LEX JB]

* TW – mentions of suicide, not read, but it’s in the card if you chose to read it after the round

The acceleration of information exchange has produced and is producing an effect of a pathological type on the individual human mind and even more on the collective mind. Individuals are not in a position to consciously process the immense and always growing mass of information that enters their computers, their cell phones, their television screens, their electronic diaries and their heads. However, it seems indispensable to follow, recognize, evaluate, process all this information if you want to be efficient, competitive, victorious. The practice of multitasking, the opening of a window of hypertextual attention, the passage from one context to another for the complex evaluation of processes, tends to deform the sequential modality of mental processing. According to Christian Marazzi, who has concerned himself in various books with the relations between economics, language and affectivity, the latest generation of economic operators is affected by a real and proper form of dyslexia, incapable of reading a page from the beginning to the end according to sequential procedures, incapable of maintaining concentrated attention on the same object for a long time. And dyslexia spreads to cognitive and social behaviors, leading to rendering the pursuit of linear strategies nearly impossible. Some, like Davenport and Beck , speak of an attention economy. But when a cognitive faculty enters into and becomes part of economic discourse this means that it has become a scarce resource. The necessary time for paying attention to the fluxes of information to which we are exposed and which must be evaluated in order to be able to make decisions is lacking. The consequence is in front of our eyes: political and economic decisions no longer respond to a long term strategic rationality and simply follow immediate interests. On the other hand, we are always less available for giving our attention to others gratuitously. We no longer have the attention time for love, tenderness, nature, pleasure and compassion. Our attention is ever more besieged and therefore we assign it only to our careers, to competition and to economic decisions. And in any case our temporality cannot follow the insane speed of the hypercomplex digital machine. Human beings tend to become the ruthless executors of decisions taken without attention. The universe of transmitters, or cyberspace, now proceeds at a superhuman velocity and becomes untranslatable for the universe of receivers, or cybertime, that cannot go faster than what is allowed by the physical material from which our brain is made, the slowness of our body, the need for caresses and affection. Thus opens a pathological gap and mental illness spreads as testified by the statistics and above all our everyday experience. And just as pathology spreads, so too do drugs. The flourishing industry of psychopharmaceuticals beats records every year, the number of packets of Ritalin, Prozac, Zoloft and other psychotropics sold in the pharmacies continually increases, while dissociation, suffering, desperation, terror, the desire not to exist, to not have to fight continuously, to disappear grows alongside the will to kill and to kill oneself. When, towards the end of the 1970s, an acceleration of the productive and communicative rhythms in occidental metropolitan centers was imposed, a gigantic epidemic of drug addiction made its appearance. The world was leaving its human epoch to enter the era of machinic posthuman acceleration: many sensitive organisms of the human variety began to snort cocaine, a substance that permits the acceleration of the existential rhythm leading to transforming oneself into a machine. Many other sensitive organisms of the human kind injected heroin in their veins, a substance that deactivates the relation with the speed of the surrounding atmosphere. The epidemic of powders during the 1970s and the 1980s produced an existential and cultural devastation with which we still haven’t come to terms with. Then illegal drugs were replaced by those legal substances which the pharmaceutical industry in a white coat made available for its victims and this was the epoch of anti-depressants, of euphorics and of mood regulators. Today psychopathy reveals itself ever more clearly as a social epidemic and, more precisely, a socio-communicational one. If you want to survive you have to be competitive and if you want to be competitive you must be connected, receive and process continuously an immense and growing mass of data. This provokes a constant attentive stress, a reduction of the time available for affectivity. These two tendencies, inseparably linked, provoke an effect of devastation on the individual psyche: depression, panic, anxiety, the sense of solitude and existential misery. But these individual symptoms cannot be indefinitely isolated, as psychopathology has done up until now and as economic power wishes to do.

#### Their call for unionization and strikes might have worked a century ago, but post digital infosphere, the affirmative bites into a cycle of production of fragmentation.

**Berardi 11** [Franco Berardi, Italian communist theorist and activist in the autonomist tradition, whose work mainly focuses on the role of the media and information technology within post-industrial capitalism “Chapter 4 Exhastion and Subjectivity.” After the Future, by Franco Bifo Berardi et al., AK Press, 2011. P. 107-108 // LEX JB]

The financial cycle is bleeding the social environment dry: sucking energies, resources, and the future. And giving nothing back. Recovery of the financial process of valorization of capital is totally separated from the cycle of material production and social demand. Financial capitalism has obtained autonomy from social life. Let’s consider the political side of the same problem: once upon a time when society was suffering the blows of recession, workers reacted with strikes, struggle and political organization, and forced state intervention in order to increase demand. Industrial growth needed mass consumption and social stability. What is impressive in the ongoing crisis, on the contrary, is the widespread passivity of the workers, their inability to unionize. The political trend in Europe is the meltdown of leftist parties and the labor movement. In the US, Obama is daily attacked by racist and populist mobs, but no progressive social movement is emerging. 1.2 million people have had their mortgages foreclosed upon and lost their houses following the sub-prime swindle, but no organized reaction has surfaced. People suffer and cry alone. In the old time of industrial capitalism, the working class could fight against a target that was precisely identified: the boss, the entrepreneur who was the owner of material things like the factory, and of the product of his laborers. Nowadays the boss has vanished. He is fragmented into billions of financial segments, and disseminated into millions of financial agents scattered all around the world. The workers themselves are part of recombinant financial capital. They are expecting future revenues from their pension fund investments. They own stock options in the enterprise exploiting their labor. They are hooked up, like a fly in a spider web, and if they move, they get strangled, but if they don’t move, the spider will suck their life from them. Society may rot, fall apart, agonize. It is not going to affect the political and economic stability of capitalism. What is called economic recovery is a new round of social devastation. So the recession is over, capitalism is recovering. Nonetheless, unemployment is rising and misery is spreading. This means that financial capitalism is autonomous from society. Capitalism doesn’t need workers: it just needs cellular fractals of labor, underpaid, precarious, de-personalised. Fragments of impersonal nervous energy, recombined by the network. The crisis is going to push forward technological change, and the substitution of human labor with machines. The employment rate is not going to rise in the future, and productivity will increase. A shrinking number of workers will be forced to produce more and more, and to work overtime. The real bubble is the work bubble. We have been working too much; we are still working too much. The human race does not need more goods, it needs a redistribution of existing goods, an intelligent application of technology and a worldwide cut in the lifetime dedicated to labor. Social energies have to be freed from labor dependence, and returned to the field of social affection, education, and therapy. We should take seriously the concept of autonomy. In the present condition autonomy means exodus from the domain of economic law: Out-onomy, abandonment of the field of economic exchange, self-organization of knowledge and of production in a sphere of social life which is no longer dependent on economic culture and expectations – barter, free exchange of time and of competence, food self reliance, occupation of territories in the cities, organization of self-defense.

### 1NC – OV

#### The telos of the 1ac’s politics is the strike – that naturalizes capital’s control and is parasitic on political organizing.

Eidlin 20 Barry Eidlin (assistant professor of sociology at McGill University and the author of Labor and the Class Idea in the United States and Canada), 1-6-2020, “Why Unions Are Good – But Not Good Enough,” Jacobin, https://www.jacobinmag.com/2020/01/marxism-trade-unions-socialism-revolutionary-organizing

Labor unions have long occupied a paradoxical position within Marxist theory. They are an essential expression of the working class taking shape as a collective actor and an essential vehicle for working-class action. When we speak of “the working class” or “working-class activity,” we are often analyzing the actions of workers either organized into unions or trying to organize themselves into unions. At the same time, unions are an imperfect and incomplete vehicle for the working class to achieve one of Marxist theory’s central goals: overthrowing capitalism. Unions by their very existence affirm and reinforce capitalist class society. As organizations which primarily negotiate wages, benefits, and working conditions with employers, unions only exist in relation to capitalists. This makes them almost by definition reformist institutions, designed to mitigate and manage the employment relationship, not transform it. Many unions have adapted to this conservative, managerial role. Others have played key roles in challenging capital’s power. Some have even played insurgent roles at one moment and managerial roles at others. When unions have organized workplace insurgencies, this has sometimes translated into political pressure that expanded democracy and led to large-scale policy reforms. In the few revolutionary historical moments that we can identify, worker organization, whether called unions or something else, has been essential. Thus, labor unions and movements have long been a central focus of Marxist debate. At its core, the debate centers around the role of unions in class formation, the creation of the revolutionary working-class agent. The debate focuses on four key questions. First, to what degree do unions simply reflect existing relations of production and class struggle, or actively shape those relations? Second, if unions actively shape class struggle, why and under what conditions do they enhance or inhibit it? Third, how do unions shape class identities, and how does this affect unions’ scope of action? Fourth, what is the relation between unions and politics? This question is comprised of two sub-questions: to what degree do unions help or hinder struggles in the workplace becoming broader political struggles? And how should unions relate to political parties, the more conventional vehicle for advancing political demands? The following is a chapter from [The Oxford Handbook of Karl Marx](https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780190695545.001.0001/oxfordhb-9780190695545) (Oxford University Press, 2019). It assesses Marxist debates surrounding trade unions, oriented by the four questions mentioned previously. It proceeds historically, first examining how Marx and Engels conceived of the roles and limitations of trade unions, then tracing how others within Marxism have pursued these debates as class relations and politics have changed over time. While the chapter includes some history of labor unions and movements themselves, the central focus is on how Marxist theorists thought of and related to those movements. Marx and Engels wrote extensively about the unions of their time, although never systematically. The majority of their writings on unions responded to concrete labor struggles of their time. From their earliest works, they grasped unions’ necessity and limitations in creating a working-class agent capable of advancing class struggle against the bourgeoisie. This [departed](https://onlinelibrary.wiley.com/doi/abs/10.1111/wusa.12021) from previous variants of socialism, often based in idealized views of rebuilding a rapidly eroding community of artisanal producers, which did not emphasize class organization or class struggle. Writing in The Condition of the Working Class in England about emerging forms of unionism, Engels observed that even though workers’ primary struggles were over material issues such as wages, they pointed to a deeper social and political conflict: What gives these Unions and the strikes arising from them their real importance is this, that they are the first attempt of the workers to abolish competition. They im­ ply the recognition of the fact that the supremacy of the bourgeoisie is based wholly upon the competition of the workers among themselves; i.e., upon their want of cohesion. And precisely because the Unions direct themselves against the vital nerve of the present social order, however one-sidedly, in however narrow a way, are they so dangerous to this social order. At the same time, Engels saw that, even as union struggles “[kept alive] the opposition of the workers to the … omnipotence of the bourgeoisie,” so too did they “[compel] the admission that something more is needed than Trades Unions and strikes to break the power of the ruling class.” Here Engels articulates the crux of the problem. First, unions are essential for working-class formation, creating a collective actor both opposed to the bourgeoisie and capable of challenging it for power. Second, they are an insufficient vehicle for creating and mobilizing that collective actor. Marx and Engels understood that unions are essential to working-class formation because, under capitalism, the system of “free labor,” where individual workers sell their labor power to an employer for a wage, fragments relations between workers and makes them compete with each other. As described in the Communist Manifesto, the bourgeoisie “has left no other nexus between man and man than naked self-interest, than callous ‘cash payment,’” leaving workers “exposed to all the vicissitudes of competition, to all the fluctuations of the market.” While workers organized based on other collective identities, such as race, ethnicity, or religion, only unions could unite them as workers against the source of their exploitation — the bourgeoisie. Unions serve “as organized agencies for superseding the very system of wage labor and capital rule.” But just as unions could allow the proletariat to take shape and challenge the bourgeoisie for power, Marx and Engels also saw that they were a partial, imperfect vehicle for doing so for two reasons. First, unions’ fundamentally defensive role, protecting workers against employers’ efforts to drive a competitive race to the bottom, meant that they [limited themselves](https://www.amazon.com/Wage-Labour-Capital-Value-Price-Profit/dp/0717804704) “to a guerrilla war against the effects of the existing system, instead of simultaneously trying to change it.” Thus, even militant trade unions found themselves struggling for “a fair day’s work for a fair day’s wage” without challenging the bourgeoisie’s fundamental power, particularly the wage labor system. And some layers of the trade union officialdom were content to fight for privileges for their small segment of the working class, leaving most workers behind. Second, unions’ focus on wages and workplace issues tended to reinforce a division between economic and political struggles. This division was explicit with the more conservative “old” unions in Britain, which “bar[red] all political action on principle and in their charters.” But even with more progressive formations, such as the early nineteenth century’s Chartists, or the late nineteenth century’s “new” unions, Marx and Engels saw that the transition from workplace struggles to politics was not automatic. For one, it varied across national contexts. Engels observed that French workers were much more likely to mobilize politically, while English workers “fight, not against the Government, but directly against the bourgeoisie.” But beyond national variation, they saw a recurring pattern of division, separating economic and political struggles by organization. Reflecting on the early to mid-nineteenth century English working-class movement, Engels noted a threefold divide between “socially-based” Chartists, “politically-based” Socialists, and conservative, craft-based trade unions. While the Chartists were “purely a working-men’s [sic] cause freed from all bourgeois elements,” they remained “theoretically the more backward, the less developed.” Socialists may have been more theoretically sophisticated, but their bourgeois origins made it difficult to “amalgamate completely with the working class.” Although young Engels thought an alliance of Chartism and socialism was underway, the alliance proved elusive. By the 1870s, Marx opined that politically, the English working class was “nothing more than the tail of the great Liberal Party, i.e., henchmen of the capitalists.” Likewise, Engels had soured on the English working class. Both saw promise in the militant worker protest in the United States at the time, seeing the seeds of a nascent labor party. But that too fell short. Thus, unions failed in Marx and Engels’s central task: the formation of “a political organization of the working class as a whole.”

#### Recognizing a right to strike reduces revolutionary potential and fractures class organizing – turns the perm.

Crépon 19 Mark Crépon (French philosopher), translated by Micol Bez “The Right to Strike and Legal War in Walter Benjamin’s ‘Toward the Critique of Violence,’” Critical Times, 2:2, August 2019, DOI 10.1215/26410478-7708331

If we wish to understand how the question of the right to strike arises for Walter Benjamin in the seventh paragraph of his essay “Zur Kritik der Gewalt,” it is impor­ tant to first analyze the previous paragraph, which concerns the state’s monopoly on violence. It is here that Benjamin questions the argument that such a monopoly derives from the impossibility of a system of legal ends to preserve itself as long as the pursuit of natural ends through violent means remains. Benjamin responds to this dogmatic thesis with the following hypothesis, arguably one of his most impor­ tant reflections: “To counter it, one would perhaps have to consider the surprising possibility that law’s interest in monopolizing violence vis­à­vis the individual is explained by the intention not of preserving legal ends, but rather of preserving law itself. [This is the possibility] that violence, when it does not lie in the hands of law, poses a danger to law, not by virtue of the ends that it may pursue but by virtue of its mere existence outside of law.”1 In other words, nothing would endanger the law more than the possibility of its authority being contested by a violence over which it has no control. The function of the law would therefore be, first and foremost, to contain violence within its own boundaries. It is in this context that, to demonstrate this surprising hypothesis, Benjamin invokes two examples: the right to strike guaranteed by the state and the law of war. Let us return to the place that the right to strike occupies within class struggle. To begin with, the very idea of such a struggle implies certain forms of violence. The strike could then be understood as one of the recognizable forms that this violence can take. However, this analytical framework is undermined as soon as this form of violence becomes regulated by a “right to strike,” such as the one recognized by law in France in 1864. What this recognition engages is, in fact, the will of the state to control the possible “violence” of the strike. Thus, the “right” of the right to strike appears as the best, if not the only, way for the state to circumscribe within (and via) the law the relative violence of class struggles. We might consider this to be the per­ fect illustration of the aforementioned hypothesis. Yet, there are two lines of ques­ tioning that destabilize this hypothesis that we would do well to consider. First, is it legitimate to present the strike as a form of violence? Who has a vested interest in such a representation? In other words, how can we trace a clear and unequivocal demarcation between violence and nonviolence? Are we not always bound to find residues of violence, even in those actions that we would be tempted to consider nonviolent? The second line of questioning is just as important and is rooted in the distinction established by Georges Sorel, in his Reflections on Violence, between the “political strike” and the “proletarian general strike,” to which Benja­ min dedicates a set of complementary analyses in §13 of his essay. Here, again, we are faced with a question of limits. What is at stake is the possibility for a certain type of strike (the proletarian general strike) to exceed the limits of the right to strike— turning, in other words, the right to strike against the law itself. The phenomenon is that of an autoimmune process, in which the right to strike that is meant to protect the law against the possible violence of class strugles is transformed into a means for the destruction of the law. The diference between the two types of strikes is nevertheless introduced with a condition: “The validity of this statement, however, is not unrestricted because it is not unconditional,” notes Benjamin in §7. We would be mistaken in believing that the right to strike is granted and guaranteed uncondi­ tionally. Rather, it is structurally subjected to a conflict of interpretations, those of the workers, on the one hand, and of the state on the other. From the point of view of the state, the partial strike cannot under any circumstance be understood as a right to exercise violence, but rather as the right to extract oneself from a preexisting (and verifiable) violence: that of the employer. In this sense, the partial strike should be considered a nonviolent action, what Benjamin named a “pure means.” The interpretations diverge on two main points. The first clearly depends on the alleged “violence of the employer,” a predicate that begs the question: Who might have the authority to recognize such violence? Evidently it is not the employer. The danger is that the state would similarly lack the incentive to make such a judgment call. It is nearly impossible, in fact, to find a single instance of a strike in which this recognition of violence was not subject to considerable controversy. The political game is thus the following: the state legislated the right to strike in order to con­ tain class strugles, with the condition that workers must have “good reason” to strike. However, it is unlikely that a state systematically allied with (and accomplice to) employers will ever recognize reasons as good, and, as a consequence, it will deem any invocation of the right to strike as illegitimate. Workers will therefore be seen as abusing a right granted by the state, and in so doing transforming it into a violent means. On this point, Benjamin’s analyses remain extremely pertinent and profoundly contemporary. They unveil the enduring strategy of governments confronted with a strike (in education, transportation, or healthcare, for example) who, afer claiming to understand the reasons for the protest and the grievances of the workers, deny that the arguments constitute sufcient reason for a strike that will likely paralyze this or that sector of the economy. They deny, in other words, that the conditions denounced by the workers display an intrinsic violence that jus­ tifies the strike. Let us note here a point that Benjamin does not mention, but that is part of Sorel’s reflections: this denial inevitably contaminates the (socialist) lef once it gains power. What might previously have seemed a good reason to strike when it was the opposition is deemed an insufcient one once it is the ruling party. In the face of popular protest, it always invokes a lack of sufcient rationale, allow­ ing it to avoid recognizing the intrinsic violence of a given social or economic situ­ ation, or of a new policy. And it is because it refuses to see this violence and to take responsibility for it that the left regularly loses workers’ support.

### Case LBL

#### New 2NR responses to preempts – implications are unclear until I’ve conceded them which decks accessibility

#### You should reject new 1AR offense if they didn’t justify that they get it in the 1ac – kills preemption and causes latebreaking debates for the 2NR to sift through – next time just justify it in the aff

#### Top level –

#### 1] No 1AC evidence says that recognition actually increases the amount of strikes that happen which is terminal solvency deficit because it’s contingent on an increase of strikes

#### 2] Workers don’t care about legality – strikes are on the rise absent the aff.

Greenhouse 18 [Steven; Editor at NYT, author of a book about history of labor unions; "Making Teachers’ Strikes Illegal Won’t Stop Them,” The New York Times; 5/9/18; <https://www.nytimes.com/2018/05/09/opinion/teacher-strikes-illegal-arizona-carolina.html>]//SJWen

In the five states where teachers have gone on strike this year, teachers complain about many of the same things: low salaries, an education funding squeeze and teacher shortages. They have something else in common. In four of the five — Arizona, Kentucky, Oklahoma and West Virginia — these strikes are illegal under state law. (Colorado, the fifth state where teachers walked out, allows them.)

While private-sector workers generally have a right to strike under federal law, state law governs whether teachers and other state and local government workers can strike. Three dozen states have laws prohibiting teachers from striking. Clearly, making teacher strikes illegal will not necessarily prevent them.

In the states where teachers walked out, many teachers felt they had to beg their state legislatures to approve raises and the funding to pay for them. But their pleas were largely ignored. Joseph McCartin, a labor historian at Georgetown University, says that when workers feel they are at a dead end in negotiating raises, militant outbursts — such as illegal walkouts — are inevitable. “When collective bargaining isn’t allowed or doesn’t work, that doesn’t mean collective action isn’t possible,” he said.

Labor’s most potent weapon is the strike, even when it’s illegal. Workers will often risk engaging in an illegal strike, even though it could mean getting fined, fired and conceivably jailed. In a legal strike, workers typically lose just a few days’ or weeks’ pay.

Explosions of worker militancy have been a recurring pattern throughout American history. West Virginia teachers, for example, said their walkout was inspired by their state’s coal miners, who were part of a historic miners’ strike during World War II.

Ten days after Pearl Harbor was attacked in 1941, President Franklin D. Roosevelt summoned labor and business leaders to a conference where unions pledged not to strike during the war. The National War Labor Board, which included labor representatives, dictated a nationwide formula that capped how large a raise unions could obtain in bargaining. But the raises often failed to keep up with inflation, angering millions of workers.

As a result, there were dozens of short wildcat strikes — strikes without union authorization — in defiance of Roosevelt and union leaders. The biggest confrontation came in 1943, when the United Mine Workers’ brilliant but bullheaded president, John L. Lewis, gave 500,000 coal miners a wink and a nod, tacit approval for a walkout.

Roosevelt implored the miners to return to work. “Every idle miner directly and individually is obstructing the war effort,” he said in a fireside chat. He had the federal government seize the mines and ordered miners back to work, but eager to restore labor peace, he figured out a way to meet most of their pay demands.

In 1962, President John F. Kennedy issued an executive order giving most federal employees the right to bargain collectively over some working conditions, but not wages, and he barred them from striking. For years, postal workers seethed about low pay, and their frustration boiled over after members of Congress received a 41 percent raise in 1969.

On March 18, 1970, letter carriers walked out in New York City, and within days, more than 150,000 of the nation’s 600,000 postal workers had joined the illegal strike. One letter carrier boasted that the strikers were “standing 10 feet tall, instead of groveling in the dust.”

During the 1970 postal workers’ strike, military personnel sorted mail at New York City’s main post office.

President Richard M. Nixon denounced the strike, but he didn’t seek to fire or jail the strikers. He mobilized 24,000 military personnel to deliver the mail — not very successfully — and reached a deal that ended the strike after eight days. The postal workers won an initial 6 percent raise, and when Nixon signed the Postal Reorganization Act that summer, they received an additional 8 percent.

H. R. Haldeman, Nixon’s chief of staff, acknowledged a big obstacle to punishing these unlawful strikers. “The mailman is a family friend, so you can’t hurt him,” Haldeman said.

State officials unhappy about the recent strikes have realized the same thing: They can’t really punish or replace the teachers. They’re too popular, there are too many to replace, and if state officials try to jail a few ringleaders, that might spur new strikes.

Not every illegal walkout ends well for workers. When air traffic controllers went on strike in 1981, President Ronald Reagan fired 11,345 controllers and rallied the public against their union, the Professional Air Traffic Controllers Organization, emphasizing that every controller had taken a no-strike pledge upon being hired. Reagan also lambasted the union for rejecting the 11 percent raise his administration was offering, about twice what other federal employees had received at the time.

With the end of the Arizona teachers’ walkout last Thursday, there are rumblings about which state might be next. In North Carolina, educators are angry that teacher salaries and per-pupil spending have not kept up with inflation. Even though teacher strikes are illegal in North Carolina, teachers there say they will walk out next Wednesday, the day that the state legislature opens. Lawmakers should take them seriously. Teachers have so far managed to win gains and skirt the law without any penalty because public opinion — and a lot of history — seems to be on their side.

#### OFF Smith 11

#### 1] It just says strikes are class conciousness but nowhere does it explain why conciousness is sufficient to destroy capitalism

#### 2] Illegal strikes solve - no reason why RECOGNITION IS KEY

#### OFF Viewpoint 18

#### 1] Just says political organizing is good but no reason why it spills over, no reason why people are encouraged to strike

#### OFF Badiou 6

#### 1] Begs the question of aff solvency - revolutions might be good but the aff is not that because of our cards

#### Carrol 6

#### 1] This justifies competition whcih justifies fairness first - if testing is good it should be on fair grounds

#### 2] The aff is not a project of hegemony, it's a doc thats used to win hgih school debate rounds which is a functional presumption level argument with the academia DA that they aren't revolutionary, theyre regurgitating information already published in academia

#### The ROTJ

#### The role of the judge and ballot should be to vote for the better debater - ow bc it encompasses their rotj, you shouldn't get to weigh rotj over substance. its a substantive framing layer and theory controls the internal link to substance bc you cant test it and cant tell who actually won if the round was skewed

#### OFF Greene and Hicks 6

#### 1] You're a form of propaganda - yes everything in debate is structured by other articles and authors telling you what is true, you dont get to be the arbitrator of truth - its inevtiable and gets coopted