## 1

#### Interpretation: topical affirmatives must defend recognizing an unconditional right to strike. To clarify, unconditional recognition cannot be contingent on a subset of workers or government.

#### Violation— Plan’s a regulation of a right to strike but they don’t defend a net increase– they only defend a subset of workers—that means they fiat a restriction, not a net increase, since it just establishes conditions where the right is absolute.

“Unconditional” necessitates the absence of narrowing restrictions.

US Legal ‘ND (US Legal; dictionary of legal terms of art; US Legal; “Unconditional Law and Legal Definition”; https://definitions.uslegal.com/u/unconditional/; Accessed: 10-30-2021; AU)

Unconditional means **without conditions**; **without restrictions**; or **absolute**. For instance, unconditional promise is a promise that is unqualified in nature. A party who makes an unconditional promise must perform that promise even though the other party has not performed according to the bargain.

#### Violation – They only grant the Right to Strike to [x group]. That by definition is a condition since they condition the right to strike on a particular occupation.

Jensen ’18 (Eric; co-director of the Stanford Rule of Law Program, in collaboration with USAID, The Asia Foundation, and Stanford Law School; April 2018; “Introduction to the Laws of Timor-Leste”; Stanford Law School; <https://law.stanford.edu/wp-content/uploads/2018/04/Timor-Leste-Constitutional-Rights.pdf>; Accessed: 10-30-2021; AU)

If individuals want to defend their rights at work, the Constitution gives them the right form trade unions and to strike. Individuals are free to join and participate in professional associations that are peaceful. This includes trade unions. Individuals in trade unions have a right to organize their unions independent of the government or their employers. Trade unions should be free and independent, and individuals have the right to set the unions’ internal structure freely. Independent trade unions are important to allow individuals to organize with other workers to collectively defend their interests and their rights. It is important that they are independent so that they reflect the individuals’ interests and not the employer’s or the government’s interests. Individuals have the right to strike. If they feel that their employer is not respecting their rights or interests, employees can refuse to work in protest. The Constitution creates a duty that during a strike, the employer still has to maintain equipment and provide for safety. Individuals’ right to strike is **limited by the law**. The Constitution states that the right to strike is **conditional** on the strike being **compliant** with legal regulations that the government creates. This means that the **government can pass laws** that limit **when and how** individuals can exercise their right to strike. The right to strike is important to give individuals the power to defend their labor rights.

#### Voting issue for limits and ground. There are infinite working conditions they could spec in the plan which means their interp is always semantically incorrect since the right to strike is conditional in all other instances. Stable ground --- a complete unconditional recognition is key to circumvention, Politics DAs, and CP competition. Making recognition probabilistic allows the aff to shift late in the debate to no link core positions.

**Fairness and education are voters – debate’s a game that needs rules to evaluate it and education gives us portable skills for life like research and thinking.**

**Precision is key – anything else justifies the aff arbitrarily jettisoning words in the resolution at their whim which decks negative ground and preparation because the aff is no longer bounded by the resolution.**

**Drop the debater – a) they have a 7-6 rebuttal advantage and the 2ar to make args I can’t respond to, b) it deters future abuse and sets a positive norm.**

**Use competing interps – a) reasonability invites arbitrary judge intervention since we don’t know your bs meter, b) collapses to competing interps – we justify 2 brightlines under an offense defense paradigm just like 2 interps.**

**No RVIs – a) illogical – you shouldn’t win for being fair – it’s a litmus test for engaging in substance, b) norming – I can’t concede the counterinterp if I realize I’m wrong which forces me to argue for bad norms.**

**Evaluate T before 1AR theory – a) norms – we only have a couple months to set T norms but can set 1AR theory norms anytime, b) magnitude – T affects a larger portion of the debate since the aff advocacy determines every speech after it**

## 2

#### Extinction is the only coherent and egalitarian framework – prefer it

Khan 18 (Risalat, activist and entrepreneur from Bangladesh passionate about addressing climate change, biodiversity loss, and other existential challenges. He was featured by The Guardian as one of the “young climate campaigners to watch” (2015). As a campaigner with the global civic movement Avaaz (2014-17), Risalat was part of a small core team that spearheaded the largest climate marches in history with a turnout of over 800,000 across 2,000 cities. After fighting for the Paris Agreement, Risalat led a campaign joined by over a million people to stop the Rampal coal plant in Bangladesh to protect the Sundarbans World Heritage forest, and elicited criticism of the plant from Crédit Agricolé through targeted advocacy. Currently, Risalat is pursuing an MPA in Environmental Science and Policy at Columbia University as a SIPA Environmental Fellow, “5 reasons why we need to start talking about existential risks,” https://www.weforum.org/agenda/2018/01/5-reasons-start-talking-existential-risks-extinction-moriori/)

Infinite future possibilities I find the story of the Moriori profound. It teaches me two lessons. Firstly, that human culture is far from immutable. That we can struggle against our baser instincts. That we can master them and rise to unprecedented challenges. Secondly, that even this does not make us masters of our own destiny. We can make visionary choices, but the future can still surprise us. This is a humbling realization. Because faced with an uncertain future, the only wise thing we can do is prepare for possibilities. Standing at the launch pad of the Fourth Industrial Revolution, the possibilities seem endless. They range from an era of abundance to the end of humanity, and everything in between. How do we navigate such a wide and divergent spectrum? I am an optimist. From my bubble of privilege, life feels like a rollercoaster ride full of ever more impressive wonders, even as I try to fight the many social injustices that still blight us. However, the accelerating pace of change amid uncertainty elicits one fundamental observation. Among the infinite future possibilities, only one outcome is truly irreversible: extinction. Concerns about extinction are often dismissed as apocalyptic alarmism. Sometimes, they are. But repeating that mankind is still here after 70 years of existential warning about nuclear warfare is a straw man argument. The fact that a 1000-year flood has not happened does not negate its possibility. And there have been far too many nuclear near-misses to rest easy. As the World Economic Forum’s Annual Meeting in Davos discusses how to create a shared future in a fractured world, here are five reasons why the possibility of existential risks should raise the stakes of conversation: 1. Extinction is the rule, not the exception More than 99.9% of all the species that ever existed are gone. Deep time is unfathomable to the human brain. But if one cares to take a tour of the billions of years of life’s history, we find a litany of forgotten species. And we have only discovered a mere fraction of the extinct species that once roamed the planet. In the speck of time since the first humans evolved, more than 99.9% of all the distinct human cultures that have ever existed are extinct. Each hunter-gatherer tribe had its own mythologies, traditions and norms. They wiped each other out, or coalesced into larger formations following the agricultural revolution. However, as major civilizations emerged, even those that reached incredible heights, such as the Egyptians and the Romans, eventually collapsed. It is only in the very recent past that we became a truly global civilization. Our interconnectedness continues to grow rapidly. “Stand or fall, we are the last civilization”, as Ricken Patel, the founder of the global civic movement Avaaz, put it. 2. Environmental pressures can drive extinction More than 15,000 scientists just issued a ‘warning to humanity’. They called on us to reduce our impact on the biosphere, 25 years after their first such appeal. The warning notes that we are far outstripping the capacity of our planet in all but one measure of ozone depletion, including emissions, biodiversity, freshwater availability and more. The scientists, not a crowd known to overstate facts, conclude: “soon it will be too late to shift course away from our failing trajectory, and time is running out”. In his 2005 book Collapse, Jared Diamond charts the history of past societies. He makes the case that overpopulation and resource use beyond the carrying capacity have often been important, if not the only, drivers of collapse. Even though we are making important incremental progress in battles such as climate change, we must still achieve tremendous step changes in our response to several major environmental crises. We must do this even while the world’s population continues to grow. These pressures are bound to exert great stress on our global civilization. 3. Superintelligence: unplanned obsolescence? Imagine a monkey society that foresaw the ascendance of humans. Fearing a loss of status and power, it decided to kill the proverbial Adam and Eve. It crafted the most ingenious plan it could: starve the humans by taking away all their bananas. Foolproof plan, right? This story describes the fundamental difficulty with superintelligence. A superintelligent being may always do something entirely different from what we, with our mere mortal intelligence, can foresee. In his 2014 book Superintelligence, Swedish philosopher Nick Bostrom presents the challenge in thought-provoking detail, and advises caution. Bostrom cites a survey of industry experts that projected a 50% chance of the development of artificial superintelligence by 2050, and a 90% chance by 2075. The latter date is within the life expectancy of many alive today. Visionaries like Stephen Hawking and Elon Musk have warned of the existential risks from artificial superintelligence. Their opposite camp includes Larry Page and Mark Zuckerberg. But on an issue that concerns the future of humanity, is it really wise to ignore the guy who explained the nature of space to us and another guy who just put a reusable rocket in it? 4. Technology: known knowns and unknown unknowns Many fundamentally disruptive technologies are coming of age, from bioengineering to quantum computing, 3-D printing, robotics, nanotechnology and more. Lord Martin Rees describes potential existential challenges from some of these technologies, such as a bioengineered pandemic, in his book Our Final Century. Imagine if North Korea, feeling secure in its isolation, could release a virulent strain of Ebola, engineered to be airborne. Would it do it? Would ISIS? Projecting decades forward, we will likely develop capabilities that are unthinkable even now. The unknown unknowns of our technological path are profoundly humbling. 5. 'The Trump Factor' Despite our scientific ingenuity, we are still a confused and confusing species. Think back to two years ago, and how you thought the world worked then. Has that not been upended by the election of Donald Trump as US President, and everything that has happened since? The mix of billions of messy humans will forever be unpredictable. When the combustible forces described above are added to this melee, we find ourselves on a tightrope. What choices must we now make now to create a shared future, in which we are not at perpetual risk of destroying ourselves? Common enemy to common cause Throughout history, we have rallied against the ‘other’. Tribes have overpowered tribes, empires have conquered rivals. Even today, our fiercest displays of unity typically happen at wartime. We give our lives for our motherland and defend nationalistic pride like a wounded lion. But like the early Morioris, we 21st-century citizens find ourselves on an increasingly unstable island. We may have a violent past, but we have no more dangerous enemy than ourselves. Our task is to find our own Nunuku’s Law. Our own shared contract, based on equity, would help us navigate safely. It would ensure a future that unleashes the full potential of our still-budding human civilization, in all its diversity. We cannot do this unless we are humbly grounded in the possibility of our own destruction. Survival is life’s primal instinct. In the absence of a common enemy, we must find common cause in survival. Our future may depend on whether we realize this.

#### 1 – Forecloses future improvement – we can never improve society because our impact is irreversible which proves moral uncertainty

#### 2 – Turns suffering – mass death causes suffering because people can’t get access to resources and basic necessities

#### AT: Ansell – 1] Assumes there is a tradeoff between solving for existential threats and structural violence – governments are able to do multiple things and your evidence doesn’t justify a tradeoff 2] Links back to them – they inevitably have to choose between different conflicts of racism or inequality that will cause the exclusion of certain impacts

## 3

#### Text: The 49 United States excluding California ought to recognize an unconditional right for incarcerated workers to strike. California should recognize a right for incarcerated workers, except those in the prison firefighter program, to strike.

#### Firefighter programs decidedly better than prison and solve megafires – saves numerous preventable deaths.

Hahn, 21

[Matthew Hahn, union electrician and meditation teacher who writes about his time in prison and issues related to criminal justice: “Sending us to fight fires was abusive. We preferred it to staying in prison.” Published by Washington Post on 10-15-21. https://www.washingtonpost.com/outlook/prison-firefighter-california-exploit/2021/10/15/3310eccc-2c61-11ec-8ef6-3ca8fe943a92\_story.html]//AD

On the perimeter of the smoldering ruins of Lassen National Forest in Northern California this summer, an orange-clad crew of wildland firefighters worked steadily to contain the Dixie Fire, the largest single wildfire in state history. Using rakes, axes and chain saws, they literally moved the landscape, cleaving burned from unburned to contain the flames. This work was dangerous, and they made just a few dollars per hour, working 24-hour shifts.

But it was better than being in prison.

I used to be one of the incarcerated people whom California employs to fight wildfires, and I was fortunate. During my nine years in prison for drug-related burglaries, ending in 2012, I never met a fellow prisoner who didn’t want to be in “fire camp,” as the program is known. Some dreamed of going but knew they would never be allowed to live in such a low-security facility. Others, like me, did everything in their capacity to ensure that they got there as soon as humanly possible. For the most part, this meant being savvy and lucky enough to stay out of trouble during the first few years of my incarceration.

Though the program is voluntary, some well-meaning people on social media and in activist circles like to compare fire camp to slavery. Every fire season, they draw attention to its resemblance to chain gangs of the past, its low wages and its exploitative nature. Some argue that incarcerated firefighters face insurmountable barriers to careers in that field after parole, though this has started to change in recent years. Others argue that the voluntary nature of fire camp is a ruse, that consent cannot be offered by the coerced.

There is some truth to these objections, but they ignore the reality of why people would want to risk life and limb for a state that is caging them: The conditions in California prisons are so terrible that fighting wildfires is a rational choice. It is probably the safest choice as well.

I’m from a long line of California ranchers. Now we flee fires all the time.

California prisons have, on average, three times the murder rate of the country overall and twice the rate of all American prisons. These figures don’t take into account the sheer number of physical assaults that occur behind prison walls. Prison feels like a dangerous place because it is. Whether it’s individual assaults or large-scale riots, the potential for violence is ever-present. Fire camp represents a reprieve from that risk.

Sure, people can die in fire camp as well — at least three convict-firefighters have died working to contain fires in California since 2017 — but the threat doesn’t weigh on the mind like the prospect of being murdered by a fellow prisoner. I will never forget the relief I felt the day I set foot in a fire camp in Los Angeles County, like an enormous burden had been lifted.

The experience was at times harrowing, as when my 12-man crew was called to fight the Jesusita Fire, which scorched nearly 9,000 acres and destroyed 80 homes in the Santa Barbara hills back in 2009. I distinctly remember our vehicle rounding an escarpment along the coast when the fire revealed itself, the plume rising and then disappearing into a cloud cover of its own making. Bright orange fingers of flame danced along the top of the mountains.

The fire had been moving in the patches of grass and brush between properties, so we zigzagged our way between homes, cutting down bushes, beating away flames and leaving a four-foot-wide dirt track in our wake. I was perpetually out of breath, a combination of exertion and poor air quality. My flame-resistant clothing was soaked with sweat, and I remember seeing steam rise from my pant leg when I got too close to the burning grass.

The fire had ignited one home’s deck and was slowly burning its way to the structure. We cut the deck off the house, saving the home. I often fantasize about the owners returning to see it still standing, unaware and probably unconcerned that an incarcerated fire crew had saved it. There was satisfaction in knowing that our work was as valuable as that of any other firefighter working the blaze and that the gratitude expressed toward first responders included us.

#### The program reduces recidivism and violent crime by ingraining first-responder logic.

Lockheart, 20

[Rasheed, former prisoner, 10-1-2020, "Being a Prison Firefighter Taught Me to Save Lives," Marshall Project, https://www.themarshallproject.org/2020/10/01/being-a-prison-firefighter-taught-me-to-save-lives]//AD

There’s a full-fledged firehouse equipped with engines at San Quentin Prison. To work for the department, which serves the facility and over 100 units of mostly employee housing on the grounds, prisoners have to interview with the fire chief and captains and go before a panel composed of the warden and other staff.

You have to be a good fit and know how to work in a team. And they only consider people who have a record of good behavior within the last five years—that means few or no disciplinary write-ups or infractions. You cannot have been convicted of arson, sex offenses, murder or attempted escape, and you have to be at the lowest security level.When I applied in 2016, I had five years left in my sentence. Dozens of guys were trying to get into the firehouse, but they only take nine to 12 at a time. I thought I was in great shape—I was on the San Quentin A’s baseball team, and I played football. But I was nowhere close to being in firefighting shape. We had to be able to hike more than a mile with a 75-pound hose on our backs. I didn’t think I was going to make it at first.It wasn’t really the act of firefighting that made me want to join. Initially, I just wanted the job because I would get to sleep in a room by myself, eat good and train dogs. Plus those guys just look cool. Who as a kid didn’t think firefighters were awesome? Joining the department was also an opportunity to escape the politics and culture of prison. I wouldn't be confined to a cell or have COs hanging over my shoulder all the time; I would be treated like a human being. After years of incarceration I was sold. I didn’t expect it, but firefighting would be the most influential thing I’d ever taken part in. Being a member of the department meant being available 24/7 for calls inside and outside the prison. On the outside, we had house fires, medical emergencies, car accidents and grass fires. Inside we responded to cell fires, provided CPR and transported bodies from housing units to the hospital. In my nearly three years on the job, I did CPR almost 50 times. Only four people lived. The sad truth is that San Quentin has an aging population of people either dying of old age or giving up. There were suicides and a fentanyl outbreak. Sometimes we’d get five overdoses in a week. In 2017, almost 20 people died of various causes. I did CPR on every one of them. On one call, a gentleman had fallen off his bunk and hit his head. He went through three rounds of CPR and two with the defibrillator. On the third round of CPR, I felt him gasp for breath and I could feel his heartbeat underneath my hands. I said to my captain, “Holy shit, I think he's breathing!” He lived and was back on the yard two days later. I can't explain what it feels like to have someone come back to life under your hands. There's nothing like it.

One thing I noticed early on was the difference between the mentalities of people on death row and those in the general population. When we were doing CPR or taking a dead body off the tier, the men on death row had a look of resignation, like ‘Damn, he made it out.’ There was one guy on death row who committed suicide. He always sticks with me because he had his beard trimmed and his hair lined up. He died perfectly groomed but with a look on his face like, I think this is a mistake. People in the general population avoided watching us carry out dead bodies. If you have a life sentence in California, it doesn’t necessarily mean you’ll be incarcerated forever. If you do all the right things and invest in yourself, there is a possibility that you will make it out. With the chance of release, the men in general population didn’t want to think about their own mortality. At times I did feel survivor's guilt about being at the firehouse living the good life. When I was responding to a call, I didn’t have time to be in an emotional space with it. The guilt would kick in when I came back from a call involving one of my incarcerated peers. These were guys I hung out with and played basketball with. But contrary to popular belief about prison culture being dominated by envy, people loved to see me rising above incarceration. I regularly had guys I didn't even know saying they were proud of me and thanking me for representing them. It was like, That’s one of ours. When I was about to be released, I already knew I couldn’t be a firefighter on the outside because my armed robbery felony would exclude me from getting a license. But in September, Gov. Newsom signed AB 2147, a law that puts me on a path to expunging my record and getting my EMT certification. It’s not a fix-all, but it makes the pathway a little bit easier .Once you're a first responder, you're always a first responder. It never leaves your system. There's not a day that goes by that I don't smell smoke. Once you've lived that life, it's a hard thing to leave behind.

#### Megafires kill biodiversity.

Stevens, 12

[Bonnie, 5-15-2012, "An era of mega fires," Arizona Daily Sun, https://azdailysun.com/news/science/an-era-of-mega-fires/article\_a14f3c7d-7a36-5c12-a48e-75a8ea4e3fff.html]//AD

"Mega fires are huge, landscape-scale fires in excess of 100-thousand acres," said Covington, executive director of the Ecological Restoration Institute (ERI) at Northern Arizona University. "We're seeing this throughout the West, but Arizona is on the leading edge."

Covington says mega fires are symptoms of an unhealthy forest caused by a century of actions -- mostly fire suppression, and overgrazing during the late 1800s -- that have changed the structure and function of ponderosa pine and dry mixed conifer forests.

"We need to stop being surprised by the types of fires we're having," said Summerfelt, wildland fire management officer for the city of Flagstaff. "My first fire was on the North Kaibab and it was considered huge. It was 20 acres. A 20-acre fire now means nothing. So in those three-and-a-half decades in my career, I've been able to watch fire change in size and intensity to levels today that even a decade ago would have been unthinkable. And we're not done breaking records."

Covington says Arizona is set up for three more enormous crown fires across the Mogollon Rim that burn through the tops of old growth trees and can ignite spot fires as far as 3 miles ahead of the blaze. "There's the Payson to Winslow corridor, the Sedona to Flagstaff corridor and the Prescott corridor. If we don't get out in front of these and do restoration treatments, it's just going to be a matter of time before we have three more major landscapes burn up."

As we approach the 10th anniversary of the Rodeo-Chediski Fire, scientists, firefighters and natural resource managers are examining today's forest conditions and reviewing lessons learned from the state's two largest fires.

To compare, both fires were started by people on warm, dry, windy days.

"With the Wallow Fire, we knew we were in extreme conditions. We had fuel everywhere and our probability of ignition for any fire that hit the ground was 100 percent. With 62 mph wind gusts, it was blowing so hard it was tough to walk," said Zornes.

Former Forest Service ranger and firefighter Jim Paxon, now Arizona Game and Fish Department spokesperson, describes the 468,000-acre Rodeo-Chediski Fire as a plume-dominated fire.

"It was pretty much fuels related, fed by the millions of excess trees in our overcrowded forests. It had extremely high energy. When I started fighting fire in the late'60s we didn't have these big columns of plumes that would build up, collapse in an explosion on the ground and create hurricane winds. This didn't happen until the '90s."

As a result, 49 percent of the area in the Rodeo-Chediski Fire was considered severely burned. For the 538,000-acre Wallow Fire, that figure is 28 percent.

"It could take a couple hundred years for these forests to return back to what they were," said Alpine District Ranger Rick Davalos. "Some of the severely burned area includes older growth trees."

ERI researchers say crown fires that kill old growth trees also destroy critical wildlife habitat.

"The Mexican spotted owl is the biggest concern we have as an endangered species that we're trying to help out," Paxon said. "The Forest Service is under extreme pressure not to do any cutting around the nesting sites. So between the two fires we lost 20 percent of the Mexican spotted owl nests that exist in the world."

In addition, heat from the Wallow Fire baked streams and killed aquatic life. Then floods, from monsoon rains after the fire, moved silt into rivers and lakes making matters worse.

"The problem with these fires is they remove so much of the vegetation they can create hydrophobic soils. The water won't penetrate the soil. It runs across the surface so all that ash and sediment ends up in streams and rivers. In the Wallow Fire it ruined the habitat for the re-introduced Apache trout," Covington said. "So, whether you look at fish or you look at birds or you look at mammals, the impact of these mega fires over the long haul is very negative."

#### Biodiversity loss causes extinction and turns climate change

Phil Torres, Scholar at the Institute for Ethics and Emerging Technologies, 5-20-2016, "Biodiversity Loss: An Existential Risk Comparable to Climate Change," Future of Life Institute, https://futureoflife.org/2016/05/20/biodiversity-loss/

Biodiversity Loss: An Existential Risk Comparable to Climate Change

According to the Bulletin of Atomic Scientists, the two greatest existential threats to human civilization stem from climate change and nuclear weapons. Both pose clear and present dangers to the perpetuation of our species, and the increasingly dire climate situation and nuclear arsenal modernizations in the United States and Russia were the most significant reasons why the Bulletin decided to keep the Doomsday Clock set at three minutes before midnight earlier this year.

But there is another existential threat that the Bulletin overlooked in its Doomsday Clock announcement: biodiversity loss. This phenomenon is often identified as one of the many consequences of climate change, and this is of course correct. But biodiversity loss is also a contributing factor behind climate change. For example, deforestation in the Amazon rainforest and elsewhere reduces the amount of carbon dioxide removed from the atmosphere by plants, a natural process that mitigates the effects of climate change. So the causal relation between climate change and biodiversity loss is bidirectional.

## 4

#### The Global Economy is stabilizing and set for increases in 2021 but is still vulnerable to shocks

World Bank 6-8 6-8-2021 "The Global Economy: on Track for Strong but Uneven Growth as COVID-19 Still Weighs" <https://www.worldbank.org/en/news/feature/2021/06/08/the-global-economy-on-track-for-strong-but-uneven-growth-as-covid-19-still-weighs>

A year and a half since the onset of the COVID-19 pandemic, the global economy is poised to stage its most **robust post-recession recovery** in 80 years in 2021. But the rebound is expected to be **uneven across countries**, as major economies look set to register strong growth even as many developing economies lag. Global growth is expected to accelerate to 5.6% this year, largely on the strength in major economies such as the United States and China. And while growth for almost every region of the world has been revised upward for 2021, many continue to grapple with COVID-19 and what is likely to be its long shadow. Despite this year’s pickup, the level of global GDP in 2021 is expected to be **3.2% below** pre-pandemic projections, and per capita GDP among many emerging market and developing economies is anticipated to remain below pre-COVID-19 peaks for an extended period. As the **pandemic continues to flare**, it will shape the path of global economic activity.

#### Strikes hurt the Economy – two warrants:

#### 1] They hurt critical core industries that is necessary for economic growth

McElroy 19 John McElroy 10-25-2019 "Strikes Hurt Everybody" <https://www.wardsauto.com/ideaxchange/strikes-hurt-everybody> (MPA at McCombs school of Business)

This creates a **poisonous relationship** between the company and its workforce. Many GM hourly workers don’t identify as GM employees. They identify as UAW members. And they see the union as the source of their jobs, not the company. It’s an unhealthy dynamic that puts GM at a disadvantage to non-union automakers in the U.S. like Honda and Toyota, where workers take pride in the company they work for and the products they make. Attacking the company in the media also **drives away customers**. Who wants to buy a shiny new car from a company that’s accused of underpaying its workers and treating them unfairly? Data from the Center for Automotive Research (CAR) in Ann Arbor, MI, show that **GM loses market share during strikes and never gets it back**. GM lost two percentage points during the 1998 strike, which in today’s market would represent **a loss of 340,000 sales**. Because GM reports sales on a quarterly basis we’ll only find out at the end of December if it lost market share from this strike. UAW members say one of their greatest concerns is job security. But causing a company to lose market share is a sure-fire path to **more plant closings and layoffs**. Even so, unions are incredibly important for boosting wages and benefits for working-class people. GM’s UAW-represented workers earn considerably more than their non-union counterparts, about $26,000 more per worker, per year, in total compensation. Without a union they never would have achieved that. Strikes are a powerful weapon for unions. They usually are the only way they can get management to accede to their demands. If not for the power of collective bargaining and the threat of a strike, management would largely ignore union demands. If you took away that threat, management would pay its workers peanuts. Just ask the Mexican line workers who are paid $1.50 an hour to make $50,000 BMWs. But strikes don’t just hurt the people walking the picket lines or the company they’re striking against. They hurt **suppliers, car dealers and the communities located near the plants.** The Anderson Economic Group estimates that 75,000 workers at supplier companies were temporarily laid off because of the GM strike. Unlike UAW picketers, those supplier workers won’t get any strike pay or an $11,000 contract signing bonus. No, most of them lost close to a month’s worth of wages, which must be financially devastating for them. GM’s suppliers also lost a lot of money. So now they’re cutting budgets and delaying capital investments to make up for the lost revenue, which is a further drag on the economy. According to CAR, the communities and states where GM’s plants are located collectively lost a couple of hundred million dollars in payroll and tax revenue. Some economists warn that if the strike were prolonged it could knock the state of Michigan – home to GM and the UAW – **into a recession.** That prompted the governor of Michigan, Gretchen Whitmer, to call GM CEO Mary Barra and UAW leaders and urge them to settle as fast as possible. So, while the UAW managed to get a nice raise for its members, the strike left a path of destruction in its wake. That’s not fair to the innocent bystanders who will never regain what they lost. John McElroyI’m not sure how this will ever be resolved. I understand the need for collective bargaining and the threat of a strike. But there’s got to be a better way to get workers a raise without torching the countryside.

#### 2] Strikes create a stigmatization effect over labor and consumption that devastates the Economy

Tenza 20, Mlungisi. "The effects of violent strikes on the economy of a developing country: a case of South Africa." Obiter 41.3 (2020): 519-537. (Senior Lecturer, University of KwaZulu-Natal)

When South Africa obtained democracy in 1994, there was a dream of a better country with a new vision for industrial relations.5 However, the number of violent strikes that have bedevilled this country in recent years seems to have shattered-down the aspirations of a better South Africa. South Africa recorded 114 strikes in 2013 and 88 strikes in 2014, which cost the country about **R6.1 billion** according to the Department of Labour.6 The impact of these strikes has been hugely felt by the mining sector, particularly the platinum industry. The biggest strike took place in the platinum sector where about 70 000 mineworkers’ downed tools for better wages. Three major platinum producers (Impala, Anglo American and Lonmin Platinum Mines) were affected. The strike started on 23 January 2014 and ended on 25 June 2014. Business Day reported that “the five-month-long strike in the platinum sector pushed the economy to the brink of recession”. 7 This strike was closely followed by a four-week strike in the metal and engineering sector. All these strikes (and those not mentioned here) were characterised with violence accompanied by damage to property, intimidation, assault and sometimes the killing of people. Statistics from the metal and engineering sector showed that about 246 cases of intimidation were reported, 50 violent incidents occurred, and 85 cases of vandalism were recorded.8 Large-scale unemployment, soaring poverty levels and the dramatic income inequality that characterise the South African labour market provide a broad explanation for strike violence.9 While participating in a strike, workers’ stress levels leave them feeling frustrated at their seeming powerlessness, which in turn provokes further violent behaviour.10 These strikes are not only violent but **take long to resolve.** Generally, a lengthy strike has a **negative effect on employment, reduces business confidence and increases the risk of economic stagflation**. In addition, such strikes have a major setback on the growth of the economy and investment opportunities. It is common knowledge that consumer spending is directly linked to economic growth. At the same time, if the economy is not showing signs of growth, employment opportunities are shed, and poverty becomes the end result. The economy of South Africa is in need of rapid growth to enable it to deal with the high levels of unemployment and resultant poverty. One of the measures that may boost the country’s economic growth is by attracting potential investors to invest in the country. However, this might be difficult as investors would want to invest in a country where there is a likelihood of getting returns for their investments. The wish of getting returns for investment may not materialise if the labour environment **is not fertile** for such investments as a result of, for example, unstable labour relations. Therefore, investors may be reluctant to invest where there is an unstable or fragile labour relations environment. 3 THE COMMISSION OF VIOLENCE DURING A STRIKE AND CONSEQUENCES The Constitution guarantees every worker the right to join a trade union, participate in the activities and programmes of a trade union, and to strike. 11 The Constitution grants these rights to a “worker” as an individual.12 However, the right to strike and any other conduct in contemplation or furtherance of a strike such as a picket13 can only be exercised by workers acting collectively.14 The right to strike and participation in the activities of a trade union were given more effect through the enactment of the Labour Relations Act 66 of 199515 (LRA). The main purpose of the LRA is to “advance economic development, social justice, labour peace and the democratisation of the workplace”. 16 The advancement of social justice means that the exercise of the right to strike must advance the interests of workers and at the same time workers must refrain from any conduct that can affect those who are not on strike as well members of society. Even though the right to strike and the right to participate in the activities of a trade union that often flow from a strike17 are guaranteed in the Constitution and specifically regulated by the LRA, it sometimes happens that the right to strike is exercised for purposes not intended by the Constitution and the LRA, generally. 18 For example, it was not the intention of the Constitutional Assembly and the legislature that violence should be used during strikes or pickets. As the Constitution provides, pickets are meant to be peaceful. 19 Contrary to section 17 of the Constitution, the conduct of workers participating in a strike or picket has changed in recent years with workers trying to emphasise their grievances by causing disharmony and chaos in public. A media report by the South African Institute of Race Relations pointed out that between the years 1999 and 2012 there were 181 strike-related deaths, 313 injuries and 3,058 people were arrested for public violence associated with strikes.20 The question is whether employers succumb easily to workers’ demands if a strike is accompanied by violence? In response to this question, one worker remarked as follows: “[T]here is no sweet strike, there is no Christian strike … A strike is a strike. [Y]ou want to get back what belongs to you ... you won’t win a strike with a Bible. You do not wear high heels and carry an umbrella and say ‘1992 was under apartheid, 2007 is under ANC’. You won’t win a strike like that.” 21 The use of violence during industrial action affects not only the strikers or picketers, the employer and his or her business but it also affects innocent members of the public, non-striking employees, the environment and the economy at large. In addition, striking workers visit non-striking workers’ homes, often at night, threaten them and in some cases, assault or even murder workers who are acting as replacement labour. 22 This points to the fact that for many workers and their families’ living conditions remain unsafe and vulnerable to damage due to violence. In Security Services Employers Organisation v SA Transport & Allied Workers Union (SATAWU),23 it was reported that about 20 people were thrown out of moving trains in the Gauteng province; most of them were security guards who were not on strike and who were believed to be targeted by their striking colleagues. Two of them died, while others were admitted to hospitals with serious injuries.24 In SA Chemical Catering & Allied Workers Union v Check One (Pty) Ltd,25 striking employees were carrying various weapons ranging from sticks, pipes, planks and bottles. One of the strikers Mr Nqoko was alleged to have threatened to cut the throats of those employees who had been brought from other branches of the employer’s business to help in the branch where employees were on strike. Such conduct was held not to be in line with good conduct of striking.26 These examples from case law show that South Africa is facing a problem that is affecting not only the industrial relations’ sector but also the economy at large. For example, in 2012, during a strike by workers employed by Lonmin in Marikana, the then-new union Association of Mine & Construction Workers Union (AMCU) wanted to exert its presence after it appeared that many workers were not happy with the way the majority union, National Union of Mine Workers (NUM), handled negotiations with the employer (Lonmin Mine). AMCU went on an unprotected strike which was violent and resulted in the loss of lives, damage to property and negative economic consequences including a weakened currency, reduced global investment, declining productivity, and increase unemployment in the affected sectors.27 Further, the unreasonably long time it takes for strikes to get resolved in the Republic has a negative effect on the business of the employer, the economy and employment. 3 1 Effects of violent and long strikes on the economy Generally, South Africa’s economy is on a downward scale. First, it fails to create employment opportunities for its people. The recent statistics on unemployment levels indicate that unemployment has increased from 26.5% to 27.2%. 28 The most prominent strike which nearly brought the platinum industries to its knees was the strike convened by AMCU in 2014. The strike started on 23 January 2014 and ended on 24 June 2014. It affected the three big platinum producers in the Republic, which are the Anglo American Platinum, Lonmin Plc and Impala Platinum. It was the longest strike since the dawn of democracy in 1994. As a result of this strike, the platinum industries lost billions of rands.29 According to the report by Economic Research Southern Africa, the platinum group metals industry is South Africa’s second-largest export earner behind gold and contributes just over 2% of the country’s Gross Domestic Product (GDP).30 The overall metal ores in the mining industry which include platinum sells about 70% of its output to the export market while sales to local manufacturers of basic metals, fabricated metal products and various other metal equipment and machinery make up to 20%. 31 The research indicates that the overall impact of the strike in 2014 was driven by a reduction in productive capital in the mining sector, accompanied by a decrease in labour available to the economy. This resulted in a sharp increase in the price of the output by 5.8% with a **GDP declined by 0.72 and 0.78%**.32

#### Economic Collapse goes Nuclear.

Tønnesson 15, Stein. "Deterrence, interdependence and Sino–US peace." International Area Studies Review 18.3 (2015): 297-311. (the Department of Peace and Conflict, Uppsala University, Sweden, and Peace research Institute Oslo (PRIO), Norway)

Several recent works on China and Sino–US relations have made substantial contributions to the current understanding of how and under what circumstances a combination of nuclear deterrence and economic interdependence may reduce the risk of war between major powers. At least four conclusions can be drawn from the review above: first, those who say that interdependence may both inhibit and drive conflict are right. Interdependence raises the cost of conflict for all sides but asymmetrical or unbalanced dependencies and negative trade expectations may generate tensions leading to trade wars among inter-dependent states that in turn increase the risk of military conflict (Copeland, 2015: 1, 14, 437; Roach, 2014). The risk may increase if one of the interdependent countries is governed by an inward-looking socio-economic coalition (Solingen, 2015); second, the risk of war between China and the US should not just be analysed bilaterally but include their allies and partners. Third party countries could drag China or the US into confrontation; third, in this context it is of some comfort that the three main economic powers in Northeast Asia (China, Japan and South Korea) are all deeply integrated economically through production networks within a global system of trade and finance (Ravenhill, 2014; Yoshimatsu, 2014: 576); and fourth, decisions for war and peace are taken by very few people, who act on the basis of their future expectations. International relations theory must be supplemented by foreign policy analysis in order to assess the value attributed by national decision-makers to economic development and their assessments of risks and opportunities. If leaders on either side of the Atlantic begin to seriously fear or anticipate their own nation’s decline then they may blame this on external dependence, appeal to anti-foreign sentiments, contemplate the use of force to gain respect or credibility, adopt protectionist policies, and ultimately refuse to be deterred by either nuclear arms or prospects of socioeconomic calamities. Such a dangerous shift could happen abruptly, i.e. under the instigation of actions by a third party – or against a third party. Yet as long as there is both nuclear deterrence and interdependence, the tensions in East Asia are unlikely to escalate to war. As Chan (2013) says, all states in the region are aware that they cannot count on support from either China or the US if they make provocative moves. The greatest risk is not that a territorial dispute leads to war under present circumstances but that changes in the world economy alter those circumstances in ways that render inter-state peace more precarious. If China and the US fail to rebalance their financial and trading relations (Roach, 2014) then a trade war could result, interrupting transnational production networks, provoking social distress, and exacerbating nationalist emotions. This could have unforeseen consequences in the field of security, with nuclear deterrence remaining the only factor to protect the world from Armageddon, and unreliably so. Deterrence could lose its credibility: one of the two great powers might gamble that the other yield in a cyber-war or conventional limited war, or third party countries might engage in conflict with each other, with a view to obliging Washington or Beijing to intervene.

## Case

#### Framework – the role of the ballot is evaluate desirability of the neg. The aff has to win the links to the plan – that’s most fair and predictable and best for engagement and clash. Their framework moots the 1NC, is self-serving, and arbitrary.

**Not enough prisoners will join – many like their jobs – and prison system cannot financially afford to better conditions so strikes go nowhere**

**Schwartzapfel 14** (Beth Schwartzapfel – Journalist writing for The Prospect, “The Great American Chain Gang: **Why can't we embrace the idea that prisoners have labor rights?**”, https://prospect.org/justice/great-american-chain-gang/, 28 May 2014, EmmieeM)

**Despite the conditions and the pay**, **most inmates want to work**. A job gives them a safe place to be for hours each day, provides a break from the monotony of prison life, and-in most states-puts a few dollars and cents in their commissary account. "I was happy to work," Hazen says. "It made me feel like I wasn't so much in prison. It gave me a minute by myself to get away from the craziness, time to think and reflect and figure out what I wanted to do with my life." What the job didn't provide was a wage sufficient to support her son and accumulate some savings for post-prison life, or job training that would help her pursue the goals she established in that dish room: to study psychology and one day open a domestic-violence shelter. After six months of work, Hazen left prison the way most people do: with a criminal record, no meaningful job experience beyond what she went in with, and not even enough savings to buy a suit for a job interview ($43).

Study after study has found what common sense would suggest: Prisoners who gain professional skills while locked up, and those who earn a decent wage for their work, are far less likely to end up back behind bars. But **if prisons in America**, with the world's highest incarceration rate, **had to pay minimum wage**-let alone the prevailing wage-**they couldn't keep operating**. If inmates like Hazen weren't washing dishes in Massachusetts prisons, the state's corrections department would spend an average of $9.22 to hire someone else to do it (the mean hourly wage for a dishwasher, according to the Bureau of Labor Statistics). That's 30 to 45 times what inmates make for performing the same service. As a result, prisons-and taxpayers-use prisoners to save **hundreds of millions of dollars** each year on labor costs, according to the GAO.

"If our criminal-justice system had to pay a fair wage for labor that inmates provide, **it would collapse**," says Alex Friedmann, managing editor of Prison Legal News, an independent magazine that promotes inmates' rights. "**We could not afford to run our justice system without exploiting inmates**."

#### Harvard Law Review says that Courts uphold inmate right to strike even if Congress doesn’t – Harker reads blue

1AC Harvard Law Review, 19 - ("Striking the Right Balance: Toward a Better Understanding of Prison Strikes," Harvard Law Review 03/8/2019, accessed 10-28-2021, <https://harvardlawreview.org/2019/03/striking-the-right-balance-toward-a-better-understanding-of-prison-strikes/)//ML>

II. LEGAL FRAMEWORK GOVERNING PRISON STRIKES: STATE LAW AND FEDERAL STATUTES¶ A. Statutes and Regulations¶ As a threshold matter, state and federal statutory law provides no recourse for protecting prison strikes. Incarcerated individuals are not included as protected “employees” in the text of federal labor laws like the Fair Labor Standards Act78 and the National Labor Relations Act,79 and courts have refused to extend the protections that these statutes offer to those confined within prison walls.80 Further, this Note is aware of no state labor laws, or for that matter any state constitutional provisions, that have been interpreted to allow prisoners to strike. ¶Not only are prison strikes not protected by statutory law — they also are often explicitly prohibited. State statutes and prison regulations pose the most immediate barrier to prison strike activity, as states across the union appear to categorically bar prison strikes and other forms of inmate collective organizing. For instance, Alaska’s administrative code lists “participation in an organized work stoppage” and “encouraging others to engage in a food strike” as “[h]igh-moderate infractions.”81 The same is true at the federal level, as the Bureau of Prisons has made “[e]ngaging in or encouraging a group demonstration” and “[e]ncouraging others to refuse to work, or to participate in a work stoppage” prohibited acts.82 ¶ Further research is certainly necessary to develop a fuller, more nuanced treatment of the various state and federal statutory schemes that impact prison strikes.83 But even this brief overview drives home a clear bottom line: that state and federal laws, in their current forms, likely offer no viable protection for prison strikes and indeed often prohibit them outright. ¶B. Constitutional Law ¶ The Supreme Court has not spoken directly on the question of whether peaceful prison protests merit constitutional protection. However, two areas of constitutional analysis — prisoners’ rights broadly and prisoners’ First Amendment rights specifically — suggest that under current law, the answer to this question is likely also a resounding no.¶ 1. Prisoners’ Constitutional Rights Generally. — Section 1 of the Thirteenth Amendment states: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”84 By its express terms, the amendment creates an explicit exception for persons serving a sentence pursuant to conviction of a crime, and it therefore offers prisoners no basis to refuse to work or to engage in other forms of peaceful strikes.85 ¶ Despite the Thirteenth Amendment’s clear textual carve-out, courts have not, in modern times, read the wording of the amendment literally to allow the State to treat inmates like slaves.86 According to the Court, “[t]here is no iron curtain drawn between the Constitution and the prisons of this country.”87 Instead, as neither slaves nor free people,88 inmates retain some (but not all) of their constitutional rights when they cross into the prison.89 The Supreme Court has time and again asserted that “[l]awful incarceration brings about the necessary withdrawal or limitation of many privileges and rights.”90 This is the case not only because of the inherently “deprivat[ory]” nature of imprisonment,91 but also because prison administrators must be accorded wide latitude in the complex and difficult task of operating a penal institution.92 This deference, however, “yield[s] to the strictures of the Constitution.”93 Indeed, courts recognize that inmates, despite being incarcerated, retain particular constitutional rights “that the courts must be alert to protect.”94 Such rights that an inmate retains are those “that are not inconsistent with his status as a prisoner or with the legitimate penological objective of the corrections system.”95 ¶ However, as the Court explained in Turner v. Safley, 96 a prison regulation may infringe on a prisoner’s retained constitutional rights as long as “it is reasonably related to legitimate penological interests.”97 Turner identified four relevant factors in determining the reasonableness of a prison regulation: (1) whether there is “a ‘valid, rational connection’ between the regulation and the legitimate governmental interest [advanced] to justify it”;98 (2) whether alternative means for exercising the asserted right remain available;99 (3) whether accommodation of the asserted right will adversely affect “guards[,] other inmates, and . . . the allocation of prison resources generally”;100 and (4) whether there is a “ready alternative[]”101 to the regulation “that fully accommodates the prisoner’s right at de minimis cost to valid penological interests.”102 ¶ So, under the general legal framework for prisoners’ rights, finding constitutional protection for peaceful collective actions like the 2018 prison strike will likely face an uphill battle. Such a right to strike not only must fit within the confines of a “retained right,” which appears to be narrowly defined; it also must go up against Turner and its progeny, which mandate rational basis review for any prison regulation — providing prison officials with broad deference to curtail any rights that a prisoner might retain.103 Turning to prisoner First Amendment jurisprudence specifically, it becomes even clearer that a right to strike likely cannot navigate either difficulty successfully.¶ 2. Prisoners’ First Amendment Rights. — The First Amendment of the Constitution includes within its guarantees political rights to communicate, associate, and present grievances to the government.104 These rights go to the very heart of our political system — one that, as a democracy, values the participation of its citizens.105 Outside of prison walls, the Supreme Court has recognized that individuals may, in many situations, exercise their First Amendment associational rights by peacefully engaging in a work strike.106 Inside prison walls, however, the right to strike is a legal gray area. The Court has analyzed a number of First Amendment rights, including those implicating concerted political activity and association, in the prison context — asking whether (1) the First Amendment right in question is inconsistent with an inmate’s status as a prisoner and (2) prison officials’ interference with such a right reasonably relates to a legitimate penological interest.¶ 107 However, the Court has yet to perform such an analysis for prison strikes specifically. But one seminal Supreme Court case — Jones v. North Carolina Prisoners’ Labor Union, Inc.108 — casts serious doubt on prisoners’ collective right to strike. In Jones, a prisoners’ labor union109 brought an action under 42 U.S.C. § 1983, claiming that the North Carolina Department of Corrections violated its First Amendment rights110 by promulgating a prison rule that prohibited, among other things, union meetings among inmates.111 The three-judge district court agreed, granting substantial injunctive relief to the union.112 The Supreme Court reversed, however, doing so on two main grounds. Writing for the majority, then-Justice Rehnquist first invoked the familiar notion that “[t]he fact of confinement and the needs of the penal institution impose limitations on constitutional rights,” especially First Amendment associational rights.113 Then, without engaging with the specific nature of the potentially retained associational interest in question (that is, that of organizing as a union), Justice Rehnquist concluded that the challenged regulation did not unduly abridge inmates’ First Amendment rights.114 He did so by adopting a rational basis test — emphasizing the critical importance of “wide-ranging [judicial] deference” to prison officials and their informed discretion in carrying out penological goals.115 In particular, Justice Rehnquist argued that “[r]esponsible prison officials must be permitted to take reasonable steps to forestall” the “everpresent potential for violent confrontation” within prisons.116 And as he highlighted, North Carolina prison administrators had testified that the presence of, and potentially even the very objectives of, a prisoners’ union did potentially pose a danger117 — likely resulting in increased friction between inmates themselves or between inmates and prison personnel, as well as in “easily foreseeable” outcomes like “[w]ork stoppages.”118 ¶ In light of Jones, it is unlikely that the Supreme Court would, if the question came before it, recognize inmates’ First Amendment right to strike. Although the case concerned the specific issue of prison unions, the Jones Court’s holding was, in its methodology and reasoning, farreaching — (1) providing prison administrators with wide latitude to curtail any inmate collective activity that, in their “reasonable” judgment, threatened institutional order and security119 and, as a result, (2) appearing to severely curtail inmates’ First Amendment rights.120 The Court’s broad deference and narrow First Amendment view should therefore naturally be expected to extend to prison strikes and other forms of collective protest, about which prison officials have consistently offered similar safety concerns and which they have uniformly sought to ban,121 and which Jones specifically acknowledged as a possible unwelcome outcome of allowing prisoners to unionize. ¶ That Jones likely prevents any constitutional protection for prison strikes — and therefore liberally protects prison regulations banning strike activities — is reinforced by how the Supreme Court has applied the case over the past forty years. In Turner, for example, the Court rejected efforts to cabin Jones to barring only “‘presumptively dangerous’ inmate activities.”122 The Court specifically discussed Jones as part of a line of “prisoners’ rights” cases permitting “reasonable” prison regulations to impinge on inmates’ constitutional rights123 and ultimately relied in part on Jones to fashion its general four-part framework for assessing “reasonableness” across prison regulations.124 And in Overton v. Bazzetta, 125 the Supreme Court again invoked Jones to emphasize that “freedom of association is among the rights least compatible with incarceration”126 — though it declined to draw any precise boundaries that would be helpful for determining what, if any, associational rights inmates retain within prison walls, and whether those include strikes.127 ¶Lower courts have not been as wary to draw such boundaries. Under Jones, lower federal courts have uniformly held that prisoners have no constitutionally protected right under the First Amendment to strike. One district court interpreted Jones to hold that prison officials may act to prevent such strikes whenever they have a “good faith” belief that such strikes “threaten the security of the institutions they manage.”128 Lower courts have rejected a right to strike by simply citing to or briefly discussing Jones and contending that it naturally compels such a result,129 or by drawing an explicit connection between the prohibited prison unions at issue in Jones and prison strikes, dubbing strikes to be “a species of ‘organized union activity.’”130 They have also done so by delving into the specifics of why strikes purportedly pose safety and security risks within prisons and why prison regulations barring strikes are therefore rationally related to legitimate penological goals.131 ¶ Lower courts also have justified upholding prison regulations barring strikes by explicitly or implicitly turning to the general Turner framework that Jones helped create — including by arguing that there are ready alternatives to prison strikes,132 or that such regulations are generally permissible exercises of penal authority.133 And finally, it is worth noting that lower federal courts have, in deferring to prison offi- cials’ judgments regarding security, also permitted all manner of regulations designed to punish strikers134 and aid officials in preventing strikes from occurring.135 In short, there exists little, if any, room under current constitutional case law for protecting prison strikes.

#### Prisoners have the right to strike – history proves. The reason why they fail is due to inmate violence, not prison guards.

German Lopez, Senior Correspondent and Cohost of The Weeds, 2018 - [“America’s prisoners are going on strike in at least 17 states”, https://www.vox.com/2018/8/17/17664048/national-prison-strike-2018]//bread

America’s prisoners are going on strike. The demonstrations are [planned](https://incarceratedworkers.org/campaigns/prison-strike-2018) to take place from August 21 to September 9, which marks the anniversary of the [bloody uprising at the Attica Correctional Facility in New York](https://www.nytimes.com/2016/09/04/books/review/blood-in-the-water-attica-heather-ann-thompson.html). During this time, inmates across the US plan to refuse to work and, in some cases, refuse to eat to draw attention to poor prison conditions and what many view as exploitative labor practices in American correctional facilities. “Prisoners want to be valued as contributors to our society,” Amani Sawari, a spokesperson for the protests, told me. “Every single field and industry is affected on some level by prisons, from our license plates to the fast food that we eat to the stores that we shop at. So we really need to recognize how we are supporting the prison industrial complex through the dollars that we spend.” Prison labor issues recently received attention in California, where inmates have been voluntarily recruited to [fight the state’s record wildfires](https://www.vox.com/2018/8/9/17670494/california-prison-labor-mendocino-carr-ferguson-wildfires) — for the paltry pay of just $1 an hour plus $2 per day. But the practice of using prison inmates for cheap or free labor is fairly widespread in the US, due to an exemption in the 13th Amendment, which abolished chattel slavery but allows involuntary servitude as part of a punishment for a crime. For Sawari and the inmates participating in the protests, the sometimes forced labor and poor pay is effectively “modern slavery.” That, along with poor prison conditions that inmates blame for a deadly South Carolina prison riot earlier this year, have led to protests. For prisons, though, fixing the problems raised by the demonstrations will require money — something that cash-strapped state governments may not be willing to put up. That raises real questions about whether the inmates’ demands can or will be heard. The demonstrations come two years after [what was then the largest prison strike in US history](https://www.vox.com/identities/2016/10/19/13306178/prison-strike-protests-attica), with protests breaking out in at least 12 states in 2016. The new demonstrations could end up even larger than those previous protests. Protests are planned in at least 17 states There’s no hard estimate for how many inmates and prisons are taking part in the protests, as organizers continue to recruit more and more inmates and word of mouth spreads. But demonstrations are expected across at least 17 states. The inmates will take part in work strikes, hunger strikes, and sit-ins. They are also calling for boycotts against agencies and companies that benefit from prisons and prison labor. “The main leverage that an inmate has is their own body,” Sawari said. “If they choose not to go to work and just sit in in the main area or the eating area, and all the prisoners choose to sit there and not go to the kitchen for lunchtime or dinnertime, if they choose not to clean or do the yardwork, this is the leverage that they have. Prisons cannot run without prisoners’ work.” While 2016’s protests were largely planned for just September 9 (then the 45th anniversary of the Attica uprising), they ended up taking part over weeks or months as prison officials tried to tamp down the demonstrations and mitigate the effects of the protests. This year, the protests are spread out over three weeks to make it more difficult for prison officials to crack down. The inmates have outlined 10 national demands. They include “immediate improvements to the conditions of prisons” and “an immediate end to prison slavery.” They also target federal laws that boosted [mass incarceration](https://www.vox.com/policy-and-politics/2017/5/30/15591700/mass-incarceration-john-pfaff-locked-in) and have made it harder for inmates to sue officials for potential rights violations. And they call for an end to racial disparities in the criminal justice system and an increase to rehabilitation programs in prisons. The demands are on top of specific local and regional asks that prisoners are making. For example, Sawari said, in South Carolina they’re also focused on getting prisoners the [right to vote](https://www.vox.com/2016/4/22/11487912/virginia-voting-felons-prison) — and, of course, improving conditions in the state that helped inspire this year’s protests. The strikes are in part a response to South Carolina’s recent prison riots One reason for this year’s demonstrations is the [prison riot at Lee Correctional Institution](https://www.vox.com/policy-and-politics/2018/4/16/17243598/south-carolina-prison-riot-violence) in April, which was described as a “mass casualty” event by state officials. “After that violent incident happened, South Carolina prisoners and the jailhouse lawyers group out of Lee County came out with the strike demands and really wanted to do something to draw attention to the dehumanizing environment of prisons in general,” Sawari said. In total, seven inmates were killed and at least 17 were seriously injured, according to the [Associated Press](https://finance.yahoo.com/news/state-police-respond-ongoing-situation-sc-prison-085315357.html). An inmate told the AP that bodies were “literally stacked on top of each other,” claiming that prison guards did little to stop the **violence between inmates**. Most of the fatal injuries appeared to be a result of stabbing or slashing, although some inmates may have been beaten to death. No prison guards were hurt. The riot was the worst in a US prison in a quarter-century, according to the [AP](http://abcnews.go.com/US/wireStory/state-police-respond-ongoing-situation-sc-prison-54494693). Based on reports following the riot, it seems some of the major causes, besides personal and potentially gang-related disputes, were poor prison conditions and understaffing — which meant there weren’t enough guards to stop the fighting.

#### Prison strikes rarely achieves significant reforms, no matter how big or long the strike is – be doubtful how the aff is any different

Christie Thompson is a staff writer. Her work has been published by outlets including The New York Times, The Washington Post, NPR, ProPublica, and The Atlantic, 9/1/2016 – [“Do Prison Strikes Work?”, https://www.themarshallproject.org/2016/09/21/do-prison-strikes-work]//bread

On Sept. 9, prisoners across the country stopped showing up for their work assignments to protest [what they call](https://iwoc.noblogs.org/post/2016/04/01/announcement-of-nationally-coordinated-prisoner-workstoppage-for-sept-9-2016/) slave-like conditions for incarcerated workers. Inmates make pennies an hour keeping the prison running — such as cleaning and cooking — or providing [cheap manufacturing for private businesses](http://www.motherjones.com/politics/2008/07/what-do-prisoners-make-victorias-secret). Inmates involved in the protest are calling for higher wages, better working conditions and less severe punishment while on the job. The work stoppage was organized by inmates in multiple states and labor activists with the Industrial Workers of the World to coincide with the [45th anniversary of the Attica riot](https://www.themarshallproject.org/2016/09/09/revisiting-the-ghosts-of-attica?ref=hp-3-111#.yAfs2yVfq), which was preceded by a strike in the prison’s metal shop. Prisoners and labor organizers on the outside hoped it would be the largest prison strike in history. It’s hard to quantify exactly how many prisoners in how many states have participated, as prison officials and organizers give conflicting accounts of its scope. Activists claim inmates in [at least 11 states](https://theintercept.com/2016/09/16/the-largest-prison-strike-in-u-s-history-enters-its-second-week/) are taking part. This strike is the latest in a long history of prisoners trying to use what little leverage they have — whether work stoppages or hunger strikes — to demand change from administrators. Some have been more successful than others. Here’s a look at five other prison strikes and what came of them: Post-WWII Labor Strikes University of Michigan professor Heather Ann Thompson’s [history of labor movements in prison](http://labor.dukejournals.org/content/8/3/15) details how a series of work stoppages and sit-down protests took off in prisons across the U.S. in 1947. In little over a decade, hundreds of prisoners in Connecticut, New Jersey, New York, Wisconsin, Louisiana, Ohio, and Georgia stopped working to protest long hours, trifling pay, and grueling work environments. Prisoners in Georgia and Louisiana went even further and slit their heel tendons so they could not be forced to work. While the work stoppages did not lead to immediate changes, they inspired another era of prison protest in the ‘60’s and ‘70’s, which included the Attica work stoppage and eventual riot. Those movements achieved slight pay raises and improved safety precautions in some states and led to the **creation of prisoner-led unions.** 2010 Georgia Labor Strike In 2010, state prisoners across Georgia launched what many then called the largest prison work strike in U.S. history — though official numbers are difficult to confirm. At the protest’s height, organizers said thousands of inmates participated across at least six state prisons. Georgia inmates were paid nothing for their work, as dictated by state law, and [were asking](https://prisonlaw.wordpress.com/2010/12/13/georgia-prisoners-strike-for-better-conditions/) for better conditions and more access to programming. Not only were Georgia inmates not showing up to their job assignments — they refused to leave their cells at all until their demands were met. The strike lasted six days, and garnered coverage in news outlets like [The New York Times](http://www.nytimes.com/2010/12/12/us/12prison.html?_r=0). It ended when prisoners decided to leave their cells to [go to the law library](http://www.ajc.com/news/news/local/prisoners-protest-over-for-now/nQnxt/) and try to sue for improvements instead. (It’s unclear what became of those efforts). Prisoners in Georgia are still not paid for their labor. 2011-2013 Pelican Bay Hunger Strike [In 2011](http://saq.dukejournals.org/content/113/3/579.abstract), 400 prisoners in California’s supermax prison started refusing their meals. Their numbers grew to 7,000 as they were joined by prisoners all over the state. The inmates had a [list of five demands](https://prisonerhungerstrikesolidarity.wordpress.com/education/the-prisoners-demands-2/), including limits on solitary confinement and changes to how the prison determines gang membership. Their fast ended after three weeks when prison officials agreed to reconsider some of their solitary confinement policies. Inmates returned to hunger-striking later in 2011 and again in 2013 saying the changes were too small and too slow. But the protests did have a significant impact. After the initial strike, the chair of the California Assembly’s Public Safety Committee held a hearing on conditions at Pelican Bay. In 2012, the nonprofit Center for Constitutional Rights [filed a class-action lawsuit](https://ccrjustice.org/home/what-we-do/our-cases/ashker-v-brown) against the state over its use of prolonged isolation. Todd Ashker, [one of the strike’s organizers](http://nymag.com/news/features/solitary-secure-housing-units-2014-2/), was the lead plaintiff. The suit was settled in September 2015, addressing many of the strikers’ concerns about how people end up in solitary and how long they remain there. 2013 Guantanamo Hunger Strike Detainees at the U.S. military prison in Cuba [began hunger-striking in March 2013](http://media.miamiherald.com/static/media/projects/gitmo_chart/) to fight against their indefinite detention and alleged mistreatment. At the strike’s peak in July that year, 106 men were refusing to eat and 45 were being force-fed through nasal tubes. The strike — for its duration, size, and the graphic nature of force-feeding — outraged the public and policymakers and [increased pressure](http://www.nytimes.com/2013/05/01/opinion/president-obama-and-the-hunger-strike-at-guantanamo.html?_r=0) on President Obama to fulfill his promise of closing the controversial prison. Since the strike, Obama has lowered the number of men held at Guantanamo [from over 2,000 to 61](http://www.miamiherald.com/news/nation-world/world/americas/guantanamo/article97896012.html), but has yet to close the prison entirely. 2015-2016 Immigration Detention Center Hunger Strikes Since 2015, hunger strikes have begun at various immigration detention centers — prison-like facilities where immigrants are held while their deportation case is decided — throughout the U.S. [Roughly 200 detainees](http://www.cbs5az.com/story/29312788/200-detainees-stage-hunger-strike-at-eloy-detention-center) at Eloy Detention Center in Arizona stopped eating in June 2015, in part to pressure an investigation into [recent deaths at the facility](http://www.cbs5az.com/story/29312788/200-detainees-stage-hunger-strike-at-eloy-detention-center). [That fall](http://www.motherjones.com/politics/2015/11/why-are-hundreds-detained-immigrants-going-hunger-strike), immigrants in detention in California, Alabama, Louisiana, and Texas also stopped eating to object to their indefinite detention and poor conditions. More recently, 22 mothers being held with their children in a family detention center in Pennsylvania went on a [hunger strike this August](http://www.huffingtonpost.com/entry/mothers-immigrant-detention-hunger-strike_us_57b3698be4b04ff883990132). Their strike accompanied a series of [handwritten letters](http://grassrootsleadership.org/blog/2015/10/breaking-least-27-women-hunger-strike-hutto-detention-center-hutto27) they sent to immigration officials asking to be released from indefinite detention. The strike has continued off-and-on since then, with even their [children threatening to refuse to attend classes](http://www.democracynow.org/2016/9/8/headlines/children_held_at_berks_threaten_school_strike_amid_parents_hunger_strike) in solidarity with their mothers. It’s too soon to tell what the impact of their protests might be.

#### Unemployment creates cycles of recidivism. This means the aff doesn’t solve the root cause AND it doesn’t solve for recidivism as a whole.

**Curley 2017** (Caitlin Curley, March 17 2017, “Denying Employment To Ex-Offenders Increases Recidivism Rates,” <https://www.genfkd.org/denying-employment-ex-offenders-increases-recidivism-rates>) //neth

There are quite a few barriers for ex-offenders looking for employment, which increase the risk for reoffending and impact recidivism rates. What keeps ex-offenders from finding jobs As a population, offenders statistically tend to have less education and less previous employment in their backgrounds, which initially makes them less-appealing applicants. Many applications will automatically disqualify those who have felony convictions, barring many former convicts. Those that make it through this step might be hit with a background check that disqualifies them as well. Making it to an interview can be difficult, but making yourself presentable for an interview you do get can also be a challenge when you might not be able to find housing and are likely low-income. All of these factors result in the ex-offender population lowering the overall employment rate by .8 to .9 percent, according to a study by the Center for Economic and Policy Research. Unemployment leads to re-offending It is commonly known by experts in the field that employment is an incredibly important factor in stabilizing someone’s life after release from prison. People need to have the steady activity and responsibility in order to avoid falling back into the same behaviors that landed them in the system. More importantly, they need a steady paycheck to get themselves housing, food and basic necessities in order to survive on their own. This impacts recidivism rates The increased risk for re-offending caused by unemployment has a negative effect on overall recidivism rates,

and that impact has been tracked by several recent studies. A 5-year study conducted by Indiana’s Department of Corrections found that an offender’s post-release employment was “significantly and statistically correlated with recidivism, regardless of the offender’s classification.” America Works partnered with the Manhattan Institute to track the success rates of their employment-assistance programs for released offenders. They found that offenders who participated in their programs had almost 20 percent less of a chance of re-offending and returning to prison. Takeaway: We have to care about recidivism Ex-offenders need employment, and it’s important to recognize their barriers to leading successful lives. But high recidivism rates indirectly impact all of us — they inflate prison populations, which overflow correctional budgets that are paid for by taxpayers. So whether or not we care about the ex-offender population, we need to care about recidivism rates overall. Employment after release from prison has a huge impact on recidivism rates, so caring about recidivism means caring about ex-offender employment.

#### Illegal strike activity in the status quo solves the affirmative – the aff is an attempt to regulate the ongoing strike wave

**Olivier 10/28**

Indigo Olivier is a Brooklyn-based freelance journalist covering politics, labor, and higher education. “Striketober: America’s workers are rising up”, <https://conversationalist.org/2021/10/28/striketober-americas-workers-are-rising-up/>, published 10-28-21, accessed 11-4-21 // mk

Workers across the United States are finally saying they’ve had enough. Nineteen months into the pandemic, 24,000 of them are exercising the strongest tool they have: the power to withhold their labor. With the country already facing severe supply chain disruptions, these strikes have put added pressure on employers to improve wages and working conditions. At the John Deere factories in Iowa, Kansas, and Illinois, 10,000 employees represented by the United Auto Workers (UAW) went on strike after rejecting a proposed contract that included wage increases below inflation levels and the elimination of pensions for new employees. Other strikes include 2,000 [healthcare](https://www.cbsnews.com/news/mercy-hospital-nurses-strike-labor-shortage-2021/) workers at Buffalo’s Mercy Hospital; 1,800 telecom workers at California’s Frontier Communications; and 1,400 production workers at several Kellogg’s cereal plants. Thousands of additional workers have authorized strike votes. Earlier this month, an overwhelming majority of workers in the International Alliance of Theatrical Stage Employees (IATSE), which represents over 60,000 people in the film and TV industry, [voted in favor](https://iatse.net/by-a-nearly-unanimous-margin-iatse-members-in-tv-and-film-production-vote-to-authorize-a-nationwide-strike/) of a strike. A few days later, [24,000](https://www.washingtonpost.com/business/2021/10/11/24000-kaiser-permanente-workers-authorize-strike-over-pay-working-conditions/) Kaiser Permanente healthcare workers in California and Oregon followed suit. Harvard’s graduate student union, with roughly 2,000 members, also authorized a strike with a 92 percent vote. “Workers are fed up working through the pandemic under the conditions they’ve been working in,” says Joe Burns, a former union president and [author of](https://www.akpress.org/strikebackupdated.html) “Strike Back: Using the Militant Tactics of Labor’s Past to Reignite Public Sector Unionism Today.” The strike wave “also reflects that there’s a tight labor market.” “We’ve noticed a considerable uptick in the month of October,

” says Johnnie Kallas, a PhD student at Cornell’s School of Industrial and Labor Relations (ILR) and Project Director for the ILR [Labor Action Tracker](https://striketracker.ilr.cornell.edu/about.html). The ILR has tracked 189 strikes this year. Of those, 42 are ongoing in October while 26 were initiated this month Kallas and his team have been collecting data on strikes and labor protests since late 2020; they officially launched the Labor Action Tracker on May Day of this year. “There’s a lack of adequate strike data across the United States, says Kallas. “We thought this was a really important gap to fill.” The Bureau of Labor Statistics (BLS), he explains, only keeps track of work stoppages involving 1,000 employees or more, and which last an entire shift. “As you can imagine, this leaves out the vast majority of labor activity,” Kallas says. Workers are demanding higher wages, adequate benefits like healthcare and pensions, improved safety and working conditions, especially concerning COVID-19, and reasonable working hours. The ILR Tracker has also been keeping tabs on “labor protests” —i.e., “collective action by a group of people as workers but without withdrawing their labor” —which aren’t recorded by BLS at all. The federal minimum wage has been stagnant at $7.25 an hour since 2009, even as inflation has increased by 28 percent since then. Meanwhile, over the past year consumers have seen a sharp increase in the cost of everyday goods such as bacon, gasoline, eggs, and toilet paper due to the pandemic. This means workers’ wages aren’t going nearly as far as they used to. For months, the media has been [reporting](https://www.reuters.com/business/no-end-sight-labor-shortages-us-companies-fight-high-costs-2021-10-26/) on a “labor shortage” that has purportedly left employers unable to fill jobs. Fast food restaurants have [posted signs](https://twitter.com/ABC15Patrick/status/1382415576006496264?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1382415576006496264%7Ctwgr%5E%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fwww.the-sun.com%2Fnews%2F2741287%2Fsonic-viral-sign-workers-dont-want-to-work%2F) that read: “We are short-staffed. Please be patient with the staff that did show up. No one wants to work anymore.” Small business owners and corporate CEOs alike have gone on cable news to complain about the hundreds of thousands of people who prefer to live on government assistance rather than find a job. But the truth, said Kallas, is that there’s [no shortage of labor](https://www.orlandoweekly.com/Blogs/archives/2021/10/20/a-florida-man-applied-for-60-entry-level-jobs-in-a-month-to-prove-the-so-called-labor-shortage-is-a-myth). Rather, employers can’t find people to work [for the wages they’re offering](https://www.orlandoweekly.com/Blogs/archives/2021/10/20/a-florida-man-applied-for-60-entry-level-jobs-in-a-month-to-prove-the-so-called-labor-shortage-is-a-myth). Saturation coverage of the labor shortage has come at the expense of amplifying the human cost of the government’s having cut unemployment benefits for 7.5 million workers on Labor Day, while an additional three million lost their weekly $300 pandemic unemployment assistance. Time magazine [called it](https://time.com/nextadvisor/in-the-news/unemployment-benefits-expire-in-september/) the “largest cutoff of unemployment benefits in history.” Just two weeks earlier, a [flurry](https://www.cnbc.com/2021/08/23/ending-unemployment-benefits-had-little-impact-on-jobs-study-says.html) of newly published [studies](https://www.nytimes.com/2021/08/20/business/economy/unemployment-benefits-economy-states.html) showed that states that chose to withdraw earlier from federal benefits did not succeed in pushing people back to work. Instead, they [hurt their own economies](https://www.businessinsider.com/cutting-off-unemployment-hurts-states-did-not-help-employment-research-2021-9) as households cut their spending to compensate for the lost benefits. In Wisconsin, instead of increasing benefits or raising the minimum wage, state legislators have decided to address the labor shortage by putting children to work. Last week, the state senate [approved a bill](https://www.businessinsider.com/labor-shortage-wisconsin-senate-jobs-work-teenagers-child-labor-hours-2021-10) that would allow 15 and 16-year-olds to work as late as 9 p.m. on school nights and 11 p.m. on days that aren’t followed by a school day. The only state legislator to speak out against the bill was Senator Bob Wirch, who [said that](https://wisconsinexaminer.com/2021/10/21/senate-votes-to-extend-work-hours-for-some-teens-under-16/) “kids should be doing their homework, being in school, instead of working more hours.” Despite these setbacks, the tight labor market has given workers considerable leverage. “Workers are more confident that they can strike and not be replaced,” says Burns. In places where non-union labor, or “scabs,” have been brought in to replace striking workers, there have been several incidents that underscore the importance of a union in creating a safe work environment. Jonah Furman, a labor activist who has been covering the John Deere strike closely, reported that poorly trained replacement workers brought in to a company facility were involved in a serious [tractor accident](https://labor411.org/411-blog/scab-crashes-tractor-on-day-1-of-john-deeres-replacement-of-striking-workers/) on the morning of their first day. A higher profile and more deadly incident occurred last week when the actor Alec Baldwin fatally shot cinematographer Halyna Hutchins with a prop gun that was supposed to contain only blank rounds. According to [several](https://www.insider.com/rust-camera-crew-walked-off-protest-hours-before-fatal-shooting-2021-10) [reports](https://www.motherjones.com/media/2021/10/rust-alec-baldwin-strike-labor-gun-iatse/) on the incident, the union camera crew quit their jobs and walked off the set earlier that day to protest abysmal safety standards—and were immediately replaced with inexperienced, non-union labor. “Corners were being cut — and they brought in nonunion people so they could continue shooting,” one crew member told the [LA Times](https://www.latimes.com/entertainment-arts/business/story/2021-10-22/alec-baldwin-rust-camera-crew-walked-off-set). Kallas says the incident “clearly demonstrates the importance of workplace safety and the significance of capturing both strikes and labor protests” when collecting data. “What’s becoming increasingly common are these walkouts and mass resignations,” he says. He mentioned a Burger King in Nebraska where the entire [staff walked out](https://globalnews.ca/news/8023338/burger-king-sign-quit-employees-lincoln-nebraska/#:~:text=Fed%2Dup%20Burger%20King%20staff,%E2%80%9CSorry%20for%20the%20inconvenience.%E2%80%9D) to protest poor working conditions that included a broken air conditioner in 90° F temperatures and staff shortages. They left a note on the door that said, “We all quit. Sorry for the inconvenience.” In another non-strike labor action, dozens of non-union school bus drivers in Charles County, Maryland [called in sick](https://www.wusa9.com/article/news/education/150-school-bus-routes-affected-friday-in-charles-county-after-rumoured-driver-sick-out-maryland/65-88bf184f-0cf1-4182-aa06-05e983188934) to protest their low wages and lack of benefits. Over 160 bus routes were affected by the action. Meanwhile, adjacent school districts that are critically short of bus drivers find themselves unable to attract new candidates because of the perceived risk associated with driving a bus crowded with children during the pandemic. In an [Opinion piece](https://www.theguardian.com/commentisfree/2021/oct/13/american-workers-general-strike-robert-reich) for The Guardian US, former Secretary of Labor Robert Reich suggested that the United States was in the grips of an unofficial general strike, with workers quitting their jobs “at the highest rate on record.” Why? Because they were “burned out,” fed up with “back-breaking or mind-numbing low-wage shit jobs.” The pandemic, asserted Reich, was “the last straw.” In July, an anonymous group [called for a](https://boldtv.com/cheyenner/2021/07/19/did-you-know-theres-going-to-be-a-general-strike-in-2021/) general strike on October 15, but the day came and went without much fanfare. “Traditionally, general strikes happen because workers actually want to go on strike, and not because someone declares it on Facebook or Twitter,” says Burns. Rosa Luxemburg, the German socialist and philosopher who rose to prominence at the beginning of the last century, believed general strikes were the tool to usher in social revolution after developing class consciousness through the patient building of worker organizations, such as unions. “That’s not happening today,” says Burns. The 24,000 striking workers today pale in comparison to the mass strikes of the early to mid-twentieth century, when workers shut down production by the hundreds of thousands. Some [4.6 million workers](http://www.rochesterlabor.org/strike/) went on strike in 1946, accounting for 10 percent of the workforce. Today things aren’t as simple. In August 1981, President Ronald Reagan fired over 11,000 air traffic controllers who went on strike after negotiations between the Federal Aviation Administration broke down. These workers were prohibited from ever working for the federal government again, creating a chilling effect among unions. Reagan’s action set the tone for labor relations for the next four decades, while his administration ushered in a new era of corporate dominance, known as neoliberalism. Today, corporations such as Amazon regularly [use threats](https://www.nytimes.com/2021/03/16/technology/amazon-unions-virginia.html), [intimidation tactics](https://nowthisnews.com/news/amazon-accused-of-intimidating-workers-after-warehouse-votes-to-not-unionize), and [surveillance](https://www.theguardian.com/commentisfree/2021/mar/02/mcdonalds-unions-workers-rights) against employees to prevent them from unionizing. “When workers engage in a true strike wave, politicians want to step in and regulate it and establish some procedures,” says Burns. The Taft-Hartley Act was passed one year after the [general strikes of 1946](https://www.encyclopedia.com/history/encyclopedias-almanacs-transcripts-and-maps/strike-wave-united-states), making wildcat strikes, secondary boycotts, and union donations to federal political campaigns illegal. The act also allowed states to pass right-to-work laws, severely limiting effective union organizing, and required union officers to sign affidavits pledging they were not communists. The Red Scare, initially sparked by the Russian Revolution of 1917, resulted in sustained attacks against organized labor, particularly the leftist Industrial Workers of the World, or “Wobblies.” By the end of the Second World War, with labor militancy intensifying and the power of the Soviet Union growing, the Red Scare had morphed into a reign of terror against an “internal enemy.” Reagan later used language from the Taft-Hartley Act that prohibited workers from striking against the government to declare the air traffic controllers’ strike illegal. Today, workers face serious legal barriers to organizing under a system of labor law that favors the employer. Over the years, these laws have restricted the scale with which strikes can be organized and the total number of workers who belong to unions. At the peak of organized labor in 1954, [34.8 percent of](https://www.pewresearch.org/fact-tank/2014/02/20/for-american-unions-membership-trails-far-behind-public-support/) American wage and salary workers belonged to a union; by 2020, that number was down [to](https://www.bls.gov/news.release/union2.nr0.htm#:~:text=The%20number%20of%20wage%20and,workers)%2C%20or%206.7%20percent.) 10.8 percent, a trend that has been closely linked to decreased wages over the last few decades. Against these grim numbers, legislation like the [Protecting the Right to Organize (PRO) Act](https://www.npr.org/2021/03/09/975259434/house-democrats-pass-bill-that-would-protect-worker-organizing-efforts) could make a huge difference to labor organizing. The PRO Act would allow workers to engage in secondary boycotts, restrict right-to-work laws, ban anti-union captive audience meetings and exact financial penalties against companies found to be in violation of the law. The bill is something President Joe Biden campaigned on during the 2020 presidential election and has pushed to include in his Build Back Better agenda. “I’m skeptical based on actual history that we’re gonna see a legislative fix to this problem,” says Burns. “**When workers are militant and engaged in activity, legislation will follow.** Not the other way around.” The strike wave we’re witnessing today speaks to a growing militancy against several decades of sustained corporate combat. It’s an uphill battle that no one union can win in isolation. With organized labor depleted and battle weary, the only path forward is to enlist other workers to fight by organizing new unions and activating those that already exist. Only by growing its numbers will labor enact the systemic change necessary to put working people on better footing. As labor activists have long proclaimed, “**there’s no such thing as an illegal strike, only an unsuccessful one.”**