# **1AC Workers Strike**

## **I stand in firm affirmation that: A just government ought to recognize an unconditional right of workers to strike.**

#### **my value for today’s debate is justice.**

#### **my standard for today’s debate is minimizing structural violence.**

#### **1] prioritize slow violence and everyday war against disenfranchised populations – it’s footnoted in favor of sensational impacts, which normalizes everyday violence.**

Hunt 18 (Dallas Hunt, PhD Candidate, University of British Columbia, Canada., Chapter 10 “Of course they count, but not right now”: Regulating precarity in Lee Maracle’s Ravensong and Celia’s Song, in Biopolitical Disaster Edited by Jennifer L. Lawrence and Sarah Marie Wiebe, 2018 Routledge, JKS)

“There is a hierarchy to care”: theoretical concerns and applications In Frames of War (an extension and preoccupation with similar issues she outlines in her text Precarious Life), Judith Butler focuses on the ways in which particular, violent perceptions of everyday life are normalized and propagated as legible or granted “intelligibility” (through numbers, statistics, etc.). According to Butler, Frames of War follows on from Precarious Life ... especially its suggestion that specific lives cannot be apprehended as living. If certain lives do not qualify as lives or are, from the start, not conceivable as lives within certain epistemological frames, then these lives are never lived nor lost in the full sense. (2010: 1) For Butler, then, a primary concern is how these intelligibilities allow “a state to wage its wars without instigating a popular revolt” (xvi). Although Butler is writing within the context of the Iraq War and the “War on Terror,” her insights on precarity and modes of state violence exceed their immediate rele- vance. Indeed, as is clear below, the notions of war and settler-colonialism and the biopolitical rationalities they allow are eminently applicable to a local, Canadian context. The frames of war, Butler argues, are not circumscribed to combat zones with the mobilization of weapons. Instead, to Butler, “perceptual weapons” are acting on populations consistently to naturalize violences and enlist citizens to tacitly consent to (and, in some cases, actively participate in) violent forms that authorize dehumanization: “[w]aging war ... begins with the assault on the senses; the senses are the first target of war” (xvi). These perceptual violences resonate with Rob Nixon’s formulation of “slow violence” as well. To Nixon, slow violence is “a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space, an attritional violence that is typically not viewed as violence at all” (2011: 3). Further, and “[c]rucially, slow violence is often not just attritional but also exponential, operating as a major threat multiplier; it can fuel long-term, proliferating conflicts in situations where the conditions for sustaining life become increasingly but gradually degraded” (4). Conditioning the senses or what is intelligible, then, functions as the way in which state violences are legitimized, as the frames of war dictate the “sensuous parameters of reality itself” (ix). According to Butler, the task at hand is not only to “understand ... these frames, where they come from and what kind of action they perform” (2010: 83), but also to find and articulate “those modes of representation and appearance that allow the claim of life to be made and heard” (81). While Butler is exam- ining conditions of precarity, (in)security, and disposability in the context of “the War on Terror,” and Palestine–Israel, her examination of an imperial/ colonial power exerting force and enacting violence on vulnerable and racialized populations (and in the process producing and reproducing these vulnerable populations) can be fruitfully employed in the Canadian context, though not without some alteration. Although we may not perceive the more mundane, i.e. non-military, violences visited upon Indigenous communities as “war” strictly speaking, Sora Han’s oft-cited phrase that we must think of the United States (and settler-colonial nations more broadly) not “at war” but “as war” is useful here (cited in Simpson 2014: 153, emphasis in original). If we view the biopolitical man- agement of Indigenous populations and Indigenous territories as rationalities rooted in the organizing frame of settler-colonialism, then the states of emer- gency putatively thought to be produced through war are “structural, not eventful” – that is to say, war is the very condition of settler-colonialism and not a by-product of it (154). Indeed, the largest ever domestic deployment of military forces in North America took place within Canada, in the context of the so-called “Oka crisis.” As Audra Simpson writes, the “highest number of troops in the history of Indigenous-settler relations in North America was deployed to Kanehsatà:ke, as this was the most unambiguous form of exceptional relations, that of warfare. There were 2,650 soldiers deployed...” (2014: 152). And, as Roxanne Dunbar-Ortiz and others have noted, Western imperial powers still refer to “enemy territories” abroad as “Indian Country” and to “wanted terrorists” as “Geronimo” (2014: 56). I follow the lineages of these Indigenous theorists who view settler-colonialism as a kind of permanent war, drawing parallels between the so-called everyday violences (displacement, sexual violence) inflicted upon Indigenous peoples in the US and Canada and the death-delivering reaches of empire embodied by the West more globally. Or, to echo Mink, the transformer/shapeshifter narrating the events in Mara- cle’s Celia’s Song: “This is war” (2014: 9). For Butler, there are varying tactics for distributing “precarity” differently, or what she describes as “that politically induced condition in which certain populations suffer from failing social and economic networks of support,” producing a “maximized precariousness for populations ... who often have no other option than to appeal to the very state from which they need protec- tion” (2010: 26). In the depictions provided in her writing, as well as that of Maracle, violence is deployed not only as “an effort to minimize precarious- ness for some and to maximize it for others,” but also as a mode of shaping the perceptions of citizens in order to make such acts legible, and hence, in a sense justifiable (Butler 2010: 54). Ultimately what Butler is advocating for is a new ethico-political orientation, one with the potential to disrupt the violent regimes of the sensible, as well as the ways in which precarity is currently allocated and distributed. Paraphrasing Jacques Rancière, Jeff Derksen also advocates for political movements that disrupt “regimes of the sensible”: “a politics of the aesthetic could ... redistribute and rethink the possibility of the subject (potentially an isolated figure) within the present and within a com- munity to come” (2009: 73). In sum, Butler’s text illustrates the ways in which State-sanctioned (and induced) precarity “perpetuate[s] a way of dividing lives into those that are worth defending, valuing, and grieving when they are lost, and those that are not quite lives” (2010: 42), as well as the resistive practices that might disrupt the naturalization of “differential distribution[s] of pre- carity” (xxv). The remainder of the chapter considers to what extent Mara- cle’s texts offer such a disruption of the mundane frames of settler-colonial war within the context of an exceptional moment (an epidemic), and asks how her work gestures toward the alternatives that might be offered by Indigenous frames.

#### **2] especially because each life improved could solve an existential catastrophe.**

Kaczmarek ‘17 (Patrick Kaczmarek, PhD at the University of Glasgow, a Senior Researcher at Effective Giving, Visiting Researcher at the Future of Humanity Institute at the University of Oxford and a Visiting Scholar at the Department of Philosophy at the University of Pittsburgh. [How Much is Rule-Consequentialism Really Willing to Give Up to Save the Future of Humanity? Utilitas, 29(2), https://www.cambridge.org/core/journals/utilitas/article/how-much-is-ruleconsequentialism-really-willing-to-give-up-to-save-the-future-of-humanity/F867301151A79F7DA566A14DF71749B3]//BPS).

Notice, the problem can be cast two different ways. First, the loss associated with humanity's premature extinction is so great that even if the probability of a catastrophic event is very low, an expected value calculation suggests that we should strive to prevent its possible occurrence. And yet, there is something deeply puzzling about ruining the lives of all actual persons for the sake of humanity eking out a longer stay in the universe. Second, you may have realized that the above implication bears close resemblance to the dreaded Repugnant Conclusion. The Repugnant Conclusion states that for any population, all with a very high quality of life, there must be some larger imaginable population whose existence, all else being equal, would be better despite their lives being barely worth living.19The mistake, as countless critics have noted, is that quantity (that is, size of population) should not be able to compensate for a stark reduction to their average quality of life. I'm inclined to agree that this looks worrisome. For some, if this were the end of the story, it would surely act as a reductio ad absurdum of the view. But this is not the full story. AN INDIRECT APPROACH TO LOWERING THE THREAT OF EXTINCTION In setting out our earlier comparison of the two populations it was assumed that only costs go up, never benefits. That is to say, A was fixed and the total sum of goods went up merely because the size of the population grew, despite internalization costs reducing average quality of life. Colouring in the picture, this corresponds to the scenario where, all else being equal, existential threats are directly targeted. To illustrate, this could amount to putting a lot of resources towards asteroid deflection programmes.20 I now wish to argue that we could instead reduce existential risk by indirect means, and in so doing make the world in two ways go better. As noted earlier, we would prolong humanity's place in the cosmos. Furthermore, an indirect approach improves the average welfare of persons, particularly the worse-off in our population. Certainly, it would be a mistake to concentrate exclusively on indirectly lowering the probability of doomsday. Returning to our earlier example, reducing global poverty cannot prevent an Earth-bound asteroid the size of Texas from making impact. Nevertheless, if we were also to adopt an indirect approach, then this would contribute to existential risk reduction by curbing the negative ripple effects of readily preventable illnesses, global hunger, and so forth. Ripple effects are a class of phenomena that affect the far future in significant ways, shaping how our history unfolds over time.21A ripple effect is initiated by a particular event that has some causal influence on the course of events that follow it. These events, in turn, may have their own impact on how further events play out. And so on it goes, reaching wider and wider as time passes. Consider the following example. A doctor is in a position to cure some infant's blindness. Sure, the infant will probably have a better life after the operation. Most of us are quick to hone-in on this feature of the situation. And many other goods go unacknowledged by us as a result. Just a few of the proximate advantages we might reasonably expect to find after curing the infant's blindness include: her parents will be less worried about her, subsequently finding more free time to develop their own personal projects; the government will spend fewer resources on providing her education; this child will grow up with more opportunities, as well as perhaps being inspired to start a grassroots initiative or develop an anti-malarial drug. All of these consequences will have some role in shaping our future due to their own ripple effects. This network of ripple effects might go so far as causing '[her] country's economy to develop very slightly more quickly, or make certain technological or cultural innovations arrive more quickly'.22

## **Contention 1: Unions**

### **Unions broadly improve society, but they need a strong right to strike in order to be effective.**

**Myall**, James. “Right To Strike Would Level The Playing Field For Public Workers, With Benefits For All Of Us.” Maine Center for Economic Policy. April 17, **2019**. Web. October 12, 2021. .

The right of workers to organize and bargain with their employer benefits all Mainers. Collective bargaining leads to better wages, safer workplaces, and a fairer and more robust economy for everyone — not just union members. The right to strike is critical to collective organizing and bargaining. Without it, Maine’s public employees are unable to negotiate on a level playing field. Maine’s Legislature is considering a bill that would give public-sector workers the right to strike. MECEP supports the legislation, and is urging legislators to enact it. The right to strike would enable fairer negotiations between public workers and the government. All of us have reason to support that outcome. Research shows that union negotiations set the bar for working conditions with other employers. And as the largest employer in Maine, the state’s treatment of its workers has a big impact on working conditions in the private sector. Unions support a fairer economy. Periods of high union membership are associated with lower levels of income inequality, both nationally and in Maine. Strong unions, including public-sector unions, have a critical role to play in rebuilding a strong middle class. Unions help combat inequities within work places. Women and people of color in unions face less wage discrimination than those in nonunion workplaces. On average, wages for nonunionized white women in Maine are 18 percent less than of those of white men. Among unionized workers, that inequality shrinks to just 9 percent. Similarly, women of color earn 26 percent less than men in nonunionized jobs; for unionized women of color, the wage gap shrinks to 17 percent.[i] All of us have a stake in the success of collective bargaining. But a union without the right to strike loses much of its negotiating power. The right to withdraw your labor is the foundation of collective worker action. When state employees or teachers are sitting across the negotiating table from their employers, how much leverage do they really have when they can be made to work without a contract? It’s like negotiating the price of a car when the salesman knows you’re going to have to buy it — whatever the final price is. Research confirms that public-sector unions are less effective without the right to strike. Public employees with a right to strike earn between 2 percent and 5 percent more than those without it.[ii] While that’s a meaningful increase for those workers, it also should assuage any fears that a right to strike would lead to excessive pay increases or employees abusing their new right. LD 900, “An Act to Expand the Rights of Public Employees Under the Maine Labor Laws,” ensures that Maine’s public-sector workers will have the same collective bargaining rights as other employees in Maine. The bill would strengthen the ability of Maine’s public-sector workers to negotiate, resulting in higher wagers, a more level playing field, and a fairer economy for all of us.

### **Greater strike frequency reduces income inequality, with spillover effects that unions without the strike can't achieve.**

**Rubin**, Beth. “Inequality In The Working Class: The Unanticipated Consequences Of Union Organization And Strikes.” ILR Review 41:4. July, **1988**. Web. October 12, 2021. .

Discussion and Conclusions This paper has examined the effects of union density and strike frequency on the distribution of income in the United States during the post-World War II period. Previous research has generated contradictory conclusions about the relationships between unions and income inequality. Some studies have found evidence that unions serve to equalize the distribution of economic rewards (for example, Freeman and Medoff 1984). Others have found that unions increase inequality in the working class (see Form 1985). The research presented here suggests that both conclusions contain some truth. Most generally, the findings indicate that the impact of union density on income inequality is ambiguous and the impact of strikes is progressive. More specifically, these data suggest that al- though unions decrease inequality in total income, their impact on earned income is mixed: wage and salary gains due to increased union density accrue both to workers who are already among the most prosperous and to those who are at the lowest end of the income distribution (see Table 3). These gains are at the expense of workers who are in the middle of the income distribution, many of whom are probably not unionized (see Table 1). The different observed effects of union density on total and earned income may, in part, reflect the influence of variables (for example, firm size and business failure rate) that were excluded from the analysis because of collinearity problems; during depressed economic periods the government may play a greater role in redistributing resources. Strikes, on the other hand, decrease inequality generally and appear to damage the economic standing of those workers who occupy the most privileged positions within the working class and to benefit those who are less well off. The finding of a differential impact of unions and strikes on income distribution is consistent with the argument, and the finding of some past research (Rubin 1986), that these are analytically distinct working-class behaviors, and it also raises questions that this study cannot answer. The data here do not permit identification of the specific groups represented by strikers or union members, information that would help in explaining the discrepancy between the union and strike effects. What the data do tell us is that those workers who “win” from increased unionization are not the same workers who “win” from strikes. It may well be that strong, highly institutionalized unions with a highly skilled membership are able to extract greater economic gains from their employers than can either other unions or nonunionized labor (Form 1985). Strong unions may also be better able both to influence political actors to increase com- ponents of the citizen wage (see Table 2) and generally to raise the wage floor through threat and spillover effects (see Freeman and Medoff's 1984 summary). The workers in such unions may differ greatly from those who strike to improve their economic position. In short, different actors may well reap different rewards from different actions. The data in this study do not speak directly to this issue, they only whisper of it.

### **Income inequality harms economic growth.**

**The Equality Trust** (UK). ““Economic”.” Home Page - About Inequality - Impacts. Web. October 12**, 2021.** .

There is a growing body of evidence indicating that high levels of income inequality increase instability, debt and inflation which are damaging for a developed economy in the long term. There is, however, no consensus on the relationship between income inequality and growth. Some key research findings are: Sustainability, Crisis, Debt and Inflation Increased inequality can lead to financial crises[1]. High levels of income inequality are associated with economic instability and crises, whereas more equal societies tend to have longer periods of sustained growth[2]. High levels of income inequality lead to higher levels of personal and institutional debt[3]. There is substantial evidence to suggest that increased inequality was at least partially responsible for the increase in debt that precipitated the US financial crisis[4]. Inequality may have played a role in the UK financial crisis by increasing debt and over-consumption, but these effects could also have been small[5]. Increased inequality may increase rates of inflation[6]. Growth The evidence on the relationship between inequality and economic growth is mixed. There is no link between inequality and growth when rates are compared between countries[7]. Some studies have found inequality leads to increased growth[8]. Others found no link or a strong link suggesting inequality reduces growth[9] [10] [11]. Some research has found that economic growth is lower and periods of growth are shorter in countries that have high inequality[12]. Research suggests that small alterations to methodology can change the relationship. This research has suggested that there may not be a straightforward relationship between inequality and growth[13]. Rent Seeking People at the top of the income spectrum use their position to increase their personal gains beyond the amount needed to sustain their employment. This is called rent see\king; and it creates inefficiency in the economy. For example, due to the composition and structure of the US healthcare system people and insurance companies pay more for medical treatments that would cost much less in other countries. As this **increases personal benefit but decreases social benefit, this is a classic example of rent seeking**. This, and other market distortions, occur due to the increased power of those at the top of the income spectrum, and their ability to influence political debate through lobbying and ownership of media outlets. Another effect of this influence is that it leads to deregulation which increases **instability[14]. Some have suggested that it is not inequality that reduces growth but only the inequality consisting of income concentration at the top of the spectrum which causes rent seeking**[15]. Decreased Productivity Research suggests that lowering the wage of a low-paid worker decreases their productivity by a greater amount than increasing the wage of a high paid worker increases theirs[16]. This would suggest increases in wage inequality decrease productivity. Employees’ productivity is also affected by whether they believe their pay to be fair, hence excessive executive pay that workers see as unfair decreases their productivity and makes them less committed[17]. An employee’s productivity is further lowered if their pay is low enough that they are struggling to afford their basic expenses. This happens because people living with scarcity devote a portion of their mental energy on dealing with this, which they could otherwise use to work[18]. “Keeping up with the Joneses”[19] Income inequality is thought to lead to status competition[20], which drives increases in consumption as people across the income spectrum spend more attempting to keep their living standards and respectability level with their peer group. Low-income households feel forced to borrow to maintain high levels of consumption. This results in higher levels of debt[21].

### **Income inequality kills---it's the root of deadly health disparities in the US.**

**Bezruchka**, Stephen. “Inequality Kills.” D. Johnston, ed., Divided: The Perils of Our Growing Inequality (New York: New Press, 2014). **2014**. Web. October 12, 2021. .

There is growing evidence that the factor most responsible for the relatively poor health in the United States is the vast and rising inequality in wealth and income that we not only tolerate, but resist changing. Inequality is the central element, the upstream cause of the social disadvantage described in the IOM report. A political system that fosters inequality limits the attainment of health. The claim that economic inequality is a major reason for our poor health requires that several standard criteriafor claiming causality are satisfied: the results are confirmed by many different studies by different investigators over different time periods; there is a dose-response relationship, meaning more inequality leads to worse health; no other contending explanation is posited; and the relationship is biologically plausible, with likely mechanisms through which inequality works. The field of study called stress biology of social comparisons is one such way inequality acts. Those studies confirm that all the criteria for linking inequality to poorer health are met, concluding that the extent of inequality in society reflects the range of caring and sharing, with more unequal populations sharing less. Those who are poorer struggle to be accepted in society and the rich also suffer its effects. A recent Harvard study estimated that about one death in three in this country results from our very high income inequality. Inequality kills through structural violence. There is no smoking gun with this form of violence, which simply produces a lethally large social and economic gap between rich and poor.

## **Contention 2: COVID-19**

### **COVID-related strikes benefit society---unionized nursing homes that went on strike saw greater access to PPE and lower COVID infection rates.**

**Abrams**, Abigail. “The Challenges Posed By COVID-19 Pushed Many Workers To Strike. Will The Labor Movement See Sustaine.” TIME. January 25, 2021. Web. October 12, 2021. .

An uptick in interest in labor organizing Walk-outs and strikes tend to have an add-on effect. When workers see their peers advocating for themselves and winning benefits, labor experts say they’re more likely to consider organizing, too. This past fall, for example, nurses, respiratory therapists, radiologists and other workers who belong to Teamsters Local 332 at Ascension Genesys Hospital near Flint, Michigan banded together with unions at five other regional hospitals to push administrators to implement   
 hazard pay and guarantee higher staffing levels. Workers at those six hospitals had never collaborated in that way before. After the Local 332 union secured a letter of agreement from Ascension Genesys guaranteeing some hazard pay, other unions used that agreement as leverage to get their hospital to extend the same bonuses to them, too. “The coalition is definitely picking up momentum amid the pandemic,” says Nina Bugbee, president of Teamsters Local 332. Many unionized workers also began to see an increase in outreach from nonmembers interested in joining their ranks. National Nurses United, the largest nurses’ union in the country, won six union elections in 2020, up from four in 2019, and says it saw members engage in more than double the number union actions from the previous year. The New York State Nurses Association, which represents the nurses in Albany and around the state, says it had 100 nurses at a hospital in the Hudson Valley vote to join the union in August, and in North Dakota, the Teamsters Local 120 got a new request from workers at another Cash-Wa facility who wanted to organize their own bargaining unit—a rare occurrence in a state where just 6% of workers are unionized. Joe Crane, a representative for UAPD says that, during the first month of the pandemic alone, his union heard from as many doctors reaching out to learn about organizing as it does in a typical year. Bazel, the nurse at Albany Medical Center, also reports a surge in union membership from nurses who didn’t previously think the union was necessary. “A lot of them are now right with us,” she says. Cash-Wa had for months failed to require masks in its warehouses, enforce social distancing rules or otherwise screen employees. By late November, Cotton and her fellow workers—all deemed “essential,” under guidance from the federal government—had reached a breaking point: they banded together and refused to work for 24 hours. Notably, some of the newly organized workers’ groups have sprouted up in conservative states, where right-to-work rules tend to limit traditional unions. Steve Sandman, a delivery driver for Cash-Wa in North Dakota, had never belonged to a union before he took his current job and hardly considered himself an activist. But when his employer failed to take adequate safety precautions, Sandman says he took it upon himself to lobby his non-union coworkers to join the union and hold the company accountable. “They’ve seen the benefits and the number of union employees has increased,” he says. Matthew Carey, a physician assistant in Lacey, Washington didn’t know his union existed when he took the job at the MultiCare Indigo Urgent Care clinics, and he wasn’t excited about joining. He’d always thought unions were mostly just “extra work.” But in 2020, after MultiCare management repeatedly refused to provide N95 masks or address providers’ other concerns, Carey stood on the strike line with his colleagues. Multicare’s “main goal is to preserve profits, which I’m fine with profits, but you can’t do it at the expense of the workers,” he says. Carey later tested positive for COVID-19, which he says he picked up at the clinic after working without proper protective equipment. (MultiCare told TIME it could not comment on Carey’s situation but suggested that workers who fall ill are likely getting infected through socializing with other staff or out in the community.) For Carey, the decision to strike was driven not only by concerns about his own safety, but the safety of his community. It’s a sentiment that dozens of workers and labor activists expressed. “If we can’t take care of ourselves, how can we take care of patients?” says Dr. Atabeygi. Brian Nowak, who works for Teamsters Local 120, the union representing the 75 Cash-Wa workers who went on strike in North Dakota, made a similar point. “If drivers come in contact with somebody in the warehouse who is infected, and they take this back out to their customer, that affects our community,” he says. “This could in essence become a hub” for the coronavirus. In September, Adam Dean, a professor of political science at George Washington University, co-authored a study in Health Affairs showing that unionized nursing homes were associated with a 30% relative decrease in mortality rate at the height of the first coronavirus surge compared to nursing homes without unions. The unions were also associated with greater access to PPE and a relative decrease in the COVID-19 infection rate. “Labor unions provide protections that not only benefit workers in the union, but have broader benefits for society,” Dean says.

### **Workers have gone on strike around the world for health and safety protections during the COVID-19 pandemic, but governments have used the pandemic as an excuse to curtail strikes through emergency measures**

**Subasinghe**, Ruwan. “Will Fundamental Workers’ Rights Also Fall Victim To COVID-19?” Equal Times. April 23, **2020**. Web. October 13, 2021. .

The COVID-19 pandemic has exposed in stark terms the fact that our economies are built on the systematic exploitation of workers, whether at our local grocery store or in dist ant farms, factories and offices producing food, clothing and other necessary goods and services. These workers were already in a difficult situation before the pandemic, working for low pay and often hired through unstable non-standard forms of employment or in the informal economy. Now, tens of millions of workers face layoffs, and many of those who do not have the luxury of teleworking are now in workplaces that are putting their health, and indeed, their life at risk in order that essential goods and services are available to the public. This crisis has also highlighted major shortcomings in labour market institutions in many countries, including national and sectoral collective bargaining coverage – which shrank significantly after the 2008 financial crisis. Since the global outbreak of COVID-19, workers around the world have resorted to strikes to protect themselves. Self-organised groups of food delivery riders, Instacart shoppers and Amazon warehouse workers have been among those demanding fit-for-purpose personal protective equipment (PPE) and workplace safety measures. Workers like Chris Smalls, an Amazon warehouse worker in Staten Island, New York, organised a work stoppage over the lack of protective gear and hazard pay, and was predictably fired. Indeed, the demand for access to adequate PPE and hazard pay is the major motivation for strikes, including Carrefour workers in Belgium, doctors, nurses and lab technicians in Lesotho and garment workers in Myanmar. At the same time, many governments are enacting emergency measures to restrict the right to speech, assembly and association – including the right to strike. Portugal became ***the first country in Europe to prohibit strikes in economic sectors vital to the production and supply of essential goods and services to the population and indeed ordered striking dockers at Lisbon’s port back to work on 18 March. In April, Cambodia issued a far-reaching law that gives the prime minister sweeping powers which could certainly be used to prohibit strikes. In Myanmar, while workers are still riding packed transportation to report for work in factories, the government passed an indefinite measure to ban meetings of more than five people which, like in Cambodia, threatens to be less about protecting public safety and more about limiting rights. And several countries have formally registered derogations from their treaty obligations to respect freedom of association, including Ecuador and Estonia*** (to Article 22 of the International Covenant on Civil and Political Rights, ICCPR) and Albania (to Article 11 of the European Convention on Human Rights, ECHR).

### **Strike bans are a disproportionate response to the COVID-19 pandemic. Limiting unions' power increases public health risks--- forcing workers to enter unsafe environments increases the risk they carry COVID into their communities.**

**Subasinghe**, Ruwan. “Will Fundamental Workers’ Rights Also Fall Victim To COVID-19?” Equal Times. April 23, **2020**. Web. October 13, 2021. .

Workers’ right to strike in emergencies under international law The right to strike has been firmly established in international and regional legal instruments for decades. These include Convention 87 of the International Labour Organization (ILO), the International Covenant on Economic, Social and Cultural Rights (Article 8) and the ICCPR (Article 22) at the global level, and the ECHR (Article 11) and the American Convention on Human Rights (Article 16) at the regional level. Indeed, the right to strike is now recognised as customary international law. While governments can derogate from certain legal obligations during public emergencies “threatening the life of a nation,” they can do so only to the extent strictly required by the exigencies of the situation. The ILO’s tripartite Committee on Freedom of Association (CFA) has held that a general prohibition of strikes can only be justified in the event of an “acute national emergency” and then only for a limited period and to the extent strictly necessary to meet the requirements of the situation. This means a genuine crisis, such as those arising as a result of a serious conflict, insurrection or natural, sanitary or humanitarian disaster, in which the normal conditions for the functioning of society are absent. Even in such situations, responsibility for suspending a strike on the grounds of public health should not lie with the government, but with an independent body which has the confidence of all parties concerned. While the COVID19 public health crisis may qualify as an acute national emergency, it is also evident that outright strike prohibitions would not be strictly necessary to meet the requirements of the situation, especially where other restrictions, such as ***minimum operational services or limits on physical gatherings and picketing***, are available. Further, freedom of association provisions in other international instruments already provide exceptions to maintain public order or public health making derogations unnecessary and disproportionate. Indeed, the inability of trade unions to easily call their members out on strike in situations where they are compelled to work in unsafe work environments may even exacerbate the public health crisis.

### **COVID demonstrated the many ways that essential workers are exploited. Restrictions on their right to strike undermine those workers' ability to improve workplace health and safety.**

**Garden**, Charlotte. “COVID-19 Crisis Underscores Need For Stronger Workers’ Rights.” The Century Foundation. April 13, **2020**. Web. October 13, 2021. .

For many American workers, the current outlook is bleak, and every indication is that, without significant and sustained government intervention, things will get much worse. More than 16 million people have filed new applications for unemployment insurance in the past three weeks, reflecting unprecedented and catastrophic job losses. Among those who remain employed, many “essential workers”—such as grocery stockers, health care workers, and delivery drivers—have a heightened risk of exposure to COVID-19 if they stay in their jobs. This risk, caused by the global pandemic but exacerbated by inadequate workplace protections, falls disproportionately on people of color and white women. These groups are disproportionately represented among low-wage front-line service workers, and in health care jobs such as nursing and home health care. In response to this heightened risk, some essential workers are taking their well-being into their own hands, going on strike to demand protective equipment, hazard pay, and paid sick leave. In fact, if there is a single thing that best indicates the inadequacy of our federal worker protection laws, it is that workers have to resort to going on strike in order to receive paid sick leave and other protections in the middle of a lethal pandemic. The list of workers who have taken this stand, collectively refusing to work until it is safe to do so, is impressive, and growing. Recent employers and sectors impacted include Whole Foods and Amazon warehouse workers, Instacart shoppers, Pittsburgh trash collectors, and meatpackers. The list is growing so quickly that the labor news site, The Payday Report, has created an interactive strike map, with forty-five strikes across the country since March. This situation—a public health emergency that has cascaded into severe job loss and a nationwide economic crisis—should prompt the federal government to strengthen workers’ rights to a safe workplace and to adequate pay and benefits, as well as their right to resort to collective self-help. But instead, the administration has continued to turn its back on workers. Both right now and for the future, workers need stronger baseline guarantees that are backed by meaningful government enforcement and a robust right to self-help through collective action. The next COVID-19 response bill must not only include economic relief, but also guaranteed paid sick leave for all workers, meaningful safety protections, and stronger protections for workers’ collective action. COVID-19 Reveals Threats to Workers Everyone has a personal stake in the health of essential, frontline workers. This has always been true, but the COVID-19 pandemic has brought the message home forcefully. But non-union workers have few legal protections in the workplace. Those protections that do exist are often weakly enforced; further, employer discrimination based on race, gender, disability, or other traits leaves minority workers even more vulnerable to employer mistreatement. Non-enforcement of existing labor standards can be of even greater concern in times of high unemployment, because some employers will feel even more emboldened to ignore even the limited worker protections currently on the books— after all, if workers complain or quit, employers can always find a replacement. It may be shocking to many to read accounts of workers who are sick having to go to work or risk being fired, or of workers pleading for basic personal protective equipment so that they can perform their work without fear of exposure to the virus. But these types of stories predate the COVID19 epidemic as well—though before now, they were prompted by other illnesses and dangers. This is because Americans have long had among the fewest workplace rights and protections of any rich country. For example, many countries already guarantee workers the ability to take substantial paid time off when they are ill—whereas U.S. federal law contains no general right to paid sick leave. With the Families First Coronavirus Response Act, Congress made a small step in the right direction. But the leave guaranteed by that law is limited to workers who need leave for COVID-19-related reasons. Further, employers with over 500 employees are exempted altogether, and the U.S. Department of Labor has indicated that it plans to allow small employers to determine for themselves whether they will grant employees’ leave requests, or invoke a small-business exemption. While there is no federal law yet on the books to guarantee paid sick leave, there is one that is meant to guarantee workplace safety and health. The aptly named Occupational Safety and Health Act (which established the Occupational Safety and Health Administration, commonly referred to as OSHA) requires employers to furnish a workplace that is “free from recognized hazards.” This standard can require employers to provide protective equipment, such as gloves and respirators for frontline workers. But the Administration allowed the number of OSHA inspectors to fall to an all-time low, with only 870 safety inspectors last spring, covering 130 million workers at over 7 million worksites—making the law’s promise of safety and health illusory for many workers. And workers who are fired for trying to exercise their rights to refuse to do dangerous work under the law face a long and uncertain road in getting relief from an agency that has a weak enforcement record. The same story of weak protections and lax enforcement exists with respect to any number of workplace rights—legal standards that are on the books are both inadequate on their own terms, and sporadically enforced. It is unsurprising, then, that the recent strikes related to COVID-19 did not come out of nowhere. In 2018, 500,000 teachers, nurses, hotel workers, and others struck—a thirty-year high. And recent data from the Bureau of Labor Statistics shows almost as many workers went on strike in 2019. Though the specifics of each strike varied, the rapid increase in strike activity—occurring while labor union membership is at an all-time low— shows workers’ growing anger and dissatisfaction about their working conditions. Even as current events are showing exactly why workers need both strong baseline legal protections and strong collective action rights, the Administration continues to side with employers over workers. In just the past month, the U.S. Department of Labor’s new Joint Employer rule has taken effect, which the Economic Policy Institute (EPI) has estimated will cost workers more than $1 billion dollars annually due to wage suppression. The National Labor Relations Board, after halting all union elections due to the COVID-19 outbreak, finalized the deceptively titled “Protect Employee Free Choice” rule, which makes it harder for workers to have their unions voluntarily recognized by employers, while also allowing elections to proceed even when there are charges of illegal unfair labor practices that could taint the process. These actions by the administration to strip workers of rights during a pandemic that can make going to work a life or death decision is only the latest in a series of moves that undermine workers’ right to strike or to form a union, exclude more workers from legal protections altogether, and weaken baseline standards for workers who are covered. The undermining of union rights is especially cruel at the moment, as membership in a union greatly increases one’s access to leave, job protections, and the ability to get hazard pay and protective equipment.

## **Contention 3: Right to Strike**

### **The right to strike is key to resisting oppression.**

**Lim**, Woojin. “The Right To Strike.” The Harvard Crimson. December 11, **2019**. Web. October 13, 2021. .

On April 9, 1969, roughly 500 student activists took over University Hall to protest Harvard’s role in the Vietnam War. City and state police armed with riot gear, clubs, and mace were called to remove all protesters who had vowed nonviolent resistance. In the early morning hours of April 10, over 400 police officers stormed University Hall, between 250 and 300 arrests were made, and 75 students were injured. In response, by April 11, thousands of Harvard students, teaching fellows, and faculty had gathered in Harvard Stadium to strike. Fifty years later, the Harvard Graduate Students Union-United Automobile Workers declared a strike, fighting for increased compensation, health benefits, and neutral third-party arbitration for sexual harassment and discrimination. On December 3, over 500 demonstrators, wearing on their shoulders large blue-and-white “UAW on Strike” placards, marched routes throughout the Yard. In the strike of 1969, strikers fought for social justice; in the HGSU-UAW strike of 2019, strikers press on the fight for fair wages and working conditions. The right to strike is a right to resist oppression. The strike (and the credible threat of a strike) is an indispensable part of the collective bargaining procedure. Collective bargaining (or “agreement-making”) provides workers and employees with the opportunity to influence the establishment of workplace rules that govern a large portion of their lives. The concerted withdrawal of labor allows workers to promote and defend their unprotected economic and social interests from employers’ unilateral decisions, and provide employers with pressure and incentives to make reasonable concessions. Functionally, strikes provide workers with the bargaining power to drive fair and meaningful negotiations, offsetting the inherent inequalities of bargaining power in the employer-employee relationship. The right to strike is essential in preserving and winning rights. Any curtailment of this right involves the risk of weakening the very basis of collective bargaining. Strikes are not only a means of demanding and achieving an adequate provision of basic liberties but also are themselves intrinsic, self-determined expressions of freedom and human rights. The exercise of the power to strike affirms a quintessential corpus of values akin to liberal democracies, notably those of dignity, liberty, and autonomy. In acts of collective defiance, strikers assert their freedoms of speech, association, and assembly. Acts of striking, marching, and picketing command the attention of the media and prompt public forums of discussion and dialogue. The question of civic obligations, however, remains at stake. Perhaps those disgruntled with the strike might claim on a whiff that the strike impedes upon their own freedom of movement, educational rights, privacy, and so forth. Do strikers, in virtue of expressing their own freedoms, shirk valid civic norms of reciprocity they owe to members of the community, for instance, to students? No. The right to strike stems from the premise of an unjust flaw in the social order, that is, the recognition that the benefits from shouldering the burdens of social cooperation are not fairly distributed. Strikes and protests publicize this recognition and demand reform. No doubt, work stoppages from teaching fellows, course assistants, and graduate research assistants — no sections, no office hours, no labs, no grades — may pose inconvenience and perhaps hardship in our present lives. Strikes may also impose a serious financial cost on both the employer and the employees. These costs and inconveniences, however, should not be ridiculed as outrageous, for they rightfully invite disruption. The possible hazards that arise from a strike must be weighed against the workers’ welfare and just rewards and to the community. For instance, current graduate students who struggle in financials and mental health may be troubled with juggling teaching obligations. If graduate students are provided with pay security and adequate dental, mental health, and specialist coverage, their quality of teaching and research may improve in the long run. There are dangers to bystanders and neutrals when a strike occurs, but such considerations also arise when one lays down the right to strike. That said, if we should defend the right to strike, it must be meaningful. Both parties involved should strive to strike a deal — no pun intended — in good faith, and not merely act upon purposeless forms of virtue-signaling or anger-venting on chaotic impulse. Nonetheless, provided the facts of injustice and repression, affected members should not only be permitted but highly encouraged (and obliged) to uptake the call of justice to restore broken institutions — be that through joining the pickets or standing in solidarity.

### **Some workers are currently not allowed to strike.**

**Campbell**, Alexia. “5 Questions About Labor Strikes That You Were Too Embarrassed To Ask.” Vox. September 20, **2019**. Web. October 13, 2021. . 1)

Am I allowed to strike? If you work in the private sector, definitely. It doesn’t matter if you are part of a labor union or not. For government workers, though, it depends. The National Labor Relations Act of 1935 enshrined the right to strike into law. At the time, workers were reeling from the Great Depression and President Franklin D. Roosevelt’s pro-labor administration saw collective bargaining as a fundamental right. But the law only covered workers in the private sector, as they were more at risk of being exploited. The NLRA reversed years of federal opposition to organized labor and guaranteed the right of employees to organize, form unions, and bargain collectively with their employers. Striking was considered the most powerful tool in collective bargaining, so it was given special emphasis in the NLRA. “The law protects the right to strike, no question,” Ruben Garcia, co-director of the Workplace Law Program at the University of Nevada Las Vegas, said to me, regarding employees in the private sector. “You don’t have to give any notice or any reason for walking.” But this doesn’t apply to all workers. The NLRA doesn’t cover certain transportation workers, agricultural laborers, or public employees. Government employees — state, local, and federal — do not have a right to strike under the federal law. That said, eight states allow most government employees to strike. Illinois and California, for example, allow teachers to strike. Yet it’s illegal for police and firefighters to walk off the job in any state.

### **Oppression causes physical violence.**

**Rubenstein**, Richard. “Responsibility For Peacemaking In The Context Of Structural Violence.” International Journal on Responsibility. May, **2018**. Web. October 13, 2021. .

Within these nested systems, Galtung points out, structural violence and direct violence “crossbreed.” Repressive structures generate rebellion, crime, and self-destructive behaviors such as suicide and substance abuse, while rebellious acts incubate repressive institutions and punitive norms. To illustrate how this crossbreeding occurs, the theorist introduces a third element of the conflict triangle, cultural violence, defined as “those aspects of culture ... that can be used to justify or legitimize direct or structural violence.” 14 The cultural products that he considers especially potent in this regard are religion, ideology, language, art, science, and cosmology, although he might also have noted the peculiar importance in today’s world of narrative forms, including the graphic arts (films, videogames, images and stories shared on social media), as well as the subconscious imagery explored by psychoanalysts like Freud, Jung, and Lacan. Like Pierre Bourdieu, who sees “symbolic violence” as authority’s most effective tool, Galtung stresses the extent to which cultural conditioning maintains the oppressive structures that end by provoking and delivering violence: The culture preaches, teaches, admonishes, eggs on, and dulls us into seeing exploitation and/or repression as normal and natural, or into not seeing them (particularly not exploitation) at all. Then come the eruptions, the efforts to use direct violence to get out of the structural iron cage ... and counter-violence to keep the cage intact.15 Other commentators, noting that cultural ideas and practices tend to lag behind changes in the system of production, consider deep-rooted socioeconomic shifts the primary causal factor.16 But the causes can flow in any direction once the triangle – an integrated violent system – has been established. Moreover, Galtung’s theory points to the fact that the generation and crossbreeding of violent conflict can take place in a wide variety of social systems. The family, school, workplace, religious community, nation, and empire – all can become sites and producers of direct, structural, and cultural violence. This is especially likely to happen under certain conditions, which will be described differently, of course, by those challenging the system and those defending it. What are those conditions? And, what sorts of violent system do they produce?

### **SV is an impact magnified.**

**Cambellsville** **University**. “Recognizing And Addressing Structural Violence.” Cambellsville University. June 30, **2017**. Web. October 13, 2021. .

In 2015, 13.5 percent of the U.S. population — around 43 million people — fell below the federal poverty line of $24,250 for a family of four. When broken down into specific populations, it becomes easy to see that some populations have higher poverty rates. Poverty among whites was 9.1 percent during that time, compared to 24.1 percent among AfricanAmericans; African-Americans have a long history of being the victims of structural violence in America. Structural violence usually has, at its root, some political or economic structure that disenfranchises a group of people. For example, children in inner cities typically lack access to adequate schools, which limits their access to jobs with good salaries when they get older. This, in turn, limits their access to healthcare, legal protections, political power, safe housing and other important resources. This cycle of poverty perpetuates itself, creating entire communities subject to regular structural violence. Access to resources like education, healthcare and purchasing power are all vital to breaking the cycle of poverty. Individuals without adequate access to healthcare are not only more likely to have shorter life spans, but also to spend a significant portion of their income treating illnesses and other health issues, or simply enduring them and reducing their ability to work and earn money. Without adequate education, access to good jobs and influence within society is limited. An inability to buy necessities like food and shelter leads to worse healthcare outcomes, less money spent on educating the next generation and so forth.