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**“Shall the labor unions use their influence to deprive the black man of his opportunity to labor… [or] unite with those who want to give every man, regardless of color, race or creed, what Colonel Roosevelt calls the ‘square deal’ in the matters of labor?”By Booker T. Washington**

**FWK: Debaters have the job to think critically not just do what’s easiest like defending the resolution!**

[**Barroso Tristan**](https://truthout.org/authors/jose-maria-barroso-tristan/)**’13** ([Jose Maria Barroso Tristan](https://truthout.org/authors/jose-maria-barroso-tristan/),PhD in Education from the University of Seville and in Dissemination of Knowledge from the Federal University of Bahia (Brazil). Editorial manager of the journal-network of social studies "Iberoamérica Social”)

“INTERVIEW Henry Giroux: The Necessity of Critical Pedagogy in Dark Times” Truthout 2/6/2013

<https://truthout.org/articles/a-critical-interview-with-henry-giroux/> (GDS,LF)

JMBT: Your opinion on an actual teacher´s development is very interesting. Can you further explain the meaning of “Teachers are deskilled”?

HG: Since the 1980s, right wing and conservative educational theorists have both attacked colleges of education and called for alternative routes to teacher certification. They have emphasized the practical and experiential, seeking to gut the critical nature of theory, pedagogy, and knowledge taught in colleges of education as well as in public schools and university classrooms. In effect, there is an attempt to deskill teaches by removing matters of conception from implementation. **Teachers are no longer asked to be creative, to think critically, or to be creative. On the contrary, they have been reduced to the keeper of methods, implementers of an audit culture, and removed from assuming autonomy in their classrooms. According to conservatives, the great sin teachers colleges have committed in the past few decades is that they have focused too much on theory and not enough on clinical practice—and by “theory,” they mean critical pedagogy and other theories that enable prospective teachers to situate school knowledge, practices, and modes of governance within wider historical, social, cultural, economic, and political contexts.** Conservatives wants public schools and colleges to focus on “practical” methods in order to prepare teachers for an “outcome-based” education system, which is code for pedagogical methods that are as anti-intellectual as they are politically conservative. This is a pedagogy useful for creating armies of number crunchers and for downgrading teachers to supervising the administration of standardized tests, but not much more. **Reducing pedagogy to the teaching of methods and data-driven performance indicators that allegedly measure scholastic ability and improve student achievement is nothing short of scandalous. Rather than provide the best means for confronting “difficult truths about the inequality of America’s political economy,” such a pedagogy produces the swindle of “blaming inequalities on individuals and groups with low test scores.” The conservative call for practicality must be understood as an attempt to sabotage the forms of teacher and student self-reflection required for a quality education, all the while providing an excuse for a prolonged moral coma and flight from responsibility. B**y espousing empirically based standards as a fix for educational problems, advocates of these measures do more than oversimplify complex issues. **More crucially, this technocratic agenda also removes the classroom from larger social, political, and economic forces, while offering anti-intellectual and ethically debased technical and punitive solutions to school and classroom problems**. In addition, the insistence on banishing theory from teacher education programs, if not classrooms in general, while promoting narrowly defined skills and practices is a precursor to positioning teachers as a subaltern class that believes the only purpose of education is to train students to compete successfully in a global economy. The model of teaching being celebrated here is one in which teachers are constructed as clerks and technicians who have no need for a public vision in which to imagine the democratic role and social responsibility that schools, teachers, or pedagogy might assume for the world and the future they offer to young people. Drew Gilpin Faust, the current president of Harvard University, is right in insisting that “even as we as a nation have embraced education as critical to economic growth and opportunity, we should remember that [public schools], colleges and universities are about a great deal more than measurable utility. Unlike perhaps any other institutions in the world, they embrace the long view and nurture the kind of critical perspectives that look far beyond the present.”

#### **There is an inherent history of racism within trade unions in the construction trade!**

**Watson’21 |** Travis (creator of [ADOSConstruction.org](https://adosconstruction.org/) and chair of the [Boston Employment Commission](https://www.boston.gov/departments/economic-development/equity-and-inclusion-office/boston-employment-commission) (BEC). Appointed by former Boston mayor and current US Department of Labor Secretary Martin J. Walsh, the BEC oversees the Boston Residents Jobs Policy, which sets employment standards on city-assisted construction projects. Travis also is a board member of YouthBuild Boston and NEI General Contracting’s Workforce Opportunity Resource Center.). “Union Construction’s Racial Equity and Inclusion Charade (SSIR).” *Stanford Social Innovation Review*, 14 June 2021, Accessed: 11/11/21 [**https://ssir.org/articles/entry/union\_constructions\_racial\_equity\_and\_inclusion\_charade#**](https://ssir.org/articles/entry/union_constructions_racial_equity_and_inclusion_charade#) **(SPHS,LF)**

**Union construction jobs are not just good jobs, they are great jobs.** **They have a relatively low entry barrier and offer world-class training, great pay, and benefits that allow members to retire with dignity. However, what’s often overlooked is union construction’s racism, and that those great jobs, particularly leadership positions, are designed to remain filled by white men.**Thanks to [construction workers](https://chicagocrusader.com/black-workers-locked-out-of-unions-hold-labor-day-action/), [activists](https://www.teenvogue.com/story/black-activists-shaped-the-labor-movement), and [journalists](https://whyy.org/articles/in-2017-is-white-supremacy-still-alive-and-well-in-this-philadelphia-building-trades-union/), **there are countless** [**documented examples**](https://www.jstor.org/stable/1227858) **of the widespread racism that Black people face in interactions with construction unions. From being called racist names to being administered tests designed to ensure their failure, a gamut of discriminatory practices make it difficult for Black workers to enter, remain, and grow in the industry.**In an effort to understand the barriers to racial equity and inclusion in Boston union construction, I’ve spoken to dozens of union and non-union workers and activists about the industry’s racism. Some respondents rehearsed revisionist histories and pretended that racism within the trades has never existed. But others fully acknowledged the industry’s history of racism and wanted to collaborate on solutions towards equity and inclusion. “The building trades unions are committed to access to wages and benefits,” [says Brian Doherty](https://www.youtube.com/watch?v=xfWRPDNcAYw&t=3358s), secretary-treasurer/ general agent for the Building & Construction Trades Council of Boston’s Metropolitan District, **“but for a hundred years, it was for very few people, it wasn’t for everyone. The past is shameful.”In order to create a more diverse and inclusive industry, and to avoid the same mistakes in the future, we first need to learn from this shameful past.** Referencing historical examples—primarily found in researchers David A. Goldberg and Trevor Griffey’s [*Black Power at Work: Community Control, Affirmative Action, and the Construction Industry*](https://www.google.com/books/edition/_/KznksoNFszYC?hl=en&sa=X&ved=2ahUKEwiN_M7QgJXwAhWOtp4KHW3HAWkQ7_IDMBR6BAgJEAI)—I describe the six strategies that have made the process of joining a construction union as frustrating as possible for Black people. **So frustrating and exhausting, in fact, that many Black people would rather give up trying, or not try at all. And, when a particular strategy fails to dissuade Black applicants, white union members resort to intimidation and erecting other** [**barriers for entry**](https://www.sscnet.ucla.edu/soc/faculty/waldinger/pdf/The_A19.pdf)**, such as devising a racially biased entrance exam that projects racism as a kind of failure onto Black people. Other times it’s openly calling Black workers the “N-word” and explicitly telling them that they aren’t welcome into a construction union.** I then turn to the case study of union construction in the Boston area to examine how racism manifests today.White union construction workers often stymie prospective Black workers’ attempts to join a union by trapping them in a Catch-22: requiring the worker to have a job prior to being admitted into a union, but also requiring union membership before getting a construction job.Former United Community Construction Workers activist Omar Cannon recalls Black workers being told by white union officers that they “had to be in the union to get a job.” However, the problem, [Cannon explains](https://www.jstor.org/stable/j.ctv941wxz.23?seq=1#metadata_info_tab_contents), is that “you had to get a job to get in the union.” Former Army veteran and construction worker Gilbert Banks has told a [similar story](https://www.google.com/books/edition/Black_Power_at_Work/16RmDwAAQBAJ?hl=en&gbpv=0) about treatment by foremen and unions:“They’d say, ‘Have you got a (union membership) book?’ I’d say, ‘No.’ ‘Well,’ they said, ‘Go get a book and we’ll give you a job.’ And I’d go to the union and ask them for a book. They’d say, ‘Listen, if you get the job, we’ll give you a book.’ **There was no way of fighting it.”This no-win situation is not a coincidence. This Catch-22 is a form of structural racism intended to exclude people not already on the inside.**Another strategy white union members use to frustrate Black workers into giving up their effort to join a union is intentionally refusing communication, ignoring, and silencing them. Stonewalling effectively blocks Black workers from jobs and from unions, even when those workers have superlative skills, training, and experience. For example, former member of the Congress of Racial Equity (CORE) and construction activist [Oliver Leeds recalls](https://www.jstor.org/stable/10.7591/j.ctt7v804) how his work as an Army engineer wasn’t enough to even get considered for work and union acceptance:“I was in the Corps of Engineers. And you know what we do? We worked to win the war. We built anything that could be built: bridges, tunnels, houses, officers’ quarters, Myers quarter, roads, and airstrips. We loaded and unloaded ships. We did anything in the way that involved work, construction work. You know, when I got back to the United States, after the war, I couldn’t get a job in construction, that there was no union that would let me in? And there was damn little that I couldn’t do in the way of construction work**. They’ll take you and turn you into construction workers in the army, in a segregated army, and then when you get back into civilian life, you can’t get a construction job.**”These first two strategies—the Catch 22 and stonewalling—cloak the structural racism operating within unions by displacing the consequence onto the Black person: that *they* gave up, or that *they* got frustrated, rather than seeing the mechanisms at work that produced this outcome.Many construction unions place unemployed members “on the bench” while they wait to be sent to work by dispatchers, the union members who distribute the jobs. Dispatchers play a central role in access to jobs and, therefore, to union entry. However, by **intentionally refusing to send Black workers to jobs, racially biased dispatchers play a pivotal role in keeping unions white**.In Boston, former construction worker Earl Quick [recalls](https://www.newspapers.com/newspage/437214073/) receiving his union book but never being assigned work. **“White guys would come in and go right into the business agent’s office and they’d get work and me and the rest of the Black guys would just sit there,” he explains. “I never did work in Boston.”** [According to](https://www.jstor.org/stable/10.7591/j.ctt7v804) the former Northwest American Friends Service Committee Director Arthur Dye, **“Some [Black] workers appeared at the hiring hall day after day for several months and were never dispatched. If they began to ask questions why they were not dispatched they would be sent out to jobs … a hundred miles or so away, only to find out that when they arrived at their destination there wasn’t a job. Or they would be dispatched to a job where there was considerable possibility for physical intimidation.”**Because this is a well-known practice, Black workers have often [applied directly to employers](https://www.jstor.org/stable/10.7591/j.ctt7v804), going around the union hiring halls. But in most cases, employers are required by union policy to hire only workers referred by union hiring hall dispatchers. And even when employers [intentionally](https://www.reviewjournal.com/local/local-las-vegas/vegas-discrimination-lawsuit-could-be-headed-to-arbitration/) seek to diversify their employees and union contractors, dispatchers can thwart this effort. For example, when Robert Lucas, the president of the refrigeration contractor Lewis Refrigeration, who is a white man, [called Local Union 32](https://hcommons.org/deposits/objects/hc:16486/datastreams/CONTENT/content) and specifically asked for a Black plumber to be dispatched to his job, the dispatcher reportedly laughed and dismissed his request.

#### **Condition - Trade Unions ought to take a stand against white nationalism in order to be allowed to Strike.**

Stöss’ 17 | Dr. Richard Stöss is a retired political science professor who taught at the Freie Universität Berlin. His main areas of interest in terms of both research and teaching were the political parties, trade unions and right-wing extremism in Germany and Europe, and he is widely published in this area./ “TRADE UNIONS AND RIGHT-WING EXTREMISM IN EUROPE” Published 2017/ Accessed 11/11/21/ <https://euagenda.eu/upload/publications/untitled-108082-ea.pdf> (SPHS,LF)

Globalisation has effects similar to those of the emergent industrialisation in the 19th century: namely, almost revolutionary changes to the socio-economic and political-cultural circumstances in all the states of the EU. The social-democratic century with its promises of welfare is being replaced by an era of neoliberal politics that is accelerating the global expansion of capitalism, but at the same time is compounding social inequality, contributing to the reduction of social standards, causing employment relationships to become precarious, fostering high (youth) unemployment, and ultimately causing old-age poverty.The gulf between modernisation’s winners and losers is growing dramatically. The fear of downward mobility long since has spread from the lower segment (which is in any event more disadvantaged by globalisation) to the lower middle segment of society, and is amplified by growing migration movements and the rise of asylum and refugee issues. The growing need for protection, security, and justice is not adequately addressed by established politics, and in particular not by the political left, which has lost substantial levels of trust among its followers as a result. This vacuum is being filled increasingly successfully by far-right and right-wing conservative forces that have an apparently plausible response to the alleged external and internal threats: the return to the sovereign and ethnically homogenous nation-state. The programmes of right-wing extremist groupings, especially, have begun to put much greater emphasis on social issues. **As a result of that new orientation, right fringe movements and parties have increased their appeal substantially. Above all on account of socio-economic change in the world of work, the lower strata of society – but not only they – expect to find a solution to or alleviation of their problems in nationalism and ethnocentrism. The fact that this rightward drift affects particular employees as the primary reference group of trade unions and even trade union members** (“mirror-image theory”) **means that the trade unions are subject to a special level of responsibility in confronting the extreme far-right**. This is because these forces also shake the very raison d‘être of the trade unions by weakening their function as an important ordering force of industrial relations and calling into question their competence to represent the interests of dependent employees. **The pattern is apparent not only in European countries, but also in the European institutions**, as is shown in the following chapter. **It is incumbent on trade unions at both the national and international levels to take suitable measures to disarm the forces on the right fringe.**

# **Case Turn**

#### **Unconditional means without limits**

**Cambridge dictionary** (<https://dictionary.cambridge.org/us/dictionary/english/unconditional>)

[**complete**](https://dictionary.cambridge.org/us/dictionary/english/complete) **and not** [**limited**](https://dictionary.cambridge.org/us/dictionary/english/limited) **in any way:** *the unconditional* [*love*](https://dictionary.cambridge.org/us/dictionary/english/love) *that* [*parents*](https://dictionary.cambridge.org/us/dictionary/english/parent)[*feel*](https://dictionary.cambridge.org/us/dictionary/english/feel) *for* [*their*](https://dictionary.cambridge.org/us/dictionary/english/their)[*children*](https://dictionary.cambridge.org/us/dictionary/english/children) *unconditional* [*surrender*](https://dictionary.cambridge.org/us/dictionary/english/surrender) *We* [*demand*](https://dictionary.cambridge.org/us/dictionary/english/demand) *the* [*immediate*](https://dictionary.cambridge.org/us/dictionary/english/immediate) *and unconditional* [*release*](https://dictionary.cambridge.org/us/dictionary/english/release) *of all* [*political*](https://dictionary.cambridge.org/us/dictionary/english/political)[*prisoners*](https://dictionary.cambridge.org/us/dictionary/english/prisoner)*.*

#### **“Unconditional rights” includes violence — violates section 8 which rolls back strike rights**

**Craver’12** ( Charles B. professor of Law,attorney. Craver specializes in negotiation, labor law, employment discrimination law, and public-sector labor law. He is the author of several books on various legal subjects and frequently contributes to law journals. ) *The Right to Strike and Its Possible Conflict with Other Fundamental Rights of the People in the United States* . <https://scholarship.law.gwu.edu/cgi/viewcontent.cgi?article=1532&context=faculty_publications.>

Employees engaged in labor disputes may lawfully picket their employer, with such action constituting classic concerted activity for mutual aid and protection within the meaning of Section 7 of the NLRA [29 U.S.C. § 157]. They may employ strong language critical of their employer, but, as noted above, they may not disparage the goods or services generated by their employer. They may ask persons who work for the struck employer and individuals working for secondary firms who are making deliveries to the struck facility to honor the picket lines. **They may not, however, use threats of serious and immediate violence or engage in any violent behavior, since such conduct would violate Section 8(b)(1)(A) of the NLRA which makes it an unfair labor practice for a labor organization to restrain or coerce employees in the exercise of their protected rights** [29 U.S.C. § 158(b)(1)(A)].

# **CASE**

#### **Strikes trigger food shortages, undermine health care and threaten the economy**

**Pettypiece’21** (Shannon,is an American journalist currently working for NBC News Digital as a Senior White House reporter.). “Biden on the Sidelines of 'Striketober,' with Economy in the Balance.” *NBCNews.com*, NBCUniversal News Group, 24 Oct. 2021, <https://www.nbcnews.com/politics/white-house/biden-sidelines-striketober-economy-balance-n1282094.>(SPHS,LF)

WASHINGTON — As a [wave of workers](https://www.nbcnews.com/business/business-news/striketober-signals-tremendous-sacrifice-workers-say-it-has-been-long-n1281615) across the country take to picket lines, **President Joe Biden is witnessing a resurgence in the labor movement he spent decades championing — at a time when it could hamper the economic recovery he is fighting to protect.Biden has said that he supports the workers' right to strike but that he is "not going to get into the negotiation," and White House officials say he doesn't plan to get involved in any of the labor disputes involving more than 100,000 workers across the country. Instead, he has taken the position that the decision to strike is up to the workers, leaving it to them and their employers to resolve disputes, the officials said.It's a shift for Biden.** As a presidential candidate and a senator, Biden joined picket lines and tweeted out support for striking workers. He has called himself the most pro-labor president in history, having come out in support of Amazon workers trying to unionize and repeatedly inviting labor leaders to the White House.But President Biden faces a different dynamic from candidate Biden, because **strikes risk adding to labor shortages and** [**supply chain**](https://www.nbcnews.com/politics/meet-the-press/supply-demand-shipping-issues-become-biden-s-latest-economic-challenge-n1281407) **disruptions that are already driving up prices as the global economy reels from pandemic strains. While the strikes could benefit workers by driving up wages in the long term, the near-term impact of persistent or growing work stoppages could include worst-case scenarios like food shortages or lack of access to hospitals."This will come at an economic cost to employers and therefore the economy,** and I think that may be why Biden has gone a little silent," said Ariel Avgar, an associate professor of labor relations, law and history at Cornell University. "It is tricky for him. On the one hand, he is on the record supporting unions and their ability to use collective action. On the other hand, the point of strikes is to extract an economic price for employers unwilling to negotiate in a way the union feels is appropriate."There have been 184 strikes by health care to factory workers this year after the coronavirus pandemic aggravated concerns over low wages and poor working conditions, and the tight labor market has given workers more leverage. Among the strikers are more than [10,000 John Deere workers](https://www.nbcnews.com/news/us-news/more-10-000-deere-co-workers-strike-after-failed-uaw-n1281486) who went on strike this month. More than 24,000 health care workers at Kaiser Permanente are preparing to strike, joining thousands of nurses and other health care workers elsewhere who have been striking for months.Biden made his only comments about what has been dubbed Striketober in response to a reporter's questions last week."They have a right to strike, and they have a right to demand higher wages, and the companies they're striking on are doing very well," Biden said. "I'm not going to get into the negotiation, but my message is: If you think that's what you need, then you should do it."

**Human Rights FWK have no solvency.**

Posner’14 ( Eric, is a professor at the University of Chicago Law School. His latest book is The Twilight of International Human Rights Law. “The Case against Human Rights.” *The Guardian*, 4 Dec. 2014, <https://www.theguardian.com/news/2014/dec/04/-sp-case-against-human-rights>) (SPHS,LF)

In July 2013, Amarildo de Souza, a bricklayer living in a Rio de Janeiro favela, was arrested by police in an operation to round up drug traffickers. He was never seen again. De Souza’s disappearance was taken up by protesters in street demonstrations, which were met with a ruthless police response. Normally, de Souza’s story would have ended there, but public pressure led to a police investigation, and eventually to the arrest of 10 police officers, who were charged with torturing and murdering him.Brazil, one of the largest democracies in the world, is rarely considered to be among the major human rights-violating countries. But every year more than a thousand killings by police – very likely summary executions, according to [Human Rights](https://www.theguardian.com/law/human-rights) Watch – take place in Rio de Janeiro alone. The prohibition of extrajudicial killings is central to human rights law, and it is a rule that Brazil flagrantly violates – not as a matter of official policy, but as a matter of practice. Brazil is hardly the only country where this takes place; others include India, the world’s largest democracy, South Africa, the Dominican Republic and Iran. These countries all have judicial systems, and most suspected criminals are formally charged and appear in court. But the courts are slow and underfunded, so police, under pressure to combat crime, employ extrajudicial methods, such as torture, to extract confessions**.We live in an age in which most of the major human rights treaties – there are nine “core” treaties – have been ratified by the vast majority of countries. Yet it seems that the human rights agenda has fallen on hard times.** In much of the Islamic world, women lack equality, religious dissenters are persecuted and political freedoms are curtailed. The Chinese model of development, which combines political repression and economic liberalism, has attracted numerous admirers in the developing world. Political authoritarianism has gained ground in Russia, Turkey, Hungary and Venezuela. Backlashes against LGBT rights have taken place in countries as diverse as Russia and Nigeria. The traditional champions of human rights – Europe and the United States – have floundered. Europe has turned inward as it has struggled with a sovereign debt crisis, xenophobia towards its Muslim communities and disillusionment with Brussels. The United States, which used torture in the years after 9/11 and continues to kill civilians with drone strikes, has lost much of its moral authority. Even age-old scourges such as slavery continue to exist. A recent report estimates that nearly 30 million people are forced against their will to work**. It wasn’t supposed to be like this.At a time when human rights violations remain widespread, the discourse of human rights continues to flourish.** The use of “human rights” in English-language books has increased 200-fold since 1940, and is used today 100 times more often than terms such as “constitutional rights” and “natural rights”. Although people have always criticised governments, it is only in recent decades that they have begun to do so in the distinctive idiom of human rights. The United States and Europe have recently condemned human rights violations in Syria, Russia, China and Iran. Western countries often make foreign aid conditional on human rights and have even launched military interventions based on human rights violations. Many people argue that the incorporation of the idea of human rights into international law is one of the great moral achievements of human history. Because human rights law gives rights to all people regardless of nationality, it deprives governments of their traditional riposte when foreigners criticise them for abusing their citizens – namely “sovereignty” (which is law-speak for “none of your business”). **Thus, international human rights law provides people with invaluable protections against the power of the state.And yet it is hard to avoid the conclusion that governments continue to violate human rights with impunity.** Why, for example, do more than 150 countries (out of 193 countries that belong to the UN) engage in torture? Why has the number of authoritarian countries increased in the last several years? Why do women remain a subordinate class in nearly all countries of the world? Why do children continue to work in mines and factories in so many countries?The truth is that human rights law has failed to accomplish its objectives. **There is little evidence that human rights treaties, on the whole, have improved the wellbeing of people.** The reason is that human rights were never as universal as people hoped, and the belief that they could be forced upon countries as a matter of international law was shot through with misguided assumptions from the very beginning. The human rights movement shares something in common with the hubris of development economics, which in previous decades tried (and failed) to alleviate poverty by imposing top-down solutions on developing countries. But where development economists have reformed their approach, the human rights movement has yet to acknowledge its failures. It is time for a reckoning.