# 1NC A2 Ag Workers

## Case

### Ext 1st

1. **Compound Probability - Multiplied probabilities of long link chains have negligible net probabilities.**
2. **Decision Gridlock – Every course of action or inaction has a negligible possibility of causing extinction. This makes it impossible to prioritize averting existential risk because doing so would risk extinction.**
3. **It’s the logic of structural violence and oppression**
4. **Don’t evaluate moral uncertainty in debate – everything is uncertain but we need to be sure of arguments for this activity to exist**

### UV Method Cards

**1. They just say performative and localized resistance fails. My alternative is a resistence strategy that materially unites the oppressed against state violence. These don’t take out the K**

### NQ

#### Non unique: ag workers have been on strike since Oct 14th – either strikes fail to solve in a reasonable timeframe or they happen either way

Mordock, Jeff, Oct 14 2021, The Washington Times

On Thursday, **more than 10,000 workers at agricultural equipment manufacturer Deere & Co. went on strike**. They joined **1,400 workers at** the **Kellogg** Co., more than 2,000 nurses and other hospital workers in Buffalo, New York, 700 nurses in Massachusetts and nearly 160 caregivers in Connecticut on the picket lines

### Turn: Anti-union efforts

**The right to strike just leads businesses to take stronger steps to stop unionization – these are extremely effective**

Gordon **Lafer, 20** - ("Fear at work: An inside account of how employers threaten, intimidate, and harass workers to stop them from exercising their right to collective bargaining," Economic Policy Institute, 7-23-2020, https://www.epi.org/publication/fear-at-work-how-employers-scare-workers-out-of-unionizing/)//va

NLRB elections are fundamentally framed by one-sided control over communication, with no free-speech rights for workers. Under current law, employers may require workers to attend mass anti-union meetings as often as once a day (mandatory meetings at which the employer delivers anti-union messaging are dubbed “captive audience meetings” in labor law). Not only is the union not granted equal time, but pro-union employees may be required to attend on condition that they not ask questions; those who speak up despite this condition can be legally fired on the spot.[19](https://www.epi.org/publication/fear-at-work-how-employers-scare-workers-out-of-unionizing/#_note19) The most recent data show that nearly 90% of employers force employees to attend such anti-union campaign rallies, with the average employer holding 10 such mandatory meetings during the course of an election campaign.[20](https://www.epi.org/publication/fear-at-work-how-employers-scare-workers-out-of-unionizing/#_note20) ¶ In addition to group meetings, employers typically have supervisors talk one-on-one with each of their direct subordinates.[21](https://www.epi.org/publication/fear-at-work-how-employers-scare-workers-out-of-unionizing/#_note21) In these conversations, the same person who controls one’s schedule, assigns job duties, approves vacation requests, grants raises, and has the power to terminate employees “at will” conveys how important it is that their underlings oppose unionization. As one longtime consultant explained, a supervisor’s message is especially powerful because “the warnings…come from…the people counted on for that good review and that weekly paycheck.”[22](https://www.epi.org/publication/fear-at-work-how-employers-scare-workers-out-of-unionizing/#_note22) ¶ Within this lopsided campaign environment, the employer’s message typically focuses on a few key themes: unions will drive employers out of business, unions only care about extorting dues payments from workers, and unionization is futile because employees can’t make management do something it doesn’t want to do.[23](https://www.epi.org/publication/fear-at-work-how-employers-scare-workers-out-of-unionizing/#_note23) Many of these arguments are highly deceptive or even mutually contradictory. For instance, the dues message stands in direct contradiction to management’s warnings that unions inevitably lead to strikes and unemployment. If a union were primarily interested in extracting dues money from workers, it would never risk a strike or bankruptcy, because no one pays dues when they are on strike or out of work. But in an atmosphere in which pro-union employees have little effective right of reply, these messages may prove extremely powerful. ¶ It is common for unionization drives to start with two-thirds of employees supporting unionization and still end in a “no” vote. This reversal points to the anti-democratic dynamics of NLRB elections: voters are not being convinced of the merits of remaining without representation—they are being intimidated into the belief that unionization is at best futile and at worst dangerous. When a large national survey asked workers who had been through an election **to name “the most important reason people voted against union representation,” the single most common response was management pressure, including fear of job loss**.[24](https://www.epi.org/publication/fear-at-work-how-employers-scare-workers-out-of-unionizing/#_note24) Those who vote on this basis are not expressing a preferenceto remain unrepresented. Indeed, many might still prefer unionization if they believed it could work. Where fear is the motivator, what is captured in the snapshot of the ballot is not preference but despair. ¶To understand what union elections look like in reality, we have profiled two cases in which workers sought to create a union and met with a harsh (and typical) employer backlash. In both cases—a tire plant in Georgia and a satellite TV company in Texas—the employer response ranges from illegally firing union activists to engaging in

### Solvency

**All of their evidence is about the right to organize, not the right to strike. The plan does nothing because it doesn’t let agricultural workers start unions.**

### Econ link

**1. Turn – the economy is expanding too fast rn so we need to restrict spending to keep prices under control – the link just amplifies the inflation politics DA**

### Food Shortages

1. **The aff links because strikes cause major short term shortages. Strikes only work if they lead to a drop in productivity so either the plan can’t solve or it links to extinction.**
2. **No impact – famine shave happened for centuries w/o nuke war – prefer empirics**

## 1 – T

**Interpretation: The 1AC must defend an unconditional right to strike, no matter the type of strike. To clarify, you can’t specify who strikes.**

**Violation: they specify agricultural workers**

**Standards:**

1. **Semantics: Merriam Webster’s dictionary defines unconditional as “not conditional or limited.” By definition, the aff doesn’t defend an unconditional right to strike if their “unconditional” right only exists under the condition of being an agricultural worker. Negate on presumption because the aff doesn’t provide any evidence for the resolution being a good idea. Prefer semantics because it’s the only predictable standard of what is legitimate ground – anything else forces us to guess what affirms and what negates.**
2. **Neg prep burden: There are many types of strikes and I shouldn’t be expected to have an NC prepared for every one of them. With country-specific affs, adding in strike-specific affs unreasonably explodes neg prep burdens. The aff is especially unfair to small-school debaters like me who have no help cutting cards – I need to cut responses to each type of strike on my own. Two impacts: First, it’s unfair because the aff has an advantage with more prep. Second, it forces debaters to spend too much time prepping – that’s really bad for mental health.**
3. **Clash: I can’t reasonably prep out every type of strike so I’m forced to read generics that aren’t tailored to the 1AC. Lower-quality arguments result in worse debates, harming clash and education.**

**Voters:**

**Fairness is a voter because**

1. **The only way a judge can determine who’s better is if we enter the debate on an even playing field.**
2. **People quit if they lose to unfair arguments so fairness is a prereq to debate’s existence.**

**Education is voter because:**

1. **It’s the only portable benefit of debate.**
2. **It’s the only reason we get funding.**

**Topicality is drop the debater:**

1. **Only DTD enables T to deter bad behavior and be a tool for norm setting.**
2. **Even if it’s drop the argument, you drop the entire 1AC.**

**No RVI’s:**

1. **they’re illogical – it doesn’t make sense to reward someone for being topical.**
2. **RVI’s chill legitimate theory, justifying even more abuse.**

**Competing Interps: Reasonability lets them arbitrarily choose a brightline that favors their arguments – skews fairness.**

## 2 – K

#### **The color line structures modernity – drawn discursively to separate classes/genders/races, it necessitates the political sacrifice of those who are not within our conception of human. Thus, the role of the ballot is to deconstruct the color line.**

Wynter 03 Sylvia Wynter, “Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the Human, After Man, Its Overrepresentation--An Argument,” CR: The New Centennial Review, Volume 3, Number 3, Fall 2003, pp. 257-337, https://doi.org/10.1353/ncr.2004.0015

The Argument proposes that the new master code of the bourgeoisie and of its ethnoclass conception of the human—that is, the code of selected by Evolution/dysselected by Evolution—was now to be mapped and anchored on the only available “objective set of facts” that remained. This was the set of environmentally, climatically determined phenotypical dif- ferences between human hereditary variations as these had developed in the wake of the human diaspora both across and out of the continent of Africa; that is, as a set of (so to speak) totemic differences, which were now harnessed to the task of projecting the Color Line drawn institutionally and discursively between whites/nonwhites—and at its most extreme between the Caucasoid physiognomy (as symbolic life, the name of what is good, the idea that some humans can be selected by Evolution) and the Negroid phys- iognomy (as symbolic death, the “name of what is evil,” the idea that some humans can be dysselected by Evolution)—as the new extrahuman line, or projection of genetic nonhomogeneity that would now be made to function, analogically, as the status-ordering principle based upon ostensibly differential degrees of evolutionary selectedness/eugenicity and/or dysselected- ness/dysgenicity. Differential degrees, as between the classes (middle and lower and, by extrapolation, between capital and labor) as well as between men and women, and between the heterosexual and homosexual erotic preference—and, even more centrally, as between Breadwinner (job- holding middle and working classes) and the jobless and criminalized Poor, with this rearticulated at the global level as between Sartre’s “Men” and Natives (see his guide-quote), before the end of politico-military colonial- ism, then postcolonially as between the “developed” First World, on the one hand, and the “underdeveloped” Third and Fourth Worlds on the other. The Color Line was now projected as the new “space of Otherness” principle of nonhomogeneity, made to reoccupy the earlier places of the motion-filled heavens/non-moving Earth, rational humans/irrational animal lines, and to recode in new terms their ostensible extra-humanly determined differences of ontological substance. While, if the earlier two had been indispen- sable to the production and reproduction of their respective genres of being human, of their descriptive statements (i.e., as Christian and as Man1), and of the overall order in whose field of interrelationships, social hierarchies, system of role allocations, and divisions of labors each such genre of the human could alone realize itself—and with each such descriptive state- ment therefore being rigorously conserved by the “learning system” and order of knowledge as articulated in the institutional structure of each order—this was to be no less the case with respect to the projected “space of Otherness” of the Color Line. With respect, that is, to its indispensability to the production and reproduction of our present genre of the human Man2, together with the overall global/national bourgeois order of things and its specific mode of economic production, alone able to provide the material conditions of existence for the production and reproduction of the ethnoclass or Western-bourgeois answer that we now give to the question of the who and what we are. It is in this context that the Negro, the Native, the Colonial Questions, and postcolonially the “Underdeveloped” or Third/Fourth-Worlds Question can be clearly seen to be the issue, not of our present mode of economic pro- duction, but rather of the ongoing production and reproduction of this answer—that is, our present biocentric ethnoclass genre of the human, of which our present techno-industrial, capitalist mode of production is an indispensable and irreplaceable, but only a proximate function. With this genre of the human being one in the terms of whose dually biogenetic and economic notions of freedom both the peoples of African hereditary descent and the peoples who comprise the damned archipelagoes of the Poor, the jobless the homeless, the “underdeveloped” must lawlikely be sacrificed as a function of our continuing to project our collective authorship of our con- temporary order onto the imagined agency of Evolution and Natural Selection and, by extrapolation, onto the “Invisible Hand” of the “Free Market” (both being cultural and class-specific constructs).

#### The 1AC’s legal recognition of workers rights focuses incompletely on one form of subjugation – their attempt at inclusion only reinforces the color line and defines workers as “Men” in contrast to those considered subhuman. This reifies continued violence against those not recognized as fully human by the state.

Weheliye 14

Weheliye, Alexander. “Habeas Viscus.” Pg. 59-60. Duke University Press, 2014. I don’t have a link but I can send you the pdf.

Alexander Ghedi Weheliye is professor of African American Studies at Northwestern University where he teaches black literature and culture, critical theory, social technologies, and popular culture. He is the author of Phonographies: Grooves in Sonic Afro-Modernity (Duke UP, 2005), which was awarded The Modern Language Association’s William Sanders Scarborough Prize for Outstanding Scholarly Study of Black American Literature or Culture and Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human (Duke UP, 2014). // Park City NL

Paradoxically, the particular biological material in question remains the property, at least nominally, of all humanity and is not proper to Moore the individual person: “Lymphokines, unlike a name or a face, have the same molecular structure in every human being and the same, important functions in every human being's immune system. Moreover, the particular genetic material which is responsible for the natural production of lymphokines, and which defendants use to manufacture lymphokines in the laboratory, is also the same in every person; it is no more unique to Moore than the number of vertebrae in the spine or the chemical formula of hemoglobin.”20 So, while the court grants personhood to human subjects in an individualized fashion that is based on comparatively distinguishing between different humans, when biological material clashes with the interests of capital, the court appeals to the indivisible biological sameness of the Homo sapiens species. Since the court's ruling does not place this slice of human flesh in the commons for all humans to share, it tacitly grants corporations the capability of legally possessing this material with the express aim of generating monetary profit. Considering that corporations enjoy the benefits of limited personhood and the ability to live forever under U.S. law, corporate entities are entrusted with securing the immortal life of biological matter, while human persons are denied ownership of their supposed essence.21 My interest here lies not in claiming inalienable ownership rights for cells derived from human bodies such as Lacks's and Moore's but to draw attention to how thoroughly the very core of pure biological matter is framed by neoliberal market logics and by liberal ideas of personhood as property. We are in dire need of alternatives to the legal conception of personhood that dominates our world, and, in addition, to not lose sight of what remains outside the law, what the law cannot capture, what it cannot magically transform into the fantastic form of property ownership. Writing about the connections between transgender politics and other forms of identity-based activism that respond to structural inequalities, legal scholar Dean Spade shows how **the focus on** inclusion, **recognition**, and equality **based on a** narrow **legal framework** (especially as it pertains to antidiscrimination and hate crime laws) not only **hinders the eradication of violence against** trans people and other **vulnerable populations** but actually creates the condition of possibility for the continued unequal “distribution of life chances.”22 If demanding recognition and **inclusion** remains at the center of minority **politics**, it **will lead only to** a delimited notion of **personhood as property that zeroes in comparatively on only one form of subjugation at the expense of others, thus allowing for the continued existence of hierarchical differences between full humans, not-quite-humans, and nonhumans.** **This can be gleaned from the “successes” of** the **mainstream** feminist, **civil rights**, and lesbian-gay rights **movements**, **which facilitate the incorporation of a privileged minority into the ethnoclass of Man at the cost of the** still and/or newly criminalized and **disposable populations** (women of color, the black poor, trans people, the incarcerated, etc.).23 **To make claims for inclusion and humanity via the U.S. juridical assemblage removes from view that the law itself has been thoroughly violent** in its endorsement of racial slavery, indigenous genocide, Jim Crow, the prison-industrial complex, domestic and international warfare, and so on, **and** that it **continues to be one of the chief instruments in creating and maintaining the racializing assemblages in the world of Man**. Instead of appealing to legal recognition, Julia Oparah suggests counteracting the “racialized (trans)gender entrapment” within the prison-industrial complex and beyond with practices of “maroon abolition” (in reference to the long history of escaped slave contraband settlements in the Americas) to “foreground the ways in which often overlooked African diasporic cultural and political legacies inform and undergird anti-prison work,” while also providing strategies and life worlds not exclusively centered on reforming the law.24 Relatedly, Spade calls for a radical politics articulated from the “ ‘impossible’ worldview of trans political existence,” which redefines “the insistence of government agencies, social service providers, media, and many nontrans activists and nonprofiteers that the existence of trans people is impossible.”25 A relational maroon abolitionism beholden to the practices of black radicalism and that arises from the incompatibility of black trans existence with the world of Man serves as one example of how putatively abject modes of being need not be redeployed within hegemonic frameworks but can be operationalized as variable liminal territories or articulated assemblages in movements to abolish the grounds upon which all forms of subjugation are administered.

#### The 1AC’s assertion that workers deserve rights because of their struggles makes suffering a precondition to legal humanity – forces people to degrade themselves for rights and leads to counterproductive infighting among the oppressed.

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Even though it would be fairly easy to dismiss one position, either the traditionally humanist (suffering is human) or the racially particularistic (suffering is experienced only by those groups upon which it is inflicted), in favor of the other, both these stances rely on the same logic that deems one incompatible with the other, since the humanist brand would erase particularities in favor of a universalist sweep and the particularistic variant insists on its irreducibility by excluding all nonmembers from the group's affliction. Rather than urging us to choose sides, Farah's juxtaposition of these viewpoints draws attention to the ways racialized and gendered suffering at the hands of political brutalization are always already imbricated in the construction of modern humanity. Suffering, especially when caused by political violence, has long functioned as the hallmark of both humane sentience and of inhuman brutality. Frequently, **suffering becomes the defining feature of those subjects excluded from the law**, the national community, humanity, and so on due to the political violence inflicted upon them **even as it**, paradoxically, **grants them access to inclusion and equality**. In western human rights discourse, for instance, the physical and psychic residues of political violence enable victims to be recognized as belonging to the “brotherhood of Man.” Too often, **this tendency not only leaves intact** hegemonic **ideas of humanity as indistinguishable from western Man but demands comparing different forms of subjugation in order to adjudicate who warrants recognition** and belonging. As W. E. B. Du Bois asked in 1944, if the Universal Declaration of Human Rights did not offer provisions for ending world colonialism or legal segregation in the United States, “Why then call it the Declaration of Human Rights?”2 Wendy Brown maintains, “politicized identity” operates “only by entrenching, restating, dramatizing, and inscribing its pain in politics; it can hold out no future...that triumphs over this pain.”3 Brown suggests replacing the identitarian declaration “I am,” which merely confirms and solidifies what already exists, with the desiring proclamation “I want,” which offers a Nietzschean politics of overcoming pain instead of clinging to suffering as an immutable feature of identity politics. While I recognize Brown's effort to formulate a form of minority politics not beholden to the aura of wounded attachments and fixated almost fetishistically on the state as the site of change, we do well to recall that many of the political agendas based on identity (the suffragette movement, the movement for the equality of same-sex marriages, or the various movements for the full civil rights of racialized minority subjects, for instance) are less concerned with claiming their suffering per se (I am) than they are with using wounding as a stepping stone in the quest (I want) for rights equal to those of full citizens. **Liberal governing bodies**, whether in the form of nation-states or supranational entities **such as the U**nited **N**ations **or** the **I**nternational **C**riminal **C**ourt **make** particular forms of **wounding the precondition for** entry into the hallowed halls of full **personhood**, only acknowledging certain types of physical violence. For instance, while the United Nations High Commissioner for Refugees passed a resolution in 2008 that includes rape and other forms of sexual violence in the category of war crimes, there are many forms of sexual violence that do not fall into this purview, and thus bar victims from claiming legal injury and/or personhood.4

#### Legal recognition of rights and personhood exclude those outside legal definitions of humanity and erase those who become human. Just as limited and genocidal court recognition of indigenous sovereignty justified the Dred Scott decision, the 1AC recreates violence against vulnerable flesh and divides the oppressed into distinct groups. Legal personhood and *Habeas Corpus* are constructed in relation to “Man,” a white, male, propertied, liberal subject who reinforces the color line.

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Du Bois asked in 1944, if the Universal Declaration of Human Rights did not offer provisions for ending world colonialism or legal segregation in the United States, “Why then call it the Declaration of Human Rights?”2 Wendy Brown maintains, “politicized identity” operates “only by entrenching, restating, dramatizing, and inscribing its pain in politics; it can hold out no future...that triumphs over this pain.”3 Brown suggests replacing the identitarian declaration “I am,” which merely confirms and solidifies what already exists, with the desiring proclamation “I want,” which offers a Nietzschean politics of overcoming pain instead of clinging to suffering as an immutable feature of identity politics. 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For instance, while the United Nations High Commissioner for Refugees passed a resolution in 2008 that includes rape and other forms of sexual violence in the category of war crimes, there are many forms of sexual violence that do not fall into this purview, and thus bar victims from claiming legal injury and/or personhood.4Even more generally, the acknowledgment and granting of full personhood of those excluded from its precincts requires the overcoming of physical violence, while epistemic and economic brutalities remain outside the scope of the law. Congruently, much of the politics constructed around the effects of political violence, especially within the context of international human rights but also with regard to minority politics in the United States, is constructed from the shaky foundation of surmounting or desiring to leave behind physical suffering so as to take on the ghostly semblance of possessing one's personhood. Then and only then will previously minoritized subjects be granted their humanity as a legal status. Hence, the glitch Brown diagnoses in identity politics is less a product of the minority subject's desire to desperately cling to his or her pain but a consequence of the state's dogged insistence on suffering as the only price of entry to proper personhood, what Samera Esmeir has referred to as a “juridical humanity” that bestows and rescinds humanity as an individualized legal status in the vein of property.5 **Apportioning personhood** in this way **maintains the world of Man and its** attendant **racializing assemblages**, which means in essence that **the entry fee for legal recognition is the acceptance of categories based on white supremacy and colonialism, as well as normative genders and sexualities.** We need only to consult the history of habeas corpus, the “great” writ of liberty, which is anchored in the U.S. Constitution (Article 1, Section 9), to see that this type of reasoning leads to reducing inclusion and personhood to ownership.6 The Latin phrase habeas corpus means “You shall have the body,” and a writ thereof requires the government to present prisoners before a judge so as to provide a lawful justification for their continued imprisonment. This writ has been considered a pivotal safeguard against the misuse of political power in the modern west. Even though the Military Commissions Act of 2006, which denied habeas corpus to “unlawful enemy combatants” imprisoned in Guantanamo Bay, remains noteworthy and alarming, habeas corpus has been used both by and frequently against racialized groups throughout U.S. history, as was the case when habeas corpus was suspended during World War II, allowing for the internment of Japanese Americans. The writ has also led to gains for minoritized subjects as, for instance, in the well-known Amistad case (1839), in which abolitionists used a habeas corpus petition to free the “illegally” captured Africans who had staged a mutiny against their abductors. Likewise, when Ponca tribal leader Standing Bear was jailed as a result of protesting the forcible removal of his people to Indian Territory in 1879, the writ of habeas corpus affected his release from incarceration as well as the judge's recognition that, as a general rule, Indians were persons before U.S. law, even though Native Americans were not considered full U.S. citizens until 1924.7Nevertheless, the benefits accrued through the **juridical acknowledgment** of racialized subjects **as** fully **human** often exacts a steep entry price, because inclusion **hinges on accepting the codification of personhood as property**, which is, in turn, **based on** the comparative **distinction between groups**, as in one of the best-known court cases in U.S. history: the Dred Scott case. In 1857, the Supreme Court invalidated Dred Scott's habeas corpus, since, as an escaped slave, Scott could not be a legal person. According to Chief Justice Taney: “Dred Scott is not a citizen of the State of Missouri, as alleged in his declaration, because he is a ~~negro~~ [black] of African descent; his ancestors were of pure African blood, and were brought into this country and sold as negro slaves.”8 In order to justify withdrawing Dred Scott's legal right to ownership of self, Chief Justice Taney's opinion in the decision contrasts the status of black subjects with the legal position of Native Americans vis-à-vis the possibility of U.S. citizenship and personhood: “The situation of [the ~~negro~~ {black} ] population was altogether unlike that of the Indian race. These Indian Governments were regarded and treated as foreign Governments.... [Indians] may, without doubt, like the subjects of any other foreign Government, be naturalized...and become citizens of a State, and of the United States; and if an individual should leave his nation or tribe, and take up his abode among the white population, he would be entitled to all the rights and privileges which would belong to an emigrant from any other foreign people.”9 While slaves were not accorded the status of being humans that belonged to a different nation, Indians could theoretically overcome their lawful foreignness, but only if they renounced previous forms of personhood and citizenship. Hence, the tabula rasa of **whiteness**—which all groups but blacks can access—**serves as the prerequisite for the law's** magical **transubstantiation** **of a thing** to be possessed **into a** property-owning **subject**.10The judge's comparison underscores the dangers of ceding definitions of personhood to the law and of comparing different forms of political subjugation, since **hypothetical** ~~Indian~~ **[indigenous] personhood in the law rests on attaining whiteness and the violent denial of said status to black subjects.** Additionally, while the court conceded limited capabilities of personhood to indigenous subjects if they chose to convert to whiteness, it did not prevent the U.S. government from instituting various genocidal measures to ensure that American Indians would become white and therefore no longer exist as Indians. In other words, the legal conception of personhood comes with a steep price, as in this instance where being seemingly granted rights laid the groundwork for the U.S. government's genocidal policies against Native Americans, since the “racialization of indigenous peoples, especially through the use of blood quantum classification, in particular follows...‘genocidal logic,’ rather than simply a logic of subordination or discrimination,” and as a result “**whiteness constitutes a project of disappearance for Native peoples** rather than signifying privilege.”11 Beginning in the nineteenth century the U.S. government instituted a program in which Native American children were forcibly removed from their families and placed in Christian day and boarding schools, and which sought to civilize children by “killing the Indian to save the man,” representing one of the most significant examples of the violent and legal enforced assimilation of Native Americans into U.S. whiteness.12 Though there is no clear causal relationship between Taney's arguments in the Scott decision and the boarding school initiative, both establish that **legal personhood is available to indigenous subjects only if the Indian can be killed**—either literally or figuratively—**in order to save the world of Man** (in this case settler colonialism and white supremacy). Furthermore, the denial of personhood qua whiteness to African American subjects does not stand in opposition to the genocidal wages of whiteness bequeathed to indigenous subjects but rather represents different properties of the same racializing juridical assemblage that differentially produces both black and native subjects as aberrations from Man and thus not-quite-human. The writ of **habeas corpus**—**and the law** more generally—anoints those individualized subjects who are deemed deserving with bodies even while this assemblage continually enlists new and/or different groups to exclude, banish, or exterminate from the world of Man. In the end, the law, whether bound by national borders or spanning the globe, **establish**es **an international division of humanity, which grants previously excluded subjects limited access to personhood as property at the same time as it fortifies the supremacy of Man**.13

#### The alternative is to embrace habeas viscus, a definition of human based on the flesh rather than constructs of the body defined in relation to whiteness. Habeas viscus opens avenues for guerrilla warfare as it removes politics from the realm of the Man, instead opting for a collective consciousness of the oppressed.

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Weheliye, Alexander. “Habeas Viscus.” Pg. 95-96. Duke University Press, 2014. I don’t have a link but I can send you the pdf.

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**The** poetics and **politics** that I have been discussing under the heading **of habeas viscus** or the flesh **are concerned** not **with** inclusion in reigning precincts of the status quo but, in Cedric Robinson's apt phrasing, “**the** continuing **development of a collective consciousness informed by the historical struggles for liberation and motivated by the shared sense of obligation to preserve [and** I would add also to **reimagine] the collective being**, the ontological totality.”31 Though the laws of Man place the flesh outside the ferocious and ravenous perimeters of the legal body, habeas viscus defies domestication both on the basis of particularized personhood as a result of suffering, as in human rights discourse, and on the grounds of the universalized version of western Man. Rather, **habeas viscus points to the terrain of humanity as a relational assemblage exterior to the jurisdiction of law** given **that** the law can bequeath or rescind ownership of the body so that it becomes the property of proper persons but **does not possess the authority to nullify the politics and poetics of the flesh found in the traditions of the oppressed**. As a way of conceptualizing politics, then, habeas viscus diverges from the discourses and institutions that yoke the flesh to political violence in the modus of deviance. Instead, it translates the hieroglyphics of the flesh into a potentiality in any and all things, an originating leap in the imagining of future anterior freedoms and new genres of humanity. To envisage habeas viscus as a forceful assemblage of humanity entails leaving behind the world of Man and some of its attendant humanist pieties. As opposed to depositing the flesh outside politics, the normal, the human, and so on, we need a better understanding of its varied workings in order to disrobe the cloak of Man, which gives the human a long-overdue extreme makeover; or, in the words of Sylvia Wynter, “the struggle of our new millennium will be one between the ongoing imperative of securing the well-being of our present ethnoclass (i.e. western bourgeois) conception of the human, Man, which overrepresents itself as if it were the human itself, and that of securing the well-being, and therefore the full cognitive and behavioral autonomy of the human species itself/ourselves.”32 Claiming and **dwelling in the** monstrosity of **the flesh present** some of the **weapons in** the **guerrilla warfare to “secure the full** cognitive and behavioral **autonomy of the human species,” since these liberate from captivity assemblages of life, thought, and politics from the tradition of the oppressed and, as a result, disfigure the centrality of Man as the sign for the human.** As an assemblage of humanity, **habeas viscus** animates the elsewheres of Man and **emancipates the true potentiality that rests in those subjects who live behind the veil of the permanent state of exception**: freedom**; assemblages of freedom** that **sway to the** temporality of new syncopated **beginnings for the human beyond the world** and continent **of Man.**

## 3 – DA

#### Inflation is surging under Biden, paving the way for major GOP victories in 2022, but anti-inflationary policy can save a democratic midterm victory.

Zelizer, PhD, 11/13

Zelizer, Julian. “Biden has to do a whole lot more on inflation.” CNN. 13 November 2021. <https://www.cnn.com/2021/11/13/opinions/inflation-biden-midterms-zelizer/index.html>

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(CNN)In a speech at the Port of Baltimore this week, President Joe Biden [acknowledged](https://www.cnn.com/2021/11/10/politics/biden-baltimore-port-infrastructure/index.html" \t "_blank) that inflation was "worrisome." **With consumer prices increasing 6.2% over** the last **12 months**, the administration understands that it has a problem on its hands. Of course, the primary concern is the economic health of the nation. But **inflation will** also **be a** big political **problem for** the **Democrats in the midterm** campaigns. For all the attention that has been paid to education wars, the anti-vaccination movement or the fallout from Afghanistan, **prices might turn out to be the biggest issue** going into 2022. **The consumer sentiment index**, which measures how optimistic consumers feel about their financial prospects and the economy, **has fallen to the [lowest levels in a decade](https://www.cnn.com/2021/11/12/economy/consumer-sentiment/index.html" \t "_blank)**, according to early November data collected by the University of Michigan. Many **Americans fear the worst**, despite the positive signs, which include a [strong job market](https://www.cnn.com/2021/11/12/economy/consumer-sentiment/index.html" \t "_blank). From the second half of the 20th century onward, **Republicans have used the issue of inflation to combat liberalism. If Biden doesn't do more to address inflation**, and if it doesn't ease up by the time 2022 rolls around, **we will see the GOP weaponizing this issue** against Democrats and the liberal agenda once more -- **with great success, if history is any indication**. In 1952, for example, Republican presidential candidate Dwight Eisenhower focused on prices as a central theme of his campaign, in addition to anti-Communism, the conflict in Korea and the fall of China. After a report from the Bureau of Labor Statistics found the cost of living was rising, the Republican platform included a line that blamed the Truman administration for ["wanton extravagance and inflationary policies."](https://www.presidency.ucsb.edu/documents/republican-party-platform-1952" \t "_blank) Facing off against Adlai Stevenson, who won the Democratic nomination after President Harry Truman decided that he would not run for reelection, Eisenhower produced the first-ever televised political ads, many of which focused on rising prices. In a series of clips titled "Eisenhower Answers America," the candidate responded to questions from Americans, many of whom wanted help with their daily costs of living. In a staged conversation, one woman complained that she had paid 24 dollars for a small bag of groceries that she held up to the camera. "You know what things cost today," another older woman said, "High prices are just driving me crazy." Meanwhile, Republicans blamed inflation on New Deal spending and other government programs. The issue of inflation was front and center yet again in the 1966 midterm campaigns, when the conservative coalition of southern Democrats and Republicans hoped to rebound from their devastating losses in the 1964 election, which ushered in President Lyndon B. Johnson and the Great Society. There were a number of issues that conservatives used in the midterms to cut into Johnson's huge majorities, with the prices of household items being one of them. Even though inflation was under 3%, conservatives argued that growing federal deficits were provoking inflation by pouring too much federal money into the economy. Although inflation remained very low by historical standards, they pointed to the fact that the consumer price index rose by [0.5%](https://fraser.stlouisfed.org/title/cpi-detailed-report-58/february-1966-22064" \t "_blank) in February 1966 -- the largest increase for any February since 1951 during the Korean War. The [price crunch](https://www.amazon.com/Fierce-Urgency-Now-Johnson-Congress/dp/0143128019" \t "_blank) was most apparent in the supermarket. Pork chops, for instance, rose from 65 cents a pound in 1965 to 89 cents a pound in 1966. Besides meat, the price of transportation, medical care and household services increased during this time.According to one internal White House poll, 76% of Californians gave the President unfavorable ratings because of the way he handled the cost of living. President Johnson said that in the 1950s it had been impossible for any politician to visit a home without being asked, "What do you think about McCarthy? In 1966, the inevitable question became: "What do you think about inflation?" The Republican Campaign Committee seized the opportunity and sent out pamphlets that criticized "Great Society play money" and pictured Johnson with the sarcastic words, "Progress is a shrinking dollar." Senate Minority Leader Everett Dirksen stumped for his fellow Republicans in the midterm elections, saying, "Every housewife who shops in a grocery store knows this. They are the living, breathing signs of this destructive burglarizing force." With the issue of inflation on voters' minds, Democrats suffered substantial losses in the midterms. While Democrats retained control of Congress, the size of the conservative coalition grew substantially. Republicans gained 47 seats in the House and 3 seats in the Senate, well above what most pundits were predicting. Inflation would remain an integral part of the conservative playbook in years to come. In 1980, when inflation rose to about 14% while economic growth slowed and the country struggled with stagflation, as it was called -- Republican presidential nominee Ronald Reagan made sure to keep reminding voters about prices. In one ad, a [voice-over](https://www.federalreservehistory.org/essays/great-inflation%20.%20http://www.livingroomcandidate.org/commercials/1980" \t "_blank) blamed President Jimmy Carter for astronomically high inflation rates. In 2021, inflation has once again become a topic of the national conversation, with widespread concern over supply chain disruptions, the price of consumer goods, and the potential for higher interest rates. It's not just that prices are rising -- businesses and consumers alike have experienced the supply chain bottleneck firsthand. Unless conditions change soon, these problems are likely to become a key message of the Republican midterm campaign. This is an issue that hits home, and **the GOP will have little trouble riling up voters** against the current administration and its policies. It might be true, as the economist Paul Krugman [argues](https://www.nytimes.com/2021/11/11/opinion/inflation-history.html" \t "_blank), that this spike is a short-term phenomenon, more akin to what the United States experienced in 1947 than 1979. Regardless, inflation remains a serious political problem for President Biden. For the sake of Democrats**, the President will have to** do more than say the situation is worrisome. He will need to forcefully **address** how he is dealing with these concerns and **how his policies will help to alleviate**, rather than aggravate, the **underlying pressures** causing Americans to pay more for their goods.

#### Agricultural strikes but Biden under pressure from both labor leaders and consumers - means democratic losses during the midterm elections.

Mordock 10/14

Mordock, Jeff, October 14 2021 The Washington Times

The **unrest in** industries including **agriculture** and film production threatens to further undermine an economy wracked by rising inflation. It also **sets up a political test for Mr. Biden, who** **doesn’t want to risk his support among labor leaders** **but needs to get soaring prices under control before** next year’s **midterm** elections. “These strikes are going to have an impact,” said Paul Clark, a professor of labor studies at Penn State University. “**When employers raise wages, they raise prices to recapture what they are paying in higher labor costs**, so we will see some of that.” Mark Mix, the president of the National Right to Work Legal Defense Foundation, a conservative anti-union advocacy group, said inflation is a factor in the labor unrest. He noted that workers want higher wages to offset increased costs “When a mom goes to the store and sees a box of cereal costs $5, she is going to demand more wages,” he said. “The price pull of inflation is something that is very much in play in the market.” If the **strikes** **result in higher prices** of goods such as cereal and farm equipment, Mr. **Biden will have a tougher economic environment to navigate.** National **polls** and focus groups have **found that many Americans are worried about inflation** and rising costs.

#### 2022 is key to advance climate initiatives that could make a huge difference in preventing fatal increases in global temperatures

**Piotrowski et al 20** (\*Matt Piotrowski is the Director of Policy and Research at Climate Advisers. \*Emma McMahon is an MBA candidate at the Yale School of Management. \*Josh McBee is a Policy and Research Associate at Climate Advisers. \*Kyle Saukas is a Communications Manager at Climate Advisers. 12-14-2020, "Biden’s Climate Path Through the 2022 Midterms," Climate Advisers. Published 12-14-2020, accessed 7-24-21. https://climateadvisers.org/blogs/bidens-climate-path-up-to-the-2022-midterms/)

Beyond 2021 Although the configuration of the current Senate is not yet decided, political operatives are already looking forward to the 2022 mid-term election. If Democrats do not win both special elections in Georgia in January 2021, they will not have the majority in the Senate, which, as noted in earlier blogs, will greatly hamper the Democrats’ legislative agenda and make wide-ranging climate legislation a virtual impossibility. However, they could capture the majority in 2022. U.S. Senators serve six-year terms, meaning that the same seats are up for re-election on a rotating six-year schedule. The seats up for re-election in 2022 pose better opportunities for Democratic gains than did the elections in 2018 or 2020, with three vulnerable Republican seats (see Figure 1 below). Figure 1. 2022 Senatorial Election Map Source: Ballotpedia and Climate Advisers It is too soon to tell what will happen in the mid-term elections, but the most recent data show Republicans are well-positioned to take back the House. Still, some Democrats are confident they can hold onto the House**. If Democrats win majorities in both houses** of Congress **in 2022**, then **the second half of the Biden administration’s term could**, unusually, **be more productive** than his first. **This would give him greater opportunity to pass comprehensive climate legislation, which could include a carbon tax, major investments in green technology and infrastructure, and regulation of the energy sector**. If Republicans maintain their lead in the Senate, with or without a majority in the House, it is unlikely that any of these would pass during Biden’s presidency. With Congress shifting its focus to the mid-term elections in 2022, the Biden administration will still take advantage of its ability to advance climate initiatives in the executive branch. Increasing the use of clean fuels through government procurement, particularly in the military, is one major goal. The U.S. government spends approximately $500 billion per year on procurement, providing a large opportunity to develop a zero-emission transportation fleet. There will also be opportunities in rewriting agency rules and regulations (President Trump rolled back more than 100 environmental rules), increasing research and development in programs such as the Department of Energy’s Advanced Research Projects Agency-Energy, and prioritizing the climate issue in diplomacy.

#### Climate change causes extinction

**Ruiter 17** Zach **Ruiter 17**, environmental reporter for Now Toronto and Torontoist, citing 15, 364 scientists from 184 countries in ‘World Scientists’ Warning to Humanity: A Second Notice’, 11-22-17, “Are we headed for near-term human extinction?” https://nowtoronto.com/news/are-we-headed-for-near-term-human-extinction/

A “warning to humanity” raising the spectre “of potentially catastrophic climate change... from burning fossil fuels, deforestation and agricultural production – particularly from farming ruminants for meat consumption,” was published in the journal BioScience last week. More than 15,000 scientists from 184 countries endorsed the caution, which comes on the 25th anniversary of a letter released by the Union of Concerned Scientists in 1992, advising that “a great change in our stewardship of the earth and the life on it is required, if vast human misery is to be avoided.” A quarter century on, what gets lost in the dichotomy between climate change believers and deniers is that inaction and avoidance in our daily lives are forms of denial, too. And what most of us are collectively denying is the **mounting evidence** that **points to** a worst-case scenario unfolding of **near-term human extinction.** Exponential climate change In 2015, 195 countries signed the Paris Climate Agreement to limit the rise in global temperature to below 2 degrees Celsius to avoid dangerous climate change. But none of the major industrialized countries that signed the agreement are currently on track to meet the non-binding targets. The Trump administration has indicated the United States will withdraw from the agreement entirely. In July, a study in the peer-reviewed journal, Proceedings Of The National Academy Of Sciences Of The United States Of America, claimed “biological annihilation via the ongoing **sixth mass extinction**” is underway. And that “all signs point to ever more powerful assaults on biodiversity in the next two decades, painting a dismal picture of the future of life, including human life,” the study states. According to scientists, **the majority of previous mass extinctions in the geologic record were characterized by abrupt warming** between 6 to 7 degrees Celsius. As recently as 2009, British **government scientists warned of a possible catastrophic 4 degrees Celsius global temperature increase by 2060.** As Howard Lee wrote in the Guardian in August, “**Geologically fast build-up of greenhouse gas linked to warming**, **rising sea-levels**, **widespread oxygen-starved ocean dead zones** **and ocean acidification** **are** fairly **consistent across the mass extinction events, and those** same symptoms **are happening today** as a result of **human-driven climate change**.” Runaway climate change is non-linear. Shifts can be exponential, abrupt and massive due to climate change “feedbacks,” which can amplify and diminish the effects of climate change. Here are five you need to know about: 1. Climate lag Temperature increases lag by about a decade, according to NASA’s Earth Observatory. “Just as a speeding car can take some time to stop after the driver hits the brakes, the earth’s climate systems may take a while to reflect the change in its energy balance.” According to a NASA-led study released in July 2016, “Almost one-fifth of the global warming that has occurred in the past 150 years has been missed by historical records due to quirks in how temperatures were recorded.” Adding the climate lag to the current level of global temperature increase would take us past the 2-degree Paris Agreement climate target within a decade. 2. Ice-free Arcti Dr. Peter Wadhams of the Polar Ocean Physics Group at Cambridge University told The Independent more than a year ago that the central part of the Arctic and the North Pole could be ice-free within one to two years. Not only will melting Arctic sea ice **raise global sea levels**, it will also allow the earth to absorb more heat from the sun because ice reflects the sun’s rays while blue open water absorbs it. One study in the Proceedings Of The National Academy Of Sciences Of The United States Of America estimates the extra heat absorbed by the dark waters of the Arctic in summer would add the equivalent of another 25 per cent to **g**lobal **g**reen**h**ouse **g**a**s** emissions. 3. The 50 gigaton methane “burp” Dr. Natalia Shakhova, of the University of Alaska Fairbanks’ International Arctic Research Center has warned that a 50-gigaton burp, or “pulse,” of methane from thawing Arctic permafrost beneath the East Siberian Arctic Shelf is “highly possible at any time.” Methane is a greenhouse gas much more potent than carbon dioxide. A 50 gigaton burp would be the equivalent of roughly two-thirds of the total carbon dioxide released since the beginning of the industrial era. 4. Accelerated ocean acidification The world’s oceans are carbon sinks that sequester a third of the carbon dioxide released into the atmosphere. The carbon dioxide emitted in addition to that which is produced naturally has changed the chemistry of seawater. The carbon in the oceans converts into carbonic acid, which lowers pH levels and makes the water acidic. As of 2010, the global population of phytoplankton, the microscopic organisms that form the basis of the ocean’s food web, has fallen by about 40 per cent since 1950. Phytoplankton also absorb carbon dioxide and produce **half of the world’s oxygen output.** The accelerating loss of ocean biodiversity and continued overfishing may result in a collapse of all species of wild seafood by 2048, according to a 2006 study published in the journal Science. 5. From global warming to global dimming The Canadian government recently announced plans to phase out coal-fired electricity generation by 2030. But at the same time as warming the planet, pollution from coal power plants, airplanes and other sources of industrial soot, aerosols and sulfates are artificially cooling the planet by filling the atmosphere with reflective particles, a process known as global dimming. Airplanes, for example, release condensation trails (or contrails) that form cloud cover that reflects the sun. The effects of global dimming are best evidenced by a 2 degree Celsius temperature increase in North America after all commercial flights were grounded for three days following the attacks of 9/11. The take-away Out of control climate change means feedback mechanisms may accelerate **beyond any capacity of human control**. The occurrences discussed in this article are five of some 60 known weather-related phenomenon, which can lead to what climate scientist James Hansen has termed the “Venus Syndrome,” where oceans would boil and the surface temperature of earth could reach 462 degrees Celsius. Along the way humans could expect to die in **resource wars**, starvation due to food systems collapse or **lethal heat exposure**. Given all that remains unknown and what is at stake with climate change, is it irresponsible to rule out the possibility of **human extinction**in the coming decades or sooner?

## More Case?

### Strikes Fail: Multi-warrant

#### Strikes fail: two-tier agreements, financially unstable unions, and scabs all undermine effectiveness

Garneau 19

Garneau, Marianne. “Why don’t strikes achieve more?” 1 May, 2019. *Organizing Work.* <https://organizing.work/2019/05/why-dont-strikes-achieve-more/>

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Last week social media and the labor press were filled with triumphant celebration of the strike at Stop & Shop, which saw some 31,000 workers off the job, and then of its resolution with a new collective agreement. There has been considerable [excitement](https://wagingnonviolence.org/2019/04/labor-organizer-jane-mcalevey-strikes-trump-era/" \t "_blank) on the [left](https://jacobinmag.com/2019/04/strike-jeremy-brecher-interview-teachers" \t "_blank) lately about strikes in general, especially since, for a long time, that tactic lay somewhat dormant. With strikes on the [uptick](https://www.democracynow.org/2019/2/15/headlines/more_us_workers_went_on_strike_in_2018_than_in_any_year_in_three_decades" \t "_blank), the left is primed to view this as a hopeful turnaround, signaling labor’s re-consolidation of its power. However, there is sometimes a troubling news cycle in all of this. Basically: a union goes out on strike, it all looks very exciting, the left cheers the worker militancy, then notice of a settlement comes down, the union writes a press release declaring victory, and the left affirms the power of labor.  If you read the content of the collective bargaining agreements, though, there is often less reason to be enthusiastic. **In three strikes that were settled in the past few weeks**—Stop & Shop, the Saskatoon Co-op, and the Chicago Symphony Orchestra—all of the **contracts involved the introduction of a two-tier system**. This is one of the worst moves a union can make.  A two-tier system stipulates different employment terms for future employees than for current employees, or for full-timers versus part-timers, etc. In the case of the [Saskatoon Co-op](https://organizing.work/2019/04/saskatoon-co-op-strike-ends-with-two-tier-contact/" \t "_blank), new employees will top out at a lower wage, and will take longer to reach that maximum wage. In the case of [Stop & Shop](https://www2.bostonglobe.com/business/2019/04/22/stop-shop-agreement-seen-win-for-workers/riq8cmn40UGDp3wylfSdGM/story.html" \t "_blank), new part-timers (the majority of the workforce is part-time) lose out on time-and-a-half pay, and get lower pension contributions. In the case of the [Chicago Symphony Orchestra](https://www.nytimes.com/2019/04/27/arts/music/chicago-symphony-strike.html" \t "_blank), future hires are losing guaranteed pensions in favor of riskier defined-contribution plans. **Two-tier contracts divide the workforce**, pitting different groups of workers against each other. **Existing employees or senior employees take a superior deal for themselves, and in so doing, burn future hires or those less senior**. **This is toxic to worker solidarity and undermines the overall power of workers**—ensuring they’ll be weaker for future job actions like strikes. When a union signs a two-tier contract, it signals to the workforce that what they really are is a craft union for the high-seniority, full-time staff, with everyone else invited to fight for one of those spots, if they remain accessible at all. Two-tier contracts are a short-sighted move by the union and a long-game strategic move by the boss. They allow a union to settle a strike with their existing members keeping what they have (and maybe making a few gains elsewhere), while selling out future workers. Employers get to look forward to lower employment costs down the road, not to mention a divided workforce. Unions are also in effect selling out their future selves. **The upper tier of workers** whose interests they serve better **shrinks over time**, as those workers retire or leave. **The workers who remain are less powerful. That means the union is less powerfu**l. It may still have membership numbers and dues income, but its workforce is more vulnerable, and the union is bargaining from a weaker position going forward. Acknowledging that unions are signing two-tier or rollback contracts is demoralizing. It is especially so at a time when labor is supposed to be in a strong bargaining position because of a decent economy with low unemployment. If strikes are the best tactic labor has, and the economic circumstances are in our favor, why are unions signing crappy contracts? There are a number of factors that contain how effective strikes can be, and impel unions to settle them. For one thing, they are expensive. **If a union is providing** even **minimal strike pay, it needs** a war chest of **millions of dollars to** be able to **support** even **a few hundred workers. Strikes** drain union coffers, and they **take a financial, physical, and emotional toll on workers** as well, who aren’t usually earning as much in strike pay as they would on the job, while getting yelled at or hit by cars or freezing on the picket line. Quite often, **strikes don’t succeed in** completely **shutting down a business**, not least **because employers can** legally **hire scabs**. The product may suffer, and employers may take a hit, but they can hobble along (while draining the union’s bank account). (A note on the alleged $100 million loss suffered by Stop & Shop during the recent strike, which leftists also celebrated: that figure was put out by the [employer](https://www.masslive.com/boston/2019/04/stop-shop-owner-says-11-day-strike-cost-company-about-100-million.html" \t "_blank), and is more than double an estimate put forward by an [industry analyst](https://www.newhavenindependent.org/index.php/archives/entry/pyrrhic_victory/" \t "_blank). We should always remain skeptical about boss communications. In this case, they may be crying poverty to get workers to sign the proposed collective agreement.) Sometimes strikes end because of government intervention, as when workers are [legislated back to work](https://organizing.work/2018/11/canada-post-strikes-and-occupations-end-as-workers-legislated-back-to-work/" \t "_blank), or [fired en masse](https://www.politico.com/story/2017/08/05/reagan-fires-11-000-striking-air-traffic-controllers-aug-5-1981-241252" \t "_blank). Less dramatically, the government can intervene to bring about some kind of settlement in the form of binding arbitration. Sometimes employers even goad unions into striking, knowing what a heavy toll strikes take. If an employer knows they can weather a strike much better than the union, they are perfectly incentivized to provoke one and [starve the union out](https://labornotes.org/2006/11/viewpoint-looking-back-northwest-strike" \t "_blank). The bottom line is that strikes, under the current labor relations system, are not the slam-dunk tactic the left takes them to be. Strikes can only take place when the contract has expired, and once the membership has been balloted. This means that the employer has years to prepare, knowing when the contract is set to expire. They probably even know roughly how long the strike can last. They’ve also seen strikes before, and aren’t bowled over by them. There is no element of surprise. They know the union won’t do anything too drastic like occupy the workplace or chain the doors shut. They hire scabs, they manage public relations (often by crying poverty or publicly claiming the union won’t come to the table), and they wait it out. Of course we in left labor circles sympathize with strikers and see their cause as morally and politically righteous. But sympathy is one matter, and clear-eyed analysis is another. That we wish workers victory does not mean we suspend judgement about the effectiveness of their tactics. Nor is any of this meant to judge or condemn unions for choosing the tactics that they do. Instead, it is about zooming out and understanding what factors are constraining the situation in general. When leftists picture strikes, they are probably in part remembering black-and-white images of workers in the 1910s and 1920s streaming out of factories and mines and violently clashing with Pinkerton guards. But strikes have been tamed by the labor relations framework established by the Wagner Act (the National Labor Relations Act) of 1935 and the Taft-Hartley Act of 1947. Those legislative measures were passed in response to massive upheaval, in which workers shut down production with strikes, or employers shut down production with lockouts. The goal of the Wagner Act is right there in its full title: “to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce.” The NLRA forced employers to sit down and bargain with workers, not out of a desire to strengthen workers as a class, but to funnel disputes between workers and bosses into a less disruptive process – in boardrooms and away from the shopfloor — so that economic production could continue. Taft-Hartley further contained strikes in numerous ways, again in response to creative and effective forms of economic disruption, by outlawing sympathy strikes, political strikes, “wildcat” strikes taken without the authorization of union leadership, secondary picketing and boycotts, and so on. Under this legal framework, strikes are a blunted tactic, quite intentionally so. They do accomplish something – in each of the three cases described above, workers would almost certainly have got a worse deal had they not struck. There are also strikes that yield apparently better deals, such as the [contract](https://labornotes.org/2018/12/marriott-hotel-strikers-set-new-industry-standard" \t "_blank) bargained by Unite Here with Marriott hotels – arguably in part because contracts at seven different bargaining units expired simultaneously, allowing almost 8,000 workers to strike at once. But strikes don’t change the big-picture balance of power between employers and workers. Most of the time, strikes are like a fistfight in which one side gets a bloody nose, the other gets a black eye, and each walks away saying “You shoulda seen the other guy.” At best, a win looks like giving the other side two wounds while you only suffer one.

#### The problem with worker organization isn’t the right to strike- it’s companies taking deliberate anti-union action, which the aff doesn’t solve. Means the aff can never solve.

Heidi **Shierholz, 20** - ("Weakened labor movement leads to rising economic inequality," Economic Policy Institute, 1-27-2020, 11-4-2021https://www.epi.org/blog/weakened-labor-movement-leads-to-rising-economic-inequality/)//AW

The basic facts about inequality in the United States—that for most of the last 40 years, pay has stagnated for all but the highest paid workers and inequality has risen dramatically—are widely understood. What is less well-known is the role the decline of unionization has played in those trends. The share of workers covered by a collective bargaining agreement dropped from 27 percent to 11.6 percent between 1979 and 2019, meaning the union coverage rate is now less than half where it was 40 years ago. Research shows that this de-unionization accounts for a sizable share of the growth in inequality over that period—around 13–20 percent for women and 33–37 percent for men. Applying these shares to annual earnings data reveals that working people are now losing on the order of $200 billion per year as a result of the erosion of union coverage over the last four decades—with that money being redistributed upward, to the rich. The good news is that restoring union coverage—and strengthening workers’ abilities to join together to improve their wages and working conditions in other ways—is therefore likely to put at least $200 billion per year into the pockets of working people. These changes could happen through organizing and policy reform. Policymakers have introduced legislation, the Protecting the Right to Organize (PRO) Act, that would significantly reform current labor law. Building on the reforms in the PRO Act, the Clean Slate for Worker Power Project proposes further transformation of labor law, with innovative ideas to create balance in our economy. How is it that de-unionization has played such a large role in wage stagnation for working people and the rise of inequality? When workers are able to join together, form a union and collectively bargain, their pay goes up. On average, a worker covered by a union contract earns 13.2 percent more than a peer with similar education, occupation and experience in a non-unionized workplace in the same sector. Furthermore, the benefits of collective bargaining extend well beyond union workers. Where unions are strong, they essentially set broader standards that non-union employers must match in order to attract and retain the workers they need and to avoid facing an organizing drive. The combination of the direct effect of unions on their members and this “spillover” effect to non-union workers means unions are crucial in fostering a vibrant middle class—and has also meant that as unionization has eroded, pay for working people has stagnated and inequality has skyrocketed. Unions also help shrink racial wage gaps. For example, black workers are more likely than white workers to be represented by a union, and black workers who are in unions get a larger boost to wages from being in a union than white workers do. This means that the decline of unionization has played a significant role in the expansion of the black–white wage gap. But isn’t the erosion of unionization because workers don’t want unions anymore? No—survey data show that in fact, a higher share of non-union workers say they would vote for a union in their workplace today than did 40 years ago. Isn’t the erosion of unionization due to the shifts in employment from manufacturing to service-producing industries? No again—changing industry composition explains only a small share of the erosion of union coverage. What has caused declining unionization? One key factor is fierce corporate opposition that has smothered workers’ freedom to form unions. Aggressive anti-union campaigns—once confined to the most anti-union employers—have become widespread. For example, it is now standard, when workers seek to organize, for their employers to hire union avoidance consultants to coordinate fierce anti-union campaigns. We estimate that employers spend nearly $340 million per year hiring union avoidance advisers to help them prevent employees from organizing. And though the National Labor Relations Act (NLRA) makes it illegal for employers to intimidate, coerce or fire workers in retaliation for participating in union-organizing campaigns, the penalties are grossly insufficient to provide a meaningful disincentive for such behavior. This means employers often engage in illegal activities, such as threatening to close the worksite, cutting union activists’ hours or pay, or reporting workers to immigration enforcement authorities if employees unionize. In at least 1 in 5 union elections, employers are charged with illegally firing workers involved in organizing. In the face of these attacks on union organizing, policymakers have egregiously failed to update labor laws to balance the system. Fundamental reform is necessary to build worker power and guarantee all workers the right to come together and have a real voice in their workplace.