# Off

## 1

**A just government ought to recognize the right of workers to strike except for police officers.**

**Police Strikes are used to combat racial progress and attempts to limit police power. Making them legal and easier only make progress much harder.**

Andrew **Grim 2020** What is the ‘blue flu’ and how has it increased police power? <https://www.washingtonpost.com/outlook/2020/07/01/what-is-blue-flu-how-has-it-increased-police-power/>

But the result of such protests matter deeply as we consider police reform today. Historically, **blue flu strikes have helped expand police power, ultimately limiting the ability of city governments to reform, constrain or conduct oversight over the police**. They **allow the police to leverage public fear of crime to extract concessions from municipalities.** This became clear in Detroit more than 50 years ago. In June 1967, tensions arose between Detroit Mayor Jerome Cavanagh and the Detroit Police Officers Association (DPOA), which represented the city’s 3,300 patrol officers. The two were at odds primarily over police demands for a pay increase. Cavanagh showed no signs of caving to the DPOA’s demands and had, in fact, proposed to cut the police department’s budget. On June 15, the DPOA escalated the dispute with a walkout: 323 officers called in sick. The number grew over the next several days as the blue flu spread, reaching a height of 800 absences on June 17. In tandem with the walkout, the DPOA launched a fearmongering media campaign to win over the public. They took out ads in local newspapers warning Detroit residents, “How does it feel to be held up? Stick around and find out!” This campaign took place at a time of rising urban crime rates and uprisings, and only a month before the 1967 Detroit riot, making it especially potent. The DPOA understood this climate and used it to its advantage. **With locals already afraid of crime and displeased at Cavanagh’s failure to rein it in, they would be more likely to demand the return of the police than to demand retribution against officer**s for an illegal strike. The DPOA’s strategy paid off. The walkout left Detroit Police Commissioner Ray Girardin feeling “practically helpless.” “I couldn’t force them to work,” he later told The Washington Post. Rather than risk public ire by allowing the blue flu to continue, Cavanagh relented. Ultimately, the DPOA got the raises it sought, making Detroit officers the highest paid in the nation. This was far from the end of the fight between Cavanagh and the DPOA. In the ensuing months and years, **they continued to tussle over wages, pensions, the budget, the integration of squad cars and the hiring of black officers.**The threat of another blue flu loomed over all these disputes, helping the union to win many of them. And Detroit was not an outlier. Throughout the 1960s, ’70s and ’80s, the blue flu was a [ubiquitous and highly effective](https://www.akpress.org/our-enemies-in-blue.html) tactic in Baltimore, Memphis, New Orleans, Chicago, Newark, New York and many other cities. In most cases, as author Kristian Williams writes, “When faced with a walkout or slowdown, the authorities usually decided that the pragmatic need to get the cops back to work trumped the city government’s long term interest in diminishing the rank and file’s power.” But each time a city relented to this pressure, they ceded more and more power to police unions, which would turn to the strategy repeatedly to defend officers’ interests — **particularly when it came to efforts to address systemic racism in police policies and practices.** In 1970, black residents of Pittsburgh’s North Side neighborhood raised an outcry over the “hostile sadistic treatment” they experienced at the hands of white police officers. They lobbied Mayor Peter F. Flaherty to assign more black officers to their neighborhood. The mayor agreed, transferring several white officers out of the North Side and replacing them with black officers. While residents cheered this decision, white officers and the Fraternal Order of Police (FOP), which represented them, were furious. They slammed the transfer as “discrimination” against whites. About 425 of the Pittsburgh Police Department’s 1,600 police officers called out sick in protest. Notably, black police officers broke with their white colleagues and refused to join the walkout. They praised the transfer as a “long overdue action” and viewed the walkout as a betrayal of officers’ oath to protect the public. Nonetheless, the tactic paid off. After several days, Flaherty caved to the “open revolt” of white officers, agreeing to halt the transfers and instead submit the dispute to binding arbitration between the city and the police union. Black officers, though, continued to speak out against their union’s support of racist practices, and many of them later resigned from the union in protest. Similar scenarios played out in Detroit, Chicago and other cities in the 1960s and ’70s, as **white officers continually staged walkouts to preserve the segregated status quo in their departments**. These blue flu **strikes amounted to an authoritarian power grab by police officers bent on avoiding oversight, rejecting reforms and shoring up their own authority**. In the aftermath of the 1967 Detroit walkout, a police commissioner’s aide strongly criticized the police union’s strong-arm tactics, saying “it smacks of a police state.” The clash left one newspaper editor wondering, “Who’s the Boss of the Detroit Police?” But in the “law and order” climate of the late 1960s, such criticism did not resonate enough to stir a groundswell of public opinion against the blue flu. And police unions dismissed critics by arguing that officers had “no alternative” but to engage in walkouts to get city officials to make concessions. Crucially, the very effectiveness of the blue flu may be premised on a myth**. While police unions use public fear of crime skyrocketing without police on duty**, in many cases,**the absence of police did not lead to a rise in crime**. In New York City in 1971, [for example](https://untappedcities.com/2020/06/12/the-week-without-police-what-we-can-learn-from-the-1971-police-strike/), 20,000 officers called out sick for five days over a pay dispute without any apparent increase in crime. The most striking aspect of the walkout, as one observer noted, “might be just how unimportant it seemed.” Today, municipalities are under immense pressure from activists who have taken to the streets to protest the police killings of black men and women. Some have already responded by enacting new policies and cutting police budgets. As it continues, **more** blue flus **are likely to follow as officers seek to wrest back control of the public debate on policing and reassert their independence.**

**Those strikes cement a police culture which leads to endless amounts of racist violence and the bolstering of the prison industrial complex.**

**Chaney and Ray 13**, Cassandra (Has a PhD and is a professor at LSU. Also has a strong focus in the structure of Black families) , and Ray V. Robertson (Also has a PhD and is a criminal justice professor at LSU). "Racism and police brutality in America." *Journal of African American Studies* 17.4 (2013): 480-505. SM//do I really need a card for this

Racism and Discrimination According to Marger (2012), “racism is an ideology, or belief system, designed to justify and rationalize racial and ethnic inequality” (p. 25) and “discrimination, most basically, is behavior aimed at denying members of particular ethnic groups’ equal access to societal rewards” (p. 57). Defining both of these concepts from the onset is important for they provide the lens through which our focus on the racist and discriminatory practices of law enforcement can occur. Since the time that Africans [African Americans] were forcibly brought to America, they have been the victims of racist and discriminatory practices that have been spurred and/or substantiated by those who create and enforce the law. For example, The Watts Riots of 1965, the widespread assaults against Blacks in Harlem during the 1920s (King 2011), law enforcement violence against Black women (i.e., Malaika Brooks, Jaisha Akins, Frankie Perkins, Dr. Mae Jemison, Linda Billups, Clementine Applewhite) and other ethnic women of color (Ritchie 2006), the beating of Rodney King, and the deaths of Amadou Diallo in the 1990s and Trayvon Martin more recently are just a few public examples of the historical and contemporaneous ways in which Blacks in America have been assaulted by members of the police system (King 2011; Loyd 2012; Murch 2012; Rafail et al. 2012). In Punishing Race (2011), law professor Michael Tonry’s research findings point to the fact that Whites tend to excuse police brutality against Blacks because of the racial animus that they hold against Blacks. Thus, to Whites, Blacks are viewed as deserving of harsh treatment in the criminal justice system (Peffley and Hurwitz 2013). At first glance, such an assertion may seem to be unfathomable, buy that there is an extensive body of literature which suggests that Black males are viewed as the “prototypical criminal,” and this notion is buttressed in the media, by the general public, and via disparate sentencing outcomes (Blair et al. 2004; Eberhardt et al. 2006; Gabiddon 2010; Maddox and Gray 2004; Oliver and Fonash 2002; Staples 2011). For instance, Blair et al. (2004) revealed that Black males with more Afrocentric features (e.g., dark skin, broad noses, full lips) may receive longer sentences than Blacks with less Afrocentric features, i.e., lighter skin and straighter hair (Eberhardt et al. 2006). Shaun Gabiddon in Criminological Theories on Race and Crime (2010) discussed the concept of “Negrophobia” which was more extensively examined by Armour (1997). Negrophobia can be surmised as an irrational of Blacks, which includes a fear of being victimized by Black, that can result in Whites shooting or harming an AfricanAmerican based on criminal/racial stereotypes (Armour 1997). The aforementioned racialized stereotypical assumptions can be deleterious because they can be used by Whites to justify shooting a Black person on the slightest of pretense (Gabiddon 2010). Finally, African-American males represent a group that has been much maligned in the larger society (Tonry 2011). Further, as victims of the burgeoning prison industrial complex, mass incarceration, and enduring racism, the barriers to truly independent Black male agency are ubiquitous and firmly entrenched (Alexander 2010; Chaney 2009; Baker 1996; Blackmon 2008; Dottolo and Stewart 2008; Karenga 2010; Martin et al. 2001; Smith and Hattery 2009). Thus, racism and discrimination heightens the psychological distress experienced by Blacks (Robertson 2011; Pieterse et al. 2012), as well as their decreased mortality in the USA (Muennig and Murphy 2011). Police Brutality Against Black Males According to Walker (2011), police brutality is defined as “the use of excessive physical force or verbal assault and psychological intimidation” (p. 579). Although one recent study suggests that the NYPD has become better behaved due to greater race and gender diversity (Kane and White 2009), Blacks are more likely to be the victims of police brutality. A growing body of scholarly research related to police brutality has revealed that Blacks are more likely than Whites to make complaints regarding police brutality (Smith and Holmes 2003), to be accosted while operating [driving] a motorized vehicle (“Driving While Black”), and to underreport how often they are stopped due to higher social desirability factors (TomaskovicDevey et al. 2006). Interestingly, data obtained from the General Social Survey (GSS), a representative sample conducted biennially by the National Opinion Research Center at the University of Chicago for the years 1994 through 2004, provide further proof regarding the acceptance of force against Blacks. In particular, the GSS found Whites to be significantly (29.5 %) more accepting of police use of force when a citizen was attempting to escape custody than Blacks when analyzed using the chi-squared statistical test (p The average Southern policeman is a promoted poor White with a legal sanction to use a weapon. His social heritage has taught him to despise the Negroes, and he has had little education which could have changed him….The result is that probably no group of Whites in America have a lower opinion of the Negro people and are more fixed in their views than Southern policeman. (Myrdal 1944, pp. 540–541) Myrdal (1944) was writing on results from a massive study that he undertook in the late 1930s. He was writing at a time that even the most conservative among us would have to admit was not a colorblind society (if one even believes in such things). But current research does corroborate his observations that less educated police officers tend to be the most aggressive and have the most formal complaints filed against them when compared to their more educated counterparts (Hassell and Archbold 2010; Jefferis et al. 2011). Tonry (2011) delineates some interesting findings from the 2001 Race, Crime, and Public Opinion Survey that can be applied to understanding why the larger society tolerates police misconduct when it comes to Black males. The survey, which involved approximately 978 non-Hispanic Whites and 1,010 Blacks, revealed a divergence in attitudes between Blacks and Whites concerning the criminal justice system (Tonry 2011). For instance, 38 % of Whites and 89 % of Blacks viewed the criminal justice system as biased against Blacks (Tonry 2011). Additionally, 8 % of Blacks and 56 % of Whites saw the criminal justice system as treating Blacks fairly (Tonry 2011). Perhaps most revealing when it comes to facilitating an environment ripe for police brutality against Black males, 68 % of Whites and only 18 % of Whites expressed confidence in law enforcement (Tonry 2011). Is a society wherein the dominant group overwhelming approves of police performance willing to do anything substantive to curtail police brutality against Black males? Police brutality is not a new phenomenon. The Department of Justice (DOJ) office of Civil Rights (OCR) has investigated more than a dozen police departments in major cities across the USA on allegations of either racial discrimination or police brutality (Gabbidon and Greene 2013). To make the aforementioned even more clear, according to Gabbidon and Greene (2013), “In 2010, the OCR was investigating 17 police departments across the country and monitoring five settlements regarding four police agencies” (pp. 119–120). Plant and Peruche (2005) provide some useful information into why police officers view Black males as potential perpetrators and could lead to acts of brutality. In their research, the authors suggest that since Black people in general, and Black males in particular, are caricatured as aggressive and criminal, police are more likely to view Black men as a threat which justifies the disproportionate use of deadly force. Therefore, it is not beyond the realm of possibility that police officers’ decisions to act aggressively may, to some extent, be influenced by race (Jefferis et al. 2011). The media’s portrayals of Black men are often less than sanguine. Bryson’s (1998) work in this area provides empirical evidence that the mass media that has been instrumental in portraying Black men as studs, super detectives, or imitation White men and has a general negative effect on how these men are regarded by others. Such characterizations can be so visceral in nature that “prototypes” of criminal suspects are more likely to be African-American (Oliver et al. 2004). Not surprisingly, the more Afrocentric the African-American’s facial features, the more prone he or she is expected to be deviant (Eberhardt et al. 2006). Interestingly, it is probable that less than flattering depictions of Black males on television and in news stories are activating pre-existing stereotypes possessed by Whites as opposed to facilitating their creation. According to Oliver et al. (2004), “it is important to keep in mind that media consumption is an active process, with viewers’ existing attitudes and beliefs playing a larger role in how images are attended to, interpreted, and remembered” (p. 89). Moreover, it is reductionist to presuppose that individual is powerless in constructing a palatable version of reality and is solely under the control of the media and exercises no agency. Lastly, Peffley and Hurwitz (2013) describe what can be perceived as one of the more deleterious results of negative media caricatures of Black males. More specifically, the authors posit that most Whites believe that Blacks are disproportionately inclined to engage in criminal behavior and are the deserving on harsh treatment by the criminal justice system. On the other hand, such an observation is curious because most urban areas are moderate to highly segregated residentially which would preclude the frequent and significant interaction needed to make such scathing indictments (Bonilla-Silva 2009). Consequently, the aforementioned racial animus has the effect of increased White support for capital punishment if questions regarding its legitimacy around if capital punishment is too frequently applied to Blacks (Peffley and Hurwitz 2013; Tonry 2011). Ultimately, erroneous (negative) portrayals of crime and community, community race and class identities, and concerns over neighborhood change all contribute to place-specific framing of “the crime problem.” These frames, in turn, shape both intergroup dynamics and support for criminal justice policy (Leverentz 2012).

## 2

#### The “right to strike” is a tactic of neoliberal legalism and gets circumvented. The state is thus able to decide legitimate parameters for violence and insulate itself from anticapitalist action.

Crépon 19 – Marc Crépon is a professor of philosophy at the École Normale Supérieure, Paris. (“The Right to Strike and Legal War in Walter Benjamin’s “Toward the Critique of Violence”,” August 2019, pg. 252-253)

If we wish to understand how the question of the right to strike arises for Walter Benjamin in the seventh paragraph of his essay “Zur Kritik der Gewalt,” it is important to first analyze the previous paragraph, which concerns the state’s monopoly on violence. It is here that Benjamin questions the argument that such a monopoly derives from the impossibility of a system of legal ends to preserve itself as long as the pursuit of natural ends through violent means remains. Benjamin responds to this dogmatic thesis with the following hypothesis, arguably one of his most important reflections: “To counter it, one would perhaps have to consider the surprising possibility that law’s interest in monopolizing violence vis-à-vis the individual is explained by the intention not of preserving legal ends, but rather of preserving law itself. [This is the possibility] that violence, when it does not lie in the hands of law, poses a danger to law, not by virtue of the ends that it may pursue but by virtue of its mere existence outside of law.”1

In other words, nothing would endanger the law more than the possibility of its authority being contested by a violence over which it has no control. The function of the law would therefore be, first and foremost, to contain violence within its own boundaries. It is in this context that, to demonstrate this surprising hypothesis, Benjamin invokes two examples: the right to strike guaranteed by the state and the law of war.

Let us return to the place that the right to strike occupies within class struggle. To begin with, the very idea of such a struggle implies certain forms of violence. The strike could then be understood as one of the recognizable forms that this violence can take. However, this analytical framework is undermined as soon as this form of violence becomes regulated by a “right to strike,” such as the one recognized by law in France in 1864. What this recognition engages is, in fact, the will of the state to control the possible “violence” of the strike. Thus, the “right” of the right to strike appears as the best, if not the only, way for the state to circumscribe within (and via) the law the relative violence of class struggles. We might consider this to be the perfect illustration of the aforementioned hypothesis. Yet, there are two lines of questioning that destabilize this hypothesis that we would do well to consider.

First, is it legitimate to present the strike as a form of violence? Who has a vested interest in such a representation? In other words, how can we trace a clear and unequivocal demarcation between violence and nonviolence? Are we not always bound to find residues of violence, even in those actions that we would be tempted to consider nonviolent? The second line of questioning is just as important and is rooted in the distinction established by Georges Sorel, in his Reflections on Violence, between the “political strike” and the “proletarian general strike,” to which Benjamin dedicates a set of complementary analyses in §13 of his essay. Here, again, we are faced with a question of limits. What is at stake is the possibility for a certain type of strike (the proletarian general strike) to exceed the limits of the right to strike— turning, in other words, the right to strike against the law itself. The phenomenon is that of an autoimmune process, in which the right to strike that is meant to protect the law against the possible violence of class struggles is transformed into a means for the destruction of the law. The difference between the two types of strikes is nevertheless introduced with a condition: “The validity of this statement, however, is not unrestricted because it is not unconditional,” notes Benjamin in §7. We would be mistaken in believing that the right to strike is granted and guaranteed unconditionally. Rather, it is structurally subjected to a conflict of interpretations, those of the workers, on the one hand, and of the state on the other. From the point of view of the state, the partial strike cannot under any circumstance be understood as a right to exercise violence, but rather as the right to extract oneself from a preexisting (and verifiable) violence: that of the employer. In this sense, the partial strike should be considered a nonviolent action, what Benjamin named a “pure means.”

#### Neoliberalism is unsustainable and causes extinction.

von Weizsäcker and Wijkman 17 – Ernest Ulrich von Weizsäcker, Professor and Director of the United Nation Centre for Science and Technology for Development, Founder and President of the Wuppertal Institute, Member of the German Bundestag, chairing the Committees on Globalization and the Environment, Dean of the graduate School of Environmental Science and Management at the University of California, appointed Co-Chair of UNEP’s International Resource Panel, Anders Wijkman, chairman of the Swedish Association of Recycling Industries, member of the Board of the Swedish Development Authority (SIDA), appointed chair of the Swedish Cross-Party Committee on Environmental Objectives, member of the European Parliament, Assistant Secretary-General of the United Nations and Policy Director of UNDP, Secretary General of the Swedish Red Cross and Director General of the Swedish Agency for Research Cooperation with Developing Countries, Member of the Swedish Royal Academy of Sciences, the World Future Council and the International Resource Panel, 2017 (“Come On! Capitalism, Short-termism, Population and the Destruction of the Planet – A Report to the Club”, November 11th, Available Online via Subscription to Springer, Accessed 03-20-2018)

1.1 Introduction: The World in Disarray We all know that the world is in crisis. Science tells us that almost half of the top soils on earth have been depleted in the last 150 years1 ; nearly 90% of fish stocks are either overfished or fully fished.2 Climate stability is in real danger (Sects. 1.5 and 3.7); and the earth is now in the sixth mass extinction period in history.3 Perhaps the most accurate account of the ecological situation is the 2012 ‘Imperative to act’,4 launched by all the 18 recipients (till 2012) of the Blue Planet Prize, including Gro Harlem Brundtland, James Hansen, Amory Lovins, James Lovelock and Susan Solomon. Its key message reads, ‘The human ability to do has vastly outstripped the ability to understand. As a result, civilization is faced with a perfect storm of problems, driven by overpopulation, overconsumption by the rich, the use of environmentally malign technologies and gross inequalities’. And further, ‘The rapidly deteriorating biophysical situation is barely recognized by a global society infected by the irrational belief that physical economies can grow forever’. 1.1.1 Different Types of Crisis and a Feeling of Helplessness The crisis is not cyclical but growing. And it is not limited to the nature around us. There are also a social crisis, a political and a cultural crisis, a moral crisis, as well as a crisis of democracy, of ideologies and of the capitalist system. The crisis also consists of deepened poverty in many countries and the loss of jobs for a considerable part of the population worldwide. Billions of people have reached a state of mind where they don’t trust their government anymore.5 Seen from a geographic point of view, symptoms of crisis are found nearly everywhere. The ‘Arab Spring’ was followed by a series of wars and civil wars, serious human rights violations and many millions of refugees. The internal situation is not better in Eritrea, South Sudan, Somalia, Yemen or Honduras. Venezuela and Argentina, once among the richer states of the world, face huge economic challenges, and neighbouring Brazil has gone through many years of recession and political turmoil. Russia and several East European countries are struggling with major economic and political problems in their post-communist phase. Japan finds it difficult to overcome decadelong stagnation, and to deal with the 2011 tsunami and ensuing nuclear disaster. And the temporary economic upswing several African countries have enjoyed lost its dynamism as soon as the prices of mineral resources collapsed, and partly due to very unusual droughts. Land grabbing is plaguing much of Africa, but also other parts of the world, leading to involuntary dislocations of millions of people and the related problems with refugees both within countries and abroad.6 The response of governments has been concentrated, at worst, on managing their own political image, and at best to treat the symptoms of the crisis, not the cause. The problem is that the political class in the whole world is strongly influenced by investors and by powerful private companies. This indicates that the current crisis is also a crisis of global capitalism. Since the 1980s, capitalism has moved from furthering the economic development of countries, regions and the world towards maximizing profits, and then to a large extent profits from speculation. In addition, the capitalism unleashed since 1980 in the Anglo-Saxon world, and since 1990 worldwide, is mainly financial. This trend was supported by excessive deregulation and liberalization of the economy (see Sect. 2.4). The term ‘shareholder value’ popped up in the business pages of the media worldwide, as if that was now the new epiphany and guardrail for all economic action. In reality, it served to narrow business down to short-term gains, often at the expense of social and ecological values. The myth of shareholder value has been effectively debunked in a recent book by Lynn Stout.7 A different, if related, feature of ‘disarray’ is the rise of aggressive, mostly rightwing movements against globalization in OECD countries, often referred to as populism. These have become overt through Brexit and the Trump victory in the United States. As Fareed Zakaria observes, ‘Trump is part of a broad populist

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upsurge running through the Western world. … In most (countries), populism remains an opposition movement, although one that is growing in strength; in others, such as Hungary, it is now the reigning ideology’.8 This phenomenon of right-wing populism can be explained to an extent by the ‘trunk valley of the elephant curve’ (Fig. 1.1) 9 showing the decline of developed world middle classes, during a 20-year period. While more than half of the world’s population was enjoying over 60% income rises, OECD’s middle classes suffered losses caused mainly by the deindustrialization and job losses in major parts of the United States, Britain and other countries. In the United States, the median income increased by a meagre 1.2% since 1979. The stunning income growth on the left-hand side of the curve, the ‘back of the elephant’, lifting some two billion people out of poverty, was caused mainly by China’s and some other countries’ economic success. What remains invisible on the picture is the far end of ‘the trunk of the elephant’: The richest 1% of the world and, more revolting, the richest eight persons of the world now own as much wealth as the poorest half of the world population combined, a figure publicized by Oxfam during the 2017 World Economic Forum.10 The ‘elephant curve’ gives an incomplete picture for a second reason. The Oxford Poverty and Human Development Initiative (OPHI) has proposed a Multidimensional Poverty Index (MPI) going beyond just income and including ten indicators around health, education and living standards. Using that MPI, OPHI counts 1.6 billion people living in ‘multidimensional poverty’ in 2016 – nearly twice as many as the number of people living in extreme poverty measured by income alone.11 Thirdly, the interpretation of the curve requires an analysis of the people in each percentile group. In fact, they tend to move. And the curve does not distinguish those in Russia and East European countries who lost much of their income after 1990 from those in Detroit or middle England who, for very different reasons, also were among the losers.12 Another fact cannot be seen in the picture: the massive shift of money and income from the manufacturing and trade sectors to the financial sector.13 Bruce Bartlett, a senior policy advisor to both the Reagan and Bush administrations, argues that this ‘financialization’ of the economy is the cause of income inequality, falling wages and the poor performance. David Stockman, Reagan’s director of the Office of Management and Budget, agrees, describing our current situation as ‘corrosive financialization that has turned the economy into a giant casino since the 1970s’.14 Populist politicians in the OECD countries see themselves as speaking for the forgotten ‘ordinary’ people and for genuine patriotism, but they tend to fight and antagonize the people representing democratic institutions – what an irony! For the European Union (EU), the strongest trigger for populism has been the millions of refugees who came or would like to come to Europe from the Near East, from Afghanistan and from Africa. Even the most generous European countries have reached their own assumed limits for receiving these masses of refugees. The EU institutions were too weak (not too powerful, as they are depicted by the new nationalists) to deal with the ‘refugee crisis’, resulting eventually in an identity crisis in the EU. Once a success story of an entity ensuring peace and economic development, the EU has lost some of its unifying narrative. The populist right-wing movements or parties see and criticize the EU as the culprit for all kinds of undesired events. The irony is that continuing the success story would require more, not less, powers for the Union. The Union should be entrusted with border protection, a well-funded common asylum and refugee policy to deal with the refugee crisis and maintain the advantages of the Schengen agreement. And for the re-stabilization of the Euro, the EU or at least the Euro zone needs a common fiscal policy, as the new French President Emmanuel Macron is proposing. But it is these very measures of which nationalist populists are most afraid. The EU in its present form is not without shortcomings. Free market principles have come to dominate EU policymaking, leading to a subordination of other policies, like environment. Notably the UK wanted that priority, as it preferred to see the EU chiefly as a union for mutual trade. And the austerity policies pursued have blocked many benign investments and led to unnecessary suffering among tens of millions of Europeans. Such shortcomings, however, should never be used to put in question the overall objectives of the EU – a union of peace, the rule of law, human rights, cultural understanding and sustainability. Addressing the global crisis of democracy, the German Bertelsmann Foundation has published a 3000-page empirical report on progress (or lack thereof) on democracy and a social market economy, as measured by the Bertelsmann Transformation Index (BTI).15 Over the last few years, the report sees a consistent decay of such parameters as civil rights, free and fair elections, freedom of opinion and of press, freedom of assembly and separation of powers. Within the same time frame, the number of countries in which authoritarian, mostly religious, dogmas influence political decision making rose from 22% to 33%. That report was published before the assaults on democracy and civil rights that occurred in summer 2016 in Turkey or the Philippines. Symptoms of tyranny are spreading, including in some of the countries with a solid tradition of freedom and democracy.16 Let us briefly turn to a different kind of crisis. Well, not exactly a crisis but an unpleasant feature in an otherwise fruitful communication tool, the ‘social media’. Aside from being practical and useful for everyday arrangements and exchange of news and reasonable opinions, social media also have become vehicles for enhancing conflicts and vilification of mostly innocent individuals, and for spreading ‘post truth’ nonsense. Much of the contents of social media political conversation is selfenhancing political rubbish, as those media serve as ‘echo chambers’ for networks of like-minded frustrated citizens.17 An empirical study from China found that anger and indignation are the emotions that are most likely to get viral in the social media, meaning they are multiplied faster and stronger than other emotions.18 The Internet and the social media are also vehicles for ‘bots’ (short for robots) that can disrupt or destroy messages, multiply nonsense and create all kinds of mischief. There are dozens of types of malicious bots (and botnets) to harvest email addresses, to grab content of websites and reuse it without permission, to spread viruses and worms, to buy up good seats for entertainment events, to increase views for YouTube videos or to increase traffic counts in order to extract money from advertisers. A more frightening cause of disarray relates to terrorism. In earlier times, humanity’s violent conflicts occurred mostly between different countries. In recent times, systemic and at least partly religious conflicts prevail, using terror attacks with the explicit intention of making people feel insecure. During much of the twentieth century, religions remained quiet, non-aggressive and geographically confined to rather stable territories. This no longer is true. Partly because of globalized populations moving or being forced to leave their home territories, some factions of Islam have expanded geographically and are claiming strong influence over national states, for example, attacking countries like France with its tradition of laicism that does not permit religion to dominate politics. What tends to be underrepresented in the media is the positive role of religions. In Christian-dominated Europe, liberal and tolerant religion became part of the European identity a century after the Enlightenment successfully discredited the earlier doctrinaire, authoritarian and colonialist-missionary manifestations of the faith. During the Cold War, Christian goals of social cohesion helped build the system of ‘Western values’, often described as the social welfare state, or the ‘social market economy’ (for its partial demise, see Sect. 2.4). With a view towards leading Islam into an equally benign and co-operative social role, some Islamic scholars, such as Syrian born Bassam Tibi, call on Muslims in Europe to integrate into democratic society.19 Tibi, however, is not popular among radical Muslims, to put it mildly. But to understand the radicalization of Islam, one must not underestimate the role played by the West, in particular the United States, in interfering with Near Eastern states. Some would say that the troublesome situations mentioned so far, the recurring topics of media headlines, are only the surface of our world’s ‘disarray’. Deeper and more systemic problems include the breath-taking speed of technological development that may very easily run out of control. One trend is digitization that potentially threatens millions of jobs (see Sect. 1.11.4). Another trend or development can be observed in the biological sciences and technologies. The enormous acceleration of genetic engineering through the CRISPR-Cas9 technology20 is causing fears of monster creation or the extinction of species or varieties not seen as valuable under human utilitarian criteria. Generally, a non-specific feeling is spreading that ‘progress’ has scary sides and that the genie may already have left the bottle (see Sect. 1.11.3). No doubt there is a need to analyse and understand the symptoms and roots of the variety of crises, political, economic, social, technological and environmental. It is also important to recognize the extent to which people perceive the various phenomena of disarray and feel disoriented, and to recognize that the reality and the feelings of disarray have a moral and even religious dimension. 1.1.2 Financialization: A Phenomenon of Disarray An important part of the disorientation relates to financial markets. Historians will look back at the last 30 years with concern, when looking at the explosion in bank balance sheets, backed up by declining levels of equity and massive borrowing. One of the results was a temporary private-sector-led boom. The other was a massive increase in the world’s financial sector (finance, insurance, real estate – FIRE), often called financialization, and subsequently the financial crisis of 2008–2009. Excessive risk-taking developed into a crisis that was close to bringing the whole financial system to a halt. When the bubble burst, many governments were forced to step in with broad support programmes. Governments caught by the new mind-set (see Sect. 2.4) were intimately involved in all of this. True, there are many examples of serious malpractices within the private financial sector. But had it not been for the systematic deregulation of the banks by governments, with the purpose of stimulating economic growth by issuing more debt, the situation would have been radically different. The causes behind the crisis were many and varied: – Excessive lending by the banking industry – Lack of action on the part of regulators and central banks to stop (i) excessive lending, (ii) the spread of exotic financial instruments (synthetic assets and bonds, collateralized mortgage obligations/CMOs, structured debt issues, etc.) and (iii) pure speculative transactions – Opaque tax havens, and the absence of a binding legal framework that is accepted and implemented by the international community, in general, and the major jurisdictions and financial centres – Securitization and distribution by investment banks and other financial actors of mortgage-related assets and investment vehicles transferring the credit risk from the original lender to the ultimate bondholders – Failure by some rating agencies and auditing firms to properly assess and report the inherent risks posed by many of the financial products A deeper analysis is presented by economists Anat Admati and Martin Hellwig21 about the main causes behind the financial crisis. Western banks borrowed far too much with far too little equity in their balance sheets to act as a buffer if things went wrong in their business – from trading in the multitrillion-dollar derivatives markets to often reckless lending on real estate. In the decades following the Second World War, banks operated with between 20% and 30% of their liabilities as equity. By 2008, that had shrunk to just 3%. Banks obviously believed that they had invented instruments that removed the risk, allowing them to run their banks with a tenth of the buffer they had before. It proved to be very unrealistic. But they counted with the state to underwrite their risks. Bankers have enriched themselves spectacularly in the process. They made themselves ‘too big to fail’ – and too big to jail. The 2008 financial crisis was mostly caused by that irresponsible greed.22 Yet, in 2009, not only did bankers avoid criminal prosecutions and receive hundreds of billions in government bailouts, but some still paid themselves record bonuses. At the same time, almost nine million households in the United States had to abandon their homes when the value of their houses plummeted and they could no longer service the adjustable-rate mortgages – the so-called foreclosure crisis.23 Financialization refers to the dominance of the financial sector in the global economy and the tendency for accumulated profits (and leverage) to flow into real estate and other speculative investment. Debt is an intrinsic element in this process. In the United States, for example, both household debt and private sector debt more than doubled relative to GDP between 1980 and 2007.24 The same is true for most OECD countries. At the same time, ‘the value of financial assets grew from four times GDP in 1980 to ten times GDP in 2007 and the finance sector’s share of corporate profits grew from about 10% in the early 1980s to almost 40% by 2006’.25 Adair Turner, chair of the UK’s Financial Services Authority in the years following the 2007–2008 crisis, regards unchecked private credit creation as the key system fault that led to that crisis with its devastating consequences.26 From this follows that the financial sector constitutes a significant and increasing risk factor in the economy. The degree of financialization varies from country to country but the increase in the power of finance is general. The current finance sector evolved in the context of the deregulation that gathered pace from the late 1970s and expanded dramatically after the 1999 removal of the separation between commercial and investment banking in the United States.27 This barrier had been put in place in 1933 by the Roosevelt administration in response to the Wall Street Crash of 1929, when a period of rampant credit creation and financial speculation collapsed. Similar speculation preceded the crisis of 2007–2008: The face value of financial products reached US$640 trillion in September 2008, 14 times the GDP of all the countries on earth.28 Lietaer et al.29 compare speculation with ordinary money transfers paying for goods and services: ‘In 2010, the volume of foreign exchange transactions reached $4 trillion per day’, which does not even include derivatives. In comparison, ‘one day’s exports or imports of all goods and services in the world amount to about 2% of those $4 trillion’. Transactions not paying for goods and services, almost by definition are speculative. Such financial products and transactions, the authors continue, lead regularly to monetary crashes, sovereign debt crises and systemic crashes with an average of more than ten countries in crisis every year. One of the consequences of this development is that a significant part of economic growth has been distributed to the wealthy, as mentioned with the new Oxfam figures in the previous subchapter. Practices within the financial sector demonstrate a disregard for the impact they have on both people and the planet. That includes a distinct short-termism, the ratio of banks’ reserves to their loans, the ratio of banks’ lending that support the real economy versus speculation in property and derivatives, unchecked credit creation – in fact money creation – and the failure to account for long-term climate and environmental risks. In the words of Otto Scharmer at MIT,30 ‘We have a system that accumulates oversupply of money in areas that produce high financial and low environmental and social returns, while at the same an undersupply of money in areas that serve important societal investment needs’. The failure to account for environmental risks means that the pressure on already scarce natural resources accelerates – trees are felled, waterways polluted, wetlands drained and the exploitation of oil, gas and coal accelerating, as long as there is demand. It also means that huge savings, among them pension funds, are locked into investments in fossil-based assets. Such assets are increasingly looked upon as high-risk assets (see Sect. 3.4).

#### Vote neg to refuse the aff’s neoliberal legalism and endorse a democratic approach to law. This is a prerequisite to effective reform.

Grewal and Purdy 17 – David Grewal, Associate Professor at Yale Law School, Jedediah Purdy, Robinson O. Everett Professor at Duke Law School, November 6th ("Law & Neoliberalism," Law and Political Economy, Available online at <https://lpeblog.org/2017/11/06/law-neoliberalism/>, Accessed 04-20-2019)

What do neoliberal arguments look like in practice? Broadly speaking, they treat market-modeled transactions as normative – natural, obviously desirable, self-evidently the sort of thing the Constitution protects, etc. – and abstract away from considerations of distribution and attention to competing values, especially democratic ones. So, you might notice that you are invited to consider the Coase theorem throughout law school, but not an equally utopian image of egalitarianism. You might observe the ease with which the Supreme Court extends protection of free speech to spending money, first in political campaigns, then in advertising and even transfers of marketing data with no evident relation to public debate, let alone to any clear conception of what role democratic decisions ought to play in balancing and controlling, rather than channeling, concentrations of private wealth. You might notice how little attention the abortion-rights portion of your constitutional law class pays to cases permitting Congress to prohibit public spending on abortions, or to the larger question (to which these policies are central) of how meaningful the right can be in the absence of a medical infrastructure in which to exercise it. You might ask how the field of antitrust came to be dominated by wealth-maximizing efficiency analysis when it was historically rooted in a conception of the way that productive capital and other economic power and roles should be distributed among members of a democracy. Neoliberal arguments are not necessarily coded in legal culture as right-wing or as “about the economy.” Sometimes, instead, they carry forward “public-law” values of freedom and equality in ways that are indifferent to the context of political economy. An urgent and genuine defense of abortion rights may be desperately incomplete if it takes the Supreme Court’s cues and ignores the dimension of medical infrastructure. A poetic invocation of the principle of Brown v. Board of Education may translate into a constitutional ban on the government’s taking account of structural inequality in formulating race-conscious policies. A poetic account of the dignity of democracy may conclude by insisting that unlimited campaign spending confirms that the people rule. (These examples are not invented.) Neoliberalism doesn’t replace public-law or even “progressive” commitments with economic reductionism, but instead bolsters versions of these commitments that tend to neglect the deeper logic of law’s involvement in political economy. There are often powerful, elegant, or simply very interesting arguments for neoliberal positions, from Hayek’s account of law as a kind of information-processing system for economic life to the doctrinal steps involved in extending free-speech protection to campaign spending. Nothing here is intended to suggest that calling these examples “neoliberalism” could be an excuse for not paying them close attention and trying to learn from them. But these forms of argument and habits of thought have been extremely powerful in legal practice, scholarship, and teaching. Identifying neoliberalism as a form of legal reasoning is a way of getting to grips with the law’s under-engagement with themes of political economy: the ways that economic and political life are mutually shaped by the medium of law, and always involve competing ways of balancing or integrating competing conceptions of efficiency, democracy, liberty, equality, and so forth. The family of arguments that we are calling neoliberal should be understood as interested participants in this inevitable contest, not as rising above it or providing the only possible terms in which to conduct it. Stepping outside neoliberal arguments can be an essential first step in imagining the law and political economy of a democratic society of equals.

## ~~3~~

#### ~~A just government, except for the United States, ought to recognize an unconditional right of workers to strike.~~

#### ~~The Supreme Court of the United States ought to recognize the unconditional right to strike.~~

#### ~~The courts are ignoring liberal values now which collapses legitimacy~~

~~Douglas 9/21 [Lawrence Douglas is a professor of law at Amherst College in Massachusetts. September 21, 2021. “To protect the supreme court’s legitimacy, a conservative justice should step down”~~ [~~https://www.theguardian.com/commentisfree/2021/sep/21/supreme-court-legitimacy-conservative-justice-step-down Accessed 10/4~~](https://www.theguardian.com/commentisfree/2021/sep/21/supreme-court-legitimacy-conservative-justice-step-down%20Accessed%2010/4) ~~//gord0]~~

~~In Planned Parenthood v Casey, a landmark decision from 1992, the US supreme court memorably~~ [~~noted~~](https://www.law.cornell.edu/supct/html/91-744.ZO.html) ~~that its “power lies … in its legitimacy”. If the people come to question the court’s legitimacy, they will cease to accept the “the Judiciary as fit to determine what the Nation’s law means and to declare what it demands”.~~

~~It appears that Justices Clarence Thomas and~~ [~~Amy Coney Barrett~~](https://www.theguardian.com/us-news/amy-coney-barrett) ~~share these worries. In separate remarks this month, both justices sought to assure the public that, in Coney Barrett’s words, “this court is not comprised of a bunch of partisan hacks”. Thomas said much the same, seeking to disabuse his listeners of the belief that justices “are just always going right to [their] personal preference”.~~

~~Triggering the justices’ concerns was the withering criticism that has been directed at the court’s recent decision to leave in place, at least for now, a Texas law that turns ordinary citizens into de facto bounty hunters empowered to sue anyone who performs or “aids and abets” an abortion for a woman past her sixth week of pregnancy. The Texas law cannot be squared with the court’s ruling in Planned Parenthood, which recognized that a “woman’s right to terminate her pregnancy before viability … is a rule of law and a component of liberty we cannot renounce”. To renounce that principle, the court warned, would cause “profound and unnecessary damage to the Court’s legitimacy, and to the Nation’s commitment to the rule of law”. But that is precisely what the court did in letting Texas’s transparently unconstitutional law take legal effect.~~

~~But far from recognizing or examining their own role in contributing to the erosion of the court’s legitimacy, the two justices turned to other precincts to assign blame. It’s the media, Thomas~~ [~~whined~~](https://www.foxnews.com/politics/clarence-thomas-media-supreme-court-texas-abortion)~~, that are “destroying our institutions” – this from a justice who dissented from the court’s refusal to hear Trump’s challenge to a Pennsylvania state court decision that extended the deadline for the receipt of mail-in ballots by three days. Thomas acknowledged that the volume of mail-ins at stake had no material bearing on the outcome of the Pennsylvania race; all the same, he was prepared – in a stunning display of either partisanship or tone-deafness – to have the supreme court, scant weeks after the 6 January insurrection, offer tacit support to Trump’s attack on the 2020 election results. And, in now blaming the media for the court’s self-inflicted wounds, Thomas is effectively echoing Trump’s toxic rhetoric about “fake news”. Who is the institution-destroyer here?~~

~~Alas, Justice Coney Barrett joined Thomas in attacking the press. The media, she~~ [~~charged~~](https://slate.com/news-and-politics/2021/09/amy-coney-barrett-nonpartisan-supreme-court.html)~~, makes decisions such as the Texas case “seem results-oriented”. It is worth noting that the justice made her remarks at the McConnell Center at the University of Louisville, with Senator Mitch McConnell, the center’s namesake, in attendance. It was McConnell, of course, who in the wake of Ruth Bader Ginsburg’s death six weeks before the 2020 election, pushed through Coney Barrett’s nomination, in transparent violation of the very justification he had offered four years earlier to deny President Obama the right to name a justice to fill a court vacancy that ultimately went to Neil Gorsuch. That McConnell’s cynical manipulation of the rules was designed to compose a court that would produce dependably conservative results appears lost on Coney Barrett. Indeed, it was her vote that was determinative in the Texas case. Had Ginsburg still been on the court, the decision would have gone 5-4 the other way. McConnell secured the results he wanted.~~

~~If Coney Barrett were genuinely concerned with promoting the court’s legitimacy, she might consider resigning. Or rather, she and Gorsuch might agree to flip a coin to decide who should leave the court. If presidents do not get to replace justices in an election year, then Coney Barrett’s confirmation is illegitimate; and if presidents do get to replace, then Gorsuch’s confirmation must be illegitimate. You can’t have it both ways – not if you believe that the composition of the court should be the product of a principled process.~~

~~Coney Barrett appears to willfully overlook the fact that she has been elevated to a rarefied position through a tarnished process that will taint all decisions in which her vote plays a crucial role. And just as we might hope that a person who, through no fault of their own, has come into possession of a good not rightfully theirs, would return that object, Coney Barrett and Gorsuch could do the right thing for the nation by agreeing that one of them should step down.~~

~~Clearly, this isn’t going to happen. Yet it would powerfully bolster the legitimacy of a court the very composition of which smacks of illegitimacy.~~

#### ~~Guaranteeing workers right to strike is mega-liberal which reverses conservative patterns~~

~~Pope 18 [James Gray Pope. Professor Pope received an A.B. and J.D. from Harvard, and a Ph.D. in politics from Princeton. From 1974 to 1980, he worked in the metal trades and was an active member of the International Association of Machinists and the Industrial Union of Marine and Shipbuilding Workers. After law school, he clerked for Chief Justice Rose Elizabeth Bird of the California Supreme Court. Prior to joining the Rutgers faculty in 1986, he was associated with the Boston law firm of Segal, Roitman & Coleman, where he represented labor unions and workers.~~

~~Professor Pope is a member of the National Lawyers Guild and serves on the Executive Council of the Rutgers AAUP/AFT (AFL-CIO). His articles about workers’ rights, constitutional law, and labor history have appeared in a wide variety of publications including the~~*~~Columbia Law Review~~*~~,~~*~~Law & History Review~~*~~, the~~*~~Michigan Law Review~~*~~, the~~ *~~University of Pennsylvania Law Review~~*~~, the~~*~~Texas Law Review~~*~~, the~~*~~Yale Law Journal~~*~~,~~ *~~Labor History~~*~~,~~*~~New Labor Forum~~*~~(with Peter Kellman & Ed Bruno), and~~*~~Working USA~~* ~~(also with Kellman & Bruno). September, 2018. “Labor’s right to strike is essential”~~ [~~https://www.psc-cuny.org/clarion/september-2018/labor%E2%80%99s-right-strike-essential~~](https://www.psc-cuny.org/clarion/september-2018/labor%E2%80%99s-right-strike-essential) ~~Accessed 10/4 //gord0]~~

~~Twenty-eighteen has seen a long-overdue resurgence in strike activity. Most spectacularly, public school teachers in the deep-red states of West Virginia, Oklahoma, Kentucky and Arizona struck despite laws prohibiting public worker strikes. So strong was their public support that none of the Republican-dominated governments in those states dared to enforce the anti-strike laws. Instead of complaining about the teachers’ disruptive tactics, parents joined their calls for more public funding and higher teacher salaries. For the first time in decades, the Republicans’ low-tax and anti-public-education policies faced a serious challenge in the red-state heartland.~~

~~So why did two leading New York Democrats effectively come out and say that teachers and other public workers who strike should be fired and fined? The Democrats are the pro-labor party, right? Not judging from the pronouncements of Governor Andrew Cuomo or Mayor Bill de Blasio. Both came out in support of the New York Taylor Law’s draconian strike ban, which makes red-state anti-strike laws look like pieces of fluff.~~

~~Strikers can be fired and fined for peacefully refusing to work, but their leaders can be jailed and their unions fined millions of dollars. Officials have no discretion to grant amnesty in a strike settlement. Under the Taylor Law, the red-state teachers would have been punished notwithstanding the justice of their cause or the extent of their public support. So repressive is the law that it has been condemned by the Committee on Freedom of Association of the International Labor Organization, a tripartite body that includes employer representatives. The next time a Republican governor works up the nerve to enforce anti-strike laws against public workers, they’ll have the satisfaction of piggybacking on those Democratic friends of labor, Cuomo and de Blasio.~~

**~~POLITICAL CLIMATE~~**

~~What provoked Cuomo and de Blasio to close ranks and launch a simultaneous attack on workers’ rights? Gubernatorial candidate Cynthia Nixon had the audacity to include in her platform a plank endorsing public workers’ right to strike. No wonder Cuomo and de Blasio struck back: Like Bernie Sanders, Nixon threatened the grip of Wall Street-backed politicians on what was once the party of working people.~~

~~The right to strike should be a no-brainer for any self-respecting candidate who claims to care about working people. It isn’t some transitory policy fix; it’s a fundamental human right, recognized in international law. Without the right to strike, workers have no effective recourse against unhealthy conditions, inadequate wages, or employer tyranny. Before the American labor movement began its long decline, unions made the right to strike a litmus test for supporting candidates. Labor leaders held that anti-strike laws imposed “involuntary servitude” in violation of the Thirteenth Amendment to the United States Constitution. Corporate interests ridiculed this claim, arguing that the Amendment guaranteed only the individual right to quit and go elsewhere. But workers and unions held their ground. “The simple fact is that the right of individual workers to quit their jobs has meaning only when they may quit in concert, so that in their quitting or in their threat to quit they have a real bargaining strength,” Congress of Industrial Organizations (CIO) General Counsel Lee Pressman explained. “It is thus hypocritical to suggest that a prohibition on the right to strike is not in practical effect a prohibition on the right to quit individually.”~~

~~Labor leaders quoted the Supreme Court’s statement that the Amendment was intended “to make labor free, by prohibiting that control by which the personal service of one man is disposed of or coerced for another’s benefit which is the essence of involuntary servitude.” Although they never convinced the Supreme Court that this principle covered the right to strike, Congress did embrace the core of their claim when it protected the right to strike in two historic statutes, the Norris-LaGuardia Act of 1932 and the Wagner National Labor Relations Act of 1935. The “individual unorganized worker,” explained Congress, “is helpless to exercise actual liberty of contract and to protect his freedom of labor.”~~

**~~A DEMOCRATIC NEED~~**

~~The recent teacher strikes underscore another, equally vital function of the strike: political democracy. It is no accident that strikers often serve as midwives of democracy. Examples include Poland in the 1970s, where shipyard strikers brought down the dictatorship, and South Africa in the 1970s and 1980s, where strikers were central to the defeat of apartheid. Even in relatively democratic countries like the United States, workers often find it necessary to withhold their labor in order to offset the disproportionate power of wealthy interests and racial elites. During the 1930s, for example, it took mass strikes to overcome judicial resistance to progressive economic regulation. Today, workers confront a political system that has been warped by voter suppression, gerrymandering and the judicial protection of corporate political expenditures as “freedom of speech.” With corporate lackeys holding a majority of seats on the Supreme Court, workers may soon need strikes to clear the way for progressive legislation just as they did in the 1930s.~~

~~But if the right to strike is a no-brainer, then how did Cuomo and de Blasio justify attacking it? “The premise of the Taylor Law,” said Cuomo, “is you would have chaos if certain services were not provided,” namely police, firefighters and prison guards. If that’s the premise, then why not endorse Nixon’s proposal as to teachers and most public workers, and propose exceptions for truly essential services? That’s the approach of international law, and that’s what Nixon clarified she supports. But Cuomo couldn’t explain why teachers and other non-essential personnel should be denied this basic human right. As for de Blasio, he claimed that the Taylor Law accomplishes “an important public purpose” and that “there are lots of ways for workers’ rights to be acknowledged and their voices to be heard.” What public purpose? Forcing workers to accept inadequate wages and unsafe conditions? What ways to be heard? Groveling to politicians for a raise in exchange for votes?~~

~~The ban forces once-proud unions to serve as cogs in the political machines of Wall Street politicians. No sooner did Nixon endorse the right to strike than two prominent union leaders rushed to provide cover for Cuomo. Danny Donohue, president of the Civil Service Employees Association, called her “incredibly naive” and charged that “clearly, she does not have the experience needed to be governor of New York.” Evidently Cuomo, who was elected governor on a program of attacking unions and followed through with cuts to public workers’ pensions and wages, does have the requisite experience. John Samuelsen of the Transport Workers Union, which represents more than 40,000 New York City transit workers, also lashed out, saying, “I believe that she will cut and run when we shut the subway down…. As soon as her hipster Williamsburg supporters can’t take public transit to non-union Wegmans to buy their kale chips, she will call in the National Guard and the Pinkertons.”~~

~~Tough talk. Roger Toussaint, the TWU Local 100 president who led a subway strike in 2005 and was jailed for it, once tagged Samuelsen a “lapdog” for Cuomo. But “attack dog” might be more accurate in this case. Presented with a rare opportunity to trumpet workers’ most fundamental right in the glare of media attention, Samuelsen chose instead to drive a cultural wedge between traditionally minded workers and nonconformists, many of whom toil as baristas, restaurant servers and tech workers – constituencies that are fueling the anti-Trump resistance and pushing the Democratic Party to break with Wall Street.~~

~~Here we see shades of former AFL-CIO President George Meany, who helped to elect a very different Richard Nixon by refusing to endorse George McGovern, one of the most consistently pro-labor candidates in US history, on the ground that he was supported by “hippies.”~~

~~Samuelsen’s descent to Cuomo attack dog is inexplicable except as a response to the crushing pressures generated by the Taylor Law. He stands out from most other public-sector labor leaders not for sucking up to establishment politicians, but for minimizing it. Just two years ago, Samuelsen was one of the few major labor leaders who had the guts to endorse Bernie Sanders over Wall Street’s choice, Hillary Clinton. And when he was elected president of the New York local, it was on a promise to be more effective at mobilization and confrontation than Toussaint. Once on the job, however, he and his slate had to confront the devastating results of the strike ban. In addition to jailing Toussaint and penalizing strikers two days’ pay for each day on strike, a court had fined the union millions of dollars and stripped away its right to collect dues through payroll deductions. No wonder Samuelsen quietly redirected the union’s strategy away from striking and toward less confrontational mobilizations and political deal-making.~~

**~~A WAY FORWARD~~**

~~Any way you look at it, striking will be absolutely essential if American organized labor, now down to 11 percent of the workforce, is to revive. As AFL-CIO President Richard Trumka once warned, workers must have “their only true weapon – the right to strike,” or “organized labor in America will soon cease to exist.” Red-state teachers have shown the way, exercising their constitutional and human right to strike in defiance of “law.” Will Democrats and labor leaders celebrate their example, or will they follow Cuomo, de Blasio and the Republicans down the path of suppression?~~

#### ~~Courts legitimacy ensures sustainable development.~~

~~Stein 5—Former Judge of the New South Wales Court of Appeal and the New South Wales Land and Environment Court [Justice Paul Stein (International Union for Conservation of Nature (IUCN) Specialist Group on the Judiciary), “Why judges are essential to the rule of law and environmental protection,” Judges and the Rule of Law: Creating the Links: Environment, Human Rights and Poverty, IUCN Environmental Policy and Law Paper No. 60, Edited by Thomas Greiber, 2006]~~

~~The Johannesburg Principles state: “We emphasize that the fragile state of the global environment requires the judiciary, as the guardian of the Rule of Law, to boldly and fearlessly implement and enforce applicable international and national laws, which in the field of environment and sustainable development will assist in alleviating poverty and sustaining an enduring civilization, and ensuring that the present generation will enjoy and improve the quality of life of all peoples, while also ensuring that the inherent rights and interests of succeeding generations are not compromised.” There can be no argument that environmental law, and sustainable development law in particular, are vibrant and dynamic areas, both internationally and domestically. Judge Weeramantry (of the ICJ) has reminded us that we judges, as custodians of the law, have a major obligation to contribute to its development. Much of sustainable development law is presently making the journey from soft law into hard law. This is happening internationally but also it is occurring in many national legislatures and courts. Fundamental environmental laws relating to water, air, our soils and energy are critical to narrowing the widening gap between the rich and poor of the world. Development may be seen as the bridge to narrow that gap but it is one that is riddled with dangers and contradictions. We cannot bridge the gap with materials stolen from future generations. Truly sustainable development can only take place in harmony with the environment. Importantly we must not allow sustainable development to be duchessed and bastardized. A role for judges? It is in striking the balance between development and the environment that the courts have a role. Of course, this role imposes on judges a significant trust. The balancing of the rights and needs of citizens, present and future, with development, is a delicate one. It is a balance often between powerful interests (private and public) and the voiceless poor. In a way judges are the meat in the sandwich but, difficult as it is, we must not shirk our duty. Pg. 53-54~~

#### ~~Extinction of all complex life.~~

~~Barry 13—Political ecologist with expert proficiencies in old forest protection, climate change, and environmental sustainability policy [Dr. Glen Barry (Ph.D. in "Land Resources" and Masters of Science in "Conservation Biology and Sustainable Development” from the University of Wisconsin-Madison), “ECOLOGY SCIENCE: Terrestrial Ecosystem Loss and Biosphere Collapse,” Forests.org, February 4, 2013, pg. http://forests.org/blog/2013/02/ecology-science-terrestrial-ec.asp~~

~~Blunt, Biocentric Discussion on Avoiding Global Ecosystem Collapse and Achieving Global Ecological Sustainability Science needs to do a better job of considering worst-case scenarios regarding continental- and global-scale ecological collapse. The loss of biodiversity, ecosystems, and landscape connectivity reviewed here shows clearly that ecological collapse is occurring at spatially extensive scales. The collapse of the biosphere and complex life, or eventually even all life, is a possibility that needs to be better understood and mitigated against. A tentative case has been presented here that terrestrial ecosystem loss is at or near a planetary boundary. It is suggested that a 66% of Earth's land mass must be maintained in terrestrial ecosystems, to maintain critical connectivity necessary for ecosystem services across scales to continue, including the biosphere. Yet various indicators show that around 50% of Earth's terrestrial ecosystems have been lost and their services usurped by humans. Humanity may have already destroyed more terrestrial ecosystems than the biosphere can bear. There exists a major need for further research into how much land must be maintained in a natural and agroecological state to meet landscape and bioregional sustainable development goals while maintaining an operable biosphere. It is proposed that a critical element in determining the threshold where terrestrial ecosystem loss becomes problematic is where landscape connectivity of intact terrestrial ecosystems erodes to the point where habitat patches exist only in a human context. Based upon an understanding of how landscapes percolate across scale, it is recommended that 66% of Earth's surface be maintained as ecosystems; 44% as natural intact ecosystems (2/3 of 2/3) and 22% as agroecological buffer zones. Thus nearly half of Earth must remain as large, connected, intact, and naturally evolving ecosystems, including old-growth forests, to provide the context and top-down ecological regulation of both human agroecological, and reduced impact and appropriately scaled industrial activities. Given the stakes, it is proper for political ecologists and other Earth scientists to willingly speak bluntly if we are to have any chance of averting global ecosystem collapse. A case has been presented that Earth is already well beyond carrying capacity in terms of amount of natural ecosystem habitat that can be lost before the continued existence of healthy regional ecosystems and the global biosphere itself may not be possible. Cautious and justifiably conservative science must still be able to rise to the occasion of global ecological emergencies that may threaten our very survival as a species and planet. Those knowledgeable about planetary boundaries—and abrupt climate change and terrestrial ecosystem loss in particular—must be more bold and insistent in conveying the range and possible severity of threats of global ecosystem collapse, while proposing sufficient solutions. It is not possible to do controlled experiments on the Earth system; all we have is observation based upon science and trained intuition to diagnose the state of Earth's biosphere and suggest sufficient ecological science–based remedies. If Gaia is alive, she can die. Given the strength of life-reducing trends across biological systems and scales, there is a need for a rigorous research agenda to understand at what point the biosphere may perish and Earth die, and to learn what configuration of ecosystems and other boundary conditions may prevent her from doing so. We see death of cells, organisms, plant communities, wildlife populations, and whole ecosystems all the time in nature—extreme cases being desertification and ocean dead zones. There is no reason to dismiss out of hand that the Earth System could die if critical thresholds are crossed. We need as Earth scientists to better understand how this may occur and bring knowledge to bear to avoid global ecosystem and biosphere collapse or more extreme outcomes such as biological homogenization and the loss of most or even all life. To what extent can a homogenized Earth of dandelions, rats, and extremophiles be said to be alive, can it ever recover, and how long can it last? The risks of global ecosystem collapse and the need for strong response to achieve global ecological sustainability have been understated for decades. If indeed there is some possibility that our shared biosphere could be collapsing, there needs to be further investigation of what sorts of sociopolitical responses are valid in such a situation. Dry, unemotional scientific inquiry into such matters is necessary—yet more proactive and evocative political ecological language may be justified as well. We must remember we are speaking of the potential for a period of great dying in species, ecosystems, humans, and perhaps all being. It is not clear whether this global ecological emergency is avoidable or recoverable. It may not be. But we must follow and seek truth wherever it leads us. Planetary boundaries have been quite anthropocentric, focusing upon human safety and giving relatively little attention to other species and the biosphere's needs other than serving humans. Planetary boundaries need to be set that, while including human needs, go beyond them to meet the needs of ecosystems and all their constituent species and their aggregation into a living biosphere. Planetary boundary thinking needs to be more biocentric. I concur with Williams (2000) that what is needed is an Earth System–based conservation ethic—based upon an "Earth narrative" of natural and human history—which seeks as its objective the "complete preservation of the Earth's biotic inheritance." Humans are in no position to be indicating which species and ecosystems can be lost without harm to their own intrinsic right to exist, as well as the needs of the biosphere. For us to survive as a species, logic and reason must prevail (Williams 2000). Those who deny limits to growth are unaware of biological realities (Vitousek 1986). There are strong indications humanity may undergo societal collapse and pull down the biosphere with it. The longer dramatic reductions in fossil fuel emissions and a halt to old-growth logging are put off, the worse the risk of abrupt and irreversible climate change becomes, and the less likely we are to survive and thrive as a species. Human survival—entirely dependent upon the natural world—depends critically upon both keeping carbon emissions below 350 ppm and maintaining at least 66% of the landscape as natural ecological core areas and agroecological transitions and buffers. Much of the world has already fallen below this proportion, and in sum the biosphere's terrestrial ecosystem loss almost certainly has been surpassed, yet it must be the goal for habitat transition in remaining relatively wild lands undergoing development such as the Amazon, and for habitat restoration and protection in severely fragmented natural habitat areas such as the Western Ghats. The human family faces an unprecedented global ecological emergency as reckless growth destroys the ecosystems and the biosphere on which all life depends. Where is the sense of urgency, and what are proper scientific responses if in fact Earth is dying? Not speaking of worst-case scenarios—the collapse of the biosphere and loss of a living Earth, and mass ecosystem collapse and death in places like Kerala—is intellectually dishonest. We must consider the real possibility that we are pulling the biosphere down with us, setting back or eliminating complex life.~~

#### ~~The counterplan is feasible -- it reverses precedent established by scotus in 2018, and means that the National Labor Relations Act trumps the 1925 Arbitration Act~~

~~Totenberg 18 [Nina Totenberg is NPR's award-winning legal affairs correspondent. Her reports air regularly on NPR's critically acclaimed newsmagazines~~ *~~All Things Considered~~*~~,~~ *~~Morning Edition~~*~~, and~~ *~~Weekend Edition~~*~~. May 21, 2018. “Supreme Court Decision Delivers Blow To Workers' Rights”~~ [~~https://www.npr.org/2018/05/21/605012795/supreme-court-decision-delivers-blow-to-workers-rights Accessed 10/3~~](https://www.npr.org/2018/05/21/605012795/supreme-court-decision-delivers-blow-to-workers-rights%20Accessed%2010/3) ~~//gord0]~~

[~~In a case~~](https://www.npr.org/2017/10/02/555203655/a-yellow-dog-contract-and-other-jabs-during-supreme-court-opening-arguments) ~~involving the rights of tens of millions of private sector employees, the U.S. Supreme Court,~~ [~~by a 5-4 vote,~~](https://www.supremecourt.gov/opinions/17pdf/16-285_q8l1.pdf) ~~delivered a major blow to workers, ruling for the first time that workers may not band together to challenge violations of federal labor laws.~~

~~Writing for the majority, Justice Neil Gorsuch said that the 1925 Federal Arbitration Act trumps the National Labor Relations Act and that employees who sign employment agreements to arbitrate claims must do so on an individual basis — and may not band together to enforce claims of wage and hour violations.~~

~~"The policy may be debatable but the law is clear: Congress has instructed that arbitration agreements like those before us must be enforced as written," Gorsuch writes. "While Congress is of course always free to amend this judgment, we see nothing suggesting it did so in the NLRA — much less that it manifested a clear intention to displace the Arbitration Act. Because we can easily read Congress's statutes to work in harmony, that is where our duty lies."~~

**~~Ginsburg dissents~~**

~~Justice Ruth Bader Ginsburg, writing for the four dissenters, called the majority opinion "egregiously wrong." She said the 1925 arbitration law came well before federal labor laws and should not cover these "arm-twisted," "take-it-or-leave it" provisions that employers are now insisting on.~~

~~She noted that workers' claims are usually small, and many workers fear retaliation. For these reasons, she said, relatively few workers avail themselves of the arbitration option. On the other hand, these problems are largely solved by a class-action suit brought in court on behalf of many employees.~~

~~The inevitable result of Monday's decision, she warned, will be huge underenforcement of federal and state laws designed to advance the well-being of vulnerable workers. It is up to Congress, she added, to correct the court's action.~~

~~In his oral announcement, Gorsuch took the unusual step of elaborately rebutting Ginsburg's dissent, which is five pages longer than the majority's opinion.~~

**~~A green light for employers~~**

~~The ruling came in three cases — potentially involving tens of thousands of nonunion employees — brought against Ernst & Young LLP, Epic Systems Corp. and Murphy Oil USA Inc.~~

~~Each required its individual employees, as a condition of employment, to waive their rights to join a class-action suit. In all three cases, employees tried to sue together, maintaining that the amounts they could obtain in individual arbitration were dwarfed by the legal fees they would have to pay. Ginsburg's dissent noted that a typical Ernst & Young employee would likely have to spend $200,000 to recover only about $1,900 in overtime pay.~~

~~The employees contended that their right to collective action is guaranteed by the National Labor Relations Act. The employers countered that they are entitled to ban collective legal action under the Federal Arbitration Act, which was enacted in 1925 to reverse the judicial hostility to arbitration at the time.~~

~~Employment lawyers were elated. Ron Chapman, who represents management in labor-management disputes, said he expects small and large businesses alike to immediately move to impose these binding arbitration contracts to eliminate the fear of costly class-action verdicts from juries. "It gives employers the green light to eliminate their single largest employment law risk with the stroke of a pen," he said.~~

**~~Implications for #MeToo~~**

~~Labor law experts said Monday's decision very likely will present increasing problems for the #MeToo movement, and for other civil rights class actions claiming discrimination based on race, gender and religion. There is no transparency in most binding arbitration agreements, and they often include nondisclosure provisions. What's more, class actions deal with the expense and fear of retaliation problems of solo claims. As Ginsburg put it, "there's safety in numbers."~~

~~Yale Law professor Judith Resnik observed that the decision applies to all manner of class actions. "What this says is that when you buy something, use something, or work for someone, that entity can require you to waive your right to use public courts," she noted.~~

~~Cornell University labor law professor Angela Cornell expects the number of these litigation waivers to skyrocket now. "What we see is the privatization of our justice system," she said.~~

~~A study by the left-leaning Economic Policy Institute shows that~~ [~~56 percent~~](http://www.epi.org/publication/the-growing-use-of-mandatory-arbitration/) ~~of nonunion private sector employees are currently subject to mandatory individual arbitration procedures under the 1925 Federal Arbitration Act, which allows employers to bar collective legal actions by employees.~~

~~The court's decision means that tens of millions of private nonunion employees will be barred from suing collectively over the terms of their employment.~~

## 4

#### Interpretation: The affirmative debater must specify the type of strike in a delineated text in the 1AC.

#### Violation:

#### Standards –

#### 1] Topic lit – strikes are the core question of the topic and there’s no consensus on normal means so you must spec.

**Law Library**

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

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

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

#### Implications:

#### [1] Stable advocacy – 1AR clarification delinks neg positions that prove why enforcement in a certain instance is bad by saying it isn’t their method of enforcement – wrecks neg ballot access and kills in depth clash – CX doesn’t check since it kills 1NC construction pre-round

#### [2] Prep skew – I don’t know what they will be willing to clarify until CX which means I could go 6 minutes planning to read a disad and then get screwed over in CX when they spec a different funding. This means that CX can’t check because the time in between is when I should be formulating my strat and waiting until then is the abuse. Key fairness because I won’t be able to use the strat I formulated if you skewed my prep and will have a time disadvantage

#### D. Voter

**\*Fairness is a voter—debate is a competitive activity that requires objective evaluation. Education is a voter – it is the terminal impact of debate. Drop the debater—the abuse has already occurred and my time allocation has shifted—also the shell indicts your whole aff—justifies severance which skews my strat. Use competing interps—leads to a race to the top since we figure out the best possible norm and avoids judge intervention since there’s a clear briteline. No RVIs—**

**a. Baiting—they’ll just bait theory and prep it out—justifies infinite abuse and results in a chilling effect**

**b. its not logical—you don’t reward them for meeting the burden of being fair, especially on T debate where definitions are objective while your interp is subjective. Logic is a meta constraint on all args because it definitionally determines whether an argument is valid.**

# Case

## FW

#### The role of the ballot is to vote for the team that produces the best consequences.

#### 1] Moral purity is tautological—material focus is key

Christopher A. Bracey 6, Associate Professor of Law, Associate Professor of African & African American Studies, Washington University in St. Louis, September, Southern California Law Review, 79 S. Cal. L. Rev. 1231, p. 1318

Second, reducing conversation on race matters to an ideological contest allows opponents to elide inquiry into whether the results of a particular preference policy are desirable. Policy positions masquerading as principled ideological stances create the impression that a racial policy is not simply a choice among available alternatives, but the embodiment of some higher moral principle. Thus, the "principle" becomes an end in itself, without reference to outcomes. Consider the prevailing view of colorblindness in constitutional discourse. Colorblindness has come to be understood as the embodiment of what is morally just, independent of its actual effect upon the lives of racial minorities. This explains Justice Thomas's belief in the "moral and constitutional equivalence" between Jim Crow laws and race preferences, and his tragic assertion that "Government cannot make us equal [but] can only recognize, respect, and protect us as equal before the law." [281](http://web.lexis-nexis.com/universe/document?_m=cd9713b340d60abd42c2b34c36d8ef95&_docnum=9&wchp=dGLbVzz-zSkVA&_md5=9645fa92f5740655bdc1c9ae7c82b328) For Thomas, there is no meaningful difference between laws designed to entrench racial subordination and those designed to alleviate conditions of oppression. Critics may point out that colorblindness in practice has the effect of entrenching existing racial disparities in health, wealth, and society. But in framing the debate in purely ideological terms, opponents are able to avoid the contentious issue of outcomes and make viability determinations based exclusively on whether racially progressive measures exude fidelity to the ideological principle of colorblindness. Meaningful policy debate is replaced by ideological exchange, which further exacerbates hostilities and deepens the cycle of resentment.

#### Extinction first

GPP 17 (Global Priorities Project, Future of Humanity Institute at the University of Oxford, Ministry for Foreign Affairs of Finland, “Existential Risk: Diplomacy and Governance,” Global Priorities Project, 2017, <https://www.fhi.ox.ac.uk/wp-content/uploads/Existential-Risks-2017-01-23.pdf>, Accessed 7/22/2017, Kent Denver-jKIM)

1.2. THE ETHICS OF EXISTENTIAL RISK In his book Reasons and Persons, Oxford philosopher Derek Parfit advanced an influential argument about the importance of avoiding extinction: I believe that if we destroy mankind, as we now can, this outcome will be much worse than most people think. Compare three outcomes: (1) Peace. (2) A nuclear war that kills 99% of the world’s existing population. (3) A nuclear war that kills 100%. (2) would be worse than (1), and (3) would be worse than (2). Which is the greater of these two differences? Most people believe that the greater difference is between (1) and (2). I believe that the difference between (2) and (3) is very much greater. ... The Earth will remain habitable for at least another billion years. Civilization began only a few thousand years ago. If we do not destroy mankind, these few thousand years may be only a tiny fraction of the whole of civilized human history. The difference between (2) and (3) may thus be the difference between this tiny fraction and all of the rest of this history. If we compare this possible history to a day, what has occurred so far is only a fraction of a second.65 In this argument, it seems that Parfit is assuming that the survivors of a nuclear war that kills 99% of the population would eventually be able to recover civilisation without long-term effect. As we have seen, this may not be a safe assumption – but for the purposes of this thought experiment, the point stands. What makes existential catastrophes especially bad is that they would “destroy the future,” as another Oxford philosopher, Nick Bostrom, puts it.66 This future could potentially be extremely long and full of flourishing, and would therefore have extremely large value. In standard risk analysis, when working out how to respond to risk, we work out the expected value of risk reduction, by weighing the probability that an action will prevent an adverse event against the severity of the event. Because the value of preventing existential catastrophe is so vast, even a tiny probability of prevention has huge expected value.67 Of course, there is persisting reasonable disagreement about ethics and there are a number of ways one might resist this conclusion.68 Therefore, it would be unjustified to be overconfident in Parfit and Bostrom’s argument. In some areas, government policy does give significant weight to future generations. For example, in assessing the risks of nuclear waste storage, governments have considered timeframes of thousands, hundreds of thousands, and even a million years.69 Justifications for this policy usually appeal to principles of intergenerational equity according to which future generations ought to get as much protection as current generations.70 Similarly, widely accepted norms of sustainable development require development that meets the needs of the current generation without compromising the ability of future generations to meet their own needs.71 However, when it comes to existential risk, it would seem that we fail to live up to principles of intergenerational equity. Existential catastrophe would not only give future generations less than the current generations; it would give them nothing. Indeed, reducing existential risk plausibly has a quite low cost for us in comparison with the huge expected value it has for future generations. In spite of this, relatively little is done to reduce existential risk. Unless we give up on norms of intergenerational equity, they give us a strong case for significantly increasing our efforts to reduce existential risks. 1.3. WHY EXISTENTIAL RISKS MAY BE SYSTEMATICALLY UNDERINVESTED IN, AND THE ROLE OF THE INTERNATIONAL COMMUNITY In spite of the importance of existential risk reduction, it probably receives less attention than is warranted. As a result, concerted international cooperation is required if we are to receive adequate protection from existential risks. 1.3.1. Why existential risks are likely to be underinvested in There are several reasons why existential risk reduction is likely to be underinvested in. Firstly, it is a global public good. Economic theory predicts that such goods tend to be underprovided. The benefits of existential risk reduction are widely and indivisibly dispersed around the globe from the countries responsible for taking action. Consequently, a country which reduces existential risk gains only a small portion of the benefits but bears the full brunt of the costs. Countries thus have strong incentives to free ride, receiving the benefits of risk reduction without contributing. As a result, too few do what is in the common interest. Secondly, as already suggested above, existential risk reduction is an intergenerational public good: most of the benefits are enjoyed by future generations who have no say in the political process. For these goods, the problem is temporal free riding: the current generation enjoys the benefits of inaction while future generations bear the costs. Thirdly, many existential risks, such as machine superintelligence, engineered pandemics, and solar geoengineering, pose an unprecedented and uncertain future threat. Consequently, it is hard to develop a satisfactory governance regime for them: there are few existing governance instruments which can be applied to these risks, and it is unclear what shape new instruments should take. In this way, our position with regard to these emerging risks is comparable to the one we faced when nuclear weapons first became available. Cognitive biases also lead people to underestimate existential risks. Since there have not been any catastrophes of this magnitude, these risks are not salient to politicians and the public.72 This is an example of the misapplication of the availability heuristic, a mental shortcut which assumes that something is important only if it can be readily recalled. Another cognitive bias affecting perceptions of existential risk is scope neglect. In a seminal 1992 study, three groups were asked how much they would be willing to pay to save 2,000, 20,000 or 200,000 birds from drowning in uncovered oil ponds. The groups answered $80, $78, and $88, respectively.73 In this case, the size of the benefits had little effect on the scale of the preferred response. People become numbed to the effect of saving lives when the numbers get too large. 74 Scope neglect is a particularly acute problem for existential risk because the numbers at stake are so large. Due to scope neglect, decision-makers are prone to treat existential risks in a similar way to problems which are less severe by many orders of magnitude. A wide range of other cognitive biases are likely to affect the evaluation of existential risks.75

#### ~~Epistemology is secondary to the plan’s harm reduction -- the alt causes endless debates at the cost of material improvements in the day to day.~~

**~~Jarvis ’0~~** ~~[Darryl; 2000; Former Senior Lecturer in International Relations at the University of Sydney;~~*~~International Relations and the Challenge of Postmodernism~~*~~,~~ *~~University of South Carolina Press~~*~~, “Continental Drift,” p. 128-129; GR]~~

~~More is the pity that such irrational and obviously abstruse debate should so occupy us at a time of great global turmoil. That it does and continues to do so reflect our lack of judicious criteria for evaluating theory and, more importantly, the lack of attachment theorists have to the real world. Certainly, it is right and proper that we ponder the depths of our theoretical imaginations, engage in epistemological and ontological debate, and analyze the sociology of our knowledge. But to support that this is the only task of international theory, let alone the most important one, smacks of intellectual elitism and displays a certain contempt for those who search for guidance in their daily struggle as actors in international politics. What does Ashley’s project, his deconstructive efforts, or valiant fight against positivism say to the truly marginalized, oppressed, and destitute? How does it help solve the plight of the poor, the displaced refugees, the casualties of war, or the émigrés of death squads? Does it in any way speak to those whose actions and thoughts comprise the policy and practice of international relations?~~

~~On all these questions one must answer no. This is not to say, of course, that all theory should be judged by its technical rationality and problem-solving capacity as Ashley forcefully argues. But to support that problem-solving technical theory is not necessary—or in some way bad—is a contemptuous position that abrogates any hope of solving some of the nightmarish realities that millions confront daily. As Holsti argues, we need ask of these theorists and their theories the ultimate question, “So what?” To what purpose do they deconstruct, problematize, destabilize, undermine, ridicule, and belittle modernist and rationalist approaches? Does this get us any further, make the world any better, or enhance the human condition? In what sense can this “debate toward [a] bottomless pit of epistemology and metaphysics” be judged pertinent, relevant, helpful, or cogent to anyone other than those foolish enough to be scholastically excited by abstract and recondite debate.~~

#### We should develop and test policy propositions informed by theory, not try to settle the ontological foundations of theory.

Fred **CHERNOFF** Harvey Picker Professor of International Relations @ Colgate **’20** “Pragmatism, pluralism, and eclecticism: Sil and Katzenstein’s “Analytic eclecticism” in Beyond Paradigms” *International Journal: Canada’s Journal of Global Policy Analysis* p. SAGE

The claim of ontology’s importance unravels as soon as we seek those criteria, as the following highlights. IR debates typically include as evidence a set of observations. Researchers eliminate competing theories that fail to satisfy the major criteria. We return, then, to the question of the criteria that should be used. Which among them that help us choose the best theory have anything to do with ontology? The answers are hard to find. One criterion would be that theories may not posit forces that are somehow mutually exclusive. But beyond that, it is hard to imagine what it would take for a scholar to say, “Theory T1 performs better on all other criteria, but we choose theory T2 because T1 fails to satisfy the ontology criterion.” Other than pointing out internal inconsistency, can we imagine scholars accepting the refutation of a theory on the grounds that there is something “wrong” with a theory’s ontology? The ontology accepted by a community of scholars will include both observable and unobservable entities. But the latter (quarks, energy quanta, trade regimes, leaders’ emotional states, etc.) are inferred from what is posited by our best theories, which are, in turn, supported entirely by our observations and chosen criteria. We have no other access to the existence of such things. All we know about the unobservable world is what our theories tell us, and the theories are justified by the experience we have of observing that which is observable. Any ontological criteria we have, aside from avoiding contradictory posits, would seem to be suspiciously and illegitimately a priori. Thus, as I have tried to show elsewhere, of those in IR who discuss metatheory, many seriously overstate the role of ontology.17 Eclectic theorizing and pragmatism Sil and Katzenstein endorse pragmatic IR research that produces “successful results.” They use pragmatism in the common parlance sense of the term as merely “an ethos” that requires some relationship to practice.18 But they also use it in the philosophical sense of the doctrine of American pragmatism.19 In my view, Sil and Katzenstein are compelled to deal with more developed versions of pragmatism, for two reasons. One is that it yields a philosophically coherent basis for the connection between scientific research and human practice. And the other is that Sil and Katzenstein advocate the criterion of “successful practice” but leave this notion undeveloped. Any attempt to clarify what “successful” means in this context, and how it is identified in real cases, requires a much more precise and rigorous operationalization of the term—a project that that American pragmatism can straightforwardly underpin. Sil and Katzenstein disapprove of the search for abstract empirical principles and covering laws in IR. But philosophical accounts of pragmatism provide clear groundwork for covering laws and at the same time conceives of laws as general principles that can be both (a) accepted as known and (b) fallible, that is, as capable of revision or replacement as new evidence accrues. Charles Sanders Peirce, the founder of philosophical pragmatism, was a practising scientist and accepted general laws of science. But he understood the epistemic status of those laws in a revolutionary way, namely, that scientists develop genuine knowledge but that legitimate scientific laws are revisable and fallible. Peirce’s notion of scientific knowledge rejected foundationalism, but did so in a way that escaped the skepticism that was believed to follow from any anti-foundationalist theory of knowledge. Peirce rejected the metaphor of a body of knowledge as a ~~building that has to be constructed upwards on a rock-solid foundation—a view that gives a body of statements the strength to hold up a theory with covering laws. With such a view, every bit of support must have as much or more certainty as anything that stands on top of it. In contrast, Peirce argued in his paper “Some consequences of four incapacities” that science functioned more along the lines of a bridge that may be stable and able to withstand great stresses because it is held up by a powerful cable, even though the cable is composed entirely of thin strands of wire. In developing scientific knowledge, some evidentiary observations may be thrown out at various times. But the body of knowledge does not collapse, just as a strand of wire in a cable may break, but the bridge, held up by many cables composed of many strands of wire, securely retains its stable position. One set of observations may support two or more theories or may support one and disconfirm others.20 Peirce argued consistently, throughout his long career, that scientific knowledge can never achieve certainty. Scientific knowledge is truly knowledge, but it does not provide any final truth until all inquiry has, in an ideal sense, come to a final terminus. This offers a powerful argument for cross-theory combinations of variables without the limitations of Beyond Paradigms. It is quite striking that, in the late nineteenth century, when Newton’s laws had enjoyed three centuries of corroboration, Peirce viewed them, along with all other natural science, as subject to revision. According to the pragmatist account of empirical inquiry, social sciences like IR may seek covering laws. They are, like physics and chemistry, always subject to further scrutiny of new experience. But as long as the laws are developed following the rigorous procedures of the discipline, they constitute knowledge. Sil and Katzenstein use their opposition to covering laws to criticize the search for control. In this connection, they cite Cochran,21 who interprets Dewey, famously a follower of Peirce, as holding that “covering laws or general theories are little more than fleeting efforts to exert ‘control’ over the real world.”22 There are two troubling aspects to this use of Dewey’s view. One is that “fleeting,” or at least something far short of “permanent,” is all we can get from covering laws, in either the natural or social sciences; Peirce and almost all philosophers since have seen knowledge as fallible and always subject to further revision. Moreover, the practical applications that Sil and Katzenstein desire from IR have the effect of allowing policy-makers to formulate policies that (one hopes) will produce desired outcomes. So, the second problem is that it is precisely better control that policy-makers are able to exert if they have solidly developed and practically applicable knowledge. That is, if IR researchers produce studies of world politics that enable policy-makers to learn what motivates states and leaders and what conditions in the world are probabilistically linked with what resulting outcomes, they are more likely to identify the policy tools that will allow them to succeed in policy aims, or at least succeed with greater frequency. Space does not permit a full explanation of the way in which at least some strands of pragmatism provide a basis for analytic eclecticism’s guidelines, especially the connection of theory with practical action. But a few comments may point the reader to further investigation. For American pragmatists, knowledge is intimately tied to experience. Many views of knowledge treat it as a matter of grasping transcendent truths, where what our minds grasp with true beliefs somehow corresponds to reality. For Peirce, too, knowledge is a form of belief. But the difference is that belief is itself action; specifically, is a “habit of action.”23 The experiences of policy-makers, their successes and failures in reaching intended goals of past policies they have enacted, are of the same epistemological material as the experiences of natural scientists. What separates scientific knowledge from other forms is the method by which the belief is fixed, namely, the method of science, in contrast to the methods of authority, tenacity, and pure a priori reason, the latter of which Peirce calls “agreeableness.”24 Sil and Katzenstein would be able to produce more powerful policy recommendations by recognizing that covering laws, always subject to revision pending new experiences, aid in policy-makers tools for reaching policy decisions.~~

## Proper

#### Zero reason uncondo rts is key – squo condo strikes solve

#### Zero reason their advocacy resolves the harms they outline –UQ o/w, the colonialism and capitalism they describe in the squo implies that workers striking wouldn’t get rid of it – neoliberal policies implicate basic intentional circumvention

#### NOWHERE IN THEIR CARD DOES IT TALK ABOUT NEGOTIATIONS AS BEING PART OF STRIKES – strikes are nearly always only key within the context of the negotions they help, which conclude in the actions that they seek. Those strikes are possible under conditional striking policy; recognizing uncondo strikes aren’t necessary

#### \*Unions don’t solve inequality – they’re too weak and tons of alt causes

Epstein 20 [Richard A. Epstein Peter and Kirsten Bedford Senior Fellow @ the Hoover Institution. "The Decline Of Unions Is Good News." https://www.hoover.org/research/decline-unions-good-news]

So what then could justify this inefficient provision? One common argument is that unions help reduce the level of income inequality by offering union members a high living wage, as seen in the golden age of the 1950s. But that argument misfires on several fronts. Those high union wages could not survive in the face of foreign competition or new nonunionized firms. The only way a union can provide gains for its members is to extract some fraction of the profits that firms enjoy when they hold monopoly positions.

When tariff barriers are lowered and domestic markets are deregulated, as with the airlines and telecommunications industries, the size of union gains go down. Thus the sharp decline in union membership from 35 percent in both 1945 and 1954 to about 15 percent in 1985 led to no substantial increase in the fraction of wealth earned by the top 10 percent of the economy during that period. However, the income share of the top ten percent rose to about 40 percent over the next 15 years as union membership fell to below 10 percent by 2000.

But don’t be fooled—that 5 percent change in union membership cannot drive widespread inequality for the entire population, which is also affected by a rise in the knowledge economy as well as a general aging of the population. The far more powerful distributive effects are likely to be those from nonunion workers whose job prospects within a given firm have been compromised by higher wages to union workers.

It is even less clear that the proposals of progressives like Sanders, Warren, and Buttigieg to revamp the labor rules would reverse the decline of unions. Not only is the American labor market more competitive, but the work place is no longer dominated by large industrial assembly lines where workers remain in their same position for years. Today, workforces are far more heterogeneous and labor turnover is far higher. It is therefore much more difficult for a union to organize a common front among workers with divergent interests.

Employers, too, have become much more adept at resisting unionization in ways that no set of labor laws can capture. It is no accident that plants are built in states like Tennessee and Mississippi, and that facilities are designed in ways to make it more difficult to picket or shut down. None of these defensive maneuvers would be necessary if, as I have long advocated, firms could post notices announcing that they will not hire union members, as they could do before the passage of the NLRA.

#### Unions are vulnerable to right-wing populism – the plan creates divisions

Gruenberg 21 [Mark Gruenberg is head of the Washington, D.C., bureau of People's World. He is also the editor of Press Associates Inc. (PAI), a union news service in Washington, D.C. that he has headed since 1999. Previously, he worked as Washington correspondent for the Ottaway News Service, as Port Jervis bureau chief for the Middletown, NY Times Herald Record, and as a researcher and writer for Congressional Quarterly. Mark obtained his BA in public policy from the University of Chicago and worked as the University of Chicago correspondent for the Chicago Daily News. "Worldwide, union leaders grapple with members backing right-wing ‘populists’." https://peoplesworld.org/article/worldwide-union-leaders-grapple-with-members-backing-right-wing-populists/]

WASHINGTON—For years, union leaders on both sides of “The Pond”—also known as the Atlantic Ocean—have faced a problem: Right-wing ideologues’ “populist” rhetoric sways millions of their members to vote against their own interests.

And then once those putative plutocrats achieve public office, they show their true colors, by enacting and enforcing repressive pro-corporate anti-worker laws.

The problem is visible in the U.S., where 40% of union members and their families backed former GOP Oval Office occupant Donald Trump in 2020. But it’s not just Trump.

Over the years, millions supported other right-wing Republicans such as Sens. Mitch McConnell (Ky.), Ted Cruz (Texas), various U.S. representatives, Gov. Greg Abbott (Texas), and former Govs. Bruce Rauner (Ill.) and Scott Walker (Wis.).

All of them, especially Trump and Cruz, spout populist bombast and claim to represent workers—and then enact edicts benefiting the corporate class.

“Trump’s policies favored the rich and the well-connected. But four in ten union voters wanted to give him a second term” last November, said Knut Pankin, moderator of a late-March panel discussion on Right-Wing Populism As An Anti-Worker Agenda. “Why?”

The dilemma exists in other democracies, too. Some unionists heeded anti-immigrant screeds from Germany’s extreme right Alternative for Deutschland, Marine LePen’s French National Rally (formerly the National Front), Norbert Hofer’s Austrian Freedom Party, Hungarian Prime Minister/strongman Viktor Orban of Fidesz, and Poland’s Law and Justice Party, panelists said.

Once those blocs won power in Austria, Poland, and Hungary, or influenced elections in France, mainstream politicians followed their lead, cracking down on workers as well as targeting migrants. The pols feared they would otherwise lose more votes to the right.

The panel, sponsored by Georgetown University’s Kalmanovitz Initiative for Labor and the Working Poor, and the Friedrich Ebert Stiftung, a foundation set up to foster U.S.- German relations, tried to figure out why workers vote that way—and how to reorient them.

That’s not to say panelists Vonda McDaniel, president of the Nashville, Tenn., Central Labor Council, Prof. Federico Finchelstein, an expert on East European politics at New York’s New School for Social Research, and Prof. Thomas Greven of the Free University of Berlin reached a conclusion. They offered some reasons for the rightward shift and some solutions.

All those parties, including the GOP, “started as bourgeois, middle-class, shopkeeper-oriented” organizations, but have since pivoted to right-wing populism, Greven explained.

“Cruz at the Conservative Political Action Conference was trying to be the inheritor of the white working class who supported Trump,” he contended. The Texan proclaimed the GOP “the party of steelworkers, construction workers, police officers, firefighters, and waitresses.”

Nationalism, protectionism, and racism

“But one common denominator” is the GOP and the other right-wing parties, plus the workers they appeal to, “have a radicalized response” that “is nationalist, protectionist and nativist…to all facets of globalization,” he said. Those facets include corporate export of workers’ jobs to low-wage nations and resentment of refugees and migrants, often people of color whom white nativists in Europe and the U.S. view as a threat.

“’Us versus them’ is much easier to sell to working-class constituents. Union status doesn’t inoculate people versus right-wing populism,” Greven said. While populists’ pro-worker rhetoric is “a charade,” and progressives’ answer, “tax the rich,” is not enough, he added.

#### Strikes lead to backlash bills which weaken unions – empirically proven. Partelow ‘19

Lisette Partelow [Lisette Partelow is the director of K-12 Strategic Initiatives at American Progress. Her previous experience includes teaching first grade in Washington, D.C., working as a senior legislative assistant for Rep. Dave Loebsack (D-IA), and working as a legislative associate at the Alliance for Excellent Education. She has also worked at the U.S. House of Representatives Committee on Education and Labor and the American Institutes for Research. “Analysis: A Looming Legislative Backlash Against Teacher Strikes? Why Walkouts Could Become Illegal in Some States, With Strikers Facing Fines, Jail, or Loss of Their License”. 02-18-2019. The 74. https://www.the74million.org/article/analysis-a-looming-legislative-backlash-against-teacher-strikes-why-walkouts-could-become-illegal-in-some-states-with-strikers-facing-fines-jail-or-loss-of-their-license/. Accessed 11-3-2021; MJen]

In 2018 and 2019, after a decade of disinvestment in education that led to stagnant teacher salaries, policymakers have introduced [proposals in states](https://thehill.com/homenews/state-watch/426030-states-race-to-prevent-teacher-strikes-by-boosting-pay) across the country to begin reinvesting, spurred in part by teacher walkouts and activism nationwide. While it is wonderful to finally see broad support for raising teacher salaries and investing in public schools, a predictable backlash has also emerged. Legislators in some states that were hotbeds of teacher activism are [introducing bills](http://nymag.com/intelligencer/2019/01/teacher-walkouts-gop-lawmakers-push-retaliatory-bills.html) to explicitly prohibit walkouts or punish teachers who participate, often with a sprinkling of additional anti-union provisions. **Weakening unions and refusing to invest in education** are long-standing conservative tenets, and these bills are evidence that we should expect conservative policymakers to return to them as soon as they believe them to be politically viable. The consequences of a decade of education funding cuts came into sharp relief last spring, after teachers staged walkouts in [half a dozen states](https://www.nytimes.com/2018/05/16/us/teacher-walkout-north-carolina.html). The [decade of disinvestment](https://www.americanprogress.org/issues/education-k-12/reports/2018/09/20/457750/fixing-chronic-disinvestment-k-12-schools/) in education had its roots in the Great Recession, when many states were forced to drastically cut their K-12 education funding. But as the recovery got underway, many governors — particularly in red states — made intentional policy choices to cut taxes for wealthy residents and corporations rather than allow education funding to rebound to pre-recession levels as revenue increased. As a [result](https://www.americanprogress.org/issues/education-k-12/reports/2018/09/20/457750/fixing-chronic-disinvestment-k-12-schools/%5b), teacher wages stagnated, school budgets were strapped, and expenses such as building repairs and learning materials were deferred year after year. By 2018, reports of [crumbling schools](https://www.motherjones.com/politics/2018/01/its-not-just-freezing-classrooms-in-baltimore-americas-schools-are-physically-falling-apart/), students learning from [decades-old textbooks](https://www.cnn.com/2018/04/03/us/oklahoma-teachers-textbooks-trnd/index.html), high teacher turnover, and staff [shortages](https://tucson.com/news/local/we-continue-to-worsen-nearly-arizona-teaching-jobs-remain-vacant/article_1c8d665a-a422-5c7b-95b9-98afe0cb0c6f.html) in these states became common. Teachers had reached their [boiling point](https://morningconsult.com/opinions/americas-teachers-are-at-their-boiling-point/). The teacher walkouts have been very effective. Though they were a last resort, they finally got lawmakers’ attention in states that had seen the most chronic and severe cuts to education. In the states where teachers walked out, governors who hadn’t historically supported [education funding](https://www.americanprogressaction.org/issues/education/news/2018/10/09/171813/little-late-many-gubernatorial-candidates-education-funding/) agreed to enact significant [pay raises](https://www.latimes.com/nation/la-na-teacher-funding-20180306-story.html) and increases in education funding. For example, in Arizona, Republican Gov. Doug Ducey was forced to sign off on a teacher pay bill he had [previously opposed](https://tucson.com/news/local/gov-ducey-teachers-aren-t-going-to-get-percent-pay/article_75a9b7dc-930b-5374-be12-61fb840e4ced.html) that provided a [20 percent raise](https://www.reuters.com/article/us-usa-education-arizona/arizona-governor-signs-bill-to-boost-teachers-wages-amid-strike-idUSKBN1I40N8) to the state’s teachers — some of the lowest-paid in the nation — and invested an additional $100 million in schools in the state. And now, in several states with low teacher pay that have so far avoided major protests, some governors have proposed salary increases. Remarkably, much of this movement is happening in [deep-red states](https://thehill.com/homenews/state-watch/426030-states-race-to-prevent-teacher-strikes-by-boosting-pay) with historically low education spending. In South Carolina, Gov. Henry McMaster wants to give teachers a 5 percent pay raise; in Texas, Lt. Gov. Dan Patrick has proposed a $5,000 increase; and in Georgia, Gov. Brian Kemp has proposed a $3,000 increase. In all three of these states, teachers are [paid less](http://www.nea.org/assets/docs/180413-Rankings_And_Estimates_Report_2018.pdf) than the national average. It’s likely that last year’s walkouts nudged these governors to consider teacher pay in a way that they wouldn’t have otherwise. Though it goes against traditional conservative principles, supporting these raises is smart politics for these governors. There is widespread public [support for increasing teacher pay](https://www.apnews.com/883e9d387709112a11ee8901c223294e), particularly in the states where walkouts occurred. But even as some conservative policymakers agree to raise teacher salaries, as the 2019 legislative sessions have begun, others in Arizona, Oklahoma, and West Virginia have introduced bills that would [make walkouts illegal](http://nymag.com/intelligencer/2019/01/teacher-walkouts-gop-lawmakers-push-retaliatory-bills.html) and penalize teachers with fines, loss of their teaching licenses, or even [jail time](https://www.vox.com/policy-and-politics/2018/4/23/17270422/colorado-teachers-strike-jail-bill). Some of the bills also contain provisions designed specifically to weaken teachers unions, such as a requirement that teachers must [opt in to dues each year](https://www.nytimes.com/aponline/2019/01/28/us/ap-us-education-bill-west-virginia.html), which sponsors hope will reduce membership by adding an extra step to the process. Legislators in walkout states have also introduced stand-alone proposals designed to **make union membership more difficult** and, therefore, less likely, such as a prohibition on districts [withholding union dues](https://newsok.com/article/5593286/bill-is-revenge-for-teacher-walkout-unions-say) from teachers’ paychecks. These backlash bills hint at a much more familiar conservative education agenda of slashing funding and working to weaken teachers unions. After all, it is this agenda that led to stagnant teacher salaries, deplorable conditions in many school buildings, and consequences for students whose schools were chronically underfunded in the first place. Supporting increases to teacher pay and greater investment in schools is the right thing to do for America’s students. Unfortunately, this wave of backlash makes clear that for some policymakers, it’s all about politics — and as soon as they have the chance, they’ll once again slash education funding and attack hardworking teachers.