# Round 4 – NC

### 1NC – OFF

#### Interp - The letter “A” is an indefinite article that modifies “just government” – the resolution must be proven true in all instances, not one particular instance

CCC Capital Community College [a nonprofit 501 c-3 organization that supports scholarships, faculty development, and curriculum innovation], “Articles, Determiners, and Quantifiers”, http://grammar.ccc.commnet.edu/grammar/determiners/determiners.htm#articles AG

The three articles — a, an, the — are a kind of adjective. The is called the definite article because it usually precedes a specific or previously mentioned noun; a and an are called indefinite articles because they are used to refer to something in a less specific manner (an unspecified count noun). These words are also listed among the noun markers or determiners because they are almost invariably followed by a noun (or something else acting as a noun). caution CAUTION! Even after you learn all the principles behind the use of these articles, you will find an abundance of situations where choosing the correct article or choosing whether to use one or not will prove chancy. Icy highways are dangerous. The icy highways are dangerous. And both are correct. The is used with specific nouns. The is required when the noun it refers to represents something that is one of a kind: The moon circles the earth. The is required when the noun it refers to represents something in the abstract: The United States has encouraged the use of the private automobile as opposed to the use of public transit. The is required when the noun it refers to represents something named earlier in the text. (See below..) If you would like help with the distinction between count and non-count nouns, please refer to Count and Non-Count Nouns. We use a before singular count-nouns that begin with consonants (a cow, a barn, a sheep); we use an before singular count-nouns that begin with vowels or vowel-like sounds (an apple, an urban blight, an open door). Words that begin with an h sound often require an a (as in a horse, a history book, a hotel), but if an h-word begins with an actual vowel sound, use an an (as in an hour, an honor). We would say a useful device and a union matter because the u of those words actually sounds like yoo (as opposed, say, to the u of an ugly incident). The same is true of a European and a Euro (because of that consonantal "Yoo" sound). We would say a once-in-a-lifetime experience or a one-time hero because the words once and one begin with a w sound (as if they were spelled wuntz and won). Merriam-Webster's Dictionary says that we can use an before an h- word that begins with an unstressed syllable. Thus, we might say an hisTORical moment, but we would say a HIStory book. Many writers would call that an affectation and prefer that we say a historical, but apparently, this choice is a matter of personal taste. For help on using articles with abbreviations and acronyms (a or an FBI agent?), see the section on Abbreviations. First and subsequent reference: When we first refer to something in written text, we often use an indefinite article to modify it. A newspaper has an obligation to seek out and tell the truth. In a subsequent reference to this newspaper, however, we will use the definite article: There are situations, however, when the newspaper must determine whether the public's safety is jeopardized by knowing the truth. Another example: "I'd like a glass of orange juice, please," John said. "I put the glass of juice on the counter already," Sheila replied. Exception: When a modifier appears between the article and the noun, the subsequent article will continue to be indefinite: "I'd like a big glass of orange juice, please," John said. "I put a big glass of juice on the counter already," Sheila replied. Generic reference: We can refer to something in a generic way by using any of the three articles. We can do the same thing by omitting the article altogether. A beagle makes a great hunting dog and family companion. An airedale is sometimes a rather skittish animal. The golden retriever is a marvelous pet for children. Irish setters are not the highly intelligent animals they used to be. The difference between the generic indefinite pronoun and the normal indefinite pronoun is that the latter refers to any of that class ("I want to buy a beagle, and any old beagle will do.") whereas the former (see beagle sentence) refers to all members of that class

#### Violation – They spec China

#### Standards:

#### 1] Limits – they can spec 123 different governments - that’s supercharged by the ability to spec combinations of types of strikes. This takes out functional limits – it’s impossible for me to research every possible combination of the 195 countries and worker types

ITUC 20**,** (International Trade Union Confederation, “World’s Worst Countries for Workers”), ITUC, 2020, https://www.ituc-csi.org/IMG/pdf/ituc\_globalrightsindex\_2020\_en.pdf // MNHS NL recut DD AG

In 2020, strikes have been severely restricted or banned in 123 out of 144 countries. In a significant number of these countries, industrial actions were brutally repressed by the authorities and workers exercising their right to strike often faced criminal prosecution and summary dismissals.

#### 2] Prep hazard – the negative is forced into generic Kant NCs each round – their model encourages random country of the week affs that make it impossible for the negative to cut stable neg links to the affirmative. Generics like the econ DA don’t check bc each country has various economic situations

#### 3] TVA solves – just read your aff as an advantage to a whole rez aff – we don’t stop them from reading new FWs, mechanisms or advantages. PICs aren’t aff offense – a] it’s ridiculous to say that neg potential abuse justifies the aff being non-T b] There’s only a small number of pics on this topic c] PICs incentivize them to write better affs that can generate solvency deficits to PICs

#### Fairness and education are voters – debate’s a game that needs rules to evaluate it and education gives us portable skills for life like research and thinking. Drop the debater – a) the 1AR is too short for theory and covering substance so a ballot implication is key, b) only dropping the debater deters future abuse and sets a positive norm. Use competing interps – reasonability invites arbitrary judge intervention since we don’t know your bs meter. No RVI’s – a) illogical – you shouldn’t win for being fair – it’s a litmus test for engaging in substance, b) they can stick me with 6min of answers to a short arg and make the 2AR impossible, c) topic ed – incentivizes negs to bait theory and read 2N scripts which avoids substance

### Case

### First is uniqueness

#### China currently sees a lot of worker insurgency- China is attempting and failing to coopt them through unionization

Freidman 14-- Friedman, Eli. *Insurgency trap: Labor politics in postsocialist China*. Cornell University Press, 2014. (AG DebateDrills)

At a very general level, there is nothing surprising about the fact that unregulated capitalist industrialization has generated worker unrest in China—such dynamics have appeared in countries around the world for nearly two centuries. But the specificity of postsocialist politics requires a somewhat different approach to studying this phenomenon in China. Whereas under second-wave marketization states had to decide whether/how to integrate worker representatives into the structures of the state, in China incorporation (see below for an elaborated definition) is the state's struggle to integrate atomized workers into the union, thereby rendering their struggles intelligible. Without legitimate representation—a potential means for co-optation—such a procedure encounters difficulty. If under second-wave marketization, the key site of analysis was between unions (as relatively unproblematized representatives of workers) and the state, the particular conditions in contemporary China imply that the focus must shift to the relationship between dispersed insurgent workers and unions. Although the theory of the countermovement is able to account for high levels of unrest and legislative efforts of the central government to ameliorate conflict, it fails to account for the politics of institutionalization in contemporary China. Finally, it is worth noting that labor politics in China hold profound consequences for the future of global capitalism. China occupies an increasingly central position in the global economy (Arrighi 2007a, 2007b; Hung 2009; Li Minqi 2009), and the nation's leaders have lofty geopolitical ambitions. China's transition to capitalism has already fundamentally reconfigured the structures of the global economy. It is the world's largest exporter, one of the top recipients of foreign direct investment (FDI),15 the second-largest national economy, and it increasingly dominates the production of all sorts of goods, from the very lowend and labor intensive to high-end and capital-intensive. Given the high degree of concentration of the globe's manufacturing, a shift in the country's mode of accumulation will reverberate internationally. Additionally, although China is of course dependent on the markets of wealthy nations, it is not politically or militarily subordinate to the United States in the way that Japan, South Korea, Taiwan, and any number of Latin American countries have been. China will increasingly be in a position where it is less bound by external constraints than has been the case for many newly industrialized countries. The consequence is that if pushed in a prolabor direction by worker insurgency, China may be in a position to lead a decommodifying restructuring of global capitalism (Arrighi 2007a). As noted by Peter Evans (2008, 2010), any adequate response to neoliberal globalization must itself be global in nature, and China is the most important single TRAP country in this regard. While the emergence of a globally oriented counterhegemonic labor movement in China seems remote at present, such a development would have far reaching consequences.

#### China’s economy is great- high GDP growth and all the fundamentals trend positive as they successfully suppressed COVID- outweighs all their fearmongering evidence as this ev actually looks at the numbers

World Bank 6/21—World Bank: China Economic Update- June 2021; June 29 2021; <https://www.worldbank.org/en/country/china/publication/china-economic-update-june-2021>. (AG DebateDrills)

China’s economy will post strong growth in 2021. Assuming the continued suppression of COVID-19, growth is project[s]ed to reach 8.5 percent this year. For next year we expect growth to slow to 5.4 percent, as low base effects dissipate, and the economy returns to its pre-COVID trend growth.

As the recovery becomes more entrenched, the structure of aggregate demand is expected to continue to rotate toward private domestic demand. Real consumption growth is projected to gradually return to its pre-COVID-19 trend, supported by the ongoing labor market recovery, rising household incomes and improved consumer confidence. Investment will also remain an engine of growth, but its structure is expected to shift toward private investment as manufacturing capex picks up, offsetting cooling infrastructure and property investment. As the global recovery is gaining momentum, export demand is expected to keep industrial capacity utilization high in the short term. However, the contribution of net exports to growth will moderate in the medium term as import growth picks up and international travel slowly resumes in 2022.

Despite the recent surge in imported raw material prices and a pick-up in domestic demand, consumer price inflation is expected to remain below target. This reflects the limited pass-through of rising producer prices to consumer prices as well as the effect of pork price deflation after last year’s swine fever.

### A2 Bloomberg

1. Nothing in the ev says China econ collapses- necessary to actually get to the impacts of soft power- income inequality doesn’t matter on its own

#### 2. Their own ev says China did comparatively better than the rest of the world- we read yellow

Bloomberg 21 1-19-2021 "China’s Wide Income Gap Undercut Spending as Growth Recovers" <https://www.bloomberg.com/news/articles/2021-01-18/china-s-strong-growth-masks-unbalanced-recovery-as-incomes-lag> //Elmer

China’s successful control of Covid-19 made it the only major economy to have grown last year, but wide **income inequality** **and** still **weak consumer spending** **reflects** an **unbalanced recovery**. Here’s a deeper look at some of the data published alongside the gross domestic product report this week: Income Gap Official figures released on Monday which showed that the economy’s growth rate surpassed pre-pandemic levels in the last quarter also revealed that the **richest 20%** of Chinese **had** an average **disposable income** of **more than** 80,000 yuan ($12,000) last year, **10.2 times** **what** the **poorest 20% earn**. The multiple in the U.S. is about 8.4 and closer to 5 in Western European countries such as Germany and France, according to data from the Organisation for Economic Co-operation and Development. By this measure, China’s inequality levels are comparable with Mexico, where the top 20% earn 10.4 times the bottom 20%. President **Xi** Jinping has **flagged** the country’s **unequal income distribution as a threat to its future growth**, with officials considering more redistributive policies to encourage household spending. While inequality didn’t surge in China due to the pandemic, the data showed officials have made little headway in reducing it, with the income gap remaining largely stable since 2015. Weak Consumption The full-year 2020 data also showed that even though China’s suppression of the virus allowed normal economic activities to resume by the second half of the year, growth in household spending has yet to return to pre-pandemic levels. **China’s per-capita consumption**, after adjusting for inflation, **dropped 4%** in 2020. That’s comparable with forecasts for U.S. personal consumption spending, which is projected to have fallen 3.8% in 2020, according to a Bloomberg survey. Retail sales declined 3.9% in 2020 from the previous year, a steeper fall than in developed economies such as the U.S., where government payments to workers stuck at home and unemployed supported spending on consumer goods. In common with other economies, China’s spending on services suffered more than spending on goods due to closures and fear of the virus, with an almost 17% drop in spending at restaurants last year.

### Link Turns

#### The right to strike does nothing to companies who actually exploit workers—they just hire consultants and employ shady tactics

Lafer and Loustaunau 20-- Gordon Lafer [political economist and is a Professor at the University of Oregon] and Lola Loustaunau [assistant research fellow at the Labor Education and Research Center, University of Oregon]; Fear at work: An inside account of how employers threaten, intimidate, and harass workers to stop them from exercising their right to collective bargaining; July 23, 2020; Economic Policy Institute; <https://www.epi.org/publication/fear-at-work-how-employers-scare-workers-out-of-unionizing/>. (AG DebateDrills)

Even when employers obey the law, they rely on a set of tactics that are legal under the NLRA but illegal in elections for Congress, city council, or any other public office. A $340 million industry of “union avoidance” consultants helps employers exploit the weaknesses of federal labor law to deny workers the right to collective bargaining.17 Over the past five years, employers using union avoidance consultants have included FedEx, Bed Bath & Beyond, and LabCorp, among others. Table 1, reproduced from an EPI report published in late 2019, lists just a few of these employers, along with the reported financial investments they made to thwart union organizing during the specified years.18 These firms’ tactics lie at the core of explaining why so few American workers who want a union actually get one, and their success in blocking unionization efforts represents a significant contribution to the country’s ongoing crisis of economic inequality. The lack of a right of free speech enables coercion NLRB elections are fundamentally framed by one-sided control over communication, with no free-speech rights for workers. Under current law, employers may require workers to attend mass anti-union meetings as often as once a day (mandatory meetings at which the employer delivers anti-union messaging are dubbed “captive audience meetings” in labor law). Not only is the union not granted equal time, but pro-union employees may be required to attend on condition that they not ask questions; those who speak up despite this condition can be legally fired on the spot.19 The most recent data show that nearly 90% of employers force employees to attend such anti-union campaign rallies, with the average employer holding 10 such mandatory meetings during the course of an election campaign.20 In addition to group meetings, employers typically have supervisors talk one-on-one with each of their direct subordinates.21 In these conversations, the same person who controls one’s schedule, assigns job duties, approves vacation requests, grants raises, and has the power to terminate employees “at will” conveys how important it is that their underlings oppose unionization. As one longtime consultant explained, a supervisor’s message is especially powerful because “the warnings…come from…the people counted on for that good review and that weekly paycheck.”22 Within this lopsided campaign environment, the employer’s message typically focuses on a few key themes: unions will drive employers out of business, unions only care about extorting dues payments from workers, and unionization is futile because employees can’t make management do something it doesn’t want to do.23 Many of these arguments are highly deceptive or even mutually contradictory. For instance, the dues message stands in direct contradiction to management’s warnings that unions inevitably lead to strikes and unemployment. If a union were primarily interested in extracting dues money from workers, it would never risk a strike or bankruptcy, because no one pays dues when they are on strike or out of work. But in an atmosphere in which pro-union employees have [with] little effective right of reply, these messages may prove extremely powerful.

#### That further turns the aff since blindly introducing the right to strike always entrenches neoliberalism, guaranteeing its own fruitlessness and undermining the power of the working class, turning case—South Africa proves

Runciman 19-- Runciman, Carin [Associate Professor of Sociology at University of Johannesburg]. "The" Double-edged Sword" of Institutional Power: COSATU, Neo-liberalisation and the Right to Strike." Global Labour Journal 10.2 (2019). (AG DebateDrills)

The analysis presented in this article offers a challenge for the use of the PRA and the analysis of institutional power. By situating institutional power within an analysis of corporatism, I argue that institutional power develops further analytical utility, which is attentive to class forces. In addition to this, in the specificities of the South African context, corporatism also provides an avenue for understanding how the specific forms of institutional power that have been forged by COSATU are related to their political relationship to the ANC, thus providing a more comprehensive account of how institutional power has been shaped. The article not only considers what gives rise to institutional power but also how it has been strategically used. Understanding this requires a wider consideration of COSATU’s associational and structural power as well as its waning political influence. By analysing the 1995 LRA and the 2019 amendments this article is able to give some consideration as to [shows] how COSATU’s institutional power has unfolded through time. Rather than viewing the 1995 LRA as an unqualified victory, as is commonly the case within the literature (Adler and Webster, 1999), this article highlights how significant compromises within the 1995 LRA entrenched neo-liberalism in South Africa, the unintended consequences of which have served to undermine the power of trade unions and the working class overall. The analysis presented within this article demonstrates how neo-liberal restructuring in South Africa emerged hand-in-hand with corporatism. The 1995 LRA was the first and one of the most significant pieces of legislation to be enacted by the first democratic government. While it was undoubtedly a significant step forward for South African workers, particularly black South African workers, it also set out an explicitly neo-liberal path focused on “regulated flexibility” (Du Toit et al., 2003), an objective of both corporatism and neo-liberalism (Humphrys, 2018). While it could be argued that the compromises of the 1995 LRA were necessary in order to formally end the apartheid labour regime, this does not mean we should negate an understanding of COSATU’s agency in resisting the forces of neo-liberalism. As this article argues, COSATU made strategic choices about whom to organise, and in doing so chose to neglect some of the most vulnerable sections of the South African labour market. In the absence of organised labour, the number of precarious workers has grown considerably. While COSATU did utilise its institutional power to initiate reforms to the LRA to enhance protections for vulnerable workers, this has translated into little concrete organising of these workers. Indeed, if anything, the 2019 amendments illustrate that COSATU is willing to act against the interests of these workers in order to shore up its own structural, associational and institutional power.

#### Specifically true in China

CLB 13-- China Labour Bulletin; For Chinese workers the right to strike is an academic issue; 12 March 2013; <https://clb.org.hk/content/chinese-workers-right-strike-academic-issue>. (AG DebateDrills)

The right to strike came up again during the annual parliamentary gathering in Beijing last week. Ge Jianxiong, head of Fudan University Library, suggested that the right to strike be restored to the Chinese constitution, telling the Financial Times that strikes were an effective way of defending workers’ rights, and should be legally protected. Two years ago, Guangzhou businessman and national legislator, Zeng Qinghong, made a similar proposal to the National People’s Congress. Zeng was well known at the time for his mediating role in the 2010 Nanhai Honda strike and his proposal to legitimize the right to strike caused considerate debate among academics. For most workers however it has remained an academic debate. There has not been a right to strike in China since it was removed from the constitution in 1982. But this has not prevented workers, especially young, well-educated workers who are well aware of their rights, from going out on strike. In mid-February, for example, when hundreds of workers at the American-owned International Paper factory in Panyu struck for a better annual bonus, they didn’t think about the legitimacy of the strike. One worker explained how line managers had simply told workers not to report for duty that day but instead gather at a designated place to put pressure on the company to respond to their demands for a better bonus, which reportedly had been cut from 2,000 yuan to 750 yuan. “We didn’t consider if our behaviour was legal or not,” said the worker over the phone. “We simply wanted to seek an explanation for why our annual bonus was cut this year.” He added that they were actually following the example of another factory in Guangzhou that had succeeded in getting a bonus increase after going out on strike at the end of December. The worker said they had approached the trade union before going on strike but the union officials were largely unresponsive. “They did not take us seriously,” he said. The majority of factory workers in China think the same way. They don’t seek the union’s consent to strike. Strikes are a spontaneous and often effective means of achieving workers’ demands. The downside is of course that they risk being fired or even detained. The right to strike would in theory protect such workers but as Chang Kai, professor at Renmin University, has noted, the precondition for legislation on the right to strike should be that trade unions can vigorously represent workers. Most countries in which workers do have the right to strike also have unions that can and are willing to organize strikes. And in most cases, strikes normally occur after collective bargaining reaches a standstill or fails. Given the current inability of Chinese unions to represent workers or to hold real collective bargaining, legislation could actually deprive workers of ways to effectively bargain with their bosses by placing restrictions on the conditions for strike action.

#### Turn: Today’s strikes rely on public support—legal strikes always incite social tensions among groups of different statuses—only illegal strikes have the potential to be successful and change minds

Reddy 21-- Diana S. Reddy [Diana Reddy is a Doctoral Fellow at the Law, Economics, and Politics Center at UC Berkeley Law]; “There Is No Such Thing as an Illegal Strike”: Reconceptualizing the Strike in Law and Political Economy; Jan 6 2021; Yale Law Journal; <https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy>. (AG DebateDrills)

In recent years, consistent with this vision, there has been a shift in the kinds of strikes [are] workers and their organizations engage in—increasingly public-facing, engaged with the community, and capacious in their concerns.178 They have transcended the ostensible apoliticism of their forebearers in two ways, less voluntaristic and less economistic. They are less voluntaristic in that they seek to engage and mobilize the broader community in support of labor’s goals, and those goals often include community, if not state, action. They are less economistic in that they draw through lines between workplace-based economic issues and other forms of exploitation and subjugation that have been constructed as “political.” These strikes do not necessarily look like what strikes looked like fifty years ago, and they often skirt—or at times, flatly defy—legal rules. Yet, they have often been successful. Since 2012, tens of thousands of workers in the Fight for $15 movement have engaged in discourse-changing, public law-building strikes. They do not shut down production, and their primary targets are not direct employers. For these reasons, they push the boundaries of exiting labor law.179 Still, the risks appear to have been worth it. A 2018 report by the National Employment Law Center found that these strikes had helped twenty-two million low-wage workers win $68 billion in raises, a redistribution of wealth fourteen times greater than the value of the last federal minimum wage increase in 2007.180 They have demonstrated the power of strikes to do more than challenge employer behavior. As Kate Andrias has argued: [T]he Fight for $15 . . . reject[s] the notion that unions’ primary role is to negotiate traditional private collective bargaining agreements, with the state playing a neutral mediating and enforcing role. Instead, the movements are seeking to bargain in the public arena: they are engaging in social bargaining with the state on behalf of all workers.”181 In the so-called “red state” teacher strikes of 2018, more than a hundred thousand educators in West Virginia, Oklahoma, Arizona, and other states struck to challenge post-Great Recession austerity measures, which they argued hurt teachers and students, alike.182 These strikes were illegal; yet, no penalties were imposed.183 Rather, the strikes grew workers’ unions, won meaningful concessions from state governments, and built public support. As noted above, public-sector work stoppages are easier to conceive of as political, even under existing jurisprudential categories.184 But these strikes were political in the broader sense as well. Educators worked with parents and students to cultivate support, and they explained how their struggles were connected to the needs of those communities.185 Their power was not only in depriving schools of their labor power, but in making normative claims about the value of that labor to the community. Most recently, 2020 saw a flurry of work stoppages in support of the Black Lives Matter movement.186 These ranged from Minneapolis bus drivers’ refusal to transport protesters to jail, to Service Employees International Union’s Strike for Black Lives, to the NBA players’ wildcat strike.187 Some of these protests violated legal restrictions. The NBA players’ strike for instance, was inconsistent with a “no-strike” clause in their collective-bargaining agreement with the NBA.188 And it remains an open question in each case whether workers sought goals that were sufficiently job-related as to constitute protected activity.189 Whatever the conclusion under current law, however, striking workers demonstrated in fact the relationship between their workplaces and broader political concerns. The NBA players’ strike was resolved in part through an agreement that NBA arenas would be used as polling places and sites of civic engagement.190 Workers withheld their labor in order to insist that private capital be used for public, democratic purposes. And in refusing to transport arrested protestors to jail, Minneapolis bus drivers made claims about their vision for public transport. Collectively, all of these strikes have prompted debates within the labor movement about what a strike is, and what its role should be. These strikes are so outside the bounds of institutionalized categories that public data sources do not always reflect them.191 And there is, reportedly, a concern by some union leaders that these strikes do not look like the strikes of the mid-twentieth century. There has been a tendency to dismiss them.192 In response, Bill Fletcher Jr., the AFL-CIO’s first Black Education Director, has argued, “People, who wouldn’t call them strikes, aren’t looking at history.”193 Fletcher, Jr. analogizes these strikes to the tactics of the civil-rights movement. As Catherine Fisk and I recently argued, law has played an undertheorized role in constructing the labor movement and civil-rights movement as separate and apart from each other, by affording First Amendment protections to civil rights groups, who engage in “political” activity, that are denied to labor unions, engaging in “economic” activity.194 Labor unions who have strayed from the lawful parameters of protest have paid for it dearly.195 As such, it is no surprise that some unions are reluctant to embrace a broader vision of what the strike can be. Under current law, worker protest that defies acceptable legal parameters can destroy a union. Recasting the strike—and the work of unions more broadly—as political is risky. Samuel Gompers defended the AFL’s voluntarism and economism not as a matter of ideology but of pragmatism; he insisted that American workers were too divided to unite around any vision other than “more.”196 He did not want labor’s fortunes tied to the vicissitudes of party politics or to a state that he had experienced as protective of existing power structures. Now, perhaps more than ever, it is easy to understand the dangers of the “political” in a divided United States. Through seeking to be apolitical, labor took its work out of the realm of the debatable for decades; for this time, the idea that (some) workers should have (some form of) collective representation in the workplace verged on hegemonic. And yet, labor’s reluctance to engage in the “contest of ideas” has inhibited more than its cultivation of broader allies; it has inhibited its own organizing. If working people have no exposure to alternative visions of political economy or what workplace democracy entails, it is that much harder to convince them to join unions. Similarly, labor’s desire to organize around a decontextualized “economics” has always diminished its power (and moral authority), given that the economy is structured by race, gender, and other status inequalities—and always has been. During the Steel Strike of 1919, the steel companies relied on more than state repression to break the strike. They also exploited unions’ refusal to organize across the color line. Steel companies replaced striking white workers with Black workers.197 Black workers also sought “more.” But given their violent exclusion from many labor unions at the time, many believed they would not achieve it through white-led unions.198

#### In China, the Right to Strike is a purely academic debate—workers strike in the status quo and a formalized right would more likely backfire

**CLB 13**-- China Labour Bulletin; For Chinese workers the right to strike is an academic issue; 12 March 2013; <https://clb.org.hk/content/chinese-workers-right-strike-academic-issue>. (AG DebateDrills)

### The right to strike came up again during the annual parliamentary gathering in Beijing last week. Ge Jianxiong, head of Fudan University Library, suggested that the right to strike be restored to the Chinese constitution, telling the Financial Times that strikes were an effective way of defending workers’ rights, and should be legally protected. Two years ago, Guangzhou businessman and national legislator, Zeng Qinghong, made a similar proposal to the National People’s Congress. Zeng was well known at the time for his mediating role in the 2010 Nanhai Honda strike and his proposal to legitimize the right to strike caused considerate debate among academics. For most workers however it has remained an academic debate. There has not been a right to strike in China since it was removed from the constitution in 1982. But this has not prevented workers, especially young, well-educated workers who are well aware of their rights, from going out on strike. In mid-February, for example, when hundreds of workers at the American-owned International Paper factory in Panyu struck for a better annual bonus, they didn’t think about the legitimacy of the strike. One worker explained how line managers had simply told workers not to report for duty that day but instead gather at a designated place to put pressure on the company to respond to their demands for a better bonus, which reportedly had been cut from 2,000 yuan to 750 yuan. “We didn’t consider if our behaviour was legal or not,” said the worker over the phone. “We simply wanted to seek an explanation for why our annual bonus was cut this year.” He added that they were actually following the example of another factory in Guangzhou that had succeeded in getting a bonus increase after going out on strike at the end of December. The worker said they had approached the trade union before going on strike but the union officials were largely unresponsive. “They did not take us seriously,” he said. The majority of factory workers in China think the same way. They don’t seek the union’s consent to strike. Strikes are a spontaneous and often effective means of achieving workers’ demands. The downside is of course that they risk being fired or even detained. The right to strike would in theory protect such workers but as Chang Kai, professor at Renmin University, has noted, the precondition for legislation on the right to strike should be that trade unions can vigorously represent workers. Most countries in which workers do have the right to strike also have unions that can and are willing to organize strikes. And in most cases, strikes normally occur after collective bargaining reaches a standstill or fails. Given the current inability of Chinese unions to represent workers or to hold real collective bargaining, legislation could actually deprive workers of ways to effectively bargain with their bosses by placing restrictions on the conditions for strike action.

## Answering their links

### A2 Dongfang

1. The parts that they highlight are literally the most generic conclusions you can get. It says right to strike helps you collectively bargain—duh, don’t let them say their ev outweighs on specificity or anything

#### The Dongfang ev says that inserting a right to strike alone does absolutely nothing and actually erodes the strike, they’d need a collective bargaining right too—we read yellow

Dongfang 11 Han Dongfang 4-6-2011 "Liberate China's Workers" <https://archive.md/7RvDG#selection-307.0-316.0> (director of China Labour Bulletin, a nongovernmental organization that defends the rights of workers in China.)//Elmer

HONG KONG — **There is no legal right to strike in China**, but there are strikes every day. Factory workers, hotel employees, teachers and taxi drivers regularly withdraw their labor and demand a better deal from their employer. Strikes are often successful, and these days strike leaders hardly ever get put in prison. It may seem ironic that workers in a nominally Communist country don’t have the right to strike, and that workers are apparently willing to defy the Communist Party by going out on strike. But China effectively abandoned Communism and embraced capitalism many years ago. And in a capitalist economy, strikes are a fact of life. Chinese scholars, government **officials** and even some businessmen have long recognized this fact and have **called for the** **restoration of the right to strike**, **which was removed from the Constitution of the People’s Republic of China in 1982**. **Deng Xiaoping feared that the economic reforms he was introducing would lead to labor unrest.** Although Deng and his successors were able to quiet labor unrest and strike action for a while, the trend over the last five years or so has been clear. As the business leader Zeng Qinghong noted recently, the number of strikes is increasing every year. Mr. Zeng, who is head of the Guangzhou Automobile Co., reported that in just two months last summer, there were more than 20 strikes in the automotive industry in the Pearl River Delta alone, and that new strikes were occurring all the time. Mr. Zeng suggested in a submission to this year’s National People’s Congress, China’s annual legislature, that the right to strike should be restored because it was a basic right of workers in a market economy and a natural adjunct to the right to work. I agree with Mr. Zeng on this point and would like to take his argument one step further. The **right to strike** **is** clearly important, but the most vital and fundamental right of workers is **the right to collective bargaining**. After all, **why do workers go out on strike**? Very simply, they go on strike **for higher pay and better working conditions**. **The strike is not an end in itself but is part of a bargaining process.** And **if the collective bargaining process were more effective**, in many cases, **workers would not need to go out on strike at all**. If you talk to factory workers, most will tell you they would rather not go on strike if they can avoid it. Indeed, most only go on strike because they have no alternative. **China’s workers want and need an alternative**. They want **a system** in **which they can raise their demands** for higher pay and discuss those demands **in** peaceful, **equal and constructive negotiations** with management. **If workers can achieve their goals through peaceful collective bargaining, in the long run there will be fewer strikes**, workers will be better paid and labor relations will be vastly improved. We also have to be aware that if the right to strike is reinstated in the Constitution in isolation — without the right to collective bargaining — there would be a danger that the right of workers to go on strike might actually be eroded. Just look at the right to stage a public demonstration. Chinese citizens do have the constitutional right to demonstrate but in reality they have to apply to the police for permission, and of course very few of those applications are granted. Likewise, if workers have to apply to the authorities before they can go on strike, the right to strike will become meaningless. Moreover, the number of strikes would not be reduced because workers would continue to go out on strike regardless and labor relations will deteriorate even further. On the other hand, if the **right to strike** is framed in a way that **can** **liberate workers** and **encourage** **and empower them to engage in collective bargaining**, **safe** **in the knowledge that they have a powerful weapon that can be deployed if necessary, labor relations will be enhanced** and the number of strikes might actually decrease. There is a saying in China that “you should not only focus on your head when you have headache because the real reason for the headache could be your foot.” As Mr. Zeng noted, the rapidly increasing number of strikes in China has become a major headache, not only for business but for the government as well. If the government wants to reduce the number of strikes in China, it needs to take a holistic approach and address the root cause of the problem — the absence of an effective collective bargaining system in which democratically elected workers’ representatives can negotiate better pay and conditions with their employer. If such a system can be implemented in China it would obviously benefit workers but it would also **benefit employers** like Mr. Zeng who are **concerned** **about** **high worker turnover and the loss of production through strike action.** Crucially, it is also in the interest of the Chinese government to introduce collective bargaining. The authorities may be nervous about handing power to the workers but they should bear in mind that by doing so they would aid the development of more harmonious labor relations, which could lead to the Communist Party’s goal of creating a more prosperous, stable and harmonious society.

### A2 Freidman

#### Again it talks about collective bargaining primarily and needing collective bargaining rights as well- we read yellow

Friedman 17 Eli Friedman 4-20-2017 "Collective Bargaining in China is Dead: The Situation is Excellent" <https://www.chinoiresie.info/collective-bargaining-in-china-is-dead-the-situation-is-excellent/> (Assistant Professor of International and Comparative Labour at Cornell University)//Elmer

For many years reform-oriented labour activists and scholars working in China have seen **collective bargaining** as the **cure for** the **country’s severe labour problems**. The logic underlying this was often unstated, but straightforward: collective bargaining was crucial for twentieth century labour movements in capitalist countries in giving workers a voice and creating a more equitable social distribution of wealth. With growing levels of labour unrest in China over the past twenty years, collective bargaining seemed like a logical next step. Hopeful reformers—both within the official unions as well as labour NGO activists and academics—envisioned rationalised, legalised bargaining between labour and capital as a central pillar in the construction of a more just workplace and society. The **challenges to institutionalising** a robust **collective bargaining** system **in** the People’s Republic of **China** (PRC) **have** always **been profound**. **Fundamental** to labour relations theory **is** that collective bargaining rights must be accompanied by the **right to strike** and freedom of association—**capital** **has no reason to take workers seriously without labour possessing some coercive power**. But independent unions have long been an anathema to the Communist Party. From the Lai Ruoyu debacle of the 1950s to the crushing of the Beijing Workers Autonomous Federation in 1989, the Party has made it clear time and again that independent worker organisations are forbidden. Although workers have never enjoyed the right to strike in practice, the right was formally included in the Chinese constitutions of 1975 and 1978. It **was Deng Xiaoping who removed it from the constitution just as private capital began pouring into China in the early 1980**s. Working Within the System Nonetheless, with no signs of articulated worker movements since 1989, many well-intentioned people thought it was worth trying to advance worker rights within the system. Especially from the mid 2000s on, academics (myself included) launched research projects, NGOs held training sessions, and foreign unions engaged with the All-China Federation of Trade Unions (ACFTU). Many assumed that the state would eventually decide that worker insurgency was exacting too high a cost, and that serious labour reforms were therefore necessary. And indeed, beginning in the late 2000s the ACFTU made collective negotiations (xieshang)—rather than the more antagonistic sounding ‘bargaining’ (tanpan)—a high priority, investing time and resources into expanding the coverage of collective contracts. At its best, **collective bargaining in China** **has been woefully inadequate**. The state and the ACFTU have been very cautious about controlling workers’ aspirations, and have insisted on the fundamental harmony of interests between labour and capital. Experiments with bargaining have been almost **exclusively restricted to single enterprises**, thereby preventing workers from constituting cross-workplace ties. The overwhelming majority of collective contracts are **formulaic**: **actual bargaining rarely occurs**, and **enforcement is** largely **non-existent**. The few shining examples where employers have made real compromises during collective bargaining have followed autonomously organised wildcat strikes. The best-known case is the 2010 strike from a Honda transmission plant in Guangdong province, which resulted in major wage gains as well as an (ultimately unsuccessful) effort to reform the enterprise union. It is not coincidental that substantive worker-led bargaining is much more likely in Japanese or American firms, where the state must be cautious not to inflame patriotic sentiments. State-sanctioned economic nationalism is a shaky foundation for a robust collective bargaining system. The Death of Collective Bargaining under Xi Even these timid efforts have been smothered in recent years, as the central government has turned in a markedly anti-worker direction under Xi Jinping. There was a brief moment in 2010 when discussion about the right to strike emerged from hushed whispers into the public discourse. But this opening was ephemeral, and union reformers in Guangdong who had pushed gentle reforms in the mid-late 2000s were replaced with typical Party apparatchiks. The country’s pre-eminent centre for labour studies at Sun Yat-sen University in Guangzhou was shuttered. The academic study of employment has now been left almost entirely to business schools, as the government has stymied further expansion of labour relations programs. Labour NGOs in Guangzhou were subjected to a brutal crackdown in December 2015, with the government specifically targeting those groups that had been helping workers to engage in collective negotiations to resolve strikes. And the ACFTU has seemingly given up on advancing collective negotiations altogether. The Chairman of the ACFTU Li Jianguo does not even mention the term in his speeches anymore. Under the ‘work developments’ section of the ACFTU’s website, a lonely single report on collective contracts for the entirety of 2016 is a stark indication that the union has almost totally forsaken this agenda. Collective bargaining is not dead in the sense that it will disappear from China’s labour-capital relations. It is almost certain that official unions will continue to pursue bargaining in its current vacuous, bureaucratic, and worker-exclusionary form. Collective contracts will continue to be signed, tabulated, and then hidden from view from workers. Somewhat less pessimistically, workers will continue to force management to bargain with the collective via wildcat strikes. This latter form will still be an important means by which workers can attempt to ensure their most basic rights, and these efforts are absolutely worth supporting. But collective bargaining is dead as a political aim. It is not going to be the cornerstone of twentieth century-style class compromise in China, it is not generative of worker power, and it certainly does not herald broader social transformation. To the extent that legal bargaining does develop, it will be as a mechanism for the state to deprive workers of autonomous power. What then might Chinese workers and allied intellectuals and activists aim for? At the risk of stating the obvious, **the working class needs more power**. The question is, how to foster proletarian power in the face of a highly competent authoritarian state that views organised workers as an existential threat? In the absence of independent organisations, the only option is an intensification of already widespread worker insurgency. The more wildcat strikes, mass direct action, and worker riots, the more the state and capital will be forced to take worker grievances seriously. Of course such forms of collective action come at great risk for workers, and many have already paid a high price. In any particular case, the risks may certainly outweigh the benefits. But in the aggregate, expansive unrest is just what the working class needs. With the institutions firmly oriented towards advancing the inter-related goals of state domination and exploitation by capital, disruption on a large scale is the only chance workers have of forcing change. Ungovernability will be the necessary prelude to any institutional reform worthy of the name.

### A2 Merkley

1. Detention didn’t happen through the courts—no reason labor law was key
2. Doesn’t prove the link to union power- right to strike actually needs to give power to workers first which we’ve proven it doesn’

#### Card literally says what China did violated i-law already- we read yellow

Merkley and McGovern 13 Jeff Merkley and James McGovern 12-20-2013 "Detention of Labor Representative Highlights Challenges for Collective Bargaining in China" <https://www.cecc.gov/publications/commission-analysis/detention-of-labor-representative-highlights-challenges-for> (Representative and Co-Chair of the Congressional-Executive Commission on China)//Elmer

**Authorities** in Shenzhen city, Guangdong province, **detained** migrant worker and **labor representative** Wu Guijun in May 2013 reportedly **for participating in a peaceful labor protest**. Prior to his detention, Wu was one of seven elected labor representatives involved in collective bargaining with his employer. Labor advocates have condemned Wu’s detention and expressed concern that he has been held for an extended period of time without being formally indicted. Wu’s case **illustrates** the **challenges** **Chinese workers face engaging in collective bargaining** to resolve workplace grievances. On May 23, 2013, public security officials in Bao’an district, Shenzhen city, Guangdong province, detained migrant worker Wu Guijun, after he reportedly participated in a local Bao’an labor protest.[1] Employed at the Diweixin manufacturing factory (“Diweixin”) in Bao’an, Wu was one of seven elected labor representatives negotiating with factory management on a resolution to a near month-long labor dispute. Workers staged a public protest after management failed to agree to collective bargaining demands, including worker compensation for a proposed factory closure. As a result of the protest, authorities **detained** a number of protesters, including Wu. According to his lawyer, Wu now faces possible criminal prosecution **for** “gathering a crowd to **disrupt social order**,” a crime punishable by three to seven years’ imprisonment under Article 290 of the PRC Criminal Law.[2] Background on Wu’s Case In early May 2013, workers at Diweixin, a Hong Kong-owned factory, initiated a strike in response to management plans to close and relocate manufacturing operations from Shenzhen to Huizhou municipality, Guangdong.[3] Seeking severance compensation in connection with the factory’s closure, workers elected Wu, along with six others, to advance their demands in collective negotiations with factory management. According to multiple reports, management repeatedly refused to cooperate with the representatives for more than two weeks of collective negotiations, reportedly offering at one point to provide workers with compensation below the legal minimum required by law.[4] In an attempt to pressure local authorities to intervene in the dispute, 300 workers marched on May 23 to the Shenzhen municipal government.[5] Local public security reportedly intervened in the march, detaining as many as 200 workers, including Wu. Authorities released a majority of those detained the following day and others in the succeeding weeks, but authorities continued to detain Wu, eventually placing him under criminal detention.[6] Labor advocates have expressed concern that authorities have held Wu for an extended period of time without being indicted.[7] In October 2013, procuratorate officials returned Wu’s case to public security officials for additional investigation.[8] According to Wu’s lawyer, the Bao’an district procuratorate twice rejected indicting Wu—apparently on the charge of “gathering a crowd to disrupt social order”—due to insufficient evidence.[9] Reactions to Wu’s Detention Fellow workers, academics, and labor advocates have criticized Wu’s detention. On September 27, 2013, 32 Chinese and international labor organizations cosigned a petition expressing concern that the collective actions taken by Diweixin workers resulted in detentions and the potential criminal prosecution of Wu, despite protections provided under the PRC Constitution guaranteeing freedom of assembly.[10] Signatories stressed that “Wu and other **worker leaders** were **alone in their struggle** without receiving support from the trade union,” and called on authorities to “**defend the worker’s right to strike**” and release Wu. In a September 11, 2013, open letter to the Shenzhen Federation of Trade Unions, Wu’s coworkers called his **detention** a “**bad precedent**” that would **cause** “**workers striking in the future [to face] the risk of prosecution.”**[11] According to the letter, such a situation would “**intensify social contradictions and influence social harmony**.” Workers urged the Shenzhen Federation of Trade Unions to fulfill its “core responsibility” to protect workers’ rights and to pressure local authorities to release Wu. Continued Challenges for Collective Bargaining Wu’s case illustrates the continued challenges Chinese workers face pursuing collective bargaining to resolve workplace grievances. The Commission’s 2013 Annual Report noted that demographic and economic shifts have provided workers with greater bargaining power in the workplace, increasing their determination to redress grievances and press for better pay and working conditions.[12] While the All-China Federation of Trade Unions (ACFTU)—China’s sole official trade union under the direction of the Chinese Communist Party—has promoted collective contract and wage bargaining to address workers’ grievances and maintain “harmonious” labor relations, a general lack of autonomy and genuine worker representation in enterprise-level unions continues to limit ACFTU-led collective bargaining.[13] According to Wan Xiangdong, a professor and deputy director of the labor research and service center at Sun Yat-sen University in Guangdong, **government** and local trade union **officials** **continue to approach labor disputes through the perspective of maintaining social stability** and protecting against economic losses, **which places workers at a marked disadvantage**.[14] Wu’s case also highlights the risk workers face by engaging in collective bargaining without trade unions. A December 7, 2012, China Labour Bulletin report, indicated that labor representatives “have suffered reprisals after taking part in collective bargaining with management,” including forced resignations, firings, and detention.[15] The report notes that despite some successful cases of worker-led collective bargaining, a **lack** **of** “any **clear defined legal protection**” for labor representatives **makes them susceptible to retaliation**, necessitating “protection from both the law and a fully functioning trade union.” As a member of the International Labor Organization (ILO), China is obligated to respect, promote, and realize the principles of freedom of association and the “effective recognition” of the right to collective bargaining.[16]

### A2 Roberts

#### **Card has no warrant beyond they get right to strike and things go well- prefer our ev and our recuts of their ev for specificity to the actual mechanics of what happens**

1. Card literally says there’s hundreds of strikes every month and it’s about government control- we read yellow

The name gives no hint of the revolutionary changes afoot for mainland workers. Yet the **proposed Regulations** on the Democratic Management of Enterprises, now being debated by the Guangdong Provincial People's Congress, **could give Chinese labor the ultimate**—and until now taboo—**bargaining tool**: **an officially sanctioned right to strike**. "This has been a no-go area in China for decades," says Robin Munro, deputy director at the Hong Kong-based China Labour Bulletin. All **Chinese workers** belong to one **union**, but it **wields little power**. "This is the first time ever Chinese authorities have said it is O.K. to strike." The draft law could take effect by this fall in Guangdong, the industrialized coastal province where Honda (HMC) workers in June illegally and successfully struck for higher wages. The proposed law is seen by many activists and researchers as a trial balloon before a possible national rollout. The rules: If one-fifth or more of a company's staff demands collective bargaining, then management must discuss workers' grievances. Before talks begin, the union must elect local worker representatives. Until now, union reps came from management ranks. The next section of the proposed law ventures into even more radical territory. For six decades, picketing and disrupting production have been illegal and subject to harsh punishment. Under the Guangdong proposal, as long as workers first try negotiating and refrain from violence, they're allowed to strike. Though the draft could still get watered down, the fact that officials are even considering legalizing strikes signals a sea change. The party's moves are an attempt to recognize—and regulate—what is already happening. "Every month there are hundreds of strikes," says Chang Kai, a labor relations professor at Renmin University of China who advised the Honda workers. "What the government is concerned about is whether it can control these strikes or not." **Formalizing workers' rights** **could** also advance **China's goal of rebalancing the economy**. "There is a **new emphasis on how to reduce the wage gap** **and get consumers to spend more**," says Chang-Hee Lee, an industrial relations expert at the International Labour Organization's Beijing office. "This is **not** very **easy** to accomplish **unless** **workers have more bargaining power**." The bottom line: A proposed law being debated in Guangdong could greatly strengthen the bargaining power of Chinese workers.

### A2 Haack

1. This evidence is from a US journalist—Chinese authors know way more about what’s really going on
2. This card doesn’t even attempt to give a warrant for how the right to strike alone would help Chinese workers

#### Circumvention – local governments enforce laws and they ignore violation of workers’ rights and crackdown

**Borgen Project** – Borgen Project, 9-30-18, "5 Facts About Workers' Rights in China," https://borgenproject.org/facts-about-workers-rights-in-china/

Employers tread on workers’ rights – **Independent labor unions are illegal in China. The government only endorses one union, known as the All-China Federation of Trade Unions (ACFTU). All other unions fall under their hierarchical control. Since ACFTU is tied to the government, it prioritizes government stability. Most workers do not see it as a reliable advocate for their rights.** China Labor Watch (CLW), a workers’ advocacy group, investigated working conditions at Catcher Technology Co., a company that manufactures parts for Apple, Inc. CLW discovered many instances of unpaid overtime work, forced improper handling of toxic materials and work on machines without proper training. Workers report feeling nauseous from the fumes, getting headaches from the noise of the machines––and working so hard that their hands turn white.

**Law fails to protect workers’ rights in China – Under Chinese law, workers are technically guaranteed the right to a 40-hour work week with overtime pay, a minimum wage and social security benefits. But enforcement is down to the local governments. Unfortunately, underfunded and understaffed local governments often ignore violations of workers’ rights in China. When violations are reported, documented proof of employment is required to take employers to court. However, the rise of the “informal economy” in China means that many migrant workers are working without formal contracts. They are not officially employed anywhere, moving to and from companies to work during peak production seasons.**

Labor activists are changing the landscape – But Chinese workers are standing up. Approximately 600 worker strikes or protests were reported in 2017 alone, but estimates accounting for unreported strikes in recent years are even higher. In 2010, it was China’s youth that led the way. At the Nanhai Honda factory, a 23-year-old named Tan Guocheng led a 19-day long strike of young workers demanding higher wages––and they were victorious.When the Lide shoe factory decided to relocate in 2014, it did not consult its workers; instead, it provided them with little to no compensation. Workers came together to demand fair compensation for the relocation and the welfare benefits the company already legally owed them but had not been paying them. In a collective bargaining process that lasted for over nine months, the company was forced to compensate its workers and finally cover their social insurance and housing funds.

**The Chinese government cracks down on activists – In March of 2016, eight workers were sentenced to up to eight months in prison just for protesting their low wages in public. They were charged with the crime of “severely obstructing social-administrative order.”Wu Guijun used to be a factory worker and is now a dedicated labor activist. After organizing a protest of two hundred people, he was detained for more than a year. His crime? “Gathering a crowd to disrupt traffic.”** Guijun was eventually acquitted.

NGOs fight for workers’ rights in China – After Guijun was acquitted, he was compensated by the government and used that money to found a labor rights group called Xin Gong Yi. This nongovernmental organization (NGO) stands up for workers by giving them legal advice.The Panyu Workers’ Service Centre, an NGO based in the city of Guangzhou, advocates for better labor laws. They submit key research reports to the Chinese legislature, stressing the importance of protecting all citizens equally. For example, they helped draft a new social security law in 2008 that increased the legally mandated welfare benefits for workers.