# Apple Valley Semis

# T

#### Interp – the aff must not garner offense from anything beyond a government’s recognition of a right to strike of workers

#### Violation – They specify worker souls, which are not workers.

#### Oxford Dictionary –

#### Worker

noun

plural noun: workers

1.

a person who does a specified type of work or who works in a specified way.

#### Soul

soul

noun

noun: soul; plural noun: souls

1.

the spiritual or immaterial part of a human being or animal, regarded as immortal.

Souls can’t work – they’re immaterial meanign that they cannot produce anytiing

#### Standards:

#### 1] Limits – they can spec infinite different parts of workers like their brains, their beings, their otnolgoy, etc. which makes negatin g impossibleisnce I can’t know what I shouid be defending

#### 2] Prep hazard – the negative is forced into generic Kant NCs each round – their model encourages random wokrer related thing 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 and you arent even defending a real worker

#### 3] TVA solves – just read your aff as an advantage to a topical aff – we don’t stop them from reading new FWs, mechanisms or advantages. For example, you could read a cap advatnaage that says that workers are being manipulated right now. 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

4] non universalizable – if people didn’t have to be topical then dnobody would be topical, but that creates a contradiction in conception because the concept of a topic would cease to exist I nthe first palce

**Drop the debater - severance kills 1NC strat construction—1AR restart favors aff since it’s 7-6 time skew and they get 2 speeches to my one. No rvi - a) they’ll bait theory and prep it out with aff infinite prep—justifies infinite abuse and chilling us from checking abuse in fear of things like 2ar ethos which lets them recontextualize and always seem right on the issue b) forces the NC to go 7 minutes of theory because nothing else matters--outweighs because its the longest speech and the 2nr can never recover since the nc is our only route to generate offense. Competing interps – reaonsaiblity’s arbitrary**

# Cp

**CP: A just government ought to recognize an unconditional right of workers’ souls to strike except for the souls of police officers.**

Samantha **Michaels**, Sept/Oct-**2020**, *Samantha Michaels is a reporter at Mother Jones,* "If you want to defund the police, start with their unions," Mother Jones, https://www.motherjones.com/crime-justice/2020/08/police-unions-minneapolis/ //SR

As the year 1990 came to an end, a fight broke out during a New Year’s Eve celebration at the Juke Box Saturday Night bar in downtown Minneapolis. A 21-year-old white student grabbed Michael Sauro from behind. Sauro, an off-duty white police officer working as a bouncer, handcuffed the man, dragged him to the kitchen, and then repeatedly drove his steel-toed paratrooper boots into his groin and head. Sauro had been a cop for 15 years and had a long record of citizen complaints against him, most of them about excessive force. “I was dealing with animals,” he would later tell a reporter when asked about the people he’d beaten. “I mean, my dog is more human than them.” But he had never been disciplined. Four years after the bar fight, a court found that Sauro had used excessive force against the student, and it awarded $700,000 to him, then the largest civil award settlement in the city’s history. By then, Sauro had racked up 32 citizen complaints, though none had been sustained. The mayor finally fired him. But his absence from the police department was short-lived. With the help of his union, the Police Officers’ Federation of Minneapolis, Sauro appealed to an arbitrator, who soon forced the city to rehire him with back pay. “These arbitrators always rule in favor of the police. It’s absolute and utter BS,” says Robert Bennett, an attorney who represented the victim and has sued the department dozens of times. A few months later, the police chief fired Sauro a second time for punching a Black student in the face near the Juke Box Saturday Night bar after the same New Year’s Eve party. Again, an arbitrator forced the department to rehire him. Then-Mayor Sharon Sayles Belton expressed her disappointment. “Allegations of abuse around Mike Sauro do not help create a climate of trust and respect,” she said. Sauro was rehired in 1997 and stayed on the force for nearly two more decades. Eventually, his bosses put him in charge of the sex crimes unit, where women accused his team of failing to investigate some of their rape cases. In 2018, Amber Mansfield said he ignored her complaint that a man she knew had choked and raped her. “Sometimes victims have to take some responsibility for their decisions and their actions,” he told a reporter at the time. In 2019, after Sauro retired, an internal review found 1,700 untested rape kits at the department dating back to the 1990s. (Sauro disputes this finding.) Three decades after Sauro beat the man at the bar, the Minneapolis police union is fighting to protect another set of officers accused of violence. On Memorial Day, Derek Chauvin knelt on the neck of George Floyd for nearly nine minutes, even after Floyd said he couldn’t breathe and went unconscious. Three officers who were with Chauvin never intervened. As Floyd’s death thrust the nation into protest, Mayor Jacob Frey described the city’s police union as a “nearly impenetrable barrier” to disciplining officers for racism and other misconduct, partly because of the legal protections it bargained for. “We do not have the ability to get rid of many of these officers that we know have done wrong in the past,” Frey told the podcast the Daily in June. Police unions are at the center of questions about what will happen to Chauvin and the three officers who watched as Floyd was suffocated. And they are also key to understanding why officers across the country escape discipline time and again after beating or killing people. As other labor unions have shrunk in recent years, membership in police unions has remained high. While the Black Lives Matter movement encouraged people to document police brutality on camera and demand accountability, police unions, which now have hundreds of thousands of members, have pushed back in almost every way imaginable—by overturning firings, opposing the use of body cameras, and lobbying to keep their members’ disciplinary histories sealed. All of which can make officers feel invincible when they commit acts of violence. A forthcoming research paper from the University of Victoria in Canada found that after police officers formed unions—generally between the 1950s and the 1980s—there was a “substantial” increase in police killings of Black and Brown people in the United States. Within a decade of gaining collective bargaining rights, officers killed an additional 60 to 70 civilians of all races per year collectively, compared with previous years, an increase that researchers say may be linked to officers’ belief that their unions would protect them from prosecution. A working paper from the University of Chicago found that complaints of violent misconduct by Florida sheriffs’ offices jumped 40 percent after deputies there won collective bargaining rights in 2003. Police unions, like all unions, were designed to protect their own. But unlike other labor unions, they represent workers with the state-sanctioned power to use deadly force. And they have successfully bargained for more job security than what’s afforded to most workers, security they can often rely on even after committing acts of violence that would likely get anyone else fired or locked up. And yet, in the broader push to reform the criminal justice system, police unions have remained largely untouchable, both by the broader labor movement, which has avoided criticizing their bargaining process, and by politicians on both sides of the aisle, who have accepted millions of dollars in campaign donations from them. Democrats don’t want to come down against unions, and Republicans, who are normally happy to attack unions, don’t want to mess with the police. When former Wisconsin Gov. Scott Walker destroyed collective bargaining rights for his state’s public sector unions in 2011, he left police unions mostly unscathed. The AFL-CIO, the country’s largest labor coalition, has referred to police unions as rightful beneficiaries in the movement for workers’ rights.

#### Strikes empower unions.

Erin **Corbett**, 6-23-**2020**, *Freelance journalist and writer on politics, feminism, and social justice. Seen in MSN, Yahoo, VICE, Fortune, People Magazine, Bustle, The Daily Dot, Alternet, Money, The Trace, Rewire.News, Daily Hampshire Gazette, and more*. "Police Are Going On Strike. Should Anyone Care?," https://www.refinery29.com/en-us/2020/06/9874441/police-going-on-strike-walkout-reason //SR

Atlanta police officers across the city last week staged a “sick-out” in protest after the Fulton County district attorney brought charges against the two officers who shot and killed Rayshard Brooks. The Atlanta police department did not confirm how many people called in sick, but “confirmed a larger-than-usual number of absent officers.” In three of the police department’s six zones, officers were not responding to calls, and many refused to leave their stations unless another officer required backup. A similar scene played out in Buffalo, New York where 57 officers quit an elite police unit in protest after two officers were suspended for pushing an elderly man during an anti-police brutality protest. Likewise, in Philadelphia and New York City police are rumored to start calling in sick during protests, and organizing work slowdowns. As protests continue nationwide against racist policing, with calls now to defund and abolish policing — and as officers face punishment for using lethal force against civilians and brutalizing protesters — more and more of them are in talks to walk off the job. In effect, the cops are protesting the protests against them. But what’s the point of protests led by police officers, and what do they actually accomplish, especially amid ongoing national calls to abolish policing altogether? Police have organized work slowdowns in the past in response to institutional action being taken against them. As The Daily Beast reports, when local governments take action against police over misconduct, particularly when these incidents are caught on video and go viral, “cops can feel like they’re being punished for carrying out orders in a way their superiors secretly condoned.” In other words, they feel like scapegoats for following orders and then being met with public pressure to be held accountable. Work slowdowns are generally organized to sway public opinion of the police force. But in a moment of national unrest in response to police brutality, a police-led protest may not be the best tactic to gain public support. “It doesn’t seem to be a particularly well thought through strategy,” Dennis Kenney, a professor of criminal justice at John Jay College told Refinery29. “The idea behind it is to express dissatisfaction with the way they perceive they are being treated. It seems a bit of a misplaced activity this time.” Kenney further explained that police-organized protests at this moment is a “very different ballgame from the perspective of their unions” because they aren’t focused around a labor dispute. Instead, the entire country is engaging in a conversation about the very existence of these agencies. “It seems self-defeating,” said Kenney. Police have historically organized strikes for a variety of reasons and with different results. Perhaps the most famous police protest was the Boston police strike in 1919 when 80 percent of the city’s police protested to organize a union. During the work stoppage the city experienced more robberies.

#### Sovles the aff – everybody else can resist agianst he govenrment and police can’t stop them – historically proven given that policehave shut down legitimate protest before

# Nc

#### The metaethic is practical reason. Prefer:

#### First, inescapability – the exercise of practical rationality requires that one regards it as intrinsically good – that justifies a right to freedom.

Wood [Allen W. Wood, (Stanford University, California) "Kantian Ethics" Cambridge University Press, 2007, https://www.cambridge.org/core/books/kantian-ethics/769B8CD9FCC74DB6870189AE1645FAC8, DOA:8-12-2020 // WWBW]//rct st

Kant holds that the most basic act through which people exercise their practical rationality is that of setting an end (G 4:437). To set an end is, analytically, to subject yourself to the hypothetical imperative that you should take the necessary means to the end you have set (G 4:417). This is the claim that you rationally ought to do something whether or not you are at the moment inclined to do it. It represents the action of applying that means as good (G 4:414) – in the sense of “good” that Kant explicates as: what is required by reason independently of inclination (G 4:413). Kant correctly infers that any being which sets itself ends is committed to regarding its end as good in this sense, and also to regarding the goodness of its end as what also makes application of the means good – that is, rationally required independently of any inclination to apply it. The act of setting an end, therefore, must be taken as committing you to represent some other act (the act of applying the means) as good. In doing all this, however, the rational being must also necessarily regard its own rational capacities as authoritative for what is good in general. For it treats these capacities as capable of determining which ends are good, and at the same time as grounding the goodness of the means taken toward those good ends. But to regard one’s capacities in this way is also to take a certain attitude toward oneself as the being that has and exercises those capacities. It is to esteem oneself – and also to esteem the correct exercise of one’s rational capacities in determining what is good both as an end and as a means to it. One’s other capacities, such as those needed to perform the action that is good as a means, are also regarded as good as means. But that capacity through which we can represent the very idea of something as good both as end and as means is not represented merely as the object of a contingent inclination, nor is it represented as good only as a means. It must be esteemed as unconditionally good, as an end in itself. To find this value in oneself is not at all the same as thinking of oneself as a good person. Even those who misuse their rational capacities are committed to esteeming themselves as possessing rational nature. It also does not imply that a more intelligent person (in that sense, more “rational”) is “better” than a less intelligent one. The self-esteem involved in setting an end applies to any being capable of setting an end at all, irrespective of the cleverness or even the morality of the end setting. Kant’s argument supports the conclusion, to which he adheres with admirable consistency throughout his writings, that all rational beings, clever or stupid, even good or evil, have equal (absolute) worth as ends in themselves. For Kantian ethics the rational nature in every person is an end in itself whether the person is morally good or bad.

#### Second, value theory – the existence of extrinsic goodness requires unconditional human worth.

Korsgaard (Christine M., “Two Distinctions in Goodness,” The Philosophical Review Vol. 92, No. 2 (Apr., 1983), pp. 169-195, JSTOR) OS \*bracketed for gen lang\* //rct st

The argument shows how Kant's idea of justification works. It can be read as a kind of regress upon the conditions, starting from an important assumption. The assumption is that when a rational being makes a choice or undertakes an action, he or she [they] supposes the object to be good, and its pursuit to be justified. At least, if there is a categorical imperative there must be objectively good ends, for then there are necessary actions and so necessary ends (G 45-46/427-428 and Doctrine of Virtue 43-44/384-385). In order for there to be any objectively good ends, however, there must be something that is unconditionally good and so can serve as a sufficient condition of their goodness. Kant considers what this might be: it cannot be an object of inclination, for those have only a conditional worth, "for if the inclinations and the needs founded on them did not exist, their object would be without worth" (G 46/428). It cannot be the inclinations themselves because a rational being would rather be free from them. Nor can it be external things, which serve only as means. So, Kant asserts, the unconditionally valuable thing must be "humanity" or "rational nature," which he defines as "the power set to an end" (G 56/437 and DV 51/392). Kant explains that regarding your existence as a rational being as an end in itself is a "subjective principle of human action." By this I understand him to mean that we must regard ourselves as capable of conferring value upon the objects of our choice, the ends that we set, because we must regard our ends as good. But since "every other rational being thinks of his existence by the same rational ground which holds also for myself' (G 47/429), we must regard others as capable of conferring value by reason of their rational choices and so also as ends in themselves. Treating another as an end in itself thus involves making that person's ends as far as possible your own (G 49/430). The ends that are chosen by any rational being, possessed of the humanity or rational nature that is fully realized in a good will, take on the status of objective goods. They are not intrinsically valuable, but they are objectively valuable in the sense that every rational being has a reason to promote or realize them. For this reason it is our duty to promote the happiness of others-the ends that they choose-and, in general, to make the highest good our end.

#### Third, practical reason – ethical principles must be derived from the structure of reason:

#### [1] Regress – we can always ask why we should follow a theory, so they aren’t binding because they don’t have a starting point. Practical reason solves – When we ask why we should follow reason, we demand a reason, which concedes to the authority of reason itself, so it’s the only thing we can follow

#### [2] Action Theory – every action can be broken down to infinite amounts of movements, i.e. me moving my arm can be broken down to the infinite moments of every state my arm is in. Only reason can unify these movements because we use practical reason to achieve our goals, means all actions collapse to reason

#### Fourth, epistemology – ethics must begin a priori, meaning they can’t be derived from our experience.

#### [1] Representations of space – we can only access our experiences if we can interpret the space around us, but that requires the a priori. Thinking of the absence of space is impossible – we can think of empty space but never the lack of space itself. Imagining space through a priori thoughts is the only way we can even begin to have a conception of interpreting experience; we need to be able to construct space through our minds.

#### [2] Separateness – if space is based on experience, it must be formed from objects separate to us outside of our reasoning abilities. But to represent objects as separate from us, we would already need to assume space exists in the first place to have a concept of “separateness,” so to represent space as something separate from us would be incoherent.

#### [3] Uncertainty – every person has different experiences so we can’t have a unified perspective on what is good if we each have different conceptions of it – even if we can roughly aggregate it’s not enough because there’ll always be a case when it fails so the framework o/w on probability.

#### Practical reason means we all have a unified perspective: What can be justified to me can be justified to everyone who is a practical reasoner. If I can conclude that 2+2 is 4, then I understand not only that I know 2+2 is 4, but that everyone around me can arrive at the same conclusion. These things are temporally consistent: I know that me adding two numbers now and taking that sum will not result in me adding the same two numbers in the future and getting a different sum. Our unified perspective does not change but rather stays consistent.

#### But, willing an action that violates the freedom of others is a contradiction: If I decide to kill someone, that action is not universalizable because that would justify other people killing me too. If I die, I cannot exercise my freedom to kill someone else. This is a contradiction: I both justify extending my freedom to kill others and limiting my own freedom.

#### Thus, the standard is respecting freedom.

#### Impact calc –

#### 1] Ethics are based on intent, but the state does not have intentions and cannot know the intentions of other agents. Instead, the state acts a procedural mechanism to punish those who violate rights claims. Those rights are derived from the structure of intent.

#### 2] The state does not have the authority to act to preempt future rights violations, because consequences of action are contingent and cannot be derived from the structure of the maxim on which one acts. Thus, the state does not have the jurisdiction to take them into account.

#### 3] There is an act-omission distinction –

#### [a] Infinite Regress – Ethics cannot hold agents accountable for an infinite number of untaken decisions, otherwise that would impair action because agents would simultaneously have an infinite number of obligations. [b] Illogical – we wouldn’t hold an agent who chooses a morally repugnant act equally culpable as an agent who chooses not to prevent a morally repugnant act, like saving a drowning baby from a pool.

#### 1] Strikes violate individual autonomy by exercising coercion.

Gourevitch 18 [Alex; Brown University; “The Right to Strike: A Radical View,” American Political Science Review; 2018; [https://sci-hub.se/10.1017/s0003055418000321]](https://sci-hub.se/10.1017/s0003055418000321%5d//SJWen) Justin

\*\*Edited for ableist language

Every liberal democracy recognizes that workers have a right to strike. That right is protected in law, sometimes in the constitution itself. Yet strikes pose serious problems for liberal societies. They involve violence and coercion, they often violate some basic liberal liberties, they appear to involve group rights having priority over individual ones, and they can threaten public order itself. Strikes are also one of the most common forms of disruptive collective protest in modern history. Even given the dramatic decline in strike activity since its peak in the 1970s, they can play significant roles in our lives. For instance, just over the past few years in the United States, large illegal strikes by teachers ~~paralyzed~~ froze major school districts in Chicago and Seattle, as well as statewide in West Virginia, Oklahoma, Arizona, and Colorado; a strike by taxi drivers played a major role in debates and court decisions regarding immigration; and strikes by retail and foodservice workers were instrumental in getting new minimum wage and other legislation passed in states like California, New York, and North Carolina. Yet, despite their significance, there is almost no political philosophy written about strikes.1 This despite the enormous literature on neighboring forms of protest like nonviolence, civil disobedience, conscientious refusal, and social movements.

The right to strike raises far more issues than a single essay can handle. In what follows, I address a particularly significant problem regarding the right to strike and its relation to coercive strike tactics. I argue that strikes present a dilemma for liberal societies because for most workers to have a reasonable chance of success they need to use some coercive strike tactics. But these coercive strike tactics both violate the law and infringe upon what are widely held to be basic liberal rights. To resolve this dilemma, we have to know why workers have the right to strike in the first place. I argue that the best way of understanding the right to strike is as a right to resist the oppression that workers face in the standard liberal capitalist economy. This way of understanding the right explains why the use of coercive strike tactics is not morally constrained by the requirement to respect the basic liberties nor the related laws that strikers violate when using certain coercive tactics.

#### 2] Means to an end: employees ignore their duty to help their patients in favor of higher wages which treats them as a means to an end.

#### 3] The aff homogenizes all strikes as an unconditional right which is unethical.

Loewy 2K, Erich H. "Of healthcare professionals, ethics, and strikes." Cambridge Q. Healthcare Ethics 9 (2000): 513. (Erich H. Loewy M.D., F.A.C.P., was born in Vienna, Austria in 1927 and was able to escape first to England and then to the U.S. in late 1938. He was initially trained as a cardiologist. He taught at Case Western Reserve and practiced in Cleveland, Ohio. After 14 years he devoted himself fully to Bioethics and taught at the University of Illinois for 12 years. In 1996 he was selected as the first endowed Alumni Association Chair of Bioethics at the University of California Davis School of Medicine and has taught there since.) JG

It would seem then that the ethical considerations for workers striking in an industry such as a shoe factory or a chain grocery store are quite different from the ethical considerations for workers in sanitation, police, or fire departments, or for professionals such as teachers or those involved directly in healthcare. Even in the latter “professional” category, there are subtle but distinct differences of “rights” and obligations. However, one cannot conclude that for workers in essential industries strikes are simply ethically not permissible, whereas they are permissible for workers in less essential industries. Strikes, by necessity, injure another, and injuring another cannot be ethically neutral. Injuring others is prima facie ethically problematic—that is, unless a good and weighty argument for doing so can be made, injuring another is not ethically proper. Striking by a worker, in as much as doing so injures another or others, is only a conditional right. A compelling ethical argument in favor of striking is needed as well as an ethical argument in favor of striking at the time and in the way planned. It remains to delineate the conditions under which strikes, especially strikes by workers in essential industries and even more so by persons who consider themselves to be “professionals,” may legitimately proceed and yet fulfill their basic purpose.

#### 4] Free-riding: strikes are a form of free-riding since those who don’t participate still reap the benefits.

Dolsak and Prakash 19 [Nives and Aseem; We write on environmental issues, climate politics and NGOs; “Climate Strikes: What They Accomplish And How They Could Have More Impact,” 9/14/19; Forbes; <https://www.forbes.com/sites/prakashdolsak/2019/09/14/climate-strikes-what-they-accomplish-and-how-they-could-have-more-impact/?sh=2244a9bd5eed>] Justin

While strikes and protests build solidarity among their supporters, they are susceptible to collective action problems. This is because **the goals that strikers pursue tend to create non-excludable benefits**. That is, benefits such as climate protection can be enjoyed by both strikers and non-strikers. Thus, large participation in climate strikes will reveal that in spite of free-riding problems, a large number of people have a strong preference for climate action.

# UV

#### The role of the ballot is to vote for the debater who proves the truth or falsity of the resolution. Prefer:

#### [1] Textuality – “affirm” is defined as : to assert (something, such as a judgment or decree) as valid or confirmed and “negate” is : to deny the existence or truth of which means A. The judge is only in their jurisdiction to vote on arguments that either affirm or negate the resolution. B. Even if you win another ROB is more pragmatic, it’s incoherent to change the rules of the activity in the middle of the round.

#### \* Merriam Webster, ND (no date, 9-25-2021, No Publication, Definition of AFFIRM, https://www.merriam-webster.com/dictionary/affirm)//st

#### \*Merriam Webster, ND (no date, 9-25-2021, No Publication, Definition of NEGATE, https://www.merriam-webster.com/dictionary/negate)//st

#### [2] Ethics – “ought” is defined as : moral obligation : DUTY so the resolution can only be proven true or false through an ethically justified framework. Two implications: A. Your ROTB must guide action for all agents at all times and not just work for a subset, otherwise it isn’t sufficient to generate moral obligations B. Reject impact justified frameworks because they are circular and cannot generate moral obligations without proving why we should follow the standard.

#### \*Merriam Webster, ND (no date, 9-25-2021, No Publication, Definition of OUGHT, https://www.merriam-webster.com/dictionary/ought)//st

#### [3] Collapses – all statements collapse to truth value; saying “I am hungry” is the same as saying “it is true that I am hungry.” – which means you think it is true we should use your role of the ballot which concedes ours.

#### [4] Safety – other ROB open up the lives of personal debaters by taking pre-fiat factors into account – only truth testing solves by being grounded in a textual analysis of the resolution

#### [5] Real world change – the truth testing paradigm combats material problems by fostering real world education – it teaches debaters how to be successful advocates for real world solutions. Branse 15.

[David Brasne '15 (), 9-4-2015, "The Role of the Judge By David Branse (Part One)," NSD Update, http://nsdupdate.com/2015/09/04/the-role-of-the-judge-by-david-branse-part-one/ // AHS-DM, 1-9-2017] SHS ZS

In debate, those rules are testing the truth of a pre-given and pre-prepared topic. **Switch-side debate provides a unique forum where we** A) **don’t** have to **endorse our arguments as true** since we contradict ourselves every round **[and]**, B) **view the process of warranting as supremely valuable, and** C) can **challenge all ethical assumptions we hold**. **Truth testing allows debaters to analyze arguments from a wide range of viewpoints**, with an emphasis on contesting the warrants of every argument. In my opinion, **the value and skills** garnered in debate **arise from the process of debating**, **not the content of the** **arguments or a particular pedagogical viewpoint**. **Debaters learn to structure logical syllogisms** to warrant everything from the outrageous to the intuitive. **The process of truth testing teaches debaters how to make decisions in the real world**. We learn how to justify our beliefs and become good advocates not by rejecting this paradigm but by embracing it. **Competition to determine the truth of a proposition motivates debaters to engage in the very practices that provide us education.** **Debaters** extensively **prep and research unique topical ideas for the sake of winning**. Few debaters would have learned as much as they did about the living wage without debate’s competitive incentive.

#### Legitimizing the right to strike enables the state to have a monopoly on violence shutting down any possibility of change.

Crépon, 19 (Marc Crépon, Marc Crépon (born 30 March 1962) is a French philosopher and academic who writes on the subject of languages and communities in the French and German philosophies and contemporary political and moral philosophy.[1] He has also translated works by philosophers such as Nietzsche, Franz Rosenzweig and Leibniz., August 2019, accessed on 6-28-2021, Google Docs, "The Right to Strike and Legal War in Walter Benjamin's "Toward the Critique of Violence"", DOI 10.1215/26410478-7708331)//st

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.” The interpretations diverge on two main points. The first clearly depends on the alleged “violence of the employer,” a predicate that begs the question: Who might have the authority to recognize such violence? Evidently it is not the employer. The danger is that the state would similarly lack the incentive to make such a judgment call. It is nearly impossible, in fact, to find a single instance of a strike in which this recognition of violence was not subject to considerable controversy. The political game is thus the following: **the state legislated the right to strike in order to contain class struggles, with the condition that workers must have “good reason”** to strike. However, **it is unlikely that a state systematically allied with** (and accomplice to) **employers will ever recognize reasons as good, and, as a consequence, it will deem any invocation of the right to strike as illegitimate. Workers will** therefore **be seen as abusing a right** granted by the state, and in so doing **transforming it into a violent means.** On this point, Benjamin’s analyses remain extremely pertinent and profoundly contemporary. They unveil the enduring strategy of **governments confronted with a strike** (in education, transportation, or healthcare, for example) who, afer claiming to understand the reasons for the protest and the grievances of the workers, **deny that the arguments constitute suf­fi­cient reason for a strike** **that will likely paralyze this or that sector of the economy. They deny,** in other words, **that the conditions denounced by the workers display an intrinsic violence that justifies the strike.** Let us note here a point that Benjamin does not mention, but that is part of Sorel’s reflections: this denial inevitably contaminates the (socialist) left once it gains power. What might previously have seemed a good reason to strike when it was the opposition is deemed an insuf­fi­cient one once it is the ruling party. In the face of popular protest, it always invokes a lack of suf­fi­cient rationale, allowing it to avoid recognizing the intrinsic violence of a given social or economic situation, or of a new policy. And it is because it refuses to see this violence and to take responsibility for it that the left regularly loses workers’ support.