### 1

#### Our standard is maximizing expected wellbeing.

#### Extinction comes first!

Pummer 15 [Theron, Junior Research Fellow in Philosophy at St. Anne's College, University of Oxford. “Moral Agreement on Saving the World” Practical Ethics, University of Oxford. May 18, 2015] AT

There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are so many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But that is a huge mistake. Non-consequentialism is the view that there’s more that determines rightness than the goodness of consequences or outcomes; it is not the view that the latter don’t matter. Even John Rawls wrote, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good, from an impartial point of view. They’d thus imply very strong reasons to reduce existential risk, at least when this doesn’t significantly involve doing harm to others or damaging one’s character. What’s even more surprising, perhaps, is that even if our own good (or that of those near and dear to us) has much greater weight than goodness from the impartial “point of view of the universe,” indeed even if the latter is entirely morally irrelevant, we may nonetheless have very strong reasons to reduce existential risk. Even egoism, the view that each agent should maximize her own good, might imply strong reasons to reduce existential risk. It will depend, among other things, on what one’s own good consists in. If well-being consisted in pleasure only, it is somewhat harder to argue that egoism would imply strong reasons to reduce existential risk – perhaps we could argue that one would maximize her expected hedonic well-being by funding life extension technology or by having herself cryogenically frozen at the time of her bodily death as well as giving money to reduce existential risk (so that there is a world for her to live in!). I am not sure, however, how strong the reasons to do this would be. But views which imply that, if I don’t care about other people, I have no or very little reason to help them are not even minimally plausible views (in addition to hedonistic egoism, I here have in mind views that imply that one has no reason to perform an act unless one actually desires to do that act). To be minimally plausible, egoism will need to be paired with a more sophisticated account of well-being. To see this, it is enough to consider, as Plato did, the possibility of a ring of invisibility – suppose that, while wearing it, Ayn could derive some pleasure by helping the poor, but instead could derive just a bit more by severely harming them. Hedonistic egoism would absurdly imply she should do the latter. To avoid this implication, egoists would need to build something like the meaningfulness of a life into well-being, in some robust way, where this would to a significant extent be a function of other-regarding concerns (see chapter 12 of this classic intro to ethics). But once these elements are included, we can (roughly, as above) argue that this sort of egoism will imply strong reasons to reduce existential risk. Add to all of this Samuel Scheffler’s recent intriguing arguments (quick podcast version available here) that most of what makes our lives go well would be undermined if there were no future generations of intelligent persons. On his view, my life would contain vastly less well-being if (say) a year after my death the world came to an end. So obviously if Scheffler were right I’d have very strong reason to reduce existential risk. We should also take into account moral uncertainty. What is it reasonable for one to do, when one is uncertain not (only) about the empirical facts, but also about the moral facts? I’ve just argued that there’s agreement among minimally plausible ethical views that we have strong reason to reduce existential risk – not only consequentialists, but also deontologists, virtue ethicists, and sophisticated egoists should agree. But even those (hedonistic egoists) who disagree should have a significant level of confidence that they are mistaken, and that one of the above views is correct. Even if they were 90% sure that their view is the correct one (and 10% sure that one of these other ones is correct), they would have pretty strong reason, from the standpoint of moral uncertainty, to reduce existential risk. Perhaps most disturbingly still, even if we are only 1% sure that the well-being of possible future people matters, it is at least arguable that, from the standpoint of moral uncertainty, reducing existential risk is the most important thing in the world. Again, this is largely for the reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. (For more on this and other related issues, see this excellent dissertation). Of course, it is uncertain whether these untold trillions would, in general, have good lives. It’s possible they’ll be miserable. It is enough for my claim that there is moral agreement in the relevant sense if, at least given certain empirical claims about what future lives would most likely be like, all minimally plausible moral views would converge on the conclusion that we should try to save the world. While there are some non-crazy views that place significantly greater moral weight on avoiding suffering than on promoting happiness, for reasons others have offered (and for independent reasons I won’t get into here unless requested to), they nonetheless seem to be fairly implausible views. And even if things did not go well for our ancestors, I am optimistic that they will overall go fantastically well for our descendants, if we allow them to. I suspect that most of us alive today – at least those of us not suffering from extreme illness or poverty – have lives that are well worth living, and that things will continue to improve. Derek Parfit, whose work has emphasized future generations as well as agreement in ethics, described our situation clearly and accurately: “We live during the hinge of history. Given the scientific and technological discoveries of the last two centuries, the world has never changed as fast. We shall soon have even greater powers to transform, not only our surroundings, but ourselves and our successors. If we act wisely in the next few centuries, humanity will survive its most dangerous and decisive period. Our descendants could, if necessary, go elsewhere, spreading through this galaxy…. Our descendants might, I believe, make the further future very good. But that good future may also depend in part on us. If our selfish recklessness ends human history, we would be acting very wrongly.” (From chapter 36 of On What Matters)

#### Lexical pre-requisite: threats to bodily security preclude the ability for moral actors to effectively act upon other moral theories since they are in a constant state of crisis that inhibits the ideal moral conditions which other theories presuppose

### 2

#### The global economy is recovering and is set to accelerate this year, but any shocks can devastate growth

World Bank 21 - [The World Bank is an international financial institution that provides loans and grants to the governments of low- and middle-income countries for the purpose of pursuing capital projects.] "The Global Economy: on Track for Strong but Uneven Growth as COVID-19 Still Weighs" 06/08/2021 <https://www.worldbank.org/en/news/feature/2021/06/08/the-global-economy-on-track-for-strong-but-uneven-growth-as-covid-19-still-weighs> VS

A year and a half since the onset of the COVID-19 pandemic, the global economy is poised to stage its most robust post-recession recovery in 80 years in 2021. But the rebound is expected to be uneven across countries, as major economies look set to register strong growth even as many developing economies lag. Global growth is expected to accelerate to 5.6% this year, largely on the strength in major economies such as the United States and China. And while growth for almost every region of the world has been revised upward for 2021, many continue to grapple with COVID-19 and what is likely to be its long shadow. Despite this year’s pickup, the level of global GDP in 2021 is expected to be 3.2% below pre-pandemic projections, and per capita GDP among many emerging market and developing economies is anticipated to remain below pre-COVID-19 peaks for an extended period. As the pandemic continues to flare, it will shape the path of global economic activity. The United States and China are each expected to contribute about one quarter of global growth in 2021. The U.S. economy has been bolstered by massive fiscal support, vaccination is expected to become widespread by mid-2021, and growth is expected to reach 6.8% this year, the fastest pace since 1984. China’s economy – which did not contract last year – is expected to grow a solid 8.5% and moderate as the country’s focus shifts to reducing financial stability risks.

#### Strikes deck economy– 3 warrants

#### 1] Stop investment

Tenza 20 - Tenza, Mlungisi. . [Senior Lecturer, University of KwaZulu-Natal] “The Effects of Violent Strikes on the Economy of a Developing Country: A Case of South Africa.” Obiter, Nelson Mandela University, 2020, http://www.scielo.org.za/scielo.php?script=sci\_arttext&amp;pid=S1682-58532020000300004VS

These strikes are not only violent but take long to resolve. Generally, a lengthy strike has a negative effect on employment, reduces business confidence and increases the risk of economic stagflation. In addition, such strikes have a major setback on the growth of the economy and investment opportunities. It is common knowledge that consumer spending is directly linked to economic growth. At the same time, if the economy is not showing signs of growth, employment opportunities are shed, and poverty becomes the end result. The economy of South Africa is in need of rapid growth to enable it to deal with the high levels of unemployment and resultant poverty.

One of the measures that may boost the country's economic growth is by attracting potential investors to invest in the country. However, this might be difficult as investors would want to invest in a country where there is a likelihood of getting returns for their investments. The wish of getting returns for investment may not materialise if the labour environment is not fertile for such investments as a result of, for example, unstable labour relations. Therefore, investors may be reluctant to invest where there is an unstable or fragile labour relations environment.

#### 2] Strikes negatively impact labor and confidence, causing major economic losses

Tenza 20 - Tenza, Mlungisi. . [Senior Lecturer, University of KwaZulu-Natal] “The Effects of Violent Strikes on the Economy of a Developing Country: A Case of South Africa.” Obiter, Nelson Mandela University, 2020, http://www.scielo.org.za/scielo.php?script=sci\_arttext&amp;pid=S1682-58532020000300004. VS

When South Africa obtained democracy in 1994, there was a dream of a better country with a new vision for industrial relations.5 However, the number of violent strikes that have bedevilled this country in recent years seems to have shattered-down the aspirations of a better South Africa. South Africa recorded 114 strikes in 2013 and 88 strikes in 2014, which cost the country about R6.1 billion according to the Department of Labour.6 The impact of these strikes has been hugely felt by the mining sector, particularly the platinum industry. The biggest strike took place in the platinum sector where about 70 000 mineworkers' downed tools for better wages. Three major platinum producers (Impala, Anglo American and Lonmin Platinum Mines) were affected. The strike started on 23 January 2014 and ended on 25 June 2014. Business Day reported that "the five-month-long strike in the platinum sector pushed the economy to the brink of recession".7 This strike was closely followed by a four-week strike in the metal and engineering sector. All these strikes (and those not mentioned here) were characterised with violence accompanied by damage to property, intimidation, assault and sometimes the killing of people. Statistics from the metal and engineering sector showed that about 246 cases of intimidation were reported, 50 violent incidents occurred, and 85 cases of vandalism were recorded.8 Large-scale unemployment, soaring poverty levels and the dramatic income inequality that characterise the South African labour market provide a broad explanation for strike violence.9 While participating in a strike, workers' stress levels leave them feeling frustrated at their seeming powerlessness, which in turn provokes further violent behaviour.10 These strikes are not only violent but take long to resolve. Generally, a lengthy strike has a negative effect on employment, reduces business confidence and increases the risk of economic stagflation. In addition, such strikes have a major setback on the growth of the economy and investment opportunities. It is common knowledge that consumer spending is directly linked to economic growth. At the same time, if the economy is not showing signs of growth, employment opportunities are shed, and poverty becomes the end result. The economy of South Africa is in need of rapid growth to enable it to deal with the high levels of unemployment and resultant poverty.

#### Econ collapse causes destroys medicine industry

Frank 18 – Robert A.University of Ottawa. [“Conflict and Disease: A Complex Relationship”, March 2018, [Lex AZ], 10.18192/riss-ijhs.v7i1.1895]

Impact of Economic Instability Financial crises hinder quality of life, **while** promoting **redistribut**ion of **funds away from areas** that are most **beneficial to citizens**. A common feature of economic crises is a rapid increase in unemployment, which **often results in** instability and mass protest (International Labour Organization, 2013). The uncertainty associated with financial loss is also a significant stressor that **can negatively impact** mental and physical health. **Throughout the economic crisis** in Greece, mental illness and suicide rates have increased significantly, while **HIV rates** have also **increased** due to intravenous drug utilization (Simou & Koutsogeorgou, 2014). Furthermore, many individuals are thrust into poverty and subsequently face the barriers associated with low socioeconomic status. Despite the **significant impact of** **economic collapse on** societal health, the **quality of healthcare** is often paradoxically sacrificed due to reallocation of limited funds, as **highlighted by** the funding cuts **to** mental **health** and drug abuse prevention **programs** in Greece during its economic struggles (Simou & Koutsogeorgou, 2014). A **society in economic crisis**, therefore, **faces a conflicting scenario with** increased demand for, but **reduced** supply of, health services.

#### Disease causes extinction

Millett 17 Piers Consultant for the World Health Organization, PhD in International Relations and Affairs, University of Bradford, Andrew Snyder-Beattie, “Existential Risk and Cost-Effective Biosecurity”, Health Security, Vol 15(4), http://online.liebertpub.com/doi/pdfplus/10.1089/hs.2017.0028

Historically, disease events have been responsible for the greatest death tolls on humanity. The 1918 flu was responsible for more than 50 million deaths,1 while smallpox killed perhaps 10 times that many in the 20th century alone.2 The Black Death was responsible for killing over 25% of the European population,3 while other pandemics, such as the plague of Justinian, are thought to have killed 25 million in the 6th century—constituting over 10% of the world’s population at the time.4 It is an open question whether a future pandemic could result in outright human extinction or the irreversible collapse of civilization. A skeptic would have many good reasons to think that existential risk from disease is unlikely. Such a disease would need to spread worldwide to remote populations, overcome rare genetic resistances, and evade detection, cures, and countermeasures. Even evolution itself may work in humanity’s favor: Virulence and transmission is often a trade-off, and so evolutionary pressures could push against maximally lethal wild-type pathogens.5,6 While these arguments point to a very small risk of human extinction, they do not rule the possibility out entirely. Although rare, there are recorded instances of species going extinct due to disease—primarily in amphibians, but also in 1 mammalian species of rat on Christmas Island.7,8 There are also historical examples of large human populations being almost entirely wiped out by disease, especially when multiple diseases were simultaneously introduced into a population without immunity. The most striking examples of total population collapse include native American tribes exposed to European diseases, such as the Massachusett (86% loss of population), Quiripi-Unquachog (95% loss of population), and theWestern Abenaki (which suffered a staggering 98% loss of population). In the modern context, no single disease currently exists that combines the worst-case levels of transmissibility, lethality, resistance to countermeasures, and global reach. But many diseases are proof of principle that each worst-case attribute can be realized independently. For example, some diseases exhibit nearly a 100% case fatality ratio in the absence of treatment, such as rabies or septicemic plague. Other diseases have a track record of spreading to virtually every human community worldwide, such as the 1918 flu,10 and seroprevalence studies indicate that other pathogens, such as chickenpox and HSV-1, can successfully reach over 95% of a population.11,12 Under optimal virulence theory, natural evolution would be an unlikely source for pathogens with the highest possible levels of transmissibility, virulence, and global reach. But advances in biotechnology might allow the creation of diseases that combine such traits. Recent controversy has already emerged over a number of scientific experiments that resulted in viruses with enhanced transmissibility, lethality, and/or the ability to overcome therapeutics.13-17 Other experiments demonstrated that mousepox could be modified to have a 100% case fatality rate and render a vaccine ineffective.18 In addition to transmissibility and lethality, studies have shown that other disease traits, such as incubation time, environmental survival, and available vectors, could be modified as well.19-2

### 3

#### 1] A just government ought to recognize an unconditional right of workers except for police officers to strike.

- A police officer is a warranted law employee of a police force. "police officer" is a generic term not specifying a particular rank.(wikipedia)

#### 2] A just government ought to, through the corresponding union body in their society, threaten to remove police unions from the set of member unions unless they: eliminate due-processes protections police have won that prevent accountability from police misconduct through processes outlined in greenhouse

#### Only the CP can force police unions to change

Greenhouse, 20, The New Yorker, “How Police Unions Enable and Conceal Abuses of Power”, Steven Greenhouse is an American labor and workplace journalist and writer. He covered labor for The New York Times for 31 years, 2010 Society of Professional Journalists Deadline Club Award: Beat reporting for newspapers and wire services, for "World of Hurt" with N.R. Kleinfield; 2010 New York Press Club Award: Outstanding enterprise or investigative reporting, for "World of Hurt" with N.R. Kleinfield; 2009 The Hillman Prize for The Big Squeeze: Tough Times for the American WorkerURL: <https://www.newyorker.com/news/news-desk/how-police-union-power-helped-increase-abuses>, KR

The string of police killings captured on mobile phones increased public dismay with police unions. After the killing of George Floyd, they became a pariah. Many protesters, and even some unions, including the Writers Guild of America, East, have called on the A.F.L.-C.I.O., the nation’s main labor federation, to expel the International Union of Police Associations, which represents a hundred thousand law-enforcement officers. The Association of Flight Attendants adopted a resolution demanding that police unions immediately enact policies to “actively address racism in law enforcement and especially to hold officers accountable for violence against citizens, or be removed from the Labor movement.” The Service Employees International Union, with two million members, has called for “holding public security unions accountable to racial justice,” and the Seattle area’s main labor coalition issued an ultimatum to the local police union: acknowledge and address racism in law enforcement or risk being kicked out.

If the A.F.L.-C.I.O. expelled the International Union of Police Associations, it would be a huge blow to police unions. So far, Richard Trumka, the federation’s president, has balked at kicking out a member union, saying that it’s best to work to reform unions from inside labor’s tent. “The short answer is not to disengage and just condemn,” Trumka said. “The answer is to totally reëngage and educate,” to improve police unions.

Suddenly, it seems, there are countless proposals to make police unions more accountable. Campaign Zero, a reform group, wants to eliminate many of the due-process protections that the police have won. Javier Morillo, a former president of a Twin Cities union that represents thousands of janitors, wrote an unusually sharp critique of a fellow union, the Minneapolis Police Federation: “Until we see big, fundamental and structural change in the [police] department and the union, Black and brown residents of Minneapolis cannot feel safe.” Morillo wrote that, “for decades, arbitrators have relied on bad precedent” to “justify overturning discipline against officers.” Paige Fernandez, the A.C.L.U.’s policing policy adviser, said that community members should join city officials at the bargaining table during police-contract negotiations. “There should be public input from communities that have been historically overpoliced, black communities and low-income communities,” Fernandez said.

Benjamin Sachs, the Harvard labor-law professor, argues that the union movement needs to join the push for police reform. “When unions use the power of collective bargaining for ends that we . . . deem unacceptable it becomes our responsibility—including the responsibility of the labor movement itself—to deny unions the ability to use collective bargaining for these purposes,” he wrote. “We have done this before. When unions bargained contracts that excluded Black workers from employment or that relegated Black workers to inferior jobs, the law stepped in and stripped unions of the right to use collective bargaining in these ways.” Sachs proposes amending the law to curb the range of subjects over which police unions can bargain, perhaps even prohibiting negotiations over anything involving the use of force.

Some labor leaders warn that conservatives are using today’s outrage against police unions to promote their long-term agenda of hobbling or eliminating public-sector unions. “Everyone should have the freedom to join a union, police officers included,” Lee Saunders, the president of the American Federation of State, County and Municipal Employees, wrote. “The tragic killing of George Floyd should not be used as a pretext to undermine the rights of workers.”

Randi Weingarten, the president of the American Federation of Teachers, told me that it’s important to persuade police unions to stop vehemently defending every police officer who is accused of misconduct. She pointed to her own union’s past. “Our position used to be that the member was always right, that, whatever happened, you did everything in your power to keep the member’s job,” she said. “It didn’t matter if you knew there was a problem.” She added that as public anger mounted against this hard-line approach—many said that it was shortchanging children—local A.F.T. branches moved away from rigidly defending every teacher accused of misconduct or poor performance. Weingarten told me, “Ultimately, if we are members of our community, we have to hold ourselves to a standard of treating people respectfully and decently, and misconduct has no place in that.” McCartin, the labor historian, told me, “Police unions haven’t done nearly as much as the teachers to counter the perception that they’re indifferent to the public’s concerns. They can learn a lot from the teachers.”

Last week, Patrick Yoes, the president of the Fraternal Order of Police, the nation’s largest law-enforcement group, told NPR he agrees that reforms are needed. “We welcome the opportunity to sit down and have some meaningful, fact-based discussions on ways to improve the law-enforcement community,” Yoes said. But some police-union leaders are less amenable to reform. Last week, Michael O’Meara, the president of the New York State Association of P.B.A.s, said, “Stop treating us like animals and thugs and start treating us with some respect. . . . We’ve been vilified.”

Mindful of the Black Lives Matter protests, many mayors and cities will seek to push through contract changes in the next round of police bargaining, but no one should expect police unions to roll over. Many police-union officials believe that the harder the line they take in defending officers (and ignoring the public’s concerns) the better their chances of being reëlected by their members. As a result, the unions’ critics might have a better shot at winning reforms through city councils and state legislatures. O’Meara’s remarks make clear that police unions often have an us-against-the-world view. The question now is whether police unions will get the message that they shouldn’t think only of protecting their members, that they should also think of the original purpose of labor unions: protecting all workers—in other words, protecting the public.

#### Excessive police union bargaining from strikes destroys accountability for police misconduct

Greenhouse, 20, The New Yorker, “How Police Unions Enable and Conceal Abuses of Power”, Steven Greenhouse is an American labor and workplace journalist and writer. He covered labor for The New York Times for 31 years, 2010 Society of Professional Journalists Deadline Club Award: Beat reporting for newspapers and wire services, for "World of Hurt" with N.R. Kleinfield; 2010 New York Press Club Award: Outstanding enterprise or investigative reporting, for "World of Hurt" with N.R. Kleinfield; 2009 The Hillman Prize for The Big Squeeze: Tough Times for the American WorkerURL: <https://www.newyorker.com/news/news-desk/how-police-union-power-helped-increase-abuses>, KR

Police unions have long had a singular—and divisive—place in American labor. What is different at this fraught moment, however, is that these unions, long considered untouchable, due to their extraordinary power on the streets and among politicians, face a potential reckoning, as their conduct roils not just one city but the entire nation. Since the nineteen-sixties, when police unions first became like traditional unions and won the right to bargain collectively, they have had a controversial history. And recent studies suggest that their political and bargaining power has enabled them to win disciplinary systems so lax that they have helped increase police abuses in the United States.

A 2018 University of Oxford study of the hundred largest American cities found that the extent of protections in police contracts was directly and positively correlated with police violence and other abuses against citizens. A 2019 University of Chicago study found that extending collective-bargaining rights to Florida sheriffs’ deputies led to a forty per cent statewide increase in cases of violent misconduct—translating to nearly twelve additional such incidents annually.

In a forthcoming study, Rob Gillezeau, a professor and researcher, concluded that, from the nineteen-fifties to the nineteen-eighties, the ability of police to collectively bargain led to a substantial rise in police killings of civilians, with a greater impact on people of color. “With the caveat that this is very early work,” Gillezeau wrote on Twitter, on May 30th, “it looks like collective bargaining rights are being used to protect the ability of officers to discriminate in the disproportionate use of force against the non-white population.”

Other studies revealed that many existing mechanisms for disciplining police are toothless. WBEZ, a Chicago radio station, found that, between 2007 and 2015, Chicago’s Independent Police Review Authority investigated four hundred shootings by police and deemed the officers justified in all but two incidents. Since 2012, when Minneapolis replaced its civilian review board with an Office of Police Conduct Review, the public has filed more than twenty-six hundred misconduct complaints, yet only twelve resulted in a police officer being punished. The most severe penalty: a forty-hour suspension. When the St. Paul Pioneer Press reviewed appeals involving terminations from 2014 to 2019, it discovered that arbitrators ruled in favor of the discharged police and corrections officers and ordered them reinstated forty-six per cent of the time. (Non-law-enforcement workers were reinstated at a similar rate.) For those demanding more accountability, a large obstacle is that disciplinary actions are often overturned if an arbitrator finds that the penalty the department meted out is tougher than it was in a similar, previous case—no matter if the penalty in the previous case seemed far too lenient.

To critics, all of this highlights that the disciplinary process for law enforcement is woefully broken, and that police unions have far too much power. They contend that robust protections, including qualified immunity, give many police officers a sense of impunity—an attitude exemplified by Derek Chauvin keeping his knee on George Floyd’s neck for nearly nine minutes, even as onlookers pleaded with him to stop. “We’re at a place where something has to change, so that police collective bargaining no longer contributes to police violence,” Benjamin Sachs, a labor-law professor at Harvard, told me. Sachs said that bargaining on “matters of discipline, especially related to the use of force, has insulated police officers from accountability, and that predictably can increase the problem.”

For decades, members of the public have complained about police violence and police unions, and a relatively recent development—mobile-phone videos—has sparked even more public anger. These complaints grew with the killings of Eric Garner, Laquan McDonald, Walter Scott, Tamir Rice, Philando Castile, and many others. Each time, there were protests and urgent calls for police reform, but the matter blew over. Until the horrific killing of George Floyd.

Historians often talk of two distinct genealogies for policing in the North and in the South, and both help to explain the crisis that the police and its unions find themselves in today. Northern cities began to establish police departments in the eighteen-thirties; by the end of the century, many had become best known for using ruthless force to crush labor agitation and strikes, an aim to which they were pushed by the industrial and financial élite. In 1886, the Chicago police killed four strikers and injured dozens more at the McCormick Reaper Works. In the South, policing has very different roots: slave patrols, in which white men brutally enforced slave codes, checking to see whether black people had proper passes whenever they were off their masters’ estates and often beating them if they did something the patrols didn’t like. Khalil Gibran Muhammad, a historian at Harvard, said that the patrols “were explicit in their design to empower the entire white population” to control “the movements of black people.”

At the turn of the twentieth century, many police officers—frustrated, like other workers, with low pay and long hours—formed fraternal associations, rather than unions, to seek better conditions—mayors and police commissioners insisted that the police had no more right to join a union than did soldiers and sailors. In 1897, a group of Cleveland police officers sought to form a union and petitioned the American Federation of Labor—founded in 1886, with Samuel Gompers as its first president—to grant them a union charter. The A.F.L. rejected them, saying, “It is not within the province of the trade union movement to especially organize policemen, no more than to organize militiamen, as both policemen and militiamen are often controlled by forces inimical to the labor movement.”

After the First World War, millions of workers began protesting that their wages lagged far behind inflation, and many police officers got swept up in the ferment. In 1919, Boston’s city police applied to the A.F.L. for a charter; they were angry about their meagre salaries and having to pay hundreds of dollars for uniforms. The police commissioner, Edwin Upton Curtis, forbade his officers from joining any outside organization other than patriotic groups, such as the American Legion. The police proceeded to unionize, and Curtis suspended nineteen of the union’s leaders for insubordination. When most of the city’s fifteen hundred police officers walked off the job, rioting and widespread looting engulfed the city. Curtis fired eleven hundred strikers, and Calvin Coolidge, who was then the governor of Massachusetts, supported his hard line, saying, “There is no right to strike against the public safety by anybody, anywhere, anytime.” Coolidge’s stance thrust him into the national spotlight. He went on to serve as Vice-President and President.

For decades, that stance deterred police unionization. But, in the nineteen-fifties and sixties, with private-sector unions winning middle-class wages and solid benefits for millions of workers, police officers again started rumbling for a union. Their fraternal orders weren’t doing enough; the police wanted collective bargaining. Officers became increasingly impatient, and militant. In the early sixties, police engaged in a work slowdown in New York and a sit-in in Detroit.

In 1964, New York’s mayor, Robert F. Wagner, Jr., blessed a compromise between his police commissioner and the Patrolmen’s Benevolent Association. The P.B.A. renounced the right to strike and was recognized as the bargaining agent for the city’s police. Wagner had previously agreed to bargain with other municipal unions, but he had held off with the police, because of its singular role and of fears that officers might strike. (The National Labor Relations Act of 1935—sponsored by Wagner’s father, Senator Robert F. Wagner, Sr.—gave most private-sector workers a federal right to unionize and collectively bargain, but left it up to individual states and cities to decide whether to grant the same rights to government employees.) As a full-fledged union, the P.B.A. didn’t wait long to declare war against any push for increased accountability. In 1966, New York’s new mayor, John V. Lindsay, after being pressed by the Congress of Racial Equality, added four civilian members to the city’s Civilian Complaint Review Board; the original three members were deputy police commissioners. Then, as now, many African-Americans complained about police misconduct. The P.B.A., which renamed itself the Police Benevolent Association last year, bitterly resisted adding civilians to the board. When the City Council held a hearing on civilian review, the union mounted a five-thousand-member picket line in protest. The P.B.A. then organized a public referendum aimed at eliminating the board. It put up posters showing a young white woman exiting a subway and heading onto a dark, deserted street. “The Civilian Review Board must be stopped,” the poster read. “Her life . . . your life . . . may depend on it. . . . [A] police officer must not hesitate. If he does . . . the security and safety of your family may be jeopardized.” As the vote approached, the P.B.A.’s president, John Cassese, had played on racial divisions, declaring, “I’m sick and tired of giving in to minority groups with their whims and their gripes and shouting.” Lindsay, the American Civil Liberties Union, and New York’s two senators—the Republican Jacob Javits and the Democrat Robert F. Kennedy—opposed the P.B.A.-backed referendum. In a humbling defeat for liberals, sixty-three per cent of New Yorkers voted to abolish the review board.

Across the U.S., a similar dynamic played out. First, many cities followed New York’s lead and agreed to bargain with their police unions. Initially, newly established unions focussed on winning better wages and benefits. A major recession in the early eighties and the anti-tax fervor of the Reagan era caused budget crunches in many cities. Local leaders told police unions and other public-sector unions that they had little money for raises. In turn, the police demanded increased protections for officers facing disciplinary proceedings.

Since the eighties, police contracts in New York and many other cities have added one protection after another that have made it harder to hold officers accountable for improper use of force or other misconduct. Such protections included keeping an officer’s disciplinary record secret, erasing an officer’s disciplinary record after a few years, or delaying any questioning of officers for twenty-four or forty-eight hours after an incident such as a police shooting. “They have these unusual protections they’ve bargained very hard for, measures that insulate them from accountability,” William P. Jones, a history professor at the University of Minnesota and the president of the Labor and Working-Class History Association, told me. Jones said that other public-employee unions have some of the same protections but that police unions “are particularly effective utilizing them in their favor.”

In 2017, a Reuters a special report on police-union contracts in eighty-two cities found that most required departments to erase disciplinary records, in some cases after only six months. Eighteen cities expunged suspensions from an officer’s record in three years or less. Anchorage, Alaska, removed demotions, suspensions, and disciplinary transfers after twenty-four months. Reuters also found that almost half of the contracts let officers accused of wrongdoing see their entire investigative file—including witness statements, photos, and videos—before being questioned, making it easier for them to finesse their way through disciplinary interrogations.

Joseph McCartin, a labor historian at Georgetown, told me that one political factor explains why police unions have won so many protections. “They have more clout than other public-sector unions, like the teachers or sanitation workers, because they have often been able to command the political support of Republicans,” he said. “That’s given them a big advantage.”

#### Police misconduct erodes democracy – only holding them accountable can change the situation

Bonner, 18, University of Victoria, “Three Ways Police Abuse Affects Democracy”, 4/27/18, Michelle Bonner is Professor of Political Science in the Department of Political Science at the University of Victoria. Among other publications, she is the co-editor of Police Abuse in Contemporary Democracies , URL: <https://onlineacademiccommunity.uvic.ca/globalsouthpolitics/2018/04/27/three-ways-police-abuse-affects-democracy/>, KR

On August 9, 2014, 18-year-old Michael Brown was fatally shot by a police officer in Ferguson, Missouri. He was suspected of petty theft but was unarmed. A subsequent trial found the officer’s actions to be justified as self-defense. Despite the institutions of democracy working as they are designed, large protests (themselves met with police repression and arrests) registered profound public disagreement with the outcome. For many protesters this was one example, among numerous others, of police abuse aimed at African Americans that undermines their inclusion in American democracy.

Such powerful disagreements are not unique to democracy in the United States. Abuse of police authority happens in all democracies. It can include arbitrary arrest, selective surveillance and crowd control, harassment, sexual assault, torture, killings, or even forced disappearances. In newer democracies, police abuse is often thought to be a legacy of a previous authoritarian regime or civil war. Its persistence is understood to reflect weak democratic institutions and poorly functioning police forces. In established democracies, police abuse is more often thought to be an exception that is easily addressed through existing or tweaked institutions of accountability, such as the judiciary. Yet, as we argue in Police Abuse in Contemporary Democracies, police abuse has more significant implications for all democracies. We examine three.

Citizenship. Democracy includes the exercise and protection of rights for all citizens. This includes the right to protest, to mobility and not to be arbitrarily arrested or tortured. Rather than the courts, police are the first state actors to decide when citizen rights are protected and when they are ignored. They also have a great deal of discretion to decide who are (potential) wrongdoers and how much force to use to confront them. Marginalized groups in many countries find that it is in fact the police who determine the boundaries of their rights as citizens. Not all citizens’ rights are protected in the same way, creating pockets of authoritarian rule within democracy.

Some citizens, based on their identity, find, for example, that police watch them more closely, will arbitrarily arrest them for being in the “wrong place”, and police are more likely to mistreat them during arrest or while they are held in custody. This is particularly true for those who are economically poor (we examine cases from India, Brazil, Chile, Argentina, and South Africa). It also includes racialized minority groups such as Arabs in France or Blacks in France, South Africa and the United States (cases examined in the book). It can also include those who hold political views considered “radical” such as alter-globalization activists in Canada or those protesting or striking against neoliberal economic polices in South Africa (also examined in the book). That is, police abuse creates an unequal experience of democracy as it pertains to citizenship rights. To change this, we argue that we need to better understand how police use their discretion, why they profile some citizens over others, and the consequences of police profiling on the quality of democracy for all citizens. Another answer would be to strengthen police accountability.

Accountability. At first glance it might appear, at least in established democracies, that we already have the answer to reducing police abuse. If police abuse their power then they will be held accountable by the judiciary. This is an important feature of liberal democracy. Yet, the studies in our book reveal that in fact, in many countries (we examine the US, Chile, and to a lesser extent Argentina and India) the judiciary tends to be very lenient with police abuse.

Police have the right in a democracy to use violence. As the case of Michael Brown highlights, right and wrong is determined by the willingness of the judiciary to accept the justification provided by the police officer for his or her action (or inaction). In the case of Michael Brown, the office claimed he killed in self-defense and the courts accepted this justification as valid. As our chapters on Chile and the United States reveal, judicial accountability is often very sensitive to the need for police to maintain a good public image. So police wrongdoing is frequently blamed on an individual officer, a “bad apple”, or the judiciary accepts the officer’s justification in order to reinforce the power of all officers’ to respond as they see fit to different situations.

Of course, as in the Michael Brown case, the public can voice their disagreement with the judiciary. Yet, as one chapter on the US shows, whether or not the public perceives that the police have abused their powers and whether or not they demand judicial accountability is influenced by unconscious racial bias. To overcome these biases and the reluctance on the part of the judiciary to punish the police, another chapter suggests we need to encourage and support a wide variety of grassroots organizations, like Cop Watch, that are dedicated to keeping an eye on police conduct. All the authors agree that the answers to reducing police abuse lie beyond judicial or institutional police reforms. Tweaking institutions is not enough to reduce police abuse.

Socioeconomic Inequality. Finally, most studies of democracy argue that a certain level of socioeconomic equality is needed to sustain it. High levels of inequality of wealth weaken democracy. Political economists, including those in the World Bank, agree that neoliberal economic policies increase inequality in wealth. Yet, to ensure the implementation and protection of neoliberal economic policies, many governments rely on police abuse targeted against those who either oppose these policies or who are excluded from the economic model.

Our chapters on South Africa and Canada reveal repressive police responses to protests and strikes against neoliberal economic policies. Our chapters on France, South Africa, the United States, and Brazil all document government official’s encouragement of police abuse as the appropriate response to rising crime; preventive socioeconomic programmes, shown to better reduce crime, run counter to neoliberal economic policies. For example, in Brazil, state officials have drawn from international experience to establish Pacification Police Units (UPPs). UPPs occupy favelas (shantytowns) in large numbers in order to control crime, opening up opportunities for police abuse. Indeed, globally, with the spread of neoliberal economic policies, we have seen the rise of tough on crime rhetoric and policies in many countries. From this perspective, if we want to reduce police abuse, it is important to consider how some models of political economy might be more compatible with democracy than others.

To conclude, most people associate police abuse with authoritarian regimes. Yet, it occurs in all democracies and, if not checked, can reduce or even erode democracy. While in our book we examine three key ways police abuse affects democracy, there are many other ways it can do so, such as impacting elections, public policy, and or the construction of political ideologies. Given the global decline of democracy noted by academics and international organizations, such as Freedom House, it is important that we begin to ask how we can better address police abuse and the fuzzy line between democracy and authoritarianism that it represents.

**Extinction**

**Kasparov 17**

Garry Kasparov, Chairman of the Human Rights Foundation, former World Chess Champion, “Democracy and Human Rights: The Case for U.S. Leadership,” Testimony Before The Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues of the U.S. Senate Committee on Foreign Relations, February 16th, <https://www.foreign.senate.gov/imo/media/doc/021617_Kasparov_%20Testimony.pdf>

As one of the countless millions of people who were freed or protected from totalitarianism by the United States of America, it is easy for me to talk about the past. To talk about the belief of the American people and their leaders that this country was exceptional, and had special responsibilities to match its tremendous power. That a nation founded on freedom was bound to defend freedom everywhere. I could talk about the bipartisan legacy of this most American principle, from the Founding Fathers, to Democrats like Harry Truman, to Republicans like Ronald Reagan. I could talk about how the American people used to care deeply about human rights and dissidents in far-off places, and how this is what made America a beacon of hope, a shining city on a hill. America led by example and set a high standard, a standard that exposed the hypocrisy and cruelty of dictatorships around the world. But there is no time for nostalgia. Since the fall of the Berlin Wall, the collapse of the Soviet Union, and the end of the Cold War, Americans, and America, have retreated from those principles, and **the world has become much worse off as a result**. American skepticism about America’s role in the world deepened in the long, painful wars in Afghanistan and Iraq, and their aftermaths. Instead of applying the lessons learned about how to do better, lessons about faulty intelligence and working with native populations, the main outcome was to stop trying. This result has been a tragedy for the billions of people still living under authoritarian regimes around the world, and it is based on faulty analysis. You can never guarantee a positive outcome— not in chess, not in war, and certainly not in politics. The best you can do is to do what you know is right and to try your best. I speak from experience when I say that the citizens of unfree states do not expect guarantees. They want a reason to hope and a fighting chance. People living under dictatorships want the opportunity for freedom, the opportunity to live in peace and to follow their dreams. From the Iraq War to the Arab Spring to the current battles for liberty from Venezuela to Eastern Ukraine, people are fighting for that opportunity, giving up their lives for freedom. The United States must not abandon them. The United States and the rest of the free world has an unprecedented advantage in economic and military strength today. What is lacking is the will. The will to make the case to the American people, the will to take risks and invest in the long-term security of the country, and the world. This will require investments in aid, in education, in security that allow countries to attain the stability their people so badly need. Such investment is far more moral and far cheaper than the cycle of **terror, war**, refugees, and **military intervention** that results when America leaves a vacuum of power. The best way to help refugees is to prevent them from becoming refugees in the first place. The Soviet Union was an existential threat, and this focused the attention of the world, and the American people. There **existential threat** today is not found on a map, but it **is very real**. The forces of the past are making steady progress against the modern world order. **Terrorist** movements in the Middle East, extremist parties across Europe, a paranoid tyrant in **North Korea threatening nuclear blackmail,** and, at the center of the web, an **aggressive KGB dictator in Russia**. They all want to turn the world back to a dark past because their survival is threatened by the values of the free world, epitomized by the United States. And **they are thriving as the U.S. has retreated**. The global freedom index has declined for ten consecutive years. No one like to talk about the United States as a global policeman, but **this is what happens when there is no cop on the beat. American leadership begins at home**, right here. America cannot lead the world on democracy and human rights if there is no unity on the meaning and importance of these things. **Leadership is required to make that case clearly and powerfully**. Right now, Americans are engaged in politics at a level not seen in decades. It is an opportunity for them to rediscover that making America great begins with believing America can be great. The Cold War was won on American values that were shared by both parties and nearly every American. Institutions that were created by a Democrat, Truman, were triumphant forty years later thanks to the courage of a Republican, Reagan. This bipartisan consistency created the decades of strategic stability that is the great strength of democracies. Strong institutions that outlast politicians allow for long-range planning. In contrast, dictators can operate only tactically, not strategically, because they are not constrained by the balance of powers, but cannot afford to think beyond their own survival. This is why a dictator like Putin has an advantage in chaos, the ability to move quickly. This can only be met by strategy, by long-term goals that are based on shared values, not on polls and cable news. The fear of making things worse has paralyzed the United States from trying to make things better. There will always be setbacks, but the United States cannot quit. The spread of **democracy is the only** proven **remedy for** nearly **every crisis that plagues the world today. War, famine, poverty, terrorism**–all are generated and exacerbated by authoritarian regimes. A policy of America First inevitably puts American security last. American leadership is required because there is no one else, and because it is good for America. There is no weapon or wall that is more powerful for security than America being envied, imitated, and admired around the world. Admired not for being perfect, but for having the exceptional courage to always try to be better. Thank you.

### 4

#### CP Text- A just government ought to provide an unconditional right to strike except for Ambulance and Paramedic workers

#### There are large paramedic Shortages right now, this is exacerbated in rural areas where health services are most needed

Kate Rogers, FEB 1 2019, “The need for EMTs and paramedics is growing, but finding people to fill the jobs isn’t easy,” CNBC, <https://www.cnbc.com/2019/02/01/the-need-for-paramedics-is-growing-but-strong-labor-market-makes-hiring-hard.html> | DD JH

On any given day, Eric Mailman may transport a baby born into a neonatal intensive care unit from one hospital to another, or he could answer a call for an elderly person in cardiac arrest. The paramedic and operations coordinator at Northern Light Health’s medical transport and emergency care in Bangor, Maine, can answer anywhere between four and 17 calls in a day, on shifts that can stretch from 12 to 24 hours. The only guarantee is that work will be busy and unpredictable. “The positive is that you get to step in on the chaos of the worst day of someone’s life and bring some calm and peace — to me that is priceless,” Mailman said. “But there are days when you can’t intervene, where things are out of your control. It’s impossible to help everybody, and those days are the hardest.” At Northern Light, some 170 people work in emergency medical services and transport, but the system is currently about 10 percent understaffed. Challenges are many in hiring — the community is rural, and while the pay and benefits can be competitive, the job itself is a big commitment, requiring sometimes up to two years of training, recertification and continuing education. Roughly five years ago, there were 15 to 20 applicants per open position, says Joe Kellner, vice president of emergency services and community programs at Northern Light. Today, however, it’s not uncommon to post a job and have zero applicants respond, he said. The tight labor market is particularly weighing on the health sector. The health-care industry added 42,000 new jobs in January, with more than 22,000 in ambulatory health-care services and another 19,000 in hospitals, [according to Friday’s closely watched Labor Department report](https://www.cnbc.com/2019/02/01/nonfarm-payrolls-january-2019.html). The health-care sector has added 368,000 jobs over the past year, while unemployment continues to hover near historic lows. “Fewer people are entering the profession, unemployment is low, and this is also a job that many people used to get into through volunteerism and in local communities — there is a lot less of that,” Kellner says. “The pathway in is harder and harder, but we try to create solutions for that.” Northern Light’s system is run in partnership with a larger nine-hospital system throughout the state, allowing for more reliable funding and options for those using emergency medical services as a stepping stone to other areas of health care. The company also reimburses for tuition, offers competitive paid time off and a retirement plan with a matching employer contribution. Highly trained paramedics are paid about $27 an hour. Emergency medical technicians and paramedics like Mailman are in demand, not just in Bangor but around the country. Challenges persist beyond just finding people to fill jobs in more rural areas, however — [2017 median nationwide pay](https://www.bls.gov/ooh/healthcare/emts-and-paramedics.htm) was just more than $33,000, or about $16 an hour. Funding can also be an issue in some communities, as reimbursements from insurers, patients, and Medicare and Medicaid are outpaced by wage pressures and costs to operate. This is especially common in volunteer programs, funded in large part by community donations and local taxpayer dollars. “If people really want to feel confident that they can call 911 and someone will come, they need to support their community so it will provide that kind of service,”

says Kathy Robinson, program manager for the National Association of State EMS Officials. Health-care hiring boom The need for EMT and paramedic workers comes as the health-care sector continues to boom. “The strong economy definitely has an impact,” says Ani Turner, co-director of sustainable health spending strategies at nonprofit research organization Altarum. “We are at full employment, so along with expanded insurance coverage in the Affordable Care Act that started to take effect part way through 2014, we have a lot of people that now have health insurance coverage. More people with health benefits, more people with insurance increases the demand for health care and therefore health jobs.” Much of this growth came from the ambulatory sector, with an emphasis on outpatient care, which added 37,800 jobs in December 2018. What’s more, out of the 30 fastest-growing occupations through 2026, per BLS, [nearly half fall under the health-care category](https://www.bls.gov/ooh/fastest-growing.htm), and analysts say there’s likely no slowing down ahead. The workforce continues to age, as does the population in need of care, the opioid epidemic persists, and the pool of skilled labor remains tight. With all that growth, there’s no doubt demand will continue within systems like Northern Light, where trained professionals like Mailman are ready to answer the call. “I love my job. I can’t imagine doing anything different than what I do,” Mailman said.

#### Ambulance strikes in countries lead to increased mortality rates and massively delayed response time – this also links to structural violence.

The Times ,3-27-2012, "Pensioner’s death linked to ambulance strike," No Publication, <https://www.thetimes.co.uk/article/pensioners-death-linked-to-ambulance-strike-m89w3tkcx3t> | DD JH

An elderly patient died in London while waiting for a delayed ambulance during autumn’s mass strike, in which more than half of the capital’s ambulance workers walked out. An official NHS report will today claim the death could be linked to the industrial action on November 30, revealing how it led to major delays in the 999 emergency service. Some patients in “life-threatened” situations were forced to wait for more than two hours for a response, while many others were left in “distress and pain”, it finds. The study, seen by The Times, claims that the death - at 4.35pm - was “potentially linked to a delayed response”. A further investigation is expected to confirm that the patient was waiting too long for the ambulance but cannot conclusively blame that for the patient’s death. The NHS London report says the death occurred over three hours after the London Ambulance Service declared an “Internal Major Incident” and called on the unions to repudiate the strike. Services were so clogged up by then that dozens of emergency cases were being held with many patients forced to wait an hour or longer for a response. However, the strike continued and very few members of staff returned to work, the study says. Hundreds of people who needed urgent medical attention received delays in their care. Some 875 patients in “potential immediately life-threatened” situations - classified as category A - were forced to wait

longer than the eight-minute target for an urgent response. Of those, 318 waited longer than 19 minutes. By the evening some patients whose lives were at the highest level of risk classified had to wait more than two hours. The NHS London report concludes that the action had a “significant effect” on the operational capability of the ambulance service. It fears that “timely, consistent, effective and safe clinical care” was not delivered. “Undoubtedly some patients waited too long for an ambulance, in particular those patients with non life-threatening conditions and it is recognised that these patients were often in distress and pain,” it concludes. The report finds that the majority of patients had to wait longer than nationally mandated standards. The expectation was that 30 per cent of staff would walk out but over half actually did and the service was not able to handle it. In some parts of the capital staffing levels fell to just 10 per cent. ADVERTISEMENT The report reveals how 117 calls were being held by 1pm, with over 50 waiting more than an hour. By 4pm four category A patients were being held for more than an hour. By the evening dozens of emergency cases were not responded to for between one or two hours. The ambulance service has a target of responding to three quarters of category A calls within 8 minutes. On November 30, that fell to below one quarter. It insists that future strikes must be better dealt with.

### 5

#### Counterplan text: A just government should implement a $1000 per month universal basic income

Worstall 15

Tim Worstall, [Studied at London School of Economics. Senior Fellow of the Adam Smith Institute.], 18 September 2015, “The Real Value Of A Universal Basic Income Is That It Raises The Reservation Wage”, <https://www.forbes.com/sites/timworstall/2015/09/18/the-real-value-of-a-universal-basic-income-is-that-it-raises-the-reservation-wage/?sh=56b3995a7ca1> // AK

The usual answer to this is that we must therefore rebuild union power. Although I have to say that if the solution is to bring back Jimmy Hoffa to "invest" the workers' pensions funds I think we may well have mis-stated the question. For the thing is that we don't necessarily want to bring back the unions as the representatives of the workers' power. What we want to bring back is the workers' power. Specifically, we want the workers to be able to tell the employers to go take a hike if they offer insultingly low wages. And that's exactly the thing that a universal basic income does achieve: Improved worker bargaining power • Many of us consider the declining relative fortunes of the perfectly hardworking people who could once afford middle class lives and now cannot (without dodgy borrowing) to be a compelling social problem. • Reversing the decline of union power, or the degree to which middle class workers are now in competition with counterparts in lower-wage countries, or the potential for automation seems unlikely and arguably undesirable. Quite so. But the universal basic income rides to the rescue: A universal basic income creates bargaining power by increasing all workers’ capacity to refuse a raw deal. - A UBI increases workers’ “reserve price” — the minimum each worker must be paid before she is willing to accept a given job with particular working conditions • A UBI is a much more flexible means of enhancing labor bargaining power than unionization or a minimum wage. - All workers are able to drive a harder bargain with a UBI than without, shifting the distribution of behavior and effectively augmenting bargaining power. - Firms and individuals retain complete freedom to negotiate the terms of their own engagement, and to take into account unusually pleasant working conditions or nonpecuniary benefits of certain kinds of jobs that might be made untenable by a minimum wage. You don't have to be a member of a union to gain this increased bargaining power: there's no need for there to be a priestly caste standing between you and the employer, a priestly caste growing fat off your tithes (or, union dues) in order to stand up to The Man. Simply because everyone knows that they've got the minimum they can scrape by upon (and yes, is is scrape by upon, not live comfortably upon) then everyone has that greater market power. The other way around of putting this is that the reservation wage has gone up. Imagine that there's no welfare system at all: it would thus be possible, when there's high unemployment, for an employer to offer 2 lbs of bread a day as the wage. That was the deal in early Victorian times in England. And people took it because there was no alternative. With people getting $800 a month for just being a breathing adult then such tactics would not work. The amount that an employer must pay in order to convince someone to get up off the couch and come into work will rise. Those of us who are already higher paid already have that market power: that's why we get paid more than some subsistence amount. One of the things a universal basic income does is provide at least a modicum of that market power to the currently low skilled and low paid. A UBI therefore meets one of the demands of the liberal right (ie, the economically liberal), that if we're going to have some form of a welfare state, which we obviously are, then let's have the most efficient one we can. With the fewest distortions, with low marginal tax rates, fewest disincentives to work and lifestyle choice and so on. A UBI also meets the demands of the liberal left (ie, the not so economically liberal in the modern parlance) and aids in overturning the power imbalances that they see in the current society.

### Case – fwk

#### 1] Extinction is a prior question to structural violence – we can’t fight oppression if we’re all dead

#### 2] Extinction harms structural minorities the most since they’re the ones who can’t afford buy ins to things like nuclear war bunkers or vaccines against disese

#### 3] Our model of util hijacks theirs – it’s a question of minimizing pain which maximizing expected wellbeing does the best – structural violence is a subset of our framework

### Case – advantage

#### 1] Uniqueness overwhelms – every part of their aff is some facet of strikes being helpful – if they’re actually that useful, that should spillover in the squo and mean that we don’t need the aff

#### 2] Gender wage gap - Switzerland has a very different political climate to that of every single other country – the US doesn’t have the same lenience that Switzerland does b] their evidence assumes that gender equality has to be established in the country already but that’s not the case in a bunch of countries around the world like in places like Jordan or Saudi Arabia c] their evidence isn’t about it succeeding – a strike only happened for 24 hours and then they just said they hoped something would happen, but the wage gap in Switzerland increased after that – we looked up the stats and it increased by $1300

https://www.swissinfo.ch/eng/persistent-gender-pay-gap-remains-in-switzerland/45855226

#### 3] Their Perry evidence on the racial wage gap advantage is wrong – it just says unions are good not that the right to strike is

#### 4] Changing laws does not occur – it’s not sufficient to just strike – there have to be people in politics interested but all of Congress is taken up by Build Back better and other bills right now

#### 5] Climate change advantage - This flows neg and proves uniqueness overwhelms – it talks about people walking out already and striking illegally anyways which is successful

#### 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.**

#### Deferring to Labor protections is insufficient to address antiblackness. Their collective bargaining thesis is just wrong.

Lee 2020 [Tamara Lee, Esq., is an assistant professor in the School of Management and Labor Relations at Rutgers, the State University of New Jersey. “Big labor’s structural racism is bigger than the problem with police unions | Opinion,” Published: Jul. 06, 2020, 12:26 p.m., <https://www.nj.com/opinion/2020/07/big-labors-structural-racism-is-bigger-than-the-problem-with-police-unions-opinion.html>, ///run-ng]

Police unions and their proponents deny systemic racism, defend excessive force and racialized brutality by their members, and fight against accountability, transparency and substantial criminal justice reform. Big Labor’s #AllUnionsMatter response is a knee on the neck of the #BlackLivesMatter cries of its membership. The top leadership of the AFL-CIO, whose D.C. headquarters were targeted during the protests, refuses to denounce the International Union of Police Associations. President Richard Trumka said in a recent interview that he prefers to “engage with our police affiliates rather than expel them.” And while the Writers Guild of America East, Workers United Upstate New York, and a handful of other unions are calling for disaffiliation, scores of top unions and their leaders are declining comment on police unions or just evading the point. Randi Weingarten, president of the American Federation of Teachers, called the issue of collective bargaining and police misconduct a “false choice.” She suggested we focus on demilitarizing the police. Such tepid responses are in stark comparison to the unaffiliated SEIU, whose top leadership has publicly committed to alignment with the goals of the Movement for Black Lives, despite directly representing police and correctional employees. The AFL-CIO’s blind defenses of collective bargaining fail to address a fundamental truth of collective power. Renowned labor law scholar Benjamin Sachs summed it up when he wrote, “Unions have used collective bargaining to protect their members from accountability for racist killing. And, in doing so, they may well have made such killing more likely and more frequent.” What the biggest labor federation in the United States fails to see is that this is not just about a few militarized, killer apples. Systemic anti-Black racism is about the institutional abuse of power against Black Americans, and that potential also exists in well-intentioned “good unions.” It’s time for labor leaders to re-examine the “false choice” narrative and scrutinize structural biases within their organizations. They should radically reimagine how unions can use collective bargaining power to address the long-running and unremedied systemic racial and economic abuse of Black union members. The structural, identity-based injustices that are normalized in collective bargaining agreements are especially apparent in the persistent economic disparities facing those workers whom the labor movement historically and traditionally opposed: Black, non-white, immigrant, women, etc., and those falling in the intersections. Let’s consider a few stats on racial inequities. Despite being twice as likely to unionize, Black workers continue to suffer twice the unemployment rate of white workers. And while unionization significantly narrows the wage gap for Black workers, it does not eliminate it. Economist Christian Weller wrote in a 2018 Forbes column, “Among union members, whites had a little over five times the median wealth of African Americans between 2010 and 2016. This is a large difference, but a far cry from the overall gap of 10-to-one. And it is a lot better than the wealth gap among non-union members, where whites had 37 times as much as African Americans did.” Although unionization benefits all workers, these statistics reveal that unions have not done enough through collective bargaining to erase systemic white supremacy and racial inequities such as wage disparities.

#### 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

#### Turn- Labor protections and Unions are an economic vehicle historically used to inflict race-based discrimination.

Moreno 2010 [Paul Moreno is Associate Professor of History at Hilsdale College where he holds the William and Berniece Grewcock Chair in Constitutional History. Cato Journal, Vol. 30, No. 1 (Winter 2010). Copyright © Cato Institute. All rights reserved “Unions and Discrimination,” <https://www.cato.org/sites/cato.org/files/serials/files/cato-journal/2010/1/cj30n1-4.pdf>, ///run-ng]

The claim that organized labor has been a force for racial egalitarianism can only be called a myth. It is one of the many myths that pro-union historians have perpetuated—similar to those, for example, that unorganized workers suffered from an “inequality of bargaining power” (Reynolds 1991), that strikes are conflicts between employers and employees rather than between different groups of employees, or that violence was more often employed against than by unions (Thieblot and Haggard 1983). Perhaps the greatest myth of all is that organized labor is good for workers generally. In fact, unions transfer income from the unorganized to the organized, and depress total income to such a degree that even organized workers are poorer (Vedder and Gallaway 2002). This article gives an account of the ways in which unions have used racial discrimination as an economic weapon. Before the Civil War, labor leaders claimed that the classical liberal, antislavery vision of “free labor” actually established “wage slavery” for white workers. The former slaves, excluded from white unions, often had to fight their way into industrial employment as strikebreakers. Organized labor lobbied for decades for special legislation that would enable them to make their strikes effective. When they finally achieved this in the New Deal, the federal government faced the problem of securing “fair representation” for black workers. This ended up producing affirmative action after the enactment of the Civil Rights Act of 1964. The New York Times recently profiled Richard Trumka, a United Mine Workers official and now American Federation of LaborCongress of Industrial Organizations president. The story displayed a photo of Mr. Trumka in front of a portrait of Mary Harris (“Mother”) Jones, a heroine of organized labor after whom the leftwing magazine was named. It featured a speech that Trumka gave to a steelworkers’ convention, in which he claimed, “There’s no evil that’s inflicted more pain and more suffering than racism—and its something we in the labor movement have a special responsibility to challenge…. Because we know, better than anyone else, how racism is used to divide working people” (Greenhouse 2009). Trumka was repeating one of the hoariest myths in the history of the American labor movement. Usually calling it the “divide and conquer” tactic, labor leaders claim that employers have deliberately fomented racial animus among their workers, in order to keep the “working class” disunited and weak. Trumka’s UMW is particularly proud of having established a successful interracial union in the face of such employer tactics. He is not likely to tell stories like those of the Illinois coal strike of 1898. When an agreement between the UMW and the mine owners expired, the UMW went on strike, and violently prevented black workers from taking their former jobs. The union had the full support of Illinois Governor John R. Tanner, who swore that he would use the state militia to “shoot to pieces with Gatling guns” any train bringing in black workers. The militia captain in Pana, Illinois, pledged his support. “If any Negroes are brought into Pana while I am in charge, and they refuse to retreat when ordered to do so, I will order my men to fire,” he pledged. “If I lose every man under my command no Negroes shall land in Pana.” Several black miners were murdered in the ensuing weeks. The AFL passed a resolution praising Governor Tanner (who had been indicted by a grand jury for allowing the situation to get out of control), and “Remember Pana” became a UMW slogan. Mother Jones asked to be buried nearby those “responsible for Illinois being the best organized labor state in America” (Moreno 2006: 61–63, Gorn 2001: 289). While it is true that the UMW succeeded in many places in establishing interracial unions—and in Alabama, at least, in the face of genuine “divide and conquer” tactics by the mine owners—in Illinois the “near invisibility” of blacks in UMW offices “served as a reminder to black miners of just how successful whites had been in blocking their entry into the coalfields above the Ohio River” (Lewis 1987: 100). The Illinois UMW was just one example of the fact that race was much less often used against as by organized labor. Race was a convenient way to do what unions do. Unions are, in economic terms, cartels. Their goal is to insulate their members from competition, to increase the price of their product (wages) and lower its output (hours). Unions do this by “controlling the labor supply.” And one of the most convenient ways to do this is to exclude easily identified groups like racial minorities (Becker 1971, Posner 1984, Reynolds 1984). The South African economist W. H. Hutt was among the first to observe this phenomenon. While racial animus certainly was a factor in labor-market discrimination, “We do not, however, find color prejudice as such the main origin—nor, perhaps, even the most important cause—of most economic color bars. The chief source of color discrimination is, I suggest, to be found in the natural determination to defend economic privilege” (Hutt 1964: 27). South Africa’s Mines and Works (Colour Bar) Act of 1911 was passed to appease white union members’ demand to abate black competition. When the owners continued to employ black miners, the “Rand Rebellion” of 1922 ensued, “one of the bloodiest labor disputes ever to occur anywhere in the world,” followed by more restrictive legislation to reserve jobs for white unionists in 1924 (Sowell 1990: 27). In colonial and antebellum America, groups of white workers often petitioned state and local governments to eliminate competition from free black workers. Organized labor was largely hostile to the antislavery movement, and most abolitionists opposed unions. Understandably, white workers feared competition from emancipated slaves, and white workers in the North especially feared an influx of southern freedmen. This is one of the reasons for which Lincoln continued to say that he was in favor of “colonization”

of the black American population, and reassured northerners that free blacks would not glut the labor market and depress wages. He told Congress in 1862, shortly before the Emancipation Proclamation took effect, that free blacks would likely supply less labor than they had as slaves, and thus increase white wages. “With deportation, even to a limited extent,” he said, “enhanced wages to white labor is mathematically certain. Labor is like any other commodity in the market—increase the demand for it, and you increase the price of it. Reduce the supply of black labor, by colonizing the black laborer out of the country, and, by precisely so much, you increase the demand for, and wages of, white labor” (Lincoln 1953-55, IV: 535). More fundamentally, antebellum labor leaders disputed the argument that chattel slavery was really any worse that the free-labor system of the North (or Great Britain), which they called “wage slavery.” Here they echoed the arguments of slavery advocates like John C. Calhoun and George Fitzhugh, who claimed that chattel slavery was more humane and just than wage-labor market competition. Slavery provided a kind of cradle-to-grave welfare state for its workers, because owners had a permanent economic interest in the whole person, while northern employers had only a temporary interest in the worker while he was productive and exploitable. This view of the moral equivalence of slave labor and wage labor led some cynical Europeans to observe that the Civil War was nothing more than a disagreement between one group of capitalists who wanted to own their slaves and another group of capitalists who wanted to rent their slaves by the hour. Labor leaders claimed that northern antislavery advocates failed to see that capitalism actually gave employers so much economic power that they did not need physical coercion in order to dictate terms to their workers. This was the principal argument in favor of union power—unions provided a countervailing power to that of organized employers. Unions “leveled the playing field,” and were necessary to address the fact of unequal bargaining power (Hale 1923, Reynolds 1991). For their part, abolitionists dismissed the argument that equated chattel slavery and wage slavery. They emphasized the individual right of “self-ownership” and the absence of physical coercion as the definition of freedom. William Lloyd Garrison viewed such union complaints as apologies for slavery, and Frederick Douglass entitled one of his editorials “The Folly, Tyranny and Wickedness of Labor Unions” (Douglass 1874). Douglass had personal experience with organized labor discrimination, having worked as a ship caulker in New Bedford, where the white caulkers insisted that blacks be limited to unskilled labor (McFeely 1990: 79). A white caulkers union similarly drove black rivals off the Baltimore wharves shortly after the Civil War (Thomas 1974: 2). The District of Columbia typographers union blackballed Frederick Douglass’ son, Lewis Douglass, because he had worked as a “rat” (nonunion member) in Denver (Matison 1948: 449–50). In other words, black workers who were forced to do nonunion work then had their “ratting” used as an excuse to deny them membership. For the most part, American labor leaders failed to confront the issue of racial discrimination in the 19th century. Many of them recognized that exclusion might benefit white union members in the short term, but in the long term it would weaken union power because eventually employers would draw on lower-cost black workers, particularly to break strikes. William H. Sylvis, for example, head of the first nationwide labor federation, the National Labor Union, urged that blacks be brought into the movement, because emancipation meant that “we are now all one family of [wage] slaves together” (Grossman 1945: 229–32). He warned, “The time will come when the Negro will take possession of the shops if we have not taken possession of the Negro” (Foner and Lewis 1978–84, I: 407). The NLU convention, however, claimed that, since its constitution did not mention race, there was no need for the convention to address the issue. This left the question of membership to national and local unions. This illustrated a fundamental feature of organized labor in America: leaders of labor federations were often racially egalitarian (at least by contemporary standards), but had little influence on the national and local unions that composed these federations. These unions more often sought “to take possession of the Negro” by enforced exclusion. As a recent history has aptly observed, “White workers understood that excluding African Americans undermined labor solidarity and made it much more difficult for their unions to negotiate successfully with railroad management. They accepted this vulnerability because the alternative of sharing their organizations with African Americans seemed even worse” (Bernstein 2001: 47). The Knights of Labor under Terrence V. Powderly also voiced racial inclusion—except for the Chinese, the curtailing of whose immigration the Knights supported. The Knights had many black members, most of them in segregated locals. Some black members favored segregated locals because they allowed blacks to win elections as delegates to state and national assemblies. But the Knights of Labor rose and fell almost overnight. Its ideology was rather quaint— its formal title was the “Noble and Holy Order of the Knights of Labor”; it sought the abolition of wage labor along with other social reforms—liquor dealers were excluded from membership along with bankers and stockbrokers. The federation opposed the use of the strike, the method favored by the trade unionists. It collapsed rapidly after the anarchist Haymarket bombings of 1886 tainted the reputation of all labor organizations. Its successor, the AFL, similarly punted when faced with the race issue. Samuel Gompers, the federation president for every year but one from 1886 until 1924, recognized the problem of black exclusion leading to white union failure. But he habitually bowed to member unions who were determined to draw the color line. The AFL kept the National Association of Machinists out of the federation because of its constitutional color bar, but then let it in after the union shifted the racial exclusion from its constitution to its initiation ritual (Mandel 1955: 34–37). Later, the federation ceased requiring even gestures like these. Blacks were relegated to “federal” union status, at the mercy of the larger national unions, who thus “took possession of the Negro.” Gompers dismissed black workers’ pleas for equal treatment as demands for “special treatment” (Foner and Lewis 1978–84, IV: 10). When black workers continued to act as strikebreakers, Gompers threatened, “The Caucasians are not going to let their standard of living be destroyed by Negroes, Chinamen, Japs, or any other…. If the colored man continues to lend himself to the work of tearing down what the white man has built up, a race hatred worse than any ever known before will result. Caucasian civilization will serve notice that its uplifting process is not to be interfered with in any such way” (Foner and Lewis 1978–84, V: 124). Gompers’ tirade serves as a reminder that blacks were only one group that American unions sought to keep out of the work force. Organized labor led the movement for the restrictions on Asian immigration in the 19th century. As labor economist Selig Perlman boasted, “The anti-Chinese agitation in California, culminating as it did in the Exclusion Law of 1882, was undoubtedly the most important single factor in the history of American labor, for without it the entire country might have been overrun by Mongolian labor, and the labor movement might have become a conflict of races instead of one of classes” (Commons 1918–35, II: 252). Unions promoted maximum-hour laws for women, which had the effect of increasing unemployment and lowering the income of immigrant women workers (Landes 1980). The New York maximum-hours law for bakers, which the Supreme Court struck down in the Lochner v. New York (198 U.S. 45 [1905]), was similarly aimed at recent immigrant bakers (Bernstein 2005). Although most black workers did not gain industrial employment as strikebreakers, and although most strikebreakers were not black, the image of the “black scab” was powerful (Whatley 1993, Arnesen 2003). Contrary to the image depicted by union supporters (see Noon 2004), black strikebreakers were neither villains nor dupes; strikebreaking was a rational and effective choice. “Black strikebreaking was nothing less than a form of working-class activism designed to advance the interests of black workers and their families,” a labor historian recently observed. “In many instances a collective strategy as much as trade unionism, strikebreaking afforded black workers the means to enter realms of employment previously closed to them and to begin a long, slow climb up the economic ladder” (Arnesen 2003: 322) Black strikebreaking could be effective because the American law of labor relations protected the right of employers to hire whomever they pleased, and protected the right of workers to work for whomever they pleased. Unless workers had some peculiar skill or occupied some strategic place in the economy where the withdrawal of their services would cost employers dearly, their unions were weak. The strongest unions were among the workers who already had economic power. But it was virtually impossible for easily replaced, unskilled workers to win their demands by striking. The skilled railroad workers who formed the “brotherhoods”—the engineers and conductors, for example—had some of the earliest strong unions. They excluded blacks by explicit constitutional provision until the 1960s. They did not participate in the 1894 Pullman strike, led by the less skilled railway workers in Eugene V. Debs’ American Railway Union. The ARU excluded blacks as well, and black workers formed an “Anti-Striker Railway Union” and helped break the strike. But the most significant factor in the failure of the Pullman strike was the injunction issued by a federal court, forbidding the strikers from interfering in the railroads’ right to carry on their business, and their right to do so with replacement workers. For the next 40 years, the AFL would campaign to change labor law so that its strikes could succeed. The legend continues to be perpetuated that the AFL was committed to “voluntarism.” Unlike earlier labor federations that became absorbed in larger social and political movements or parties, the story goes, the AFL simply wanted to be left alone, to focus on “bread and butter’ issues of wages, hours, and working conditions. This was never the case. The federation supported a number of laws that would reduce competition in the labor market—immigration restriction, limitations on the labor of women and children, and a host of licensing and other regulatory barriers to entry into the labor market (see Bernstein 2001). As UMW President John Mitchell put it in 1903, “The trade union movement in this country can only make progress by identifying itself with the state” (Mitchell 1903: 219). Little by little in the Progressive Era, the federal and state governments began to empower labor unions, and this increased their power to discriminate against black workers. But for the most part these laws helped already-powerful workers, like the railroad brotherhoods and construction trades. Blacks continued to make inroads in unskilled industrial employment, and this accelerated as the “Great Migration” out of the South began just before the First World War. As during the Civil War draft riots, job competition during the war set off some of the worst race riots in American history, in East St. Louis in 1917 and Chicago in 1919. As the war came to a close and the federal government withdrew its pressure on American employers to bargain with unions, blacks played a significant role in the movement to return to the “open [nonunion] shop,” which unionists resisted in a campaign for “industrial democracy.” Between the wars, relations between blacks and unions continued to be hostile. In 1919, black socialist A. Philip Randolph called the AFL “the most wicked machine for the propagation of race prejudice in the country” (Spero and Harris 1931: 390). Reflecting on the failure of the great steel strike of that year, communist William Z. Foster called blacks “a race of strikebreakers” (Foster 1920: 208). The NAACP reported in 1924 that “white union labor does not want black labor, and, secondly, black labor has ceased to beg admittance to union ranks because of its increasing value and efficiency outside of the unions.” Since immigration had dwindled, the black worker was gaining “tremendous advantage. . . . He broke the great steel strike. He will soon be in a position to break any strike when he can gain economic advantage for himself” (NAACP 1924: 89). The National Urban League concluded in 1930 that the AFL had less appeal to Negroes now “than at any other time in its history” (Reid 1930: 32). The New Deal fundamentally altered the relationship of blacks and unions. Simply put, once the political and legal system began to favor unions and to make industrial unionism possible, black leaders and workers began to shift to support organized labor. As one historian put it, “When the New Deal politicized the level of American wages, African-American protest organizations . . . were forced to change their strategy from one of confrontation with organized labor to one of conciliation” (Whatley 1993: 550). As a contemporary observer remarked, “One of the most important qualities of effective minority group leadership is opportunism. This ability to take advantage of opportunities as they present themselves, properly used, can oftentimes compensate for numerical or material weakness. And minorities have a right to expect such opportunism in intelligent leaders” (Foner and Lewis 1978–84, VII: 18). But this rapprochement was always tentative and conditional. The mass-production industrial unions that comprised the CIO (autos, steel, rubber) already had large numbers of black workers, so exclusion was not possible. (Though some white-only unions, like the railroad brotherhoods and building trades, continued to exclude.) And there is no question that the CIO was genuinely more committed to racial equality than the AFL. But unequal treatment continued to be a problem within these unions, in matters such as access to skilled jobs, seniority, and union leadership. The locus, but not the nature, of discrimination changed. White unionists’ interest in “controlling the labor supply” by way of racial discrimination remained (Perlman 1951: 59). Black organizations attempted to stop unions from using New Deal legislation to harm black workers. The NAACP warned that the National Labor Relations (Wagner) Act was “fraught with danger to Negro labor” and urged Senator Robert Wagner to add a nondiscrimination provision to his bill. Lester Granger, head of the National Urban League, cautioned black workers against “premature adulation” for the new industrial unions. He later called the Wagner Act “the worst piece of legislation ever passed by the Congress” (Moreno 2006: 172–73, 182). The New Deal had established industrial unions as a “countervailing power” to curb the perceived abuses of big business (Galbraith 1952). Over the next several decades, the federal government would have to establish further countervailing powers to protect minorities against unions’ abuse of power. This was the road to affirmative action. In addition to the direct impact of union discrimination, union power had many indirect effects that harmed black (as well as other nonunion) workers. Unionization of American’s “core” industries (such as autos and steel) ultimately reduced employment, reducing black opportunities to rise from the lower-paid “periphery” to the good core jobs. When unionization drove up labor costs in the coalmining industry, for example, owners substituted capital for labor, and black workers bore the brunt of this “technological unemployment” (Woodrum 2007). Organized labor lobbied for higher minimum wage laws, which further increased black unemployment. (The black unemployment rate, previously about the same as the white rate, became regularly twice as high after World War II.) When they unionized unskilled jobs, unions made these jobs more attractive to white workers, who often took them though they possessed greater skills than the jobs required. While the impact of union power was clearer in the structure of job lines, promotion, seniority, and training, union leaders often claimed that discrimination in hiring—an employer prerogative—was the real culprit. But unionization raised the cost of labor and thus reduced the number of jobs, which was just the obverse way to control the labor supply (Simons 1944). Labor economist W. H. Hutt had seen the power of white workers to transfer employment and income from excluded minorities to themselves in South Africa. He noted that “majorities under union protection are notoriously unconcerned about the harm wrought to those excluded, or the reduction caused in the aggregate income of the community” (Hutt 1973: 54). All of these union or union-related interventions increased the need for race-based remedial intervention. Owen Fiss, a clerk to Justice Thurgood Marshall and later a law professor, noted the irony that the need for a fair employment law arises in part from the existence of other laws (such as minimum wage laws, laws protecting union hiring halls, laws limiting profit levels, and laws limiting entry) that impair the effectiveness of the market; by interfering with the market, these laws impair the capacity of the merit principle to protect itself. The need for the fair employment law, to the extent that it arises from statutes with a contrary effect, may simply reflect society’s reluctance to abandon these other forms of government regulation—it wishes to have its cake and eat it too [Fiss 1971: 251–52]. During the world wars, the federal government promoted unionization and union membership soared. During the First World War it made a small effort to ensure fair treatment of black workers, principally through the establishment of a Division of Negro Economics within the Department of Labor (Gudza 1982). A more impressive effort was made during the World War II, when A. Philip Randolph’s threat of a “march on Washington” led President Roosevelt to ban discrimination by government contractors (Reed 1991). His executive order established a President’s Committee on Fair Employment Practices for enforcement—commonly called the FEPC. Though the Committee included both AFL and CIO presidents and other unionists, some of its hardest cases came from union discrimination—in railroads and shipyards in particular. The FEPC’s ability to stop discrimination by either employers or unions was quite limited, but it was successful enough to provoke the ire of southern Democrats in Congress, who cut off its funding at the war’s end. Liberals called for legislative enactment of a permanent FEPC for the next two decades. The greatest potential blow to union discrimination came from the courts. In Steele v. Louisville and Nashville Railroad (323 U.S. 192 [1944]) and Tunstall v. Brotherhood of Locomotive Firemen and Enginemen (323 U.S. 210 [1944]), the Supreme Court held that unions had a duty of “fair representation” to the workers for whom they bargained. U.S. labor law’s principle of “majority unionism” compelled an employer to bargain exclusively with whatever union was chosen by a majority of its employees—even if that union excluded blacks. Since federal legislation had given unions quasi-legislative powers, the Court held, the Constitution required these privileged bodies to provide equal protection to those they represented. However, the National Labor Relations Board did not use its administrative powers against union discrimination until the 1960s, so black workers had to sue individually and at their own expense (Sovern 1962: 574). Arthur Fletcher, assistant secretary of labor in the Nixon administration, later claimed that if such decisions had been enforced, no legislation dictating fair employment practices would have been necessary (Fletcher 1974: 26). As blacks continued to migrate into urban and industrial areas, and as the postwar movement for racial equality grew, pressure on unions to cease discrimination increased. The issue of civil rights divided southern unionists especially. While most national union leaders supported desegregation, and many southern businessmen did use the race issue to discourage unionization, support for segregation was common among the rank-and-file. As a leader of one of the White Citizens Councils put it, “The labor boys played a big part in the segregation effort. The business people would give lip service, but the labor people would get out and work” (Draper 1994: 24). This was due at least in part to the fact that the same economic forces that gave unions an interest in discrimination (limiting the supply of labor) gave employers an interest in equal opportunity (increasing the supply of labor). As Martin Luther King, Jr., put it in 1957, “With the growth of industry the folkways of white supremacy will necessarily pass away. Moreover, southerners are learning to be good businessmen, and as such realize that bigotry is costly and bad for business” (Moreno 2006: 224). Racial discrimination was just one of the abuses of power that tarnished the image of organized labor in the 1950s. Former Harvard Law School dean Roscoe Pound, a celebrated progressive legal philosopher, believed that unions had acquired the kind of overbearing power that business had before the New Deal. Unions, he said, were free to commit torts against persons and property, interfere with the use of transportation, break contracts, deprive people of the means of livelihood, and misuse trust funds, “things no one else can do with impunity. The labor leader and labor union now stand where the king and government . . . stood at common law” (Pound 1958). The most difficult union-discrimination issue that black workers faced was that of seniority. If employers and unions agreed to open better jobs, heretofore reserved for whites, black workers often risked the job security of their many years in the lower ranks. Employers, fearful that blacks would not be qualified for the better jobs, required them to pass exams that white candidates had not been compelled to take. Such practices acted as a sort of “grandfather clause,” by which discrimination in the past continued to inhibit black progress in a non-discriminatory present. When Congress was considering the fair employment title of the Civil Rights Act of 1964, this issue nearly derailed it. Opponents of fair employment legislation had often claimed that it would lead to preferential treatment and racial quotas to achieve racial balance in the work force. Senator Lister Hill, an Alabama Democrat, added that it would force employers to grant “super seniority” for blacks in merged job lines, or allow black workers to “bump” white workers with more seniority. The act’s advocates and labor leaders denied this but, to be certain, section 703(h) held that “it shall not be an unlawful employment practice for an employer to apply different standards of compensation, or different terms, conditions, or privileges of employment pursuant to a bona fide seniority system.” The AFL-CIO did not call for this amendment, which it regarded as merely amplifying what was already in the act. But the provision did more clearly safeguard the expectations of many of its white members. The ink was hardly dry on the Civil Rights Act before bureaucrats and judges began to transform it from a colorblind, individual right to equal treatment into a color-conscious, group-based entitlement to equal outcomes (Belz 1991). Despite their support for the Civil Rights Act and the emerging concept of affirmative action, AFLCIO officials bridled when these acts impinged upon established union privileges. “A basic conflict exists between labor union concepts and civil rights concepts,” the assistant attorney general for civil rights said, “Something has to give” (O’Hanlon 1968: 170). Despite section 703(h), the Equal Employment Opportunity Commission (EEOC) and federal courts began to give black workers credit for past seniority, crafting the doctrine known as “the present effects of past discrimination.” In Franks v. Bowman (424 U.S. 747 [1976]), the Supreme Court accepted the awarding of retroactive seniority in 1976, as it had accepted other extensions of the Civil Rights Act from fair employment to affirmative action, but reversed itself the next year in the Teamsters case (International Brotherhood of Teamsters v. U.S., 431 U.S. 324 [1977]). Seniority was the only part of the Civil Rights Act that the Court interpreted in line with the original intent of the statute, in all likelihood responding to the influence of organized labor as a liberal interest group (Belz 1991: 212). Unions were similarly able to insulate themselves from the pinch of a program that was designed precisely with union discrimination in view, the “Philadelphia Plan.” This plan had origins that went back to federal set-asides for black construction workers in the 1930s, and resurfaced in the presidential commissions that targeted racial discrimination among government contractors. The particular problem here was that the government contractors could not control the discriminatory policies of the unions who provided their workers—the skilled construction unions being the worst offenders. During the Johnson administration, the Labor Department required construction contractors to provide data about the racial composition of their work forces, along with commitments to have a “representative number” of minorities in each trade. Union opposition, as well as the Government Accounting Office’s judgment that it violated the rules of competitive bidding, caused the administration to abandon the plans. President Nixon revived them—out of a desire to foment discord between the labor and civil rights wings of the Democratic Party, his detractors claimed, erroneously (Moreno 2006: 299). The model “Philadelphia Plan” was soon extended to all cities, and then from the construction trades to all federal contractors—who employed about half of the American work force. The key requirement was the establishment of “goals and timetables” to increase minority employment. The U.S. Commission on Civil Rights observed in 1969 that the program “comes very close to embodying, if it does not actually do so, two principles in the field of civil rights which have long been resisted—quotas and preferential treatment” (Nathan 1969: 96). In 1972, as Nixon courted the political support of the “hard hats,” his Labor Department did away with the Philadelphia Plan requirements for the construction trades, allowing them to devise voluntary “hometown plans.” In another remarkable display of political power, the unions that gave rise to affirmative action escaped its impact after it had metastasized throughout the American economy. Though freed from Department of Labor quotas, the construction unions still faced EEOC and Department of Justice suits, with affirmative action litigation extending for decades. The conflicts between blacks and unions abated as the 21st century approached. This was due chiefly to the passing away of the seniority problem, the collapse of private sector unions, and the rise of public sector unions. The generation of white workers who were “grandfathered” and had acquired seniority during the years that their unions were supposed to have been ensuring “fair representation” eventually retired and died, taking care of that problem. Discrimination in the construction unions may have continued, but whereas 84 percent of construction workers were union members in 1953, fewer than 20 percent were by 2000 (Bennett and Kaufman 2002). The United Steelworkers agreed in 1974 to set aside half of their skilled training slots for blacks, but five years after the Supreme Court upheld this important piece of affirmative action, unionized steel employment had declined by 50 percent. The American economy became more competitive in the 1980s, and the Immigration Reform Act of 1965 (and its violation) increased competition in the labor market. At the same time, public employee unionism began to expand after state and federal laws began to permit it in the late 1950s. Public employee union membership rose sixfold in the 1960s; half of government employees were union members by 1980. Racial discrimination was less of a problem in the public sector because public employers had little economic incentive to resist unionization, and they had powerful political incentives to promote it. Public employee unions had less reason to try to limit the labor supply than private sector unions (Lieberman 1980). However, there were notable conflicts between blacks and public sector unions. The 1968 Ocean Hill/Brownsville teachers strike in New York City, for example, had black-power ideological elements, and when taxpayers forced government-job retrenchment, seniority again became a racial issue. But public employee unions became increasingly solicitous of the interests of their minority members, and ardently embraced affirmative action. Private sector unions needed state power during the 20th century in order to succeed; they used that power to increase benefits (often referred to as the “private welfare state”) for a diminishing number of (predominantly white) members. Today public sector unions are entirely dependent on state power. By increasing their numbers, public sector unions also increase the number of (increasingly nonwhite) voters who will sustain their power. The problem of racial discrimination in organized labor in America was less solved than it was outgrown. The story of racial discrimination in the American labor movement confirms the view that unions act as cartels that attempt to limit the supply of labor and raise its price. An easily identified and culturally disfavored minority group provided a convenient category for exclusion. But most unions were unable to succeed without state power, and by the time that they acquired such power, blacks had already fought their way into the industrial workforce. Discrimination within, rather than exclusion from, unions then became the chief problem—one that spawned the policy of “affirmative action.” Finally, the macroeconomic costs of unions decimated the ranks of private sector unions. The syndicalist phase of American unionism appeared to have come to an end, and organized labor turned its attention to the public sector, where different economic and historical factors obtained.