# NC

### 1

#### Interp: The affirmative must define “right to strike” in a delimited text in the 1AC.

#### “Right to strike” is flexible and has too many interps– normal means shows no consensus and makes the round irresolvable since the judge doesn’t know how to compare between types of offense and OW since it’s a side constraint on decision making.

NLRB [“NLRA and the Right to Strike”. National Labor Relations Board. No Date. Accessed 6/24/21. <https://www.nlrb.gov/about-nlrb/rights-we-protect/your-rights/nlra-and-the-right-to-strike> //Xu]

The Right to Strike. Section 7 of the Act states in part, “Employees shall have the right. . . to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.” Strikes are included among the concerted activities protected for employees by this section. Section 13 also concerns the right to strike. It reads as follows:Nothing in this Act, except as specifically provided for herein, shall be construed so as either to interfere with or impede or diminish in any way the right to strike, or to affect the limitations or qualifications on that right. It is clear from a reading of these two provisions that: the law not only guarantees the right of employees to strike, but also places limitations and qualifications on the exercise of that right. Lawful and unlawful strikes. The lawfulness of a strike may depend on the object, or purpose, of the strike, on its timing, or on the conduct of the strikers. The object, or objects, of a strike and whether the objects are lawful are matters that are not always easy to determine. Such issues often have to be decided by the National Labor Relations Board. The consequences can be severe to striking employees and struck employers, involving as they do questions of reinstatement and backpay. Strikes for a lawful object. Employees who strike for a lawful object fall into two classes: economic strikers and unfair labor practice strikers. Both classes continue as employees, but unfair labor practice strikers have greater rights of reinstatement to their jobs. Economic strikers defined. If the object of a strike is to obtain from the employer some economic concession such as higher wages, shorter hours, or better working conditions, the striking employees are called economic strikers. They retain their status as employees and cannot be discharged, but they can be replaced by their employer. If the employer has hired bona fide permanent replacements who are filling the jobs of the economic strikers when the strikers apply unconditionally to go back to work, the strikers are not entitled to reinstatement at that time. However, if the strikers do not obtain regular and substantially equivalent employment, they are entitled to be recalled to jobs for which they are qualified when openings in such jobs occur if they, or their bargaining representative, have made an unconditional request for their reinstatement. Unfair labor practice strikers defined. Employees who strike to protest an unfair labor practice committed by their employer are called unfair labor practice strikers. Such strikers can be neither discharged nor permanently replaced. When the strike ends, unfair labor practice strikers, absent serious misconduct on their part, are entitled to have their jobs back even if employees hired to do their work have to be discharged. If the Board finds that economic strikers or unfair labor practice strikers who have made an unconditional request for reinstatement have been unlawfully denied reinstatement by their employer, the Board may award such strikers backpay starting at the time they should have been reinstated. Strikes unlawful because of purpose. A strike may be unlawful because an object, or purpose, of the strike is unlawful. A strike in support of a union unfair labor practice, or one that would cause an employer to commit an unfair labor practice, may be a strike for an unlawful object. For example, it is an unfair labor practice for an employer to discharge an employee for failure to make certain lawful payments to the union when there is no union security agreement in effect (Section 8(a)(3)). A strike to compel an employer to do this would be a strike for an unlawful object and, therefore, an unlawful strike. Furthermore, Section 8(b)(4) of the Act prohibits strikes for certain objects even though the objects are not necessarily unlawful if achieved by other means. An example of this would be a strike to compel Employer A to cease doing business with Employer B. It is not unlawful for Employer A voluntarily to stop doing business with Employer B, nor is it unlawful for a union merely to request that it do so. It is, however, unlawful for the union to strike with an object of forcing the employer to do so. In any event, employees who participate in an unlawful strike may be discharged and are not entitled to reinstatement. Strikes unlawful because of timing—Effect of no-strike contract. A strike that violates a no-strike provision of a contract is not protected by the Act, and the striking employees can be discharged or otherwise disciplined, unless the strike is called to protest certain kinds of unfair labor practices committed by the employer. It should be noted that not all refusals to work are considered strikes and thus violations of no-strike provisions. A walkout because of conditions abnormally dangerous to health, such as a defective ventilation system in a spray-painting shop, has been held not to violate a no-strike provision. Same—Strikes at end of contract period. Section 8(d) provides that when either party desires to terminate or change an existing contract, it must comply with certain conditions. If these requirements are not met, a strike to terminate or change a contract is unlawful and participating strikers lose their status as employees of the employer engaged in the labor dispute. If the strike was caused by the unfair labor practice of the employer, however, the strikers are classified as unfair labor practice strikers and their status is not affected by failure to follow the required procedure. Strikes unlawful because of misconduct of strikers. Strikers who engage in serious misconduct in the course of a strike may be refused reinstatement to their former jobs. This applies to both economic strikers and unfair labor practice strikers. Serious misconduct has been held to include, among other things, violence and threats of violence. The U.S. Supreme Court has ruled that a “sitdown” strike, when employees simply stay in the plant and refuse to work, thus depriving the owner of property, is not protected by the law. Examples of serious misconduct that could cause the employees involved to lose their right to reinstatement are: • Strikers physically blocking persons from entering or leaving a struck plant. • Strikers threatening violence against nonstriking employees. • Strikers attacking management representatives. The Right to Picket. Likewise the right to picket is subject to limitations and qualifications. As with the right to strike, picketing can be prohibited because of its object or its timing, or misconduct on the picket line. In addition, Section 8(b)(7) declares it to be an unfair labor practice for a union to picket for certain objects whether the picketing accompanies a strike or not.

#### Independently turns case.

Sandefur 10 [Timothy Sandefur (principal attorney at the Pacific Legal Foundation. He wrote a friend of the Court brief in Skilling v. United States on behalf of the Pacific Legal Foundation and the Cato Institute. His book The Right to Earn A Living will be published in September by the Cato Institute). “Get Rid Of Vague Laws”. Mar 30, 2010. Accessed 11/7/21. <https://www.forbes.com/2010/03/30/vague-laws-economy-government-opinions-contributors-timothy-sandefur.html?sh=2f4ac139d6ce> //Xu]

There's probably nothing more dangerous to individual rights than vaguely written laws. They give prosecutors and judges undue power to decide whether or not to punish conduct that people did not know was illegal at the time. Vagueness turns the law into a sword dangling over citizens' heads--and because government officials can choose when and how to enforce their own interpretations of the law, vagueness gives them power to make their decisions from unfair or discriminatory motives.

Definitionally required – strike[[1]](#footnote-1) is to “cause (someone) to be in a specified state” – o/w cuz the judge can’t jurisdictionally vote on something that isn’t topical.

#### Violation – they don’t.

#### Prefer –

#### 1] Stable Advocacy – they can redefine in the 1AR to wriggle out of DA’s which kills high-quality engagement and becomes two ships passing in the night – triggers presumption since the aff wasn’t subject to well researched scrutiny. We lose access to Readiness DA’s, Unions DA’s, basic case turns, and core process counter plans that have different definitions and 1NC pre-round prep.

#### 2] Ground – not defining hurts my strategy since they can shift out as I ask DA questions, so I err on the side of caution and read generics which get destroyed by AC frontlines.

#### 3] Real World – Policy makers will always define the entity that they are recognizing. It also means zero solvency, absent spec, governments can circumvent since there is no delineated way to enforce the aff and means their solvency can’t actualize.

#### The voters are

#### 1] Fairness b/c a) it’ an intrinsic good b) it control the internal link to education c) debate is a game, if it’s unfair no-one will want to play.

#### 2] Education b/c a) portability, it’s useful for the real world b) constitutive purpose, this is an educational activity.

#### And it’s drop-the-debater, k2 deterring further abuse, and I can’t engage with the debate if they’re untopical.

#### TVA solve – read the aff except with a definition provided in a delineated text.

#### No RVI, you don’t win for being fair, and incentives being non-topical to bait T and win off RVI every rnd.

#### Competing interpretations, a) reasonability is bad it requires judge intervention and b) arguing about the norms is the only way to get to the best norms possible.

### 2

#### The right to strike legitimizes the capitalist state and undermines class struggle making revolution impossible.

Crépon 19 Mark Crépon (French philosopher), translated by Micol Bez “The Right to Strike and Legal War in Walter Benjamin’s ‘Toward the Critique of Violence,’” Critical Times, 2:2, August 2019, DOI 10.1215/26410478-7708331

If we wish to understand how the question of the right to strike arises for Walter Benjamin in the seventh paragraph of his essay “Zur Kritik der Gewalt,” it is impor­ tant to first analyze the previous paragraph, which concerns the state’s monopoly on violence. It is here that Benjamin questions the argument that such a monopoly derives from the impossibility of a system of legal ends to preserve itself as long as the pursuit of natural ends through violent means remains. Benjamin responds to this dogmatic thesis with the following hypothesis, arguably one of his most impor­ tant reflections: “To counter it, one would perhaps have to consider the surprising possibility that law’s interest in monopolizing violence vis­à­vis the individual is explained by the intention not of preserving legal ends, but rather of preserving law itself. [This is the possibility] that violence, when it does not lie in the hands of law, poses a danger to law, not by virtue of the ends that it may pursue but by virtue of its mere existence outside of law.”1 In other words, nothing would endanger the law more than the possibility of its authority being contested by a violence over which it has no control. The function of the law would therefore be, first and foremost, to contain violence within its own boundaries. It is in this context that, to demonstrate this surprising hypothesis, Benjamin invokes two examples: the right to strike guaranteed by the state and the law of war. Let us return to the place that the right to strike occupies within class struggle. To begin with, the very idea of such a struggle implies certain forms of violence. The strike could then be understood as one of the recognizable forms that this violence can take. However, this analytical framework is undermined as soon as thi[t]s form of violence becomes regulated by a “right to strike,” such as the one recognized by law in France in 1864. What this recognition engages is, in fact, the will of the state to control the possible “violence” of the strike. Thus, the “right” of the right to strike appears as the best, if not the only, way for the state to circumscribe within (and via) the law the relative violence of class struggles. We might consider this to be the per­ fect illustration of the aforementioned hypothesis. Yet, there are two lines of ques­ tioning that destabilize this hypothesis that we would do well to consider. First, is it legitimate to present the strike as a form of violence? Who has a vested interest in such a representation? In other words, how can we trace a clear and unequivocal demarcation between violence and nonviolence? Are we not always bound to find residues of violence, even in those actions that we would be tempted to consider nonviolent? The second line of questioning is just as important and is rooted in the distinction established by Georges Sorel, in his Reflections on Violence, between the “political strike” and the “proletarian general strike,” to which Benja­ min dedicates a set of complementary analyses in §13 of his essay. Here, again, we are faced with a question of limits. What is at stake is the possibility for a certain type of strike (the proletarian general strike) to exceed the limits of the right to strike— turning, in other words, the right to strike against the law itself. The phenomenon is that of an autoimmune process, in which the right to strike that is meant to protect the law against the possible violence of class strugles is transformed into a means for the destruction of the law. The diference between the two types of strikes is nevertheless introduced with a condition: “The validity of this statement, however, is not unrestricted because it is not unconditional,” notes Benjamin in §7. We would be mistaken in believing that the right to strike is granted and guaranteed uncondi­ tionally. Rather, it is structurally subjected to a conflict of interpretations, those of the workers, on the one hand, and of the state on the other. From the point of view of the state, the partial strike cannot under any circumstance be understood as a right to exercise violence, but rather as the right to extract oneself from a preexisting (and verifiable) violence: that of the employer. In this sense, the partial strike should be considered a nonviolent action, what Benjamin named a “pure means.” The interpretations diverge on two main points. The first clearly depends on the alleged “violence of the employer,” a predicate that begs the question: Who might have the authority to recognize such violence? Evidently it is not the employer. The danger is that the state would similarly lack the incentive to make such a judgment call. It is nearly impossible, in fact, to find a single instance of a strike in which this recognition of violence was not subject to considerable controversy. The political game is thus the following: the state legislated the right to strike in order to con­ tain class strugles, with the condition that workers must have “good reason” to strike. However, it is unlikely that a state systematically allied with (and accomplice to) employers will ever recognize reasons as good, and, as a consequence, it will deem any invocation of the right to strike as illegitimate. Workers will therefore be seen as abusing a right granted by the state, and in so doing transforming it into a violent means. On this point, Benjamin’s analyses remain extremely pertinent and profoundly contemporary. They unveil the enduring strategy of governments confronted with a strike (in education, transportation, or healthcare, for example) who, afer claiming to understand the reasons for the protest and the grievances of the workers, deny that the arguments constitute sufcient reason for a strike that will likely paralyze this or that sector of the economy. They deny, in other words, that the conditions denounced by the workers display an intrinsic violence that jus­ tifies the strike. Let us note here a point that Benjamin does not mention, but that is part of Sorel’s reflections: this denial inevitably contaminates the (socialist) lef once it gains power. What might previously have seemed a good reason to strike when it was the opposition is deemed an insufcient one once it is the ruling party. In the face of popular protest, it always invokes a lack of sufcient rationale, allow­ ing it to avoid recognizing the intrinsic violence of a given social or economic situ­ ation, or of a new policy. And it is because it refuses to see this violence and to take responsibility for it that the left regularly loses workers’ support.

#### Liberal democracies are an illusion created to justify bourgeois control of the worker, where “the rights” of a democracy are a method of control to favor the wealthy. Lenin 1919

Vladimir Lenin; badass motherfucker, The Proletarian Revolution and the Renegade Kautsky; Bourgeois And Proletarian Democracy; 1919; <https://www.marxists.org/archive/lenin/works/1918/prrk/democracy.htm>; CE

If we are not to mock at common sense and history, it is obvious that we cannot speak of “pure democracy” as long as different classes exist; we can only speak of class democracy. (Let us say in parenthesis that “pure democracy” is not only an ignorant phrase, revealing a lack of understanding both of the class struggle and of the nature of the state, but also a thrice-empty phrase, since in communist society democracy will wither away in the process of changing and becoming a habit, but will never be “pure” democracy.) “Pure democracy” is the mendacious phrase of a liberal who wants to fool the workers. History knows of bourgeois democracy which takes the place of feudalism, and of proletarian democracy which takes the place of bourgeois democracy. When Kautsky devotes dozens of pages to “proving” the truth that bourgeois democracy is progressive compared with medievalism, and that the proletariat must unfailingly utilise it in its struggle against the bourgeoisie, that in fact is just liberal twaddle intended to fool the workers. This is a truism, not only for educated Germany, but also for uneducated Russia. Kautsky is simply throwing “learned” dust in the eyes of the workers when, with a pompous mien, he talks about Weitling and the Jesuits of Paraguay and many other things, in order to avoid telling about the bourgeois essence of modern, i.e., capitalist, democracy. Kautsky takes from Marxism what is acceptable to the liberals, to the bourgeoisie (the criticism of the Middle Ages, and the progressive historical role of capitalism in general and of capitalist democracy in particular), and discards, passes over in silence, glosses over all that in Marxism which is unacceptable to the bourgeoisie (the revolutionary violence of the proletariat against the bourgeoisie for the latter’s destruction). That is why Kautsky, by virtue of his objective position and irrespective of what his subjective convictions may be, inevitably proves to be a lackey of the bourgeoisie. Bourgeois democracy, although a great historical advance in comparison with medievalism, always remains, and under capitalism is bound to remain, restricted, truncated, false and hypocritical, a paradise for the rich and a snare and deception for the exploited, for the poor. It is this truth, which forms a most essential part of Marx’s teaching, that Kautsky the “Marxist” has failed to understand. On this—the fundamental issue—Kautsky offers “delights” for the bourgeoisie instead of a scientific criticism of those conditions which make every bourgeois democracy a democracy for the rich. Let us first remind the most learned Mr. Kautsky of the theoretical propositions of Marx and Engels which that pedant has so disgracefully “forgotten” (to please the bourgeoisie), and then explain the matter as popularly as possible. Not only the ancient and feudal, but also “the modern representative state is an instrument of exploitation of wage-labour by capital” (Engels, in his work on the state).[[8]](https://www.marxists.org/archive/lenin/works/1918/prrk/democracy.htm#fw08) “As, therefore, the state is only a transitional institution which is used in the struggle, in the revolution, to hold down one’s adversaries by force, it is sheer nonsense to talk of a ’free people’s state’; so long as the proletariat still needs the state, it does not need it in the interests of freedom but in order to hold down its adversaries, and as soon as it becomes possible to speak of freedom the state as such ceases to exist” (Engels, in his letter to Bebel, March 28, 1875). “In reality, however, the state is nothing but a machine for the oppression of one class by another, and indeed in the democratic republic no less than in the monarchy” (Engels, Introduction to [The Civil War in France](https://www.marxists.org/archive/marx/works/1871/civil-war-france/index.htm) by Marx).[[9]](https://www.marxists.org/archive/lenin/works/1918/prrk/democracy.htm#fw09); Universal suffrage is “the gauge of the maturity of the work ing class. It cannot and never will be anything more in the present-day state”. (Engels, in his work on the state.[[10]](https://www.marxists.org/archive/lenin/works/1918/prrk/democracy.htm#fw10) Mr. Kautsky very tediously chews over the cud in the first part of this proposition, which is acceptable to the bourgeoisie. But the second part, which we have italicised and which is not acceptable to the bourgeoisie, the renegade Kautsky passes over in silence!) “The Commune was to be a working, not a parliamentary, body, executive and legislative at the same time. . . . Instead of deciding once in three or six years which member of the ruling class was to represent and suppress (ver- und zertreten) the people in Parliament, universal suffrage was to serve the people, constituted in Communes, as individual suffrage serves every other employer in the search for workers, foremen and accountants for his business” (Marx, in his work on the Paris Commune, [The Civil War in France](https://www.marxists.org/archive/marx/works/1871/civil-war-france/index.htm)).[[11]](https://www.marxists.org/archive/lenin/works/1918/prrk/democracy.htm#fw11) Every one of these propositions, which are excellently known to the most learned Mr. Kautsky, is a slap in his face and lays bare his apostasy. Nowhere in his pamphlet does Kautsky reveal the slightest understanding of these truths. His whole pamphlet is a sheer mockery of Marxism! Take the fundamental laws of modern states, take their administration, take freedom of assembly, freedom of the press, or “equality of all citizens before the law,” and you will see at every turn evidence of the hypocrisy of bourgeois democracy with which every honest and class-conscious worker is familiar. There is not a single state, however democratic, which has no loopholes or reservations in its constitution guaranteeing the bourgeoisie the possibility of dispatching troops against the workers, of proclaiming martial law, and so forth, in case of a “violation of public order,” and actually in case the exploited class “violates” its position of slavery and tries to behave in a non-slavish manner. Kautsky shamelessly embellishes bourgeois democracy and omits to mention, for instance, how the most democratic and republican bourgeoisie in America or Switzerland deal with workers on strike. The wise and learned Kautsky keeps silent about these things! That learned politician does not realise that to remain silent on this matter is despicable. He prefers to tell the workers nursery tales of the kind that democracy means “protecting the minority”. It is incredible, but it is a fact! In the year of our Lord 1918, in the fifth year of the world imperialist slaughter and the strangulation of internationalist minorities (i.e., those who have not despicably betrayed socialism, like the Renaudels and Longuets, the Scheidemanns and Kautskys, the Hendersons and Webbs et al.) in all “democracies” of the world, the learned Mr. Kautsky sweetly, very sweetly, sings the praises of “protection of the minority”. Those who are interested may read this on page 15 of Kautsky’s pamphlet. And on page 16 this learned . . . individual tells you about the Whigs and Tories in England in the eighteenth century! What wonderful erudition! What refined servility to the bourgeoisie! What civilised belly-crawling before the capitalists and boot-licking! If I were Krupp or Scheidemann, or Clemenceau or Renaudel, I would pay Mr. Kautsky millions, reward him with Judas kisses, praise him before the workers and urge “socialist unity” with “honourable” men like him. To write pamphlets against the dictatorship of the proletariat, to talk about the Whigs and Tories in England in the eighteenth century, to assert that democracy means “protecting the minority,” and remain silent about pogroms against internationalists in the “democratic” republic of America—isn’t this rendering lackey service to the bourgeoisie? The learned Mr. Kautsky has “forgotten” — accidentally forgotten, probably—a “trifle,” namely, that the ruling party in a bourgeois democracy extends the protection of the minority only to another bourgeois party, while the proletariat, on all serious, profound and fundamental issues, gets martial law or pogroms, instead of the “protection of the minority”. The more highly developed a democracy is, the more imminent are pogroms or civil war in connection with any profound political divergence which is dangerous to the bourgeoisie. The learned Mr. Kautsky could have studied this “law” of bourgeois democracy in connection with the Dreyfus case[[12]](https://www.marxists.org/archive/lenin/works/1918/prrk/democracy.htm#fw12) in republican France, with the lynching of Negroes and internationalists in the democratic republic of America, with the case of Ireland and Ulster in democratic Britain,[[13]](https://www.marxists.org/archive/lenin/works/1918/prrk/democracy.htm#fw13) with the baiting of the Bolsheviks and the staging of pogroms against them in April 1917 in the democratic republic of Russia. I have purposely chosen examples not only from wartime but also from pre-war time, peacetime. But mealy-mouthed Mr. Kautsky prefers to shut his eyes to these facts of the twentieth century, and instead to tell the workers wonderfully new, remarkably interesting, unusually edifying and incredibly important things about the Whigs and Tories of the eighteenth century! Take the bourgeois parliament. Can it be that the learned Kautsky has never heard that the more highly democracy is developed, the more the bourgeois parliaments are subjected by the stock exchange and the bankers? This does not mean that we must not make use of bourgeois parliament (the Bolsheviks made better use of it than probably any other party in the world, for in 1912–14 we won the entire workers’ curia in the Fourth Duma). But it does mean that only a liberal can forget the historical limitations and conventional nature of the bourgeois parliamentary system as Kautsky does. Even in the most democratic bourgeois state the oppressed people at every step encounter the crying contradiction between the formal equality proclaimed by the “democracy” of the capitalists and the thousands of real limitations and subterfuges which turn the proletarians into wage-slaves. It is precisely this contradiction that is opening the eyes of the people to the rottenness, mendacity and hypocrisy of capitalism. It is this contradiction that the agitators and propagandists of socialism are constantly exposing to the people, in order to prepare them for revolution! And now that the era of revolution has begun, Kautsky turns his back upon it and begins to extol the charms of moribund bourgeois democracy. Proletarian democracy, of which Soviet government is one of the forms, has brought a development and expansion of democracy unprecedented in the world, for the vast majority of the population, for the exploited and working people. To write a whole pamphlet about democracy, as Kautsky did, in which two pages are devoted to dictatorship and dozens to “pure democracy,” and fail to notice this fact, means completely distorting the subject in liberal fashion. Take foreign policy. In no bourgeois state, not even in the most democratic, is it conducted openly. The people are deceived everywhere, and in democratic France, Switzerland, America and Britain this is done on an incomparably wider scale and in an incomparably subtler manner than in other countries. The Soviet government has torn the veil of mystery from foreign policy in a revolutionary manner. Kautsky has not noticed this, he keeps silent about it, although in the era of predatory wars and secret treaties for the “division of spheres of influence” (i.e., for the partition of the world among the capitalist bandits) this is of cardinal importance, for on it depends the question of peace, the life and death of tens of millions of people. Take the structure of the state. Kautsky picks at all manner of “trifles,” down to the argument that under the Soviet Constitution elections are “indirect,” but he misses the point. He fails to see the class nature of the state apparatus, of the machinery of state. Under bourgeois democracy the capitalists, by thousands of tricks—which are the more artful and effective the more “pure” democracy is developed—drive the people away from administrative work, from freedom of the press, freedom of assembly, etc. The Soviet government is the first in the world (or strictly speaking, the second, because the Paris Commune began to do the same thing) to enlist the people, specifically the exploited people, in the work of administration. The working people are barred from participation in bourgeois parliaments (they never decide important questions under bourgeois democracy, which are decided by the stock exchange and the banks) by thousands of obstacles, and the workers know and feel, see and realise perfectly well that the bourgeois parliaments are institutions alien to them, instruments for the oppression of the workers by the bourgeoisie, institutions of a hostile class, of the exploiting minority. The Soviets are the direct organisation of the working and exploited people themselves, which helps them to organise and administer their own state in every possible way. And in this it is the vanguard of the working and exploited people, the urban proletariat, that enjoys the advantage of being best united by the large enterprises; it is easier for it than for all others to elect and exercise control over those elected. The Soviet form of organisation automatically helps to unite all the working and exploited people around their vanguard, the proletariat. The old bourgeois apparatus—the bureaucracy, the privileges of wealth, of bourgeois education, of social connections, etc. (these real privileges are the more varied the more highly bourgeois democracy is developed)—all this disappears under the Soviet form of organisation. Freedom of the press ceases to be hypocrisy, because the printing-plants and stocks of paper are taken away from the bourgeoisie. The same thing applies to the best buildings, the palaces, the mansions and manorhouses. Soviet power took thousands upon thousands of these best buildings from the exploiters at one stroke, and in this way made the right of assembly—without which democracy is a fraud—a million times more democratic for the people. Indirect elections to non-local Soviets make it easier to hold congresses of Soviets, they make the entire apparatus less costly, more flexible, more accessible to the workers and peasants at a time when life is seething and it is necessary to be able very quickly to recall one’s local deputy or to delegate him to a general congress of Soviets

#### Resisting capitalisms try or die – caps the root cause of every impact in the round and outweighs because it causes extinction.

Robinson 18 [William I, professor of sociology, global studies and Latin American studies at the University of California at Santa Barbara. 2018. “Accumulation Crisis and Global Police State.”<http://revolutionary-socialism.com/en/accumulation-crisis-and-global-police-state/>]

Each major episode of crisis in the world capitalist system has presented the potential for systemic change. Each has involved the breakdown of state legitimacy, escalating class and social struggles, and military conflicts, leading to a restructuring of the system, including new institutional arrangements, class relations, and accumulation activities that eventually result in a restabilization of the system and renewed capitalist expansion. The current crisis shares aspects of earlier system-wide structural crises, such as of the 1880s, the 1930s or the 1970s. But there are six interrelated dimensions to the current crisis that I believe sets it apart from these earlier ones and suggests that a simple restructuring of the system will not lead to its restabilization – that is, our very survival now requires a revolution against global capitalism (Robinson, 2014). These six dimensions, in broad strokes, present a “big picture” context in which a global police state is emerging. First, the system is fast reaching the ecological limits of its reproduction. We have already passed tipping points in climate change, the nitrogen cycle, and diversity loss. For the first time ever, human conduct is intersecting with and fundamentally altering the earth system in such a way that threatens to bring about a sixth mass extinction (see, e.g., Foster et al., 2011; Moore, 2015). These ecological dimensions of global crisis have been brought to the forefront of the global agenda by the worldwide environmental justice movement. Communities around the world have come under escalating repression as they face off against transnational corporate plunder of their environment. While capitalism cannot be held solely responsible for the ecological crisis, it is difficult to imagine that the environmental catastrophe can[t] be resolved within the capitalist system given capital’s implacable impulse to accumulate and its accelerated commodification of nature. Second, the level of global social polarization and inequality is unprecedented. The richest one percent of humanity in 2016 controlled over half of the world’s wealth and 20 percent controlled 95 percent of that wealth, while the remaining 80 percent had to make do with just five percent (Oxfam, 2017). These escalating inequalities fuel capitalism’s chronic problem of overaccumulation: the TCC cannot find productive outlets to unload the enormous amounts of surplus it has accumulated, leading to chronic stagnation in the world economy (see next section). Such extreme levels of social polarization present a challenge of social control to dominant groups. As Trumpism in the United States as well as the rise of far-right and neo-fascist movements in Europe so well illustrate, cooptation also involves the manipulation of fear and insecurity among the downwardly mobile so that social anxiety is channeled towards scapegoated communities. This psychosocial mechanism of displacing mass anxieties is not new, but it appears to be increasing around the world in the face of the structural destabilization of capitalist globalization. Extreme inequality requires extreme violence and repression that lend themselves to projects of 21st century fascism. Third, the sheer magnitude of the means of violence and social control is unprecedented, as well as the magnitude and concentrated control over the means of global communication and the production and circulation of symbols, images, and knowledge. Computerized wars, drone warfare, robot soldiers, bunker-buster bombs, a new generation of nuclear weapons, satellite surveillance, cyberwar, spatial control technology, and so forth, have changed the face of warfare, and more generally, of systems of social control and repression. We have arrived at the panoptical surveillance society, a point brought home by Edward Snowden’s revelations in 2013, and the age of thought control by those who control global flows of communication and symbolic production. If global capitalist crisis leads to a new world war the destruction would simply be unprecedented. Fourth, we are reaching limits to the extensive expansion of capitalism, in the sense that there are no longer any new territories of significance to integrate into world capitalism and new spaces to commodify are drying up. The capitalist system is by its nature expansionary. In each earlier structural crisis, the system went through a new round of extensive expansion – from waves of colonial conquest in earlier centuries, to the integration in the late 20th and early 21st centuries of the former socialist countries, China, India and other areas that had been marginally outside the system. There are no longer any new territories to integrate into world capitalism. At the same time, the privatization of education, health, utilities, basic services, and public lands is turning those spaces in global society that were outside of capital’s control into “spaces of capital,” so that intensive expansion is reaching depths never before seen. What is there left to commodify? Where can the system now expand? New spaces have to be violently cracked open and the peoples in these spaces must be repressed by the global police state. Fifth, there is the rise of a vast surplus population inhabiting a “planet of slums” (Davis, 2007) pushed out of the productive economy, thrown into the margins, and subject to sophisticated systems of social control and to destruction, into a mortal cycle of dispossession-exploitation-exclusion. Crises provide capital with the opportunity to accelerate the process of forcing greater productivity out of fewer workers. The processes by which surplus labor is generated have accelerated under globalization. Spatial reorganization has helped transnational capital to break the territorial-bound power of organized labor and impose new capital–labor relations based on fragmentation, flexibilization, and the cheapening of labor. These developments, combined with a massive new round of primitive accumulation and displacement of hundreds of millions, have given rise to a new global army of superfluous labor that goes well beyond the traditional reserve army of labor that Marx discussed. Global capitalism has no direct use for surplus humanity. But indirectly, it holds wages down everywhere and makes new systems of 21st century slavery possible. Dominant groups face the challenge of how to contain both the real and potential rebellion of surplus humanity. In addition, surplus humanity cannot consume and so as their ranks expand the problem of overaccumulation becomes exacerbated. Sixth, there is an acute political contradiction in global capitalism: economic globalization takes places within a nation-state system of political authority. Transnational state apparatuses are incipient and have not been able to substitute for a leading nation-state with enough power and authority to organize and stabilize the system, much less to impose regulations on transnational capital. In the age of capitalist globalization governments must attract to the national territory transnational corporate investment, which requires providing capital with all the incentives associated with neoliberalism – downward pressure on wages, deregulation, austerity, and so on – that aggravate inequality, impoverishment, and insecurity for working classes. Nation-states face a contradiction between the need to promote transnational capital accumulation in their territories and their need to achieve political legitimacy. As a result, states around the world have been experiencing spiraling crises of legitimacy. This situation generates bewildering and seemingly contradictory politics and also helps explain the resurgence of far-right and neo-fascist forces that espouse rhetoric of nationalism and protectionism even as they promote neo-liberalism.

#### The alt is to Join the Party – reject working alongside the bourgeois government and build Dual Power instead. Working outside the law is the only way to escape capitalism and build a socialist future.

Escalante 18 [Alyson, philosophy at U of Oregon, 08/24/2018. “Against Electoralism, For Dual Power!” <https://theforgenews.org/2018/08/24/against-electoralism-for-dual-power/>] lm

I am sure that at this point, the opportunists reading this have already begun to type out their typical objection: the world is different than it was in 1917, and the conditions of the United States in no way echo the conditions which enabled the Bolsheviks to achieve revolutionary success. To this tried and true objection, there is one simple answer: you are entirely correct, and that is why we need to abandon electoralism and working within the bourgeois state. What were the conditions which allowed the Bolsheviks to successfully revolt? The conditions were that of Dual Power. Alongside the capitalist state, there existed a whole set of institutions and councils which met the needs of the workers. The soviets, a parallel socialist government made up of individual councils, successfully took over many governmental responsibilities in some parts of Petrograd. In the radical Viborg district, the Bolshevik controlled soviets provided government services like mail, alongside programs that could meet the needs of workers. When a far right coup was attempted against the provisional government, it was troops loyal to the Bolshevik factions within the soviet who repelled the coup plotters, proving concretely to the workers of Petrograd that the socialists could not only provide for their needs, but also for their defense. In short: the Bolsheviks recognized that instead of integrating into the bourgeois state, they could operate outside of it to build dual power. They could establish programs of elected representatives who would serve the workers. They would not bolster the capitalist state in the name of socialism, they would offer an alternative to it. And so, when the time came for revolt, the masses were already to loyal to the Bolsheviks. The only party who had never compromised, who had denounced the unpopular imperialist wars, who had rejected the provisional government entirely, was the party who successfully gained the support of the workers. And so, many of us on the more radical fringes of the socialist movement wonder why it is the the DSA and other socialist opportunists seem to think that we can win by bolstering the capitalist state? We wonder, given this powerful historical precedent, why they devote their energy to getting more Ocasios elected; what good does one more left democrat who will abandon the workers do for us? The answer we receive in return is always the same: we want to win small changes that will make life for the workers easier; we want to protect food stamps and healthcare. And do this, we reply: what makes you think reformism is the only way to do this. When the bourgeois state in California was happy to let black children go to school unfed, the Black Panthers didn’t rally around democratic candidates, they became militant and fed the children themselves. In the 40s and 50s, socialists in New York saw people going without healthcare and instead of rallying behind democratic candidates, they built the IWO to provide healthcare directly. Both these groups took up our pressing revolutionary task: building dual power. Imagine if all those hours the DSA poured into electing Ocasio were instead used to feed the people of New York, to provide them with medical care, to ensure their needs were met. Imagine the masses seeing socialism not as a pipe dream we might achieve through electing more imperialists, but as a concrete movement which is currently meeting their needs? The fact is, we are not nearly ready for revolution. Socialists in the United States have failed to meet the needs of the people, and as long as their only concrete interaction with the masses is handing them a voter registration form, they will continue to fail the people. Our task now is not to elect representatives to advocate for the people; it is much more gruelingly laborious than that. Our task is to serve the people. Our task is to build dual power. The movement to do this is underway. Members of the DSA refoundation caucus have begun to move the left of the DSA in this direct, socialist groups like Philly Socialists have begun to build dual power through GED programs and tenants unions, many branches of the Party For Socialism and Liberation have begun to feed the people and provide for their concrete needs, and Red Guard collectives in Los Angeles have built serve the people programs and taken on a stance of militant resistance to gentrification. The movement is growing, its time is coming, and dual power is achievable within our life time. The opportunists are, in a sense, correct. We are not where we were in 1917, but we can begin to move in that direction and dual power can take us there. In order to achieve dual power we have to recognize that Lenin was right: there will be no socialist gains by working within state institutions designed to crush socialism. Furthermore, we must recognize that the strategies of the electoral opportunists trade off with dual power. Electing candidates drains resources, time, and energy away from actually serving the people. And so, we should commit to undertake the difficult and dangerous task of building dual power. We must reject opportunism, we must name the democratic party as our enemy, we must rally around power directly in the hands of the socialist movement. We do not have a parallel system of soviets in the United States. We can change that. Someday the cry “all power to the soviets” will be heard again. Lets make it happen.

# NR

### Underview

#### Presumption negates – infinite ways for something to be false but only one way for them to be true, and the aff has the burden of proof. Permissibility negates – if IPP isn’t bad then its morally neutral and permissible.

1. <https://www.google.com/search?q=strike+definition&rlz=1C1CHBF_enUS877US877&oq=strike+definition&aqs=chrome..69i57.3064j0j7&sourceid=chrome&ie=UTF-8> //Xu [↑](#footnote-ref-1)