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#### History proves an effective right to strike is impossible in liberal capitalist society – courts will water it down and workers will be replaced – but its justification relies on the same tropes of property protection that will be used to delegitimize worker militancy.

White ‘18

[Ahmed, University of Colorado Law School. 2018. “Its Own Dubious Battle: The Impossible Defense of an Effective Right to Strike,” <https://scholar.law.colorado.edu/articles/1261/>] pat

* 1947 Amendments to Wagner Act

Like every other aspect of Taft-Hartley, the 1947 amendments to the Wagner Act that directly touched on mass picketing and other forms of strike militancy were strongly supported by the business community, including prominent employers and business associations like the National Association of Manufactures, the American Iron and Steel Institute, and the U.S. Chamber of Commerce. Promoted by these groups, witness after witness regaled the Congress with stories of how mass picketing, along with secondary boycotts and other militant tactics, gave unions too much power, eroded the power of owners and their supervisors, and threatened the American way. Time and again, senators and representatives expressed their support for new restrictions on the right to strike as mandates of a common faith, a commitment of the nation itself, to the principles of property and order. “They are a veritable pronouncement of contempt of law and order, private capitalism, and ownership of property, competition, and everything that even smacks of liberty,” said Ohio Representative Frederick Smith, speaking of NLRB positions that seemed to continence an expansive view of the right to strike. “He has been required to employ or reinstate individuals who have assaulted him and his employees and want only to destroy his property,” said New York Representative Ralph Gwinn, in defense of employers supposedly ravaged by such strikes. Under prevailing law, such employers endured “respectable robbery without liability,” Gwinn said.

We in America prize human individual liberty even above the state. We believe that property rights are natural to man. The best protection of those property rights and of that liberty is in the balancing of the rights of our workers and the rights of our businessmen so that the great majority of our citizens will enjoy that private property and that human liberty,

said Representative Charles Kersten of Wisconsin, condemning mass picketing of the sort that had recently featured at the Allis-Chalmers plants in his state. Consider, too, the remarks of Representative John Robsion of Kentucky:

There have been cases in this country where literally thousands of persons have picketed a plant and engaged in violence. In my honest opinion, labor nor management never did help its cause by engaging in lawlessness, violence, and the destruction of the property of others, and under this bill and the law the company cannot mistreat, browbeat and engage in violence and lawlessness against the workers.

Nor was it only conservatives who joined in this, as evidenced by remarks of Utah Senator Elbert Thomas, who had supported the New Deal and the work of the La Follette Committee, on which he had served, and who had joined with Robert La Follette Jr. in 1939 in sponsoring a pro-labor amendment to the Wagner Act. For a worker, he said,

to interpret his right to strike as being an absolute right, entitling him to quit work while the water is turned on in the plant, for leaving in a mine certain equipment in such a way as to result in costly destruction, would obviously be most improper. No person has a right to do such things. No one has a right to act against society. No one has a right to destroy it.

And so it went, the references to the inviolate values of property and order in defense of the legislation much too numerous to exhaustively cite. It is easy to dismiss these contentions, even from moderates like Thomas, as the contrived utterances of people who were singularly committed to advancing their narrow class and political interests. To some extent, they surely were that. But these views were hardly outside the mainstream of American politics, particularly among elites, broad swathes of the middle class, and important elements of the working class. Indeed, they comported very conveniently with commonplace views about the virtues of property and order and resonated with what much of the public believed at the time—this is what made them so resonant. And whether contrived or not, they performed an important function. By invoking the virtues of property and order in this way, these Congressmen and the witnesses before them who favored restricting mass picketing and other forms of coercive protest were conspicuously able to couch this position as something other than a malicious attack on the “legitimate” rights of labor. Instead, theirs was a mission to realign the labor law with fundamental American values, to save it from those who had allowed labor policies and the habits of union to stray beyond this field. In this way they were able to deflect, if not disprove, the all-too-apt contention by the legislation’s opponents, repeated many times in the process, that what Taft-Hartley was really about was elevating property rights over human rights.

Added proof that strike militancy was actually indefensible can be found in the fact that no scholars would justify it, not even mass picketing—at least not beyond the point at which it became coercive, which was of course the very point at which it was employed in an effective way. In the wake of the Memorial Day Massacre, most all the major papers sided with the police, declaring the strikers enemies of public order who brought the violence upon themselves. Initially, this stance was premised on distorted readings of the events of that day that charged the strikers with various acts of provocation. But even when the La Follette Committee publicized a Paramount Pictures newsreel (which the company had suppressed) and unearthed other evidence that proved that most all of the blame for what happened that day rested on the police, most of the papers still adhered to this reading of the events.

This attitude toward mass picketing was a centerpiece of revived interest in the right to strike in the major papers, one that extended from the mid 1930s into the 1940s and exceeded the surge in interest of the late 1910s and early 1920s. In 1941, for instance, the New York Herald Tribune described pending legislative attempts to limit mass picketing as “too thoroughly justified to require argument.” In 1946 the New York Times summoned up the rhetoric used to condemn the sitdown trikes and declared mass picketing a “seizure” that was “by its very nature illegal because it infringes both individual and property rights.” Conservative though he was, newspaperman David Lawrence, founder of U.S. News and World Report, spoke for many when he declared mass picketing an act of “violence” by which unionists were seeking to take the law into their own hands. In fact, Lawrence’s judgement that mass picketing was an affront to civil liberties aligned with that of the American Civil Liberties Union, long a champion of labor rights, which, as the New York Times was keen to note, also condemned the tactic in these terms.

Such views fit with a broader tendency to criticize the right to strike as being too aggressively employed by unionists and too generously construed by the courts and the NLRB. In the decade between the validation of the Wagner and the passage of Taft-Hartley, newspapers gave voice to a criticism of mass picketing and other erstwhile excessive forms of strike behavior, one that typically described the Wagner Act as having gone too far in protecting workers’ prerogatives to protest. A typical example of the content and tenor of these pieces is a 1941 editorial in the Chicago Daily Tribune:

“The right to strike” is now used frequently to mean the right of union leaders to force men who don’t want to strike to do so. It is used to justify the seizure of industries and the blockading of factories by mass picketing to prevent the entrance of workers who are satisfied with their working conditions and the movement of goods in and out of the plants. “The right to strike” in this sense means not only that every strike is right but that every measure which may be adopted to win a strike is right.

In fact, at this crucial moment it was common for elites of all stripes to claim that they supported the right to strike and yet to assert that it was being abused by unionists who insisted on winning every labor dispute and using coercive and disorderly methods to do so. In 1946, Hebert Hoover, who might well have denied just such a thing fifteen years earlier, inveighed that “Nobody denies that there is a ‘right’ to strike”; but that right, he said, had been abused to the detriment of the public interest. Although considerably more liberal than Hoover, Walter Lippmann, the extremely popular political commentator, offered a similar judgement about a railroad strike that same year, concluding “we must henceforth refuse to regard the right to strike as universal and absolute, and as one of the inalienable rights of man.” Also writing in 1946, Henry Ford II, whose father had used a small army of thugs and toughs to enforce the open shop at his plants and bitterly fought unionization until 1941, now purported at once to support the right to strike—and to believe that it should be limited. “There is no longer any question of the right of organized workers to strike, but that right,” he said, “is being misused.”

Like Taft-Hartley’s supporters in Congress, figures like Hoover, Lippmann, and Ford did not trouble themselves to confess that such tactics as they so blithely condemned might actually be necessary to counterbalance the power of employers and give life and meaning to a statute that did not take adequate account of this basic reality, let alone that they were essential in establishing the idea that workers enjoyed any enforceable right to strike. But they did not have to, either; for they honestly did not believe that labor should generally prevail. Liberal or conservative, it did not matter; these were capitalists in a capitalist society, contented, consistent with their values, with a right to strike that went little further than a right to withhold one’s labor. To be sure, these were not the views of ordinary people. But the public’s perspective did not seem to vary all that much from those of elites. Although overall approval of union membership as measured in Gallup surveys slipped noticeably after 1937, it remained quite high—well above fifty percent right through the 1940s. Nevertheless, Gallup surveys taken in June 1937, after the big wave of sit-strikes had waned noticeably, but while mass picketing and overall levels of labor militancy remained high, revealed that fifty-seven percent supported the proposition that the militia should “be called out whenever strike trouble threatens.”

As with the sit-down strikes, too, the status of mass picketing and other forms of strike militancy can also be gauged by the way these tactics were defended. During the hearings on Taft-Hartley, only a few labor leaders stood against the torrent of criticism of these practices by businessmen, conservative unionists, and congressmen and senators, and tried to parry the move to prohibit the strikes. With only a couple of exceptions, most of them consistently qualified their defense of these tactics by downplaying their coercive qualities—again the very thing that made them so effective in the first place—while also describing them as expedients, presumably temporary, that were justified by the unreasonable stances of some employers.

While the political motivations and implications of this campaign against these forms of strike militancy might be as dubious as the attacks on the sit-down strikes, their value in expressing dominant political judgments concerning these tactics is not. Repeatedly, it was taken for granted that workers could not be allowed to excessively coerce their fellow workers, that they should be obliged to adhere to their contractual obligations, that they did not own the streets or the workplace, and that whatever the right to strike was, it was surely, as Brandeis had insisted, not an absolute right. Of course, all of this was controversial for many unionists. But unionists were almost the only ones to really push back against these measures. Even President Harry Truman’s dramatic veto of Taft-Hartley is widely regarded as a political move taken with the expectation that Congress would override the veto anyway. It is also notable that despite dedicating itself to this aim, the labor movement has never come close to repealing the Taft-Hartley Act, or even securing the enactment of favorable amendments to any of its provisions.

And then there is the replacement worker doctrine where, if anything, the change in the law even more clearly reflected the depth and power of liberal norms. For the rule established in Mackay Radio came out of the blue. It was set forth in a case which required no such question to be resolved, in a manner that drew no support from the text of the Wagner Act, and on the basis of legislative history that was ambiguous at best. Worse, as Getman points out, the rule is in direct conflict with the very statutory principle of barring discrimination on the basis of a worker’s assertion of the basic labor rights laid out in § 7 that it was, itself, supposedly derived from.

As an exercise in statutory construction and administration, Mackay Radio makes no sense; but as a defense of property rights it makes all the sense in the world. One way to see this is to consider what would have happened had the Court decided the matter in a fundamentally different way. If employers were barred from replacing economic strikers, it seems likely that strikes would have proliferated to an extraordinary extent, as workers could at least plausibly have expected to be able to strike under a broad array of circumstances and yet be restored to their jobs no matter the outcome. But precisely because such a doctrine would have given workers so much power, Congress would almost certainly have stepped in with its own rule, codifying employers’ right to permanently replace striking workers and bringing this to an end. Ultimately, it is difficult to imagine a much more liberal alternative to the Mackay Radio rule surviving for very long—a point that also draws support from labor’s failure to repeal the rule in Congress in the early 1990s.

A simple exercise in counterfactual speculation bears similar fruit in regard to other, more basic, limitations on the right to strike, including those imposed relative to sit-down strikes, mass picketing, and secondary boycotts. Shrill and self-interested though it was, all the testimony from employers and their allies during the hearings on Taft-Hartley or Landrum-Griffin about the perils posed by these tactics, was fundamentally correct. For were workers able to make unfettered use of sit-down strikes, mass picketing, and general strikes and sympathy walkouts, they could have very much challenged the sovereignty of capitalists in and about the workplace, and with this the bedrock institutions and norms of liberal society. As Jim Pope puts it, Charles Evans Hughes’ opinion in Fansteel established the maxim that “the employer could violate the workers’ statutory rights without sacrificing its property rights, while the workers could not violate the employer’s property rights without sacrificing their statutory rights.” This is unquestionably true. But equally unquestionable is that neither this court nor any other important arbiter of legal rights in this country was ever prepared to endorse the contrary view that property rights might be sufficiently subordinate to labor rights as to justify the kinds of tactics by which workers could routinely defeat powerful employers on the fields of industrial conflict.

Significantly, there is no reason to believe that any of this has changed or is poised to change today. Quite the contrary: In a culture and political system more immersed than ever in the veneration of order and control, mediated by criminal law and police work, by the celebration of property rights, and by a readiness to punish violence, it is all but unthinkable that the courts or the NLRB would deign to give legal sanction to workers to engage in any sustained way in the kinds of tactics that might make going on strike a worthwhile thing to do.

#### Capitalism is entering a crisis of overaccumulation: economic stagnation driven by inequality and low consumption is inevitable under capitalism and causes military expansion that culminates in global nuclear war with Russia or China - extinction.

Robinson 21 [Robinson, William I., prof. sociology and global studies @ UCSB: "What are the real reasons behind the New Cold War?" ROAR Magazine, published 5-6-21, [https://roarmag.org/essays/new-cold-war-crisis-capitalism/?fbclid=IwAR2RzXn0SMlPSiLfXcXNtTcDIybQa6GxH\_eodUmyEww2i59lh5qHpZpcwhk]//AD](https://roarmag.org/essays/new-cold-war-crisis-capitalism/?fbclid=IwAR2RzXn0SMlPSiLfXcXNtTcDIybQa6GxH_eodUmyEww2i59lh5qHpZpcwhk%5d//AD) //LK [RCT 11/30/2021]

The US is launching a New Cold War against Russia and China in an attempt to deflect our attention from the escalating crisis of global capitalism. The announcement on April 15 by President Biden that this administration was expelling 10 Kremlin diplomats and imposing new sanctions for alleged Russian interference in the 2020 US elections — to which Russia replied with a tit for tat — came just days after the Pentagon conducted military drills in the South China Sea. These actions were but the latest escalation of aggressive posturing as Washington ramps up its “New Cold War” against Russia and China, pushing the world dangerously towards international political and military conflagration. Most observers attribute this US-instigated war to rivalry and competition over hegemony and international economic control. These factors are important, but there is a bigger picture that has been largely overlooked of what is driving this process: the crisis of global capitalism. This crisis is economic, or structural. One of chronic stagnation in the global economy. But it is also political: a crisis of state legitimacy and capitalist hegemony. The system is moving towards what we call “a general crisis of capitalist rule” as billions of people around the world face uncertain struggles for survival and question a system they no longer see as legitimate. In the United States, the ruling groups must channel fear over tenuous survival away from the system and towards scapegoated communities, such as immigrants or Asians blamed for the pandemic, and towards external enemies such as China and Russia. At the same time, rising international tensions legitimate expanding military and security budgets and open up new opportunities for profit making through war, political conflict and repression in the face of stagnation in the civilian economy. All around the world a “people’s spring” has taken off. From Chile to Lebanon, Iraq to India, France to the United States, Haiti to Nigeria and South Africa to Colombia, waves of strikes and mass protests have proliferated and, in many instances, appear to be acquiring a radical anti-capitalist character. The ruling groups cannot but be frightened by the rumbling from below. If left unchallenged, the New Cold War will become a cornerstone in the arsenal of US rulers and transnational elites to maintain a grip on power as the crisis deepens. THE CRISIS OF GLOBAL CAPITALISM Economically, global capitalism faces what is known in technical language as “overaccumulation”: a situation in which the economy has produced — or has the capacity to produce — great quantities of wealth but the market cannot absorb this wealth because of escalating inequality. Capitalism by its very nature will produce abundant wealth yet polarize that wealth and generate ever greater levels of social inequality unless offset by redistributive policies. The level of global social polarization and inequality now experienced is without precedent. In 2018, the richest one percent of humanity controlled more than half of the world’s wealth while the bottom 80 percent had to make do with just five percent. Such inequalities end up undermining the stability of the system as the gap grows between what is — or could be — produced and what the market can absorb. The extreme concentration of the planet’s wealth in the hands of the few and the accelerated impoverishment and dispossession of the majority means that the transnational capitalist class, or TCC, has increasing difficulty in finding productive outlets to unload enormous amounts of surplus it accumulated. The more global inequalities expand, the more constricted the world market becomes and the more the system faces a structural crisis of overaccumulation. If left unchecked, expanding social polarization results in crisis — in stagnation, recessions, depressions, social upheavals and war — just what we are experiencing right now. Contrary to mainstream accounts, the coronavirus pandemic did not cause the crisis of global capitalism, for this was already upon us. On the eve of the pandemic, growth in the EU countries had already shrunk to zero, much of Latin America and sub-Sahara Africa was in recession, growth rates in Asia were steadily declining, and North America faced a slowdown. The writing was on the wall. The contagion was but the spark that ignited the combustible of a global economy that never fully recovered from the 2008 financial collapse and had been teetering on the brink of renewed crisis ever since. Even if there is a momentary recovery as the world slowly emerges from the pandemic, global capitalism will remain mired in this structural crisis of overaccumulation. In the years leading up to the pandemic there was a steady rise in underutilized capacity and a slowdown in industrial production around the world. The surplus of accumulated capital with nowhere to go expanded rapidly. Transnational corporations recorded record profits during the 2010s at the same time that corporate investment declined. The total cash held in reserves of the world’s 2,000 biggest non-financial corporations increased from $6.6 trillion in 2010 to $14.2 trillion in 2020 — considerably more than the foreign exchange reserves of the world’s central governments — as the global economy stagnated. Wild financial speculation and mounting government corporate, and consumer debt drove growth in the first two decades of the 21st century, but these are temporary and unsustainable solutions to long-term stagnation. THE GLOBAL WAR ECONOMY As I showed in my 2020 book, The Global Police State, the global economy has become ever more dependent on the development and deployment of systems of warfare, social control and repression simply as a means of making profit and continuing to accumulate capital in the face of chronic stagnation and saturation of global markets. This is known as “militarized accumulation” and refers to a situation in which a global war economy relies on perpetual state organized war making, social control and repression — driven now by new digital technologies — in order to sustain the process of capital accumulation. The events of September 11, 2001 marked the start of an era of a permanent global war in which logistics, warfare, intelligence, repression, surveillance and even military personnel are more and more the privatized domain of transnational capital. The Pentagon budget increased 91 percent in real terms between 1998 and 2011, while worldwide, total state military budgets outlays grew by 50 percent from 2006 to 2015, from $1.4 trillion to more than $2 trillion, although this figure did not take into account the hundreds of billions of dollars spent on intelligence, contingency operations, policing, bogus wars against immigrants, terrorism and drugs, and “homeland security.” During this time, military-industrial complex profits quadrupled. But focusing just on state military budgets only gives us a part of the picture of the global war economy. The various wars, conflicts and campaigns of social control and repression around the world involve the fusion of private accumulation with state militarization. In this relationship, the state facilitates the expansion of opportunities for private capital to accumulate through militarization, such as by facilitating global weapons sales by military-industrial-security firms, the amounts of which have reached unprecedented levels. Global weapons sales by the top 100 weapons manufacturers and military service companies increased by 38 percent between 2002 and 2016. By 2018, private for-profit military companies employed some 15 million people around the world, while another 20 million people worked in private security worldwide. The private security (policing) business is one of the fastest growing economic sectors in many countries and has come to dwarf public security around the world. The amount spent on private security in 2003, the year of the invasion of Iraq, was 73 percent higher than that spent in the public sphere, and three times as many persons were employed in private forces as in official law enforcement agencies. In half of the world’s countries, private security agents outnumber police officers. These corporate soldiers and police were deployed to guard corporate property, provide personal security for TCC executives and their families, collect data, conduct police, paramilitary, counterinsurgency and surveillance operations, carry out mass crowd control and repression of protesters, run private detention and interrogation facilities, manage prisons and participate in outright warfare. In 2018, President Trump announced with much fanfare the creation of a sixth military service, the “space force.” The corporate media duly towed the official line that this force was needed to face expanding threats to the United States. What went less reported is that a small group of former government officials with deep ties to the aerospace industry had pushed behind the scenes for its creation as a way to hype military spending on satellites and other space systems. In February of this year, the Federation of American Scientists reported that military-industrial complex lobbying is responsible for the decision by the US government to invest at least $100 billion to beef up its nuclear stockpile. The Biden administration announced in early April to much acclaim that it would pull all US troops out of Afghanistan. While US service troops in that country number 2,500, these pale in comparison with the more than 18,000 contractors that US government has hired to do its bidding in the country, including at least 5,000 corporate soldiers that will remain. The so-called wars on drugs and terrorism, the undeclared wars on immigrants, refugees and gangs — and poor, dark-skinned and working-class youth more generally — the construction of border walls, immigrant detention centers, prison-industrial complexes, systems of mass surveillance and the spread of private security guard and mercenary companies, have all become major sources of profit-making and they will become more important to the system as stagnation becomes the new normal. In sum, the global police state is big business at a time when other opportunities for transnational corporate profit-making are limited. But if corporate profit, and not an external threat, is the reason for expanding the US state and corporate war machine and the global police state, this must still be justified to the public. The official state propaganda narrative about the “New Cold War” serves this purpose. CONJURING UP EXTERNAL ENEMIES There is another dynamic at work in explaining the New Cold War: the crisis of state legitimacy and capitalist hegemony. International tensions derive from the acute political contradiction in global capitalism in which economic globalization takes places within a nation-state-based system of political authority. To put this in technical terms, there is a contradiction between the accumulation function and the legitimacy function of states. That is, states face a contradiction between the need to promote transnational capital accumulation in their individual national territories and their need to achieve political legitimacy and stabilize the domestic social order. Attracting transnational corporate and financial investments to the national territory requires providing capital with all the incentives associated with neoliberalism, such as downward pressure on wages, union busting, deregulation, low or no taxes, privatization, investment subsidies, fiscal austerity and on so. The result is rising inequality, impoverishment and insecurity for working and popular classes; precisely the conditions that throw states into crises of legitimacy, destabilize national political systems and jeopardize elite control. International frictions escalate as states, in their efforts to retain legitimacy, seek to sublimate social and political tensions and to keep the social order from fracturing. In the US, this sublimation has involved channeling social unrest towards scapegoated communities such as immigrants — this is one key function of racism and was a core component of the Trump government’s political strategy — or towards an external enemy such as China or Russia, which is clearly becoming a cornerstone of the Biden government’s strategy. While the Chinese and Russian ruling classes must also face the economic and political fallout of global crisis, their national economies are less dependent on militarized accumulation and their mechanisms of legitimization rest elsewhere — not on conflict with the US. It is Washington that is conjuring up the New Cold War, based not on any political or military threat from China and Russia, much less from economic competition, as US- and Chinese-based transnational corporations are deeply cross-invested, but on the imperative of managing and sublimating the crisis. The drive by the capitalist state to externalize the political fallout of the crisis increases the danger that international tensions will lead to war. Historically wars have pulled the capitalist system out of crisis while they serve to deflect attention from political tensions and problems of legitimacy. The so-called “peace dividend” that was to result in demilitarization when the original Cold War ended with the 1991 collapse of the Soviet Union evaporated almost overnight with the events of September 2001, which legitimated the sham “War on Terror” as a new pretext for militarization and reactionary nationalism. US presidents historically reach their highest approval ratings when they launch wars. George W. Bush reached an all-time-high of 90 percent in 2001 as his administration geared up to invade Afghanistan, and his father George H. W. Bush achieved an 89 percent approval rating in 1991, right as the US declared the end of its (first) invasion of Iraq and the “liberation of Kuwait.” THE BATTLE FOR THE POST-PANDEMIC WORLD We are currently witnessing a radical restructuring and transformation of global capitalism based on a much more advanced digitalization of the entire global economy and society. This process is driven by so-called fourth industrial revolution technologies, including artificial intelligence and machine learning, Big Data, autonomously driven land, air and sea vehicles, quantum and cloud computing, 5G bandwidth, bio- and nanotechnology and the Internet of Things, or IoT. The crisis is not only economic and political, but also existential because of the threats of ecological collapse and nuclear war, to which we must add the danger of future pandemics that may involve much deadlier microbes than coronaviruses. The pandemic lockdowns served as dry runs for how digitalization may allow the dominant groups to step up restructuring time and space and to exercise greater control over the global working class. The system is now pushing towards expansion through militarization, wars and conflicts, through a new round of violent dispossession and through further plunder of the state. The ruling classes are also using the health emergency to legitimate tighter control over restive populations. The changing social and economic conditions brought about by the pandemic and its aftermath are accelerating the process. These conditions have helped a new bloc of transnational capital, led by the giant tech companies, interwoven as they are with finance, pharmaceuticals and the military-industrial complex, to amass ever greater power and to consolidate its control over the commanding heights of the global economy. As restructuring proceeds, it heightens the concentration of capital worldwide, worsens social inequality and also aggravates international tensions and the dangers of military conflagration. In 2018, just seventeen global financial conglomerates collectively managed $41.1 trillion dollars — more than half the GDP of the entire planet. That same year, to reiterate, the richest one percent of humanity led by 36 million millionaires and 2,400 billionaires controlled more than half of the world’s wealth while the bottom 80 percent — nearly six billion people — had to make do with just five percent of this wealth. The result is devastation for the poor majority of humanity. Worldwide, 50 percent of all people live on less than $2.50 a day and a full 80 percent live on less than $10 per day. One in three people on the planet suffer from some form of malnutrition, nearly a billion go to bed hungry each night and another two billion suffer from food insecurity. Refugees from war, climate change, political repression and economic collapse already number into the hundreds of millions. The New Cold War will further immiserate this mass of humanity. Capitalist crises are times of intense social and class struggles. There has been a rapid political polarization in global society since 2008 between an insurgent far-right and an insurgent left. The ongoing crisis has incited popular revolts. Workers, farmers and poor people have engaged in a wave of strikes and protests around the world. From Sudan to Chile, France to Thailand, South Africa to the United States, a “people’s spring” is breaking out everywhere. But the crisis also animates far-right and neofascist forces that have surged in many countries around the world and that sought to capitalize politically on the health calamity and its aftermath. Neofascist movements and authoritarian and dictatorial regimes have proliferated around the world as democracy breaks down. Such savage inequalities are explosive. They fuel mass protest by the oppressed and lead the ruling groups to deploy an ever more omnipresent global police state to contain the rebellion of the global working and popular classes. Global capitalism is emerging from the pandemic in a dangerous new phase. The contradictions of this crisis-ridden system have reached the breaking point, placing the world into a perilous situation that borders on global civil war. The stakes could not be higher. The battle for the post-pandemic world is now being waged. Part of that battle is to expose the New Cold War as a ruse by the dominant groups to deflect our attention from the escalating crisis of global capitalism. The US is launching a New Cold War against Russia and China in an attempt to deflect our attention from the escalating crisis of global capitalism.

#### The alternative is a dual power approach to communist strategy. We must build independent communist institutions capable of surviving and defending themselves against the capitalist world. Not only does the alt solve for material violence in the transition period, it also eliminates the material and ideological dependences on capital that prevent revolution.

Escalante 19 [Alyson Escalante is a Marxist-Leninist, Materialist Feminist and Anti-Imperialist activist. "Communism and Climate Change: A Dual Power Approach" in Regeneration. March 26, 2019. [https://regenerationmag.org/communism-and-climate-change-a-dual-power-approach/] KZaidi](https://regenerationmag.org/communism-and-climate-change-a-dual-power-approach/%5d%20KZaidi) //LK [RCT 12/10/19]

Much has been written over the last few years about a dual power approach to communist strategy. I have written extensively about it at The Forge News, and discussed in video format in my YouTube video, Climate Change, Imperialism, and The End of The World. I will not be using this article to give a comprehensive recap on what dual power strategy is, so I suggest checking out those two links. In short: dual power strategy is an approach to communist revolution which seeks to build independent socialist institutions which exist in parallel to the currently existing capitalist state, in order to serve the masses. The goal of a dual power strategy is not to compete with capitalism or reform it out of existence, but rather to radicalize the masses through meeting their needs, to recognize and politicize capitalist crisis as it occurs, and to have a real infrastructure in place for a revolutionary movement to self-sustain at the point that it must inevitably combat the capitalist state. This strategy focuses on building counter-institutions like tenants’ unions, agricultural cooperatives, radical labor unions, and Serve the People programs that not only demonstrate on-the-ground worker power but can provide for the needs of the masses without an appeal to reforming the currently existing capitalist state. I previously argued that a crucial advantage to dual power strategy is that it gives the masses an infrastructure of socialist institutions which can directly provide for material needs in times of capitalist crisis. Socialist agricultural and food distribution programs can take ground that the capitalist state cedes by simultaneously meeting the needs of the masses while proving that socialist self-management and political institutions can function independently of capitalism. This approach is not only capable of literally saving lives in the case of crisis, but of demonstrating the possibility of a revolutionary project which seeks to destroy rather than reform capitalism. One of the most pressing of the various crises which humanity faces today is climate change. Capitalist production has devastated the planet, and everyday we discover that the small window of time for avoiding its most disastrous effects is shorter than previously understood. The Intergovernmental Panel on Climate Change predicts that we have twelve years to limit (not even prevent) the more catastrophic effects of climate change. The simple, and horrific, fact that we all must face is that climate change has reached a point where many of its effects are inevitable, and we are now in a post-brink world, where damage control is the primary concern. The question is not whether we can escape a future of climate change, but whether we can survive it. Socialist strategy must adapt accordingly. In the face of this crisis, the democratic socialists and social democrats in the United States have largely settled on market-based reforms. The Green New Deal, championed by Representative Alexandria Ocasio-Cortez and the left-wing of the Democratic Party, remains a thoroughly capitalist solution to a capitalist problem. The proposal does nothing to challenge capitalism itself but rather seeks to subsidize market solutions to reorient the US energy infrastructure towards renewable energy production, to develop less energy consuming transportation, and the development of public investment towards these ends. The plan does nothing to call into question the profit incentives and endless resource consumption of capitalism which led us to this point. Rather, it seeks to reorient the relentless market forces of capitalism towards slightly less destructive technological developments. While the plan would lead to a massive investment in the manufacturing and deployment of solar energy infrastructure, National Geographic reports that “Fabricating [solar] panels requires caustic chemicals such as sodium hydroxide and hydrofluoric acid, and the process uses water as well as electricity, the production of which emits greenhouse gases.” Technology alone cannot sufficiently combat this crisis, as the production of such technology through capitalist manufacturing infrastructure only perpetuates environmental harm. Furthermore, subsidizing and incentivizing renewable energy stops far short of actually combating the fossil fuel industry driving the current climate crisis. The technocratic market solutions offered in the Green New Deal fail to adequately combat the driving factors of climate change. What is worse, they rely on a violent imperialist global system in order to produce their technological solutions. The development of high-tech energy infrastructure and the development of low or zero emission transportation requires the import of raw material and rare earth minerals which the US can only access because of the imperial division of the Global South. This imperial division of the world requires constant militarism from the imperial core nations, and as Lenin demonstrates in Imperialism: The Highest Stage of Capitalism, facilitates constant warfare as imperial states compete for spheres of influence in order to facilitate cheap resource extraction. The US military, one of many imperialist forces, is the single largest user of petroleum, and one of its main functions is to ensure oil access for the US. Without challenging this imperialist division of the world and the role of the US military in upholding it, the Green New Deal fails even further to challenge the underlying causes of climate change. Even with the failed promises of the Green New Deal itself, it is unlikely that this tepid market proposal will pass at all. Nancy Pelosi and other lead Democrats have largely condemned it and consider it “impractical” and “unfeasible.” This dismissal is crucial because it reveals the total inability of capitalism to resolve this crisis. If the center-left party in the heart of the imperial core sees even milquetoast capitalist reforms as a step too far, we ought to have very little hope that a reformist solution will present itself within the ever-shrinking twelve-year time frame. There are times for delicacy and there are times for bluntness, and we are in the latter. To put things bluntly: the capitalists are not going to save us, and if we don’t find a way to save ourselves, the collapse of human civilization is a real possibility. The pressing question we now face is: how are we going to save ourselves? Revolution and Dual Power If capitalism will not be able to resolve the current encroaching climate crisis, we must find a way to organize outside the confines of capitalist institutions, towards the end of overthrowing capitalism. If the Democratic Socialists of America-backed candidates cannot offer real anti-capitalist solutions through the capitalist state, we should be skeptical of the possibility for any socialist organization doing so. The DSA is far larger and far more well-funded than any of the other socialist organizations in the US, and they have failed to produce anything more revolutionary than the Green New Deal. We have to abandon the idea that electoral strategy will be sufficient to resolve the underlying causes of this crisis within twelve years. While many radicals call for revolution instead of reform, the reformists often raise the same response: revolution is well and good, but what are you going to do in the meantime? In many ways this question is fair. The socialist left in the US today is not ready for revolutionary action, and a mass base does not exist to back the various organizations which might undertake such a struggle. Revolutionaries must concede that we have much work to be done before a revolutionary strategy can be enacted. This is a harsh truth, but it is true. Much of the left has sought to ignore this truth by embracing adventurism and violent protest theatrics, in the vain hope of sparking revolutionary momentum which does not currently exist. If this is the core strategy of the socialist left, we will accomplish nothing in the next twelve years. Such approaches are as useless as the opportunist reforms pushed by the social democrats. Our task in these twelve years is not simply to arm ourselves and hope that magically the masses will wake up prepared for revolution and willing to put their trust in our small ideological cadres. We must instead, build a movement, and with it we must build infrastructure which can survive revolution and provide a framework for socialist development. Dual power is tooled towards this project best. The Marxist Center network has done an impressive amount of work developing socialist institutions across the US, largely through tenants organizing and serve the people programs. The left wing factions within the DSA itself have also begun to develop mutual aid programs that could be useful for dual power strategy. At the same time, mutual aid is not enough. We cannot simply build these institutions as a reform to make capitalism more survivable. Rather, we must make these institutions part of a broader revolutionary movement and they ought to function as a material prefiguration to a socialist society and economy. The institutions we build as dual power outside the capitalist state today ought to be structured towards revolutionary ends, such that they will someday function as the early institutions of a revolutionary socialist society. To accomplish this goal, we cannot simply declare these institutions to be revolutionary. Rather they have to be linked together through an actual revolutionary movement working towards revolutionary ends. This means that dual power institutions cannot exist as ends in and of themselves, nor can abstract notions of mutual aid cannot be conceptualized as an end in itself. The explicit purpose of these institutions has to be to radicalize the masses through meeting their needs, and providing an infrastructure for a socialist movement to meet the needs of its members and the communities in which it operates. Revolutionary institutions that can provide food, housing, and other needs for a revolutionary movement will be crucial for building a base among the masses and for constructing the beginnings of a socialist infrastructure for when we eventually engage in revolutionary struggle. What I want to suggest here is that the production of food through dual power institutions should be a central project for this revolutionary movement. There are several reasons why I think this is the case. First, food production allows us to meet the most immanent needs of the masses. The US is plagued by food deserts which deprive huge portions of the population access to fresh food. Poverty exacerbates this further, and the devastating effects of lack of access of healthy food due to poverty are well documented. This is an urgent need that socialists can meet in order to demonstrate to the masses that it is socialists who can serve them where the capitalist state has failed. Second, food production is a major contributor to climate change. Large-scale meat production produces massive amounts of greenhouse gas, and the transportation of food from rule agricultural areas to urban populations centers is a major contributor as well. Urban agricultural projects and the development of sustainable permaculture are not sufficient to fix these problems, as they are not able to overthrow the capitalist system of agricultural production. However, paired with a broader revolutionary movement, these projects allow us to undertake scientific experimentation with meeting food needs, in order to test and demonstrate the effectiveness of alternative food production methods that can eventually replace the current unsustainable capitalist model. After all, if our revolution cannot replace unsustainable production models, we will not be able to resolve climate change any better than the capitalists. Given these considerations, I think it is crucial that the revolutionary socialist movement begin to investigate and develop food production strategies that are part of a broader dual power project. If we hold that revolution is the only way to resolve climate crisis within the next twelve years, we need to have tested, demonstrably superior methods of food production ready to go. A revolutionary movement which cannot demonstrate an ability to meet the needs of the masses does not deserve their support, and food production is a crucial need. I am incapable of providing a comprehensive strategy here, I want to look at the ongoing organopónicos in Cuba, in order to demonstrate that the successes of Cuban urban agriculture can be of great a source of insight and strategy for our dual power projects. Learning from Cuba: Organopónicos Thankfully, we do not have to start from scratch when developing food production strategies. The development of urban agriculture in Cuba provides some important insights that can inform our own projects. In the 1990s, the collapse of the Soviet Union had a devastating effect on Cuba. The loss of a major trade partner paired with an ongoing imperialist embargo forced the Cuban state to pursue experimental solutions to food shortages. The loss of trade not only produced a food shortage but also ended import of agricultural machinery and pesticides needed for large-scale industrial farming. Access to gasoline also diminished, forcing the Cuban state to prioritize urban agriculture which did not need to be transported long distances. This crisis led to Cuba, almost incidentally, developing a sustainable and ecologically-oriented project of urban agriculture. Over the course of many years, this led to a system of civilian controlled organopónicos. This system of urban gardens, run by community members, has since grown to significant proportions. By 2003, Havana produced 90% of the fresh produce within the city because of the success of the organopónicos, largely without pesticides and with minimal fossil fuel expenditure for transportation. That same year, the Cuban Ministry of Agriculture reported a 50% decrease in fossil fuel usage. The system is made up of a variety of institutions, from state owned and operated plots, to cooperatively purchased and maintained gardens. In total, 87,000 acres of land are now being used for urban agriculture in Havana. Although the organopónicos are largely run by communities themselves, they receive support and funding from the Cuban state. For an incredibly in-depth analysis of the organopónico system, I highly recommend this impressively thorough report from Monthly Review. We must now ask: how might the development of the organopónico system inform dual power projects today? First, it is worth noting that the system cannot be directly copied and pasted into urban centers within the US. Subsidies from the Cuban state are crucial to maintaining the system at such a large-scale. Any projects undertaken in a dual power context will necessarily be smaller, due purely to funding for land acquisition. One other complication is that the population of US urban centers is largely unfamiliar with agriculture, a problem that was not so serious in Cuba. As such, application of lessons learned from the organopónico system will require socialist organizations in the US to develop agricultural education alongside actual food production. Despite these differences, the organopónico system proves that socialist approaches to food production are viable, and more importantly, environmentally sustainable. Not only has the socialist Cuban state found a way for its urban centers to collectively produce much of their food, it has done so without using environmentally destructive pesticides, and while driving down fuel consumption by a huge margin. There is more learning and experimenting to be done, as organopónicos do not yet provide complete self-sustenance for the cities in which they exist, but they demonstrate that socialist solutions can move us in that direction. For socialists in the US who are invested in dual power, the organopónico system ought to inspire us to begin our own collective production of food. For those who can acquire access to land in urban areas, it is possible to begin to develop small-scale projects integrating the lessons learned from the organopónico system. This not only allows us to combat the effects of food deserts by producing fresh produce within those deserts themselves but allows us to begin to further investigate and experiment with agricultural models that can be scaled up in a revolutionary socialist society to meet the needs of the populace. For those who cannot access sizable plots of land, small-scale permaculture can still be developed in yards, with windowsill gardens, and with public gardening spaces. The development of permaculture skills should be prioritized even if it can only occur at a small-scale. We must take a scientific, not a utopian, approach to socialism, and that means beginning to experiment and develop socialist infrastructure here and now. A climate catastrophe is on the horizon now. Even if we manage to achieve the revolutionary overthrow of capitalism within the twelve-year window, we will still see many devastating effects of climate change. Unfortunately, it is likely that global capitalism will survive much longer than twelve more years, so learning how to meet needs in a state of crisis will be crucial for socialist projects of the future. We will be forced to begin developing socialist projects in less than ideal conditions. As such, the lessons learned from organopónicos are of extra importance. Cuba’s urban agriculture is a product of crisis and demonstrates that even under conditions of intense crisis, socialist states can create solutions to meet the needs of the masses. I have not offered a particularly thorough investigation into the organopónico system in this article. For that, I really do recommend the Monthly Review piece linked above. Regardless, I hope that I have demonstrated that climate change poses a serious challenge for socialist organizing. It creates an intense urgency and requires us to develop strategies which can respond to horrific instances of crisis. I truly believe that dual power remains the best strategy for responding climate change, but it must be scientifically informed, and capable of actually providing sustainable socialist alternatives. We should be grateful for the Cuba’s experiments with organopónicos, and should commit to investigation and study of their experiments in order to inform our own projects. We are running out of time to act, and the stakes have never been higher.

#### The Role of the Judge is to be a propagandist. Studies prove debate is inevitably implicated in the context of propaganda – voting neg aligns with a model predicated on communist base-building.

Greene and Hicks ‘6

[Ronald Greene, former Chair of the Critical and Cultural Studies Division of the National Communication Association, and Darrin Hicks, communication studies at the University of Denver. 2006. “Lost convictions: Debating both sides and the ethical self-fashioning of liberal citizens,” <https://www.tandfonline.com/doi/abs/10.1080/09502380500040928>] pat

Concurrently, the Army Information and Education Group, which would become the core of the Hovland-Yale Communication and Persuasion Group, led by Carl Hovland, was conducting experiments testing the relationship between inducement and internalized attitude change. In 1953, Hovland, Janis, and Kelley published their highly influential book Communication and Persuasion, which established a positive relation between verbalization and the intensification of belief and predicted that being forced to overtly defend a position discrepant from one’s own private beliefs would result in the internalization of the overtly defended position. This prediction was further supported by the forced-compliance and cognitive dissonance studies of Festinger (1957) and his colleagues at Stanford. For decades, the ability to understand the merits of opposing arguments had been championed as one of the prime pedagogical benefits of intercollegiate debate training. However, in the fall of 1954, Hovland’s and Festinger’s studies coupled with the anti- Communist rhetoric of Schlesinger, which would, much to Schlesinger’s dismay, come to underwrite McCarthy’s witch hunts, would be articulated in such a way that debate’s ability to train students to take the other’s perspective might be framed as a threat to national security. The fear that defending the diplomatic recognition of ‘Red China’ would turn American youth into Communist sympathizers saturated the debating both sides controversy with an anxiety over the virility of ‘democratic faith’. Those choosing to defend the virtues of intercollegiate debate and the practice of debating both sides were careful not to question the basic tenets of the anti-Communism that constituted the ideological core of Cold War liberalism. Democracy, if it were to survive the seductive appeal of totalitarianism, had to become a fighting faith, a faith born out of and tested in social and political conflict. Debate, in particular the format of debating both sides of controversial issues embodied the sort of political conflict that could engender sound conviction, rational decisions, and a committed youth impervious to Communist propaganda. Moreover, debate provided the antidote to communist propaganda. Baird concluded, ‘[c]ollege debate teams are the last groups in this nation where Communist propaganda has any chance of making headway’ (1955, p. 7). No student wishing to win the debate, Burns argued, ‘would take the affirmative on the grounds that we must love the Chinese or that they are merely agrarian radicals’ (p. 7). Burns, so confident in the anti-Communist sentiment of the majority of students, contended that no student would dare argue in favour of Communism but ‘pitch his [sic ] case on the argument that recognition might help pull China out of the Moscow orbit, that it might help build a firmer anti-Communist alliance, that it might make peaceful coexistence possible. He [sic ] would, in short, be directing our attention to the very questions that all American’s might well be debating’ (p. 7). For Schlesinger, however, the ground of the anti-Communist consensus Baird believed to be evident in ‘the majority of students’ was unstable.

## 2

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

#### Violation: they didn’t

#### Standards –

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

Law Library

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

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

#### **A] This acts as a resolvability standard. Debate must make sense and be comparable for the judge to decide which means it’s an independent voter and outweighs B] cap supercharges this because of the difference between violent revolution and strikes**

#### 2] Shiftyness – absent specing what type of strikes they can always redfine the types of strikes they defend in the 1ar to delink DAs or CPs a) no solid neg ground, they just delink – b) no clash, they don’t have to engage

#### Fairness is a voter, debate is a game if its unfair people wont play

#### DTD, it sets norms, and the argument is their aff

#### Competing interps—reasonability requires judge intervention

#### No RVI’s, they can brute force win the shell which justifies infinite abuse.

# Case

#### 1] turn case Capitalism is the root of racism and historical oppression

[**IBT**](http://www.bolshevik.org/whats_new.html) **93** The International Bolshevik Tendency (IBT) is a revolutionary socialist organization I[nternational Bolshevik Tendency](http://www.bolshevik.org/whats_new.html) 1993, "Capitalism & Racism," No Publication, <http://www.bolshevik.org/1917/no12/no12capitalismandracism.html>

Racism is rooted in the historical development of capitalism as a world system. It has proved through several centuries to be a useful and flexible tool for the possessing classes. It justified the brutal wars of conquest and genocide, which established the European colonial empires. It rationalized the slave trade, which produced the primitive accumulation of capital necessary for the industrial revolution. Today racism in its various guises remains an important ideological mainstay for the capitalist elites, providing a rationale for the barbaric oppression of minorities. Racism "explains," for example, why black people in America fail to get a piece of the "American Dream" one generation after another. It can be used to "explain" why Japanese capitalism has been much more successful than its European and North American rivals. The arguments offered by racists, whether the psychotic ravings of a lumpenized skinhead or the "objective," pseudo-scientific scholarship of a Harvard professor, seek to direct popular anger away from the workings of an irrational and decaying capitalist system to some group of "outsiders."

#### None of their cards refute this—this alone wins the debate

#### 2] Economic inequality is due to capitalism—read robinson , the richest 1% control over half of the worlds wealth

#### 3] Their framework just puts probability first—if we have a probably extinction impact due to a structural issue then we should win

#### 4] Prefer extinction first A] precludes the ability to confer value onto anything that o/w’s structural violence precludes value onto somethings but extinction means literally everything B] future lives are precluded by extinction—that means infinite magnitude—ignore their paralysis claims we look to well researched extinction scenarios

#### 5] AT: Timmons, we don’t say that oppression is good—we say that extinction comes first, staying alive is a pre-req to resisting oppression

#### 6] AT: Dotson, this card just says that it would be incorrect to exclude others—and that we aren’t democratic—we agree, but any other case answer answers this card

#### 7] AT: Bracey, talking both about extinction and about oppression solves this offense—as long as we have a case push that engages with case this card doesn’t apply

#### 8] The link turns the case—strikes are used as a scapegoat to real oppression while the oppressed can feel as though they are resisting but no real change is ever derived

#### 9] The alt solves case—militant labor organization provides a revolutionary resistance to bring real change

#### 10] Turn: police Strikes are used to combat racial progress.

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

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

#### Those strikes cement a police culture which leads to endless amounts of racist violence and structural violence

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

Racism and Discrimination According to Marger (2012), “racism is an ideology, or belief system, designed to justify and rationalize racial and ethnic inequality” (p. 25) and “discrimination, most basically, is behavior aimed at denying members of particular ethnic groups’ equal access to societal rewards” (p. 57). Defining both of these concepts from the onset is important for they provide the lens through which our focus on the racist and discriminatory practices of law enforcement can occur. Since the time that Africans [African Americans] were forcibly brought to America, they have been the victims of racist and discriminatory practices that have been spurred and/or substantiated by those who create and enforce the law. For example, The Watts Riots of 1965, the widespread assaults against Blacks in Harlem during the 1920s (King 2011), law enforcement violence against Black women (i.e., Malaika Brooks, Jaisha Akins, Frankie Perkins, Dr. Mae Jemison, Linda Billups, Clementine Applewhite) and other ethnic women of color (Ritchie 2006), the beating of Rodney King, and the deaths of Amadou Diallo in the 1990s and Trayvon Martin more recently are just a few public examples of the historical and contemporaneous ways in which Blacks in America have been assaulted by members of the police system (King 2011; Loyd 2012; Murch 2012; Rafail et al. 2012). In Punishing Race (2011), law professor Michael Tonry’s research findings point to the fact that Whites tend to excuse police brutality against Blacks because of the racial animus that they hold against Blacks.

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