## 1

#### Interpretation: The affirmative may not specify a just government that recognizes workers’ unconditional right to strike .

#### “A” is an indefinite article that modifies “just government” in the res – means that you have to prove the resolution true in a VACCUM, not in a particular instance

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

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

#### Violation: they spec [x]

#### Standards:

#### [1] precision – the counter-interp justifies them arbitrarily doing away with random words in the resolution which decks negative ground and preparation because the aff is no longer bounded by the resolution. Independent voter for jurisdiction – the judge doesn’t have the jurisdiction to vote aff if there wasn’t a legitimate aff.

#### [2] limits – the UN says there are 195 recognized governments in the world but even that’s not an agreed upon brightline because there are just governments that are not yet countries – explodes limits since there are tons of independent affs plus functionally infinite combinations, all with different advantages in different political situations incentivinsing more cheaty pics due to lack of ground. Kills neg prep and debatability since there are no DAs that apply to every aff – i.e. the need for a right to strike is different in the US than China– means the aff is always more prepared and wins just for speccing.

#### [3] tva – just read your aff as an advantage under a whole res aff, solves all ur offense

#### Fairness – debate is a competitive activity that requires fairness for objective evaluation. Outweighs because it’s the only intrinsic part of debate – all other rules can be debated over but rely on some conception of fairness to be justified.

#### Drop the debater – a] deter future abuse and b] set better norms for debate.

#### Competing interps – [a] reasonability is arbitrary and encourages judge intervention since there’s no clear norm, [b] it creates a race to the top where we create the best possible norms for debate.

#### No RVIs – a] illogical, you don’t win for proving that you meet the burden of being fair, logic outweighs since it’s a prerequisite for evaluating any other argument, b] RVIs incentivize baiting theory and prepping it out which leads to maximally abusive practices

## 2

#### Interpretation: The affirmative must specify the type of strike that a just government ought to recognize as a right.

#### Violation: You don’t.

#### Types and purpose of strikes are the core question of the topic and there’s no consensus on normal means.

**NLRB** [National Labor Relations Board. “The Right to Strike”. The National Labor Relations Board (NLRB) is comprised of a team of professionals who work to assure fair labor practices and workplace democracy nationwide. US Gov. https://www.nlrb.gov/strikes.] SJ//VM

The Right to Strike Section 7 of the [National Labor Relations Act](https://www.nlrb.gov/how-we-work/national-labor-relations-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. See for example, restrictions on strikes in health care institutions (set forth below). 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. It must be emphasized that the following is only a brief outline. A detailed analysis of the law concerning strikes, and application of the law to all the factual situations that can arise in connection with strikes, is beyond the scope of this material. Employees and employers who anticipate being involved in strike action should proceed cautiously and on the basis of competent advice. 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. Strikes of this nature will be discussed in connection with the various unfair labor practices in a later section of this guide. 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. These points will be covered in more detail in the explanation of Section 8(b)(4). 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. Section 8(g)—Striking or Picketing a Health Care Institution Without Notice. Section 8(g) prohibits a labor organization from engaging in a strike, picketing, or other concerted refusal to work at any health care institution without first giving at least 10 days’ notice in writing to the institution and the Federal Mediation and Conciliation Service.

#### Standards:

#### 1] Stable advocacy – 1AR clarification delinks neg positions that prove why a certain type of strike is bad since it’s not the same degree to which the Aff forces governments to recognize – wrecks neg ballot access and kills in depth engagement – CX doesn’t check a] asking questions about the advocacy decks neg questions about the case b] Judges don’t flow and debaters are trained to be shifty.

#### 2] Prep skew – I don’t know what they will be willing to clarify until CX which means I could go 6 minutes planning to read a disad to a lawful strike under the Aff and then get screwed over in CX when they say that’s not permitted under their advocacy. The time in between is when I should be formulating my strat and waiting until cx is the abuse.

## 3

#### 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

#### Strikes have been made productive by capital – resistance only strengthens the system.

Beller 95 [Jonathan; Adjunct Professor of English, Film Studies, and Women’s Gender and Sexuality Studies at Barnard. In the 1990s in articles for Communication Research, boundary 2 andpostmodern culture, he became the first critical theorist of what he called "attention economy" and formulated the attention theory of value. His work in media studies includes materialist analysis of cinema, photography, computation, information, and money/finance. This work understands media platforms as various forms of social mediation, semiotics and political economy. His research is situated in film studies, media studies, critical race theory, feminist theory and anti-imperialist and decolonial epistemology and struggle. Beller's books include The Cinematic Mode of Production: Attention Economy and the Society of the Spectacle (2006); Acquiring Eyes: Philippine Visuality, Nationalist Struggle, and the World-Media System (2006); The Message is Murder: Substrates of Computational Capital (2017) and The World Computer: Derivative Conditions of Racial Capitalism (2019, forthcoming Duke University Press). Current interests include the utilization of programmable money for activist projects and work on a new book tentatively entitled Derivative Revolution. He is a member of the Social Text editorial collective; “The Spectatorship of the Proletariat,” Duke University Press; Autumn 1995; <https://www.jstor.org/stable/pdf/303727.pdf?refreqid=excelsior%3A1fcfb260a82662c726f0fac8b621a07b>] Justin

Because today capital "thinks" several cycles in advance of itself, or, to put it another way, because it has several historical stages of its own development simultaneously available to itself that can be utilized in vary- ing proportions, one could well argue that isolated labor strikes are made productive for capital and that phenomena such as the general strike or Samir Amin's "de-linking" are impossible.' The argument for the productive value of the strike for capital would not in itself necessarily be to ignore what Jacques Derrida has recently called "Marx's injunction."2 In discuss- ing the capitalization of the resistance to capital, given perhaps its most dramatic form in and after 1989, one might still hear the ghostly admoni- tions of the "specter of Marx," which, for Derrida "reaffirms the question of life and death." Furthermore, one might hear the moans and intimations of such an absent presence without oneself becoming as dead as Marxism is purported to be

Though this essay is in no way directly concerned with the viability of the labor strike per se, it is most definitely concerned with the objective of the strike, that is, the reappropriation of historically sedimented human labor (the means of production) by disenfranchised individuals and groups. Such reappropriation of historically sedimented labor and of living labor, I suggest, is, in fact, going on all the time; it is endemic to social change. As Antonio Negri argues, in endeavoring to establish the subjectivity of labor in history, not only does labor produce capital, but labor, in its resistance to capital exploitation forces structural and technological innovations in capi- talism. Though this is surely the case, we have lacked, since the advent of cinema in particular, a specific theory that accounts for the development of certain new regimes for the production of cultural and economic value via mental activity; we do not yet know how to account for the present-day dynamics of value production and appropriation that operate through the conversion of mental activity into social force. The capitalization of mental activity is an enabling factor in capital's ability to continue all previous forms of violation. By looking at the recycling of the resistance to capital by capital (the making productive of the strike against capital by capital) our affective production of hegemony may be foregrounded, and possibilities for the dis- ruption of coercion and exploitation may be foregrounded as well. Toward those ends (and perhaps to the surprise of some), I would like to discuss the development of mass media during the time of early modern cinema, more specifically, those particular developments that can be found to crys- tallize in Sergei Mikhailovich Eisenstein's 1924-1925 film The Strike.3 For it was here, precisely, in revolutionary cinema, that capital's encroachment into the visual sphere met with resistance. And yet, in spite of its intentions, The Strike, like capital itself, participates in producing a new regime of the sensorium by advancing an increasing integration of machines and culture, of labor and perception. We can use The Strike to mark an emergent socio- historical change in the character of what Marx called "sensuous labor" and, by direct implication, to mark as well a new strategy for the production and appropriation of value.

#### Be suspect of aff claims – their evidence, like GPC 17 which is from a global investing institution, is tained by globalization. Discursive interrogation must come before you consider the hypothetical impacts of the plan.

Hay & Rosamund, PhDs, 2002

(Colin and Ben, Journal of European Public Policy Volume 9, Issue 2, 2002 p. 3-5)

The implicit supposition which seems to underlie much of the sceptical or second-wave literature seeking to expose the ‘myth’ or ‘delusion’ of globalisation, is that a rigorous empirical exercise in demystification will be sufficient to reverse the tide of ill-informed public policy made in the name of globalisation. Sadly, this has not proved to be the case. For **however convinced we might be by the empirical armoury mustered against the hyperglobalisation thesis** by the sceptics, their **rigorous empiricism leads them to fail adequately to consider the way in which globalisation comes to inform public policy-making.** **It is here,** we suggest, that **the discourse of globalisation** — and the discursive construction of the imperatives it is seen to conjure along with attendant fatalism about the possibilities for meaningful political agency — **must enter the analysis**. For, as the most cursory reflection on the issue of structure and agency reveals, **it is the ideas actors hold about the context in which they find themselves** rather than the context itself **which informs the way in which they behave** (Hay 1999a, forthcoming a). **This is no less true of policy makers and governments**. **Whether** the **globalisation** thesis **is ‘true’** or not **may matter far less than whether it is deemed to be true** (or, quite possibly, just useful) **by those employing it**. Consequently, **if the aim** of the sceptics **is to discredit the political appeal to dubious economic imperatives associated with globalisation**, then they might **we**ll **benefit from asking** themselves **why and under what conditions** politicians and **public officials invoke** external **economic constraints** in the first place. It is to this task that we direct our attentions in this paper. Yet at the outset a certain word of caution is perhaps required. For, even if we accept the potential causal role that ideas about globalisation might play in the structuration of political and economic outcomes, we may be in danger of narrowing the discursive field of our attentions at the outset. The ideas policy makers use to legitimate and/or to rationalise their behaviour should not simply be seen as more or less accurate reflections of the context they perceive (based on more or less complete information). Nor should discourses be understood as necessarily and exclusively ‘strategic’ (i.e. as relating to situations in which an actor’s employment of a discourse correlates directly to particular material interests). **Discourse matters** in at least two respects. **The way** in which **actors behave is not merely a reflection** of the degree of accuracy and completeness **of the information they possess**; **it** is also a reflection of their **normative orientation** towards their environment and potential future scenarios. Thus the constraints and/or opportunities which globalisation is held to imply might be understood (or misunderstood) in very similar ways in different (national) contexts. Yet such understanding are likely to provoke divergent responses from political actors with different normative orientations and diverse institutional contexts. Put simply, **though actors may share a** common **understanding of** the process of **globalisation, they may respond** very **differently to its** perceived **challenges and threats** **depending on whether one regards the future it promises in a positive or negative light** – witness the still ongoing debate within the governing SPD in Germany between supporters of Schröder and Lafontaine (see Lafontaine 1998; Lafontaine and Müller 1998; Schröder 1998; and for a commentary Jeffery and Handl 1999), or that in France between Bourdieu, Forrester and anti-globalisation groups like ATTAC on the one hand and social liberals within the Parti Socialiste on the other (see Bourdieu 1998; Boudieu and Wacquant 1999; Forrester 1999; and for a commentary Bouvet and Michel 1999; Meunier 2000). Within the European Commission, there is evidence to suggest that common understandings of globalisation can be quite consistent with distinct conceptions of the capacity to exercise meaningful agency as actors take up quite different ‘subject positions’ in relation to globalisation (Rosamond, 1999; 2000b). **It is important**, then, at the outset **that we consider the potential causal role of ideas about globalisation in the structuration of political and economic outcomes**.3 Our central argument is, we think, likely to prove controversial. It is simply stated, though its implications are more complex. Essentially, we suggest, **policy makers acting on the basis of assumptions consistent with the hyperglobalisation thesis may well serve**, in so doing, **to bring about outcomes consistent with that thesis, irrespective of its veracity and,** indeed, irrespective of its perceived veracity**.** This provocative suggestion with, if warranted, important implications, clearly requires some justification (see also Hay 1999b; Rosamond 1999, 2000b, 2000c). **Globalisation has become** a key referent of contemporary political discourse and, increasingly, **a lens through which policy-makers view the context in which they find themselves.** **If** we can assume that political actors have no more privileged vantage point from which to understand their environment than anyone else and — as most commentators would surely concede — that **one of the principal discourses through which that environment now comes to be understood is that of globalisation, then the content of such ideas is likely to affect significantly political dynamics.**

#### Capitalism is an a priori impact under any framework -- it’s the greatest existential threat and the biggest affront to human rights and causes value to life deprivation.

Ahmed 20 (Nafeez Ahmed -- Visiting Research Fellow at the Global Sustainability Institute at Anglia Ruskin University's Faculty of Science & Technology + M.A. in contemporary war & peace studies + DPhil (April 2009) in international relations from the School of Global Studies @ Sussex University, “Capitalism is Destroying ‘Safe Operating Space’ for Humanity, Warn Scientists”, https://www.resilience.org/stories/2020-06-24/capitalism-is-destroying-safe-operating-space-for-humanity-warn-scientists/, 24 June 2020, EmmieeM)

The COVID19 pandemic has exposed a strange anomaly in the global economy. If it doesn’t keep growing endlessly, it just breaks. Grow, or die.

But there’s a deeper problem. New scientific research confirms that capitalism’s structural obsession with endless growth is destroying the very conditions for human survival on planet Earth.

A landmark study in the journal Nature Communications, “Scientists’ warning on affluence” — by scientists in Australia, Switzerland and the UK — concludes that the most fundamental driver of environmental destruction is the overconsumption of the super-rich.

This factor lies over and above other factors like fossil fuel consumption, industrial agriculture and deforestation: because it is overconsumption by the super-rich which is the chief driver of these other factors breaching key planetary boundaries.

The paper notes that the richest 10 percent of people are responsible for up to 43 percent of destructive global environmental impacts.

In contrast, the poorest 10 percent in the world are responsible just around 5 percent of these environmental impacts:

The new paper is authored by Thomas Wiedmann of UNSW Sydney’s School of Civil and Environmental Engineering, Manfred Lenzen of the University of Sydney’s School of Physics, Lorenz T. Keysser of ETH Zürich’s Department of Environmental Systems Science, and Julia K. Steinberger of Leeds University’s School of Earth and Environment.

It confirms that global structural inequalities in the distribution of wealth are intimately related to an escalating environmental crisis threatening the very existence of human societies.

Synthesising knowledge from across the scientific community, the paper identifies capitalism as the main cause behind “alarming trends of environmental degradation” which now pose “existential threats to natural systems, economies and societies.” The paper concludes:

“It is clear that prevailing capitalist, growth-driven economic systems have not only increased affluence since World War II, but have led to enormous increases in inequality, financial instability, resource consumption and environmental pressures on vital earth support systems.”

Capitalism and the pandemic

Thanks to the way capitalism works, the paper shows, the super-rich are incentivised to keep getting richer — at the expense of the health of our societies and the planet overall.

The research provides an important scientific context for how we can understand many earlier scientific studies revealing that industrial expansion has hugely increased the risks of new disease outbreaks.

Just last April, a paper in Landscape Ecology found that deforestation driven by increased demand for consumption of agricultural commodities or beef have increased the probability of ‘zoonotic’ diseases (exotic diseases circulating amongst animals) jumping to humans. This is because industrial expansion, driven by capitalist pressures, has intensified the encroachment of human activities on wildlife and natural ecosystems.

Two years ago, another study in Frontiers of Microbiology concluded presciently that accelerating deforestation due to “demographic growth” and the associated expansion of “farming, logging, and hunting”, is dangerously transforming rural environments. More bat species carrying exotic viruses have ended up next to human dwellings, the study said. This is increasing “the risk of transmission of viruses through direct contact, domestic animal infection, or contamination by urine or faeces.”

It is difficult to avoid the conclusion that the COVID19 pandemic thus emerged directly from these rapidly growing impacts of human activities. As the new paper in Nature Communications confirms, these impacts have accelerated in the context of the fundamental operations of industrial capitalism.

Eroding the ‘safe operating space’

The result is that capitalism is causing human societies to increasingly breach key planetary boundaries, such as land-use change, biosphere integrity and climate change.

Remaining within these boundaries is essential to maintain what scientists describe as a “safe operating space” for human civilization. If those key ecosystems are disrupted, that “safe operating space” will begin to erode. The global impacts of the COVID19 pandemic are yet another clear indication that this process of erosion has already begun.

“The evidence is clear,” write Weidmann and his co-authors.

“Long-term and concurrent human and planetary wellbeing will not be achieved in the Anthropocene if affluent overconsumption continues, spurred by economic systems that exploit nature and humans. We find that, to a large extent, the affluent lifestyles of the world’s rich determine and drive global environmental and social impact. Moreover, international trade mechanisms allow the rich world to displace its impact to the global poor.”

The new scientific research thus confirms that the normal functioning of capitalism is eroding the ‘safe space’ by which human civilisation is able to survive.

The structures

The paper also sets out how this is happening in some detail. The super-rich basically end up driving this destructive system forward in three key ways.

Firstly, they are directly responsible for “biophysical resource use… through high consumption.”

Secondly, they are “members of powerful factions of the capitalist class.”

Thirdly, due to that positioning, they end up “driving consumption norms across the population.”

But perhaps the most important insight of the paper is not that this is purely because the super-rich are especially evil or terrible compared to the rest of the population — but because of the systemic pressures produced by capitalist structures.

The authors point out that: “Growth imperatives are active at multiple levels, making the pursuit of economic growth (net investment, i.e. investment above depreciation) a necessity for different actors and leading to social and economic instability in the absence of it.”

At the core of capitalism, the paper observes, is a fundamental social relationship defining the way working people are systemically marginalised from access to the productive resources of the earth, along with the mechanisms used to extract these resources and produce goods and services.

This means that to survive economically in this system, certain behavioural patterns become not just normalised, but seemingly entirely rational — at least from a limited perspective that ignores wider societal and environmental consequences. In the words of the authors:

“In capitalism, workers are separated from the means of production, implying that they must compete in labour markets to sell their labour power to capitalists in order to earn a living.”

Meanwhile, firms which own and control these means of production “need to compete in the market, leading to a necessity to reinvest profits into more efficient production processes to minimise costs (e.g. through replacing human labour power with machines and positive returns to scale), innovation of new products and/or advertising to convince consumers to buy more.”

If a firm fails to remain competitive through such behaviours, “it either goes bankrupt or is taken over by a more successful business. Under normal economic conditions, this capitalist competition is expected to lead to aggregate growth dynamics.”

The irony is that, as the paper also shows, the “affluence” accumulated by the super-rich isn’t correlated with happiness or well-being.

Restructure

The “hegemonic” dominance of global capitalism, then, is the principal obstacle to the systemic transformation needed to reduce overconsumption. So it’s not enough to simply try to “green” current consumption through technologies like renewable energy — we need to actually reduce our environmental impacts by changing our behaviours with a focus on cutting back our use of planetary resources:

“Not only can a sufficient decoupling of environmental and detrimental social impacts from economic growth not be achieved by technological innovation alone, but also the profit-driven mechanism of prevailing economic systems prevents the necessary reduction of impacts and resource utilisation per se.”

The good news is that it doesn’t have to be this way.

The paper reviews a range of “bottom-up studies” showing that dramatic reductions in our material footprint are perfectly possible while still maintaining good material living standards.

In India, Brazil and South Africa, “decent living standards” can be supported “with around 90 percent less per-capita energy use than currently consumed in affluent countries.” Similar possible reductions are feasible for modern industrial economies such as Australia and the US.

By becoming aware of how the wider economic system incentivises behaviour that is destructive of human societies and planetary ecosystems critical for human survival, both ordinary workers and more wealthy sectors — including the super-rich — can work toward rewriting the global economic operating system.

This can be done by restructuring ownership in firms, equalising relations with workers, and intentionally reorganising the way decisions are made about investment priorities.

The paper points out that citizens and communities have a crucial role to play in getting organised, upgrading efforts for public education about these key issues, and experimenting with new ways to work together in bringing about “social tipping points” — points at which social action can catalyse mass change.

While a sense of doom and apathy about the prospects for such change is understandable, mounting evidence based on systems science suggests that global capitalism as we know it is in a state of protracted crisis and collapse that began some decades ago. This research strongly supports the view that as industrial civilization reaches the last stages of its systemic life-cycle, there is unprecedented and increasing opportunity for small-scale actions and efforts to have large system-wide impacts.

The new paper shows that the need for joined-up action is paramount: structural racism, environmental crisis, global inequalities are not really separate crises — but different facets of human civilization’s broken relationship with nature.

Yet, of course, the biggest takeaway is that those who bear most responsibility for environmental destruction — those who hold the most wealth in our societies — urgently need to wake up to how their narrow models of life are, quite literally, destroying the foundations for human survival over the coming decades.

#### Vote neg for dual power organizing – only by refusing the 1ac’s opportunistic politics can we produce actual change.

Escalante 18 Alyson Escalante (Marxist-Leninist, Materialist Feminist and Anti-Imperialist activist), 8-24-2018, "Against Electoralism, For Dual Power!," Forge News, https://theforgenews.org/2018/08/24/against-electoralism-for-dual-power/, pat recut sjbe

If we, as socialists, truly fight for a classless world, we must smash the mechanisms which ensure class domination. **We must smash the bourgeois state. This realization led the Bolsheviks to reject the opportunism of the Socialist Revolutionaries and Menshiviks in the Soviets and they chose to overthrow the provisional government themselves. Shockingly, their revolution was successful**. After months of compromise, the workers had grown tired of the opportunist bourgeois socialists. They had seen that the dual power of the soviets and the provisional government was not tenable. One side had to take unitary power. Most importantly, the workers saw that the bourgeois government had done nothing for them: it had smashed their printing presses, it had crushed their demonstrations, it had broken their strikes. Of course, it could do nothing else, the bourgeois state is designed to do precisely this. The events of October, 1917 ought to have concretely proven that the strategy of infiltrating the bourgeois government is untenable. **Lenin and the Bolsheviks proved that the workers are willing to throw the bourgeois state away in favor of a dictatorship of the proletariat. And yet, here we are 111 years later and large factions of the largest socialist organization in the United States echo the cowardly and worthless drivelings of the Menshiviks and Socialist Revolutionaries.** Dual Power Today **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.

## Case

#### Strikes hurt the Economy – two warrants:

#### 1] They hurt critical core industries that is necessary for economic growth

McElroy 19 John McElroy 10-25-2019 "Strikes Hurt Everybody" <https://www.wardsauto.com/ideaxchange/strikes-hurt-everybody> (MPA at McCombs school of Business)

This creates a **poisonous relationship** between the company and its workforce. Many GM hourly workers don’t identify as GM employees. They identify as UAW members. And they see the union as the source of their jobs, not the company. It’s an unhealthy dynamic that puts GM at a disadvantage to non-union automakers in the U.S. like Honda and Toyota, where workers take pride in the company they work for and the products they make. Attacking the company in the media also **drives away customers**. Who wants to buy a shiny new car from a company that’s accused of underpaying its workers and treating them unfairly? Data from the Center for Automotive Research (CAR) in Ann Arbor, MI, show that **GM loses market share during strikes and never gets it back**. GM lost two percentage points during the 1998 strike, which in today’s market would represent **a loss of 340,000 sales**. Because GM reports sales on a quarterly basis we’ll only find out at the end of December if it lost market share from this strike. UAW members say one of their greatest concerns is job security. But causing a company to lose market share is a sure-fire path to **more plant closings and layoffs**. Even so, unions are incredibly important for boosting wages and benefits for working-class people. GM’s UAW-represented workers earn considerably more than their non-union counterparts, about $26,000 more per worker, per year, in total compensation. Without a union they never would have achieved that. Strikes are a powerful weapon for unions. They usually are the only way they can get management to accede to their demands. If not for the power of collective bargaining and the threat of a strike, management would largely ignore union demands. If you took away that threat, management would pay its workers peanuts. Just ask the Mexican line workers who are paid $1.50 an hour to make $50,000 BMWs. But strikes don’t just hurt the people walking the picket lines or the company they’re striking against. They hurt **suppliers, car dealers and the communities located near the plants.** The Anderson Economic Group estimates that 75,000 workers at supplier companies were temporarily laid off because of the GM strike. Unlike UAW picketers, those supplier workers won’t get any strike pay or an $11,000 contract signing bonus. No, most of them lost close to a month’s worth of wages, which must be financially devastating for them. GM’s suppliers also lost a lot of money. So now they’re cutting budgets and delaying capital investments to make up for the lost revenue, which is a further drag on the economy. According to CAR, the communities and states where GM’s plants are located collectively lost a couple of hundred million dollars in payroll and tax revenue. Some economists warn that if the strike were prolonged it could knock the state of Michigan – home to GM and the UAW – **into a recession.** That prompted the governor of Michigan, Gretchen Whitmer, to call GM CEO Mary Barra and UAW leaders and urge them to settle as fast as possible. So, while the UAW managed to get a nice raise for its members, the strike left a path of destruction in its wake. That’s not fair to the innocent bystanders who will never regain what they lost. John McElroyI’m not sure how this will ever be resolved. I understand the need for collective bargaining and the threat of a strike. But there’s got to be a better way to get workers a raise without torching the countryside.

#### 2] Strikes create a stigmatization effect over labor and consumption that devastates the Economy

Tenza 20, Mlungisi. "The effects of violent strikes on the economy of a developing country: a case of South Africa." Obiter 41.3 (2020): 519-537. (Senior Lecturer, University of KwaZulu-Natal)

When South Africa obtained democracy in 1994, there was a dream of a better country with a new vision for industrial relations.5 However, the number of violent strikes that have bedevilled this country in recent years seems to have shattered-down the aspirations of a better South Africa. South Africa recorded 114 strikes in 2013 and 88 strikes in 2014, which cost the country about **R6.1 billion** according to the Department of Labour.6 The impact of these strikes has been hugely felt by the mining sector, particularly the platinum industry. The biggest strike took place in the platinum sector where about 70 000 mineworkers’ downed tools for better wages. Three major platinum producers (Impala, Anglo American and Lonmin Platinum Mines) were affected. The strike started on 23 January 2014 and ended on 25 June 2014. Business Day reported that “the five-month-long strike in the platinum sector pushed the economy to the brink of recession”. 7 This strike was closely followed by a four-week strike in the metal and engineering sector. All these strikes (and those not mentioned here) were characterised with violence accompanied by damage to property, intimidation, assault and sometimes the killing of people. Statistics from the metal and engineering sector showed that about 246 cases of intimidation were reported, 50 violent incidents occurred, and 85 cases of vandalism were recorded.8 Large-scale unemployment, soaring poverty levels and the dramatic income inequality that characterise the South African labour market provide a broad explanation for strike violence.9 While participating in a strike, workers’ stress levels leave them feeling frustrated at their seeming powerlessness, which in turn provokes further violent behaviour.10 These strikes are not only violent but **take long to resolve.** Generally, a lengthy strike has a **negative effect on employment, reduces business confidence and increases the risk of economic stagflation**. In addition, such strikes have a major setback on the growth of the economy and investment opportunities. It is common knowledge that consumer spending is directly linked to economic growth. At the same time, if the economy is not showing signs of growth, employment opportunities are shed, and poverty becomes the end result. The economy of South Africa is in need of rapid growth to enable it to deal with the high levels of unemployment and resultant poverty. One of the measures that may boost the country’s economic growth is by attracting potential investors to invest in the country. However, this might be difficult as investors would want to invest in a country where there is a likelihood of getting returns for their investments. The wish of getting returns for investment may not materialise if the labour environment **is not fertile** for such investments as a result of, for example, unstable labour relations. Therefore, investors may be reluctant to invest where there is an unstable or fragile labour relations environment. 3 THE COMMISSION OF VIOLENCE DURING A STRIKE AND CONSEQUENCES The Constitution guarantees every worker the right to join a trade union, participate in the activities and programmes of a trade union, and to strike. 11 The Constitution grants these rights to a “worker” as an individual.12 However, the right to strike and any other conduct in contemplation or furtherance of a strike such as a picket13 can only be exercised by workers acting collectively.14 The right to strike and participation in the activities of a trade union were given more effect through the enactment of the Labour Relations Act 66 of 199515 (LRA). The main purpose of the LRA is to “advance economic development, social justice, labour peace and the democratisation of the workplace”. 16 The advancement of social justice means that the exercise of the right to strike must advance the interests of workers and at the same time workers must refrain from any conduct that can affect those who are not on strike as well members of society. Even though the right to strike and the right to participate in the activities of a trade union that often flow from a strike17 are guaranteed in the Constitution and specifically regulated by the LRA, it sometimes happens that the right to strike is exercised for purposes not intended by the Constitution and the LRA, generally. 18 For example, it was not the intention of the Constitutional Assembly and the legislature that violence should be used during strikes or pickets. As the Constitution provides, pickets are meant to be peaceful. 19 Contrary to section 17 of the Constitution, the conduct of workers participating in a strike or picket has changed in recent years with workers trying to emphasise their grievances by causing disharmony and chaos in public. A media report by the South African Institute of Race Relations pointed out that between the years 1999 and 2012 there were 181 strike-related deaths, 313 injuries and 3,058 people were arrested for public violence associated with strikes.20 The question is whether employers succumb easily to workers’ demands if a strike is accompanied by violence? In response to this question, one worker remarked as follows: “[T]here is no sweet strike, there is no Christian strike … A strike is a strike. [Y]ou want to get back what belongs to you ... you won’t win a strike with a Bible. You do not wear high heels and carry an umbrella and say ‘1992 was under apartheid, 2007 is under ANC’. You won’t win a strike like that.” 21 The use of violence during industrial action affects not only the strikers or picketers, the employer and his or her business but it also affects innocent members of the public, non-striking employees, the environment and the economy at large. In addition, striking workers visit non-striking workers’ homes, often at night, threaten them and in some cases, assault or even murder workers who are acting as replacement labour. 22 This points to the fact that for many workers and their families’ living conditions remain unsafe and vulnerable to damage due to violence. In Security Services Employers Organisation v SA Transport & Allied Workers Union (SATAWU),23 it was reported that about 20 people were thrown out of moving trains in the Gauteng province; most of them were security guards who were not on strike and who were believed to be targeted by their striking colleagues. Two of them died, while others were admitted to hospitals with serious injuries.24 In SA Chemical Catering & Allied Workers Union v Check One (Pty) Ltd,25 striking employees were carrying various weapons ranging from sticks, pipes, planks and bottles. One of the strikers Mr Nqoko was alleged to have threatened to cut the throats of those employees who had been brought from other branches of the employer’s business to help in the branch where employees were on strike. Such conduct was held not to be in line with good conduct of striking.26 These examples from case law show that South Africa is facing a problem that is affecting not only the industrial relations’ sector but also the economy at large. For example, in 2012, during a strike by workers employed by Lonmin in Marikana, the then-new union Association of Mine & Construction Workers Union (AMCU) wanted to exert its presence after it appeared that many workers were not happy with the way the majority union, National Union of Mine Workers (NUM), handled negotiations with the employer (Lonmin Mine). AMCU went on an unprotected strike which was violent and resulted in the loss of lives, damage to property and negative economic consequences including a weakened currency, reduced global investment, declining productivity, and increase unemployment in the affected sectors.27 Further, the unreasonably long time it takes for strikes to get resolved in the Republic has a negative effect on the business of the employer, the economy and employment. 3 1 Effects of violent and long strikes on the economy Generally, South Africa’s economy is on a downward scale. First, it fails to create employment opportunities for its people. The recent statistics on unemployment levels indicate that unemployment has increased from 26.5% to 27.2%. 28 The most prominent strike which nearly brought the platinum industries to its knees was the strike convened by AMCU in 2014. The strike started on 23 January 2014 and ended on 24 June 2014. It affected the three big platinum producers in the Republic, which are the Anglo American Platinum, Lonmin Plc and Impala Platinum. It was the longest strike since the dawn of democracy in 1994. As a result of this strike, the platinum industries lost billions of rands.29 According to the report by Economic Research Southern Africa, the platinum group metals industry is South Africa’s second-largest export earner behind gold and contributes just over 2% of the country’s Gross Domestic Product (GDP).30 The overall metal ores in the mining industry which include platinum sells about 70% of its output to the export market while sales to local manufacturers of basic metals, fabricated metal products and various other metal equipment and machinery make up to 20%. 31 The research indicates that the overall impact of the strike in 2014 was driven by a reduction in productive capital in the mining sector, accompanied by a decrease in labour available to the economy. This resulted in a sharp increase in the price of the output by 5.8% with a **GDP declined by 0.72 and 0.78%**.32