# nc

#### the counter rotb is to vote for the better debater

#### 1] its what we were gonna do anyway, no strat skew

#### 2] proving why we were the better debater allows for better debating

#### 3] topic ed – shifts the debate away from strikes good/bad and places an unreciprocal prep burden bc now I have to win on multiple sheets

#### 4] dta, no rvis, u don’t win for being fair, use competing interps

#### 5] fairness and education r voters, an unfair playing field discourages research and participation.

## fw

#### The standard is maximizing expected well being. Prefer –

#### 1] Only pleasure and pain are intrinsically valuable – all other frameworks collapse.

Moen 16 [Ole Martin Moen, Research Fellow in Philosophy at University of Oslo “An Argument for Hedonism” Journal of Value Inquiry (Springer), 50 (2) 2016: 267–281]

Let us start by observing, empirically, that a widely shared judgment about intrinsic value and disvalue is that pleasure is intrinsically valuable and pain is intrinsically disvaluable. On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues. This inclusion makes intuitive sense, moreover, for there is something undeniably good about the way pleasure feels and something undeniably bad about the way pain feels, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects that these experiences might have. “Pleasure” and “pain” are here understood inclusively, as encompassing anything hedonically positive and anything hedonically negative.2 The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values. If you tell me that you are heading for the convenience store, I might ask: “What for?” This is a reasonable question, for when you go to the convenience store you usually do so, not merely for the sake of going to the convenience store, but for the sake of achieving something further that you deem to be valuable. You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. The reason is that the pleasure is not good for anything further; it is simply that for which going to the convenience store and buying the soda is good.3 As Aristotle observes: “We never ask [a man] what his end is in being pleased, because we assume that pleasure is choice worthy in itself.”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that if something is painful, we have a sufficient explanation of why it is bad. If we are onto something in our everyday reasoning about values, it seems that pleasure and pain are both places where we reach the end of the line in matters of value.

#### 2] Weighability – only consequentialism can explain the ethical difference in breaking a promise to take someone to the hospital and breaking a promise to take someone to lunch – that outweighs –

#### A] Resolvability – there’s no way to weigh between competing offense under their fw which means their fw can’t guide action – outweighs cuz it’s a pre req to deciding the debate

#### B] Intuitions – they’re a necessary side constraint on all ethics – if a very well justified, logical theory concluded "genocide good” you wouldn’t say “huh I guess genocide is good” you would abandon it because philosophy follows intuitions not the other way around

#### 3] Tradeoffs are inevitable -- governments are forced to make decide between tradeoffs ie welfare for the rich and welfare for the poor which means they’re forced to aggregate – we did actor spec ow above

#### 4] Preserving life is a pre requisite to the ideal conditions their theory assumes -- all value stems from experienced wellbeing.

## police unionization

#### Tensions over police unions are increasing but they haven’t exploded yet

Nickeas 21, Peter Nickeas, 5-18-2021, "'This is a huge step for law enforcement.' Police unions shift stance on protecting bad officers," https://amp.cnn.com/cnn/2021/05/17/us/police-unions-intervention-blueprint/index.html

(CNN)In response to the police killing George Floyd, 15 unions that represent law enforcement officers across the US have endorsed a blueprint for policing that includes an unprecedented shift in the way unions protect bad police officers, according to a copy of the plan obtained by CNN ahead of its release this week. Floyd's death last May brought renewed attention to the idea of "active bystanders," a relatively new concept in law enforcement which calls for officers to intervene when they see wrongdoing. Other industries and trade unions have developed industry- or union-specific programs aimed at achieving the same goal: teaching colleagues to intervene when they see another worker behaving poorly or making mistakes. A committee convened by the AFL-CIO, International Brotherhood of Teamsters and Service Employees International Union Friday approved the plan that calls on more than 250,000 law enforcement members and more than 100,000 members in police-adjacent professions to intervene when another union member is doing something wrong. Unions still have a responsibility to represent members they believe are wrongfully accused, but the framework challenges local unions to look at the merits of an officer's actions when considering whether to defend them. The program will "empower local union members to speak up and take action if fellow members are violating their professional oath or abusing their power, and ultimately helps the union weed out wrong-doers from union membership," according to the document. Officers in these unions have enjoyed near-absolute union solidarity for decades, but a national reckoning over policing, prompted by the deaths of Floyd and Breonna Taylor at the hands of officers, led many to question whether police unions should even exist. A plan produced by the union committee is their attempt to address problems in their ranks without waiting for police department leadership or elected officials to take the lead. The Fraternal Order of Police, an organization which represents 356,000 members in more than 2,100 lodges across the country, was not involved in developing this plan. John Paul Smith, a United Steel Workers staffer who was a police officer for four years and who worked on this project, said that local FOP leaders' "incendiary rhetoric" made labor's job more difficult over the last year.

#### Historically, police unions protect police, empowering violent misconduct

Scheiber 20, Noam Scheiber, Farah Stockman and J. David Goodman, 6-6-2020, "How Police Unions Became Such Powerful Opponents to Reform Efforts (Published 2020)," No Publication, https://www.nytimes.com/2020/06/06/us/police-unions-minneapolis-kroll.html // tw

Over the past five years, as demands for reform have mounted in the aftermath of police violence in cities like Ferguson, Mo., Baltimore and now Minneapolis, police unions have emerged as one of the most significant roadblocks to change. The greater the political pressure for reform, the more defiant the unions often are in resisting it — with few city officials, including liberal leaders, able to overcome their opposition. They aggressively protect the rights of members accused of misconduct, often in arbitration hearings that they have battled to keep behind closed doors. And they have also been remarkably effective at fending off broader change, using their political clout and influence to derail efforts to increase accountability. A few days after prosecutors in Minneapolis charged an officer with murder in the death of George Floyd, the president of the city’s police union denounced political leaders, accusing them of selling out his members and firing four officers without due process. “It is despicable behavior,” the union president, Lt. Bob Kroll, wrote in a letter to union members obtained by a local reporter. He also referred to protesters as a “terrorist movement.” In other instances, unions have not resisted reforms outright, but have made [reforms] them difficult to put in place. Federal intervention is often one of the few reliable ways of reforming police departments. But in Cleveland, the union helped slow the adoption of reforms mandated by a federal consent decree, according to Jonathan Smith, a former U.S. Justice Department official who oversaw the government’s investigation of policing practices there. “A major role for police unions is basically as an insurance policy,” said Dale Belman, a labor relations professor at Michigan State University who has consulted for police unions. “The feeling of a lot of officers is that it’s very easy to sacrifice them. Something goes wrong and boom.” Unions can be so effective at defending their members that cops with a pattern of abuse can be left untouched, with fatal consequences. In Chicago, after the killing of 17-year-old Laquan McDonald by officer Jason Van Dyke, it emerged that Mr. Van Dyke had been the subject of multiple complaints already. But a “code of silence” about misconduct was effectively “baked into” the labor agreements between police unions and the city, according to a report conducted by task force. When liberal politicians do try to advance reform proposals, union officials have resorted to highly provocative rhetoric and hard-boiled campaign tactics to lash out at them. This past week, the head of the sergeants’ union in New York posted a police report on Twitter revealing personal information about the daughter of Mr. de Blasio, who had been arrested during a protest. While statistics compiled by the group Campaign Zero show that police killings and shootings in Chicago have fallen following a set of reforms enacted after a federal investigation, advocates worry that the union will undermine them in contract negotiations. Police unions have traditionally used their bargaining agreements to create obstacles to disciplining officers. One paper by researchers at the University of Chicago found that incidents of violent misconduct in Florida sheriff’s offices increased by about 40 percent after deputies gained collective bargaining rights.

#### Allowing more strikes only cedes more power to unions

Grim 20, Andrew Grim, 7-1-2020, "Perspective," Washington Post, https://www.washingtonpost.com/outlook/2020/07/01/what-is-blue-flu-how-has-it-increased-police-power/ tw

This weekend, officers from the New York City Police Department are rumored to be planning a walkout to protest calls to defund the police. This builds on a similar tactic used by police in Atlanta less than a month ago. On June 16, Fulton County District Attorney, Paul L. Howard Jr. announced that Garrett Rolfe, the Atlanta police officer who fatally shot Rayshard Brooks, would face charges of felony murder and aggravated assault. That night, scores of Atlanta Police Department officers caught the “blue flu,” calling out sick en masse to protest the charges against Rolfe. Such walkouts constitute, in effect, illegal strikes — laws in all 50 states prohibit police strikes. Yet, there is nothing new about the blue flu. It is a strategy long employed by police unions and rank-and-file officers during contract negotiations, disputes over reforms and, like in Atlanta, in response to disciplinary action against individual officers. The intent is to dramatize police disputes with municipal government and rally the citizenry to their side. 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. 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. Throughout the 1960s, ’70s and ’80s, the blue flu was a ubiquitous and highly effective 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.

#### Police violence disproportionately targets communities of color and upholds white supremacy – the access to legal intervention creates a cycle of oppression

DeVylder et al 20, Jordan DeVylder PhD, Lisa Fedina PhD, and Bruce Link PhD, 7-9-2020, "The American Journal of Public Health (AJPH) from the American Public Health Association (APHA) publications," American Journal of Public Health, https://ajph.aphapublications.org/doi/10.2105/AJPH.2020.305874

For the purposes of this article, we refer generally to “police violence” and “mental health” because there is not yet sufficient research to confidently link specific subtypes of police violence to specific mental health outcomes. We therefore define police violence as acute events of physical, sexual, psychological, or neglectful violence, following the World Health Organization’s guidelines on defining violence and earlier work on the phenomenology of police violence exposure.7 Mental health is intended to be inclusive of behaviors and psychological symptoms that would be considered indicators of clinical psychopathology, including but not limited to general psychological distress, posttraumatic stress symptoms, suicidal ideation and behavior, psychosis like experiences, and depression. These definitions may need to be expanded as this literature develops, as currently it typically focuses on acute violent events (rather than chronic or vicarious exposures) and a psychopathology oriented view of mental health (rather than a focus on functioning or quality of life), but they are being used here as a reflection of the variables typically employed in the literature at this point in time. Recent public attention directed toward police violence has spurred an emerging literature on the health significance of police violence exposure,1,8,9 addressing a long-unheeded call to conceptualize police violence as a public health issue in the United States.7 Cross-sectional studies have consistently found clinically and statistically significant associations between police violence exposure and a range of mental health outcomes,10-16 and community-level data have likewise demonstrated higher rates of mental health symptoms in neighborhoods or cities in which police abuse (e.g., “stop and frisk” practices, which are primarily used in neighborhoods predominantly composed of people of color) and killings of unarmed civilians are more common.17,18 These associations have generally been found to remain statistically significant (and of sufficient effect sizes to support public health significance) even with adjustment for closely related forms of violence exposure, such as interpersonal violence or lifetime abuse exposure.10,14 For example, exposure to assaultive forms of police violence (i.e., physical or sexual) has been found to be associated with 4- to 11-fold greater odds for a suicide attempt among adults across racial/ethnic groups, even with conservative adjustments.12,14 Although most of this research has been conducted with adults, recent analyses suggest that this problem extends into adolescence as well.19 A selective overview of recent work on this topic is provided in Table 1, and has recently been reviewed elsewhere.21 A long tradition in social science theory suggests that the police play a critical role in disciplining the public, not just in terms of offenses and punishments but in the construction and maintenance of an established social order favoring dominant groups. In light of the use of the police in this regard, it follows that exposure to violence emanating from their actions would have distinct and pernicious features.22,23 Police organizations in the United States are thus authoritative institutions legitimized to apply force—and potentially fatal force—to maintain a particular social and political order.24 In interactions with civilians, police officers are in positions of relatively greater power because of both the symbolic and state-sanctioned status of their profession, and their immediate legal availability of means (e.g., guns, batons, tasers) to wield force, threat of force, and coercion, at their discretion. This distinguishes police violence from interpersonal forms of violence that are perpetrated by people who are not sanctioned to enact violence, such as caregivers, peers, or intimate partners. This distinction is made not to downplay the seriousness of other forms of violence—such as child abuse, intimate partner violence, or sexual assault—but to assert that modern-day police violence is embedded in historical state-enforced practices that permitted cruel, unusual, and dehumanizing punishment of individuals deemed to be from threatening or “dangerous classes,”25 particularly Blacks. Communities of color and lesbian, gay, bisexual, transgender, and queer (LGBTQ) communities have been historically subjected to racially motivated, discriminatory state-sponsored laws (e.g., Jim Crow laws, sodomy laws) enforced by police that permitted harassment, discrimination, and excessive and fatal force against individuals from these communities. As such, the processes and contexts in which police violence has been historically perpetuated are uniquely distinct from the perpetuation of interpersonal forms of violence by others. Furthermore, police violence is sanctioned not only by institutions in the United States but also by the American public, and is intentionally designed to uphold White supremacy.26 Members of the dominant society thus contribute to police violence and the lack of police accountability Victims of police violence have little legal recourse or opportunities for seeking help in the criminal justice system. The police have legal sanction to intervene in other crimes of violence (e.g., sexual assault, physical assault), making it much more difficult to prove that the violence was unjustly or excessively delivered. Additionally, the people reviewing disputed cases are often also police officers, and indicted police officers are tried by prosecutors who must otherwise work with police officers. These and other circumstances make contesting the perpetration of violence extremely difficult. Victims of other forms of violence, particularly intimate partner violence, indeed face enormous barriers in seeking help and legal recourse, including stigma in reporting intimate partner violence, poverty and other economic barriers, and other sociocultural and contextual factors.27 Victims of police violence face many of these same barriers; because they have few if any options for reporting an incident, for legal recourse, or for advocacy services and referrals to mental health treatment, any mental health symptoms they have may worsen over time.28 People feel more secure if they feel safe and protected in their day-to-day activities. Assumptive World Theory proposes that people’s deeply held beliefs about the world and themselves can be shaken by an event that forcefully disconfirms such beliefs.31 Police violence is particularly likely to provide such disconfirming evidence in that the police represent a societal institution that many, though not all, have come to rely on deeply and implicitly for help when a threat emerges. When police perpetrate violence, this belief is shattered as the police are no longer protectors but rather the central threat that needs to be addressed. Additionally, police violence is normative, rather than an acute or singular event, which has led to the erosion of public trust in the police and favorable views of police seen as protective. Because police violence is disproportionately directed toward people of color, many of whom are poor, it can underscore a sense of diminished value within the US racial and class hierarchies. Accordingly, the media narrative around police violence has focused on incidents directed toward Black people, and has at times framed these incidents within the context of the legacy of racism and White supremacy in the United States. Data from the first and second Survey of Police–Public Encounters studies have confirmed that—at least in Baltimore, Maryland; New York City; the District of Columbia; and Philadelphia, Pennsylvania—police violence is more likely to be directed toward people of color, although it is notable that these studies have found Latinx groups to be at approximately the same level of risk as non-Latinx Blacks.11,14 Although White respondents were also at some risk of exposure to police violence, the racial disparities were significant, even after adjustment for crime involvement and income. Similarly, the prevalence of police-inflicted shootings is approximately 3.5-fold greater among non-Latinx Black than non-Latinx White residents of the United States. Notably, there is insufficient prior data to allow a thorough discussion of police violence and mental health among indigenous populations, although the rate of police killings is extremely high among this group. Other potentially high-risk groups likely include people who identify as sexual or gender minorities, people who are homeless, or those who have a severe mental illness diagnosis, among others. Future research should focus on understudied sociodemographic groups that are disproportionately subject to police violence (e.g., indigenous populations, trans individuals), and the conceptual framework presented in this article will require modification as more data become available. Further, when there are major social movements or protests following prominent incidents of police violence, many in the public, particularly those who benefit from the dominant social order that the police help to maintain, take a “blaming the victim” mentality and highlight infractions by the victim that may have justified their injury or death (e.g., the alleged theft of cigarillos by Michael Brown cited as justification for excessive and fatal force). On a broader societal level, protests in Ferguson, Missouri were blamed for a subsequent supposed “war on cops” in which the rate of civilians killing police officers purportedly increased, although there is no actual evidence for any such increase.38

#### Police unions are anti-labor- means the aff can never solve without getting rid of them AND turns case.

Modak 20. Ria Modak [Student Coordinator, Muslim American Studies Working Group, Harvard Student Labor Action Movement and the Harvard Graduate Students Union] 20 - ("Police Unions Are Anti-Labor," Ria Modak, Harvard Political Review, 9-9-2020, 10-27-2021 https://harvardpolitics.com/police-unions-are-anti-labor/)//AW

My own experiences with HUPD are reflective of a long history fraught with violence. For two centuries, **the police have been used to suppress labor action** and promote corporate interests. **The police**, the National Guard and the U.S. Army **played an integral role in suppressing the Great Strike of 1877**, the Homestead Strike of 1892 **and** the **Lawrence Strike** of 1912, to name a few examples. **In** each of **these incidents,** the **police resorted to extreme violence**, acquiring new legal powers and protections as they terrorized working class communities. By the middle of the 20th century, **the police had become** **a**n autocratic, **militarized force whose** primary **role was to challenge organized labor through union-busting and strike-breaking.** They continue to occupy this role. For evidence, we have to look no further than the ongoing protests for racial justice in which the police have been called to attend to instances of rioting. Their brutal treatment of protesters, including the use of teargas and rubber bullets, is further proof of their commitment to property over people. It is no coincidence that cops interfere with labor action; the fundamental objective of the police is to protect property. Modern day police forces in urban cities like Boston were founded to safeguard trade and protect commercial property, and in the South, policing evolved from slave patrols tasked with chasing down runaway slaves. **Policing** was, and **continues to** be, a way to protect and **serve capitalism, not people**. By attending to private property, which itself depends on the extraction of labor from the working class, the police align themselves with capitalists, rather than with workers**. The** material **interests of** the **police are antithetical to the very ethos of organized labor, which seeks to protect workers from capitalist exploitation.** It is impossible to build a working class movement while supporting an institution that was founded to oppress working class and Black communities. Police unions are also complicit in anti-labor action in the federal political arena. The Fraternal Order of Police and **the International Union of Police Associations**, the two largest police unions in the country, endorsed President Trump in 2016 and recently endorsed his reelection campaign. By funneling money into President Trump’s campaign, **the IUPA is** directly **responsible for** hisblatantly **anti-labor policies, which have restricted the freedom to join unions, silenced workers, and gutted health and safety protections.** Furthermore, much of the power **of** policing lies in **police unions,** which **enable racist, anti-labor action by making it** nearly **impossible for** police **officers to be held accountable** for their actions. Collective bargaining agreements allow officers to evade the consequences of innumerable wrongs — including the violent killing of Black people, sexual assault, lying to investigators and falsifying documents — by limiting independent oversight and expunging misconduct records. In addition, unions spend millions of dollars lobbying against police reform on the local, state and federal levels. By shielding officers from consequences and blocking reform, **police unions embolden violence against the Black and Brown communities** that are the most vulnerable to police brutality. One way to put an end to racialized police violence is to put an end to police unions. **Dismantling police unions is a** crucial **step in taking power away from the police and giving it back to** working class communities and **communities of color.** Although not all police departments are unionized or affiliated with a larger labor federation like the AFL-CIO, those that are must be expelled. However, disaffiliation must be only the first step in a broader struggle to dismantle the police in its entirety. Police abolition means building a world that does not rely on capitalism and racism to structure society. Although some critics of abolition argue that disaffiliating police unions would threaten other public sector unions, many trade unionists disagree with this position, indicating support from public sector workers themselves. Union members represented by the Service Employees International Union and United Auto Workers have demanded the disaffiliation of police unions from the larger labor movement. In addition, a coalition of labor organizers called “No Cop Unions” have called on the AFL-CIO to expel IUPA and urged AFL-CIO affiliates with partial law enforcement membership to terminate their relationships with unionized police and correctional officers. Ultimately, the call to separate **police unions** from the labor movement is a recognition that they **have no role in a society that truly values workers**. The **goals of the police**, which are maintained and facilitated by police unions, **are incompatible with pro-labor ideology**. The labor movement must take a firm stance against police unions and work to develop an anti-racist praxis. There can be no labor justice while police unions continue to protect anti-worker interests.

# Case

#### 1] strikes literally exist in the squo theres zero ev in the 1ac that proves the necessity of the aff

#### 2] Framing strikes as a “right” to be granted instead of a “freedom” cements state power over the working class and destroys class solidarity.

Dimick 19

Matthew Dimick, Professor @ University at Buffalo School of Law, 12-13-2019, "Labor Rights Will Not Save the Labor Movement," Jacobin, <https://jacobinmag.com/2019/12/labor-rights-movement-freedom-nlra-nlrb-mass-picketing> //MLT

Everyone agrees that labor law is broken. Under the auspices of the National Labor Relations Act (NLRA) — which was passed in 1935 at the height of the New Deal and laid the foundation for our current regime of collective bargaining — union membership rates have declined to existentially low levels. Though the weaknesses in labor law have been glaringly apparent for some time, and intermittent attempts have been made to reform it, discussion about labor law reform is now reaching a critical mass. Labor law reform has been central to the campaign promises of both Bernie Sanders and Elizabeth Warren. There is much in common between the Sanders and Warren plans, though the level of detail in the Warren plan burnishes her reputation as a technocrat. Liberal think tanks have jumped on board. Left-leaning publications have also directed their attention to labor law reform. What unites most of these proposals is the idea of strengthening labor rights. I wrote an essay recently in Catalyst arguing that this approach is wrong. The labor movement should be wary of labor rights and instead seek to expand labor freedoms. A right is some legally enforceable claim, backed through the coercive machinery of the state (fines, injunctions, imprisonment, etc.), that one legal subject has against another because of some interference caused or threatened by that other. A freedom, in contrast, is the absence of a legally enforceable duty to refrain from some action. A “right to strike,” for example, means that workers are protected from any interference an employer might take against an employee for engaging in a strike. During a strike, hiring permanent replacement workers counts as the most obvious form of interference, and indeed such replacements have had a devastating impact on the effectiveness of strikes. A fully recognized right to strike would prohibit the hiring of permanent replacements and legally compel employers to discharge their replacements when striking workers decide to call off the strike and return to work. All well and good, except that this rights approach overlooks the most important reason employers get away with hiring permanent replacements: labor law effectively bans mass picketing, the picketing of large numbers of workers near the struck business. Before mass picketing was banned, it was the most potent weapon in labor’s arsenal in the 1940s, and its repeated use established an “unofficial norm” against hiring permanent replacements, a norm that lasted until employers started defying it in the 1980s. Elimination of the ban on mass picketing would give workers a labor freedom rather than a labor right. With the labor freedom, it is workers themselves, through mass picketing, who enforce their strike power; with the labor right, it is the state, through the ban on permanent replacements, that does the enforcement. One might ask, “What’s the difference, if workers win the strike in the end?” Part of the answer comes from asking yourself, “Which of the two will build stronger and longer-term working-class solidarity?” The other part of the answer is that in numerous other cases, the effect of labor rights has been far more insidious. Labor rights, unfortunately, have been frequently used by judges, politicians, and bureaucrats as reasons for prohibiting or eliminating protection for strikes and other forms of collective activity. One example of this is the NLRA’s ban on organization and recognition picketing. Labor law prohibits any picketing (or even threats of picketing) “where an object thereof is forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employees.” This provision exists not because of some cynical, ideologically motivated, anti-union impulse. Rather, it exists because the NLRA already provides workers with a “fair” and “neutral” administrative method for choosing a bargaining representative and establishing a bargaining relationship: the National Labor Relations Board’s election procedure. In practice, however, these provisions virtually compel workers to make use of the board’s election procedure, which is characterized by legal-bureaucratic delay and employer intimidation.

#### 3] Unions are a tool of the Capitalist State — Focusing on strengthen unions blinds the working class from the issues of capitalism — Increasing penalties for ULPs strengthens unions, and reinforces the capitalist rule over the working class

The Vanguard N.D. [The Vanguard., ,"Unions: Capitalist or Workers’ Organizations?" The Progressive Labor Party [Usa] Journal, World Revolution, Nol. 2, No. 2,; xx-xx-xxxx; 4-20-2021; https://www.marxists.org/history/erol/australia/unions-1.htm]/SS

Recently Vanguard received a letter from a worker on the subject of trade unions. He pointed out that this year the congress of the Australian Council of Trade Unions would be held, which would provide rank and file unionists with the opportunity to raise matters concerning the organizational structure of the trade unions with a view to turning them into more effective weapons in the struggle for socialism. A central idea expressed in the letter was that if the emphasis was placed on rank and file organization and the unions did not confine themselves to their own economic demands but took up broader issues such as pensions, prices, education, peace, etc., the struggle for revolutionary social change to socialism would be greatly advanced. Vanguard was glad to receive the letter. Fundamentally it showed a desire to struggle, to get to grips with the job of getting rid of U.S. domination, overthrowing capitalism and winning socialism and independence. The letter also showed a deep dissatisfaction with the trade union bureaucrats. What the author of the letter wrote expresses is a growing feeling amongst the Austraulian working people, a striving to find the revolutionary path forward. In Australia the two main obstacles which divert the working class and other working people from the revolutionary path are trade union and parliamentary politics. Trade union and parliamentary politics confine the working people to capitalism. They put blinkers on them, limit their vision. Trade union and parliamentary politics generate the idea that social change can be achieved “constitutionally,” that is, through peaceful negotiation with the capitalist class. There are about three million Australian porkers organized in trade unions. The large trade union apparatus in Australia continually stimulates the erroneous idea that the unions themselves can force the capitalist class to give way and hand over their factories to the working class. Calls for strengthening trade union organization, for building job organization flow from this wrong idea. The job is not to strengthen trade union organization for that only strengthens the hold of the capitalist class over the working class. The job is to smash up the trade union bureaucracy by bringing revolutionary Marxism-Leninism, the thought of Mao Tse-tung to the working class. The job of lifting revolutionary class consciousness is at once the job of breaking with trade union politics. This means pointing out the limits of trade unions, showing how the capitalist class controls them through the union bureaucracy. Today trade unions are necessary for the capitalist class. They are a burden on the backs of the working class. We do not want to make the burden heavier. As we have said the Australian working class is striving to find the revolutionary path. It is absolutely essential that its energies should not be diverted into “strengthening trade unions.” Rather it should be directed into STRENGTHENING REVOLUTIONARY ORGANIZATION. The Australian working class and other working people are rebelling. They are becoming more acquainted with the revolutionary truth of Marxism-Leninism, the thought of Mao Tse-tung. Let us devote all our efforts into getting this truth to wider and wider sections of the working people. In grasping this truth in struggle they will rapidly build their revolutionary organizations. The fundamental thing is to destroy capitalist concepts, capitalist ideology with proletarian revolutionary ideology, Marxism-Leninism, the thought of Mao Tse-tung. INFLUENCE OF TRADE UNION POLITICS STILL PERSISTS In recent years the Australian workingclass movement has seriously reappraised many old ideas about the trade unions and trade unionism. The book “Looking Backward: Looking Forward” analyzed some aspects of this matter. But the influence of trade union politics and the mesmerism of militant trade union officials persist strongly as a trend even in left circles. The simple fact is that the capitalist class has adapted the trade union apparatus and trade union officials to itself. They have become instruments of capitalism. In the early days of capitalism the trade unions were true centers of revolt. They were illegal. They had to fight. The long battle for trade union legality taught the capitalists many lessons. But the fact that the trade unions were illegal, that there was a long hard struggle for their legality left a tradition amongst the workers which bound them to the trade unions. Almost imperceptibly the capitalists turned these trade unions from being centers of rebellion into centers of submission. The loyalty of the workers to the centers of rebellion remained but it was now given to organizations which had become centers of submission. In Australia (as in other capitalist countries) an elaborate trade union structure has been built up. This structure has the protection of the law. It is a thorough going instrument for the administration of capitalism. The A.C.T.U., various Trades and Labor Councils and the individual unions are all conditioned on the maintenance of capitalism. Their officials serve capitalism. It is true that unions go on strike. Rebellion sometimes arises from even these official bodies. That helps to preserve the illusion of rebellion that comes from the old illegal unions. But it does not take much thought to realize that in modern Australia these very unions of organized rebellion have turned into their opposite. In some cases it is clear as in the seamen’s and waterside workers’ co-operation with the state apparatus. The arbitration machinery rests on this very conception. It is not a question of its being good or bad or judges being good or bad or even the existence or nonexistence of the court of pains and penalties. All this is merely evidence of the unions’ being centers of submission and not rebellion. It arises from the contradiction between the bureaucracy of the trade unions’ officialdom on the one hand and the membership on the other. The membership maintains its loyalty to the union as the center of rebellion. But rebellion has been stolen from it. It is also true that the trade unions help their members in many ways. Sickness benefits, legal assistance, obtaining awards, social life, getting jobs and so on. They are important things. They have to be done. They have another side. By its very facility in doing it: in the very way it does it, the union apparatus provides evidence of its being an instrument of capitalism. Then comes the question of trade union officials. In a sense everyone who works at all, helps to make capitalism work. The worker who is exploited does so. The doctor who treats the sick workers and capitalists does so. The lawyer, even though he works only for the workers, does so. The architect who builds the buildings does so. And so on. The trade union official does so in a very special way because he works precisely in the field where the worker and capitalist potentially and actually clash. It is a delicate field for the capitalist. But because of the adaptation of the trade union apparatus to capitalism the trade union official, however good, is a prisoner of capitalism. In a certain way the better he is as a trade union official, the more service he does for capitalism. There is for example a mystique around the late Jim Healy. He is revered for militancy. It is said if Healy were still alive he would be all right. Things would be different. But Healy was essentially a reformist. He never stepped beyond trade union limits. And he is only one example. There are today men who adhere to Marxism-Leninism, the thought of Mao Tse-tung in official trade union positions. They agree that their position encircles and inhibits them. It can not be otherwise. This is a problem the Australian workers have not yet solved. It will not be solved at all until we dare to think about it: dare to do: dare to experiment: dare to challenge the sacred cows: dare to get experience. It is almost heresy to discuss trade unions in any way that departs from the orthodox. This is only part of the hold of capitalism on us. The present time is one when old ideas are being challenged and must be challenged. In the sphere of the trade unions and trade unionism there are more deeply laid fetishes than on any other single subject. It will take frank and harsh words and actions to destroy them. They must be challenged and destroyed.

#### 4] the affs single issue legalistic solution is the exact kind of politics neolib wants us to engage in so the root cause goes unquestioned. Farbod 15

( Faramarz Farbod , PhD Candidate @ Rutgers, Prof @ Moravian College, Monthly Review, http://mrzine.monthlyreview.org/2015/farbod020615.html, 6-2)

Global capitalism is the 800-pound gorilla. The twin ecological and economic crises, militarism, the rise of the surveillance state, and a dysfunctional political system can all be traced to its normal operations. We need a transformative politics from below that can challenge the fundamentals of capitalism instead of today's politics that is content to treat its symptoms. The problems we face are linked to each other and to the way a capitalist society operates. We must make an effort to understand its real character. The fundamental question of our time is whether we can go beyond a system that is ravaging the Earth and secure a future with dignity for life and respect for the planet. What has capitalism done to us lately? The best science tells us that this is a do-or-die moment. We are now in the midst of the 6th mass extinction in the planetary history with 150 to 200 species going extinct every day, a pace 1,000 times greater than the 'natural' extinction rate.1 The Earth has been warming rapidly since the 1970s with the 10 warmest years on record all occurring since 1998.2 The planet has already warmed by 0.85 degree Celsius since the industrial revolution 150 years ago. An increase of 2° Celsius is the limit of what the planet can take before major catastrophic consequences. Limiting global warming to 2°C requires reducing global emissions by 6% per year. However, global carbon emissions from fossil fuels increased by about 1.5 times between 1990 and 2008.3 Capitalism has also led to explosive social inequalities. The global economic landscape is littered with rising concentration of wealth, debt, distress, and immiseration caused by the austerity-pushing elites. Take the US. The richest 20 persons have as much wealth as the bottom 150 million.4 Since 1973, the hourly wages of workers have lagged behind worker productivity rates by more than 800%.5 It now takes the average family 47 years to make what a hedge fund manager makes in one hour.6 Just about a quarter of children under the age of 5 live in poverty.7 A majority of public school students are low-income.8 85% of workers feel stress on the job.9 Soon the only thing left of the American Dream will be a culture of hustling to survive. Take the global society. The world's billionaires control $7 trillion, a sum 77 times the debt owed by Greece to the European banks.10 The richest 80 possess more than the combined wealth of the bottom 50% of the global population (3.5 billion people).11 By 2016 the richest 1% will own a greater share of the global wealth than the rest of us combined.12 The top 200 global corporations wield twice the economic power of the bottom 80% of the global population.13 Instead of a global society capitalism is creating a global apartheid. What's the nature of the beast? Firstly, the "egotistical calculation" of commerce wins the day every time. Capital seeks maximum profitability as a matter of first priority. Evermore "accumulation of capital" is the system's bill of health; it is slowdowns or reversals that usher in crises and set off panic. Cancer-like hunger for endless growth is in the system's DNA and is what has set it on a tragic collision course with Nature, a finite category. Secondly, capitalism treats human labor as a cost. It therefore opposes labor capturing a fair share of the total economic value that it creates. Since labor stands for the majority and capital for a tiny minority, it follows that classism and class warfare are built into its DNA, which explains why the "middle class" is shrinking and its gains are never secure. Thirdly, private interests determine massive investments and make key decisions at the point of production guided by maximization of profits. That's why in the US the truck freight replaced the railroad freight, chemicals were used extensively in agriculture, public transport was gutted in favor of private cars, and big cars replaced small ones. What should political action aim for today? The political class has no good ideas about how to address the crises. One may even wonder whether it has a serious understanding of the system, or at least of ways to ameliorate its consequences. The range of solutions offered tends to be of a technical, legislative, or regulatory nature, promising at best temporary management of the deepening crises. The trajectory of the system, at any rate, precludes a return to its post-WWII regulatory phase. It's left to us as a society to think about what the real character of the system is, where we are going, and how we are going to deal with the trajectory of the system -- and act accordingly. The critical task ahead is to build a transformative politics capable of steering the system away from its destructive path. Given the system's DNA, such a politics from below must include efforts to challenge the system's fundamentals, namely, its private mode of decision-making about investments and about what and how to produce. Furthermore, it behooves us to heed the late environmentalist Barry Commoner's insistence on the efficacy of a strategy of prevention over a failed one of control or capture of pollutants. At a lecture in 1991, Commoner remarked: "Environmental pollution is an incurable disease; it can only be prevented"; and he proceeded to refer to "a law," namely: "if you don't put a pollutant in the environment it won't be there." What is nearly certain now is that without democratic control of wealth and social governance of the means of production, we will all be condemned to the labor of Sisyphus. Only we won't have to suffer for all eternity, as the degradation of life-enhancing natural and social systems will soon reach a point of no return**.**

#### **4] turn: unions are uniquely susceptible to right-wing populism which erodes democracy**

Gruenberg 21, Mark Gruenberg, 3-30-2021, "Worldwide, union leaders grapple with members backing right-wing ‘populists’," People's World, https://peoplesworld.org/article/worldwide-union-leaders-grapple-with-members-backing-right-wing-populists/

WASHINGTON—For years, union leaders on both sides of “The Pond”—also known as the Atlantic Ocean—have faced a problem: Right-wing ideologues’ “populist” rhetoric sways millions of their members to vote against their own interests. And then once those putative plutocrats achieve public office, they show their true colors, by enacting and enforcing repressive pro-corporate anti-worker laws. The problem is visible in the U.S., where 40% of union members and their families backed former GOP Oval Office occupant Donald Trump in 2020. But it’s not just Trump. Over the years, millions supported other right-wing Republicans such as Sens. Mitch McConnell (Ky.),  Ted Cruz (Texas), various U.S. representatives, Gov. Greg Abbott (Texas), and former Govs. Bruce Rauner (Ill.) and Scott Walker (Wis.). All of them, especially Trump and Cruz, spout populist bombast and claim to represent workers—and then enact edicts benefiting the corporate class. “Trump’s policies favored the rich and the well-connected. But four in ten union voters wanted to give him a second term” last November, said Knut Pankin, moderator of a late-March panel discussion on Right-Wing Populism As An Anti-Worker Agenda. “Why?” The dilemma exists in other democracies, too. Some unionists heeded anti-immigrant screeds from Germany’s extreme right Alternative for Deutschland, Marine LePen’s French National Rally (formerly the National Front), Norbert Hofer’s Austrian Freedom Party, Hungarian Prime Minister/strongman Viktor Orban of Fidesz, and Poland’s Law and Justice Party, panelists said. Once those blocs won power in Austria, Poland, and Hungary, or influenced elections in France, mainstream politicians followed their lead, cracking down on workers as well as targeting migrants. The pols feared they would otherwise lose more votes to the right. All those parties, including the GOP, “started as bourgeois, middle-class, shopkeeper-oriented” organizations, but have since pivoted to right-wing populism, Greven explained. “But one common denominator” is the GOP and the other right-wing parties, plus the workers they appeal to, “have a radicalized response” that “is nationalist, protectionist and nativist…to all facets of globalization,” he said. Those facets include corporate export of workers’ jobs to low-wage nations and resentment of refugees and migrants, often people of color whom white nativists in Europe and the U.S. view as a threat. “’Us versus them’ is much easier to sell to working-class constituents. Union status doesn’t inoculate people versus right-wing populism,” Greven said. While populists’ pro-worker rhetoric is “a charade,” and progressives’ answer, “tax the rich,” is not enough, he added. “There used to be good-paying union jobs that people are yearning for,” Kaptur said. They’re gone, so reindustrialization “is necessary because, without it, our people will continue to radicalize,” just like the Trumpites who staged the Jan. 6 invasion of the U.S. Capitol. The right-wing charade fools workers, including union workers in the U.S., said McDaniel, and in Europe, said Finchelstein. Ethnocentrism is part of it, said McDaniel.

#### 5] Marxists are transphobic lol

Aly E,18 [Aly E, ,"Marxism and Trans Liberation" Medium; 7-11-2018; 11-9-2021; https://alyesque.medium.com/marxism-and-trans-liberation-1066d09b7e8f]/SS

While it is clear that only the struggle for communism can lead to trans liberation, Marxists have often failed to adequately welcome and protect their trans comrades from internal reactionary forces who would attempt to continue to marginalize trans people within Marxist organizations themselves. Marxist parties have often not only failed to adequately theorize the oppression of trans people, but have embraced socially reactionary positions on trans womanhood in particular. Especially in the UK, Marxist parties have often adopted the TERF line which denounces transgender individuals as antifeminist and in opposition to the collective liberation of women. As a result of the actions of reactionary parties like Communist Party of Great Britain (ML), many trans people have been pushed away from Marxism and have turned elsewhere to find support. The DSA and other social democratic groups have a large trans support base. Various unorganized anarchists factions also have broad appeal among trans people. All of the supporters of these ideologies could be potential comrades in the struggle to establish socialist revolution and the dictatorship of the proletariat, but Marxists have failed to demonstrate support for trans comrades. When trans people see Marxists explicitly attacking them, or choosing to remain silent in the face of such attacks, the revolutionary left suffers a great loss. The task for Marxists going forward has to be twofold. First, Marxists must publicly and thoroughly denounce anti-trans sentiment as not only reactionary, but as bourgeois ideology used to ensure capitalist social relations will be maintained. This must be public and at the forefront of Marxist organizing. Second, Marxists must take seriously the task of theorizing trans oppression and laying it out in materialist terms. Marxist theorists must continue to elaborate the necessary relationship between capitalist political economy and the oppression of trans people. These two combined actions may not be sufficient to create total unity between trans individuals and Marxists more broadly, but they provide a concrete path forward for creating such unity that is currently lacking. Trans liberation cannot be achieved without communist struggle against capitalism, and such struggle cannot succeed without a unified working class ready to fight for their liberation. Reproducing social marginalization which the capitalist class uses to divide the workers and structure reserve armies of labor is counterproductive to such unity. It must be denounced as a reactionary attempt to quell communist organizing. Our liberation is tied together in ways that cannot be overlooked. Only unity can lead to collective liberation for trans people and all other workers. It’s time that trans people begin to recognize this, and that Marxists begin to do the necessary work to ensure that such unity can be achieved.

### Accessibility is a voter

#### Accessibility comes first –

#### 1] It’s a pre-req– in order for us to debate a) we have to feel safe and not exclude anyone from the discussion through justifying things like their death and b) driving people out of the space prevents any debate from happening in the future which means all other benefits can only be achieved by first maintaining accessibility of the space

#### 2] Proximity – The judge’s most proximal obligation as an educator is to ensure the safety and accessibility of the debate space which outweighs on intrinsicness to the nature of the role of the judge.

#### 3] outweighs – People don’t drop out of debate because it’s unfair or uneducational but they do drop out when the space becomes too violent or inaccessible – empirically proven by an increase in Non-T affs and participation despite people considering them to be unfair.