### 1AC --- FW

#### Capitalism is a failed and broken system that has produced a laundry list of impacts such as socioeconomic inequality, rampant disease, abject poverty and climate change

Foster ’19 (John Bellamy Foster, professor of sociology at the University of Oregon, Capitalism Has Failed – What Next?, Monthly Review, 01 February 2019, <https://monthlyreview.org/2019/02/01/capitalism-has-failed-what-next/>)-NR

Less than two decades into the twenty-first century, it is evident that capitalism has failed as a social system. The world is mired in economic stagnation, financialization, and the most extreme inequality in human history, accompanied by mass unemployment and underemployment, precariousness, poverty, hunger, wasted output and lives, and what at this point can only be called a planetary ecological “death spiral.”1 The digital revolution, the greatest technological advance of our time, has rapidly mutated from a promise of free communication and liberated production into new means of surveillance, control, and displacement of the working population. The institutions of liberal democracy are at the point of collapse, while fascism, the rear guard of the capitalist system, is again on the march, along with patriarchy, racism, imperialism, and war. To say that capitalism is a failed system is not, of course, to suggest that its breakdown and disintegration is imminent.2 It does, however, mean that it has passed from being a historically necessary and creative system at its inception to being a historically unnecessary and destructive one in the present century. Today, more than ever, the world is faced with the epochal choice between “the revolutionary reconstitution of society at large and the common ruin of the contending classes.”3 Indications of this failure of capitalism are everywhere. Stagnation of investment punctuated by bubbles of financial expansion, which then inevitably burst, now characterizes the so-called free market.4 Soaring inequality in income and wealth has its counterpart in the declining material circumstances of a majority of the population. Real wages for most workers in the United States have barely budged in forty years despite steadily rising productivity.5 Work intensity has increased, while work and safety protections on the job have been systematically jettisoned. Unemployment data has become more and more meaningless due to a new institutionalized underemployment in the form of contract labor in the gig economy.6 Unions have been reduced to mere shadows of their former glory as capitalism has asserted totalitarian control over workplaces. With the demise of Soviet-type societies, social democracy in Europe has perished in the new atmosphere of “liberated capitalism.”7 The capture of the surplus value produced by overexploited populations in the poorest regions of the world, via the global labor arbitrage instituted by multinational corporations, is leading to an unprecedented amassing of financial wealth at the center of the world economy and relative poverty in the periphery.8 Around $21 trillion of offshore funds are currently lodged in tax havens on islands mostly in the Caribbean, constituting “the fortified refuge of Big Finance.”9 Technologically driven monopolies resulting from the global-communications revolution, together with the rise to dominance of Wall Street-based financial capital geared to speculative asset creation, have further contributed to the riches of today’s “1 percent.” Forty-two billionaires now enjoy as much wealth as half the world’s population, while the three richest men in the United States—Jeff Bezos, Bill Gates, and Warren Buffett—have more wealth than half the U.S. population.10 In every region of the world, inequality has increased sharply in recent decades.11 The gap in per capita income and wealth between the richest and poorest nations, which has been the dominant trend for centuries, is rapidly widening once again.12 More than 60 percent of the world’s employed population, some two billion people, now work in the impoverished informal sector, forming a massive global proletariat. The global reserve army of labor is some 70 percent larger than the active labor army of formally employed workers.13 Adequate health care, housing, education, and clean water and air are increasingly out of reach for large sections of the population, even in wealthy countries in North America and Europe, while transportation is becoming more difficult in the United States and many other countries due to irrationally high levels of dependency on the automobile and disinvestment in public transportation. Urban structures are more and more characterized by gentrification and segregation, with cities becoming the playthings of the well-to-do while marginalized populations are shunted aside. About half a million people, most of them children, are homeless on any given night in the United States.14 New York City is experiencing a major rat infestation, attributed to warming temperatures, mirroring trends around the world.15 In the United States and other high-income countries, life expectancy is in decline, with a remarkable resurgence of Victorian illnesses related to poverty and exploitation. In Britain, gout, scarlet fever, whooping cough, and even scurvy are now resurgent, along with tuberculosis. With inadequate enforcement of work health and safety regulations, black lung disease has returned with a vengeance in U.S. coal country.16 Overuse of antibiotics, particularly by capitalist agribusiness, is leading to an antibiotic-resistance crisis, with the dangerous growth of superbugs generating increasing numbers of deaths, which by mid–century could surpass annual cancer deaths, prompting the World Health Organization to declare a “global health emergency.”17 These dire conditions, arising from the workings of the system, are consistent with what Frederick Engels, in the Condition of the Working Class in England, called “social murder.”18 At the instigation of giant corporations, philanthrocapitalist foundations, and neoliberal governments, public education has been restructured around corporate-designed testing based on the implementation of robotic common-core standards. This is generating massive databases on the student population, much of which are now being surreptitiously marketed and sold.19 The corporatization and privatization of education is feeding the progressive subordination of children’s needs to the cash nexus of the commodity market. We are thus seeing a dramatic return of Thomas Gradgrind’s and Mr. M’Choakumchild’s crass utilitarian philosophy dramatized in Charles Dickens’s Hard Times: “Facts are alone wanted in life” and “You are never to fancy.”20 Having been reduced to intellectual dungeons, many of the poorest, most racially segregated schools in the United States are mere pipelines for prisons or the military.21 More than two million people in the United States are behind bars, a higher rate of incarceration than any other country in the world, constituting a new Jim Crow. The total population in prison is nearly equal to the number of people in Houston, Texas, the fourth largest U.S. city. African Americans and Latinos make up 56 percent of those incarcerated, while constituting only about 32 percent of the U.S. population. Nearly 50 percent of American adults, and a much higher percentage among African Americans and Native Americans, have an immediate family member who has spent or is currently spending time behind bars. Both black men and Native American men in the United States are nearly three times, Hispanic men nearly two times, more likely to die of police shootings than white men.22 Racial divides are now widening across the entire planet. Violence against women and the expropriation of their unpaid labor, as well as the higher level of exploitation of their paid labor, are integral to the way in which power is organized in capitalist society—and how it seeks to divide rather than unify the population. More than a third of women worldwide have experienced physical/sexual violence. Women’s bodies, in particular, are objectified, reified, and commodified as part of the normal workings of monopoly-capitalist marketing.23 The mass media-propaganda system, part of the larger corporate matrix, is now merging into a social media-based propaganda system that is more porous and seemingly anarchic, but more universal and more than ever favoring money and power. Utilizing modern marketing and surveillance techniques, which now dominate all digital interactions, vested interests are able to tailor their messages, largely unchecked, to individuals and their social networks, creating concerns about “fake news” on all sides.24 Numerous business entities promising technological manipulation of voters in countries across the world have now surfaced, auctioning off their services to the highest bidders.25 The elimination of net neutrality in the United States means further concentration, centralization, and control over the entire Internet by monopolistic service providers. Elections are increasingly prey to unregulated “dark money” emanating from the coffers of corporations and the billionaire class. Although presenting itself as the world’s leading democracy, the United States, as Paul Baran and Paul Sweezy stated in Monopoly Capital in 1966, “is democratic in form and plutocratic in content.”26 In the Trump administration, following a long-established tradition, 72 percent of those appointed to the cabinet have come from the higher corporate echelons, while others have been drawn from the military.27 War, engineered by the United States and other major powers at the apex of the system, has become perpetual in strategic oil regions such as the Middle East, and threatens to escalate into a global thermonuclear exchange. During the Obama administration, the United States was engaged in wars/bombings in seven different countries—Afghanistan, Iraq, Syria, Libya, Yemen, Somalia, and Pakistan.28 Torture and assassinations have been reinstituted by Washington as acceptable instruments of war against those now innumerable individuals, group networks, and whole societies that are branded as terrorist. A new Cold War and nuclear arms race is in the making between the United States and Russia, while Washington is seeking to place road blocks to the continued rise of China. The Trump administration has created a new space force as a separate branch of the military in an attempt to ensure U.S. dominance in the militarization of space. Sounding the alarm on the increasing dangers of a nuclear war and of climate destabilization, the distinguished Bulletin of Atomic Scientists moved its doomsday clock in 2018 to two minutes to midnight, the closest since 1953, when it marked the advent of thermonuclear weapons.29 Increasingly severe economic sanctions are being imposed by the United States on countries like Venezuela and Nicaragua, despite their democratic elections—or because of them. Trade and currency wars are being actively promoted by core states, while racist barriers against immigration continue to be erected in Europe and the United States as some 60 million refugees and internally displaced peoples flee devastated environments. Migrant populations worldwide have risen to 250 million, with those residing in high-income countries constituting more than 14 percent of the populations of those countries, up from less than 10 percent in 2000. Meanwhile, ruling circles and wealthy countries seek to wall off islands of power and privilege from the mass of humanity, who are to be left to their fate.30 More than three-quarters of a billion people, over 10 percent of the world population, are chronically malnourished.31 Food stress in the United States keeps climbing, leading to the rapid growth of cheap dollar stores selling poor quality and toxic food. Around forty million Americans, representing one out of eight households, including nearly thirteen million children, are food insecure.32 Subsistence farmers are being pushed off their lands by agribusiness, private capital, and sovereign wealth funds in a global depeasantization process that constitutes the greatest movement of people in history.33 Urban overcrowding and poverty across much of the globe is so severe that one can now reasonably refer to a “planet of slums.”34 Meanwhile, the world housing market is estimated to be worth up to $163 trillion (as compared to the value of gold mined over all recorded history, estimated at $7.5 trillion).35 The Anthropocene epoch, first ushered in by the Great Acceleration of the world economy immediately after the Second World War, has generated enormous rifts in planetary boundaries, extending from climate change to ocean acidification, to the sixth extinction, to disruption of the global nitrogen and phosphorus cycles, to the loss of freshwater, to the disappearance of forests, to widespread toxic-chemical and radioactive pollution.36 It is now estimated that 60 percent of the world’s wildlife vertebrate population (including mammals, reptiles, amphibians, birds, and fish) have been wiped out since 1970, while the worldwide abundance of invertebrates has declined by 45 percent in recent decades.37 What climatologist James Hansen calls the “species exterminations” resulting from accelerating climate change and rapidly shifting climate zones are only compounding this general process of biodiversity loss. Biologists expect that half of all species will be facing extinction by the end of the century.38If present climate-change trends continue, the “global carbon budget” associated with a 2°C increase in average global temperature will be broken in sixteen years (while a 1.5°C increase in global average temperature—staying beneath which is the key to long-term stabilization of the climate—will be reached in a decade). Earth System scientists warn that the world is now perilously close to a Hothouse Earth, in which catastrophic climate change will be locked in and irreversible.39 The ecological, social, and economic costs to humanity of continuing to increase carbon emissions by 2.0 percent a year as in recent decades (rising in 2018 by 2.7 percent—3.4 percent in the United States), and failing to meet the minimal 3.0 percent annual reductions in emissions currently needed to avoid a catastrophic destabilization of the earth’s energy balance, are simply incalculable.40 Nevertheless, major energy corporations continue to lie about climate change, promoting and bankrolling climate denialism—while admitting the truth in their internal documents. These corporations are working to accelerate the extraction and production of fossil fuels, including the dirtiest, most greenhouse gas-generating varieties, reaping enormous profits in the process. The melting of the Arctic ice from global warming is seen by capital as a new El Dorado, opening up massive additional oil and gas reserves to be exploited without regard to the consequences for the earth’s climate. In response to scientific reports on climate change, Exxon Mobil declared that it intends to extract and sell all of the fossil-fuel reserves at its disposal.41 Energy corporations continue to intervene in climate negotiations to ensure that any agreements to limit carbon emissions are defanged. Capitalist countries across the board are putting the accumulation of wealth for a few above combatting climate destabilization, threatening the very future of humanity. Capitalism is best understood as a competitive class-based mode of production and exchange geared to the accumulation of capital through the exploitation of workers’ labor power and the private appropriation of surplus value (value generated beyond the costs of the workers’ own reproduction). The mode of economic accounting intrinsic to capitalism designates as a value-generating good or service anything that passes through the market and therefore produces income. It follows that the greater part of the social and environmental costs of production outside the market are excluded in this form of valuation and are treated as mere negative “externalities,” unrelated to the capitalist economy itself—whether in terms of the shortening and degradation of human life or the destruction of the natural environment. As environmental economist K. William Kapp stated, “capitalism must be regarded as an economy of unpaid costs.”42 We have now reached a point in the twenty-first century in which the externalities of this irrational system, such as the costs of war, the depletion of natural resources, the waste of human lives, and the disruption of the planetary environment, now far exceed any future economic benefits that capitalism offers to society as a whole. The accumulation of capital and the amassing of wealth are increasingly occurring at the expense of an irrevocable rift in the social and environmental conditions governing human life on earth.43

#### [1] There is a dichotomy between those who own capital and those who work for capital

#### [2] Commodities have 2 types of value --- Use value, which is what human want or need a commodity fills, and exchange value, what we agree a commodity can be exchanged for in relation to another object.

#### [3] The process of labor is an asymmetrical relationship between the capitalist, those who own capital, and the workers, those who work under the capitalist.

#### This is because the process of labor adds surplus value to an object ie a pile of wood is worth less than a chair because of the labor that goes into making a chair. This surplus value gets pocketed by the capitalist and the bare minimum is provided too the workers --- this is due to the profit incentive inherent to capitalism.

#### [4] This asymmetrical dichotomy justifies the dehumanization of workers --- workers are reduced to numbers with poor wages, conditions, and simply become cogs in the machines --- this process of alienation inherently denies humanity to the workers --- this is intrinsically bad as it justifies racism, and oppression towards those that are considerd less productive --- that’s an independent reason to prefer.

#### Thus, the standard is resisting the domination of labor ---

#### Prefer additionally ---

#### A Marxist Analysis of labor is the only way to generate new ideas to escape the military-industrial-academic-cultural complex, and shift pedagogies of debate towards revolutionary ends and challenge global neo-liberalism

Giroux 14—(Henry A. Giroux, Chair for Scholarship in the Public Interest​, The Paulo Freire Distinguished Scholar in Critical Pedagogy, April 15, 2014, "Neoliberalism and the machinery of disposability," Philosophers for Change, https://philosophersforchange.org/2014/04/15/neoliberalism-and-the-machinery-of-disposability/, 6-28-2019)//don

Such movements are not simply about reclaiming space but also about producing new ideas, generating new conversations, and introducing a new political language. While there has been considerable coverage in the progressive media since 2001 given to the violence being waged against the movement protesters in Brazil, the United States, Greece and elsewhere, it is important to situate such violence within a broader set of categories that enables a critical understanding of not only the underlying social, economic and political forces at work in such assaults, but also makes it possible to reflect critically on the distinctiveness of the current historical period in which they are taking place. For example, it is difficult to address such state-sponsored violence against young people without analyzing the devolution of the social state, emergence of a politics of disposability, and the corresponding rise of the warfare and punishing state. The merging of the military-industrial-academic-cultural complex and unbridled corporate power points to the need for strategies that address what is specific about the current warfare state and the neoliberal project and how different interests, modes of power, social relations, public pedagogies, and economic configurations come together to shape its politics of domestic terrorism, cruelty, and zones of disposability. Such a conjuncture is invaluable politically in that it provides a theoretical opening for making the practices of the neoliberal revolution visible to organize resistance to its ideologies, policies and modes of governance. It also points to the conceptual power of making clear that history remains an open horizon that cannot be dismissed through appeals to the end of history or end of ideology.[20] It is precisely through the indeterminate nature of history that resistance becomes possible and politics refuses any guarantees and remains open. A number of neoliberal societies, including the United States, have become addicted to violence. War provides jobs, profits, political payoffs, research funds, and forms of political and economic power that reach into every aspect of society. As war becomes a mode of sovereignty and rule, it erodes the distinction between war and peace. Increasingly fed by a moral and political frenzy, warlike values produce and endorse shared fears as the primary register of social relations. Shared fears and the media-induced panics that feed them produce more than a culture of fear. Such hysteria also feeds the growing militarization of the police, who increasingly use their high-tech scanners, surveillance cameras and toxic chemicals on anyone who engages in peaceful protests against the warfare and corporate state. Images abound in the mainstream media of such abuses. As a mode of public pedagogy, a state of permanent war needs willing subjects to abide by its values, ideology and narratives of fear and violence. Such legitimation is largely provided through a market-driven culture addicted to production of consumerism, militarism, and organized violence, largely circulated through various registers of popular culture that extend from high fashion and Hollywood movies to the creation of violent video games and music concerts sponsored by the Pentagon. The market-driven spectacle of war demands a culture of conformity, quiet intellectuals and a largely passive republic of consumers. But it also needs subjects who find intense pleasure in the spectacle of violence.

### 1AC --- Contention

#### Thus, I affirm that a just government ought to recognize an unconditional right for workers to strike

#### Strikes are a crucial method of resisting structual and personal domination within the workplace --- they give the workers the key tools to flip the script of the bosses arbitrary authority

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For these reasons, it is time to think anew about the strike as a distinct form of collective action. The reissue of old classics, like Jeremy Brecher’s labor history Strike!, and the appearance of new reflections, like labor lawyer Joe Burns’ Reviving the Strike or journalist Micah Uetricht’s Strike for America, are signs of renewed interest. But a small group of disparate examples is not a concentrated mass, and none of these pieces are part of political science. It is a strange fact about the right to strike that over the past fifty years English-speaking political philosophers have published only one book-length study and a handful of articles on this subject,12 while neighboring political phenomena—civil disobedience, right of revolution, se- cession, civil war, social movements—attract vastly more attention. Further, despite ample discussion of the problem of inequality across all fields and subfields, there is relatively little discussion of labor rights. This is especially true among political philosophers, who, with those few aforementioned exceptions, have had much more to say about welfare rights and ideal distributions than about labor rights, especially the right to strike. Though the history of political thought offers many figures who thought about the strike either in systematic or piecemeal ways, the ideas of John Stuart Mill and Karl Marx, L.T. Hobhouse and Rosa Luxemburg, Georges Sorel and Big Bill Haywood seem to have had more influence on union organizers and social theorists, labor lawyers and intellectual historians, than current political philosophers.13¶ My basic thought is that the right to strike is a right of human freedom claimed against the social domination that the typical modern worker experiences. Ordinarily, the right to strike is thought to be an economic right whose purpose is to maintain a certain kind of bargaining relationship among self-interested economic actors. How- ever, it is better understood as a political right that individuals claim against an unjust system of law and property in the name of justice and emancipation. It is a political right even when most strikes do not have explicitly political ends. Put another way, one reason strikes are political is the way they threaten the normal distinction between politics and economics itself. They do so by challenging the idea that the logic of commodity exchange and private contracts should govern labor relations. The best justification of the right to strike lies in the way strikers claim their liberty not just as abstract persons but as socially situated agents, who find themselves in the historically specific relationships of domination associated with the labor market. It is this connection to resisting domination that makes the right to strike political.¶ My central purpose is to develop an argument for the right to strike and in so doing to show how recent developments in political philosophy around concepts like domination and freedom can enrich our thinking about labor rights.14 While basically a normative argument, this is not an argument from what is sometimes called ideal theory. The procedure here is not to imagine the best regime and derive the right to strike from features of that regime—quite the opposite. It would, in fact, be hard to understand just why the strike protects a fundamental interest in non-domination if we began from perfectly just conditions. As we shall see, we can only make sense of the right to strike—of the interests it protects, of its scope, of the role it plays in our moral reasoning—against the background of injustice. Those unjust conditions of domination explain the right to strike. I make no general claims about the superiority of non-ideal versus ideal theory. Rather, my argument here is narrower: to explain and justify the right to strike, we must begin with the significantly unjust conditions of the typical labor market.¶ The normative argument here connects to wider research programs on the politics of inequality and, in particular, to how we think about collective responses to economic injustice. While this article does not engage in the comparison, it certainly invites research into comparative labor regimes, especially comparisons among regimes where there is more robust strike activity compared with regimes that incorporate labor demands in other ways. More broadly, I introduce a distinctive kind of question we might ask when comparing political economies. The most familiar comparative questions ask who gets what and why or how do these institutions work compared to those. Since the right to strike is a right of actors who suffer injustice to attempt to remediate that injustice, sometimes by infringing the rights of others, it is one of those rights that touches on that other classic political question: ‘Who can do what to whom? Although I answer that question in a more analytic and normative vein, it is also an urgent empirical concern.¶ My argument proceeds in five parts. I start by trying to answer a deceptively simple question—what is a right to strike?—and show that any answer raises some significant moral and conceptual puzzles. In the second section, I use current American labor law to show that these puzzles are not abstract questions but reach deep into law and policy. In the third, fourth, and fifth sections, I show how the right to strike can be understood as a way of resisting the forms of structural and personal domination that are associated with the modern labor markets.

#### Specifically, the Right to Strike is what rejects the proposition of labor is a commodity that can be bought and sold --- that upends the conditions that justifies the exploitation of labor now

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The Commodification of Labor 2: Contracts and Workplace Government¶ Strikes are ways of resisting structural domination at its most immediate, concrete point—the job. But that is only one aspect of the unfreedom that produces strikes. The other arises from personal domination in the workplace itself. Most modern work is a continuous, coordinated activity of workers in a workplace. This coordination is only possible through a system of authoritative decisions and standards that cover the complex, ongoing, ever- changing set of workplace activities. Here we meet the second way in which a contract-based social theory is not up to the task of giving an adequate account of the actual relationships in which workers find themselves. Though there are attempts to explain and justify the arbitrary authority that employers possess by reference to the labor contract, these fail, leaving an analytic and moral void. The view of the workplace as a product of private contracts makes it difficult even to grasp the political structure of the workplace itself, let alone understand the range of issues against which workers might strike when resisting an employer’s arbitrary authority.62¶ A workplace is a site of personal domination because workers are subject to the arbitrary authority of bosses. The bosses’ authority is arbitrary because it is not sufficiently controlled by workers. The ruling legal and social assumption is that decisions about how to run the workplace are up to employers and their managers. Workers are expected simply to obey. In American law, this is enshrined as the “core of entrepreneurial control” regarding hiring and firing, work schedules, design of tasks, introduction of new technology and the like—and they extend to prerogatives of capital regarding purchase of goods, plant location, and other investment-related decisions.63 A general set of often poorly-enforced labor laws establish specific reservations against what an employer may order workers to do or require them to accept. But the very fact that these are specific reservations only reinforces the fact that the assumption is one of dependence on the arbitrary will of managers and owners. For examples, consider the fact that in many states employers have been within their rights when firing workers for comments they made on Facebook, for their sexual orientation, for being too sexually appealing, or for not being appealing enough.64 Workers face being given more tasks than can be performed in the allotted time, being locked in the workplace overnight, being forced to work in extreme heat or physically hazardous but not illegal conditions, or being arbitrarily isolated from the rest of one’s coworkers.65 Some workers are forced to wear diapers rather than go to the bathroom, are refused lunch breaks or pressured to work through them, are forced to keep working after their shift is up, are denied the right to read or turn on air conditioning during break, or are forced to take random drug tests and to perform other humiliating or irrelevant actions.66 Notably, in these cases and in many others, the law protects the employer’s right to make these decisions without consul- ting workers and to fire them if they refuse.¶ The bitterness of this experience of subjection is old and used to carry the complaint of “wages-slavery.” As an American labor agitator once wrote in 1886,¶ liberty consists in being able to satisfy all one’s wants, to develop all one’s faculties, without in any way depending upon the caprice of one’s fellow-beings, which is impossible if man cannot produce upon his own responsibility. So long as the workman works for a boss, a master, he is not free. “You must obey,” the master will say, “for since I assume the responsibility of the undertaking, I alone have the right to its direction.”67¶ The point of greatest interest to us here is that the employer’s claim to exercise this authority is intimately bound up with the commodification of labor-power and the free exercise of property rights. As the quotation above suggests, the employer’s authority is supposed to derive from the way in which he “assumes the responsibility of the undertaking. ”He is the agent, putting his idea and money on the line, taking all the risk. The worker, on the other hand, already received her reward. She has sold her commodity—her labor-power—to the employer, who pays her a wage in exchange for rights to that commodity. To have a property-right in something is to have some kind of exclusive authority over it; therefore, the boss should not have to consult with the worker about how to use the labor-power he bought. However, as labor reformers have long observed, the special thing about the sale of labor is that “labor is inseparably bound up with the laborer.”68 A labor contract “assumes that labor shall not be a party to the sale of itself beyond rejecting or accepting the terms offered. This purchase of labor gives control over the laborer-his physical intellectual, social and moral existence. The conditions of the contract determine the degree of this rulership.”69 In other words, there is no way for the boss to enjoy his property right in the purchased labor-power without also exercising that arbitrary power over the person of the laborer. But this is just the kind of power that the exchange of property is not supposed to give over the seller of property since the seller’s will is supposed to be separable from the commodity. The employer’s arbitrary authority is derived from the view that the worker has sold his property, his labor-power, but that same theory of property seems to deny that such arbitrary control may be claimed when the seller cannot withdraw his will from the property.¶ There are a few ways that a contract-based social theory might respond to this challenge, but we shall focus here on the most important:70 the incompleteness of contracts. It is a well known fact that all contracts are incomplete.71 But in the case of the workplace, this incompleteness is intensified and magnified by the fact that the contract is to take part in a dynamic, continuous activity with other people. No matter what a worker has agreed to at the point of the contract, it is impossible for a contract to specify all of the eventualities that arise in the complex, ongoing process of running a workplace. Something else has to explain who exercises control over all these unanticipated matters. This means that no matter how freely made a contract is, we cannot say that the authority to which a worker is subject is justified by that free consent. At most, the radical incompleteness of labor contracts is what allows the many aspects of law and cultural assumption to fill the void. For instance, this where that “core of entrepreneurial control” over issues like hiring, firing, investment, and work organization plays a major role.72 Strikers may not strike to contest these decisions and employers may not be forced to bargain about them. They need not give any account of why such production decisions have been made, even if they have dramatic consequences for employees—like producing plant closures or changing the organization and definition of tasks. Courts have defended this managerial control and the narrowing of the right to strike by importing older, status-based ideas about contract and property to fill the void of incompleteness. Only by (often semi-articulated) reference to quasi-feudal master-servant law have they been able to fill out the authority that the contract leaves open. Courts have argued that worker deference to managers of a “common enterprise” is implied in the contract or by arguing that employers enjoy uninfringeable property rights in the worker’s labor or wider enterprise.73 In other words, courts themselves have acknowledged the incompleteness and thus indeterminacy of the contract with respect to the organization of work, but generally resolved this authority in favor of employers by appeal to something outside the contract itself. So the point about structural domination was that workers might be forced to make a variety of explicit concessions on any number of issues—wages, hours, conditions, stultifying jobs. But the point about personal domination in the workplace is that the contract also seems to involve the tacit concession of generic control over a further set of unknown issues. The problem from the standpoint of contract theory is that the contract itself cannot adequately explain why this power is assumed to devolve to the employer nor why law should support this assumption. At most, we can only say that the worker agreed to give up this control, not that she in any way agreed to the various decisions about her work. Usually, however, we do not think a human being has a right to such blanket alienation of her liberty. In the case of work, the only reason supporting that worker’s alienation of control as authoritative seems to be that the worker sold her property—her labor-power—and therefore has no right to control that property for the duration of the work (within the reasonable boundaries of protective labor legislation) or that she owes obligations of deference to the employer.¶ As we have seen, workers resist these accounts on the grounds that their capacity to labor is not a commodity at all. Or at least, labor-power cannot operate as a commodity in this case because a crucial feature of the sale of property —separability of the seller’s will from the commodity sold —is impossible. Therefore whatever the status the labor contract has, the authority relations of the workplace itself cannot legitimately be derived from the contract—at least not from the contract conceived as a sale of property. Workers nevertheless find themselves in a world in which employers do legally possess this arbitrary authority. The strike is, again, one way of challenging this authority by attacking the idea that, since they appear like sellers of their capacity to labor, workers may be treated as subordinates. The strike is a way of pressing the claim that workers, too, should exercise control rather than submit passively to managerial prerogatives. There are many historical examples of resistance to this kind of personal domination, such as “control strikes,” strikes over the introduction of new technology, and even strikes over seemingly lesser issues like “abolition of the luncheon privilege.”74 The general point being that strikes that target decisions usually falling under the domain of “core of entrepreneurial control” are not just about instrumental considerations regarding compensation and conditions but about resisting the very logic of contract and property that supports the manager’s authority in the first place.75 It is worth noting the way in which the two kinds of domination are intertwined. Resistance to managerial discretion is not just about objecting to arbitrary power as a matter of principle, nor just about challenging a particularly nasty manager. Rather, the point is that, in a modern capitalist economy, the manager’s authority is tied to the problem of exploitation itself. Structurally- dominated workers are not just threatened with exploitation at the moment of contract but in the workplace. The core interest of the employer is in extracting as much labor as possible, which is why employers, regardless of whether they are benevolent or cruel, tend to seek unchallenged authority over the work process. Seemingly petty actions, like denying bathroom breaks or imposing dangerous work speeds, are not, on this account, isolated instances of abuse, but rather moments when the structural imperatives of maximizing profits translate into the exercise of managerial authority and organization of work. Uncontested managerial authority is of concern to workers not just because those who have power tend to abuse it, but because this power is directed to a systematic purpose: it is used to exploit workers. These prerogatives are, in effect, a way of unilaterally altering the terms of employment. Threatening to introduce new technology, speed up work, relocate plants, or reduce and redistribute tasks is typically part of an interconnected process in which structural and personal elements of domination fold into each other to guarantee maximum effort for minimum compensation. That is why confining strikes narrowly to issues regarding wages, hours, and conditions is so problematic. Such limitations rely on analytically groundless or morally dubious attempts to derive entrepreneurial authority from the contract, and they fail to understand why managerial prerogatives with respect to hiring, firing, investment, and organization are just as significant to the basic interests of the worker as bread-and-butter issues like wages and hours.76¶ The worker’s interest in not being subject to continuously arbitrary authority is expansive. The question of compensation cannot be separated from the organization and control over work. Nor can the expansiveness of this interest be reduced to the fact that workers cannot fairly bargain for basic terms if they cannot also contest the wider range of managerial prerogatives. All members of a democratic society have an independent interest in self-rule. They have that latter interest whenever they find themselves in the kind of ongoing, formally coordinated, rule-bound relationships that are backed by coercive law. This is just what a government is.77 Absent an actually democratic workplace, the right to strike remains a central way for workers to resist these arbitrary forms of authority. Strikes are in many ways superior to protective legislation, labor arbitration, and the courts because those formal processes are slow and can cover only a limited number of issues. Strikes are more immediate, powerful, and reliable ways for workers to contest the employer’s otherwise arbitrary power. In the process of challenging that form of authority they challenge the very idea that they should be seen as mere sellers of their labor- power, with no further interests in liberty. They reject the notion that in making a labor contract they have alienated rights of control over their minds and bodies.

### 1AC --- Generic

#### [1] 1AR theory is legit Drop the debater, competing interps, no RVIs and the highest layer of the round --- 4-6-3-time skew means 2nr gets to dump on 1ar mistakes which makes it impossible for the aff to win otherwise --- 6min 2nr means no RVIs bc ill never win a 6 min dump on 1AR shells.

#### [2] 1NC theory is reasonability and I get the RVI

#### A] Infinite abuse --- the neg can read cheap shells with no counter interp ground where my only recourse is reasonability

#### B] Time skew --- 4 min 1ar justifies the RVI --- they’ll say they can use theory to check abuse --- double bind either they think there was actually abuse where they would go for theory no matter what because it’s a true argument, or they are only reading it as a time skew which justifies the RVI