

A Democratic Right to Political Strikes

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Arguing for a Right to Political Strikes

The basic plan:

- making a *prima facie* argument for a right to a political strike from a realist democratic perspective.

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- making a *prima facie* argument for a right to a political strike from a realist democratic perspective.
- provide some considerations towards an all-things-considered policy proposal.

Realist Democracy

- democracy is an imperfect system

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- general lack of influence for ordinary citizens

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- elite capture: winners keep winning

Realist Democracy II



Realist Democracy III

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- policy generally is only weakly responsive to public opinion
- rich people wield disproportionate influence
- people don't vote based on their interests but based on social identity

Realist Democracy IV

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- not more participation!

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- not more participation!
- not less formal rules!

Realist Democracy IV

- Solutions?
- not more participation!
- not less formal rules!
- better ways for regular people to exercise influence

Machiavelli and the Arming of the Plebeians

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- in Machiavelli already
- one strategy he favours for controlling the elites: arming the plebeians
- gives them the power to withdraw from the city

Machiavelli and the Arming of the Plebeians II



The Contemporary Analogue



Figure 2: The 2017 General Strike in Catalunya

The Contemporary Analogue

- collective refusal to work

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- collective refusal to work
- with political demands

The Contemporary Analogue

- collective refusal to work
- with political demands
- in a direct conflict with the state, not the employers

A Right to a Political Strike

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 - makes politicians unpopular

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- that exercises pressure on politicians
 - capitalists won't like it
 - makes politicians unpopular
 - limits politicians' options

Current Situation: Philosophy

- some derive a right to strike from freedom of association

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- some derive a right to strike from freedom of association
- some from equality of bargaining powers
- some from basic facts about worker oppression
- ... but no one from democracy as such!

Too Antagonistic?



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Figure 4: Cooperative ants

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- but be realistic about the point of comparison

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 - its efficiency

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- we should aim for sophisticated judgements on which strategy is preferable
- case-sensitive!

Specifics of the Right to Strike

- reminder: goal is a defensive mechanism for regular citizens to combat elite rule

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- but we need limits

Specifics of the Right to Strike

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- but we need limits
- to prevent abuse and protect productivity

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- NL is one of the exceptions, with Italy, Spain etc.
- often via an expansive interpretation of what counts as a labour-related issue

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- proportional to the threat in question
 - prevents abuse or excessive escalation
- but how to ensure this?

Limiting the Right to a Political Strike ex ante

- formalizing the procedure

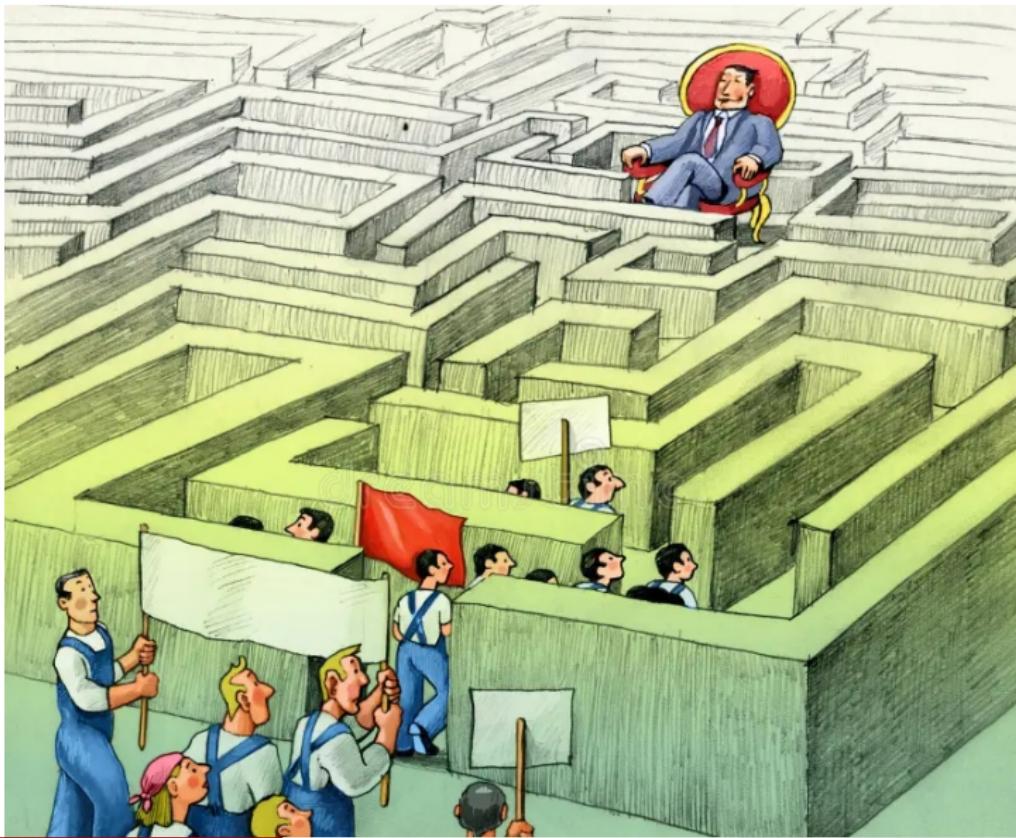
Limiting the Right to a Political Strike *ex ante*

- formalizing the procedure
- incorporating it into a complaint framework

Limiting the Right to a Political Strike ex ante

- formalizing the procedure
- incorporating it into a complaint framework
- defining steps of escalation

Limiting the Right to a Political Strike *ex ante*?



Limiting the Right to a Political Strike *ex ante*

- makes strikes less accessible!

Limiting the Right to a Political Strike ex ante

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- and accessibility is a high priority

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Limiting the Right to a Political Strike ex ante

- makes strikes less accessible!
- and accessibility is a high priority
- the opponent are highly organized groups
- who are likely better able to use these bureaucratic channels

Limiting the Right to a Political Strike ex post



Figure 6: A judge stopping a strike

Limiting the Right to a Political Strike ex post?



Figure 7: Clarence Thomas

Limiting the Right to a Political Strike?

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- depending on:
 - how organized labour is
 - how big the efficiency threat is

Distributing Burdens I

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Distributing Burdens I

- a final issue
- the wrong people seem to bear the costs of resistance in this instance
- employers are harmed by the political strike
- but they are not the addressees of the demands
- even in the case of a perfectly legitimate strike
- isn't this unjustifiable?

Distributing Burdens II

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- because they benefit from democracy
- and they can take it
- again: what would be the alternative?

Distributing Burdens III

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 - some rights to reimbursement for small/badly off enterprises
 - limiting strikes to business corporations

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- but difficult to properly regulate
- a fair distribution of the costs of democracy

The end

Thank you for your attention.