# Round 3—Aff vs Wake BS

## 1AC

### 1ac—story

Before the law is a gatekeeper. To this gatekeeper comes a man from the country who asks to gain entry into the law. But the gatekeeper says that he cannot grant him entry at the moment. The man thinks about it and then asks if he will be allowed to come in later on. “It is possible,” says the gatekeeper, “but not now.” At the moment the gate to the law iss open, as always, and the gatekeeper walks to the side, so the man bends over in order to see through the gate into the inside. When the gatekeeper notices that, he laughs and says: “If it tempts you so much, try it in spite of my prohibition. But take note: I am powerful. And I am only the most lowly gatekeeper. But from room to room are gatekeepers, each more powerful than the other. I can’t endure even one glimpse of the third.” The man from the country has not expected such difficulties: the law should always be accessible for everyone, he thinks, but as he now looks more closely at the gatekeeper in his fur coat, at his large pointed nose and his long, thin, black Tartar’s beard, he decides that it would be better to wait until he gets permission to go inside. The gatekeeper gives him a stool and allows him to sit down at the side in front of the gate. There he sits for days and years. He makes many attempts to be let in, and he wears the gatekeeper out with his requests. The gatekeeper often interrogates him briefly, questioning him about his homeland and many other things, but they are indifferent questions, the kind great men put, and at the end he always tells him once more that he cannot let him inside yet. The man, who has equipped himself with many things for his journey, spends everything, no matter how valuable, to win over the gatekeeper. The latter takes it all but, as he does so, says, “I am taking this only so that you do not think you have failed to do anything.” During the many years the man observes the gatekeeper almost continuously. He forgets the other gatekeepers, and this one seems to him the only obstacle for entry into the law. He curses the unlucky circumstance, in the first years thoughtlessly and out loud, later, as he grows old, he still mumbles to himself. He becomes childish and, since in the long years studying the gatekeeper he has come to know the fleas in his fur collar, he even asks the fleas to help him persuade the gatekeeper. Finally his eyesight grows weak, and he does not know whether things are really darker around him or whether his eyes are merely deceiving him. But he recognizes now in the darkness an illumination which breaks inextinguishably out of the gateway to the law. Now he no longer has much time to live. Before his death he gathers in his head all his experiences of the entire time up into one question which he has not yet put to the gatekeeper. He waves to him, since he can no longer lift up his stiffening body.

The gatekeeper has to bend way down to him, for the great difference has changed things to the disadvantage of the man. “What do you still want to know, then?” asks the gatekeeper. “You are insatiable.” “Everyone strives after the law,” says the man, “so how is that in these many years no one except me has requested entry?” The gatekeeper sees that the man is already dying and, in order to reach his diminishing sense of hearing, he shouts at him, “Here no one else can gain entry, since this entrance was assigned only to you. I’m going now to close it.

Franz Kafka, the parable “Before the Law,” http://www.kafka-online.info/before-the-law-page2.html

### 1ac—advantage

#### “Before the Law” is Franz Kafka’s profound RUPTURE with the transcendent ordering of the law, which sees the law as *existing* but always *out there*, in the hands only of the gate keepers, who validate the existence of the objective Law via the act of punishment, an endless feedback loop of representations on top of representations of the law, ultimately concealing that there is just no *there* there.

#### The law is an assemblage, a social machine, whose component parts constitute *only* our belief in the transcendent signifier of the Law.

#### We affirm the potentiality of minor literature to put the law, language, and reality themselves to flight: Kafka writes *escape routes* that use representations of the law themselves to dismantle the assemblage of the law, to focus in on such small parts of the so-called law that the assumed existence of such a system is called into question.

Deleuze and Guattari 86. Gilles Deleuze and Felix Guattari, *Kafka: Toward a Minor Literature*, “Immanence and Desire,” pg. 43-52

Negative theology (or the theology of absence), the transcendence of the law, the a prioriness of guilt are the dominant themes of so much Kafka interpreta- tion. The famous passages in The Trial (as well as in "The Penal Colony" and "The Great Wall of China") present the law as a pure and empty form without content, the object of which remains unknowable: thus, the law can be expressed only through a sentence, and the sentence can be learned only through a punishment. No one knows the law's interior. No one knows what the law is in the Colony; and the needles of the machine write the sentence on the body of the condemned, who doesn't know the law, at the same time as they inflict their tor- ture upon him. "He will learn [the sentence] on his body." In "The Great Wall of China": "[I]t is an extremely painful thing to be ruled by laws that one does not know. . . . [T]he essence of a secret code is that it should remain a mys- tery." Kant constructed a rational theory of the law's reversal from a Greek con- ception to the Judeo-Christian one. The law no longer depends on a preexistent Good that would give it a materiality; it is a pure form on which the good such as it is depends. The good is that which the law expresses when it expresses it- self. One might say that Kafka situates himself as part of this reversal. But the humor that he puts into it shows an entirely different intention. For him, it is less a question of presenting this image of a transcendental and unknowable law than of dissecting the mechanism of an entirely different sort of machine, which needs this image of the law only to align its gears and make them function to- gether with "a perfect synchronicity" (as soon as this image-photo disappears, the pieces of the machine disperse as in "The Penal Colony"). The Trial must be considered a scientific investigation, a report of the experiments on the functioning of a machine in which the law runs the strong risk of playing no more than the role of exterior armature. That's why the texts in The Trial should be used only with great care. The primary problem has involved misjudging the relative importance of these texts and making unwarranted assumptions about their placement in the novel, as is expecially evident in the ways that Max Brod arranged things to support his thesis of negative theology.

Two chapters are of particular concern: the brief final chapter, about K's execution, and the preceding chapter, "In the Cathedral," in which the priest represents the discourse of the law. Nothing tells us that the final chapter was written at the end of The Trial; it might have been written when Kafka had just begun to revise and was still under the influence of his breakup with Felice. It is a premature, delayed, aborted ending. One can't fix the place where Kafka would have put it. It might well be a dream that could fit anywhere in the course of the novel. Indeed, Kafka published, by itself and under the title "A Dream," another fragment originally envisioned for The Trial. Max Brod is thus better inspired when he notes the degree to which The Trial is an interminable novel, necessarily indefinite: "But as the trial, according to the author's own statement made by word of mouth, was never to get as far as the highest Court, in a certain sense the novel could never be terminated—that is to say, it could be prolonged into infinity" (postface toTrans. Willa and Edwin Muir. [New York: Alfred A. Knopf, 1956], 334). The idea of ending with K's execution is con- tradicted by the whole direction of the novel and by the quality of "unlimited postponement" that regulates The Trial. The imposition of K's execution as the final chapter seems to have an equivalent in the history of literature—the place- ment of the famous description of the plague at the end of Lucretius's book. In both cases, it is a question of showing that at the last moment, an epicurian can do no more than submit to agony, or that a Prague Jew can only assume the guilt that is operating within him. As for the other chapter, "In the Cathedral," the place of honor given to it, as though it indicated some sort of key to the novel, as though it constituted proof of the book's religious character, is also well con- tradicted by its own content. The story about the gatekeeper of the law remains highly ambiguous, and K learns that the priest who tells this story is a member of the judiciary apparatus, chaplain for the prisons, one element in a whole series of other elements, and that he has no privilege, since the series has no need to stop with him. We agree with Uyttersprot's proposal to remove this chapter and put it before that entitled "The Lawyer, the Industrialist, and the Painter."1

From the point of view of a supposed transcendence of the law, there must be a certain necessary connection of the law with guilt, with the unknowable, with the sentence or the utterance. Guilt must in fact be the a priori that corresponds to transcendence, for each person or for everyone, guilty or innocent. Having no object and being only pure form, the law cannot be a domain of knowledge but is exclusively the domain of an absolute practical necessity: the priest in the cathedral explains that "it is not necessary to accept everything as true, one must only accept it as necessary." Finally, because it has no object of knowledge, the law is operative only in being stated and is stated only in the act of punishment: a statement directly inscribed on the real, on the body and the flesh; a practical statement opposed to any sort of speculative proposition. All these themes are well presented in The Trial. But it is precisely these themes that will be the object of a dismantling (demontage), and even of a demolition, throughout Kafka's long experimentation. The first aspect of this dismantling consists in "eliminating any idea of guilt from the start," this being part of the accusation itself: culpability is never anything but the superficial movement whereby judges and even lawyers confine you in order to prevent you from en- gaging in a real movement—that is, from taking care of your own affairs.2 Sec- ond, K will realize that even if the law remains unrecognizable, this is not because it is hidden by its transcendence, but simply because it is always denuded of any interiority: it is always in the office next door, or behind the door, on to infinity (we can already see this quite well in the first chapter of The Trial where everything happens in the "room next door"). Finally, it is not the law that is stated because of the demands of a hidden transcendence; it is almost the exact opposite: it is the statement, the enunciation, that constructs the law in the name of an immanent power of the one who enounces it—the law is confused with that which the guardian utters, and the writings precede the law, rather than being the necessary and derived expression of it.

The three worst themes in many interpretations of Kafka are the transcen- dence of the law, the interiority of guilt, the subjectivity of enunciation. They are connected to all the stupidities that have been written about allegory, meta- phor, and symbolism in Kafka. And also, the idea of the tragic, of the internal drama, of the intimate tribunal, and so on. No doubt, Kafka holds out the bait. He holds it out even, and especially, to Oedipus; not from complacency but be- cause he wants to make a very special use of Oedipus to serve his diabolical proj- ect. It is absolutely useless to look for a theme in a writer if one hasn't asked exactly what its importance is in the work-that is, how it functions (and not what its "sense" is). Law, guilt, interiority—Kafka has a great need for them as the superficial movement of his work. Superficial movement doesn't mean a mask underneath which something else would be hidden. The superficial movement indicates points of undoing, of dismantling, that must guide the experimentation to show the molecular movements and the machinic assemblages of which the superficial movement is a global result. We could say that law, guilt, interi- ority are everywhere. But all that is necessary is to consider a specific piece of the writing machine-for example, the three pricipal gears—letters, stories, novels —in order to see that these themes are really nowhere present and don't function at all. Each of these gears certainly has a primary affective tonality. But, in the letters, it is fear, not guilt: fear of the trap that is closing in on it, fear of a return of flux, the vampire's fear of being surprised in full daylight by the sun, by religion, by garlic, and by the stake through the heart (Kafka is greatly afraid, in his letters, of people and what can happen because of them; this is quite different from guilt or humiliation). And in the stories about a becoming-animal, it is escape that has an affective tonality apart from any con- nection to guilt and also distinct from fear; the becoming-animal lives a life of escape more than one of fear (the animal in "The Burrow" isn't really afraid, and the jackals aren't afraid—they liverather in a sort of "lunatic hope"; the musical dogs "that could dare achieve such thing had no need to fear such things"). In the novels, finally, it is strange to see the degree to which K doesn't feel any guilt and doesn't feel fear and doesn't flee; he is completely audacious and he offers a new tonality that is very strange, a sense of dismantling that is simultaneously that of a judge and that of an engineer, a veritable feeling, a Gemut. Fear, flight, dismantling—we should think of them as three passions, three in- tensities, correponding to the diabolical pact, to the becoming-animal, to the machinic and collective assemblages.

So, should we support realist and social interpretations of Kafka? Certainly, since they are infinitely closer to noninterpretation. And it is much more worthwhile to talk about the problems of minor literature, about the situation of a Jew in Prague, about America, about bureaucracies and about great trials, than to talk about an absent God. One could object that Kafka's America is unreal, that the New York strike remains intangible, that the most difficult working condi- tions receive no indignation in his work, that the election of the judge falls into the realm of pure nonsense. One might correctly note that there is never any criticism in Kafka. Even in "The Great Wall of China," the minority party can even believe that the law is only an arbitrary fact of the "nobility"; the party ex- presses no anger, and "that is the real reason why the parties who believe tht there is no law have remained so few—although their doctrine is in certain ways so attractive, for it unequivocally recognizes the nobility and its right to go on existing." InK doesn't attack the law and willingly aligns himself with the strong side and the executioners: he prods Franz who is being whipped; he terrorizes an accused person by seizing him by the arm; at the lawyer's, he makes fun of Block. In The Castle, K likes to menace and punish whenever he can. Can we conclude that, not being a "critic of his time," Kafka turned his criti- cism "against himself and had no other tribunal than an "internal tribunal"? This would be grotesque, since it would turn criticism into a dimension of representa- tion. If representation is not external, it can be only internal from here on. But it's really something else in Kafka: Kafka attempts to extract from social representations assemblages of enunciation and machinic assemblages and to dismantle these assemblages. Already in the animal stories, Kafka was drawing lines of escape; but he didn't "flee the world." Rather, it was the world and its representation that hend that he made follow these lines. It was a question of seeing and speaking like a beetle, like a dung beetle. Even more, in the novels, the dismantling of the assemblages makes the social representation take flight in a much more effective way than a critique would have done and brings about a deterritorialization of the world that is itself political and that has nothing to do with an activity of intimacy.3

#### Writing itself can have a radical character: translate everything into assemblages or machines of words, and then dismantle those assemblages. This is particularly poignant in terms of how Kafka, a Czech Jew, chose to situate himself *within* the German language of the majority in order to force it to take flight

Deleuze and Guattari 86. Gilles Deleuze and Felix Guattari, *Kafka: Toward a Minor Literature*, “Immanence and Desire,” pg. 43-52

Writing has a double function: to translate everything into assemblages and to dismantle the assemblages. The two are the same thing. This is why we have been distinguishing in Kafka's work instances that are in fact enmeshed in each other—first,achinlc indexes;abstract machines;e assem- blages of the machine. The machinic indexes are the signs of an assemblage that has not yet been established or dismantled because one knows only the individual pieces that go into making it up, but not how they go together. Most frequently, these pieces are living beings, animals, but they are only valuable as moving pieces or configurations of an assemblage that goes beyond them, and whose mystery remains because they are only the operators or executors of this assemblage. Thus, the musical dogs are actually pieces of the musical assemblage and produce a cacaphony by "the lifting and setting down of their feet, certain turns of the head, their running and their ising still, the position which they [take] up in relation to one another." But they function only as indexes, since they "[do] not speak, they [do] not sing, they remain generally silent, almost determinedly silent." These machinic indexes (which are not at all allegorical or symbolical) are particularly well developed in the acts of the becoming-animal and in the animalistic stories. "The Metamorphosis" forms a complex assemblage in which the index-elements are Gregor-animal and the musical sister; in which the index-objects are the food, the sound, the photo, and the apple; and in which the index configurations are the familial triangle and the bureaucratic triangle. The bent head that straightens up and the sound that latches onto the voice and derails it also function as indexes of this sort in the majority of the stories. There is thus a machinic index each time a machine is being built and is beginning to function, even though one doesn't know how the disparate parts that make it up and make it work actually function. But the reverse case also appears in the sto- ries: abstract machines surge into existence by themselves, without indexes. But in this case, they don't function, or no longer function. Such is the machine in the Penal Colony that answers to the Law of the old warden and doesn't survive its own dismantling; such is the creature named Odradek about whom "one is tempted to believe that the creature once had some sort of intelligible shape and is now only a broken-down remnant. Yet this does not seem to be the case . . . [T]he whole thing looks senseless enough but in its own way per- fectly finished"; such too are Blumfeld's ping-pong balls. Yet it seems also that the representation of the transcendental law, with its elements of guilt and unknowability, is an abstract machine of this sort. If the machine of the Penal Colony, as representative of the law, appears to be archaic and outmoded, this is not because, as people have often claimed, there is a new law that is much more modern but because the form of the law in general is inseparable from an abstract, self-destructive machine and cannot develop in a concrete way. This is why the stories seem to encounter two dangers that make them stop short or force them to remain incomplete or prevent them from developing into novels: either they are nothing more than machinic indexes of the assembly, no matter how lively they appear to be; or they put into operation abstract machines that are all assembled, but dead, and never succeed in concretely plugging intothings (we should note that Kafka willingly publishes his texts on transcendental law in short stories that he detaches from the whole).

Thus there remain machinic assemblages as objects of the novel. This time the machinic indexes stop being animal; they group, give birth to series, start proliferating, taking over all sorts of human figures or parts of figures. On the other hand, the abstract machine changes in a singular fashion. It stops being reified and isolated; it no longer exists outside the concrete, socio-political as- semblages that incarnate it. It diffuses into them and measures their machinic degree. Finally, the assemblage no longer works as a machine in the process of assembling itself, with a mysterious function, or as a fully assembled machine that doesn't function, or no longer functions. It works only through the dismantling that it brings about on the machine and on representation. And, actually functioning, it functions only through and because of its own dismantling. It is born from this dismantling (it is never the assembling of the ma- chine that interests Kafka). This method of active dismantling doesn't make use of criticism that is still part of representation. Rather, it consists in prolonging, in accelerating, a whole movement that already is traversing the social field. It operates in a virtuality that is already real without yet being actual (the diabolical powers of the future that for the moment are only brushing up against the door). The assemblage appears not in a still encoded and territorial criticism but in a decoding, in a deterritorialization, and in the novelistic acceleration of this decoding and this deterritorialization (as was the case with the German language—to always go farther in this movement that takes over the whole social field). This method is much more intense than any critique K says so himself. One's goal is to transform what is still only a method (precede) in the social field into a procedure as an infinite virtual movement that at the extreme invokes the machinic assemblage of the trial(proces)s a reality that is on its way and al- ready there.4 The whole of this operation is to be called a Process, one that is precisely interminable. Marthe Robert underlines the link between the trial and the procedure, and this is certainly not a mental, psychical, or interior procedure.

#### Where one believed there was the law, there was in fact desire and desire alone: the law is written in a porno book, and we’re all fantasizing, calling its transcendent order into existence

Deleuze and Guattari 86. Gilles Deleuze and Felix Guattari, *Kafka: Toward a Minor Literature*, “Immanence and Desire,” pg. 43-52

Here, then, are the new characteristics of the novelistic machinic assemblage in opposition to the indexes and the abstract machines. These characteristics im-pose not an interpretation or a social representation of Kafka but an experimenta- tion, a socio-political investigation. Since the assemblage functions really in the real, the question becomes: how does it function? What function does it have? (Only later will we ask what it consists of and what its elements and its links are.) Thus, we must follow the movement oft several levels, taking account of objective uncertainty about the supposed last chapter and of the cer- tainty that the second-to-last chapter, "In the Cathedral" was more or less poorly placed by Max Brod. According to a first view, everything is false in The Trial: even the law, in contrast to Kantian law, erects the lie into a universal rule. The lawyers are false lawyers, the judges are false judges, "oafish inspectors," "cor- rupt warders," or at the very least are so much subalterns that they hide the real matters and "the proceedings of an inaccessible justice" that no longer lets itself be represented. Nonetheless, if this first view is not definitive, this is because there is a power in the false, and it is bad to weigh justice in terms of true or false. So the second view is much more important: where one believed there was the law, there is in fact desire and desire alone. Justice is desire and not law. Everyone in fact is a functionary of justice—not only the spectators, not only the priest and the painter, but also the equivocal young women and the perverse little girls who take up so much space in The Trial. K's book in the cathedral is not a prayerbook but an album of the town; the judge's book contains only obscene pictures. The law is written in a porno book. Here, it is no longer a question of suggesting an eventual falsity of justice but of suggesting its desiring quality: the accused are in principle the most handsome figures and are recog- nized for their strange beauty. The judges act and reason "like children." It hap- pens that a simple joke can derout repression. Justice is not Necessity but, quite the contrary, Chance; and Titorelli paints the allegory of it as a blind fortune, a winged desire. It is not a stable will but a moving desire. It is curious, K says, how justice must not move in order to not sway its scales. But the priest explains at another moment, 'The Court wants nothing from you. It receives you when you come and dismisses you when you go." The young women are not equivocal because they hide their nature as auxiliaries of justice; on the contrary, they show themselves to be auxiliaries because they simultaneously bring bliss to judges, lawyers, and accused, out of a single and unique polyvocal desire. The whole of *The Trial* is overrun by a polyvocality of desire that gives it its erotic force. Repression doesn't belong to justice unless it is also desire itself—desire in the one who is repressed as well as in the one who represses. And the authorities of justice are not those who look for offenses but those who are "attracted, propelled by offense." They nose around, they rummage about, they search everywhere. They are ~~blind~~ and accept no evidence but take into consideration only hallway events, the whispers of the courtroom, the secrets of the chambers, the noise heard behind doors, the murmurs from behind the scene, all those microevents that express desire and its arbitrary fortunes.

#### Renounce the idea of the transcendence of the law. Hold the law up to molecular, microscopic investigation: tiny affects, momentary perceptions, and quotidian interpretations contribute to a collective *desiring-law* which holds the whole system together. Situate the law immanent to your own body: how do you participate in it? Lose yourself, your essence, and your sense of personhood and study the fluxes and flows of desire which made those attributes realizable in the first place.

Deleuze and Guattari 86. Gilles Deleuze and Felix Guattari, *Kafka: Toward a Minor Literature*, “Immanence and Desire,” pg. 43-52

From this point on, it is even more important to renounce the idea of a transcendence of the law. If the ultimate instances are inaccessible and cannot be represented, this occurs not as a function of an infinite hierarchy belonging to a negative theology but as a function of a contiguity of desire that causes what- ever happens to happen always in the office next door. The contiguity of the offices, the segmentalization of power, replaces the hierarchy of instances and the eminence of the sovereign (already, the castle had revealed itself to be a seg- mental and contiguous rambling assemblage in the style of the Hapsburg bureaucracy or the mosaic of nations in the Austrian empire). If everything, everyone, is part of justice, if everyone is an auxiliary of justice, from the priest to the little girls, this is not because of the transcendence of the law but because of the immanence of desire. This is the discovery into which K's investigation and experimentation very quickly locks itself. While the Uncle pushes him to take his trial seriously, for example, to see a lawyer and pass through all the steps of transcendence, K realizes that he should not let himself be represented, that he has no need of a representative—that no one should come between him and his desire. He will find justice only by moving, by going from room to room, by following his desire. He will take control of the machine of expression: he will take over the investigation, he will write without stop, he will demand a leave of absence so he can totally devote himself to this "virtually interminable" work. It is in this sense that The Trial is an interminable novel. An unlimited field of immanence instead of an infinite transcendence. The transcendence of the law was an image, a photo of the highest places; but justice is more like a sound (the statement) that never stops taking flight. The transcendence of the law was an abstract machine, but the law exists only in the immanence of the machinic assemblage of justice. The Trial is the dismantling of all transcendental justifications. There is nothing to judge vis-a-vis desire; the judge himself is completely shaped by desire. Justice is no more than the immanent process of desire. The process is itself a continuum, but a continuum made up of contigui- ties. The contiguous is not opposed to the continuous—quite the contrary, it is a local and indefinitely prolongable version of the continuous. Thus, it is also the dismantling of the continuous-always an office next door, always the contiguous room. Barnabas "is admitted into certain rooms, but they're only a part of the whole, for there are barriers behind which there are more rooms. Not that he's actually forbidden to pass the barriers. . . . And you musn't imagine that these barriers are a definite dividing-line. . . . [T]here are barriers he can pass, and they're just the same as the ones he's never yet passed." Justice is the

continuum of desire, with shifting limits that are always displaced. It is this procedure, this continuum, this field of immanence that the painter, Titorelli, analyzes as unlimited postponement. A central part of The Trial that makes Titorelli into a special character of the novel. He distinguishes three theo- retical possibilities: definite acquittal, ostensible or superficial acquittal, and un- limited postponement. The first case never in fact comes about, since it would imply the death or abolition of a desire that would have reached a conclusion. On the other hand, the second case corresponds to the abstract machine of law. It is defined, in fact, by the opposition of fluxes, the alternation of poles, the succession of periods—a counterflux of the law in response to a flux of desire, a pole of escape in response to a pole of repression, a period of crisis for a period of compromise. We could say that the formal law sometimes retreats into a tran- scendence by leaving a field provisionally open to desire, or sometimes makes the transcendence emanate hierarchized hypostases that are capable of halting and repressing desire (in fact, there are many neo-Platonic readings of Kafka). In two different ways, this state, or rather this cycle of superficial acquittal, cor- responds to Kafka's situation in the letters or in the animalistic stories or in the becomings-animal. The trial at the hotel is the counterblow of the law reacting to the blow of the letters, a trial of the vampire who well knows that any acquittal can be only superficial. And succeeding the positive pole of the line of escape, the trial of the becoming-animal is the negative pole of the transcendental law that blocks the way out and that dispatches a familial hypostasis to retrap the guilty party—the re-Oedipalization of Gregor, the platonic apple that his father throws at him.

#### Kafka’s “Before the Law” is minor literature insofar as it is minoritarian, it resists majoritarian deciphering. Majorities have nothing to do with numbers, but presume a transcendent model, like common presuppositions about the existence of the law. A minority, in contrast, has no model, it is dismantling, destructive, and performs the very operation of Kafka’s parable: reading the law against itself.

Deleuze and Negri 95. Gilles Deleuze and Antonio Negri, “Control and Becoming,” *Negotiations,* Columbia University Press, pg. 173-6

Negri: How can minority-becoming be powerful? How can resistance become an insur­rection ? Reading you, I'm never sure how to answer such questions, even though I always find in your works an impetus that forces me to reformulate the questions theoretically and practically. And yet when I read what you 've written about the imagination, or on common notions in Spinoza, or when I follow your description in The Time-Image of the rise of revolutionary cine­ma in third-world countries, and with you grasp the passage from image into fabulation, into political praxis, I almost feel I've found an answer. . . Or am I mistaken ? Is there then, some way for the resistance of the oppressed to become effective, and for what's intolerable to be definitively removed? Is there some way for the mass of singularities and atoms that we all are to come forward as a constitutive power, or must we rather accept the juridical paradox that con­stitutive power can be defined only by constituted power?

Deleuze: The difference between minorities and majorities isn't their size. A minority may be bigger than a majority. What defines the majority is a model you have to conform to: the average European adult male city-dweller, for example ... A minority, on the other hand, has no model, it's a becoming, a process. One might say the majority is nobody. Everybody's caught, one way or another, in a minority becoming that would lead them info unknown paths if they opted to follow it through. When a 'minority creates models for itself, it's because it wants to become a majority, and probably has to, to survive or prosper (to have a state, be recognized, establish its rights, for example). But its power comes from what it's managed to create, which to some extent goes into the model, but doesn't depend on it. A people is always a creative minority, and remains one even when it acquires a majority^ it can be both at once because the two things aren't lived out on the same plane. It's the greatest artists (rather than populist artists) who invoke a people, and find they "lack a people": Mallarme, Rimbaud, Klee, Berg. The Straubs in cinema. Artists can only invoke a people, their need for one goes to the very heart of what they're doing, it's not their job to create one, and they can't. Art is resistance: it resists death, slavery, infamy, shame. But a people can't worry about art. How is a people created, through what terrible suf­fering? When a people's created, it's through its own resources, but in away that links up with something in art (Garrel says there's a mass of terrible suffering in the Louvre, too) or links up art to what it lacked. Utopia isn't the right concept: it's more a question of a "tabulation" in which a people and art both share. We ought to take up Bergson's notion of tabulation and give it a political meaning.

Negri: In your book on Foucault, and then again in your TV interview at INA,6 you suggest we should look in more detail at three kinds of power: sovereign power, disciplinary power, and above all the control of "communication " that's on the way to becoming hegemonic. On the one hand this third scenario relates to the most perfect form of domination, extending even to speech and imagination, but on the other hand any man, any minority, any singularity, is more than ever before potentially able to speak out and thereby recover a greater degree of freedom. In the Marxist Utopia of the Grundrisse, communism takes precise­ly the form of a transversal organization of free individuals built on a tech­nology that makes it possible. Is communism still a viable option? Maybe in a communication society it's less Utopian than it used to be?

Deleuze: We're definitely moving toward "control" societies that are no longer exactly disciplinary. Foucault's often taken as the theorist of discipli­nary societies and of their principal technology, confinement (not just in hospitals and prisons, but in schools, factories, and barracks). But he was actually one of the first to say that we're moving away from dis­ciplinary societies, we've already left them behind. We're moving toward control societies that no longer operate by confining people but through continuous control and instant communication. Bur­roughs was the first to address this. People are of course constantly talking about prisons, schools, hospitals: the institutions are breaking down. But they're breaking down because they're fighting a losing battle. New kinds of punishment, education, health care are being stealth­ily introduced. Open hospitals and teams providing home care have been around for some time. One can envisage education becoming less and less a closed site differentiated from the workspace as anoth­er closed site, but both disappearing and giving way to frightful con­tinual training, to continual monitoring7 of worker-schoolkids or bureaucrat-students. They try to present this as a reform of the school system, but it's really its dismantling. In a control-based system noth­ing's left alone for long. You yourself long ago suggested how work in Italy was being transformed by forms of part-time work done at home, which have spread since you wrote (and by new forms of circulation and distribution of products). One can of course see how each kind of society corresponds to a particular kind of machine—with simple mechanical machines corresponding to sovereign societies, thermo-dynamic machines to disciplinary societies, cybernetic machines and computers to control societies. But the machines don't explain any­thing, you have to analyze the collective arrangements of which the machines are just one component. Compared with the approaching forms of ceaseless control in open sites, we may come to see the harsh­est confinement as part of a wonderful happy past. The quest for "uni-versals of communication" ought to make us shudder. It's true that, even before control societies are fully in place, forms of delinquency or resistance (two different things) are also appearing. Computer pira­cy and viruses, for example, will replace strikes and what the nine­teenth century called "sabotage" ("clogging" the machinery) .8 You ask whether control or communication societies will lead to forms of resis­tance that might reopen the way for a communism understood as the "transversal organization of free individuals." Maybe, I don't know. But it would be nothing to do with minorities speaking out. Maybe speech and communication have been corrupted. They're thoroughly per­meated by money—and not by accident but by their very nature. We've got to hijack speech. Creating has always been something dif­ferent from communicating. The key thing may be to create vacuoles of noncommunication, circuit breakers, so we can elude control.

#### Like Kafka’s milieu, that of Czech Jewish exiled authors immediately before the holocaust, minority literature must emerge from *within* the cramped spaces of majoritarian language and spaces, effecting a dismantling, even if only momentary, of the perceived coherence of that majority.

Deleuze and Guattari 86. Gilles Deleuze and Felix Guattari, *Kafka: Toward a Minor Literature*, “What is Minor Literature?” pg. 17-18

So far we have dealt with little more than contents and their forms: bent head-straightened head, triangles-lines of escape. And it is true that in the realm of expression, the bent head connects to the photo, and the erect head to sound. But as long as the form and the deformation or expression are not considered for themselves, there can be no real way out, even at the level of contents. Only expression gives us the method. The problem of expression is staked out by Kafka not in an abstract and universal fashion but in relation to those literatures that are considered minor, for example, the Jewish literature of Warsaw and Prague. A minor literature doesn't come from a minor language; it is rather that which a minority constructs within a major language. But the first characteristic of minor literature in any case is that in it language is affected with a high coefficient of deterritorialization. In this sense, Kafka marks the impasse that bars access to writing for the Jews of Prague and turns their literature into something impossible—the impossibility of not writing, the impossibility of writing in German, the impossibility of writing otherwise.1 The impossibility of not writing because national consciousness, uncertain or oppressed, necessarily exists by means of literature ("The literary struggle has its real justification at the highest possible levels"). The impossibility of writing other than in German is for the Prague Jews the feeling of an irreducible distance from their primitive Czech territoriality. And the impossibility of writing in German is the deterritoralization of the German population itself, an oppressive minority that speaks a language cut off from the masses, like a "paper language" or an artificial language; this is all the more true for the Jews who are simultaneously a part of this minority and excluded from it, like "gypsies who have stolen a German child from its crib." In short, Prague German is a deterritoriali/ed language, appropriate for strange and minor uses. (This can be compared in another context to what blacks in America today are able to do with the English language.)

The second characteristic of minor literatures is that everything in them is political. In major literatures, in contrast, the individual concern (familial, marital, and so on) joins with other no less individual concerns, the social milieu serving as a mere environment or a background; this is so much the case that none of these Oedipal intrigues are specifically indispensable or absolutely necessary but all become as one in a large space. Minor literature is completely different; its cramped space forces each individual intrigue to connect immediately to politics. The individual concern thus becomes all the more necessary, indispensable, magnified, because a whole other story is vibrating within it. In this way, the family triangle connects to other triangles—commercial, economic, bureaucratic, juridical-that determine its values. When Kafka indicates that one of the goals of a minor literature is the "purification of the conflict that opposes father and son and the possibility of discussing that conflict," it isn't a question of an Oedipal phantasm but of a political program. "Even though something is often thought through calmly, one still does not reach the boundary where it connects up with similar things, one reaches the boundary soonest in politics, indeed, one even strives to see it before it is there, and often sees this limiting boundary everywhere. . . . What in great literature goes on down below, constituting a not indispensable cellar of the structure, here takes place in the full light of day, what is there a matter of passing interest for a few, here absorbs everyone no less than as a matter of life and death."2

The third characteristic of minor literature is that in it everything takes on a collective value. Indeed, precisely because talent isn't abundant in a minor literature, there are no possibilities for an individuated enunciation that would belong to this or that "master" and that could be separated from a collective enunciation. Indeed, scarcity of talent is in fact beneficial and allows the conception of something other than a literature of masters; what each author says individu- ally already constitutes a common action, and what he or she says or does is necessarily political, even if others aren't in agreement. The political domain has contaminated every statement. But above all else, because collective or national consciousness is "often inactive in external life and always in the process of break-down," literature finds itself positively charged with the role and function of collective, and even revolutionary, enunciation. It is literature that produces an active solidarity in spite of skepticism; and if the writer is in the margins or completely outside his or her fragile community, this situation allows the writer all the more the possibility to express another possible community and to forge the means for another consciousness and another sensibility; just as the dog of "Investigations" calls out in his solitude to another science. The literary machine thus becomes the relay for a revolutionary machine-to-come, not at all for ideological reasons but because the literary machine alone is determined to fill the conditions of a collective enunciation that is lacking elsewhere in this milieu: literature is the people's concern.3 It is certainly in these terms that Kafka sees the problem. The message doesn't refer back to an enunciating sub- ject who would be its cause, no more than to a subject of the statement (sujet d'enonce) who would be its effect. Undoubtedly, for a while, Kafka thought ac- cording to these traditional categories of the two subjects, the author and the hero, the narrator and the character, the dreamer and the one dreamed of.4 But he will quickly reject the role of the narrator, just as he will refuse an author's or master's literature, despite his admiration for Goethe. Josephine the mouse renounces the individual act of singing in order to melt into the collective enunci- ation of "the immense crowd of the heros of [her] people." A movement from the individuated animal to the pack or to a collective multiplicity —seven canine musicians. In "The Investigations of a Dog," the expressions of the solitary researcher tend toward the assemblagof a collective enunciation of the canine species even if this collectivity is no longer or not yet given. There isn't a subject; there are only collective assemblages of enunciation, and literature expresses these acts insofar as they're not imposed from without and insofar as they exist only as diabolical powers to come or revolutionary forces to be constructed. Kafka's solitude opens him up to everything going on in history today. The letter K no longer designates a narrator or a character but an assemblage that becomes all the more machine-like, an agent that becomes all the more collective because an individual is locked into it in his or her solitude (it is only in connection to a subject that something individual would be separable from the collective and would lead its own life).

### 1ac—plan

Before the law, we are unresolved: The United States federal government should substantially increase statutory and/or judicial restrictions on the war powers authority of the President of the United States in one or more of the following areas: targeted killing; indefinite detention; offensive cyber operations; or introducing United States Armed Forces into hostilities.

## 2AC

### case

**The battle for the public sphere is over—we lost. Locked on the outside, we gaze at Conservatives and Liberals—two sides of the same coin. Formal politics are dead, strategies for liberation NEVER BEAT the subliminal seduction of mass media advertising, of linguistic double-speak, of white-washing and cooption. Perceptibility precedes destruction**

**The Invisible Committee, ‘7** [an anonymous group of French professors, phd candidates, and intellectuals, in the book “The Coming Insurrection” published by Semiotext(e) (attributed to the [Tarnac Nine](http://en.wikipedia.org/wiki/Tarnac_Nine) by the French police), <http://tarnac9.noblogs.org/gallery/5188/insurrection_english.pdf>]

Whatever angle you look at it from, **there's no escape from the present. That's** not the least of its virtues. For those who want absolutely to have hope, it knocks down every support. Those who claim to have solutions are proven wrong almost immediately. It's understood that now everything can only go from bad to worse. "There's no future for the future" is the wisdom behind an era that for all its appearances of extreme normalcy has come to have about the consciousness level of the first punks. The sphere of political representation is closed. From left to right, it's the same nothingness acting by turns either as the big shots or the virgins, the same sales shelf heads, changing up their discourse according to the latest dispatches from the information service. Those who still vote give one the impression that their only intention is to knock out the polling booths by voting as a pure act of protest. And we've started to understand that in fact it’s only against the vote itself that people go on voting. Nothing we've seen can come up to the heights of the present situation; not by far. By its very silence, the populace seems infinitely more 'grown up' than all those squabbling amongst themselves to govern it do. Any Belleville chibani 1 is wiser in his chats than in all of those puppets’ grand declarations put together. The lid of the social kettle is triple-tight, and the pressure inside won’t stop building. The ghost of Argentina’s Que Se Vayan Todos 2 is seriously starting to haunt the ruling heads. The fires of November 2005 will never cease to cast their shadow on all consciences. Those first joyous fires were the baptism of a whole decade full of promises. The media’s “suburbs vs. the Republic” myth, if it’s not inefficient, is certainly not true. The fatherland was ablaze all the way to downtown everywhere, with fires that were methodically snuffed out. Whole streets went up in flames of solidarity in Barcelona and no one but the people who lived there even found out about it. And the country hasn’t stopped burning since. Among the accused we find diverse profiles, without much in common besides a hatred for existing society; not united by class, race, or even by neighborhood. What was new wasn’t the “suburban revolt,” since that was already happening in the 80s, but the rupture with its established forms. The assailants weren’t listening to anybody at all anymore, not their big brothers, not the local associations assigned to help return things to normal. No “SOS Racism which only fatigue, falsification, and media omertà 4 could feign putting an end. The whole series of nocturnal strikes, anonymous attacks, wordless destruction, had the merit of busting wide open the split between politics and the political. No one can honestly deny the obvious weight of this assault which **made no demands**, and had no message other than a threat which had nothing to do with politics. But you’d have to be blind not to see what is **purely political** about this **resolute negation of politics,** and you’d certainly have to know absolutely nothing about the autonomous youth movements of the last 30 years. Like abandoned children we burned the first baby toys of a society that deserves no more respect than the monuments of Paris did at the end of Bloody Week 5 -- and knows it. There’s **no social solution** to the present situation. First off because the vague aggregate of social groupings, institutions, and individual bubbles that we designate by the anti-phrase “society” has no substance, because there’s no language left to express common experiences with. It took a half-century of fighting by the Lumières to thaw out the possibility of a French Revolution, and a century of fighting by work to give birth to the fearful “Welfare State.” Struggles creating the language in which the new order expresses itself. Nothing like today. Europe is now a de-monied continent that sneaks off to make a run to the Lidl 6 and has to fly with the low-cost airlines to be able to keep on flying. **None of the “problems” formulated in the social language are resolvable**. The “retirement pensions issue,” the issues of “precariousness,” the “youth” and their “violence” can only be kept in suspense as long as the ever more surprising “acting out” they thinly cover gets managed away police-like. No one’s going to be happy to see old people being wiped out at a knockdown price, abandoned by their own and with nothing to say. And those who’ve found less humiliation and more benefit in a life of crime than in sweeping floors will not give up their weapons, and prison won’t make them love society. The rage to enjoy of the hordes of the retired will not take the somber cuts to their monthly income on an empty stomach, and will get only too excited about the refusal to work among a large sector of the youth. And to conclude, no guaranteed income granted the day after a quasi-uprising will lay the foundations for a new New Deal, a new pact, and a new peace. The social sentiment is rather **too evaporated** for all that. As their solution, they’ll just never stop putting on the pressure, to make sure nothing happens, and with it we’ll have more and more police chases all over the neighborhood. The drone that even according to the police indeed did fly over Seine-Saint-Denis 7 last July 14 th is a picture of the future in much more straightforward colors than all the hazy images we get from the humanists. That they took the time to clarify that it was not armed shows pretty clearly the kind of road we’re headed down. The country is going to be cut up into ever more air-tight zones. Highways built along the border of the “sensitive neighborhoods” already form walls that are invisible and yet able to cut them off from the private subdivisions. Whatever good patriotic souls may think about it, the management of neighborhoods “by community” is most effective just by its notoriety. The purely metropolitan portions of the country, the main downtowns, lead their luxurious lives in an ever more calculating, ever more sophisticated, ever more shimmering deconstruction. They light up the whole planet with their whorehouse red lights, while the BAC 8 and the private security companies’ -- read: militias’ -- patrols multiply infinitely, all the while benefiting from being able to hide behind an ever more disrespectful judicial front. The catch-22 of the present, though perceptible everywhere, is denied everywhere. Never have so many psychologists, sociologists, and literary people devoted themselves to it, each with their own special jargon, and each with their own specially missing solution. It’s enough just to listen to the songs that come out these days, the trifling “new French music,” where the petty-bourgeoisie dissects the states of its soul and the K’1Fry mafia 9 makes its declarations of war, to know that this coexistence will come to an end soon and that a decision is about to be made. This book is signed in the name of an imaginary collective. Its editors are not its authors. They are merely content to do a little clean-up of what’s scattered around the era’s common areas, around the murmurings at bar-tables, behind closed bedroom doors. They’ve only determined a few necessary truths, whose universal repression fills up the psychiatric hospitals and the painful gazes. They’ve made themselves scribes of the situation. It’s the privilege of radical circumstances that justice leads them quite logically to revolution. It’s enough just to say what we can see and not avoid the conclusions to be drawn from it.

**To make micropolitics visible is to coopt it by giving resistance an object – this understanding allows resistance to be framed, to be declared a failure and prevents the immanence of imperceptible politics from coalescing around mundane practices and habitudes of existence**

**Tsianos et al. ‘8** Vassilis, teaches sociology at the University of Hamburg, Germany, Dimitris Papadopoulos teaches social theory at Cardiff University, Niamh Stephenson teaches social science at the University of New South Wales. “Escape Routes: Control and Subversion in the 21st Century” Pluto Press

In this sense **imperceptible politics does not necessarily differ from or oppose other prevalent forms of politics, such as state-oriented politics, micropolitics, identity politics, cultural and gender politics, civil rights movements, etc**. And indeed **imperceptible politics connects with all these various forms of political engagement and intervention in an opportunistic way: it deploys them to the extent that they allow the establishment of spaces outside representation**; that is, spaces which do not primarily focus on the transformation of the conditions of the double-R axiom (rights and representation) but on the insertion of new social forces into a given political terrain. In the previous chapter we called this form of politics outside politics: the politics which opposes the representational regime of policing. Imperceptibility is the everyday strategy which allows us to move and to act below the overcoding regime of representation. **This everyday strategy is inherently anti-theoretical; that is, it resists any ultimate theorisation, it cannot be reduced to one successful and necessary form of politics** (such as state-oriented politics or micropolitics, for example). **Rather, imperceptible politics is genuinely empiricist, that is it is always enacted as ad hoc practices which allow the decomposition of the representational strategies in a particular field and the composition of events which cannot be left unanswered by the existing regime of control. If imperceptible politics resists theorisation and is ultimately empiricist, what then are the criteria for doing imperceptible politics? There are** three **dimensions which characterise imperceptible politics: objectlessness,** totality, **trust**. **Firstly, imperceptible politics is objectless, that is it performs political transformation without primarily targeting a specific political aim (such as transformation of a law or institution, or a particular claim for inclusion**, etc). **Instead imperceptible politics proceeds by materialising its own political actions through contagious and affective transformations.** **The object of its political practice is its own practices. In this sense, imperceptible politics is non-intentional - and therein lies its difference from state-oriented politics or the politics of civil rights movements**, for example - **it instigates change through a series of everyday transformations which can only be codified as having a central political aim or function in retrospect**. Secondly, imperceptible politics addresses the totality of an existing field of power. This seems to be the difference between imperceptible politics and micropolitics or other alternative social movements: imperceptible politics is not concerned with containing itself to a molecular level of action; it addresses the totality of power through the social changes which it puts to work in a particular field of action. The distinction between molar and molecular (Deleuze and Guattari, 1987, p. 275) has only analytical significance from the perspective of imperceptible politics. In fact imperceptible politics is both molar and molecular, because by being local situated action it addresses the whole order of control in a certain field. Imperceptible politics is located at the heart of a field of power and at the same time it opens a way to move outside this field by forcing the transformation of all these elements which are constitutive of this field. In this sense, imperceptible politics is a driving force which is simul­taneously both present and absent. We described this in the previous chapter by exploring the importance of speculative figurations for the practice of escape. On the everyday level of escape (a level we called in this chapter imperceptible politics) speculative figuration can be translated into trust. This is the third characteristic of **imperceptible politics**; it **is driven by a firm belief in the importance and truthfulness of its actions, without seeking any evidence for, or conducting any investigation into its practices. This is trust. Imperceptible politics is driven by trust in something which seems to be absent from a particular situation. Imperceptible politics operates around a void, and it is exactly the conversion of this void into everyday politics that becomes the vital force for imperceptible politics.**

### fw

**Framework is a game of telegraph that divides the world—their deployment proves the only acceptable purpose is obedience to the law of the world. Chose life over the ordering of their law**

**Deleuze and Guattari ’80.** Gilles Deleuze and Félix Guattari, A Thousand Plateaus*.* NOVEMBER 20, 1923: POSTULATES OF LINGUISTICS p 76

When the schoolmistress instructs her students on a rule of grammar or arithmetic, she is not informing them, any more than she is informing her- self when she questions a student. She does not so much instruct as "insign," give orders or commands. A teacher's commands are not external or additional to what he or she teaches us. They do not flow from primary significations or result from information: an order always and already con- cerns prior orders, which is why ordering is redundancy. The compulsory education machine does not communicate information; it imposes upon the child semiotic coordinates possessing all of the dual foundations of grammar (masculine-feminine, singular-plural, noun-verb, subject of the statement-subject of enunciation, etc.). The elementary unit of language— the statement—is the order-word.1 Rather than common sense, a faculty for the centralization of information, we must define an abominable faculty consisting in emitting, receiving, and transmitting order-words. Language is made not to be believed but to be obeyed, and to compel obedi- ence. "The baroness has not the slightest intention of convincing me of her sincerity; she is simply indicating that she prefers to see me pretend to agree."2 We see this in police or government announcements, which often have little plausibility or truthfulness, but say very clearly what should be observed and retained. The indifference to any kind of credibility exhib- ited by these announcements often verges on provocation. This is proof that the issue lies elsewhere. Let people say...: that is all language demands. Spengler notes that the fundamental forms of speech are not the statement of a judgment or the expression of a feeling, but "the command, the expression of obedience, the assertion, the question, the affirmation or negation," very short phrases that command life and are inseparable from enterprises and large-scale projects: "Ready?" "Yes." "Go ahead."3 Words are not tools, but we give children language, pens, and notebooks as we give workers shovels and pickaxes. A rule of grammar is a power marker before it is a syntactical marker. The order does not refer to prior significations or to a prior organization of distinctive units. Quite the opposite. Informa- tion is only the strict minimum necessary for the emission, transmission, and observation of orders as commands. One must be just informed enough not to confuse "Fire!" with "Fore!" or to avoid the unfortunate situ- ation of the teacher and the student as described by Lewis Carroll (the teacher, at the top of the stairs, asks a question that is passed on by servants, who distort it at each step of the way, and the student, below in the court- yard, returns an answer that is also distorted at each stage of the trip back). Language is not life; it gives life orders. Life does not speak; it listens and waits.4 Every order-word, even a father's to his son, carries a little death sentence—a Judgment, as Kafka put it.

￼The hard part is to specify the status and scope of the order-word. It is not a question of the origin of language, since the order-word is only a language-function, a function coextensive with language. If language always seems to presuppose itself, if we cannot assign it a nonlinguistic point of departure, it is because language does not operate between some- thing seen (or felt) and something said, but always goes from saying to say- ing. We believe that narrative consists not in communicating what one has seen but in transmitting what one has heard, what someone else said to you. Hearsay. It does not even suffice to invoke a vision distorted by pas- sion. The "first" language, or rather the first determination of language, is not the trope or metaphor but indirect discourse. The importance some have accorded metaphor and metonymy proves disastrous for the study of language. Metaphors and metonymies are merely effects; they are a part of language only when they presuppose indirect discourse. There are many passions in a passion, all manner of voices in a voice, murmurings, speak- ing in tongues: that is why all discourse is indirect, and the translative movement proper to language is that of indirect discourse.5 Benveniste denies that the bee has language, even though it has an organic coding pro- cess and even uses tropes. It has no language because it can communicate what it has seen but not transmit what has been communicated to it. A bee that has seen a food source can communicate the message to bees that did not see it, but a bee that has not seen it cannot transmit the message to oth- ers that did not see it.6 Language is not content to go from a first party to a second party, from one who has seen to one who has not, but necessarily goes from a second party to a third party, neither of whom has seen. It is in this sense that language is the transmission of the word as order-word, not the communication of a sign as information. Language is a map, not a trac- ing. But how can the order-word be a function coextensive with language when the order, the command, seems tied to a restricted type of explicit proposition marked by the imperative?

**Framework changes the role of the ballot—the question of the debate is now, “how does a given language-machine function?” Their use of framework is a form of major language policing variable becomings. This is ignorant of the whole assemblage of language. They are the Nobody of Ulysses, agents of impersonal history of difference destruction. Vote aff to endorse the musical becoming-minor of kafka’s german and the 1ac.**

**Deleuze and Guattari ’80.** Gilles Deleuze and Félix Guattari, A Thousand Plateaus,NOVEMBER 20, 1923: POSTULATES OF LINGUISTICSp 104-106

There are not, therefore, two kinds of languages but two possible treat- ments of the same language. Either the variables are treated in such a way as to extract from them constants and constant relations or in such a way as to place them in continuous variation. We were wrong to give the impres- sion at times that constants existed alongside variables, linguistic con- stants alongside variables of enunciation: that was only for convenience of presentation. For it is obvious that the constants are drawn from the varia- bles themselves; universals in linguistics have no more existence in them- selves than they do in economics and are always concluded from a universalization or a rendering-uniform involving variables. Constant is not opposed to variable; it is a treatment of the variable opposed to the other kind of treatment, or continuous variation. So-called obligatory rules cor- respond to the first kind of treatment, whereas optional rules concern the construction of a continuum of variation. Moreover, there are a certain number of categories or distinctions that cannot be invoked, that are inap- plicable and useless as a basis for objections because they presuppose the first treatment and are entirely subordinated to the quest for constants: for example, language as opposed to speech; synchrony as opposed to diachrony; competence as opposed to performance; distinctive features as opposed to nondistinctive (or secondarily distinctive) features. For nondistinctive features, whether prosodic, stylistic, or pragmatic, are not only omnipresent variables, in contrast to the presence or absence of a con- stant; they are not only superlinear and "suprasegmental" elements, in contrast to linear segmental elements; their very characteristics give them the power to place all the elements of language in a state of continuous variation—for example, the impact of tone on phonemes, accent on mor- phemes, or intonation on syntax. These are not secondary features but another treatment of language that no longer operates according to the pre- ceding categories.

"Major" and "minor" do not qualify two different languages but rather two usages or functions of language. Bilingualism, of course, provides a good example, but once again we use it simply for the sake of convenience. Doubtless, in the Austrian empire Czech was a minor language in relation to German; but the German of Prague already functioned as a potentially minor language in relation to the German of Vienna or Berlin; and Kafka, a Czechoslovakian Jew writing in German, submits German to creative treatment as a minor language, constructing a continuum of variation, negotiating all of the variables both to constrict the constants and to expand the variables: make language stammer, or make it "wail," stretch tensors through all of language, even written language, and draw from it cries, shouts, pitches, durations, timbres, accents, intensities. Two con- joined tendencies in so-called minor languages have often been noted: an impoverishment, a shedding of syntactical and lexical forms; but simulta- neously a strange proliferation of shifting effects, a taste for overload and paraphrase. This applies to the German of Prague, Black English, and Quebecois. But with rare exceptions, the interpretation of the linguists has been rather malevolent, invoking a consubstantial poverty and preciosity. The alleged poverty is in fact a restriction of constants and the overload an extension of variations functioning to deploy a continuum sweeping up all components. The poverty is not a lack but a void or ellipsis allowing one to sidestep a constant instead of tackling it head on, or to approach it from above or below instead of positioning oneself within it. And the overload is not a rhetorical figure, a metaphor, or symbolic structure; it is a mobile par- aphrase bearing witness to the unlocalized presence of an indirect dis- course at the heart of every statement. From both sides we see a rejection of reference points, a dissolution of constant form in favor of differences in dynamic. The closer a language gets to this state, the closer it comes not only to a system of musical notation, but also to music itself.39

Subtract and place in variation, remove and place in variation: a single operation. Minor languages are characterized not by overload and poverty in relation to a standard or major language, but by a sobriety and variation that are like a minor treatment of the standard language, a becoming-minor of the major language. The problem is not the distinction between major and minor language; it is one of a becoming. It is a question not of reterritorializing oneself on a dialect or a patois but of deterritorializing the major language. Black Americans do not oppose Black to English, they transform the American English that is their own language into Black English. Minor languages do not exist in themselves: they exist only in rela- tion to a major language and are also investments of that language for the purpose of making it minor. One must find the minor language, the dialect or rather idiolect, on the basis of which one can make one's own major lan- guage minor. That is the strength of authors termed "minor," who are in fact the greatest, the only greats: having to conquer one's own language, in other words, to attain that sobriety in the use of a major language, in order to place it in a state of continuous variation (the opposite of regionalism). It is in one's own language that one is bilingual or multilingual. Conquer the major language in order to delineate in it as yet unknown minor languages. Use the minor language to send the major language racing. Minor authors are foreigners in their own tongue. If they are bastards, if they experience themselves as bastards, it is due not to a mixing or intermingling of lan- guages but rather to a subtraction and variation of their own language achieved by stretching tensors through it.

The notion of minority is very complex, with musical, literary, linguis- tic, as well as juridical and political, references. The opposition between minority and majority is not simply quantitative. Majority implies a con- stant, of expression or content, serving as a standard measure by which to evaluate it. Let us suppose that the constant or standard is the average adult-white-heterosexual-European-male-speaking a standard language (Joyce's or Ezra Pound's Ulysses). It is obvious that "man" holds the majority, even if he is less numerous than mosquitoes, children, women, blacks, peasants, homosexuals, etc. That is because he appears twice, once in the constant and again in the variable from which the constant is extracted. Majority assumes a state of power and domination, not the other way around. It assumes the standard measure, not the other way around. Even Marxism "has almost always translated hegemony from the point of view of the national worker, qualified, male and over thirty-five."40 A determination different from that of the constant will therefore be consid- ered minoritarian, by nature and regardless of number, in other words, a subsystem or an outsystem. This is evident in all the operations, electoral or otherwise, where you are given a choice, but on the condition that your choice conform to the limits of the constant ("you mustn't choose to change society..."). But at this point, everything is reversed. For the majority, insofar as it is analytically included in the abstract standard, is never anybody, it is always Nobody—Ulysses—whereas the minority is the becoming of everybody, one's potential becoming to the extent that one deviates from the model. There is a majoritarian "fact," but it is the ana- lytic fact of Nobody, as opposed to the becoming-minoritarian of every- body. That is why we must distinguish between: the majoritarian as a constant and homogeneous system; minorities as subsystems; and the minoritarian as a potential, creative and created, becoming. The problem is never to acquire the majority, even in order to install a new constant. There is no becoming-majoritarian; majority is never becoming. All becoming is minoritarian. Women, regardless of their numbers, are a minority, definable as a state or subset; but they create only by making pos- sible a becoming over which they do not have ownership, into which they themselves must enter; this is a becoming-woman affecting all of human- kind, men and women both. The same goes for minor languages: they are not simply sublanguages, idiolects or dialects, but potential agents of the major language's entering into a becoming-minoritarian of all of its dimen- sions and elements. We should distinguish between minor languages, the major language, and the becoming-minor of the major language. Minori- ties, of course, are objectively definable states, states of language, ethnicity, or sex with their own ghetto territorialities, but they must also be thought of as seeds, crystals of becoming whose value is to trigger uncontrollable movements and deterritorializations of the mean or majority. That is why Pasolini demonstrated that the essential thing, precisely in free indirect discourse, is to be found neither in language A, nor in language B, but "in language X, which is none other than language A in the actual process of becoming language B."41 There is a universal figure of minoritarian con- sciousness as the becoming of everybody, and that becoming is creation. One does not attain it by acquiring the majority. The figure to which we are referring is continuous variation, as an amplitude that continually over- steps the representative threshold of the majoritarian standard, by excess or default. In erecting the figure of a universal minoritarian consciousness, one addresses powers (puissances) of becoming that belong to a different realm from that of Power (Pouvoir) and Domination. Continuous variation constitutes the becoming-minoritarian of everybody, as opposed to the majoritarian Fact of Nobody. Becoming-minoritarian as the universal fig- ure of consciousness is called autonomy. It is certainly not by using a minor language as a dialect, by regionalizing or ghettoizing, that one becomes revolutionary; rather, by using a number of minority elements, by connect- ing, conjugating them, one invents a specific, unforeseen, autonomous be- coming.42

**Resolved means to personally think about things**

**AHD 2k6.** American Heritage Dictionary

resolved v. To cause (a person) to reach a decision.

**We represent the USFG in the resolution**

**Raney 10** [Gary Raney – Ada County Sherriff, “ Ada County Sheriff Gary Raney Response to Inquiry regarding Oathkeepers”, October 25th, 2010, <http://wearechangeidaho.org/CategoryArticles.php?id=1>]

First premise: “They” – the federal government – are not a distant body beyond our control. We are a republic and **we are the federal government** by the power of our vote. It is disingenuous for people to talk about the government as something foreign, like an enemy. In my opinion, it is our general apathy as voters that, by an omission of a vote.

**Judicial: of, by, or appropriate to a court or judge. – Google Dictionary 13**

**We meet that**

**Shoftim 13** –[http://www.virtualjerusalem.com/judaism.php?Itemid=10521]

We are all judges. We are all judges, judging what happens around us every moment in our thoughts and action. We form impressions, opinions, and biases, both positive and negative, through which we pass mental judgement on people and issues. nI our behavior and actions we carry out these judgments. –

**We don’t have a model for how every debate should be, but this debate is valuable.**

Simpson 12. Zachary Simpson, professor of philosophy at the University of Arts and Sciences of Oklahoma, Foucault Studies, No. 13, May 2012, pg. 102

When the preceding analysis of resistance is taken alongside Foucault’s constructivist conception of truth, it clearly leads to the notion, pursued by Foucault in the late 1970s, that the production of truth, and therefore the instantiation of resistance, can be a creative and intentional process.16 While Foucault consistently describes the presence of such resistances- through-truth, he also normatively advocates the production of truths to modify power relations. This more imaginative and creative dimension is often revealed in Foucault’s reflec- tions on the role of the author, which is:

...to see how far the liberation of thought can make... transformations urgent enough for people to want to carry them out and difficult enough to carry out for them to be profoundly rooted in reality. It is a question of making conflicts more visible... Out of these conflicts, these confrontations, a new power relation must emerge, whose first, temporary expression will be a reform.17

However, the project of “making conflicts more visible” is one which need not be based on present conditions or their limited range of options. Instead, one must constructively pro- blematize the epistemic relations which give rise to the present and question the truths which undergird existing power relations and creatively imagine strategic alternatives. Foucault in- dicates both this diagnostic and strategic procedure in another interview:

Why the truth rather than myth? Why the truth rather than illusion? And I think that, instead of trying to find out what truth, as opposed to error, is, it might be more interesting to take up the problem posed by Nietzsche: how is it that, in our societies, “the truth” has been given this value, thus placing us absolutely under its thrall?18

#### Theyre also not agonism

Norval 12**—**University of Essex—Government

(Alleta, “''Don't Talk Back!''−−The Subjective Conditions of Critical Public Debate”, Political Theory December 2012 vol. 40 no. 6 802-810, dml)

While Habermas’s sentiments clearly mirror the disdain for mass culture ¶ found generally in the writings of other critical theorists, one has to reflect ¶ on whether they are also a sign of what Macpherson long ago has called “the ¶ liberal fear of the masses.” This is echoed in Simone Chambers’s recently ¶ articulated question as to whether deliberative democracy has abandoned ¶ mass democracy?¶ 26¶ Mass publics, she argues, seem to have been abandoned ¶ in favour of **carefully constructed mini-publics**, in which **controlled critical** ¶ reasoning (**deliberation**) **can take place**.¶ 27¶ Chambers links this question, as it ¶ should be, to the deep mistrust of rhetoric, and its associations with the ¶ masses and the “wasteland of nondeliberative politics.” However, even ¶ though Chambers raises this important question, the sentiments so clearly ¶ expressed in Habermas are re-affirmed through the introduction of another ¶ dichotomy: the distinction between deliberative rhetoric and plebiscitory ¶ rhetoric, which suffers from all the pathologies Habermas attributed to mass ¶ publics. As in Habermas, Chambers touches upon the importance of the ¶ question of how “citizens form their opinions,” arguing that it is “an integral ¶ part of a theory of deliberative democracy.”¶ 28¶ To think about the how is not ¶ a matter of multiplying mini-publics, but of fostering the promotion and ¶ proliferation of a multiplicity of citizen–citizen encounters. Such “face-toface encounters of everyday talk” could promote “the skills needed to be a ¶ critical yet receptive audience.”¶ 29¶ Could the uses of the social media with which I started this short piece be ¶ considered cases of such interaction, if not face-to-face then in peer-to-peer ¶ networks and engagements between citizens and the state mediated via the ¶ new media? I would argue that, indeed, they could and ought to be treated as ¶ such. However, for this to become possible, and to be able to note the democratic potential of such interactions, the fundamentally dichotomous thinking ¶ that inspires both Habermas’s text and deliberative accounts of democracy ¶ more generally, must be abandoned, for it is part of the problem. As Habermas ¶ notes with respect to Räsonnement, the nuances of both sides are preserved¶ in the term. The same holds here: publics are both capable of being critical ¶ and of being manipulated; it is not the case that the virtue of the critical use ¶ of reason belongs to a particular sociological group or form of society. Democratic subjectivity is cultivated through **participation in practices of** ¶ “**talking back**.” It may include the education to which Habermas refers, but it ¶ also depends upon embodied practices of habituation,¶ 30¶ upon political imagination and upon the operation of exemplars, and upon actions that manifest ¶ for us other possibilities of being and acting.¶ 31¶ The particular forms such “talking back” take is of lesser importance: they ¶ can take a range of forms, **not all of which would** **correspond to a neatly rationalized image of deliberation**.¶ 32¶ But, **that makes them no less valuable**. Of ¶ fundamental importance is the thought that critical abilities are verified in the ¶ articulation of wrongs, as Rancière may put it.¶ 33¶ That is, the ability to act ¶ critically is fostered, enacted, and deepened in the very process of expressing ¶ demands and making claims.¶ 34¶ The fostering of virtues associated with ¶ democracy—**giving voice to senses of wrong and injustice**, protesting, occupying, listening to others, critically debating options, giving and receiving ¶ reasons, coming to see things in a different way through critical engagement ¶ with others, proposing alternatives, aspiring to higher selves and better societies, to name but a few—come about in and through construction of and ¶ **participation in** **critical, oppositional activities**.¶ 35¶ While recognising the limitations of the Internet as discursive space, policy analysts and political theorists experimenting with these new spaces and their potential contribution to ¶ democratic politics are emphasizing the extent to which they contribute to ¶ “the broad objective of **making policy debate** . . . **accessible and meaningful** ¶ and at the same time **agonistically authentic** and equitable.” In particular, it ¶ contributes to the expansion of available narratives that may compel policy ¶ makers to **avoid setting agendas too narrowly**, enabling the promotion of nonhegemonic political alternatives and policy options and facilitating the voicing of views in a wide variety of ways. As Coleman argues, there are virtues ¶ to digital storytelling that fosters and values situated contingency, “acknowledgement of the local and quotidian, and a willingness to embrace existential ¶ ambiguity” in a pluralistic political universe.¶ 36¶ **One becomes a democrat**;¶ 37¶ **one is not taught—from above—to be one**. ¶ Intuition and provocation takes precedence over tuition and instruction.¶ 38¶ The ¶ emphasis Habermas puts on teaching and training in the historical analysis of ¶ The Structural Transformation of the Public Sphere is crucial. However, for ¶ these insights to take their proper place in thinking about democracy, they ¶ need to be democratized, opened up to **possibilities that** **cannot be contemplated within** the **structures** of the critical public–mass distinction. If we think ¶ of democracy **in less restrictive terms**, it becomes possible to focus on fostering the development of radical democratic subjectivities, that cannot be anticipated nor held “accountable to any theoretical formulation”; radical democratic utterances both proclaim and enact the coming into being of a democratic ¶ subjectivity.¶ 39¶ This necessary openness only becomes a possibility once one ¶ takes the fundamental abilities and capacities of all, the counted and the ¶ uncounted, seriously. Emerson, like Rancière, suggests that each of us is ¶ capable of developing judgments from a standpoint that “all and sundry” ¶ “may be expected to find in themselves.”¶ 40¶ Emerson is clear about the continuous work on the self that this involves. He is also clear that it involves ¶ aversion to society and to the “herd.”¶ 41¶ Yet, this is never expressed in any ¶ other way than that those aspects of the self and of society that resemble the ¶ “herd”—the “mass” for Habermas—run through each and every one of us. ¶ Aversion to those aspects is crucial, but it is not achieved through external ¶ means, nor is it something associated with or limited to specific groups. “The ¶ virtue most in request [in society] is conformity. Self-reliance is its aversion.”¶ 42¶ Aversion opens the way to activities through which we can foster the ¶ virtues associated with a critical engagement and development of a better self ¶ and society. The perfectionism invoked here is non-elitist and non-teleological: ¶ it is a possibility open to each and all.¶ 43¶ **It does not predetermine and prefigure what is possible**, and along which road we must all travel. To quote ¶ Cavell, “The better world we think . . . is not a world that is gone, hence it is ¶ not to be mourned, but one to be borne, witnessed.”¶ 44¶ We should not mourn ¶ the loss of the bourgeois public sphere, but work on the possibilities opened ¶ up by the world coming into being.

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Kahn, 10 (Richard Kahn, Assistant Professor of Educational Foundations and Research at the University of North Dakota, Critical Pedagogy, Ecoliteracy, and Planetary Crisis: The Ecopedagogy Movement, 2010, pp. 9-11)

Worse still, though, is that here environmental literacy has not only been co-opted by corporate state forces and morphed into a progressively-styled, touchy-feely method for achieving higher scores on standardized tests like the ACT and SAT, but in an Orwellian turn it has come to stand in actuality for a real illiteracy about the nature of ecological catastrophe, its causes, and possible solutions. As I will argue in this book, our current course for social and environmental disaster (though highly complex and not easily boiled down to a few simple causes or strategies for action) must be traced to the evolution of: an anthropocentric worldview grounded in what the sociologist Patricia Hill Collins (1993) refers to as a matrix of domination (see chapter 1); a global technocapitalist infrastructure that relies upon market-based and functionalist versions of technoliteracy to instantiate and augment its socio- economic and cultural control (see chapters 2 and 3); an unsustainable, reductionistic, and antidemocratic model of institutional science (see chapter 4); and the wrongful marginalization and repression of pro-ecological resistance through the claim that it represents a “terrorist” force that is counter to the morals of a democratic society rooted in tolerance, educational change, and civic debate (see chapter 5). By contrast, the environmental literacy standards now showcased at places like the Zoo School as “Hall- marks of Quality” (Archie, 2003, p. 11) are those that consciously fail to develop the type of radical and partisan subjectivity in students, that might be capable of deconstructing their socially and environmentally deleterious hyper-individualism or their obviously socialized identities that tend toward 10 Critical Pedagogy, Ecoliteracy, and Planetary Crisis state-sanctioned norms of competition, hedonism, consumption, marketization, and forms of quasi-fascistic patriotism. Just as Stapp (1969) theorized environmental literacy as a form of political moderation that could pacify the types of civic upheaval, that occurred during the Civil Rights era, now too during the tendentious political atmosphere that has arisen as the legacy of the George W. Bush presidency, being environmentally literate quite suspiciously means learning how to turn the other cheek and listen to “both sides” of an issue—even when the issue is the unprecedented mass extinction of life taking place on the planet. In a manner that accords more with Fox News than Greenpeace, a leading environmental literacy pamphlet (Archie, 2003) emphasizes that “Teaching and learning about the environment can bring up controversies that must be handled in a fair and balanced manner in the classroom” (p. 11). Later in the document a teacher from Lincoln High School in Wisconsin is highlighted in order to provide expert advice in a similar fashion: “I’d say the most important aspect of teaching about the environment is to look at all aspects involved with an issue or problem. Teach from an unbiased position no matter how strong your ideas are about the topic. Let the kids make decisions for themselves” (p. 12), she implores. This opinion is mirrored by the Environmental Education Division of the Environmental Protection Agency (a federal office, created by the Bush administration, dedicated to furthering environmental literacy), which on its own website underscores as “Basic Information” that “Environmental education does not advocate a particular viewpoint or course of action. Rather, it is claimed that environmental education teaches individuals how to weigh various sides of an issue through critical thinking and it enhances their own problem-solving and decision-making skills.”10 Yet, this definition was authored by an administration trumping for a wider right-wing movement that attempts to use ideas of “fair and balanced” and “critical thinking” to occlude obvious social and ecological injustices, as well as the advantage it gains in either causing or sustaining them. This same logic defending the universal value of nonpartisan debate has been used for well over a decade by the right to prevent significant action on global warming. Despite overwhelming scientific acceptance of its existence and threat, as well as of its primarily anthropogenic cause, those on the right have routinely trotted out their own pseudo-science on global warming and thereby demanded that more research is necessary to help settle a debate on the issue that only they are interested in continuing to facilitate. Ecopedagogy: An Introduction 11 Likewise, within academic circles themselves, powerful conservatives like David Horowitz have the support of many in government who are seeking to target progressive scholars and viewpoints on university and college campuses as biased evidence of a leftist conspiracy at work in higher education (Nocella, Best & McLaren, Forthcoming). In order to combat such alleged bias, “academic freedom” is asserted as a goal in which “both sides” of academic issues must be represented in classrooms, departments, and educational events. The result of this form of repressive tolerance (see chapter 5) is simply to impede action on matters worth acting on and to gain further ideological space for right-wing, corporate and other conservative-value agendas.11 It is clear, then, that despite the effects and growth of environmental education over the last few decades, it is a field that is ripe for a radical reconstruction of its literacy agenda. Again, while something like environmental education (conceived broadly) should be commended for the role it has played in helping to articulate many of the dangers and pitfalls that modern life now affords, it is also clear that it has thus far inadequately surmised the larger structural challenges now at hand and has thus tended to intervene in a manner far too facile to demand or necessitate a rupture of the status quo. What has thereby resulted is a sort of crisis of environmental education generally and, as a result, the prevailing trends in the field have recently been widely critiqued by a number of theorists and educators who have sought to highlight their limitations.