## Districts 1AC

### Contention One: Exclusion of the Outlaw

#### WE BEGIN WITH AL-AWLAKI TARGETED BY HIS GOVERNMENT FOR BEING AN OUTLAW, HOWEVER HISTORY SHOWS A LONG PRECEDENT OF THE STATE HUNTING THE OUTLAW

Chong 12

[Jane Y. Chong, Yale Law School, JD 2014; Duke University, BA 2009, “Targeting the Twenty-First-Century Outlaw”, December, 2012, Yale Law Journal, 122 Yale L.J. 724, Google Scholar, \\wyo-bb]

On September 30, 2011, when drones fired Hellfire missiles at his convoy in Yemen, Anwar al-Awlaki did not become the first American citizen to be successfully targeted by his own government for execution without a trial. He became the first citizen known to be so killed abroad as part of the CIA's covert counterterrorism operations. (2) As a general matter, government-sanctioned execution without trial is not a novel practice. Under the common law judgment of outlawry, a penalty "as old as the law itself," (3) a fugitive fleeing summons or indictment for a capital crime such as treason could be killed instead of captured on the theory that individuals unwilling to subject themselves to the judgment of the law could not avail themselves of its protections. A number of authorities have incorrectly asserted that outlawry, a legal weapon of critical importance for centuries in England, (4) "has never been known on this side of the Atlantic." (5) In fact, outlawry was practiced in the American colonies and remained in force as a criminal sanction in a number of states well after the ratification of the Constitution. North Carolina put its outlawry statute into occasional use until as late as 1975. (6) In the context of modern terrorism, however, the term "outlawry" has been used loosely to refer to terrorist movements or state counterterrorism activities that operate outside a cognizable legal regime or violate established legal norms. (7) On the rare occasion when outlawry has been invoked as a legal sentence, it has been disparaged as the Western equivalent of the Islamic fatwa and as the barbaric analogue to current targeted killing practices. (8) In contrast, this Note examines the historical use and legitimacy of outlawry as a court-issued judgment. (9) My central argument is that the theory and past practice of outlawry provide helpful principles for narrowly crafting due process protections for prospective targets who are U.S. citizens. (10) Properly implemented, these protections would prevent their targeted killing from amounting to extrajudicial execution. (11) The extraordinary circumstances of Awlaki's killing could not more clearly attest to the need for an extraordinary mechanism by which citizens accused of terrorism can be guaranteed an opportunity to partake in the legal process. One year and one month before the CIA-led drone attack on Awlaki and fellow American-born radical Samir Khan, (12) Awlaki's father sought unsuccessfully to enjoin the government from killing his son. (13) Nasser al-Aulaqi (14) claimed that the rumored targeted killing program violated both his rights and his son's rights under the Constitution and international law. (15) In its opposing brief, the Obama Administration refused to confirm or deny the existence of such a state-sponsored program but nevertheless objected to the requested injunction as an "unprecedented, improper, and extraordinarily dangerous" interference with the President's military powers. (16) Judge Bates of the U.S. District Court for the District of Columbia ruled that the Executive's targeting determinations fall outside the courts' purview. This had the practical effect of permitting the Executive to kill Awlaki without judicial intervention, irrespective of whether the killing constituted a denial of due process. (17) But the controversial decision also contained the intuition that informs this Note. Judge Bates declined to grant Awlaki's father standing as Awlaki's next friend, declaring that "no U.S. citizen may simultaneously avail himself of the U.S. judicial system and evade U.S. law enforcement authorities." (18) Judge Bates's reasoning suggests that even under modern precepts, a citizen's access to the legal system and his rights under that system are--or should be--predicated on his recognition of his obligations under that system. The alternative would be to permit the alleged citizen-terrorist to exercise his legal rights even while refusing to submit to the legal system that affords those rights, turning the law into his shield while denying the government the use of the law as a sword. It is perhaps an unwillingness to accept this alternative, one that renders the government captive to its own legal process, that informs the Obama Administration's targeted killing policy. That policy is part of an aggressive counterterrorism agenda that has, by all media accounts, "baffled liberal supporters and confounded conservative critics alike." (19)

#### IN FACT THE DOJ JUSTIFIES THE EXTRA JUDICIAL KILLING THROUGH THE DECLARATION OF THEIR IDENTITY AS AN OUTLAW

Cole 13

[Juan Cole, Public intellectual, prominent blogger and essayist, and the Richard P. Mitchell Collegiate Professor of History at the University of Michigan, 02/06/2013, “Top Five Objections to the White House’s Drone Killing Memo”, <http://www.juancole.com/2013/02/objections-houses-killing.html>, \\wyo-bb]

NBC’s Michael Isikoff has revealed the text of a white paper composed for Congress by the Department of Justice that sheds light on the legal arguments made by Eric Holder in justifying the killing by drone strike of Americans abroad, who are suspected of belonging to al-Qaeda. That the memo did not even require that the US know of a specific and imminent plot against the US, of which the al-Qaeda member was guilty, for it to kill him from the skies, alarmed all the country’s civil libertarians. Here are five objections to the vision of the memo, which it seems to me is directly contrary to the spirit and the letter of the US constitution. It is contrary in profound ways to the ideals of the founding generation. 1. In the Western tradition of law, there can be no punishment without the commission of a specific crime defined by statute. The memo does not require that a specific crime have been committed, or that a planned criminal act be a clear and present danger, for an American citizen to be targeted for execution by drone. 2. To any extent that the president’s powers under the memo are alleged to derive from the 2001 Congressional Authorization for the Use of Military Force, i.e. from the legislature, they are a form of bill of attainder (the History Learning Site explains what that is here): “A bill, act or writ of attainder was a piece of legislation that declared a person or persons guilty of a crime. A bill of attainder allowed for the guilty party to be punished without a trial. A bill of attainder was part of English common law. Whereas Habeus Corpus guaranteed a fair trial by jury, a bill of attainder bypassed this. The word “attainder” meant tainted. A bill of attainder was mostly used for treason . . . and such a move suspended a person’s civil rights and guaranteed that the person would be found guilty of the crimes stated in the bill as long as the Royal Assent was gained. For serious crimes such as treason, the result was invariably execution.” What, you might ask, is wrong with that? Only that it is unconstitutional. Tech Law Journal explains: “The Constitution of the United States, Article I, Section 9, paragraph 3 provides that: “No Bill of Attainder or ex post facto Law will be passed.” . . . “These clauses of the Constitution are not of the broad, general nature of the Due Process Clause, but refer to rather precise legal terms which had a meaning under English law at the time the Constitution was adopted. A bill of attainder was a legislative act that singled out one or more persons and imposed punishment on them, without benefit of trial. Such actions were regarded as odious by the framers of the Constitution because it was the traditional role of a court, judging an individual case, to impose punishment.” William H. Rehnquist, The Supreme Court, page 166. The form of the AUMF, in singling out all members of al-Qaeda wherever they are and regardless of nationality or of actual criminal action, as objects of legitimate lethal force, is that of a bill of attainder. Congress cannot declare war on small organizations– war is declared on states. Such a bill of attainder is inherently unconstitutional. 3. The memo’s vision violates the principle of the separation of powers. It makes the president judge, jury and executioner. Everything is done within the executive branch, with no judicial oversight whatsoever. The powers the memo grants the president are the same enjoyed by the absolute monarchs of the early modern period, against whom Montesquieu penned his Spirit of the Laws, which inspired most subsequent democracies, including the American. Montesquieu said: “Again, there is no liberty, if the judiciary power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator. Were it joined to the executive power, the judge might behave with violence and oppression. There would be an end of everything, were the same man or the same body, whether of the nobles or of the people, to exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals. Most kingdoms in Europe enjoy a moderate government because the prince who is invested with the two first powers leaves the third to his subjects. In Turkey, where these three powers are united in the Sultan’s person, the subjects groan under the most dreadful oppression. Ironically, given contemporary American Islamophobia, the Obama administration has made itself resemble not the Sun-King, Louis XIV, who at least did have a court system not completely under his thumb, but rather, as Montesquieu saw it, the Ottoman sultans, who he claimed combined in themselves executive, legislative and judicial power. (Actually the Muslim qadis or court judges who ruled according to Islamic law or sharia were also not completely subjugated to the monarch, so even the Ottomans were better than the drone memo). 4. The memo resurrects the medieval notion of “outlawry”– that an individual can be put outside the protection of the law by the sovereign for vague crimes such as “rebellion,” and merely by royal decree. A person declared an outlaw by the king was deprived of all rights and legal protections, and anyone could do anything to him that they wished, with no repercussions. (The slang use of “outlaw” to mean simply “habitual criminal” is an echo of this ancient practice, which was abolished in the UK and the US). I wrote on another occasion that the problem with branding someone an “outlaw” by virtue of being a traitor or a terrorist is that this whole idea was abolished by the US constitution. Its framers insisted that you couldn’t just hang someone out to dry by decree. Rather, a person who was alleged to have committed a crime such as treason or terrorism had to be captured, brought to court, tried, and sentenced in accordance with a specific statute, and then punished by the state. If someone is arrested, they have the right to demand to be produced in court before a judge, a right known as habeas corpus (“bringing the body,” i.e. bringing the physical person in front of a judge).

#### THE EXCLUSION OF THE OUTLAW IS A CENTRAL FUNCTION OF MODERN POLITICS—DESTRUCTION OF TERRORISTS AND INDEFINITE DETENTION ARE EXAMPLES OF THE EXCLUSION OF DEMONIZATION OF OUTLAWS THAT EMBODIES POLITICS TODAY—THIS EXPOSES THE LIMITS OF DEMOCRATIC AND POLITICAL COMMUNITIES MARKING THE POINT WHERE VIOLENCE BECOMES POSSIBLE AND BIOPOLITICAL CATASTROPHE BECOMES INEVITABLE

Bunch, 2010

[Mary, PHD in philosophy at the University of Western Ontario, OUTLAWRY AND THE EXPERIENCE OF THE (IM)POSSIBLE: DECONSTRUCTING BIOPOLITICS, Doctoral Thesis] /Wyo-MB

The deconstructive logic of outlawry is ancient. The sovereign proclamation of outlawry – Wargus Esto, in Frankish law, or “become a wolf” – was a common legal penalty from the archaic period through the Middle Ages that tied sovereign power to its own undoing. The post-human politics of twentieth-century post-structuralism was thus anticipated hundreds of years earlier in a figure who challenged the law from the outside, not as a subject, but as liminal creature suspended between human and beast. This post-human figure is both a werewolf and an outlaw. In the wolf ban the law is constituted by what challenges it; as recourse to this challenge, the law is dissolved with respect to the offender in order to preserve itself; but it can never completely preserve itself. By banishing its challengers instead of killing or rehabilitating them, the sovereign reduces the outlaw to absolute vulnerability and exposure to death, but also ensures its own mortality. Outlawry exposes the law’s inability to be at one with itself, its fundamental insecurity, its undecidability, and its dependence on force to come into being and maintain itself. Yet outlawry is the non-presence that allows the law to begin its presencing. What is outside of the law is included in the law: even as the outside is severed from the inside – it is nonidentical to it, exterior to or excluded from it – it is nevertheless joined to it by the very limit that defines it as other. Outlawry is always already present as the law’s deconstructive double: it is fundamental to the law’s structure as a performative force. By refusing to allow the law to be final or complete, outlawry keeps the political system from stagnating. The law must continually transform as its context changes, or it will be replaced with a new law. In transformation or revolution, for better or for worse, this alterity is derived from outside of the law. Outlawry is persistent in its presence (as a nonpresence), and in its promise and threat to the law.But it seems as if in modernity, outlawry has a new logic; one that conserves the law instead of ensuring the law’s difference from itself. Giorgio Agamben points to the dangers of this modern mode of outlawry in Homo Sacer. Outlawry structures Agamben’s vision of biopolitics: sovereignty, which today takes life itself as its object,164depends on forces outside of the law for the foundation and conservation of its power (the sovereign’s decision on the exception comes from outside of the law). As such, modern sovereignty, even in democratic states, is a totalizing force that encloses its outside. In this extra-legal state, everybody becomes an outlaw of sorts as they suffer a withdrawal of legal rights and protections. Citizens are no longer subjects capable of political action, but instead are abjected and exposed to death. This double mode of outlawry is the legacy of the camps. Agamben writes:[t]here is no return from the camps to classical politics...[T]he possibility of distinguishing between our biological body and our political body...was taken from us forever. And we are not only, in Foucault’s words, animals whose life as living beings are at issue in their politics, but also—inversely—citizens whose very politics is at issue in the natural body.” (188)Western metaphysics, politics, medico-biological sciences and jurisprudence are together implicated in a state of affairs that brings us to the edge of “an unprecedented biopolitical catastrophe” (188) as bare life (life that is excluded from the law) becomes the object of the law (a law that preserves its power by suspending itself in relation to the life that it excludes).There is something compelling in Agamben’s dark vision, in which exposure to death seems to enter the very core of life, infiltrating every aspect of social and political life in a new kind of totalitarianism. His diagnosis of the modern political condition as an indefinite state of exception populated by homo sacer, while cynical, seems to hit the mark, whether one is considering the post 9-11 global ‘war on terror,’ or biotechnology. Whether it is in the decision to cease life-preserving treatment, or to deem someone a terrorist or “unlawful enemy combatant” and detain them without the protection of the usual legal rights, the suspension of the law in relation to some lives changes the law’s relation to all human life. In Agamben’s analysis this new relation – what he defines as biopolitics–takes the structure of the archaic ban, the proclamation of outlawry that inaugurates sovereignty by excluding the outlaw. In this view, the ban does not deconstruct sovereignty, it preserves it. For Agamben, outlawry serves two functions. It165guarantees the total indivisible power of the sovereign, while in the case of the subject, outlawry constitutes an erasure of agency and exposure to death (the banned individual enters a liminal space between human and beast, and as such can be killed but not sacrificed). In effect, for Agamben the reappearance of outlawry as biopolitics encloses all forms of modern sovereignty in a form of totalitarianism.However, it is not outlawry that traps modernity in the logic of the camps, nor is it a return to some ‘normal’ situation that saves us from fascism. This was Walter Benjamin’s message, a message that often seems to go unheard, although it is obvious to those who are outside of the law: fascism is the normal situation. The fact that this has not changed in the six decades following the Shoah, but rather expanded to secretly structure even liberal democracies, as Agamben argues, is cause for significant concern. We cannot rid ourselves of outlawry in the political sphere. To ban outlawry, if such a thing were logically possible, would only intensify the biopolitical catastrophe because it would foreclose the law’s difference from itself, its capacity to transform, while to welcome only outlawry would surely invite chaos. Indeed, there must be law. Yet the solution is not a foreclosure of the outside of the law. Agamben creates a very compelling sketch of the problem when outlawry is taken up in biopolitics, but he forgets the challenge that outlawry poses to sovereignty, missing the deconstructive relation outlawry maintains with the law. A mimetic switch complicates the biopolitical situation, deconstructing biopolitics itself and reversing the significance of outlawry to sovereignty and subject. Sovereignty is exposed to its own annihilation, as Derrida surmises in Rogues, it has finally undone itself; it has lost all meaning (101). And the subject, exiled from the law, tastes its unmediated freedom (ipseity), glimpses the law’s mystical authority, and celebrates the possibility of a new law, if only for a suspended instant.

#### THIS USE OF IDENITITY IN THE POLITICAL AND PERSONAL HAS THREE IMPACTS:

#### FIRST, THE EXCLUSION AND ELIMINATION OF THE OUTLAW IS PART OF THE ATTEMPT TO PRODUCE A SINGLE AND UNIFIED PEOPLE UNDER THE LAW—THIS PROJECT RESULTS IN THE FINAL SOLUTION

Agamben, 2000

[Giorgio, Means without ends: notes on politics, Pg 33-35] /Wyo-MB

If this is the case-if the concept of people necessarily contains within itself the fundamental biopolitical fracture-it is possible to read anew some decisive pages of the history of our century. If the struggle between the two peoples has always been in process, in fact, it has undergone in our time one last and paroxysmal acceleration. In ancient Rome, the split internal to the people was juridically sanctioned by the clear distinction be- tween populus and plebs- each with its own institutions and magistrates-just as in the Middle Ages the division between artisans [popolo minuto] and merchants [popolo grasso] used to correspond to a precise articulation of different arts and crafts. But when, starting with the French Revolution, sovereignty is entrusted solely to the people, the people become an embarrassing presence, and poverty and exclusion appear for the first time as an intolerable scandal in every sense. In the modern age, poverty and exclusion are not only economic and social concepts but also eminently political categories. (The economism and "socialism" that seem to dominate modern politics actually have a political, or, rather, a biopolitical, meaning.) From this perspective, our time is nothing other than the methodical and implacable attempt to fill the split that divides the people by radically eliminating the people of the excluded. Such an attempt brings together, according to different modalities and horizons, both the right and the left, both capitalist countries and socialist countries, which have all been united in the plan to produce one single and undivided people-an ultimately futile plan that, however, has been partially realized in all industrialized countries. The obsession with development is so effective in our time because it coincides with the biopolitical plan to produce a people without fracture. "When seen in this light, the extermination of the Jews in Nazi Germany acquires a radically new meaning. As a people that refuses integration in the national body politic (it is assumed, in fact, that its assimilation is actually only a feigned one), the Jews are the representatives par excellence and almost the living symbol of the people, of that naked life that modernity necessarily creates within itself but whose presence it is no longer able to tolerate in any way. We ought to understand the lucid fury with which the German Volk- representative par excellence of the people as integral body politic- tried to eliminate the ]ews forever as precisely the terminal phase of the internecine struggle that divides People and people. With the final solution-which included Gypsies and other unassimilable elements for a reason-· Nazism tried obscurely and in vain to free the Western political stage from this intolerable shadow so as to pro- duce finally the German Volk as the people that has been able to heal the original biopolitical fracture. (And that is why the Nazi chiefs repeated so obstinately that by eliminating Jews and Gypsies they were actually working also for the other European peoples.)

#### SECOND, THE CLEANSING OF NEGATIVITY FROM IDENTITIES AND DIFFERENCE BREEDS RESSENTIMENT

Tubbs 05

[Nigel Tubbs, Principal Lecturer at University College Winchester, “Nietzsche, Zarathustra and Deleuze”, Journal of Philosophy of Education, Vol. 39, No. 2, 2005, Chapter 7, http://exordio.qfb.umich.mx/archivos%20pdf%20de%20trabajo%20umsnh/aphilosofia/educaci%C3%B3n%20filosofia/chapter7.pdf, \\wyo-bb]

In Nietzsche and Philosophy, Deleuze claims that there can be ‘no possible compromise between Hegel and Nietzsche’ (Deleuze, 1983, p. 195). Later, in Difference and Repetition, he afﬁrms his philosophy of afﬁrmation as part of ‘a generalized anti-Hegelianism’ that includes ontology, structuralism and the discovery of ‘ﬁelds of a power peculiar to repetition . . . [in] the unconscious, language and art’ (Deleuze, 1994, p. xix). Central to this thesis are his observations that difference and repetition have taken the place of the identical and the negative, of identity and contradiction. For difference implies the negative, and allows itself to lead to contradiction, only to the extent that its subordination to the identical is maintained. The primacy of identity, however conceived, deﬁnes the world of representation (ibid.). Deleuze stakes himself in the claim that ‘modern thought is born from the failure of representation, of the loss of identities’ and of the collapse of representation into simulacra. Identity is only simulated, ‘produced as an optical ‘‘effect’’ by the more profound game of difference and repetition’ (ibid.). The continued subjection of difference to the identity, or to the concept of the same, ‘seems’ (p. 262) to mean that difference only becomes thinkable ‘when tamed’ by the four ‘iron collars of representation’, namely: identity, opposition, analogy and resemblance (ibid.). Even, or especially, in Hegel where difference is pushed ‘to the limit’ (p. 263), the path is ‘a dead end’ (ibid.) which ultimately brings it back to identity—the very condition upon which the examination of difference was allowed to proceed. Thus, representation is ‘a site of transcendental illusion’ (p. 265) which takes four interrelated forms of the subordination of difference: under the identity of the concept, under resemblance, under the negative and under the analogy of judgement. If Hegel is the high point of the history of a ‘long perversion’ (p. 164), then ‘something completely new begins with Kierkegaard and Nietzsche’, a ‘theatre within philosophy’ in which the ultimately static concept of mediation is replaced by ‘movement’ which can affect the mind ‘outside of all representations’. Finding such ‘immediate acts’ is, therefore, for Kierkegaard and Nietzsche ‘a question of making movement itself a work, without interposition; of substituting direct signs for mediate representations; of inventing vibrations, whirlings, gravitations, dances or leaps which directly touch the mind’. In doing so, they created simultaneously a ‘theatre of the future and a new philosophy’ (p. 8). Leading directly from his presentation of afﬁrmation in Nietzsche and Philosophy, Deleuze reafﬁrms in Difference and Repetition that ‘representation fails to capture the afﬁrmed world of difference’ (p. 55). ‘Representation has only a single centre, a unique and receding perspective, and in consequence a false depth. It mediates everything, but mobilises and moves nothing’ (pp. 55–56). Hegelian movement can only represent ‘the universal’ to ‘everyone’ (p. 52). But ‘there is always an unrepresented singularity who does not recognise precisely because it is not everyone or the universal’. This singularity, who is spoken for does not follow the Hegelian process of synthesis. Rather this ‘sensitive conscience’ subsists in its immediacy, in its difference which itself constitutes the true movement. Difference is the true content of the thesis, the persistence of the thesis. The negative and negativity do not even capture the phenomenon of difference, only the phantom or the epiphenomenon. The whole of Phenomenology is an epiphenomenology (ibid.). Where representation offers only the indeterminate or negation, the philosophy of difference afﬁrms itself in the refusal of these pseudoalternatives. The afﬁrmation of difference is its own essence. This is unlike the yes-saying that agrees to bear difference in order to cleanse it of its negativity. Such asceticism suffers in order to ‘deliver difference up to the identical’ (p. 53). On the contrary, the afﬁrmation of difference is to deny ‘everything which can be denied and must be denied’ (p. 55). It is Nietzsche’s new categorical imperative: deny everything ‘which cannot pass the test of eternal return’. Those who do not ‘believe’ in eternal return will afﬁrm for themselves the epiphenomenon of abstract knowledge. But for those who can deny negative representation, those who can afﬁrm difference in itself, this will ensure that the negative ‘consumes itself at the mobile centre of eternal return. For if eternal return is a circle, then difference is at the centre and the same is only on the periphery: it is a constantly decentred, continually tortuous circle which revolves only around the unequal’. Afﬁrmation has difference as its object, and, therefore, afﬁrmation is multiple. It is difference in itself. Negation is also difference ‘but seen from below’. When we put or leave afﬁrmation in the undetermined, we also put ‘determination in the negative’. Negation, therefore, is only ‘the shadow of the more profound genetic element—of that power or ‘‘will’’ which engenders the afﬁrmation and the difference of afﬁrmation’. Or, put more simply, negation is a form of ressentiment against power, for rather than afﬁrming difference, it offers only epiphenomena as reality. ‘Those who bear the negative know not what they do: they take the shadow for reality, they encourage phantoms, they uncouple consequences from premisses . . .’ (ibid.).

#### These constructions of identity allow for the discourses of danger which result in the constructions of threats against the humanity, enabling for the pursuit of geopolitical interests and enforcing discursive discipline

Jackson 05

[Richard Jackson, Lecturer in International Security at The University of Manchester, “Security, Democracy, and the Rhetoric of Counter-Terrorism”, Democracy and Security, Volume 1, Issue 2, 2005, pages 147-171, Taylor and Francis Online Database, \\wyo-bb]

As David Campbell has shown, discourses of danger and foreign threat have been integral in constituting and disciplining American identity as practiced through its foreign policy. 43 Collectivities, especially those as disparate and diverse as America, are often only unified by an external threat or danger; in this sense, threat creation can be functional to political life. Historically, the American government has relied on the discourse of threat and danger on numerous occasions: the “red scares” of the native Americans who threatened the spread of peaceful civilization along the Western frontier, the workers’ unrest at the time of the Bolshevik Revolution, and the threat to the American way of life during the cold war; the threat of “rogue states” like Libya, Panama, Iran, North Korea, and Iraq; and the threats posed by the drug trade, the proliferation of weapons of mass destruction, and now of course, terrorism. These discourses of danger are scripted for the purposes of maintaining inside/outside, self/other boundaries—they write American identity—and for enforcing unity on an unruly and (dis)United States. Of course, there are other more mundane political functions for constructing fear and moral panic: provoking and allaying anxiety to maintain quiescence, de-legitimizing dissent, elevating the status of security actors, diverting scarce resources into ideologically driven political projects, distracting the public from more complex and pressing social ills. 44 This is not to say that terrorism poses no real threat; the dangers can plainly be seen in the images of falling bodies and the piles of rubble. Rather, it is to point out that dangers are those facets of social life interpreted as threats (in one sense, dangers do not exist objectively, independent of perception), and what is interpreted as posing a threat may not always correspond to the realities of the actual risk of harm. Illegal narcotics, for example, pose less of a risk than the abuse of legal drugs, but a “war on drugs” makes it otherwise. Similarly, the “war on terrorism” is a multi-billion dollar exercise to protect Americans from a danger that, excluding the September 11, 2001 attacks, killed less people per year over several decades than bee stings and lightening strikes. Even in 2001, America's worst year of terrorist deaths, the casualties from terrorism were still vastly outnumbered by deaths from auto-related accidents, gun crimes, alcohol and tobacco-related illnesses, suicides, and a large number of diseases like influenza, cancer, and heart disease. Globally, terrorism, which kills a few thousand per year, pales into insignificance next to the 40,000 people who die every day from hunger, the half a million people who die every year from small wars, the 150,000 annual deaths from increased diseases caused by global warming, 45 and the millions who die from AIDS. And yet, the whole world is caught up in the global “war on terrorism” whose costs so far run into the hundreds of billions. In a world of multiple threats, many of which pose a far greater risk to individual safety, the fact that terrorism is widely seen as posing the greatest and most immediate threat is due to the deliberate construction of a discourse of danger. The initial construction of the threat of terrorism involved fixing the attacks of 9/11 as the start of a whole new “age of terror,” rather than as an extraordinary event, or an aberration (out of 18,000 terrorist attacks since 1968 only a dozen or so have caused more than 100 deaths; high-casualty terrorist attacks are extremely rare and 9/11 was the rarest of the rare). Instead, the attacks were interpreted as the dawning of a new era of terrorist violence that knew no bounds. As Bush stated, “All of this was brought upon us in a single day—and night fell on a different world.” 46 Vice-President Dick Cheney made it even clearer: Today, we are not just looking at a new era in national security policy, we are actually living through it. The exact nature of the new dangers revealed themselves on September 11, 2001, with the murder of 3,000 innocent, unsuspecting men, women, and children right here at home. 47 This construct was only possible by severing all links between this act of terrorism and countless others that had preceded it, and by de-contextualizing it from the history of al Qaeda's previous attacks. As we saw earlier, “9/11” was constructed without a pre-history; it stands alone as a defining act of cruelty and evil. This break with the past makes it possible to assign it future significance as the start of “super-terrorism,” “catastrophic terrorism,” or simply “the new terrorism.” Logically, if there's a new super-terrorism, then a new super-war-on-terrorism seems reasonable. A second feature of this discourse of danger is the hyperbolic language of threat. It is not just a threat of sudden violent death, it is actually a “threat to civilization,” a “threat to the very essence of what you do,” 48 a “threat to our way of life,” 49 and a threat to “the peace of the world.” 50 The notion of a “threat to our way of life” is a Cold War expression that vastly inflates the danger: instead of a tiny group of dissidents with resources that do not even begin to rival that of the smallest states, it implies that they are as powerful as the Soviet empire was once thought to be with its tens of thousands of missiles and its massive conventional army. Moreover, as Cheney reminds us, the threat of terrorism, like the threat of Soviet nuclear weapons, is supremely catastrophic: The attack on our country forced us to come to grips with the possibility that the next time terrorists strike, they may well be armed with more than just plane tickets and box cutters. The next time they might direct chemical agents or diseases at our population, or attempt to detonate a nuclear weapon in one of our cities. [ … ] no rational person can doubt that terrorists would use such weapons of mass murder the moment they are able to do so. [ … ] we are dealing with terrorists [ … ] who are willing to sacrifice their own lives in order to kill millions of others. 51 In other words, not only are we threatened by evil terrorists eager to kill millions (not to mention civilization itself, the peace of the world, and the American way of life), but this is a rational and reasonable fear to have. We should be afraid, very afraid: “If they had the capability to kill millions of innocent civilians, do any of us believe they would hesitate to do so?.” 52 As if this was not enough to spread panic throughout the community, officials then go to great lengths to explain how these same terrorists (who are eager to kill millions of us) are actually highly sophisticated, cunning, and extremely dangerous. As John Ashcroft put it: “The highly coordinated attacks of September 11 make it clear that terrorism is the activity of expertly organized, highly coordinated, and well–financed organizations and networks.” 53 Moreover, this is not a tiny and isolated group of dissidents, but “there are thousands of these terrorists in more than 60 countries” and they “hide in countries around the world to plot evil and destruction”; 54 or, like the plot of a popular novel: “Thousands of dangerous killers, schooled in the methods of murder, often supported by outlaw regimes, are now spread throughout the world like ticking time bombs, set to go off without warning.” 55 In other speeches, officials inflate the numbers of the terrorists to “tens of thousands” of killers spread throughout the world. The next layer of fear is the notion that the threat resides within; that it is no longer confined outside the borders of the community, but that it is inside of us and all around us. As Ashcroft constructs it: The attacks of September 11 were acts of terrorism against America orchestrated and carried out by individuals living within our borders. Today's terrorists enjoy the benefits of our free society even as they commit themselves to our destruction. They live in our communities—plotting, planning, and waiting to kill Americans again [ … ] a conspiracy of evil. 56 Like the “red scares” of the past, the discourse of danger is deployed in this mode to enforce social discipline, mute dissent, and increase the powers of the national security state. It is designed to bring the war home, or, as Bush puts it: “And make no mistake about it, we've got a war here just like we've got a war abroad.” 57 In another genealogical link to previous American foreign policy, the threat of terrorism is from a very early stage reflexively conflated with the threat of “weapons of mass destruction” and the “rogue states” who might hand them on to terrorists. According to the discourse, rogue states are apparently eager to assist terrorists in killing millions of Americans. As Bush stated in his now infamous “axis of evil” speech, States like these, and their terrorist allies, constitute an axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction, these regimes pose a grave and growing danger. They could provide these arms to terrorists, giving them the means to match their hatred. 58 This is actually an ingenious discursive slight of hand which allows America to re-target its military from a war against a tiny group of individual dissidents scattered across the globe, to territorially defined states who also happen to be the target of American foreign policy. It transforms the “war against terrorism” from a largely hidden and unspectacular intelligence gathering and criminal apprehension program, to a flag-waving public display of awesome military firepower that re-builds a rather dented American self-confidence. More importantly, it allows for the simultaneous pursuit of geo-strategic objectives in crucial regions such as the Middle East under the banner of the “war on terrorism.” 59 Instead of reassuring the nation that the attacks were an exceptional and a unique event in a long line of terrorist attacks against America (that have thus far failed to overthrow freedom), the Bush administration chose instead to construct them as the start of a whole new age of terror—the start of a deadly new form of violence directed at Americans, civilized people all over the world, freedom, and democracy. The Bush administration could have chosen to publicize the conclusions of the Gilmore Commission in 1999, a Clinton-appointed advisory panel on the threat of WMD falling into the hands of terrorists. Its final report concluded that “rogue states would hesitate to entrust such weapons to terrorists because of the likelihood that such a group's actions might be unpredictable even to the point of using the weapon against its sponsor,” and they would be reluctant to use such weapons themselves due to “the prospect of significant reprisals.” 60 Condoleeza Rice herself wrote in 2000 that there was no need to panic about rogue states, because “if they do acquire WMD—their weapons will be unusable because any attempt to use them will bring national obliteration.” 61 Instead, officials engaged in the deliberate construction of a world of unimaginable dangers and unspeakable threats; they encouraged social fear and moral panic. Within the suffocating confines of such an emergency, where Americans measure their daily safety by the color of a national terrorist alert scale (reflected in the glow of every traffic light), it seems perfectly reasonable that the entire resources of the state be mobilized in defense of the homeland, and that pre-emptive war should be pursued. It also seems reasonable that national unity be maintained and expressions of dissent curtailed. The reality effect of scripting such a powerful danger moreover, can be seen in the two major wars fought in two years (followed by costly ongoing “security operations” in each of those states to root out the terrorists), the arrest of thousands of suspects in America and around the world, and the vast sums spent unquestioningly (even by the Democrats) on domestic security, border control and the expansion of the military. Only the “reality” of the threat of terrorism allows such extravagance; in fact, the manner in which the threat has been constructed—catastrophic, ubiquitous, and ongoing—normalizes the entire effort. If an alternative interpretation of the threat emerged to challenge the dominant orthodoxy (that it was vastly over-blown, or misdirected, for example), support for the consumption of such massive amounts of resources might be questioned and the political order destabilized. A massive threat of terrorism then, is necessary for the continued viability of the “war on terrorism”; writing the threat of terrorism is co-constitutive of the practice of counter-terrorism.

#### FINALLY, THE LAW USES STATIC IDENTITY AS A TOOL TO TOTALIZE IDENTITY. THE ONLY WAY THE LAW CAN RECONCILE THE DIFFERENCES BETWEEN THESE TOTALIZED IDENTITIES IS THROUGH VIOLENCE, MAKING WAR INEVITABLE. ONLY SOLUTION IS THE METHOD OF BECOMING

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If ethics and politics are separate, there also must be a separation, for Levinas, between the political subject and the ethical subject. A political subject would be an identity-based133subject, a subject-in-common, whereas an ethical subject is an other among others. Already there is some disruption of the political field when the subject is divided in this way, for neither commonality, nor subjection to the sovereign, are any longer a requirement for the agency of a subject who is split between their political being and ethical being. Of the ethical subject Levinas writes: “Subjectivity realizes these impossible exigencies – the astonishing feat of containing more than it is possible to contain.... subjectivity [is] welcoming the Other, as hospitality; in it the idea of infinity is consummated” (27). Ethics, in other words, is an openness to exteriority. But can a political subject open toward the Other? It seems this openness only happens in the ethical, and not the political sphere. The ethical relation, it follows, transcends the law, because the law, as an aspect of politics, invokes identity and erases difference, indeed it must, of we are to achieve ‘equality before the law.’ But this transcendence is not an ‘outlaw’ event, at least not prior to deconstruction, since it does not seem to exist in relation to law and politics at all.In a conversation with Derrida, recalled in Adieu Emmanuel Levinas, Levinas describes his ethical approach as a matter of theology: “You know, one often speaks of ethics to describe what I do, but what really interests me in the end is not ethics, not ethics alone, but the holy, the holiness of the holy” (4). A kind of transcendental disruption of politics is thus possible, but the disconnect between ethics and politics diminishes the political usefulness of ethics as a concept, as Simon Critchley elaborates in Five Problems in Levinas’ View of Politics. According to Critchley, Levinasian politics, in accordance with the Schmittian friend/enemy divide, is derived from the antagonism between friends and enemies. His ethics, however, is shaped by monotheism and a concept of fraternity that contradicts this division, for on an ethical level “all humanity is my friend and no one is my enemy,” as Critchley phrases it (174). In other words, humanity is a spiritual fraternity mediated through the presence of God.This separation, which aligns politics with totalitarianism and ethics with theology, does not bode well for our political life. The ideal transcendence of the face-to-face encounter is impossible in the plurality of beings that comprise the political sphere. Politics is the regulation of chaos, the imposition of order on disorder: there is no outside. We are134political when we find ways to manage our relation to each other, so the political is always a mediation. Levinas calls it le tier, the third party. In contrast to ethics, the third- party relation refers specifically to law and the state, which tend always toward totalization. Third-party relations are always already ethically unjust because they are unable to account for the specificity of the face-to-face encounter, and must generalize for the good of all citizens. As a consequence of this unifying function, Levinas equates the political with violence and war. Politics is “the art of foreseeing war and of winning it by every means ... the very exercise of reason. Politics is opposed to morality, as philosophy is to naiveté” (TI 21). As he continues Levinas links war, and implicitly politics and political subjects, to totalization: “The visage of being that shows itself in war is fixed in the concept of totality, which dominates western philosophy. Individuals are reduced to being bearers of forces that command them unbeknown to themselves. The meaning of individuals (invisible outside this totality) is derived from the totality” (21-2). Thus for Levinas it is not possible to be a political actor without being complicit with the forces of totalization. Levinas puts ethics to the task of re-constituting political space by repeatedly interrupting all claims at totalization, including those hidden in liberal concepts of freedom and autonomy, as Critchley points out in Ethics and Deconstruction (223). In other words, the role of ethics in relation to the violent and totalizing forces of politics is to override and guide political reason, to disrupt politics (222). A recognition of and responsibility to the Other disrupts the hatred of the Other on which political unity is organized. Yet Levinas’ politics are fraught with difficulties. First of all, Levinas’ view of what counts as political is very narrow (173). Indeed, his approach appears similar to Schmittian political concepts in which the state’s role is to distinguish friend from enemy and foreclose all difference in the name of unity. Moreover the political, as Levinas conceptualizes it, has further traces of Schmittian decisionism, which ironically installs a different side of outlawry at the heart of politics. As Critchley elaborates, Levinas sees politics as archic: “it is obsessed with the moment of foundation, origination, declaration, or institution that is linked to the act of government, of sovereignty, most of all of decision that presupposes and initiates a sovereign political subject capable of self-government and the government of others” (182). A decision is extralegal, for in order to qualify as a decision135it must exceed the realm of rule and calculation that comprises the law. Yet the Schmittian sovereign decision aims not at disrupting law, but at conserving it. This is the essence of totalitarianism as conceived by Schmitt. As a result, the political sphere is a realm where only the sovereign has agency and political subjects find themselves limited by a prescribed social role, on the one hand, and exposed to the extralegal violence of the decision, on the other.To be clear, the similarities between these thinkers’ definitions of politics do not by any means align Levinas with Schmitt, either ethically or politically: where Schmitt recommends decisive totalitarian politics as an ideal political system, Levinas is intent on disrupting such totalizing forces with what lies outside of the political realm. Yet his ethical challenge to politics seems ineffectual. For as Critchley points out, Levinasian ethics leaves no room for progressive political action: the disruptive moment transforms into the archic founding gesture, instituting a new third party (1992). In other words, when ethics engages politics, it becomes political, which is to say it takes on a unifying, totalizing impulse and erasure of the ethics that founded it. If this is the case, can we put Levinasian ethics to the task of disrupting politics as a mode of outlawry? In the following section, I address this question, suggesting that while Levinas opens up the possibility for such an ethical role for outlawry by replacing the identity imperative of German Idealism with the imperative for alterity, he does not allow politics to contain that ethical disruption within itself: but Derrida’s re-working of the ethics of alterity does.

### Contention Two: Outlaw Politics

#### THUS OUR ADVOCACY: WE AFFIRM THAT WE ARE OUTLAWS.

#### We make two solvency claims:

#### First, Universal Recognition of being- recognition of the outlaw in all of us allows us to rethink ethics creating an ethical interaction towards the excluded other.

#### Second, This recognition solves devaluation- a politics of outlawry is critical to challenging relationships of violence that exist in the status quo

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I began this chapter with the becoming-animal of Levinas and the becoming-ethical of Bobby the dog, with the aim of exploring their mutual exposure at the level of bare life as a site of ethics – an ethics that is situated in the space outside the law, that exceeds the conditions of subjectivation, but that is nevertheless political. The irony of the association of ethics with bare life should not be ignored: indeed, we are most unethically political when we dehumanize others, as we have seen in the Shoah and other genocides, slavery, patriarchy, colonization and so on. So how can the very terms of dehumanization – bare life, or animal life – become a site for ethics and political action? Becoming animal sheds a different light on the politics of life itself by presenting a post-human, rather than merely de-humanized figure, that can be both ethical and political. Moreover, rather than referring to some individual who flouts the law in isolation, becoming animal shares an affective relation with other entities as part of a collective or multiplicity. If Agamben’s conception of bare life diagnoses a crisis in modern politics in which the law is suspended and everyone is homo sacer, exposed to death through totalitarian appropriations of the outside of the law, Deleuze and Guattari’s minoritarian politics, together with deconstruction, provide the framework to re-conceptualize our political concepts so that outlawry becomes a threshold for a revolving disruption of the political sphere with ethics. We might thus conceive of democracy in terms of a politics of bare life, but along the lines of becoming animal instead of homo sacer, and theorize democracy as processes of minority becomings instead of majority rule. How then might we conceive of democracy as a becoming that moves in the direction of the outside of the law, rather than always consolidating the terms of what is inside the law’s borders? In short, how does outlawry, in its deconstructive sense, transform our understanding of democracy?Democracy is typically affiliated with the politics of subjects, and is what Deleuze and Guattari term a molar model, since it is based on the majority, rather than minorities, and consensus, rather than dissensus. As Patton suggests, contemporary liberal democracy is155“a form of government in which the governed exercise control over governments and their policies, typically through regular and fair elections...They ensure equal rights to effective participation in political processes, but also set limits to what majorities can decide by protecting basic civil and political rights and ensuring the maintenance of a rule of law” (185-6). Derrida has demonstrated how problematic this understanding of democracy is with respect to minorities. As he argues in Rogues, the democratic state excludes “all sorts of unlike and unrecognizable others,” in particular the “bad citizens, rogues [and] noncitizens,” despite its promise “at the same time or by turns... to open itself up, to offer hospitality, to all those excluded” (63).The problem with – and the cure for, present forms of democracy arise from the auto- immunity of democracy. Democracy protects itself from what threatens it, from within and from without, by suspending democracy itself. Because it excludes its other, democracy is always ‘put off.’ Derrida refers to this as the Renvoi of democracy: “[R]envoi signifies putting off to later, the reprieve [sursis] that remits or defers [sursoit] democracy until the next resurgence [sursaut] or until the next turn or round; it suggests the incompletion or essential delay, the self inadequation of every present and presentable democracy, in other words, the interminable adjournment of the present democracy” (R 37-38). But this concept is more than simply a critique of the inherent failure of democracy on account of its deferral and difference from itself. The renvoi of democracy refers to alterity itself, to the difference of the other. The deferral is thus also a reaching toward difference. In the terms of Deleuze and Guattari, it is a becoming-minoritarian. Or as Derrida puts it: différance as reference or referral [renvoi] to the other, that is, as the ... undeniable, experience of the alterity of the other, of heterogeneity, of the singular, the not-same, the different, the dissymmetric, the heteronomous” (38). Democracy thus takes a liminal position between the law and justice, the political and the ultra-political: from this border it seeks to re-create itself through a simultaneous construction and deconstruction.With these concepts Derrida provides a starting place for bringing Levinas’ ethics into the political realm. It is through this very contradiction, this difference within itself that democracy-to-come incorporates an ethics of alterity and exteriority. The Derridean sense156of time as out of joint suspends the difference between the law and its outside through a ‘revolution’ that literally implies revolving or circling about. It is through this circular action that democracy-to-come overcomes the homogenizing exclusions of what Levinas terms third party politics (A Tier) with a movement toward alterity – that is ethics – in the political field. However, the deconstructive approach also has its limits: the impossibilities, passivity and the necessary deferral to the future produces a political concept whose praxis is somewhat obscure. What of the politics of the present? What route do we take, as individuals or collectively, toward this future? And who or what is the agent of such a politics?Deleuze and Guattari propose a theory of becoming-democratic that sounds strikingly similar to Derrida’s democracy-to-come, but point also to modes of political praxis in the present, or more precisely, to political praxis as a mode of resistance to the present. This includes a resistance to present democracies, which, Deleuze and Guattari agree, are Capitalist fraternities that have no claim to justice.66 As they ask in What is Philosophy: “What social democracy has not given the order to fire when the poor came out of their territory or ghetto?” (108). Democracy, no less than other political forms, makes outlaws of its minorities, in the vulnerable and disenfranchised sense of homo sacer. But like democracy-to-come, becoming-democratic involves becoming-outlaw in its anarchic sense. Becoming-democratic is the politics of the poor when they come out of their ghetto, and it is the becoming-minoritarian (opening up) of those very forces that exclude the poor. It is a dispersion of the majority that makes up a conventional democracy. Where a democracy is a state of law, becoming-democratic is outside of the law; where democracies are communicative, becoming-democratic is creative. Deleuze and Guattari describe becoming-democratic as a critical philosophy, as follows:We lack creation. We lack resistance to the present. The creation of concepts in itself calls for a future form, for a new earth and people that do not yet exist...Art and philosophy converge at this point: the constitution of an earth and a people that are lacking as the correlate of creation. ...This people and earth will not be found in our democracies. Democracies are majorities, but a becoming is by its nature that which always eludes the majority. (108)157 This form of politics differs from present constitutional states – indeed from any constitutional states – and does not specify a determinate structure. In his commentary on “Becoming-Democratic” Patton points out that the concept “points towards future as yet unrealized forms of democracy, but also reminds us that there is no definitive form that will ever arrive....it enables us to perceive the world differently (180-181). Like Derrida’s ‘to-come’ of democracy, the concept does not offer specific models of political practice, or universal maxims, but instead a critical approach that is anti-conservative; it deconstructs current realities from outside, rather than conserving them from within.With their series of concepts of becoming Deleuze and Guattari set the groundwork for an ethical politics of bare life because people are seized by these becomings to the extent that they are not subjects, citizens or members of normative majorities. Bare life is precisely what we exclude in order to be subjects. However, bare life is not simply ‘being alive’ in the sense that all animal and plant life is alive. It is the politicization of the sheer fact of living through its exclusion from the polis. Agamben discusses bare life as a site of vulnerability and exposure to death, but in Deleuze and Guattari’s framework we might also conceive of bare life as the spring of resistance to the present by which we strive for something new. Levinas experienced this ethics, and this politicization of his own bare life, with his fellow prisoners in the camp. Bare life is thus what constitutes the demos: the people, before they become a democracy, are in processes of becoming- democratic. For Deleuze and Guattari, this is possible as a movement of dispersal even when we are already citizens, or members of the majority, but it is absolutely necessary if we are not.The distinction between bare life and the subject is not absolute when we consider it in the framework of outlawry as a deconstructive becoming minoritarian. We might be both vulnerable and exposed, as in the camp, and yet imbued with the capacity to resist the present, as those in the camp did in various ways, even to their death. And this resistance has the capacity to reconfigure the political sphere – as indeed, those in the camp succeeded at doing (some like Levinas, in a literal sense, and others less directly), for our ethico-political concepts have been dramatically transformed as a consequence of the Shoah, and continue to be. For Deleuze and Guattari, ethical political action occurs at the 158 threshold between centre and periphery, subject and non-subject, singular and general that is expressed in ‘becoming-animal’ and becoming-minoritarian. From this liminal position agency is not only possible but is, as a matter of necessity, tied to the vulnerability of bare life, which is always poised at the edge of violence or death. In other words, it is those very people that are excluded, or more generally anyone to the extent that one is outside of the law, that demands both an ethical and political response. Political change, if it is to be ethical, mobilizes around those exclusions.

#### Third, starting with the self is key to changing our relationship with the world, this is a key starting point for affirmation of sheer difference to affirm every life, regardless of difference.

Lawlor 08

[Leonard Lawlor, University of Wisconsin System, “Following the Rats: Becoming-Animal in Deleuze and Guattari”, SubStance, Issue 117 (Volume 37, Number 3), 2008, pp. 171-174, \\wyo-bb]

If we want to change our relationship to the world, to others, and to animals, we must understand how it is possible for us to change—how it is possible to enter into the experience of becoming. Deleuze and Guattari suggest that the cause or “agent” of becoming may be the experience that drugs produce in us (MP 347/283, see also QPh 156/165). While such a suggestion may seem infamous, one must recognize that hallucinogenic drugs change our perceptions (MP 304/278). Nevertheless, for Deleuze and Guattari, taking such drugs does not constitute a successful becoming. The failure is due to the fact that the drug user, and especially the addict, only enters into a cycle. He or she gets high, comes down, then wants to get high again, and so on. This cycle or circle is all that happens, which means in fact that nothing happens. For Deleuze and Guattari, becomings are never processes of beginning again; they are never processes that move only in a circle. We also see this cyclic behavior in the alcoholic’s idea of the last glass (MP 546/438), based on a subjective evaluation of how much the alcoholic is able to bear. Deleuze and Guattari say, “What can be tolerated is precisely the limit at which, as the alcoholic sees it, he or she will be able to start over again [recommencer] (after a rest, a pause…)” (MP 546/438). Thus with the alcoholic, nothing happens but the same thing over and over again; recommencement is not an event. Although the concepts of limit and recommencement are very important for understanding A Thousand Plateaus—early in the book it’s said that the body without organs is a limit and that one is always attaining it (MP 197/159)—Deleuze and Guattari oppose the concept of limit to that of threshold. The threshold lies beyond the limit, beyond the last glass; crossing the threshold, they say, makes the alcoholic change, to become suicidal or to stop drinking. For Deleuze and Guattari, either choice would break out of the circle. The two choices however are clearly not identical; it is the choice between choice and non-choice (C2 231/177). The choice to commit suicide by drinking oneself to death is to choose to have no more choices, while the choice to stop drinking allows one to choose again and differently. The choice of more choices— to get drunk by drinking water10—constitutes what Deleuze and Guattari call an event (or a line of flight). But when the threshold has been crossed, we can ask “what happened?” The character of the alcoholic does not allude to Proust, but to F. Scott Fitzgerald (although Proust is mentioned in relation to the concept of threshold: the narrator crosses the threshold and chooses to stop having love affairs and to start writing). In Plateau Eight, Deleuze and Guattari tell us that “what happened?” (qu’est-ce qui s’est passé?) is the question that Fitzgerald keeps coming back to, at the end, after having said that “all life of course is a process of breaking down [démolition]” (MP 242/198, see also C2 70/50). With the idea of demolition or destruction or unmaking, we come to the true agent and condition of becoming, which is neither drugs nor alcohol. According to Deleuze and Guattari, in a life, there is a type of cracking that is micrological, like the small, almost imperceptible cracks in a dish (MP 243/198). These cracks in a life are the cracks of aging. Such cracks are not big molar blows like losing all your money in the stock market. The micrological cracks in a life refer us to this sort of experience: you wake up one morning and realize you have gray hair, and now it’s over, you’re old; or you wake up and realize you no longer love the person in bed with you. What has happened is nothing assignable or perceptible; these are molecular changes, “such that when something occurs, the self [moi] that awaited it is already dead, or the one that would await it has not yet arrived” (MP 243/198-199). The micrological cracks of aging, these experiences in which one is finally aware that one has lost something of oneself, are the agent of becoming. But aging also indicates the necessary condition for becoming: the condition in which one’s molar form is destroyed—the condition, in other words, of “desubjectification” (MP 198/159). The condition of the molar form of the subject being destroyed has however a positive side, which we have already encountered—the choice of having more choices.11 But Deleuze and Guattari also call the positive side of desubjectification “rupture,” this being their translation of Fitzgerald’s “clean break” (MP 243/199). The clean break which aging causes—aging being the agent of becoming, while the destruction of the molar form is the necessary condition—does not mean that now one remains forever young. It means that, having shed the form of an adult, one is able to become something other than an adult man. One becomes a child, but becoming-child means that one frees the potentialities that the molar form of adult man was enclosing. Deleuze and Guattari say, with a rupture, I am now no more than a line. I have become capable of loving, not with an abstract, universal love, but a love I shall choose, and that shall choose me, blindly, my double, who has no more self than me [n’a pas plus de moi que moi]. One has been saved by love and for love, by abandoning love and self [.…] One has become like everyone, but in a way in which no one can become like everyone [tout le monde, also translated as “all the world”]. (MP 244/199-200). By means of this quote (whose importance we should not underestimate), we see that becoming involves love; but love in Deleuze and Guattari is no longer a feeling between persons; it is no longer a personal feeling (MP 294/240, also MP 133-134/105-106). Love is now an affect.12 As Deleuze and Guattari say, a feeling (sentiment) is the sense (sens) of a form and its development, the formation of a subject; it is introceptive. In contrast, an affect is informal, setting out ways (rather than the development of a form); an affect is a projectile (instead of a feeling that is introjected), a relation outward to the double (MP 497-498/399-400). But since the double is not an “I” or an ego, since it is not a molar unified self or subject, the double is really a multiplicity. Insofar as the love they are describing is not restricted to a feeling between persons, insofar as the love they are describing is a love of multiplicity, we see as well that becoming in Deleuze and Guattari is hyperbolic; it is the love of the whole world (tout le monde).13 And as love of the whole world (a utopian love), this love frees the potentiality of everyone (tout le monde). So, while aging is the agent that puts in place the condition of the demolished molar form of the subject, the motive or motor of becoming is the affect (as the motor of desubjectification, just as the function is the motor of deterritorialization). The imperceptible events of aging undo the molar form of oneself, which allows one to choose a clean break—to choose to become. And this choice of becoming is a choice to love the whole world; this is a love, as we just saw, that differs from the abstract universal love of persons. This love is no longer a feeling of one molar person or ego for another molar person or ego; it is no longer human love, no longer the love of man. Thus, as Deleuze and Guattari would say, it is a love of the minor. As is well known, all becomings in Deleuze and Guattari are becomings minor, but let us look at their exact definition in A Thousand Plateaus.14 First, they tell us that there is “no becoming-man … because man is majoritarian par excellence.”15 Then they state the positive definition: “all becoming is a becoming-minoritarian” (MP 356/ 291). A minority, for Deleuze and Guattari is not defined by statistics; it is not “quantitative” (MP 133/105) or a “definable aggregate” (MP 357/ 291). Women are a minority for Deleuze and Guattari, not because there are fewer women than men in a given population, but because “the body is stolen first from the girl … The girl’s becoming is stolen first…. The girl is the first victim” (MP 338-339/276, my emphasis). The positive definition of becoming therefore is not really a minor existence; it is that this minor existence is “oppressed” (MP 302/247), “wronged” (indûment) (MP 197/ 159, also C2 281/215); minor existence is one that is undergoing, as Deleuze and Guattari say in What is Philosophy, “abominable sufferings” (QPh 105/110). Abominable suffering is what defines a minority for Deleuze and Guattari. And the affect felt before this extreme suffering is “the shame of being a man” (QPh 102/107).16 The affect of shame at being a man, at being human all too human, with our oppressions, our clichés, our opinions, and our desires, is really the motive for change. 17 II. Negative Definitions, Prepositions, Structure, and the Criterion for Becoming We have just seen one negative definition of becoming; there is no becoming major, no becoming man. But there are several more negative definitions. As we can see with the micrological process of aging, for Deleuze and Guattari, a process of becoming does not terminate in a molar form; in micrological aging, a subject, does not grow up to be an adult, a girl does not grow up to be a woman. So, when speaking of becoming animal, they say, “Becoming can and should be qualified as becoming-animal even in the absence of an endpoint [un terme] that would be the animal which one has become” (MP 291/238). So, the experience of becoming is not an experience directed toward or oriented by a final form. The lack of finalism is why Deleuze and Guattari separate becoming from history (MP 363/296). But they go further. If there is no final form into which one transforms oneself, then becoming is not based in imitation, resemblance, or analogy. The adverb “like” (comme) does not define becoming. In becoming animal, one does not end up looking like a horse or a dog or a rat. Indeed, Deleuze and Guattari reject both the faculty of imagination (which is able to provide analogies of proportion) and the faculty of the understanding (l’entendement, Verstand, intellectus) (which is able to provide analogies of proportionality) (MP 286-87/234). Since becoming is not a process of imitating, there is no eminent term by means of which one could measure or judge what is undergoing the becoming. That there is no eminent term or standard explains why Deleuze and Guattari separate becoming from memory, from what they call “gigantic memory”—memory as the faculty that always recalls one major idea such as man (MP 358-359/293). As we shall see, although becoming is not this kind of memory, it maintains a relation to a strange kind of memory. Nevertheless, just as the experience of becoming is not an experience of “gigantic memory,” it is not an experience of recognition. As Deleuze and Guattari say, “The animal, flower, or stone one becomes are … not molar subjects, objects, or forms that one knows from the outside of us [on connaît hors de nous] and that one recognizes [reconnaît] from experience, through science, or by habit” (MP 337/275, my emphasis). Since the experience of becoming is not recognition, becoming is also not a relation of representation. In becoming I do not become the representative of what I am becoming; it is not a relation of one thing (me) standing in for another (the animal, for example). Finally, since the experience of becoming is not a representation, it is also not perception in the standard sense; it is not a relation in which the subject and the object remain outside of one another. Thus in Deleuze and Guattari, becoming is neither a circular process of recommencement nor a process that comes to an end. Moreover, it is not a process governed by an eminent form or endpoint; it is not a relation of recognition in which the subject and the object would be outside of one another, and it is not a representative relation of one thing standing in for another.

#### Finally, Changing social structures and power is counter revolutionary changing one kind of rule for another, instead we need critique that remove meaning from identity destroying the foundation of power today

Bunch, 2010

[Mary, PHD in philosophy at the University of Western Ontario, OUTLAWRY AND THE EXPERIENCE OF THE (IM)POSSIBLE: DECONSTRUCTING BIOPOLITICS, Doctoral Thesis] /Wyo-MB

Deleuze and Guattari are thus interested in the politics of the subject at that moment of spontaneous rebellion that is a part of the movement of the subject between inside and outside. Even as we undergo processes of subjectivation, to some degree we evade hegemonic power and knowledge, as we engage in becomings that reverse subjectivation. This is why Deleuze and Guattari frame minoritarian becomings under the heading of becoming-animal: if subjectivity is based on a break from animality, then becoming- animal must derive from a break with subjectivity.65 In psychoanalysis and metaphysics more generally, such a movement toward animality is associated with degradation and abjection (as with homo sacer), but this is not necessarily the case for becoming- animal/becoming-minoritarian. The call to becoming-animal comes from the outside of the generalizing, molar force of law. It is not a naming call to conscience, but instead an affect that calls our humanity into question, propelling us into new configurations and transformations outside of the law, at the threshold, and between the borders, altering what it means to be political, revising what it means to be human.Become-animal constitutes another version of the outlaw that I elsewhere took up as the ‘unbecoming girl’ and werewolf. What is distinctive about becoming animal is that the concept brings a sense of multiplicity to conceptualizations of outlawry, unlike the werewolf and becoming girl, who were discussed in their singularity. For however singular an urge for becoming may be, becoming animal-minoritarian-revolutionary is qualitatively affective: becomings pull beings together, one to the other, without binding them under conditions of sameness. Deleuze and Guattari write: “[T]he affect is not a153personal feeling, nor is it a characteristic; it is the effectuation of the power of the pack that throws the self into upheaval and makes it reel. Who has not known the power of these animal sequences, which uproot one from humanity, if only for an instant.... A fearsome involution calling us toward unheard-of becomings” (240). The affect pulls us into a becoming that is a critical de-subjectivation (like the unbecoming girl); it launches into a border position (like the werewolf). But these alterations of the conditions of our subjectivity exceed the transformation of singular beings. We are a gang of girls, a pack of wolves, a swell of revolutionaries. The series of becomings produce a revolutionary humanity, or more precisely a revolutionary post-humanity.Becoming-animal thus brings us to a form of revolutionary philosophy, but not in the precise sense derived from Enlightenment politics, nor from Marxism, as transfers of power from one group to another. As Buchanen explicates, traditional revolutions, those that focus on securing power, are counter-revolutionary: they don’t change the institutions and ideologies in which power is invested; they merely transfer power from one class to another

(14). But what would a revolutionary dispersal of power look like? Deleuze and Guattari propose a form of “revolutionary becoming” which Deleuze contends in his interview with Negri is “the only way of casting off ... shame or responding to what is intolerable.” Paul Patton notes that what these authors are after is a “resistance to the present” (178). Becoming-revolutionary transforms our social and collective identities. The impetus for change is derived from the diffusion of molar political forms, through a myriad of minoritarian-becomings (182). If these minoritarian- becomings constitute another version of outlawry, than revolutionary-becoming must as well. But what kind of politics does this portend? If it involves a dispersal, rather than a transfer of power, does becoming-revolutionary undo all molar forms and dismantle all identities, leaving us in a wild realm of outlaw chaos? Is this a return to the state of nature, in its brute Hobbesian form, or Rousseau’s idyllic version? Is becoming-outlaw nothing but an assault against any form of structure or authority? Not necessarily. Outlawry is a critique of molar political forms that allows for some creative processes of re-invention. It is a critique of the present, so to speak, that launches us toward that justice-to-come that Derrida promises. As such, outlawry, as I have conceptualized it, informs (by resisting) the political structures of the present, such as democracy.

## Lands

#### No link-

#### We are a K of citizenship, global world

#### First, Case out weights -Just having identity and saying it’s a good thing isn’t enough. This only serves identity up to be cleansed and tamed as you build tolerance with others. This leads to ressentiment of the minoritarian and majoritarian- that’s Tubbs

#### Second, Ethics come first, Our bunch evidence says that we’re most unethical to those we find devalued. We must create a site of politics be refusing the state, and moving out to the periphery.

#### Third, We solve the K in two ways

#### Universal recognition of being-

#### Forfeiture of majoritarian status-

#### Fourth- The goal is flawed, those in the minority or oppressed will never be a part of the majority because of the bench marks set by the center group. There must be an overhaul of static identities and how we conceptualize politics.

#### Fifth- The root cause of race is a desire that predates any of the slave trade, colonialism. This desire cannot be overcome by bolstering the static identity of race, but only as seeing each other as a multiplicity, otherwise it risks reinforcing the squo.

Nesbitt 13

[Nick Nesbitt, Prof @ Princeton University, State University Ch. “Escaping Race” Book- “DELEUZE CONNECTIONS: Deleuze and Race”, pg 8-9, 2013, \\wyo-bb]

A focus on race also summons some of the most controversial questions relating to human-being impelling most thinkers between the mid-nineteenth and mid-twentieth centuries. Like Nietzsche, Deleuze and Guattari are not afraid of asking whether inequality is located in bodies (it is, but not genetically); like both Nietzsche and Freud, they ask what is wrong with civilization itself (it overcodes filiation). Reaching into the deep recesses of culture, an archaic and convoluted logic of differentiating civilization from savagery and barbarism is exposed. This logic preceded European colonialism by centuries (see Han chauvinism, Brahmanism, Arab–black relations and so on). Though not European in origin, this logic formed the basis for a retrospective Judeo-Christian narcissism, for the oceanic slave trade, nationalism and fascism. Far from ‘naturalising’ race, Deleuze’s nomadological and biophilosophical geology of morals can demonstrate that race is built upon fully contingent territorialisations of power and desire which could be disassembled and differently reassembled. That race is immanent to the machinics of bodies and flows does not mean it is automatic, any more than that it is autonomous in relation to, for example, capital or sexual difference. The immanence of race does suggest, however, that an end to racism is an always already incipient reality. My contention is that Deleuze and Guattari’s two volumes of Capitalism and Schizophrenia present a hitherto undeveloped theory of biopower and hence of race. This is not to argue against existing interpretations but to recast desire, territory and capital towards the category of race. Deleuze and Guattari’s theory of biopower has a much greater historical and geographical scope than what Foucault (2003 and 2008) introduced roughly during the same period. If Foucault famously states in his foreword to Anti-Oedipus that it is a guide for antifascist living, I contend that countering fascism means, above all, delving into the machinic depths of civilisation’s intrinsic racism. Sidestepping the pitfalls of biological reductionism Deleuze and Guattari not only argue that there is a materiality of race, but also forge an affirmative kind of antiracism quite different from the liberal–democratic kinds prevalent today. Supplementing Deleuze and Guattari with Sylvain Lazarus, my suggested antiracism consists in naming, accelerating and staying true to the bastard and mixed-blood probe-heads escaping the global faciality machine.

#### Permutation do both: The only way to solve those desires it to break down identity through becoming

Nesbitt 13

[Nick Nesbitt, Prof @ Princeton University, State University Ch. “Escaping Race” Book- “DELEUZE CONNECTIONS: Deleuze and Race”, pg 3-5, 2013, \\wyo-bb]

Above all, perhaps, a Deleuzian critique of race and colonial exploitation would work to escape from the logic of identity and identification with one’s political and existential subjection at the heart of the Hobbesian narrative of political modernity. Deleuze’s critique of identity, above all in the fi rst chapter of Difference and Repetition, ‘Difference in Itself’, addresses the common(-sensical) distribution of beings according to (Aristotelian, Leibnizian and Hegelian) categories and hierarchies, and the cognitive judgment of the propriety of any distribution or attribution of identity. In this conservative, sedentary distribution of roles and identities, ‘difference is in effect fully subject to the identity of the concept, the opposition of predicates, the analogy of judgment and the resemblance of perception’ (1994: 52). Instead, Deleuze compels us to think identity not as illusory attribution (including racial categorisation), but rather as the repetition of pure difference, to think the singularity of any entity in terms of its protean powers of transformation. Here, Deleuze envisages not only or even principally the transformation of any determinate being as a subtraction from actualised identities, but as the event he calls differentiation, the transformation of the virtual itself. Disidentification, in other words, is for Deleuze always and necessarily a critical process, in the Spinozian, Kantian and even Marxian sense (I am thinking here of the Marx of the ‘Theses on Feuerbach’), aiming at no less than the radical reformulation of the transcendental operators governing any world. The world-historical importance of the Haitian Revolution lies in its transcendence of any identity-based politics to politicize instead the Idea of the universal human right to be free from enslavement. This Idea of 1804 must be emphatically distinguished from any conscious articulation of a political doctrine by individual participants in the various revolts from 1791 on. Instead, universal emancipation, the idea of the Haitian Revolution, like any true Idea in Deleuze’s precise use of the concept, is preconscious, independent of its representation under the aegis of a refl exive cogito (1994: 214–79). The Idea of the Haitian Revolution as the pure multiplicity of a swarming war machine was arguably first actualized as a disembodied claim of absolute equality in the Bois Caïman ceremony and in Boukman’s famous call to the slaves to ‘Koute libete li pale nan kè nou tous’ (Listen to the voice of liberty that speaks in all our hearts’). The call for libete sparked a non-localisable chain of connections within an anonymous, enslaved multitude that enjoyed no place in their post-1789 world. Libete’s multiplicity linked up to a series of adjunct fi elds that further informed this pure Idea (including the unfulfilled promise of the incomplete and partial French and American Revolutions and the political implications of voodoo), and moved to operate a specific condensation or actualization of the singular nature of their claim. This claim, as ideal, finding no identity or place in the world of Saint Domingue, focused around signifiers such as the creole libete. At the same time, it evinced an unsuspected power to enact, to unfold, and to dramatize on the world stage the implications of this Idea. This Idea was, in 1791, preconscious in Deleuze’s sense, literally a dream, in the way that we recall Martin Luther King’s celebrated phrase ‘I have a dream.’ This proto-Haitian multiplicity was self-defining. On the night of 29 August 1791, a massive uprising of some half-million slaves first began to actualize this pre-individual idea as a complex, unfolding differentiation of relationships and elements. In fact, it would doubtless be more accurate to contrast in Deleuzian terms the formalised concept of 1804 (as the independent state of Haiti and its constitution) to the properly virtual Idea of the initial uprising of 1791, and, moreover, to conclude that 1804 represented, inevitably, an impoverishment of the Idea of 1791. The idea of universal emancipation was at first only a pure problem (inherent to that of actual slavery prior to the 1791 uprising), but quickly became the struggle to instantiate a real solution to that problem. This subtractive politics, one that violently withdrew from the Atlantic world-system of plantation slavery in a manner analogous to the Brazilian quilombos, culminated in the 1804 declaration of Haitian independence and the universal right of all humans to freedom from enslavement and racial subjection. To think with Deleuze the destruction of racial identity, of law, of subjection, and to trace and follow through the immanent lines of flight from those various regimes is in this sense to unfold the extraordinary potentiality of any pure differentiation and becoming beyond the actual state of our human, all-too human, racialised being.

**Deleuze and Guattari 1972** (Gilles and Felix; Anti-Oedipus) 85-86

What is the nature of this order? The first things to be distributed on the body without organs are races, cultures, and their gods. The fact has often been overlooked that the schizo indeed participates in history; he hallucinates and raves universal history, and proliferates the races. All delirium is racial, which does not necessarily mean racist. It is not a matter of the regions of the body without organs "representing" races and cultures. The full body does not represent anything at all. On the contrary, the races and cultures designate regions on this body-that is, zones of intensities, fields of potentials. Phenomena of individualization and sexualization are produced within these fields. We pass from one field to another by crossing thresholds: we never stop migrating, we become other individuals as well as other sexes, and departing becomes as easy as being born or dying. Along the way we struggle against other races, we destroy civilizations, in the manner of the great migrants in whose wake nothing is left standing once they have passed through although these destructions can be brought about, as we shall see, in two very different ways. The crossing of a threshold entails ravages elsewhere-how could it be otherwise? The body without organs closes round the deserted places. The theater of cruelty cannot be separated from the struggle against our culture, from the confrontation of the "races," and from Artaud's great migration toward Mexico, its forces, and its religions: individuations are produced only within fields of forces expressly defined by intensive vibrations, and that animate cruel personages only in so far as they are induced organs, parts of desiring-machines (mannequins) And can Zarathustra be separated from the "grand politics," and from the bringing to life of the races that leads Nietzsche to say, I'm not a German, I'm Polish. Here again individuations are brought about solely within complexes of forces that determine persons as so many intensive states embodied in a "criminal," ceaselessly passing beyond a threshold while destroying the factitious unity of a family and an ego: "I am Prado, I am also Prado's father. I venture to say that I am also Lesseps .... I wanted to give my Parisians, whom I love, a new idea-that of a decent criminal. I am also Chambige-also a decent criminal. ... The unpleasant thing, and one that nags at my modesty, is that at root every name in history is 1."34 Yet it was never a question of identifying oneself with personages, as when it is erroneously maintained that a madman "takes himself for so-and-so...." It is a question of something quite different: identifying races, cultures, and gods with fields of intensity on the body without organs, identifying personages with states that fill these fields, and with effects that fulgurate within and traverse these fields. Whence the role of names, with a magic all their own: there is no ego that identifies with races, peoples, and persons in a theater of representation, but proper names that identify races, peoples, and persons with regions, thresholds, or effects in a production of intensive quantities. The theory of proper names should not be conceived of in terms of representation; it refers instead to the class of "effects": effects that are not a mere dependence on causes, but the occupation of a domain, and the operation of a system of signs. This can be clearly seen in physics, where proper names designate such effects within fields of potentials: the Joule effect, the Seebeck effect, the Kelvin effect. History is like physics: a Joan of Arc effect, a Heliogabaius effect-all the names of history, and not the name of the father.

#### Outlawry is becoming and the destruction of static identity which are the foundation of violence, the affirmative is revolutionary movement to the outside casting off privilege and safety for the unknown—this act counters the hegemony of the white male that is the standard of western metaphysics

Bunch, 2010

[Mary, PHD in philosophy at the University of Western Ontario, OUTLAWRY AND THE EXPERIENCE OF THE (IM)POSSIBLE: DECONSTRUCTING BIOPOLITICS, Doctoral Thesis] /Wyo-MB

Becoming-animal is a version of bare life that replaces the subject as the figure of political agency. This anti-identity political actor signals a movement toward outlawry: as bare life, becoming animal is vulnerable in her exclusion from the polis, but she nevertheless acts to counter the law. Such revolutionary becoming is ethical, in Levinas’ sense, because of its relationship to Otherness, and the disruption of finitude that constitutes it. But it is quite different from Levinasian ethics, because the ethics does not arise through facial recognition (identity). Where for Levinas it is recognition of the Other that constitutes one as a subject, for Deleuze and Guattari one literally becomes147 Other in a dispersal away from subjectivity. Where Levinasian ethics is an ethics of hospitality in which the subject (understanding the self to be an other amongst others) welcomes the other. But the authors of A Thousand Plateaus are not concerned with hospitality; they are not concerned with welcoming in those that are on the outside. They are interested instead in a movement toward the outside, leaving the safety of the familiar and the similar, and casting off of privilege and dominance. It is an ethics of self- transformation, alliance, and exteriority, not hospitality. Deleuze and Guattari write: “As Faulkner said, to avoid ending up a fascist there was no other choice but to become- black” (292).Minoritarian politics is a politics of the Other, evoked through an ‘Anomalous’ phenomenon of bordering. The Anomalous (anomal) refers to “that which is outside rules or goes against the rules” and moreover “an-omalie...designates unequal, the coarse, the rough, the cutting edge of deterritorialization” (244). The concept dislodges the dominant subject-position of the “self-conscious white male of the occident” and dismantles the human ideal inherited from western metaphysics (Günzel 9). As Stephan Günzel phrases it in “Immanence and Deterritorialization,” “the only way to realize what is hidden in the idea of justice within ‘human rights’ ... is exactly ‘a becoming-inhuman’” (9). Becoming- animal thus expresses a politics of the post-subject, a revolutionary politics of those who exceed or fall short of the law. But the mechanics and motivations for such peripheral revolutionary movement is perplexing. It is obvious why those who are outside of the law might want a new law. But why would anyone who inhabits a dominant subject position move out toward a minority position, which we know to be disenfranchised? How would this be revolutionary? It seems as though it would simply expand the space of disenfranchisement. Moreover it would appear to limit the ethical capacity of becoming- minoritarian to those that first have status in major political structures, much like the ethics of hospitality does (i.e. to men, but not women, to straights but not queers, to white majorities but not racialized minorities). If one is already a minority, dispossessed of subject status, is one barred from processes of becoming? Must one first assimilate to the majority in order to then dismantle it?148For Deleuze and Guattari, populations are not divided into simple categories such as included/excluded or majority/minority. We are always already both at once. What differentiates us, one from the other, as ethical beings is not our degree of inclusion or exclusion, nor precisely our orientation toward others (although the latter is important). Ethics is expressed through our becoming-ness, our movement away from generalizations toward the specificity of the outside in all of its multiplicity and otherness. Ethics is criticism, that is, self criticism and criticism of the general, from the perspective of the particular. Becoming-animal specifies the direction of the flow between those aspects of ourselves that are part of the majority (our sense of belonging, our sense of self) and our affiliation with the minute particular. A becoming always begins in the majority, until one meets that dispersive detail that launches the entity outward toward the margins.64 Deleuze and Guattari write: “Yes, all becomings are molecular: the animal, flower or stone one becomes are molecular collectivities, haeccities, not molar subjects, objects, or form that we know from the outside and recognize from experience, through science, or by habit” (275). However the apparent primacy of majoritarianism (primacy in the sense of coming first, which carries the implication of greater importance in western metaphysics) may be a problem on at least two counts. The first is the assumption that one is always already a subject, which returns us to the quandaries of the post-structural subject: the fiction that the subject comes before the law that hails it into being. The second is based on the risks of misreading Deleuze and Guattari’s specific uses of common terms such as ‘minority’ and ‘majority,’ which lends itself to a romanticization of disenfranchisement, and the erasure of the very real oppression experienced by some populations.For Deleuze and Guattari, one does not become a subject. Becoming is limited to a deconstruction of subjectivity, since becoming is a process of dispersal, not consolidation. While the authors specify that one’s engagement in molar politics may be necessary for survival, this does not constitute a becoming. With regard to identity feminism, for instance, they write: “It is of course, indispensable for women to conduct a molar politics, with a view to winning back their own organism, their own history, their own subjectivity: ‘we as women’ makes its appearance as a subject of enunciation” (TP 276). But they find the revolutionary potential restricted in such identity politics, because149 the approach tends toward stasis rather than movement. Its criteria are confining. As they continue: “But it is dangerous to confine oneself to such a subject, which does not function without drying up a spring or stopping a flow” (276).

#### Rendering marginalized identities visible to the debate community doesn’t resolve racism- rather, it becomes part and parcel of a project to aspire to universal humanity which is predicated on a white, western, male, heterosexual universal subject

Smith 2013

[Andrea Smith, 2013, The Problem with “Privilege”, <http://andrea366.wordpress.com/2013/08/14/the-problem-with-privilege-by-andrea-smith/>, uwyo//amp]

My analysis is informed the work of Denise DaSilva. She argues in Toward a Global Idea of Race that the western subject understands itself as self-determining through its ability to self-reflect, analyze and exercise power over others. The western subject knows that it is self-determining because it compares itself to ‘others” who are not. In other words, I know who I am because I am not you. These “others” of course are racialized. The western subject is a universal subject who determines itself without being determined by others; the racialized subject is particular, but is supposed to aspire to be universal and self-determining.¶ Silva’s analysis thus critiques the presumption that the problem facing racialized and colonized peoples is that they have been “dehumanized.” Anti-racist intellectual and political projects are often premised on the notion that if people knew us better, we too would be granted humanity. But, according to Silva, the fundamental issue that does not get addressed, is that “the human” is already a racial project. It is a project that aspires to universality, a project that can only exist over and against the particularity of “the other.”¶ Consequently, two problems result. First, those who are put in the position of racialized and colonized others presume that liberation will ensue if they can become self-determining subjects – in other words, if they can become fully “human.” However, the humanity to which we aspire still depends on the continued oppression of other racialized/colonized others. Thus, a liberation struggle that does not question the terms by which humanity is understood becomes a liberation struggle that depends on the oppression of others.¶ Silva’s analysis implies that “liberation” would require different selves that understand themselves in radical relationality with all other peoples and things. The goal then becomes not the mastery of anti-racist/anti-colonialist lingo but a different self-understanding that sees one’s being as fundamentally constituted through other beings. An example of the political enactment of this critique of the western subject could be glimpsed at the 2008 World Social Forum that I attended. The indigenous peoples made a collective statement calling into question the issue of the nation-state. In addition to challenging capitalism, they called on participants to imagine new forms of governance not based on a nation-state model. They contended that the nation-state has not worked in the last 500 years, so they suspected that it was not going to start working now. Instead, they called for new forms of collectivities that were based on principles of interrelatedness, mutuality and global responsibility. These new collectivities (nations, if you will, for lack of a better world) would not be based on insular or exclusivist claims to a land base; indeed they would reject the contention that land is a commodity that any one group of people should be able to buy, control or own. Rather, these collectivities would be based on responsibility for and relationship with land. But they suggested that these collectivities could not be formed without a radical change in what we perceived ourselves to be. That is, if we understand ourselves to be transparent, self-determining subjects, defining ourselves in opposition to who we are not, then the nations that will emerge from this sense of self will be exclusivist and insular. However, if we understand ourselves as being fundamentally constituted through our relations with other beings and the land, then the nations that emerge will also be inclusive and interconnected with each other.

#### Your focus is a humanist standpoint that reinforces the human non human binary, this enables violence on the non human which undermines the whole non violence agenda.

Deckha ‘10

[Maneesha Deckha, Associate Professor at the University of Victoria Faculty of Law. “It’s time to abandon the idea of ‘human’ rights,” The Scavenger, December 13, 2010, \\wyo-bb]

The category of the ‘subhuman’ is inherent in global gendered, racialized and economic violence, throwing up questions around the relevance of concepts of ‘human rights’ and ‘human dignity’ for effective theories of justice, policy and social movements. Instead of fighting dehumanization with humanization, a better strategy may be to minimize the human/nonhuman boundary altogether. A new discourse of cultural and legal protections is required to address violence against vulnerable humans in a manner that does not privilege humanity or humans, nor permit a subhuman figure to circulate as the mark of inferior beings on whom the perpetration of violence is legitimate. We need to find an alternative discourse to theorize and mobilize around vulnerabilities for “subhuman” humans, writes Maneesha Deckha. 13 December 2010 One of the organizing narratives of western thought and the institutions it has shaped is humanism and the idea that human beings are at the core of the social and cultural order. The cultural critique humanism has endured, by way of academic theory and social movements, has focused on the failure of its promise of universal equal treatment and dignity for all human beings. To address this failing, a rehabilitative approach to humanism is usually adopted with advocates seeking to undo humanism’s exclusions by expanding its ambit and transporting vulnerable human groups from “subhuman” to “human” status. Law has responded by including more and more humans under the coveted category of “personhood”. Yet, the logic of the human/subhuman binary typically survives this critique with the dependence of the coveted human status on the subhuman (and the vulnerabilities it enables) going unnoticed. This gap in analysis is evident in how most of us think about violence and its related concept of vulnerability. Some would even say that what sets us apart from nonhumans is a capacity for vulnerability. Others who address human-nonhuman relationships more closely might say that what sets human apart from nonhuman animals, if anything, is our capacity for violence. More particular still, feminists would highlight the masculinist orientation of this violence against nonhumans, animals and otherwise, noting that institutionalized violence against nonhumans primarily occurs in male-dominated industries. Yet, the discourse around (hu)man violence against animals is muted in mainstream debates about violence, vulnerability and exploitation in general. More common is a concern with violence against humans and how to eliminate it and make humans less vulnerable. This theorizing largely proceeds through affirmations of the inviolability or sanctity of human life and human dignity, establishing what it means to be human through articulation of what it means to be animal. The humanist paradigm of anti-violence discourse thus does not typically examine the human/nonhuman boundary, but often fortifies it. The failure to address this boundary and its creation and maintenance of the figure of the subhuman undermines anti-violence agendas.