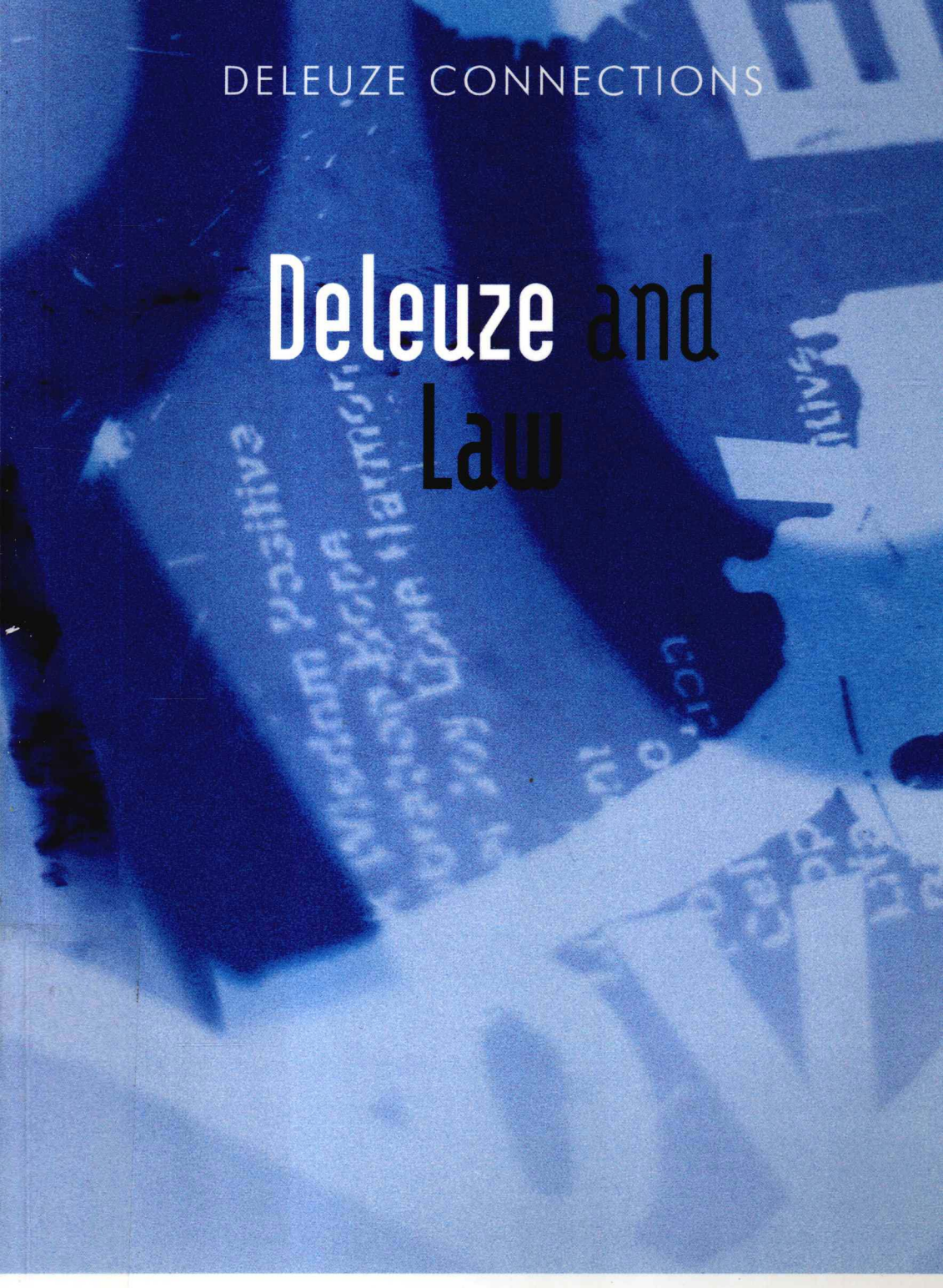
DELEUZE CONNECTIONS

Deleuze and Law



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EDINBURGH
University Press

Edinburgh University Press Ltd
22 George Square, Edinburgh EH8 9LF

www.euppublishing.com

Typeset in 10.5/13 Adobe Sabon
by Servis Filmsetting Ltd, Stockport, Cheshire,
and printed and bound in Great Britain by
CPI Group (UK) Ltd, Croydon CR0 4YY

A CIP record for this book is available from the British Library

ISBN 978 0 7486 4414 8 (hardback)
ISBN 978 0 7486 4413 1 (paperback)
ISBN 978 0 7486 6454 2 (webready PDF)
ISBN 978 0 7486 5539 7 (epub)
ISBN 978 0 7486 5538 0 (Amazon ebook)

Contents

Introduction

Laurent de Sutter and Kyle McGee

During his long conversation with Claire Parnet, filmed by the late Pierre-André Boutang and published after his death, Gilles Deleuze made a strange revelation: 'If I hadn't become a philosopher', he said, 'I would have studied law' (Deleuze 1994a: '*G comme Gauche*'). Before intellectual biographer François Dosse summoned it to discuss Deleuze's academic history and to describe his course of study (Dosse 2007: 141), this declaration provoked hardly a comment in the Francophone world,[1] as though it was not surprising in the least that Deleuze, inventor of the rhizome, philosopher of pure immanence, and sometime revolutionary, had dreamt of studying law, that arboreal science of reactionary transcendence. This utterance sits uneasily with Deleuze's well-known antipathy towards the representational economy of generality and particularity as well as the logic of profit and loss that forms the heart of modern instrumentalist legality. More, the image of a philosopher hostile towards the very idea of judgment – Deleuze's ethics, as we know, constitutes a war machine bent on undermining the diabolical apparatus of judgment and the logic of infinite debt – does not dovetail neatly with this expression of interest in law as an alternative to philosophy. We may hear Deleuze's remark as giving voice to an irretrievable moment in his past, a reflection on and a reference to 'lost time', to the adolescence of one who was not yet present, or who was, in a word, yet to 'strike out on his own'. But the more useful 'audition' of this puzzling claim is to give it our full attention and to acknowledge that it does not merely sit uneasily with his mature work, but actively deterritorialises it. It is time now that we problematised all these tensions, contradictions and aberrant lines by making Deleuze's work as a whole pass through this opening.

That is, in short, the object of this book. Our job is only to provide the window-dressing, this Introduction and the concluding Postscript – a

humble enough but, in fact, a very demanding job. We are tasked with saying something, but not too much; with 'laying a foundation' but leaving it bare, sacrificing control over what happens next; with attracting your interest, but refraining from alienating you (what's the *point*, we hear Kafka saying). We would like, therefore, to introduce in this text merely a handful of notions, intuitions and semi-formed concepts that may be valuable from the perspective of the reader about to plunge into *Deleuze and Law* for the first time. (As will become evident, we love our contributors passionately and fully expect that you will too, and so you will return to read this book again.)

Let's return for just a moment to the connection Deleuze draws between law and philosophy by situating himself as its vertex. Reflecting on the hesitation that he felt when the time came to choose an academic curriculum, Deleuze added that he continued to be interested in law despite choosing philosophy. Instead of some kind of intellectual teenage fling, law never ceased to haunt his philosophical work. The science of the case practised in law courts on a daily basis was for him such an object of admiration that one may hazard the thesis that philosophy was never an exclusive pursuit for the young Gilles or even the mature Professor Deleuze, that his perspective on philosophy was always informed by law to a substantial degree. We know that he came to the subject of his thesis, David Hume, through the concept of law, we know that he counted himself a casuist by the 1960s, and we know that his literary studies are shot through with elements that can only be called legal. Sacher-Masoch, Kafka, Melville's Bartleby, the Proustian law of love, and others again: these are the objects of a deeply jurisprudential philosophical engagement with literature. There was something like regret in his voice when he spoke to Parnet about law: the regret that philosophy, at least as it was practised in mid-century Europe, was not enough. And when one reads Deleuze's work while keeping that hint of regret in mind – the regret concerning the importance, the exemplarity of law – one cannot resist the conclusions that form the taproot of this collaboration. From *Empirisme et subjectivité* to *Critique et clinique*, all of his books in one way or another testify to his persistent interest in, even passion for, law. Often, even most of the time, such testimony only concerns one or two sentences: fragments of analysis, lapidary theses, mere illustration, spectres of thought. But whether they materialise in the form of analysis, thesis, or illustration, each of these elements allows us to assert the hypothesis that, contrary to appearances, there was and is a real Deleuzian philosophy of law that remains to be unfolded. And perhaps even further: this philosophy is not fragmentary in any

pejorative sense but is a conceptually articulated system of sometimes inarticulate propositions, a virtual system that is perfectly differentiated lying beneath his actual metaphysics, as though it were its shadow.

Can we reconstruct that system? Assuredly not, not here: in addition to the fact that such a project calls for precisely the kind of sustained treatment that we must deny ourselves here, we run the risk of looking like despots overcoding the territory that the chapters that follow this text will actually trace out in detail. Therefore we want only to entice you. We want only to mark some of the coordinates, indicate potential properties of the system. Is it a system? We don't know. But we think it might be, so we will accept the hypothesis provisionally, run an initial experiment, and see where it takes us. If things look promising, read on to the next chapter.

Two main theses constitute this system. The first thesis is voiced by Deleuze in his *Présentation de Sacher-Masoch*: 'Irony and humour are the essential forms through which we apprehend the law' (Deleuze 1967: 75; Deleuze 1989: 82). And the second, in an interview with François Ewald and Raymond Bellour, later published in *Pourparlers*: 'Jurisprudence is the philosophy of law, and deals with singularities, it advances by working out from [or prolonging] singularities' (Deleuze 1990: 209–10; Deleuze 1995: 153). All the clues spread across Deleuze's work are mere commentaries, developments, or illustrations of these two theses. Here is the basis of our experiment. Those which flow from the first one form the 'critical' part of his system of philosophy of law, devoted to the critique of law and judgment. On the other hand, those which relate by a more or less lengthy chain of *rationes* back to the second thesis form the 'clinical' part of the system, devoted to the description of the practice of law and jurisprudence. The aim of the entire system is to displace and substitute for the critical economy of law understood as *loi* a kind of clinical economy of law understood as *droit*, removed from the classical philosophical frameworks within which, since at least Cicero, law has been imprisoned. Critique is not to be despised, but neither is it to be valorised for itself. It is a part of a more expansive programme – and cannot be allowed to dominate. The totalising spirit is strong with critical practice and represents a real obstacle to the functioning of the constructive system. We can say that *critique*, then, grasped as a component rather than a whole, is nothing but a movement towards *clinique*. Law's grandeur, praised by Deleuze throughout his entire oeuvre, comes precisely from its cultivated distance towards philosophy, or at least a certain (critical) philosophical attitude. The long history of the relationship between philosophy and law has

consisted in an attempt to *submit* law to the transcendent categories of judgment created by the Greek master-philosophers and developed in the thought of Roman Stoicism. To this manoeuvre, law has always responded with the strictly immanent pertinence of the science of the case, considered as the sole horizon of practice. As is shown by (among other jurispolitical currents) the widespread invocation and arguable success of the contemporary universalising ideology of human rights, which relies upon and entrenches the capitalist *socius* and its semiotic of reactionary archaisms, this defence continues to work on the sidelines, to foster resistance to the imperial locutions of transcendent Law – the dumbest philosophy (using Deleuze's own words), the most insensitive and ham-handed philosophy, has triumphed, or offers itself as triumphant, imposing upon law another horizon and form of organisation, artificial, pretentious and expropriative.

Deleuze's thinking on law is an appraisal of law's grandeur – and a critique of the kind of philosophy which tends to diminish it. But because it is an appraisal formulated by a philosopher who has never renounced his own conceptual practice, it presents a very peculiar twist. As Alain Badiou claims in his widely misread book, Deleuze is a 'classical' philosopher, who belongs to the – very French – tradition of René Descartes and Nicolas Malebranche (Badiou 1997: 29; 2000: 45). He is a philosopher whose work takes aim at one single goal: the perfection of philosophy itself. Because we mean this 'perfection' to register in the great classical tenor of G.W. Leibniz, whose eclecticism never derogated from but always augmented his univocal constructive adventure in pure thought, it is clear that to sing law's grandeur is part of an enterprise that remains altogether philosophical. What Deleuze wants is to proclaim philosophically law's specificity so that it becomes an example *for philosophy*. As an immanent practice of the case, law (*droit*) is the incarnation of what philosophy has to achieve for herself in order to be able to leave the world of law (*loi*), judgment and debt, whose fascinated observation has caused her stagnation. In that sense, to take an interest in and to learn from law to the extent that it becomes possible to present the latter as a model for philosophy has always meant, for Deleuze, to remain faithful to the discipline to which he devoted his life. His purpose was to put an end to the conflict of faculties opposing the teachers and disciplines of law and philosophy until the fall of theology by the end of the eighteenth century, one more favourable to the latter than to the former. By singing the grandeur of the practice of law, he wanted to sing the grandeur of a philosophical practice able to perceive law's grandeur by its own means and in its own way, rather than that of the practices

that tried to diminish law, and, in that way, to sadden and diminish themselves. Pursuing his interest in law, Deleuze nevertheless remained completely faithful to his metaphysical commitments and his theoretical programme: to have done with judgment, and to announce the arrival of a practical philosophy, a new philosophical pragmatism, focusing on the singular case rather than on law (*loi*). Philosophising law had proven to be a conceptual failure (although an historical, imperial, bourgeois success): it was time to inject philosophy with a dose of law.

If Deleuze's interest and humour-riddled attitude towards law helped him to implement his programmatic reversal of all philosophical values, it also produced a similar reversal in the realm of law itself. Since Cicero, jurisprudes and legal theorists have devoted themselves to the problems posed by the philosophy of law and judgment: the foundation of the legal order, the rationality of judgment, the principled justification of court decisions, the legitimacy of rules and norms, and so on. From Deleuze's point of view, these problems could be divided into four categories: legalism (justification of *droit* by *loi*), naturalism (foundation of *droit* in *loi*), conventionalism (guarantee of *droit* by *loi*), and institutionalism (limitation of *droit* by *loi*). For him, all the questions belonging to these four categories belonged to the realm of what he called, following Bergson, 'false problems' (Deleuze 1966: 3; Deleuze 1991: 15–21; see also Deleuze 1994b: 168ff.), that is, problems requiring of thought nothing more than the already-known. The most important critique addressed by Deleuze to the philosophy of law and judgment is precisely that it always asked questions to which it already had all the answers prepared. Only the opposite, the unrecognised which exceeds the categories of law and judgment, can be interesting from a properly juristic perspective, Deleuze suggests. A problem is worth examining only if it can generate or cause the emergence of new questions, questions to which it is impossible to respond with mere confirmation and dogmatic classification, but which can only be handled through the invention of an unthought, unrecognisable consequence. By focusing on the *clinique* of the practice of law, he tried later to formulate the problems specific to law (*droit*), without any regard for those imposed on them by law (*loi*) and overcoded by judgment. For the justifications of legalism, he substituted strategies of practical intervention; for the foundation of naturalism, the transformations of *droit*; for the guarantees of conventionalism, the *bricolage* of new *rapports*; and for the limitations of institutionalism, the creativity proper to legal invention. For a perverse, negative vision of law – as a tool for maintaining the status quo or as an instrument of repression, which are perversions because *law is only passage* – he

tried to substitute an integrally affirmative vision, focusing on its own productivity.

Deleuze's take on law produced not only a deep restatement of philosophy, then, but also of law. How far does this rearticulation reach? What are its concrete consequences, effects, resonances? These are the two general questions the present book wants to explore. If the primary objects of the programme formulated by Deleuze have here begun to be probed (that is: the passage from the *critique* of law to its *clinique*), the crucial details as well as the way concrete legal practices are affected by them have not. But if one is to take seriously the clinical thesis, stating that 'jurisprudence [of the case] is the philosophy of law', it seems that one has first to accept that, in the first instance, only those phenomena belonging to the realm of adjudication can be considered 'concrete legal practices' concerned by it. For Deleuze, legislation belongs to another practice than that of law, even though it is a practice that cuts across the latter and frequently enters into composition with it. This other practice is politics. By adjudication, one has then to broaden the usual definition and understand by this the whole ensemble of operations through which a case individuates and becomes an occasion for law to exercise, to practice its inherent creativity. To grasp the concrete consequences engineered in this transformation of the understanding of law requires us to try to map all these operations. But to draw such a map can only be done by way of the cases submitted to our attention through world-historical processes characterising and shaping our present milieu, directly or indirectly: the crises of contemporary law and legal rationalities, the emergence of biological regulation and genomic law, the problem of human rights, the role of illegalisms and the expansion of antisocial regulatory efforts, the classical and modern images of law (Plato, Leibniz, Kant), the classical and modern critiques of law (Socrates, Sade, Sacher-Masoch, Kafka, Melville), the exemplarity of Roman law and the neoarchaistic appropriation of its concepts and models of reasoning, the conceptual personae of the advocate and the judge, the place of law in the axiomatics of capital, and so on. Throughout his oeuvre, Deleuze multiplies entries into the realm of legal practice, and we can no longer marginalise their importance for his thought, for philosophy, and for law.

The critical part of the system consists partly in re-reading the history of thinking (philosophical as well as literary) as the progressive self-destruction of law. To the classical image of law created by Plato can be opposed the critique of this very image by Socrates, a critique that ruins both its foundational pretences (the Good to which law must be referred) and its projected redemptive or soteriological power (the Good expected

from its exercise). Similarly, to the modern image of law developed by Kant can be opposed its critique by Sade, Sacher-Masoch, Kafka and Melville. This critique, explains Deleuze, takes the form of a skewed comical gloss put on Kant's straight-laced image of law. For Sade, this perspective consists in ironically perverting law by referring it not to its intrinsic Good (the form of law), but to its intrinsic Evil, as expressed by an outside (the Sadian institution). For Sacher-Masoch, it consists in humorously subverting law by making it produce, while maintaining its form, consequences contrary to those necessarily expected from it (the Masochist contract). For Kafka, it consists in nonsensically inverting law by explaining how the universality of the assumed purity of the form of law is haunted by the singularity of the impure desire which is its motor. And, for Melville, it consists in converting law through slapstick by showing how its success is always also its failure (Captain Vere's or Bartleby's pact). Following this history of the image of law, and of its critique, jurists are put in a curious situation. What if the comical operators of law were the lawyers themselves? What if they were those who incarnate the comical dimension of law, better than any philosopher or any writer – simply because law (*loi*) is not their problem? What if the critical operations of the modern image of law were the very operations of law (*droit*), those that lawyers practise every day without even noticing?

The same goes with the clinical part of the system. Exactly as there is a critical history of law (*loi*), there is a clinical history of the practice of law (*droit*). The latter is composed of several important steps. The two most important ones are named 'topical' and 'axiomatic' by Deleuze and Guattari, borrowing the distinction from Paul Veyne's classic *Le pain et le cirque*. The axiomatic practice of law is the practice of jurisprudence – of case law – as manipulated and framed by the philosophical apparatus of capture. It is immanently within the framework of this practice that the four categories of false problems engendered by the philosophy of law and judgment (legalism, naturalism, conventionalism, institutionalism) are challenged and resisted through the exercise of four regimes of legal practice (intervention, subvention, convention, invention). But precisely because it still has to fight against the modern image of law, the axiomatic practice of law remains too tightly bound to it. Contrarily, the topical practice of law, corresponding to Roman law before Cicero's attempt to introduce Greek philosophy into it, doesn't have to face the same difficulty. It is only in such a practice that one can discover the last active remnants of the Leibnizian dream of a 'Universal Jurisprudence', a dream shared by Deleuze. That is: the project of a casuistic practice

of law proceeding directly to the *creation* of principle and legal concepts rather than to their application. To free law from Law, then, requires that law become devoted to the 'free and savage' creation of non-decomposable, non-transposable principles extracted from singular cases, remaining always within the strict limits of the case or singularity. The philosophy of law (*loi*) and judgment tried to define a sort of a programme posing the principles at a transcendent height broodingly inaccessible to law (*droit*). The topical practice of law replies by displacing principles from the government of its action to its end, understood as the ultimate moment of its process of creation and invention.

To draw the map of the operations of legal practice implies an investigation of the entire history of the *critique* of law, as well as of the *clinique* of law. The different moments of this history, as has been too briefly shown, are articulated by an extreme technical coherence, corresponding to very precise developments of either the philosophy of law, or of its practice. Together, they form a closed system, as complexly folded, rich and intricate as Deleuze's philosophical system in general, if we continue to accept, with Badiou, that this system can be called 'classical' – if only because it wrenches thought beyond the critical. The different essays gathered in this volume are but short investigations into one or the other of the moments of this double history, or into one of its multiple articulations, contemporaneities, compossibilities, or futures. These investigations each enact the idea that it is always necessary to begin with a case in order to retrace the creation of a given principle. This is why they all must be considered case studies, as limited to their case as are such transcendental-empirical principles. Nevertheless, as they all take, generally and for the most part, a systematic view of law, it will not be surprising to observe that they all, in the end, contribute to constructing or reconstructing the global architectonic of law envisioned and initiated by Deleuze across the course of his life. This doesn't mean, however, that these essays must be seen as mere illustrations of this architectonic. On the contrary, reading these essays, one must accept that these interventions literally extend the compass of that system, following one of Deleuze's dearest theoretical commitments – that a system never exceeds the cases which concur towards its composition. And yet the wish of the editors and the contributors is that theorists and thinkers inclining towards a philosophico-legal alchemy may find in these texts resources for the better discernment and the multiplication of singular cases so that new folds can be developed within this metajuridical framework in an endless process of legal creation and jurisprudential hybridisation. The invention of new clinical-juridical folds might even end in

a new theory of law that seizes a potentiality circulating in Deleuze's architectonic – a *speculative* theory of law at once supremely indifferent to the calls addressed to it by either philosophy, politics, anthropology, or anything else seeking its intellectual subordination, and swiftly responsive to the elements and problems constituting the case, be they philosophical, political, anthropological, or of some other nature. A few of the essays collected here gesture in this direction, while others unrelentingly fix their attention on molecular legal processes coursing through the body of the system, and yet others forge connections between law and its *semblables*. All, however, unite in taking us one or several steps closer to the revaluation of legality that would advance the movement from *critique* to *clinique*.

Paul Patton undertakes this project by offering up a conception of *becoming-right* that responds to the question of whether Deleuze's philosophy offers any ground for 'resistance to the present'. As such, Patton's is a welcome contribution not only to the nascent conjunction of Deleuze and law but to an ongoing discourse in the literature on whether radical immanence implies and embodies a reactionary political posture modelled on the free market. Patton proceeds by asking how 'right' can be understood in a Deleuzian framework and rejects candidates drawn from the domains of positive law and morality. Instead of these wellsprings of transcendence, he argues, we need to maintain 'immanentism' by rethinking the emergence of new capacities for action in concrete social and political environments. To seek refuge under rights as ordinarily conceived is precisely to annul the problematic milieu that had given rise to the need for a new capacity. The way forward is to model the becoming of rights both within and beyond the confines of law (*loi*). Patton explores the establishment of emergent capacities to act through specific examples and the conceptual arsenal offered by Deleuze and Guattari and argues that, through micropolitical processes, counter-actualisation of and thus resistance to the present become both possible and intelligible.

In an essay that is as nimble and humorous as it is precise and trenchant, Peter Goodrich unearths the *lex amicitia*, the law of amity, buried in our legal and philosophical traditions. Through a delightfully crooked path that takes us from Vico to Derrida and from Cicero to Félix G., Goodrich summons the figure of the friend in its company with affect, image and concept to explore the peculiarly Deleuzian image of thought. The philosopher is also the foolosopher, what Deleuze affectionately called 'the idiot', encountering what resists recognition, hands probing in the dark, and inventing a way to see. Epiphany. It is a question of

interpretation, of encountering the opacity of the black letter and the legacies and agencies of the fathers and the gods that preceded us, a question, thus, also of black holes. Goodrich undoes and recouples along the way a series of invisible abstract lines tethering law to poetry, text to image, word to enigma.

Alexandre Lefebvre returns us from the liminal to the laminar world of politics and positive rights, asking how we can make sense of Deleuze's noted antipathy to rights and human rights in particular while justifying a progressive vision of politics and humanitarianism. Lefebvre turns to the important final text on the immanence of 'a life' to recover, or invent, a defensible ground for human rights quite apart from the hazy abstractions and oppressive transcendences invoked by the contemporary discourse on human rights. But this gets us only an outline, a provisional structure in which to think human rights. To carry the task forward Lefebvre plumbs Bergson's late *Two Sources* book and discovers a new vitalistic foundation for human rights in the dyadic order of openness and closure, unity and multiplicity, and the two species of love that they engender. Lefebvre redraws the kinship relation of Bergson and Deleuze along the lines of love, love not for this or that object but for all, any, you or we, perhaps, in so far as we express *a* life.

Penelope Pether fruitfully reimagines the conjugation of law and literature by plugging the fabled, or fabling, interdiscipline into the schizoanalytical machine. Traversing discrete but deeply connected territories, from legal pedagogy to neoliberalism and from legal-literary narratology to Guantánamo Bay, Pether poignantly confronts the slumbering interdiscipline with its own conceits and challenges it to reorient itself, praxiologically and pedagogically, and to find a new footing from which it can help 'make law do justice'. Minor literatures are not enough, we cannot expect idly that they will produce the changes that law-and-lit wants to effect – we must prolong the text, insert it into the extratextual flows passing through our very different worlds, to make it act. An essentially cruel exercise, then, that provokes and unsettles, making facile and clichéd gestures about 'thinking like a lawyer' difficult, because it causes legal discourse itself to stutter and, perhaps, to seize the molecular current running through the molar apparatus of the law school classroom.

Andreas Philippopoulos-Mihalopoulos also wants to intermingle the legal and the literary, but through the essential mediation of spatiality. A dazzling reading of Michel Tournier's *Friday* yields up an intensive cartography of possible worlds glistening in the desert island's sunlight. We begin as Tournier's Robinson did: with a code of law and a map.

But we move towards their displacement, their redundancies or ironic twins, an embodied legality and a constructive diagram. Robinson takes the structuration of the Other with him to the island without Others, but gradually, progressively frees himself from himself, that Other, to constitute a new nonhuman territoriality populated by percepts and affects (and Friday). It is a process, not a given: the interiority of the twofold legality of *logos* and *nomos*, depth and surface, striation and smoothness, inseparable yet incommensurable, tilts, favouring now the free distribution of singularities which earlier had to remain tucked neatly inside the depths. A second island emerges from within the first. *Logos* and *nomos* converge towards but simultaneously withdraw from that 'second island', a disjunctive synthesis that would, perhaps, give rise to that enigmatic creature: justice, emerging sometimes, unpredictably and incalculably, from the interplay of the modes of legality.

Drawing an important connection between Deleuze's work on Hume and the later *Capitalisme et schizophrénie* project, Marc Schuilenburg asks how social science and theory may best approach the disjunction between 'law' and 'institutions'. Institution, at least in that early work, is a category Deleuze finds susceptible to leverage against the domineering tutelage of the 'law' that condemns and judges rather than creating. Schuilenburg explains that the later conception of the molar and the molecular can be helpful in making sense of the alternative jurisprudence Deleuze seems to have in mind in the Hume book. However, he argues that a detour through the sociologies of Gabriel Tarde and Emile Durkheim is necessary to implement the molar/molecular divide in social research. Having demonstrated the importance of both the molarity of Durkheimian 'social facts' and the molecularity of passional Tardean 'interactions' like imitation, Schuilenburg contends that a sociological perspectivism premised on this insight is essential. The 'law' and 'jurisprudence' distinction that Deleuze draws later is profitably understood on this basis.

Finding inspiration in the figure of the artisan, Nathan Moore hammers out an alternative to the classical 'constitutional' question of the grounds of law, arguing that indeed this question is merely a dull repetition of the even more classical ontological distinction between materiality and ideality. Instead of the theology of the absent foundation, he tempts us, dares us, to plunge headlong into the reality of the image. In his artisanal hands the image becomes not a representation of the thing, nor the 'thing itself', but that which distributes representation and thing, ideality and materiality, the point at which they meet and form an assemblage. Duration, affect, power, hesitation: these are

the province, if there is a province, of the image. They converge on the function of the artisan, which is precisely that which political theory – political theology – has attributed, gratuitously and unjustifiably, to the sovereign, that is, to decide. It is the artisan and not the sovereign that actualises potentials and brings them into proximity with one another, weaving a new politico-legal texture 'on the fly'. The threat to which the artisan may be made to respond is that of the 'society of control' which operates through the contract and the manufacture of liabilities and responsibilities, the paradox of enforced freedom.

James MacLean takes issue with the powerful 'institutional theory of law', which derives from postpositivist legal philosophy, for serving us obscurity under the sign of clarity and precision. Revisiting canonical legal-theoretical problems such as the nature of legal reasoning and the relationships between rule and fact as well as justification and application, MacLean pokes a hole in the construct of the legal institution, taken as a hierarchical rule-system, in order to create a pathway into the latencies and the instabilities lurking beneath the finely-knit fabric of the institutional discourse. In fact, he stresses, it is considerably more accurate to say that the way law 'works' is to constantly run fact into rule, to conjoin unrelated elements, to compose heterogeneous assemblages, and cutting straight through established boundaries and normative barriers. Legal institutions are rhizomes, and legal reasoning is rhizomatic extension, pulsation, fulguration – it is a damaging error to act, in legal theory, as though law was a stable entity, a creature of pre-givenness, necessity, apodicticity.

Lissa Lincoln retrieves an unexpected link somewhere between law, literature and philosophy that serves to connect Deleuze to the despised moralist Albert Camus. Camus is a victim of injustice; we have mistaken him. Lincoln stages the encounter that never happened, deploying elements of the theory of minor literatures to present a compelling argument for reconsidering the *cas Camus*. All the scorn heaped upon romanticism and irrationalism have diminished Camus' philosophical and literary value, ossifying his corpus to the point that it has become impossible to *encounter* it. To peel away the several layers of opacity that now cover it, to render Camus meaningful and consequential once more, we can read him as Deleuze and Guattari read Kafka: the form of expression is complicit, uncontroversial, utterly ordinary, but the content is a dynamo, a dismantling machine. On the far side of the text we find subtle vacillations or drastic undoings that are dimly indexed on the near side. Camus becomes a user's guide to the apparatus of power that is the system of judgment.