

Deleuze and the Expression of Jurisprudence

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Edward Mussawir, *Jurisdiction in Deleuze. The expression and representation of law*, New York: Routledge, 2011, 193 p.

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The importance of Deleuze's philosophy could be grasped not only in respect to the history of philosophy where his place is mandatory now, but in relation with the consequences that his endeavor produced their fields of thought as art, cinema, cultural theory etc. Although these fields of creative experimentation are by their own practice autonomous they are not constituted as homogenous domains (philosophy included) because they always intersect and are composed of other theoretical territories. Having this in mind I present the book of Edward Mussawir, *Jurisdiction in Deleuze. The expression and representation of law* published by Routledge in 2011.

Briefly, in his book, Mr. Mussawir captures with subtlety the elements of Gilles Deleuze's philosophy that could sustain a conceptual line of flight and a prolongation of those into jurisprudence (legal and technical law practices), focusing on the difference between the expression and the representation of law. Deleuze is taken as offering a

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surprisingly practical jurisprudence which reenacts the principal technical terms of jurisdiction – persons, things and actions – in terms of their practical assemblage and expressions.

The guiding idea of this book is that the philosophy of Deleuze (especially his interpretations on Nietzsche and Spinoza) can provide a method of rendering jurisdiction a positive determination under the prerogative of jurisprudence, and also disengage the theoretical limitations imposed to jurisdiction by the current techniques of practicing law. As a consequence, it envisages a construction of the jurisprudence concept of “legal person” as a substitute for an abstract subject bestowed with rights, kept with high esteem by moral and legal philosophy (Mussawir 2011, xii).

The first chapter is a well written introduction with an attentive style and clarity, presenting the main ideas, the topics and the plot of every chapter. Also, this first chapter offers the readers that are only acquainted with Deleuze or philosophy of law a clear perspective of the importance of both Deleuze and jurisprudence. I draw the important lines of this chapter because it offers the hermeneutical schemes for the rest of the book, structured in three parts that constitute the practical typologies of the topological relation between jurisdiction and jurisprudence.

First of all, the concept of jurisdiction implies a certain relation between expression and representation in jurisprudence, since modern jurisprudence tends to focus on the relation between legal power and State authority. But we are talking also about a jurisdiction that was preoccupied to order the local, technical and technological languages of law. In this sense, jurisdiction gives us then a way of working within law’s medium; it gives us a method for analyzing power in a language that maintains a descriptive relation to matters of ‘legality’. The theoretical aspects of the book are attended by the author in respect to some important theoreticians of jurisprudence such as Shaun McVeigh (editor of *Jurisprudence of Jurisdiction*) and Bradin Cormack (author of *A Power to do Justice: Jurisdiction, English Literature, and the rise of Common Law, 1509–1625*) and are extended so as to further re-

situate the analytical accounts of legal power within the institutional languages considered immanent to its exercise.

The theoretical point glimpsed so far is continued by a Deleuzian approach to jurisprudence that is to “read into the fabric of law a dimension of expression; to follow, out of law’s many simple *reactions* to social and cultural activity, the matter that is itself active, creative, productive”(Mussawir 2011, 8). What is remarkable in this perspective is the importance of jurisprudence as a local and practical legal activity expressing an existing field of legal wisdom that substitutes and dismisses the theory of jurisprudence as a code, abstract normalization founded by means of representation on the transcendent roots of a juridical-philosophical consciousness.

So the point of this announced theoretical substitution is that “expression law” is better suited for the practices of everyday life than “representation law”, and that expression is not a theoretical concern with the subject and objects of legal knowledge but with the surface of law medium (technology, performance and practical articulation) properly reconnecting with the genres of knowledge put into motion by Roman civil law, the division between persons, things and actions. The three parts of the book correspond to these three separate planes of thought as elements of both a theoretical account of jurisdiction and as an engagement of Deleuze’s philosophy of expression into jurisprudence.

The first part of the book examines the theme of masks and personal jurisdictions and starts with chapter two (the first chapter is an introduction) – which explores the connection established between personal jurisdictions and the method of dramatization employed and deployed by the philosophy of Deleuze. Chapters three and four contain two study cases regarding the critique of subjectivity itself and the abstract “rights of man”. The second part of the work comprises two chapters and approaches Deleuze’s jurisprudence bearing on the jurisdiction of “rights” and also analyses the problem of possession in relation with Hegel. In the last part of the book the author draws the means by which the philosophy of Deleuze could develop a connection with jurisdiction as a procedural type of jurisprudence picturing performance as a procedural

form of judgment. The possibility of performance as an “event” of law could be understood as a singular point (social life) that is continued through ordinary points through actual procedures that do not postulate the transcendence of law (by an essence-event). The procedures are not enactments of rights judgments but the techniques of its performance.

I do not know what a reader with law studies might say about this book, I doubt that the philosophers of law see the philosophy of Deleuze as a material of thought (for elaborate forms of “mastication”), but I think that for the readers interested more or less in Deleuze the work of Mr. Mussawir is both pleasant and interesting.

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