To Have To Do With The Law: An Essay

Philippopoulos-Mihalopoulos, Andreas

This is an accepted manuscript of a book chapter published by Routledge in the Routledge Handbook of Law and Theory on 16 August 2018, available online:

http://www.routledge.com/9781138956469

To have to do with the law: an essay

Andreas Philippopoulos-Mihalopoulos*

1a. *The Summons*. It is surprising how little, as a legal academic, I have to do with the law personally. A summons to jury duty, however, is just that: a personal invitation to do with the law, indeed *the* law, the court itself. The summons included its own way out. If I were unable to attend, I should state the reasons on the relentlessly photocopied version of a once probably pristine original form. The provided boxes, faded, vaguely symmetrical, polite, were too small to contain my bourgeois despair. Why despair? On the one hand, the thought of being removed from my life for at least (as the letter emphatically stated) two weeks, and on the other, the idea of enforced enclosure, brought up in me a sort of claustrophobic panic. Yet I tried, substituting emotion with rational argumentation, enumerating in a meticulous list and in tight chronological order (see? no two consecutive weeks free at all, ever) how important my future was (this many trips planned, this many talks to give, that much life to live). My sense of self-importance was of course transparently fragile, attested

*profound gratitude for the detailed and encouraging reading of this text to Victoria Brooks, Margaret Davies, Davina Cooper, Daniela Gandorfer, Peter Goodrich, Amlan Goswami, Yoriko Otomo, and to my fellow juror Anastasia Sakellariadi.

by the flurried way in which the margins of the application were overflowing with dates, destinations and university names. I stared with a certain melancholy at the lines that should have stayed within the boxes but failed (I was only sent one copy to work with): will anyone manage to decipher those scrawlings? but more seriously, would anyone really care about the veracity or at least the verisimilitude of the list, or is a deferral routinely granted to any semi-convincing application to be excused?

A week later, same much photocopied letter style but an altogether different affect: I was informed that my cry had been heeded. I was free from the law.

A year to the date, a letter arrives again, this time without a way out. The summons is irrevocable, my future no longer worth listing. I am told that I have a juror number. I am to serve the law. Pack your bags, bid your goodbyes and plunge into the law. The date and place is set. I am not consulted. The tone of the letter is definitive, school-mastery. I fold the letter and put it back into the envelope, mismatching the folding direction with the plastic address window and ending up with the empty part of the letter instead of my address showing through. So much for my singularity. My presence is required because it counts for the justice system, objectivity, impartiality; but really my presence is required because it counts as a number (Badiou, 2008[1]), one of the twelve, holy apostolic randomness, blind impartiality, blank address window.

1b. *The lawscape is every thing*. One of (secular) law's greatest self-dissimulating tricks that keeps some legal positivists happy, is to appear as if it only resides in court decisions and statutes. This state of innocence, however, is now irrecoverable. Ever since Eugen Ehrlich's 'living law' (1962), the law has been let out of the courts and freely thrust amongst bodies and things. We now know that everything has to do with the law. After Foucault (2003), our very bodies are shackled with the knowledge that they now carry the law, often oppressively and as perfect instruments of the disciplinary society. Recently, Margaret Davies (2017: 124) has talked about the law

> as a psychosomatic product, as having bodily, psychological, and indeed neurological dimensions. The law subsists at some level in corporeal subjects in their relationship with physical things, not only because law disciplines the body and acts upon it, and not only because it shapes landscapes and space, but because bodies in their temporal and spatial dimensionality enact, create, and perform law.

[1] Badiou, 2008, writes about how every being within a situation (not unlike the one described here) remains particular (a particular being that is needed for the perpetuation of the situation) but lacks in singularity. For this reason, every being is exchangeable.

Law has amply enjoyed its spatial and spatiotemporal turn, with legal geography now part of the accepted norm. The current turn of the law, however, is material: a further coil in the spatial and corporeal turn, not so much different as ampler, more horizontal. Questions of legal agency of things (e.g., Pottage, 2012; Philippopoulos-Mihalopoulos, 2014), law and (more than human) corporeality (e.g., Braverman, 2016b; Grear, 2015), law and technology (e.g., Tranter, 2011, and the whole journal issue), and relatively new methodologies of legal research, such as law and anthropology, law and ethnography and so on, demand new ways of seeing the law.

The law constitutes matter by naming it, forming it, including or excluding it, arranging its physicality and entering its molecular structure: the law determines property lines, permissible chemical compositions, embryonic biological structures. It classifies some humans as citizens and others as illegal migrants, offering rights and slashing lives merely by naming. It distinguishes between pets, animals for clinical testing, and animals slaughtered for their meat, determining the fate of these bodies (Braverman, 2012). It allows specific kinds of DNA interventions, and only gingerly considering others. The law is a *fleshy metaphor*[2] for Schmitt's line between friends and enemies, a material verbalisation of the vicissitudes of inclusion and exclusion. It is a semantic edifice of such imposing materiality that, wherever one turns, one is enfolded by the law. In turn, the law is formed by the physicality of these enfolded bodies, whether human, nonhuman or inhuman, material or immaterial, things or ideas. Bodies determine what kind of law is to emerge in given situations, force new kinds of legal thinking, and push the boundaries of legal thought and action according to the needs in hand. In a circular sense then, the law responds to the bodies that regulates. Whether it does so fairly and equitably is often a question of theoretical perspective. The law does transform these bodies in ways that are beneficial to them, but likewise often fails to do so, and its lack of (adequate) response is experienced as failure.

There is a need for a new vocabulary when our minds and bodies are so used to distinctions that are unable to see beyond them. Delaney's (2010) nomospheres, Sloterdijk's (2006) nomotopes, Valverde's (after Bakhtin's) chronotopes (2015) fall into this category. My contribution to this desire for different conceptualisations has been the lawscape, namely the tautology between law and matter. The lawscape differs from the above in the way it keeps manoeuvring its bodies (which includes our bodies) into regimes of visibilisation and invisibilisation, in the name of the lawscape's self-preservation. This is something that my students, when I ask them to walk the lawscape and come back with their impressions, experience it as claustrophobia and an almost physical sense of asphyxia: if law is everything, there is no way out. And some parts are denser than others.

---

[2] Philippopoulos-Mihalopoulos, 2015; see also Bacchi and Beasley, 2004 for the concept of social flesh.

1c. *Essaying heresy*. Adorno (1984: 171) concludes ‘The Essay as Form’, his essay on essays, with these words:

> the law of the innermost form of the essay is heresy. By transgressing the orthodoxy of thought, something becomes visible in the object which it is orthodoxy's secret purpose to keep invisible.

Does the law of the essay apply to essays on law? Is what we (‘we’?) write essays, trials, experiments? Or just book chapters and journal articles, blogs and extended social media statuses?

But let me start with something even more basic: the writing of our students. Do we encourage, or at least tolerate heresy? I have worked my way through many first-year student essays, the explicit objective of which is not so much the chosen topic but essay-writing as such, researching and expressing, in short a first soft plunge in the world of academic writing. Year in, year out, they are asked to choose out of a list of topics (role of the judge, law and morality, statutory interpretation and so on), and every year the absolute majority chooses the topic of juries. The majority amongst that majority forms their topic along the lines of a seminar question in their handbook: “What are the advantages and disadvantages of the jury system? Identify 2 or 3 points on each side of the debate.” The admittedly well produced (not by me) handbook provides clear guidance on essay writing. For the introduction for example, the main requirement is to “set out your approach to answering the question by mentioning briefly the issues you will cover. If you cannot do this then you are not clear on how you are going to approach answering the question. Go back to the question.” Following on, “at the beginning of each paragraph state what the issue is.” And as for the conclusion, emphatically “do not introduce new ideas!” One of the oral instructions to students, about which I have an extended exchange every year with the responsible for the programme, is not to use the first person personal pronoun. Passive voice, impersonal constructions (“it is submitted”) or at the very worst, ‘we’ is preferable.

Students mostly follow the guidelines, good students at least, whatever this means, and produce balanced, reasonably-argued although understandably often hesitant and slightly wooden essays on juries. What is worrying though is that they regularly stop short from taking any position with regards to their chosen 2 or 3 points, and nearly always end up with a conclusion (and a whole text, for that matter) that does not introduce any new ideas (exclamation mark). I imagine that the argument is similar to that other argument that says you have to be able to master figurative painting first in order to move on to abstraction. I am certain that this is no longer considered valid, at least in trendy fine art schools, but there is something not altogether unattractive to it. You must learn the basics first

before you fly.[3] And naturally, I am all too aware of the problems of incipient student writing, and I have often found myself imparting the usual essay writing steps as if they were the truth.

But then, what do we sacrifice when we desire an essay to be merely an attempt and not a veritable trial? A trial of error and of bravado perhaps, but also a trial of judgement, of personal exposure and risk-taking? What do we lose when we do not commit any violence to the text, encouraging instead well-formed formlessness?

2a. *En Route*. What I objected to was the violence of the law. I was forced to be at a specific place at a specific time, whisked away from my days. But did I object to the object itself? an object that had occupied me ever since I could remember myself. The law has always been for me a question of material boundaries and spatiotemporal temptations. To cross or not to cross, and what happens if I do cross. I had learned (the hard way) to avoid having to do with situations where no option was available. My space of law was fully fleshed out: I would manoeuvre my way through it and try to negotiate mine and others' positions. I was a lawyer before I studied law. But I might have stopped being a lawyer during my studies. Law became violent, oppressive, not an option but the only way. Law was displacing me.

In the period between the summons and the jury service day, a different kind of thinking slowly emerged, one that I was no doubt semi-consciously cultivating too: I had been given an opportunity to face my object. I allowed myself to become mildly excited (without however dropping the despair) when listening to other people's jury service stories. I was trying to own the no-option, to submit to the necessity that ultimately determined my freedom (Spinoza, 2000). This was 'the' law after all, the Court, the Old Bailey no less, the great density, the semantic royalty of the highest legal distillation. Prior brushings with the law (visits to a police station for my Greek ID card, my *annus mirabilis* of compulsory military service, dealings with University regulations, buying a flat or even signing my work contract; but also, being a son, a brother, a citizen, a friend, a lover, travelling or walking around or just sitting in a cafe) were mere wisps of the thing looming before me now. To stand before 'the' law, in its blinding visibilisation, is to have to do with the law in a way that makes most lawscapes pale into diluted pleasantries. In the thickness of having to do with the law, a slither of a possibility could just about be seen: the opportunity to, partly, infinitesimally, but perhaps actually, *do* the law.

That first day, I cycled to the Old Bailey in the morning rush hour. I am often worried about arriving late, especially when the time and place are imposed on me. Yet that morning I made a point of choosing the scenic route. The law-in-waiting was oppressing me, I needed to think of spaces

[3] "while standard methods are often extremely good at what they do, they are badly adapted to the study of the ephemeral, the indefinite and the irregular." Law, 2004: 4

of resistance. Urban cycling had made me originally think of the lawscape – both the notion and the term. I remember being impressed (not positively) by the way I obsessively followed the prescribed lanes, and even the often inane London lines and cycling boxes. I was impressed by how well sticking to it would make me feel, and also, disconcertingly, how equally well I felt when disobeying the same things (for justifiable, at least to my mind, reasons). But that morning, I was sliding smoothly, ticking along the various regulations, populating the lanes with an unfamiliar sense of entitlement. I felt co-extensive with the lawscape, being in some sort of control. Perhaps I needed this. I imagined I was heading somewhere where control would be assuredly removed from me. I arrived in good time but wasted about ten minutes trying to park my bicycle where it would not be lifted away by the police. This was not easy. The whole area felt inhospitable.

2b. *The lawscape can be manoeuvred*. The connection between law and matter in the lawscape is not dialectical but interfolded. There is no mutual influence, action-reaction, or synthetic progress towards better law/better society. Rather, there is parallelism at work (Spinoza, 2000: Book III, E2p7). Law and matter co-constitute each other tautologically, indeed simultaneously. Law is matter and matter is law. But law and matter constantly withdraw from each other, forming spheres of contained inaccessibility within the lawscape, while allowing the other side to shine through. In other words, there are quickenings of law, high densities, spatiotemporal concentrations that throb with authority, il/legality, violence. And there are equally high densities of matter, where law is quietly forgotten, momentarily put to the side. Courts are of the former kind, shopping malls of the latter. Courts of course remain fully material (Valverde, 2015). But their matter vibrates with law, thickens with command, quickens with direction. Likewise, shopping malls remain fully legal, but the law recedes before the consumption drive, the capitalism of the plastic arcade. The law risks dampening the brittle joy of the exchange.

Within that maelstrom of in/visibilisations, bodies are manoeuvred in positions that reinforce the lawscape. The law (of private property) emerges at full force at night when shopping malls gates (themselves also bodies) shut, just as matter (dust, dump, ghosts, rodents) returns when court gates shut. This is less passive than it sounds. Bodies with more power, such as human bodies and amongst them the more privileged or collective or both, employ this manoeuvring to navigate the lawscape. The lawscape is bearable because the law is often manoeuvred into invisibilisation. The lawscape invisibilises the law (we, as lawscaping bodies, invisibilise the law) to enable a façade of normalcy, semblance of freedom, choice as a substitute for free will.

Courts (along with prisons, concentration and refugee camps, nuclear heads, torture instruments, protests and revolutions, and so on) are some

of the lawscapes where law is fully visibilised and matter becomes a legal instrument. But for the rest, we have other names (bureaucracy, administration, obligations, ethics, morality, surveillance, health and safety) and we keep on inventing new ones, all in the name of invisibilisation of the law.

2c. *Essaying body*. On the back cover of his book *Essayism* (2017), a book that inspired me to think about writing, Brian Dillon writes

> Imagine a type of writing so hard to define its very name means a trial, effort or attempt. An ancient form with an eye on the future, a genre poised between tradition and experiment. The essay wants above all to wander, but also to arrive at symmetry and wholeness; it nurses competing urges to integrity and disarray, affection and fragmentation, confession and invention.

What a schizophrenia of desires, what demanding juggling, and how un-legal this all sounds. It is as if the essay were an agent itself, having eyes and urges, wandering but also unpredictably arriving. An essay that assembles out of its words a moving and posing body. A material thing, consisting of autonomous and even brazenly strong-headed elements, molecules that manically flit around without however crossing the boundaries of that linguistic mantle. Adorno (1984: 161) again: “In the essay discreet separated elements enter into a readable context; it erects no scaffolding, no edifice. Through their own movement the elements crystallize into a configuration.” The configuration, this much-praised internal consistency, also has a shape, an outline, both figuratively and in essayistic terms. A tidiness of sorts that one would think subscribes to the order of wholeness and perhaps symmetry. But it does not stay intact. Its edges thicken and fade (what is the shape? of a forest, Deleuze asks ??), spreading next to other edges of other essays, forming a giant effort, not to cover more or to expand or even to convince by conquering, but simply to form a body.

An essay is a body that “would instruct, seduce and mystify in equal measure” (Dillon, 2017: 13). But there is more. Let’s think of it as performing its own essayism (“An essay that performs its mode of attention – even better”, Dillon, 2017: 121) experimentally yet rigorously, faithful to itself and its organs, immanent in its irony, self-sufficient yet full of holes, focused on its own heresy as Adorno writes, and the fight it wages towards visibilising something of the orthodoxy against which it is poised. For this, the body of the essay must bring its object (perhaps even itself as object) in sharp spatiotemporal intimacy: “the essay comes so close to the here and now of the object, up to the point where that object, instead of being simply an object, dissociates itself into those elements in which it has its life.” (Adorno, 1984: 162). Bring the object to life by pulverising it into zillions of particles of life-affirming materiality. Will life

into the body of the essay by bringing its matter forth, even if this entails its disassembly.

How un-legal, therefore, that the text is a body, while for the law every body is at best a text. (And how mendacious to keep on thinking that a text is not a body.[4])

3a. *Corridors*. The entrance was likewise uncongenial. I would have to brave it every morning for the next two weeks (I expected it would get better but that does not make the first time any easier). Between the first set of doors from the street to the building, and the airport-like security gates inside, a squeezed space made my step feel uncertain (a sort of French Court *Salle des Pas Perdus*). This despite the incontestable direction indicated not only by the arrangement of the space, but also by the staff's curt instructions (for them, it was simply yet another Monday when the new jurors were cattled in). First thing: show your summons. That text, with its stern language and multi-digit juror number, enabled my relevance - another familiar instance where the body is reduced to a text (passport, immigration letter, expulsion notice, military camps, sweatshop stations, and so on). I had to empty my pockets, relinquish bags, scarves, jackets and other removable paraphernalia, and enter as bare as possible to an affective bubble reminiscent of walking in a new school on the first day of term.

I was moving on a corridor of mild curiosity but mostly dread.

The verticality of the building was immediately displayed ("proceed via these lifts to the jury floor"). Its horizontality, however, will remain a mystery: what would happen if I were to just carry on walking straight, no lifts, just corridors? I would never find out. The jurors' waiting room was high-up on the top floor of the building (I was anticipating a basement), in some sort of time-stuck airport-like aesthetics, consisting of endless rows of chairs surrounded by endless posters with endless instructions. Sat next to each other, the summoned ones were waiting for something to happen. A mouthful of London humanity piled up in a building of judgement. No one spoke. Most of us were furiously sending emails to people, telling them that we will be unavailable, or distractedly trying to carry on with work (some on laptops) in a semblance of normality. No one seemed to want to be there. At some point, this unbusiness was interrupted by a member of staff announcing the order of the days to come: wait until you are called. And something about how important the service we were providing was.

---

[4] How legal all those bodies of law, the *corpora juris* that pulsate with "text, territory and terror" (Goodrich, 2006: 33), always channelled through sections and paragraphs. Goodrich has repeatedly shown us how text is body, and how what seems like mere legal textuality is a corporeal explosion. Matter is, after all, inescapable.

3b. *The lawscape is fractal* yet continuous. There is an infinity of lawscapes (all part of the broader lawscape), of various denominations and contexts (personal, local, community, national, planetary and so on), horizontally spread out, “cuttable into many parts without losing coherence.” (Morton, 2013: 47). Davina Cooper’s work on the *eruv* (1996), the self-delineation of some orthodox Jewish communities, reveals a lawscape layered along the greater London lawscape, but also an eruv in Jerusalem or anywhere in the diaspora: an enclosure that is always different, yet always of common characteristics. The culturally and religiously limited lawscape of the *eruv* practiced the same in/visibilisation as any other lawscape (not just *eruv*), visibilising the poles and wire that would delimit the space as either a legal presence that severed space, or a spatial implement that liberated from the law.

While lawscape is horizontal, individual lawscapes can be vertical, employing matter and law variably in order to reinforce power hierarchies. Higher floors in exclusive high-rises are reserved for the (über)rich who can afford to pay for the view and the air, but also for servants whose heads apparently do not require distance from the low ceilings. In some courts, the judge sits higher than anyone else, with the others arranged in various descending layers of visibility (e.g. Mulcahy, 2010). Vertical metaphors are so embedded in language that solidify, often unconsciously and uncritically, the received verticalities, such as colonial and postcolonial oppression of North versus South (Wey Gomez 2008), capturing happiness (“I'm feeling *up.* That *boosted* my spirits. My spirits *rose.* You're in *high* spirits.”), abundance and health (“The numbers keep going *up.*” “He's at the *peak* of health. He's in *top* shape.”) and even future (“All *up* coming events are listed in the paper. What's coming *up* this week?”), while sadness, illness, poverty and past lie down below, in the South.[5]

The lawscape’s temporality is also fractal: the lawscape is based on repetition. It is not taking place until repeated. Lawscaping time requires habit, historicity, links to origin (constructed or actual), dissemination, contagion (lawscaping techniques need to spread in order to become relevant). The repeated lawscape will be part of the broader lawscape, building a lawscaping practice over time. Its geological time is a palimpsest, layered accretions that become incorporated in the planet, embodied within skins, merged with objects, inputted in technology. The second time my neighbour walks across my garden, the third month of waiting to see how bad the current political regime can become, the fourth nuclear threat, the fifth oil accident, the sixth elephant killed by poachers: the one lawscape, Gaia, planet, continuum, Nature or whatever else one wants to call it, fractal yet one, split in infinite temporal shards yet all part of a lawscaping continuum, inescapable except in its invisibilisation.

[5] Examples from Lakoff and Johnson, 2003: 15-17.

3c. *Essaying fragments*. “The force and unity of a fragmentary work are precisely the results of struggle and disparities between the parts.” (Dillon, 2017: 73). The most productive paradox of an essay is the fragmentation between disparity and unity. An essay that performs this very paradox is a polyvocal body of utterances that surprises, delights and disappoints, all at the same time. Surprise at the choice of topics, the way they have been approached, the new connections with which they have been endowed. Delight at the same, but also at the turn of the phrases, the choice of guiding metaphor or metaphors that will allow the essay to speak in other disciplinary languages and with a bifurcated force, a common front formed by reasoned argumentation and metaphorical completeness. And disappointment because the essay, if it is to be a trial, needs to be the exact opposite of a court trial: it cannot be an enclosure, a theological metaphor, or a final testament.[6] It needs to remain incomplete. “The usual reproach against the essay, that it is fragmentary and random, itself assumes the giveness of totality and thereby the identity of subject and object, and it suggests that man is in control of totality. But the desire of the essay is not to seek and filter the eternal out of the transitory; it wants, rather, to make the transitory eternal.” (Adorno, 1984: 159)

This is the first, formal, step towards building a heresy: follow the desire of the essay. Fragment, open up, refuse to pass judgement! But: take position, thump on the side of the object in order to upturn it, flood it with other voices, break it up – and in the process, break yourself up too.

4a. *Waiting*. Hesitantly, stories started to flit around that room full of strangers: someone who had already been summoned thrice in five years; someone who was trying to get out of jury service altogether because he was a sole business owner; someone who was already sitting in a jury for a particularly complicated case that had already gone on for a month. A sense of solidarity was slowly forming when another announcement interrupted us: practicalities. Do not walk on any other floor except this one; do not use any other lift except for the jurors’ lifts; do not use stairs except in an emergency, and then only specific ones; do not use any other toilet except the ones on this floor. You all have a juror number. Please wait till your number is called. Please listen.

There was nothing grand, wood-panelled or gilded on that floor, as you might expect from a place like the Old Bailey. It would seem that the whole floor was economising in grandeur in order to thrust itself up in the gilded bolt of the blind *Iustitia* statue sitting on top of our heads. The chairs were tired and torn. The water at the water fountain was warm. The

---

[6] “Enclosure not only symbolized the independence of law from political, commercial, and social space; it served to restrict access, limit vandalism, minimize the disruption of trial, and, perhaps above all, encourage deference to the administration of justice in a democratic society perpetually anxious about the authority of law and lawyers.” (Spaulding, 2012: 316).

staff were either behind glass or, when entering the room for announcements, professional but peremptory. The toilets we could use had the same tired look, except that they had a window that opened. The air smelled somewhat different there, less grey. But I had to return to the enclosure in case someone had started calling numbers.

The first two days were spent waiting, in anticipation of some action but also wallowing in a screen-assisted inactivity. The chairs near the scarce plugs were the most popular ones, followed by the ones with natural light. But the room was getting progressively emptier. The waiting was punctuated by the flurry caused by announcements – finally, the Barbarians[7] – of lists of numbers. They would always call more than twelve and often many more, depending on how long the case proceedings were expected to last. My number was called a few times but in the end I always returned to the room because I was surplus. As surplus, we would wait huddled in the back of the courtroom, half-seeing the jurors-to-be and occasionally the judge, waiting for the oath to be taken. There would be those among the twelve asking to be excused, and whose arguments were rejected, at least the ones I witnessed. We, the surplus, would only leave the courtroom once all jurors had taken the oath.

In one case, while waiting in the usual surplus mode, I noticed that all jurors adhered to the religious oath except for the very last one, an apparently Greek woman, who asked to affirm instead.[8] I was impressed. In the context of Greek religious obscurantism, for someone to be brave enough to be different, especially when surrounded by mostly British ethnic nationals who were happy with the religious oath, was remarkable. I could see that we would become friends.

4b. *From lawscape to atmosphere*. Apart from self-perpetuation, the evolutionary potential of the lawscape is to become an atmosphere. An atmosphere emerges when one of the elements of the lawscape (law or matter) becomes so invisibilised that, for all intents and purposes, it disappears. In prisons and courts for example, the potential for a lawscape ceding its ontology to an atmosphere is high, since the invisibilisation of matter is already intense. Likewise in shopping malls, airport duty free shops, even neighbourhood cafes, where the project (mostly successful) of invisibilisation of law is well under way and a few props help decisively along. Atmosphere is what remains when the lawscape departs, that is to say, when the interplay between in/visibilisation has been replaced by one

---

[7] “Because the barbarians are coming today.
What laws can the senators make now?
Once the barbarians are here, they’ll do the legislating.”
Cavafis, 1992: 47 (from the 1898 poem *Waiting for the Barbarians*)

[8] Upon kindly reading this text, Anastasia told me that her choice was made more difficult by the fact that she was the very last in a series of jurors, none of whom had asked to affirm. Yet, as she said, she couldn’t start this process on the wrong foot. She had to be true to her own convictions before passing judgment on anyone else.

self-perpetuating, all-containing elemental bubble, one grand dissimulation (“this is not an engineered atmosphere, this is all natural emergence!”) that relies on the desire of its own bodies of emergence.

This desire is expressed in affects originating in bodies but always exceeding those bodies, evaporating outwards, becoming suspended dotted lines waiting to be drawn together. Atmosphere consists of these affects, taken together and made into a whole. Atmosphere is the excess of affect that keeps bodies together, through, by and against each other.

An atmosphere is always spatiotemporally specific, and can only take place under certain precarious conditions. It requires an enclosure (physical or affective) that artificially separates the atmospheric inside from the outside; a hierarchy between inside and outside where inside is always preferable; a demotion of the outside to both a simplistic negative value (you cannot be out there) and to its partial inclusion within (we have all we need here); and a dissimulation of the fact that all these conditions have been attempted at all. Namely: an atmosphere cannot appear to be engineered but merely a spontaneous emergence.

An atmosphere is resilient, its boundaries elastic and its content flexible. The problem with atmospheres is that they ontologically tend towards homeostatic perfection. They do not often achieve it, but when they do, their effect can be devastating on any desire for questioning, critique, resistance, or simply outside. While lawscape opens up spaces of in/visibilisation in which bodies can move differently than prescribed, atmosphere is static. While lawscape allows for options, atmosphere only offers one option, itself. While bodies can navigate the lawscape by allowing the law to become more or less visible, summoning the law when needed and silencing it when not, atmosphere reserves specific places to all bodies included within, without movement. While lawscape dissipates at its edges, fractally moving along other lawscaping configurations and partaking of other layers of in/visibilisations, atmosphere is enclosure, firm perfection, modernist orgasm.

4c. *Essaying the ‘I’.* Should I be me when writing an essay? The question is no longer whether research can present objective facts/truths (no), or whether bringing the ‘I’ in (in terms of pronoun and subject matter) renders the whole thing subjective (and therefore, irrelevant or at best partial) (yes, no, so what). Nor is the question whether the law can be approached from the point of view of the ‘I’ (yes), or whether the ‘I’ must sublimate itself to the ‘common person’ (what is that). The question rather is whether the ‘I’ can bring an understanding of the object of study in a way that allows both full immersion and distance: in other words, whether the ‘I’ can maintain the role both of an atmospheric object (fully immersed, abandoned to the coercive atmosphere), and a subject (but not necessarily a consciousness) that withdraws from the atmosphere.

One way to achieve this is by progressively dropping the traditional phenomenological method (to which most empirical and some theoretical descriptions subscribe) and allowing the ontology of the description to emerge. In practical terms, this means that while the 'I' initiates the description (of the theory or the empirical work), the focus on the 'I' must be blurred and progressively pass on to the atmosphere. An atmosphere contains the 'I' but also risks flattening it, dissolving it in its illusionary atmospheric community. Writing about it, however, can already be a movement of withdrawal from the atmosphere (withdrawing *in writing*). The writing 'I' fleshes out the affects employed by the atmosphere, and shows them not merely as atmospheric tools (although of course there is writing that simply perpetuates an atmosphere), but rather as something that carries the possibility of resisting and withdrawing from the very atmosphere. The mere act of moving the focus from the 'I' to the atmosphere draws together the various 'I's that partake of the atmosphere, rousing them towards a possible withdrawal from the atmosphere.

The 'I' is multiple. Internally, "the 'I' is both contained and provisional – just as important, it is *dispersed*." (Dillon, 2017: 18). Sure, the 'I' requires a solidity and determination that will carry the desire to go against its own desire (for atmospheric comfort or acceptance) and break away from the atmosphere. Yet, these qualities must also be complemented by the dispersed 'I' and its provisional dipping in various lawscapes at the same time. We are never just one body, operating in a single lawscape, belonging to a single atmosphere. We are always dispersed, multiple. But this dispersion, seemingly a weakness, can be strategically enlisted. Use your dispersion, spread horizontally, take up your minoritarian positions and break free from the atmosphere. And follow the same strategy textually too: think of Bruno Latour's thick description of the Conseil d'Etat (2009), and its gravitational attraction for seemingly un-legal, unimportant details.[9] This deliberate dispersion, this absent-minded focus, those centre-stage curios: often an effective way to flesh out the invisibilised materiality of the law (see, e.g., Carr, 2016).

Is this paradox of the contained yet dispersed 'I' ever contained? Again, only provisionally: the writing 'I' is a manifold and continues to be, however contained might appear. This means, first, that its various folds are (provisionally) summoned together in order to write in a way that withdraws from an atmosphere (a powerful argument for interdisciplinarity[10]); and second, that the writing 'I' is always collective, externally multiple, in dialogue with others, building its withdrawal on the

[9] See, however, Pottage 2007, on how Latour's specific focus, despite its potentially resistant and epistemologically revolutionary effect, perpetuates a rather narrow view of what the law is.

[10] In Lisa Webley's influential book (2013: 58) on legal writing for students, a precious sentence marks an invitation to heresy: "some students relish the opportunity to break out of the straitjacket of legal sources."

working and the unworking of its own writing community. A lotus flower writing a polemic.

This is the agency of the writing 'I' as a legal body, namely a body that has to do with the law (the atmospheric law of compliance), but also a body that, partly, infinitesimally, but perhaps actually, *does* the law (the law of withdrawal from the atmosphere).

5a. *Curios*. At the end of the second day, my number was called among the first twelve. What was to be four days of court proceedings begun. I was relieved to be in a different atmosphere, but also somewhat more apprehensive, as if the limbo room could still hold the possibility of never being called in (and that would be good in some way, or not). Here I was going deeper into an irreversible rut. My fear of and even repulsion for the law kept on being affirmed, but oddly so was my fascination with it. A desire to participate and see what this was all about was taking hold of me. The jury were sat in two rows of uncomfortably stiff and narrow wooden benches, bodies tightly close to each other, with a narrow wooden shelf in a semblance of a desk in front of us.[11] We could not stand or move around, nor of course leave the room. There could be no breaks except when the judge would decide. In case of emergency, we could also ask for one. The way to do it would be via written notes, delivered to a clerk who would get up from his seat (slightly lower than us), pick up the note and walk the note to the judge (much higher). We asked for a break twice in the course of the proceedings. The first one was granted. The second was not, and was accompanied by an admonishment on the cost of breaks (toilet breaks, for that matter) to the tax payer. We could take notes in pencil on small pieces of notepad paper, which we could not take with us. We were not to drink water from the bottle because we would be found in contempt of the court. And myriad other norms that we were to discover as the proceedings went along.

The judge, with her amiably avuncular accent and her clarity of goal, commanded the wood-panelled, rather grand bubble. The rest of us, jury, defendant, barristers, witnesses and so on, were placed at various levels along a hierarchical verticality. Over the judge's head, a crest with the British monarchy inscription, that always seemed to me either incomplete or wrong, but in either case, there to impress: *dieu et mon droit* ("god and my right"). The proceedings were tedious, referring to an equally tedious (as I think of it now – at the time, not so) incident. There was a lot about precise movement in space at precise moments, which I, predictably, found somewhat interesting. Yet I would often feel the need to touch the wooden shelf in front of me, perhaps as a grounding gesture. The days carried on, and I was noticing small details: the Mont Blanc fountain pen on one of the barristers' hand; the obsequiousness of behaviours; the sad

[11] "the courtroom contains and twists bodies into its tiny caverns and grand panelled auditoria, with walls built to ensure the painful silencing of already terrorized bodies." (Brooks, 2014)

pride in allocated authority; the cold in the room; the doodles of my fellow jurors; the expressions on the defendant's face; the gender and class imbalances before me; the judge's well-concealed but probably already-formed opinion; and the fact that we as jurors were supposed to exclude all that and focus only on what we were presented with in court.

5b. *Atmosphere is desire*. An atmosphere relies on the desire of the bodies to perpetuate the atmosphere. The atmosphere's greatest coup is its bypassing consciousness (if addressed to humans) and reliance on corporeal desire. This desire is not necessarily to stay in the atmosphere (as might be the case in some material atmospheres, such as a shopping mall) but to perpetuate the ontology of the atmosphere. This is where one needs to be careful about dealing with atmosphere merely phenomenologically, which would lead to an understanding of desire as mood or feel (usually of comfort, belonging etc). The kind of atmosphere I am referring to here requires an ontological approach that understands desire as the driving force to carry on, an inertia or passive momentum that pushes bodies to carry on moving in the same direction even though the initial push has not been renewed. Atmosphere offers the perfect lab conditions for such a continuous movement: no friction, no outside reality, just a controlled glasshouse.

Desire, in its ontological dimension, does not make ethical choices (not even in the Spinozan sense of what is good for the body and the collectivity in the specific situation). It often just carries on feeding itself. Fear (of authority, of repercussions, of the future, of the outside, of the judgement of the ones inside, and so on) can be an affect that feeds the desire to carry on as usual, clouding over any converse desire to break through and withdraw from the atmosphere.

And so the atmosphere continues ad infinitum or for as long as it does. Inside, however, time stops. Atmosphere captures an infinity of present, static and unchangeable, and freezes it. It can be the future present of an Arian triumph of Nazi Germany (Borch??), the cloying present of a mall candy, the present (solidly founded on a conducive past) of a woman's 'private' domestic sphere, which, as de Beauvoir (??) had found,[12] muffled desire for difference, or the non-present of a refugee trapped in a camp away from the country she was meant to be in. This is the atmospheric temporality. An all-enclosing bad infinity that silences any possibility of outside.

5c. *Essaying object*. Allowing the ontology of the description to emerge means also eavesdropping into the object and its conditions of emergence. This is textual sculpting: rather than giving a predetermined shape to a piece of wood, a good carver follows the waves of the wood,

[12] and the subsequent atmosphere that, according to Judith Butler (???), De Beauvoir forms when she excludes the body's emancipatory role.

allowing for the shape to emerge from within its matter. Deleuze and Guattari: “it is a question of surrendering to the wood, then following where it leads by connecting operations to a materiality, instead of imposing a form upon a matter: what one addresses is less a matter submitted to laws than a materiality possessing a *nomos*” (1988: 451). Listening to the *nomos* (i.e., the internal, diffused rules of navigating a polyvocal space) of materiality rather than imposing the law on matter means: use matter (the wood, the text), not by submitting it to a law (of predetermined conclusion) but by allowing *through it* the emergence of a diffused, manifold, nomic materiality (Philippopoulos-Mihalopoulos, 2014). Listening to the object and its conditions of emergence is our way, as essayists, to flesh out the strains, marks and wounds of the object itself: its gender oppression, its colonial exploitation, its heteronormative persuasion, its paternalistic force, its racial exclusion, its class slippage, its shaded mirroring of our own little worlds.

Textual hylomorphism (passing from matter to form, and not the other way) seems to be the exact opposite of the way we are taught (and the way we teach) to write essays. Unless you know exactly what you want to say, do not even start. Go back to the question. But how to know where the text will take you before you enter it? How to leave behind the all-consuming atmosphere of the self with its preconceptions, if not by listening to something else, something other?

The next step, however, is the hardest: to reinsert the ‘I’, after having allowed the text to emerge materially. In reality, the ‘I’ never leaves the text. The ‘I’ should nourish and be nourished by the text, discover its continuum with it, and add to the singularity that the ‘I’ is, but only once it will have lost itself in the text. Losing the ‘I’ means surrendering to hylomorphism, accepting vulnerability, facing fragility. Losing the ‘I’ means becoming stronger. This ‘I’, now fully collective, fully immersed in matter, fully material, needs to return and take up its responsibility.

6a. *Guilty*. The various juries would converge for lunch at the limbo room. Different courts would decide their individual lunch times but on the fourth day I managed to find the Greek juror I had noticed in the other court. Anastasia, as I found out, was an archaeologist who had been living in London for the past decade or so. We formed a small collective of sorts. We shared affects of boredom, impatience, tiredness, cold, bad backs (those benches), irrational (we know now) but genuine fears that our cases could easily go on forever, chocolate biscuits and even interest (I gathered that hers was more engaging than mine, although we were not allowed to talk about it), but not quite fear or anxiety over the law. I was not able to communicate it, and she did not seem affected by it in the same way. But there was something barely disguised behind the daily cycling, the action bits of the proceedings, even the breaks in the toilet with the open window. A melancholy saturated the whole building and everything in it, perhaps a distinctly legal melancholy that I took on like a

shawl to protect me against the cold courtroom, a defensive layer of distance, but also an immersion: we are here to judge and judge with serious consequences.[13]

The melancholy had colonised the air we were breathing. On the corridor leading to the courtroom where my case was taking place, torture instruments were exhibited in glass boxes. The barristers were fluttering around, buoyant in what seemed like their very own fish bowl, and the jurors were lining up with a false display of purpose. At one point, probably because I made a mistake but possibly not, I found myself using the urinal (yes, those open male ones) next to one of the barristers in my case. He smiled, winningly I thought, and carried on.[14]

That was a male place, a place for winners, the ones who have nothing to fear, the ones who stand on the right side of the law. So why was I, a juror in full white, male privilege, being made to feel that I was constantly at risk of crossing a line, never to be crossed? that I was not standing on the right side of the law? Why was I feeling guilty?

6b. *Atmosphere is fragility*. Engineering an atmosphere is an unstable affair. It relies for its emergence and perpetuation on the desire of the bodies to perpetuate the atmosphere. If, however, a body desires otherwise, and desires it strongly, it might manage to withdraw from the atmosphere. Then, the atmosphere becomes something different – perhaps a different atmosphere, or a return to a lawscape (same lawscape as before or a reoriented version). This, however, depends on various factors. First, it depends on the strength of the particular body in relation to the strength of the atmospheric matter or law. A collective body (every body is collective, but the specific body needs also to be) organised and with a vision is capable of bringing about the collapse of an atmosphere, even an established one, as we have seen in cases like Cairo's Tahrir Square. Second, it depends on the atmospheric resilience and its ability to have already contained or even instrumentalised occurrences of dissent, conflict, revolt, and other affects such as boredom, vulnerability, fear, and so on. Third, it depends on the prior lawscape and its ability to be transformed to a lawscape that will serve better the withdrawing body. Fourth, well, it depends on other things too, such as power imbalances, climatological conditions, etc. Just as there is no prescription to

---

[13] Peter Goodrich's comment on this part of the text deserves its own, fully unreferenced, footnote: "The atmosphere of melancholia reflects – projects – your clinging to your life, your critical (scholarly/academic) distance, the entering but not entering the space. My sense is that you feel that as well, a different melancholia that attaches to not being able to let go of your sense of identification with those wounded by law."

[14] A juicy encounter, Victoria Brooks says. An emblematic encounter, Peter Goodrich says. The court urinals as an inadvertently juicy emblem ("the emblem is a theatrical device, a mode of staging what cannot be said but can be figured, which is to say, shown, enacted, and performed" Goodrich, 2017: 29; "The emblem emblematizes the message of the law." Goodrich, 2006: 24) that animates the textuality of the law of the court.

engineering an atmosphere, there is no prescription in withdrawing from one. It might work and it might not work, despite best intentions.

This is because, even when perfectly engineered, an atmosphere is a fragile thing, and manifest this in modulations of intensity. It then becomes phenomenologically vibrant, its dissimulation becomes that much more obvious, and the bodies might respond to it by withdrawing from it. But fragility is not unique to an atmosphere. Fragility (Bennett ??, or indeed vulnerability Grear/Fineman??) is a shared ontological condition. Bodies that partake in it can be as fragile, and, surprisingly, their cracking might take down the atmosphere too.

6c. *Essaying 1. 2. 3.* I used to despise bullet points or lists of any sort when I would come across them in an essay. I certainly would not use them. They would interrupt the flow and would introduce a staccato movement that had usually nothing to do with the way I wanted the rest of the text to be read.

Recently, however, I started to list things, usually characteristics or conditions for the emergence of something or ways to do something. I started appreciating the reading rhythm of the bated breath. I felt a playfulness in the promise for completeness, and indeed for education, instruction even, in terms of 1. 2. 3., sections and paragraphs, this archetypically legal form. But the playfulness I found most attractive could not, or in any way has not so far been explicitly incorporated in any of my lists. The playfulness to which I was attracted was not the (subversive even) promise for completeness but the invisible coda at the end of every list, the silent "*etc*." (Derrida 2000). It would not have been a sign of rigorous research to admit to an 'etc.' especially when you propose to instruct your readers or to exhaust the law. But it is always there, lurking between the listed items – not necessarily deliberately of course: "The list, if it's doing its job, always leaves something to be invented or recalled, something forgotten in the moment of its making…something to be desired." (Dillon 2017: 27) This implicit "etc.", no longer a private joke, is the space of 'to be desired', of other desires that upset our best laid plans, and a *memento vanitatis* of our supreme delusion that we can list and contain everything neatly.

I felt another playful attraction to lists, that was marking another delusion. Dillon (2017: 24) again: "the appearance of a list in an otherwise narrative or polemic piece of prose introduces – more or less violently – a sudden verticality in the horizontal flow of the text." This verticality, a habitual sign of authorial hierarchy and authoritative announcement (Braverman, 2016a), was playing directly with my own sense of authority as an author, of which I've never had a particularly high opinion ('death of the author' etc.). So I started appreciating the awkwardness with which that vertical pole of 1. 2. 3. protruded in some sort of hypermasculine self-assertion from the horizontal and occasionally even deliberately poetic, whatever

that is, flow of some of my texts, reminiscent of a shipwreck's mast sticking out of a calm sea. Lists became my own footnote for the alien authority we are supposed to feel when we write essays on law meant to instruct, educate, transform, help.

I would nearly always reserve the list for the end of the essay, often letting it ramble there instead of a conclusion. By the end of the list, I would have exhausted my will to solidity, and I would try to offer something else instead: a silent "etc.", a space for reader's notes, an ironic, baroque grin at my burdensome authority,[15] or simply just some more horizontality.

7a. *The other room*. The proceedings of the case over, the jury begun its deliberations. A short secret door, which we had never used before, opened up behind us, and we found ourselves in a corridor with a series of identical shut doors. We were led by the clerk through one of them and into a room where we would spend the next three days deliberating. Small room, large round table, wood panelling, *en suite* toilet, agreed knocks on the door, locked in, ready go. No professions were declared, no background was sought, only what we were presented with was to be discussed. The rut was deepening.

I remember thinking, this is what Derrida (??) meant when he talked about how the whole legal edifice had to collapse before taking a decision. I felt that the judgement we were asked to make should come from a different place. Somewhere less judgemental I suppose. Or less legal and more, what, ethical? affective? and what is the difference? I remember knocks on the door, are we there yet? the judge urges you to reach a decision today. Tomorrow, ok, but you are not allowed to go home, we will provide alternative accommodation. Final day today I hope. Our bodies were aching, etiolated desires that aimed for justice but ended up going in circles. I do not remember much else. I was not taking notes, and even if I were, I was not supposed to have taken them with me. This was almost a decade ago now and at the time I was not planning on writing on it.

We reached a unanimous decision.

7b. *The withdrawing body.* Even if a body withdraws, it remains fragile.

7c. *Essaying justice*. Writing an essay, in the ways I have tried to discuss so far, is a trial. It is not a legal trial, in the sense of enclosure and definitive conclusion, yet it generates the law because it opens up to the trying materiality of the object and its conditions. This opening allows for

[15] "I would define the baroque as that style that deliberately exhausts (or tries to exhaust) its own possibilities, and that borders on self-caricature." Borges, 2001: 4, from the 1954 preface.

the hesitant emergence of a law, indeed of a lawscape, that is no longer espoused to forming matter according to its own lawscaping habits, but listens to the hylomoprhism of its object (which is the law, but also the text itself).

An essay that listens deeply to a law that in its turn listens deeply to its object. The law of the essay, the essay on the law:[16] convergence that keeps the law turning (textual turn, deconstructive turn, spatial turn, corporeal turn, material turn, future turn) and churning out invisibilities, which, as Adorno says, are in the interest of the orthodoxy to remain invisible. But we withdraw from it.

Still, we must not be fooled. Withdrawing might also end up becoming an atmosphere. No turning, no revolt or revolution lasts. And while rendering some things visible, other things necessarily become invisible. The essay constructs its own atmosphere, assembled by the collective desire of the writing 'I's to carry on (critiquing, constructing, transforming, analysing). We forget that atmospheres emerge even in the fight against an existing atmosphere. Heresy can also become orthodoxy. It is hard to withdraw from this new, 'right' atmosphere. It is lamentably comfortable, it is what the REF wants, it is what one's readers expect, and so on. But at those points, when the 'I' begins getting too comfortable in its turning, the 'I' needs to return and strike the 'I'.

This is when the law of the text generates justice: when the text never rests, and the circles (sweaty, claustrophobic, wiggly coils) turn through and against themselves, relentlessly to reveal yet more invisibilities and especially the ones that were generated by our previous, well-meaning heresies. The essay must never rest, the 'I' must never get complacent. This is not a shock strategy, or a marketing scheme to keep your readers reading. This is, simply put, our responsibility: to have to do with the law means to partly, infinitesimally, but perhaps actually, *do* the law; but also to *undo* the law that we have just done, and the law that has done us. All this, in order to carry on, even begrudgingly, having to do with the law. Our work of poetic undoing is never done.

8. *The body*. The limbo room was waiting for my return. My number would have been called in for another case, hopefully not longer than a few days but one could never tell. Relentless justice, the violence of repetition, go through all this again, different but same perhaps. Anastasia, I assumed,

---

[16] Michel de Montaigne, the inventor of the term 'essay' (*'essai'*, usually translated as 'trial') and to some extent its form, was originally a lawyer, who fought against the law with characteristic literary vehemence, and in particular law's ability to generate justice ("there is nothing just in itself, [that] laws and customs shape justice" Montaigne, 1991: 1022) by erecting the law of the essay, the trials of the open form, and a justice of legal fictions ("even our system of law, they say, bases the truth of its justice upon legal fictions" Montaigne, 1991: 603).

would have already been called on a second case.[17] My body however had other plans. My back had started playing up during the week on the wooden bench and the cold room, and had completely given up by the time we had reached the end of the case. The emotional stress of the case, combined with the fact that I (and I think, most people) had to catch up with our regular job every evening following the intense days in court, was perhaps too much. (I have never been very good at juggling things. Yet, every summer, standing as upright as I can in the shallow sea, with seawater half-way up my body, I try to juggle three juicy peaches. I always fail, and they quickly end up in the water. We eat them up anyway, sweet with an underlining sourness and the saltiness of the seawater on their skin.)

The doctor suggested that I be excused from further service. Odd subjunctive. Perhaps is needed to lend to the subjective, this fragile corporeal subjective, a steady embrace. Letter sent and medical recommendation accepted.

I still felt guilty. Guilty even for my own body that has refused to be the body that the law wanted it to be. There was a failure in me but also a failure around me. The two were intimately although not demonstrably connected.

BIBLIOGRAPHY

BIBLIOGRAPHY

Adorno, Theodor, ‘The Essay as Form’, *New German Critique*, No. 32. (Spring - Summer, 1984), pp. 151-171, translated by Bob Hullot-Kentor and Frederic Will

Bacchi, Carol and Chris Beasley, ‘Moving Beyond Care and/or Trust: An ethic of social flesh’, paper presented at the Australian Political Science Association Conference, Adelaide, 29 September-1 October, 2004

Badiou, Alain, *Number and Numbers*, trans. Robin Mackay, Malden, Mass: Polity Press, 2008

Borges, Jorge Luis, *A Universal History of Iniquity*, trans. Andrew Hurley, London: Penguin, 2001

[17] I later discovered that Anastasia’s body had also refused to collaborate. She was found unfit to serve another jury because of the emotional strain that the first case had on her.

Braverman, Irus, *Zooland: The Institution of Captivity*, Stanford, CA: Stanford University Press, 2012

Braverman, Irus, 'The Legal Life of Threatened Species Lists', in Irus Braverman (ed.), *Lively Legalities: Animals, Biopolitics, Law*, London: Routledge, 2016a

Braverman, Irus (ed.), *Lively Legalities: Animals, Biopolitics, Law*, London: Routledge, 2016b

Brooks, Victoria, 'Interrupting the Courtroom Organism: Screaming Bodies, Material Affects and the Theatre of Cruelty', *Law, Culture and the Humanities*, DOI 10.1177/1743872114543767, 2014

Carr, Helen, 'Legal technology in an age of austerity: Documentation, 'functional' incontinence and the problem of dignity', in Cowan, David and Wincott, D (eds) *Exploring the 'Legal' in Socio-Legal Studies*, London: Palgrave Macmillan, 2016

Cavafis, Constantinos, *Collected Poems,* trans. Edmund Keeley and Philip Sherrard, ed. George Savidis, Princeton: Princeton University Press, 1992

Cooper, Davina, 'Talmudic Territory? Space, Law, and Modernist Discourse', *Journal of Law and Society* 23(4), 529-548, 1996

Davies, Margaret, *Law Unlimited: Materialism, Pluralism and Legal Theory*, London: Routledge, 2017

Delaney, David, *The Spatial, The Legal and the Pragmatics of World-Making*, London: Routledge, 2010

Deleuze, Gilles, *Spinoza: Practical Philosophy*, trans. R. Hurley, San Francisco: City Light Books, 1988

Deleuze, Gilles and Guattari, Felix, *A Thousand Plateaus: Capitalism and Schizophrenia*, trans. Brian Massumi, London: Athlone Press, 1988

Derrida, Jacques, 'Force of Law: The 'Mystical Foundation of Authority'', trans. M. Quaintance, in D. Cornell, M. Rosenfeld and D. Gray Carlson (eds.), *Deconstruction and the Possibility of Justice*, New York: Routledge, 1992

Derrida, Jacques, "Et Cetera," trans. Geoffrey Bennington, in *Deconstructions: A User's Guide*, ed. Nicholas Royle, New York: Palgrave, 2000

Dillon, Brian, *Essayism,* London: Fitzcarraldo, 2017

Ehrlich, Eugen, *Fundamental Principles of the Sociology of Law,* trans. Walter Moll, London: Russell and Russell, 1962

Foucault, Michel, *The Birth of Clinic*, London: Routledge Classics, 2003

Grear, Anna, Deconstructing Anthropos: a critical legal reflection on 'Anthropocentric' law and Anthropocene 'humanity', *Law and Critique* 26(3), 225-249, 2015

Goodrich, Peter, 'A Theory of the Nomogram', in Goodrich, Peter, Barshack, Lior, and Anton Schütz (eds), *Law, Text, Terror: Essays for Pierre Legendre*, London: Glasshouse, 2006

Goodrich, Peter, 'Imago Decidendi: Of the Common Law of Images', 1 *Brill Research Perspectives: Art and Law* 1, 2017

Lakoff, George, and Mark Johnson, *Metaphors We Live By*, Chicago: University of Chicago Press, 2003

Latour, Bruno, *The Making of Law: An Ethnography of the Conseil D'Etat*, Cambridge: Polity Press, 2009

Law, John, *After Method: Mess in Social Science Research*, London: Routledge, 2004

Montaigne, Michel de, *The Complete Essays*, trans. M. A. Screech, London: Penguin, 1991

Morton, Timothy, *Hyperobjects: Philosophy and Ecology after the End of the World*, Minneapolis: University of Minnesota Press, 2013

Mulcahy, Linda, *Legal Architecture: Justice, Due Process and the Place of Law*, London: Routledge, 2010

Philippopoulos-Mihalopoulos, Andreas, 'Critical Autopoiesis and the Materiality of Law', 27 *International Journal of Semiotics of Law* 2, 165-177, 2014

Philippopoulos-Mihalopoulos, Andreas, *Spatial Justice*, London: Routledge, 2015

Philippopoulos-Mihalopoulos, Andreas, 'Flesh of the Law: Material Legal Metaphors', *Journal of Law and Society* 43(1), 45-65, 2016

Pottage, Alain, 'The Materiality of What?', 39 *Journal of Law and Society*, 167-83, 2012

Sloterdijk, Peter, 'The Nomotop: on the Emergence of Law in the Island of Humanity', *Law & Literature* 18(1), 1-14, 2006

Spaulding, N. W., ‘The Enclosure of Justice: Courthouse Architecture, Due Process, and the Dead Metaphor of Trial’, 24 *Yale Journal of Law & Humanities* 311-, 2012

Spinoza, Baruch, *Ethics,* trans. G. H. R. Parkinson, Oxford: Oxford University Press, 2000

Tranter, Kieran, ‘The Laws of Technology and the Technology of Law’, 20 *Griffith Law* Review 4, 2011

Valverde, Mariana, *Chronotopes of Law: Jurisdiction, Scale and Governance*, London: Routledge, 2015

Webley, Lisa, *Legal Writing*, London: Routledge, 2013

Wey Gomez, Nicolas, *The Tropics of Empire: Why Columbus sailed South to the Indies*, Cambridge, Mass: MIT press, 2008