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A Court in the Backlands: A Nomadic Justice in Brazilian Literature

Renan Porto 💿

Abstract, This paper explores a conception of justice through a reading of the Brazilian novel The Devil to Pay in the Backlands, written by João Guimarães Rosa. In this novel, the character of Zé Bebelo is tried by a group of jaguncos, who were nomadic bandits that lived in the northeast of Brazil. What is analyzed in this scene is the spectral dimension of undecidability that involves a decision, and how a decision intervenes in a field of forces and reshapes the relationships and antagonisms of a conflict. I seek to show how this novel operates a counter-actualization of Brazilian history by updating and spotlighting the memory of violence and war that marks life in the peripheral regions of Brazil. Finally, I question how justice can be possible when war is a tendency internal to the functioning of societies. What concept of justice is possible when faced with this continuous tendency to disjoint the social body? I propose a concept of justice thought before the unbalanced, conflictive and differential relationships lived by the characters of this novel in the uncertain and contingent space of the Brazilian backlands.

Keywords, Justice, literature, war, virtual, history

INTRODUCTION

In this paper I analyze the trial of the character Zé Bebelo in João Guimarães Rosa's novel, *Grande Sertão: Veredas*, published in 1956 in Brazil. The novel was translated into English by James Taylor and Harriet de Onis and published with the title *The Devil to Pay in the Backlands* in the US in 1963. Through this scene, I want to address the spectral dimension of undecidability that involves a decision, and the spectrality of the field of conflicting forces in which a decision intervenes and modifies its antagonisms. This concept of

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This is an Open Access article distributed under the terms of the Creative Commons Attribution-NonCommercial-NoDerivatives License (http://creativecommons.org/licenses/by-nc-nd/4.0/), which permits non-commercial re-use, distribution, and reproduction in any medium, provided the original work is properly cited, and is not altered, transformed, or built upon in any way. http://dx.doi.org/10.1080/1535685X.2022.2143078 undecidability presented by Jacques Derrida in the essay *Force of Law* (1992) is articulated here in relation to the concept of the spectre developed by the same author in his book *Specters of Marx* (1994). According to Derrida, every decision is haunted by a dimension of undecidability.¹ Regardless of how much information one has available to ensure its calculation, a decision will always have a margin of virtuality that surrounds it with unpredictability. In this temporal dimension, there are always specters of the forces that make up the tension of its act. Derrida says that a specter is always a *revenant* that cannot control its comings and goings and that is always about to return.² Among the many ghosts that haunt a decision, I will address in this paper the insistent return of the ghost of social antagonisms and political conflicts that keep active the dispersive tendency of social forms.

To do so, I first address the relationship of literature to the virtual dimension of time and memory that is not exhausted in the empirical and actual plane of history. Literature is presented here as a machine that invokes ghosts and conjures their spectres. Then, I intend to show how Rosa's novel operates a counteractualization³ of Brazilian history by updating and activating the memory of violence and war that marks life in the peripheral regions of Brazil. After presenting the scene of Zé Bebelo's trial and the conflicts that emerge from it, I characterize the *jagunço* gangs as warrior communities based on a parallel with the "societies against the state" described by French anthropologist Pierre Clastres⁴ and Gilles Deleuze's and Félix Guattari's concept of war machine in their book *A Thousand Plateaus* (1987). Although I also consider the empirical and historical context of these gangs in Brazil, it is important to highlight that my focus is on Rosa's literary reinvention of the *jagunços* and what his novel allows us to think of justice.

Finally, I ask how justice can be possible when war is a tendency internal to the functioning of societies. What concept of justice can be possible when faced with this continuous tendency to disjoint the social body? I want to think of a justice that makes this disajustment its movement, as Derrida asked, "what if disajustment were on the contrary the condition of justice?"⁵ A nomadic justice justiça jagunça, as I prefer to say in Portuguese—is thought from the unbalanced, conflictive and differential relationships lived by the characters of Rosa's novel in the uncertain and contingent space of the Brazilian backlands.

With this, I seek to propose a concept of justice that intervenes in that which conditions the situations of injustice. To do so, we need to talk about justice always moving from the singular situation of the subjects to the conjectures and assemblages of the power relations that submit the existence of some to the interests of others. This is why I prefer not to work with the more traditional theories of justice, because they have a set of assumptions that need to be questioned. For example, a conception of a transcendental subject that, through its

logical reasoning, builds an ideal of justice, seeking to eliminate barriers and misunderstandings until it reaches a supposed objective definition of justice. The experience of justice will always be diverse according to the different ways in which subjective dispositions are distributed. This transcendental subject always tends to universalize the singular perspective of a supposedly autonomous subject capable of performing conscious acts of will, and it always tends to be the old European white man. This conception of justice as an ideal formula thought up by certain subjects authorized to speak from their privileged places is transcendent in relation to a set of causes, needs and relations of force that act on subjectivity and condition the possibilities of acting. The subjects are not necessarily conscious of these constraints involving them when they act. It is not fair to decide on certain situations from a position outside them, demanding ideal conduct from the subjects involved with constraints imposed by very unfair structures and not entirely knowable and controllable by them. This is a transcendent way of thinking about justice driven by an ideal of the Good and the Fair that is alien to how existences are constituted in light of the need to survive under precarious living conditions and oppressive power relations.

STORIES OF WAR AMONG THE GHOSTS OF HISTORY

João Guimarães Rosa was born in 1908 in the small town of Cordisburgo in the state of Minas Gerais in southeast Brazil. He was educated as a doctor and worked as such in the countryside of his state. This experience makes him closer to the reality of people in the backlands and the sunny and dry landscape of the sertão, the characteristic geography of a large part of northeast Brazil and northern Minas Gerais. Between 1938 and 1951, he also worked as a diplomat in Germany, France and other countries. His knowledge of different languages had a deep influence on his creative writing, leading him to mix them with popular expressions in Brazil to create new words. The reinvention of language through neologisms and changes in the structures of sentences is a feature of his writing. His work is an immersion in this context and its ways of expression, conflicts, relations of power, mystic imaginaries and natural environments. Rosa was predominantly a writer of short stories but his main work was the novel Grande Sertão: veredas (1956), written after a trip along with herdsmen conducting hundreds of cattle for 240 kilometers in 1952. This novel became one of the most classic works in Brazilian literature and it is vastly discussed in Brazil. The discussions around this novel usually approach the reality of the Brazilian backlands, its people and the structures of power operating outside the institutional limits of the State. Rosa passed away in 1967 because of a heart attack, after being nominated for the Nobel Prize in literature.

Grande Sertão: veredas begins with the hissing laughter of a calf whose laugh is like that of a person but is neither human nor animal, "man-face or dog-face,"⁶ revealing something else without form and empty of presence in the world, the trail of the devil, which will cross through the whole story. Laughter breaks out among the announcements of gunshots, which will also trace the meshes of the novel's composition. Between the devil and the war, the backlands⁷ and its people begin to emerge. The movement also doubles in an immersion in the reality of this fierce crowd that lived for war: the *jagunços*. Rosa developed from them an investigation into the modes of subjective orientation in an unknown and unpredictable world and in confrontation with an experience marked by violence and force in which well-defined oppositions between ethical values such as good and evil are not guaranteed by any given morality.

The first word of the book, *nonada*, is translated as "*it's nothing*."⁸ As though nothing had been given before writing; as though everything had yet to be created. As the novel unfolds, language is reinvented concomitant to the world it constitutes. In his interview with Gunter Lorenz, Rosa states that his motto is that language and life are one. He says that "*whoever does not make language the mirror of his personality does not live; and as life is a continuous current, so language must also constantly evolve.*"⁹ Therefore, man, language and world are constituted concomitantly in the same process. They exist in correlation and transform each other reciprocally. In one of the first critical essays written about Rosa's novel, the well-known Brazilian literary critic Antônio Cândido discussed the possibility of a parallel reinvention of the images of the human and the world in literature:

[...] For the artist, world and man are abysses of virtuality, and he will be more original the deeper he goes in his research, bringing as a result a different world and a different man, composed of elements that he has deformed from the real models, consciously or unconsciously proposed. If he can do this, he will be creating his world, his man, more elucidative than those of ordinary observation, because they are made with the seeds that allow him to arrive at a reality in potency, broader and more meaningful.¹⁰

Refusing any reduction of Rosa's novel to a regionalist image circumscribed to historicity, this analysis by Antônio Cândido highlights the process of creation by which fiction transmutes the material of historical reality into reflections that call into question human existence itself and its relationship to the world. Questions that were very much highlighted by Rosa himself, who exposed his metaphysical and philosophical concerns in interviews such as the one quoted above in dialogue with Lorenz. The author's philosophical interest also appears in texts such as *Aletria e Hermenêutica*, the preface to the book *Tutaméia*— *Terceiras Estórias*, in which authors such as Plato, Hegel and Bergson are cited, and which begins with the statement that "the story does not want to be history. The story, strictly speaking, must be against history."¹¹

The plane of virtuality that Cândido highlights is the way through which history is shaken and counter-actualized in its actuality. In a story, it is possible to experiment with other ways of linking events in time and retrieve a trace of the intensity that is only present in the of duration of an experience. It reopens the events to virtualities that were not actualized, realized and consolidated in empirical forms in the history, which are the landmarks from which history traces causal connections to explain or justify the present. Rosa says that the story sometimes wants to be more like the anecdote, functioning as a catalyst or sensitizer to the non-prosaic, that is, to what is not reduced to the material and practical side of life. He says that "the jest is no mere ordinary thing; so much so because it scans the planes of logic, proposing to us superior reality and dimensions for magical new systems of thought"; and a little further on he says that "the non-sense, it is believed, reflects a twinkle of the coherence of the general mystery, which involves and creates us. Life is also to be read. Not literally but in its supra-sense."¹²

With its jocosity, the anecdote can play with the truth, without commitment to being true or false, but putting the truth somewhere, as it is proper to fiction.¹³ The act of narrating may be one of the oldest ways to set up a web of relationships between distinct elements, make intelligible the chaos of reality and give meaning to experience. Fiction is a way of rationalizing time,¹⁴ and a way of creating meaning through imagination, invention of language and production of images of other possible realities. By creating a reality in potency, fiction creates other regimes of visibility, that is, the way in which reality is configured for our perception as a network of relations loaded with meaning. By altering the intelligibility of how these relations between the elements of reality are configured, the discourse and the statements that try to explain it are also transformed at the same time that they participate in the constitution of what is perceived.

In the wealth of publications about Rosa's novel, among the different forms of approach by critics, there is an interesting debate on this novel as an allegorical portrait of Brazil. This debate passes through the works of researchers such as Willi Bolle,¹⁵ Ettore Finazzi-Agrò,¹⁶ and Heloísa Starling.¹⁷ They place the literary work in dialogue with political philosophy, history, and sociology. According to Bolle, this novel reveals the workings of power relations in Brazil, analyzing from a perspective internal to these relations how power operates. We intend to take seriously his problematization that Rosa's novel has a potential equal, and

perhaps superior, to those of existing theories about Brazil, but which still needs to be deciphered.¹⁸

In this novel, Brazil is divided into forces from the past that still resonate in the present even after their historical presence is erased, such as that of *jagunços*. These forces are updated in new trends and reshaped in new power relations. Rosa evokes the memory of large landowners' power in the backlands as a mode of shaping political relations between farmers, land workers, *jagunços* and militias during the Old Republic. He anticipates problems that the developmental policies and their promises of modernization would bring later.¹⁹

It is an interesting coincidence that the novel was published in 1956, which is the same year that Juscelino Kubitschek assumed the presidency of Brazil with his bold plan to accelerate national development from fifty years to five. A great dilemma of developmentalism in all its history is that it never managed to integrate and organize the favela, riverine and indigenous communities and always produced much violence against these peoples. Grande Sertão shows the averse and monstrous face of this one-dimensional modernization process. There, the city is interpellated from the backlands. The whole book is a long monologue by the main character Riobaldo telling his memories of when he was a *jagunço*. This monologue implies a dialogue with a doctorate man from the city who comes to visit him and listen to his stories. The urban world marked by development is exposed in its otherness, in what is exterior to it, but an exteriority that is also intimate to it in its ever-present absence. After all, the production of this urban world has always taken place through the inclusion of these margins and their populations as excluded. At the same time this excluded space is exploited, having its energy and vitality sucked out and its bodies punished by labor. Rosa's novel anticipated the signs of the social laceration that the developmentalist project would inflict on populations that never fit into this project of nation²⁰ and survived on its margins by absorbing the violence to which they are exposed.

This project of modernization and national development never overcame archaic structures of power relations that govern Brazil based on the power of large landowners and relations between politicians and mafias. It brought a way of managing political conflicts in which power relations and their privileges are always preserved, and a mode of spatial distribution of violence that is quite unequal and marked by racism. For Sandra Vasconcelos, the dissemination of *jagunços* gangs and the violence unleashed by them were the corollary of the political relations in force since the proclamation of the Republic:

[...] Once the Republic was proclaimed, the maintenance of the country's economic structure, based on land property, and the dismantling of the slaveholding order, made available a

contingent of free men. Without land and work, they found in banditry a form of survival, either as *capangas*—men in the service of a farmer who formed his private army—or as *cangaceiros*—independent men who organized themselves into gangs under the direction of a prestigious chief. The conflicts between relatives, between farmers and political bosses, aggravated by millenarian movements such as Canudos in the state of Bahia, Contestado in the state of Santa Catarina, and Caldeirão in the state of Ceará, made the backlands a conflict zone in the first republican period.²¹

In this novel, Brazil is narrated from these margins where war is actualized without being perceived as a threat to the modern institutional project. This spectre still persists in the present, reactualizing itself in new conflicts in the peripheral regions of Brazil. The book could have been rewritten today based on the conflicts between factions that control the favelas, which like the *jagunços* coopt black youth into their armies. Gangs that always existed in relation with political leaders, farmers and colonels.²² Riobaldo would be a young boy from the favela. Abandoned by his father and with his mother dead, he tried to study but abandons his studies. Suddenly, without much of an alternative to survive, finds himself inserted in a gang, with a gun in his hand and put in front of a war that was not his choice. He spends a long time dealing with moral conflicts about the violence and brutality that his group and himself promote, until he assumes a diabolical pact that makes him affirm this as fate. He manages to become the leader of his gang and a direct promoter of war, having the contradictory fortune to end his life as a farmer, which is his condition as narrator in the book.

The novel speaks about the passage from war to the institutionalization of property, of law, and of a new command over the land. From the nomadism of Riobaldo's life to his settling as a farmer, a landowner, fixed within the limits of his land boundaries. These two distinct experiences of inhabiting and distributing space will be presented here not as fixed identities and absolutely exterior to each other, but as two poles that indicate tendencies and inclinations that pervade the lives of those characters. We do not want to turn this opposition into a fight of good against evil, because that would hide the barbarities practiced by the *jagunços*. Instead, we want to understand how each one of these sides presents itself, how the relationship of each one with space, social relations and power works. The nomadic *jagunço* experiences the backlands as a navigational space without determined boundaries, as a smooth space in an experience of continuous variation, distributing himself in the space. Differently, the farmer distributes the space, converts it into property by delimiting its borders in a process of striation.²³ Riobaldo is in an ambiguous

position: a farmer narrating his memories as a *jagunço*. This is only one of the many ambiguities that we can find in Rosa's work.

Literature somehow creates the experience of conjuring ghosts. Invoking images of a memory that insists on haunting the present and anticipating the signs of passage of what will give way to the future. What we are calling ghosts or spectres²⁴ here is the spectralization of the presence of something that is no longer there, but that insists as memory, habit or a compulsive and unwilling repetition of something that is no longer present. Therefore, the spectre is also a failure of absence. This notion of spectre leads us to a virtual level of reality in which the boundaries of difference that delimit beings blur, multiplying to infinity the gradient effect that takes place between opposite categories or identities. Thus, identity here becomes a tendency of differentiation of being, its most contracted degree of actualization, and not its essence. The spectre indicates the insistence of memory—although it is not confused with that—in the temporalization of being and its differentiation in time so that the past coexists with the present. It is worth noting that the spectre is not to be confused with the virtual, but is between the virtual and the actual, because it has a minimum level of inscription in reality.

I will consider war as a memory of civilization, as a ghost that haunts the social web and tends to fray it, opening breaches and bursting lines that carry diverse tendencies. These are updated beyond the established institutional forms. War will be considered in a virtual dimension that permeates society and deterritorializes the social field unleashing lines of flight. All societies, in order to constitute themselves, have invented ways to conjure this ghost and contain the violence of its inscription in reality. In Rosa's novel, we find an approach to this problem in the scene of the trial of the *jagunço* leader Zé Bebelo. The establishment of a court in the middle of the backlands, suspending an ongoing war, was their way to contain the violence. However, the decision that ends the trial does not exhaust once and for all the virtuality of the conflict, but rather reactualizes the field of forces in which this takes place.

THE TRIAL OF ZÉ BEBELO AND THE OUTBREAK OF THE ANTAGONISM BETWEEN TWO JAGUNÇO ORDERS

For Luiz Roncari, the trial of Zé Bebelo is a turning point in the novel that brings to the surface the clash between civilization and barbarism, order and disorder, institution and custom.²⁵ One of the reasons this trial happens is because at the moment when Zé Bebelo was about to be shot, Riobaldo shouts out that his chief Joca Ramiro wanted him alive, which was not true. Riobaldo did it because of his relationship with Zé Bebelo in the past. Riobaldo was his teacher of letters. Another ambiguity explored by Rosa: a literate *jagunço*. Zé Bebelo is then captured and demands a trial, which is eventually granted by Joca Ramiro.

What were the real conflicts that motivated that trial? Before it begins, the character Sô Calendário exclaims: "Trial! This is it! They have to learn who gives the orders, who's the boss."²⁶ It shows that there was a political issue involved, which was the recognition or not of Zé Bebelo as a leader. Zé Bebelo was seated on a stool, with his hands tied, in the middle of the circle of *jagu*ncos and in front of the main leaders of that universe. It is interesting to observe that the trial did not take place just anywhere. They went to a farm called Sempre-Verde, owned by Dr. Mirabô de Melo, and they gathered in front of this colonel's house. As Roncari points out, the big house was the totem of the Brazilian patriarchal society and of the $colonelist^{27}$ system of power relations.²⁸ The place chosen by Joca Ramiro was a symbol of authority and tradition that had to be respected. The whole physical and corporal composition in the institution of this court problematizes the mode of assimilation of a modern institution by an archaic society, putting in place a process of updating memory in the production of a difference, which forges the emersion of something new in tension with acquired habits.

As he begins questioning the defendant, Joca Ramiro sits down on the ground and makes the following accusation: "You came to sow confusion, to turn the people of the sertão from their old ways."²⁹ The law that is invoked is not the positive law, the normative code under State tutelage, but the customary law of a local tradition. Zé Bebelo is accused of threatening the conservation of a tradition. As a leader, he intended to become a deputy, having a project for the development and modernization of the backlands. He was always praising the law, cheering the government, promising republican things, saying that everything would be national. Therefore, his project would imply the intervention of a power that was external to the traditional values and relations that shaped the reality of the backlands and contrary to the local dynamics of power. To do so, he would have to exercise an even greater violence than the *jagunços* do, even if it was in the name of the law and progress.³⁰

However, since it was not part of the custom to set up courts to judge deviant conducts, the establishment of the court depended on a sovereign decision that was superior to such a custom, but that was also magnanimous, since such a decision would imply that the chief gave up a portion of his power over life and death and accepted limits on his authority.³¹ It is Joca Ramiro who might do this. In this meeting between Joca Ramiro and Zé Bebelo, custom and tradition are explicitly confronted. Zé Bebelo, the character who is an outsider seeking to modernize the country, confronts the maximum leader with irreverence and insubordination, demanding respect, and even places himself in the position of a defendant and under the risk of being executed.

Joca Ramiro provides the opportunity for other leaders to take a position on the case. They are divided between those who demanded the immediate execution of Zé Bebelo, such as Hermógenes and Ricardão, and those who voted for his acquittal, such as Titão Passos, Sô Calendário, and João Goanhá. It is exactly here that the real oppositions that were in play begin to appear. An opposition between two different orders: those who affirmed their nomadic life as the mainstay of their lives and others who were at the service of external interests, working for landowners and colonels. It makes evident the opposition between the jagunco nomadism and the political order under command of colonels and landowners with their henchmen. The *jaguncos* who adhere to the nomadic life are not concerned with interests beyond their own will and assert another order of values. For the warrior justice of the *jagunços*, there was no crime in question and what was affirmed was the very possibility of combat. The law that governed them was that of freedom and the affirmation of the risks it brings. For them was suspended any external law to their own way of living that was constituted in the nomadic experience through the backlands.

After hearing the other leaders, Joca Ramiro decides to acquit Zé Bebelo on the condition that he goes far away and never return. Once the decision is made, there still remains the shadow of this antagonism that emerged in that assembly. They resume their journeys and spread out in different directions. But it is not long before news arrives suddenly that Joca Ramiro has been cowardly murdered by Hermógenes in collusion with Ricardão. The antagonism then becomes central, and from then on, the gangs reconfigure themselves under a tension that will remain vibrant until the outcome of the whole narrative: the final combat against Hermógenes. In that decision, the dice were re-rolled and the pieces were redistributed on the board. As soon as the means to control and stabilize a conflict are installed, they soon leak out the other way, making the ghosts of war insist, which in their return make a process of differentiation repeat itself, reactualizing the social field and its compositions of alliances.

THE WAR MACHINE BETWEEN JAGUNÇO GANGS AND THE SOCIETIES AGAINST THE STATE

If we consider war as a tendency endogenous to society, it is then necessary to question how society itself can be possible in face of that. Pierre Clastres tried to answer this question in his essay *Archeology of violence: war in primitive societies* (2010). He states the non-contradiction between the social system and war, no longer considering war as a simple deviation or failure of the system, but instead thinking of war as a condition of possibility of the primitive social being, which he states as "being-for-war." What interests us in Clastres' essay is to observe how war is part of the very functioning of certain types of society, and to what

extent Clastres' description of a warlike society comes close to the *jagunço* gangs that we address here.

The author develops the problem of coexistence between war and social system from a debate between Thomas Hobbes and Claude Lévi-Strauss. For Hobbes, war is the natural condition of humans before living in society and the opposite of society, which for Hobbes is society with the State.³² The absence of the State would allow the generalization of war and make the institution of society impossible. For Lévi-Strauss, what makes society possible is the exchange among people; war being only the result of unsuccessful commercial transactions. In this case, Clastres is commenting on an essay by Lévi-Strauss entitled War and Trade Among the Indians of South America. Clastres comments that the theoretical conclusions of this supposedly minor text are fully taken up in Lévi-Strauss' major work, The Elementary Structures of Kinship. In the case of this work, it is the exogamous exchange of women that founds society through the prohibition of incest, and these exchanges are instituted within the framework of a network of alliances between different communities. Clastres quotes Lévi-Strauss: "There is a link, a continuity, between hostile relations and the provision of reciprocal prestations: exchanges are peacefully resolved wars, and wars are the result of unsuccessful transactions."³³

Clastres will then oppose both Hobbes and Lévi-Strauss, stating that one cannot reduce the social being of primitive society to exchange, nor can one think of it without thinking of war at the same time. War, like exchange, is structural in those primitive societies and takes place on a different plane than exchange, not having with it a line of continuity in which it could unfold in failure. War will also play an important role in the foreign policy of those communities by determining alliances with other groups. Since war of all against all is impossible, the Others of these communities will immediately be classified as friend or enemy. The constant possibility of war implies the need to make alliances. It is because one has enemies that one will also need allies. However, these alliances are interchangeable and a given community that is an ally one moment may be an enemy another moment. Alliances are subject to war and are determined by war.³⁴

The primitive social being is composed of these two heterogeneous elements, exchange and war, and its ideal consists in maintaining a balance between the two. The generalized exchange of all against all would be impossible because it would erase the difference of the community's identity in relation to the others, dissolving its property of autonomous totality, erasing the difference between Us and the Others. The war of all against all is also impossible because it would cause what primitive societies seek precisely to prevent, which is the domination relationship between command and obedience, the division of society into losers and winners, masters and subjects, and then the emergence of a forced unification of communities through the emergence of the State, the most complete mark of this division of the social body.

For Clastres, war in primitive societies is not an effect of the fragmentation among them, but its cause. More than that, dispersion is a purpose and war is a means to a political end which is the maintenance of the multiplicity of sociopolitical unities.³⁵ War operates on a centrifugal logic and serves to maintain each community in its political independence. It is through war that these societies conserve themselves. What they seek to conserve is their autonomous totality and their homogeneous and indivisible unity. Totality and unity are their essential sociological properties. Clastres says: "Primitive society is a single totality in that the principle of its unity is not exterior to it: it does not allow any configuration of the One to detach itself from the social body in order to represent it, in order to embody it as unity."³⁶

This One is the State that emerges as an organ of political power separated from the social body, making power transcendent to the composition of social relations that constitute society, dividing it between those who exercise power and those who submit to it. Clastres comments on how Hobbes noted that war and State are contradictory terms, one being a hindrance to the other. This is why Clastres says that primitive societies are not stateless societies, but societies against the State, for in such societies the State already exists as a potential virtuality, a tendency towards transcendent unification and social hierarchization.³⁷ Although unknown in its actualized form, it is sensed in its virtuality and therefore conjured up through war. It is not that these societies have not yet formed States, but it is that they were always conjuring it up by preventing the madness of a society that is based on inequality, exploitation and hierarchical division among its components. War ceases to be a state of nature to be a social mode that conjures and prevents the formation of the State.

The first convergence we can point out between Clastres' texts and Rosa's novel is that for us both texts narrate communities and conflicts that no longer exist as empiric realities. The *jagunços* no longer navigate the backlands. The indigenous communities no longer go to war among themselves and now struggle to resist the effective actuality of the invasion of a State that they never requisitioned and that threatens to remove them from their lands. These texts no longer have the presence of historical references to which they refer. Texts that speak of what can no longer be seen. And this is also why these texts are interesting for being discussed together. For ghosts are not necessarily visible and apparent, but always unsettling, always referring us to a field of virtualities beyond the effective presence of matter, which does not separate from it, but reconfigures the ways in which it can be seen. By reworking memory, they also create ways to perceive in the present the traces of these erased marks, but which are inscribed in the movements of other bodies.

Rosa and Clastres' texts are troubling because they show social forms that always put themselves at risk in order to maintain their freedom. They show social forms in which risks are distributed and the safety of some people is not guaranteed at the expense of the total exposure to risk of others. Rosa and Clastres show that freedom and equality between their parties are not possible without a constant struggle to conquer them. They are texts that do not lie by promising a costless peace. They do not propose a harmonic unity that costs the silencing of many, but they place the need for our most fundamental conflicts to be faced and not denied and thrown under the rug. It may seem absurd to speak of freedom from texts that tell stories of peoples always at war, places where war can always break out at any moment, but it will be absurd only if we are blind to the fact that the cost of what we call security today rests on the constant threat of those who are foreign to us. They must be kept at a distance and blamed in multiple ways when they try to cross the borders that demarcate their limits of movement. This crossing is always made difficult for them in the most diverse ways, and staying where they have been condemned to stay will always be a frequent exposure of their bodies to the risk of death.

We know that the *jagunço* gangs are very different from the primitive societies analyzed by Clastres. The *jagunços* are by no means composed in an autonomous totality, nor do they possess some homogeneous unity to preserve. On the contrary, the *jagunços* are provisional and ambiguous men who organize themselves based on the immediate demands of their experiences in the backlands. Rosa's *jagunços* are characterized by a constant variation, a lack of boundaries and a constant ambiguity. His gangs are also not closed and finished organizations, but are continually dispersing and reuniting in their travels. However, if we make this approximation between these gangs and the primitive societies it is because in both there is the constant working of a war machine that marks an irreducible exteriority of these social forms in relation to a State.

The concept of war machine comes from the work of Gilles Deleuze and Félix Guattari and it is directly related to their reading of Pierre Clastres. The exteriority of the war machine in relation to the State is the first statement made by them in the plateau *Treatise on Nomadology*.³⁸ For them, the irruption of war power should not be confused with the lineage of State domination. When this happens, the war machine comes to be conceived in its negative form. In fact, the State itself does not have a war machine. It is always external to the state and it can only have a war machine by converting it into a military institution. In this case, the nature of war changes totally, since it is subjected to the political ends promoted by the State. But perceived in its exteriority, the war machine has a totally different nature and its movement takes place precisely by crossing the points of articulation of the State, sweeping away the possibility of its actualization. Its combat is not for the conquest and subjugation of other peoples and territories, imposing its

unification and its projects, but rather to produce a smooth space of dispersed nomadic populations, which the State always seeks to organize and internalize in its order.³⁹

The relationship between war machine and State will always be tense and they do not stop crossing each other. It may always happen that war machines are appropriated by State apparatuses, but they do not stop re-emerging from the most unexpected places. If on the one hand the smooth space where the war machines develop can at any moment be converted into a striated space under the demarcations and controls of the State, on the other hand, the resurgence of the war machines causes the striated space to be constantly reversed and recreated again as smooth space.⁴⁰ While the State orders space by demarcating borders and distributing populations based on the racist and classist logics that run through it, nomads do not cease to create new lines of escape, emerging from within and outside these ordered spaces.

A feature of the *jagunço* gangs is that in both social forms war is part of the very constitution of the groups and of the alliances with other collectives, and these alliances are always unstable and provisional. These alliances work in a rhizomatic way in which heterogeneous elements from different lineages enter into a relationship without identifying with each other, and stay together maintaining an irreducible distance between them. We can notice a certain flexibility in these social systems that allow a relative level of deterritorialization that is part of their own mode of existence. But this puts social institutions always at risk, which is also a fissure that makes alliances proliferate and gives an opening for the reconfiguration of these institutions or even their dissolution.

Nomads and their war machines have never disappeared and have never ceased to re-emerge continually in various forms, creating tension in the boundaries of social organizations, stirring up political conflicts, and threatening the cohesion of the social body. And it is not that war machines are less complex than societies with a State. They also produce their codes, their territories, and systems. But there is a fundamental difference in the formation of war machines compared to State apparatuses. In the latter, the parts operate as hierarchically organized organs with specific functions, producing an interiority built on a differentiation from all exteriority, excluding and marginalizing everything that does not resonate with its center and its codes. War machines, in turn, operate as deterritorializing powers, forcing all interiority toward the outside, toward a pure exteriority and an intensification of flow exchanges with other machines.

CONCLUSION: FOR A NOMADIC JUSTICE

Now, how can justice be possible when war, violence and conflict are endogenous tendencies in social formations? Or would it be possible to think of justice beyond the institution, the order and the equilibrium? One might think of a justice that does not presuppose the permanence of the presence of a state of things and the consciousness of a duty fulfilled, but that is precisely the prompter of the quarrel that destabilizes the given relations and demands the transformation of the current state of things; that is never exhausted and never fully realized in a decision, but that in the act of decision opens the horizon of variation of the present to the otherness of the future. A justice that must not be reduced to rules, norms, or legal and moral representations, in an inevitable totalizing horizon, but which is an a-economic and incalculable exposure to the singularity of otherness, outside all logic of exchange, trade, and symmetry.⁴¹

But how can such a conception of justice be reconciled with the problem of war discussed above? The concept of justice proposed by Derrida is inspired by the work of Lévinas,⁴² for whom war is a suspension of all morality and forces the subject to perform actions that betray their ethical commitments and in which they do not recognize themselves.⁴³ Lévinas says that war makes individuals mere bearers of the forces commanding them and separates them from themselves and their being. War subjects them to a future appeal that suspends the unicity of each present, such as the imperial promises of peace that paradoxically rests on war. And war is a complete exposition of being that eliminates whatever trace of transcendence, which for Lévinas is fundamental for an ethical relationship with the Other. The Other transcends *my-self*, my own identity, and can never be known in totality.

Firstly, it is important to say that the war I have discussed here does not take place between States and is not oriented toward the conquest of territories and subjugation of other peoples. This would be the case for Lévinas, who lived the horrors of the two World Wars. But Deleuze and Guattari define the war machine mainly as complete exteriority to the State.⁴⁴ They are inspired in the work of Clastres, for whom the function of war in primitive societies was to maintain the dispersion of different ethnic groups and to avoid the formation of a hierarchical power separated from the social body such as the State. However, Deleuze and Guattari rely on the concept of the war machine as a conceptual operation that is not reduced to the literal sense of war. The war machine for them is an operation capable of producing a smooth space that reopens a field of experimentation not determined by previous demarcations, as in the striated space with its departure and arrival points already determined beforehand. They speak of a war machine also operating in a philosophical dimension and which is also expressed in literature and the sciences. For them, the war machine does not have the war as its main object.⁴⁵

Moreover, the concept of justice that concerns me here is opposed to totalizing and sovereign entities such as the State. The concept of justice that I propose here is concerned with the insistence of a heterogeneous collectivity against the imposition of a spatial ordering and stratification of their bodies, which subjects them to a space of exposure to risk and death, as Mbembe describes in his discussion of necropolitics. Necropolitics is an unequal and geographical distribution of death marked by a racial discrimination.⁴⁶ This is evident, for example, in military operations in contexts such as Palestine or Brazilian favelas. The war machine discussed here is not the one that intends to impose a violent ordering of the bodies; instead, it intends to subvert and undo it, recreating a space of affirmation of the dignity and collective self-determination of the bodies that suffer this violence.

Rosa's novel brings us into contact with communities that are always maladjusted and are constantly reorganizing themselves based on their internal and external conflicts. Besides the contradictory coexistence of beauty and war, love and violence, and all the ambiguity that pervades the entire book, it is also important to note the ontological intuition that underlies this novel. Rosa creates an image of reality in which there is a constant variation of being, its exposure to time, its endlessness, its contingency, and its constant production and differentiation. "The sertão is like that: you think you have left it behind you, and suddenly it surrounds you again on all sides. The sertão is where you least expect it."⁴⁷ Rosa not only considered this openness to the unknown to be risky, but also made it one of the main problems of his work. It is no wonder that Riobaldo constantly reminds us that living is very dangerous business. In the interview with Lorenz, Rosa said that "in the sertão, every man can find himself or get lost. Both things are possible. As a criterion, he has only his intelligence and his ability to guess. Nothing else."48 From this situation of the subject's abandonment in the world, Rosa explores the experience and the ways in which this subject creates social and affective ties, constitutes guiding values in the midst of uncertainty, and determines his will.

In Rosa there is no subjectivity given as a priori to experience, but rather a constant process of subjectivation based on how subjectivities are disposed to the risks of experimentation. As Riobaldo says: "Look, the most important and nicest thing in the world is this: that people aren't always the same, they are not all of a piece and finished but keep on changing. They are in tune or out of tune."⁴⁹ It is not that there is no subject, but this subject is the product of the set of forces and needs that act upon him during his experience with the world. Riobaldo's awareness of himself appears there as a memory and retrospective of his actions. The entire novel is a monologue of Riobaldo telling his story in the backlands. His consciousness is a product of the constitution of meaning about his experience.

Considering this unstable and variable reality, in which subjectivities are produced at the same time that they seek to orient themselves, how can an ethical decision be made? How can a decision be fair or unfair when it takes place in this dislocated experience in which one cannot be fully aware of the whole set of causes that condition the horizon of expectations at the moment of the decision? For Derrida, every decision is haunted by the undecidable.⁵⁰ Regardless of how much information one has available to ensure its calculation, a decision will always have a margin of virtuality that surrounds it with unpredictability. In this temporal dimension that the decision can neither control nor predict its results, there are always spectres of the forces that made up the tension of its act. Derrida says that a spectre is always a *revenant* that cannot control its comings and goings and is always about to return.⁵¹ In Rosa's novel, the establishment of a court and the decision of a trial mark the beginning of a new war, not its end. But this was not under the control of the participants of that act. The decision does not terminate a state of affairs, but rather triggers a transformation of the composition of the community's relations and conflicts. These transformations are not predictable and cannot be fully calculated at the moment of decision.

If the causal relations that condition action at a given moment are blind spots for the subject who acts or if his subjectivity is the product of the synthesis of forces and tensions with the needs that condition his freedom, how could Riobaldo value his actions if not *a posteriori*? If the answer to this question is the argument that there is a law and that it should be known, we should consider the very concept of the law that we find in this novel, which is a law immanent to the manner in which life and intersubjective relations are organized in that context. Otherwise, we would have a subject who would always be guilty *a priori*, because the needs to which he is subjected and which condition his action would not correspond to the transcendent laws that are imposed by agents external to that cosmos.

Considering together with this the description we have already made of Zé Bebelo's trial, we can say together with Derrida that Grande Sertão operates a deconstruction of the transcendent conception of the law because it does not oppose it to the physis. There is no opposition between nómos and physis because there is no opposition between the law and war as a supposed state of nature. 52 War is precisely a constitutive part of the ways of living of that community. What this exposition requires from us is another way of conceiving law and justice. This nomadic justice is deconstructive because it destabilizes and complicates the oppositions to which these singular forms of life could be subjected under a transcendent conception of the law. The justice of *jagunços* does not submit to Manichean cleavages, but insists on giving right to modes of existence that demand new values and categories to be understood in their immanence. It refuses to be thought of by the axioms of good and evil that an external subject imposes on them. The justice we find in the book is not confused with the law and is not characterized by its transcendence and immutability. The justice we find there is produced in an immanent way from the desire that connects a collectivity around a struggle for justice.

We cannot confuse this with the victory of a war, as it happens at the end of the novel with the victory against the Hermogenes' gang and the revenge of Joca Ramiro's death; nor with the superimposition of the will of the winner over the defeated. This conception of an ultimate end and of a total and final resolution of conflicts would be an interruption of the movement that would produce a necessary state of the social order that could easily be formalized in the law. What produces, legitimates and sustains the superimposition of the will of some over others is the law. And this is also exposed in the book. After the triumph against Hermógenes' gang, Riobaldo becomes a farmer, establishes his properties and delimits the borders of his territory. Justice has no owner, no subject, no hero, no representative of good against evil. Justice runs through subjectivities that are produced in the same extent they struggle for justice. Justice agitates their bodies in collectives and networks of alliances, produces enunciations that alter the meaning of reality, attracts the spectre of war, and incites the struggle in search of the affirmation of an existence that wants to persist in its being. Justice arouses these events without fixing itself on the identity of any subject.

In a paper about Deleuze, the law, and literature, Murilo Corrêa observes how the law is impotent to trigger events, but does not cease to produce states, applying itself to what happens and reproducing in them the same; or it seeks to restore past states and, when in force, works as an apparatus of capture that extracts its force from the very living upon whom it applies.⁵³ Justice, in turn, is fully unrealizable and is always an engine of events and unleashing of becoming, which opposes the law and deconstructs it because it reveals the insufficiency of its axioms to welcome the singularities that erupt in the visible. Justice cannot be confused with systemic order and the balance of forces in conflict in a given context. It lacks a controllable code and a stable semantics through which the demands it incessantly places would be translated. Decoded and deterritorialized from the assemblages that want to conform it to the law, more than a normative logic, it demands prudence in opening itself to the incalculable experience of exposure to the future, which cannot be foreseen or anticipated.

Thought of in this way, justice haunts. This spectral justice is disturbing and leaves no one exempt. It will always be a disagreement and a cause for contention. It is clear that this conception is unacceptable to those who are satisfied with the current order that hierarchizes individuals and classes, guarantees privileges, and distributes violence unequally. After all, if justice is thought of in this way, how can it be controlled? Who will be able to take possession of it? However, it is because it is thought of as becoming and as a movement of constant transformation of the community that it cannot be mastered. Its appearance is not confined to the domain of a discourse and to the acts of an institution, but becomes explicit mainly in the space of visibility that is established with its demand, in the invisibilized bodies that make themselves visible and demand it, in an irruption that makes visible the intolerable. If justice has more to do with becoming than with a current order of things, literature has a more powerful capacity than theory to make justice visible. Literature allows us to go beyond mechanistic historicism, which traces the possible from causeand-effect calculations, as if everything were given and there was no contingency. Instead, it reveals to us memories of a real in potency, a past that only happened by right. It is like when Riobaldo says he seeks a reality in the real. Against the most absurd fictions that come to justify the real, fiction creates a space in which we can compose a memory that is independent of lived experience. And from this we can create another body capable of dreaming more than its own dreams, a language that leads the current language to say more than it says now, the signs of a world to come that only the desire for justice provokes in us the need to think and pursue.

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- Jacques Derrida, "Force of Law: The Mystical Foundation of Authority," in *Deconstruction and the Possibility of Justice*, ed. D. Cornell, M. Rosenfeld, and D. G. Carlson (New York: Routledge, 1992).
- 2. Jacques Derrida, Specters of Marx (New York: Routledge, 1994).
- 3. About the concept of counter-actualization, in the book Logic of Sense, Deleuze explains it as follows: "With every event, there is indeed the present moment of its actualization, the moment in which the event is embodied in a state of affairs, an individual, or a person, the moment we designate by saying 'here, the moment has come'. The future and the past of the event are evaluated only with respect to this definitive present, and from the point of view of that which embodies it. But on the other hand, there is the future and the past of the event considered in itself, sidestepping each present, being free of the limitations of a state of affairs, impersonal and pre-individual, neutral, neither general nor particular, eventum tantum ... It has no other present than that of the mobile instant which represents it, always divided into past-future, and forming what must be called the counter-

actualization." Gilles Deleuze, Logic of Sense 1990 (London: Bloomsbury Publishing, 2015), 151.

- Pierre Clastres, Archeology of Violence (Cambridge: MIT Press, 1994); Society Against the State (New York: Zone Books, 1989).
- 5. Jacques Derrida, Specters of Marx, p. 22.
- João Guimarães Rosa, The Devil to Pay in the Backlands (New York: Alfred A. Knopf, Inc., 1963, p. 3).
- 7. I have translated sertão with the word backlands, which is the alternative chosen by the translators of Rosa's novel. The word refers to a large territorial extension of dry lands with a kind of vegetation called *caatinga* that covers the northeast of Brazil and the northern region of the state of Minas Gerais.
- 8. João Guimarães Rosa, The Devil to Pay in the Backlands, p. 3.
- Gunther Lorenz, "Diálogo com Guimarães Rosa," in *Guimarães Rosa*, ed. Eduardo F. Coutinho (Rio de Janeiro: Civilização Brasileira, 1991), 62-97.
- 10. Antônio Cândido, *Tese e Antítese—Ensaios* (São Paulo: T. A. Queiroz Editora, 2002), 122.
- João Guimarães Rosa, Tutaméia Terceiras estórias (Rio de Janeiro: Nova Fronteira, 1985), 7.

2.	Ibid

- 13. In an essay on the concept of fiction, Juan José Saer brings an interesting argument about the relationship between fiction and truth: "[...] it is not to write fiction to escape, due to immaturity or irresponsibility, the rigours which the 'truth' procedure demands, but rather for demonstrating the complex character of the situation, the complex character of the limited process to verification implies an abusive reduction and impoverishment. Making a leap towards the unverifiable, fiction multiplies infinitely the possibilities of the process. By not turning its back from the supposed reality, it is, on the contrary, caught in the turmoil, disdaining the naïve approach of claiming to know beforehand how reality is made. It is not a claudication [claudicación] before this or that ethic of truth. but the search for one that is less rudimentary." Juan José Saer, El Concepto de Ficción (Barcelona: Seix Barral, 2010), 11.
- 14. Jacques Rancière, *The Lost Thread* (London: Bloomsbury Publishing, 2016).
- 15. Willi Bolle, *grandesertão.br* (São Paulo: Editora 34 e Livraria Duas Cidades, 2004).
- Ettore Finazzi-Agrò, Um Lugar do Tamanho do Mundo (Belo Horizonte: Editora UFMG, 2001).
- 17. Heloísa Starling, *Lembranças do Brasil* (Rio de Janeiro: Revan, 1999).
- 18. Willi Bolle, grandesertão.br, 123.
- Sandra Guardini Vasconcelos, "Homens Provisórios. Coronelismo e Jagunçagem em Grande Sertão: Veredas," SCRIPTA 5, no. 10 (2002): 321-33.
- 20. Many national projects carried out in Brazil implied a high degree of violence against local communities. For instance, we can remember how favelas were removed or threatened because of the buildings for FIFA World Cup in 2014, which is the case of a community called Vila Autódromo: https://www.theguardian.com/ global-development/2016/apr/26/rio-de-janeirofavela-change-vila-autodromo-favela-olympics. Another important case is the building of a huge dam called Belo Monte in the Amazon rainforest and the damage caused to indigenous peoples and their environment: https://news.mongabay. com/2018/02/belo-monte-legacy-harm-fromamazon-dam-didnt-end-with-construction/.
- 21. Vasconcelos, Homens Provisórios, p. 325.
- 22. Elizabeth Leeds, "Cocaine and Parallel Polities in the Brazilian Urban Periphery: Constraints on

Local-Level Democratization," *Latin American Research Review* 31, no. 3 (1996): 47-83.

- 23. Gilles Deleuze and Félix Guattari, *A Thousand Plateaus* (Minneapolis: University of Minnesota Press, 1987).
- 24. I am borrowing the notion of specter from Jacques Derrida's book Specters of Marx (1994) and bringing it closer to Henri Bergson's conception of time. Despite the differences between these authors, they share a similar conception of time. For Daniel Alipaz, "Indeed, if we consider Deleuze's rewriting of Bergson's discourse in a poststructural idiom, then we find that Derrida and Bergson share a close affinity with regard to their perspectives of language in the face of time as a double movement. That is, both thinkers operate with the understanding of a particular rupture in the full presence of the present. an expansion of consciousness as a "now" to include a constant deferral to memory." Daniel Alipaz, "Bergson and Derrida: a question of writing time as philosophy's other," Journal of French and Francophone Philosophy - Revue de la philosophie française et de langue française XIX, N° 2 (2011): 96-120.A critique of this approach would be that Bergson's philosophy would still be tied to a metaphysics of presence, which is so confronted by Derrida. In this sense, we share Suzane Guerlac's argument in her book dedicated to Bergson: "Bergson is interesting to read today precisely because of the ways in which his thinking escapes the critique Derrida carried out so effectively against Husserl. The philosophy of Bergson appeals to immediate experience (this is never recanted) and to intuition. In this sense, it could be called phenomenological. Yet his thinking displaces the presuppositions attacked in Derrida's critique of Husserl. For in Bergson, as we have seen, perception itself is not an immediate experience (it requires attentive recognition and an appeal to memory that is regulated according to various degrees of tension or preparedness for action). Nor does perception occur in the service of knowledge; it pertains, as we have seen, to action. Finally, in Bergson, it is never a question of self-presence, not even in the act of intuition. What Bergson calls Pure Perception could hardly be called an experience at all and real perception is not immediate. Bergson's shift from a model of cognition to a model of action significantly displaces a number of the issues involved in Derrida's critique of Husserl." Suzane Guerlac, Thinking in Time: an

 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 	Revista de Literatura Brasileira, no. 2 (2001): 216–48. Rosa, The Devil to Pay in the Backlands, 214. In Brazil, large landowners were usually called as colonels and their authoritative power in the backlands was called as "colonelism" (coronelismo). Roncari, O Tribunal do Sertão. Rosa, The Devil to Pay in the Backlands, 217. Roncari, O Tribunal do Sertão. Ibid. Clastres, Archeology of Violence. Ibid., 253. Ibid. Ibid.		thought, and the striating of mental space it effects, aspires to universality. It in effect operates with two "universals," the Whole as the final ground of being or all-encompassing horizon, and the Subject as the principle that converts being into being-for-us. Imperium and republic. Between the two, all of the varieties of the real and the true find their place in a striated mental space, from the double point of view of Being and the Subject, under the direction of a "universal method." It is now easy for us to characterize the nomad thought that rejects this image and does things differently. It does not ally itself with a universal thinking subject but, on the contrary, with a singular race; and it does not ground itself in an all-encompassing totality but is on the contrary deployed in a horizonless milieu that is a smooth space, steppe, desert, or sea
36. 37.	lbid., 260-1. Clastres, Archeology of Violence; Society Against		(Deleuze & Guattari, A Thousand Plateaus, 1987, 379).
	the State.	46.	Achille Mbembe, <i>Necropolitics</i> (Durham: Duke
38.	Deleuze & Guattari, A Thousand Plateaus.	47.	University Press). Rosa, The Devil to Pay in the Backlands, 238.
39.	David Lapoujade, <i>Aberrant Movements</i> (Cambridge: The MIT Press, 2017).	48.	Gunther Lorenz, "Diálogo com Guimarães
40.	Deleuze & Guattari, A Thousand Plateaus.	.0.	Rosa," 62-97.
41.	Derrida, Specters of Marx.	49.	Rosa, The Devil to Pay in the Backlands, 17.
42.	Jacques Derrida, Adieu a Emmanuel Lévinas	50.	Derrida, Force of Law.
	(Stanford: Stanford University Press, 1999).	51.	Derrida, Specters of Marx.
43.	Emmanuel Lévinas, Totality and Infinity	52.	Derrida, Force of Law.
	(Pittsburgh: Duquesne University Press, 1969).	53.	Murilo Corrêa, "Deleuze, a lei e a literatura,"
44.	Deleuze & Guattari, A Thousand Plateaus, 351.		Prisma Jurídico 10, n. 2 (2011): 471–87.
45.	We can find in this passage of Deleuze $\&$		
	Guattari's Treatise on Nomadology a convergence		
	with Lévinas' concerns: The classical image of		

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