
Law Without Roots: Mapping the Rhizomatic Turn in Legal Thought and Practice

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ABSTRACT

This special issue explores how legal systems evolve through dispersed, relational, and non-hierarchical processes. Drawing inspiration from Deleuze and Guattari's notion of the *rhizome* (1980), contributors examine the ways in which law swings between polarities – sovereignty and subversion, norm and rupture – and sprawls across geographies, disciplines,

and ontologies. The papers assembled here challenge arborescent legal imaginaries, proposing instead a fluid and transversal understanding of law's formations, transplants, and transformations.

KEYWORDS

rhizome, legal pluralism, evolution, deterritorialization, network

1. From Arborescence to Multiplicity: Law's Conceptual Shift

This special issue grows from a shared intuition: that law is no longer best understood – or perhaps never truly was – as a coherent tree growing in a traditional fashion with deep roots and hierarchical branches. Instead, law sprawls. It swings. It shifts terrains, recomposes itself, and sends out shoots in unexpected directions. Like the majestic Banyan tree (*ficus benghalensis*) with aerial roots that distinctively extend from branches towards the earth remain above the cover of soil, the sprawl of law upends normative expectations. Drawing from the philosophy of Gilles Deleuze and Félix Guattari (1980), we take the rhizome as our guiding image, not only for how law is theorized but for how it lives, evolves, and multiplies. The representation of the rhizome is a figure, a shape, a mass that is without hierarchy, without presumption of expected direction. Through the rhizome, we trace the unpredictable swings of legal development – between center and margin, sovereignty and subversion, norm and exception – and the serendipitous elasticity that radiates across jurisdictions, disciplines, and epistemologies.

The rhizome, as Deleuze and Guattari (1980) imagined it, is a mode of thought that rejects origins, linearity, and hierarchy. Rhizomatic systems are a-centered, non-hierarchical, and composed of multiple, non-binary connections. Connections are multiple with a dimensionality that is sometimes fluid, sometimes abrupt. Applying this conceptualization of possibility to law, we envision legal evolution not as a single line of progress but as a field of proliferating paths – some connecting, some diverging, some looping back on themselves. It can be quite messy. This collection of essays maps those paths and interprets the messiness. It explores the labyrinthine legal moments that swing between rigid codification and radical plasticity, and how law is manifested across the daedal complexity of spaces that are legal, cultural, technological, and even planetary.

The foundational contribution in this issue interrogates the metaphysical and epistemological roots of legal thought itself. It critiques the dominance of the arborescent model – from Plato's diairesis to Chomsky's deep structure – and examines the metaphysical underpinnings of Actor-Network Theory as it grapples with artificial agency (Balsemão-Pires 2025). What emerges is a call to take seriously the law's own metaphysical swings: its shifts between determinacy and contingency, between control and chaos. Legal systems, this paper suggests, are not merely structured hierarchies, but networks in which machines, humans, norms, and semantics co-produce agency and accountability. These are not stable terrains; they swing, they morph, and they demand new conceptual tools. The machine and the machination of deterritorialized life results in a constructivist web of agency, dispersal, and judgement.

The question of territorial sprawl takes center stage in the figure of the pirate. Historically moving across seas beyond sovereign control, the pirate unsettles the very notion of territorial fixity. Pirate codes did not eliminate law but reconfigured it into alternative orders, sprawling beyond states, charting new forms of collective governance and resistance (Marneros 2025). This raises crucial questions: who frames this sprawl? Who benefits from it? And how might a rhizomatic understanding of piracy disrupt the narrative of inevitable legal colonization?

This theme is echoed in the study of the pirate as conceptual persona. The pirate is not just a figure of historical curiosity but a metaphor for the law's exterior, a form of nomadic resistance to the state's project of containment. Pirate codes were not lawless but operated through their own (non)

laws. They swung away from state legalities and established alternative orders, based on mutual aid and anti-sovereign logic (Marneros 2025). This swing toward radical alterity, and away from normative domination, reveals the law's capacity to be reimagined, uncaptured, unrooted, and in constant becoming. The pirate challenges understandings of value, transparency, and materiality even as it problematizes law, order, and hierarchy.

Law's affective and spiritual dimensions are foregrounded in the exploration of Aboriginal legal cosmologies. Here, the sprawl is not geographical but ontological. Law is not limited to written codes or sovereign enactments; it emerges in songlines, spirits, and cartographies of relation. The Australian case of *Munkara v Santos* becomes a site where the legal system swings between recognition and erasure, between responsiveness and blindness. Through a mycelial metaphor, the contribution insists on the law's sensorial potential and the importance of legal systems learning to speak in languages other than their own (Philippopoulos-Mihalopoulos 2025). Terrains of law, whether on land or underwater, reflect an emerging sense of fluidity that frames its inhabitants and its occupation.

The evolution of China's legal system offers a different kind of rhizomatic sprawl, one that is historical, philosophical, and pragmatic. As the legal system hybridizes Confucian ethics, socialist frameworks, and global capitalist pressures, it resists coherent classification. Its swings – from central planning to market liberalization, from authoritarian control to selective flexibility – demonstrate that legal modernity is not singular. Instead, the Chinese experience exemplifies a legal multiplicity grounded in the pragmatic sprawl of tradition, governance, and transformation (Łagiewska 2025). In such a system, power and control diffuse applications in tentacularity.

Legal transplants, too, are reimagined here as rhizomatic rather than linear. The migration of legal ideas across jurisdictions does not follow a clear chain of influence; instead, it unfolds as a feedback network, where concepts are reinterpreted, reappropriated, and re-situated. The concept of transplant itself swings – sometimes used to justify mimicry, sometimes to spur innovation – and sprawls across legal systems in unpredictable directions. The legal concept becomes a living node, transformed by the cultures and languages it encounters (Uliasz 2025). The resultant evolving language of law communicates complexity of entry and exit through channels that obfuscate the opaque.

2. Flows, Feedback, and Fragmentation: Reimagining Legal Terrain

Corporate regulation is another domain where rhizomatic sprawl meets juridical formalism. The contribution on Global Value Chains critiques the European Union's due diligence directives as simultaneously ambitious and deeply compromised. Legal frameworks here swing between soft and hard law, between metrics and meaning, between performance and performativity. The sprawl of data, indicators, and reporting requirements creates a diffuse network of responsibility, one that risks becoming cosmetic. Yet the rhizomatic reading resists cynicism by suggesting alternative ways of conceiving legal impact – less as a vertical imposition than as a co-produced ethical terrain (Tenreira, 2025).

In the healthcare domain, France's post-2021 digital transformation becomes a case study in legal sprawl driven by technological infrastructure. The Health Ségur initiative, with its emphasis on interoperability, patient platforms, and AI diagnostics, reshapes law not through new doctrines but through interface, protocol, and connectivity. Here, the legal swing is from analog to digital, from document to data stream, from control to flow. Healthcare law no longer merely regulates; it becomes part of the very codebase through which care is delivered. This shift is not smooth; it is fractured, uneven, and deeply rhizomatic (Wagner 2025) in its delivery, its rejection, and its inability to impart care.

Together, these contributions form a cartography of legal movement. They show how law swings between poles, between norm and exception, centrality and dispersion, capture and escape. They show how law sprawls across territories, technologies, and traditions, leaving behind the static image of codes and courts. They invite us to think of law not as a system of rules, but as a process of composition, negotiation, and rupture. Law is messy in ways that are experiences in everyday systems of living and negotiating institutions and standards that are never as traditionally vertical or horizontal as they might seem.

If the law is a rhizome, then legal scholarship must learn to trace its movements without demanding resolution. This special issue does not offer closure; it offers openings. Openings to other disciplines, other voices, other worlds. Openings that allow us to dwell in the uncertainty of legal

evolution – its sudden swings, its creeping sprawls, its quiet ruptures. In these movements, we may find not only critique but also possibility. Not a new law, but a law becoming something else.

On behalf of the Editors,

We extend our gratitude to the contributors for their theoretical courage, critical rigor, and imaginative reach. Their work not only provides valuable insights but also opens new pathways for the future of legal thought.

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Thematic core

