
The Doctrine of Flex Law: A Dynamic and Rhizomatic Legal Framework

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ABSTRACT

The Doctrine of Flex Law advocates for a dynamic and responsive legal system, tailored to adapt to the rapid societal and technological transformations of the modern world. This conceptual framework challenges the traditional static nature of laws and proposes a legal environment that is as fluid and malleable as the societal context it operates within. Drawing on interdisciplinary insights from legal semiotics, this doctrine emphasizes the necessity for laws to evolve in tandem with

changing social norms and technologies. By exploring various theoretical paradigms, the Doctrine of Flex Law highlights the potential for a more inclusive and adaptable legal system, one that not only responds to but anticipates the needs of a diverse and interconnected global society.

KEYWORDS

flex law, legal semiotics, dynamic legal systems, interdisciplinary legal studies, legal adaptability, responsive law

1. Introduction – Envisioning a Dynamic and Adaptive Legal Framework

The “Doctrine of Flex Law” presents a transformative vision for the legal landscape, advocating for systems that are dynamic, adaptable, and responsive to the rapid shifts in society and technology. This approach challenges traditional legal paradigms which typically view laws as static and immutable entities. Grounded in the contemporary and modern insights of the “*Research Handbook on Legal Semiotics*” (Wagner and Marusek 2023b), the “*Research Handbook on Jurilinguistics*” (Wagner and Matulewska 2023), “*Frege Synthesized*” (Haaparanta, Hintikka 1986), “*Legal Fictions in Theory and Practice*” (Del Mar, Twining 2015), “*Deleuze and Language*” (Lecerle 2002), the doctrine argues for a legal framework designed to swiftly adjust to changing societal needs and technological advancements.

Echoing the observations of the semiotician Umberto Eco, who noted that “a natural language is a flexible system of signification” (Eco, 1986: 92), the Doctrine of Flex Law posits that legal language too must evolve. It must remain malleable and responsive, mirroring societal changes and technological progress to maintain relevance and efficacy.

The doctrine builds upon the work of scholars like Frederick Schauer (1994), who delved into the substantial challenges courts face in aligning laws with evolving public interests and values (Schauer 1994: 785-789), and Matthew Adler, who explored the complexities of competing values and interests within legal systems (Adler 1998). These perspectives collectively argue for a law that is not only interpretative but also transformative, capable of balancing competing values and interpreting constitutional principles within a modern context.

By drawing parallels between the adaptability required in the arts and the flexibility necessary in modern and contemporary legal practices (Youping and Trzaskawka 2021; Wagner et al. 2020b), the Doctrine of Flex Law emphasizes the critical need for innovative and dynamic legal interpretations. Such a framework fosters a legal environment that can rapidly adapt to new challenges and realities, ensuring that laws not only govern but also grow with the society they serve. This introduction lays the groundwork for a detailed exploration of how legal systems can become more attuned to the nuances and complexities of modern life (Leone 2024), advocating for a legal system that evolves in tandem with its people (Duarte et al. 2019).

2. Textual Assemblage of Knowledge

Peter Goodrich (1984) promotes a flexible, interdisciplinary approach to legal studies, which includes analyzing “the study of the rhetoric of law, the analysis of the context and pragmatics of legal speaker and legal institution, the empirical examination of the functions and affinities of law viewed as communication and as function” (Goodrich 1984: 191).

Wagner and Marusek (2023a) further expand this notion by describing the ‘dual circuit of law’, which likens law to an integrated circuit with two main developmental trajectories; sometimes autonomous, sometimes conflicting. This model allows law to grow with the surrounding life, facilitating

both the territorialization of traditional legal concepts and their deterritorialization toward modern, contemporary visions (Deleuze and Guattari 1987: 18).

Furthermore, Dworkin (1988), in discussing interpretation, offers a significant perspective over these developmental trajectories emphasizing their creative interpretation, when he states:

“I shall capitalize on that similarity between artistic interpretation and the interpretation of social practice; I shall call them both forms of ‘creative’ interpretation to distinguish them from conversational and scientific interpretation” (Dworkin 1988: 50).

This doctrine underscores the dual nature of law: authoritative yet adaptable, strong yet susceptible to changes over time and space (MacCormick 1978). The process of disclosing and disseminating legal knowledge, termed lawfulness, is crucial in Flex Law to ensure transparency and public access to legal reasoning.

This doctrine also acknowledges the influence of “unavowable politics” (Buchanan and Guillaume 2009: 184), a term that refers to the often-unspoken political processes shaping laws, politics, and war. This supports the notion that laws embed underlying political norms that must be continuously questioned and adapted, with a clear emphasis on the role of spectacle in politics:

“The spectacle is at once the compensation for and cause of the loss of authenticity in everyday life that Debord perceived all around him. In Deleuze and Guattari’s terms, the spectacle – that is, war – is what enables unavowable politics (as they deem the present axiomatic age) to function. It gives desire something to invest in even as it derides our need to believe in something. There are (at least) three causal factors feeding the current situation and these can be broadly classified as being military, legal/doctrinal, and political” (Buchanan and Guillaume 2009: 184).

Additionally, the potential for multiple interpretations within legal texts suggests that the law can be seen as a living document with meanings that evolve over time (May 1996). So, the concept of legal pluralism is integral to Flex Law (Ando 2016), suggesting a perpetual condition of social reality

where normative actors engage in a symbolic struggle to define legal and social meanings:

“This is a blatant situation of legal pluralism, in which a plethora of normative actors wage a symbolic war to affect the definition of social meanings as filtered by law. If this is so, then legal pluralism can be regarded as a permanent condition of social reality: a perennial struggle for determining the contours of lawfulness” (Croce 2012: 27).

2.1. Destabilizing Arborescent Conceptions of Knowledge

The traditional arborescent model of knowledge, characterized by its hierarchical and linear structure, often limits the potential for diverse and innovative interpretations and applications of law. This model, resembling the branches of a tree, inherently restricts legal reasoning to predefined pathways, which can be counterproductive in a rapidly evolving society. In contrast, destabilizing these traditional conceptions calls for a more fluid, dynamic, vague framework that supports interconnected and multiple pathways of understanding (Endicott 2000).

Deleuze and Guattari (1987) criticize arborescent models for their rigidity and their tendency to impose a hierarchical order on knowledge, stifling creativity and adaptation. They advocate for a rhizomatic approach, where knowledge is not static and rooted but instead dynamic and sprawling, capable of branching out in multiple directions:

“On the side of the nomadic assemblages and war machines, it is a kind of rhizome, with its gaps, detours, subterranean passages, stems, openings, traits, holes, etc.” (Deleuze and Guattari 1987: 437).

This rhizomatic model is ideally suited to the legal realm, as it allows for the integration of diverse legal traditions and practices without the constraints imposed by rigid hierarchical structures.

Furthermore, the arborescent model often leads to a compartmentalization of knowledge, where information is segmented and isolated, hindering the holistic understanding necessary for effective legal reasoning in complex cases. By destabilizing these conceptions, we can encourage a more integrative

approach that values the cross-pollination of ideas and disciplines. This is particularly important in the context of global law, where different legal systems, each with their own cultural and unique historical specificities, must interact and harmonize. So, one of the key methods to challenge and destabilize these rigid structures is through the concept of “cross-pollination” of ideas across different disciplines and legal systems (Marusek and Wagner 2019).

Cross-pollination (Glazebrook 2015) in a legal context refers to the process by which diverse legal traditions, practices, and theories interact and influence each other, leading to innovative interpretations and applications of law, being termed “semi-permeable membrane, which allows rules to pass through it in different directions for different purposes” (Jowell and Dawn 2015: 117). Indeed, cross-pollination facilitates a more integrative approach to law by blending elements from various legal systems, cultural backgrounds, and academic disciplines (Swe Khine 2023). This integration is essential in a globalized world where legal practitioners often deal with cases that span different jurisdictions and legal frameworks. By encouraging the flow of ideas between, for example, common law and civil law systems, or incorporating insights from fields such as sociology, psychology, biology, and technology, legal systems can develop more holistic solutions that are responsive to complex multi-dimensional issues (Dworkin 1988). Cross-pollination also promotes creativity and innovation within the legal field. By interacting with a wide range of disciplines, legal thinkers are exposed to novel approaches and methodologies that can be adapted to legal analysis and problem-solving (Del Mar, Twining 2015: see part IV: 295-403). This can lead to groundbreaking legal theories and practices that challenge traditional norms and offer new perspectives on justice and regulation.

In today’s interconnected world, many legal issues cannot be confined to national borders or single disciplines. Issues like international trade, cyber law, environmental regulation, and human rights require a nuanced understanding that spans multiple legal systems and cultural contexts (Jowell and Dawn 2015). Cross-pollination helps create a legal framework that is capable of addressing these global complexities by drawing on diverse sources of knowledge and expertise. Furthermore, cross-pollination inherently supports diversity and inclusion in the legal field. It values different perspectives and backgrounds, recognizing that a richer, more varied input leads to more effective legal outcomes. This approach destabilizes traditional

power structures within law, which have historically favored certain perspectives over others, thereby democratizing the process of legal interpretation and application (Williams 2022).

We advocate for a departure from the traditional linear pathways of legal thinking, promoting a view of law as an adaptive, network-like structure. Such a structure can respond more adeptly to the complexities of modern life, where the interplay of global and local influences requires a more nuanced and versatile approach to legal interpretation and application (Wagner & Marusek 2025). May (1996) echoes this stance, noting the political implications of rhizomatic thought. “Gilles Deleuze and the politics of time” in *Man and World* (29: 293–304) emphasizes the importance of non-linear, networked approaches to understanding the complexities of law and governance.

By embracing a more fluid and interconnected framework, legal systems can become more resilient and better equipped to handle the challenges posed by the multifaceted nature of contemporary societal issues. This shift not only promotes a more inclusive understanding of law but also ensures that legal practices remain relevant and effective in the face of continual societal and technological change.

2.2. New Conceptions of Knowledge

Theoretical models like Deleuze and Guattari’s rhizome (1987) aptly illustrate the potential of cross-pollination. They propose a non-hierarchical, networked approach to knowledge creation, which opposes the linear, top-down information dissemination found in arborescent models. This theoretical backing underscores the practical importance of cross-pollination in fostering a resilient, adaptable, and inclusive legal framework.

By embracing cross-pollination, legal systems can move away from rigid hierarchical models towards more fluid, dynamic structures capable of adapting to the fast-paced changes of the modern world (Braidotti et al. 2019). This process not only promotes legal innovation but also ensures that law remains relevant and responsive to the evolving needs of society.

Rhizomatic structures suggest an alternative model of knowledge characterized by non-linear, interconnected pathways that bypass traditional hierarchical categorization. This model aligns well with the dynamic and

multifaceted nature of law, potentially leading to a legal system that is more dynamic, inclusive, and adaptable, capable of addressing the complexities of modern societies more effectively.

Deleuze's idea of rhizomatics (1995) proposes that knowledge is not static and rooted but rather spreads like the root system of plants that connect at various points. Applying this to law suggests a system where legal reasoning could foster inclusivity and adaptability, critical for addressing contemporary societal complexities (Robinson 2009). Moreover, the section incorporates Michel Foucault's analysis of biopower, demonstrating how laws regulate life through control over bodies and populations. Foucault explains,

"Power relations are rooted deep in the social nexus, not a supplementary structure over and above 'society' whose radical effacement one could perhaps dream of. To live in a society is, in any event, to live in such a way that some can act on the actions of others. A society without power relations can only be an abstraction" (Foucault 1982: 778).

This insight underscores the need for laws to evolve with the biological and social dynamics they govern. Foucault further details how this power extends into the organization of life, emphasizing the control over the economy and efficiency of movements rather than merely signs or symbols:

"Then there was the object of the control: it was not or was no longer the signifying elements of behavior or the language of the body, but the economy, the efficiency of movements, their internal organization; constraint bears upon the forces rather than upon the signs; the only truly important ceremony is that of exercise" (Foucault 1995: 137).

Flex Law, as discussed, recognizes the finitude of experience. It suggests that our understanding and experiences are limited and that laws, as products of these experiences, are open to reinterpretation and challenge as new insights emerge. This approach is crucial for viewing law itself as an object of potential experience that needs constant validation or rejection through reflective judgments assessing laws against new circumstances. Lecercle's insights (2002) are particularly relevant here. He notes,

“In order to make sense appear beneath or before the thick layer of meaning, a coup de force is needed: we need to offer violence to common sense and good sense in order to dislodge them from their established position, where meaning is solid because frozen. We need, before good sense, the fluidity of sense, and we may need, beneath or beyond common sense, the delirium that threatens the order of language” (Leclercle 2002: 125).

This perspective supports Flex Law’s emphasis on adaptability and responsiveness, suggesting that laws must embrace the “fluidity of sense” and the “bi-directionality” (Leclercle 2002: 135) of meanings to remain relevant and effective amidst societal changes.

In conclusion, Flex Law proposes viewing legal systems as living structures that must remain flexible and responsive to the evolving complexities of human life. It challenges traditional legal formalism and enriches our understanding of law as a dynamic field that must continually evolve. The integration of diverse theoretical perspectives from other scholars such as Hart (2012), Allan (2013), and Kelsen (2009) forms a robust framework that supports and enriches the Doctrine of Flex Law, advocating for legal systems that are adaptive and deeply rooted in an evolving understanding of law as a fundamental aspect of societal development and human interaction. This integration of concepts reflects the open texture of law in practical terms.

3. Expanded Discussion on Nomadic and Rhizomatic Legal Theories

We delve deeper into the nuances of nomadic and rhizomatic legal theories to better understand their implications for modern law. Nomadic legal theories advocate for a continual adaptation and fluidity in legal practices, reflecting the dynamic shifts in societal, technological, and environmental landscapes. This approach enables the legal system to respond more effectively to rapid changes, thus avoiding the rigidity of traditional legal frameworks. On the other hand, rhizomatic law proposes a decentralized and non-hierarchical approach, where law is seen as a network of interconnected influences and interpretations, free from a central controlling authority. This model is particularly suited to managing the complexities of global

legal interactions, where different legal traditions and systems continuously interact and influence one another. By exploring these theories in more detail, we can appreciate their potential to create a legal landscape that is more resilient, responsive, and inclusive, effectively addressing the diverse needs and challenges of a globally interconnected society.

3.1. Nomadic Legal Theories

Nomadic legal theories are fundamentally characterized by their emphasis on movement, flexibility, and continuous adaptation, drawing inspiration from the concept of nomadism which involves constant travel and flexibility in lifestyle. These theories challenge the traditional static nature of law, suggesting instead that legal systems should be inherently dynamic to effectively respond to the ever-changing societal, technological, and environmental contexts.

The core principle of nomadic legal theories is that laws should not be bound by rigid structures but should remain fluid to accommodate new challenges and opportunities as they arise. This approach promotes a view of the legal system as an evolving entity, akin to a living organism that responds instinctively to external stimuli. Such theories support the idea that law, like a nomad, should not be tethered to specific doctrines or principles but should have the ability to traverse various legal landscapes, adapting and integrating new norms and values (ref to add).

Goodrich (1990) delves into how legal personas, akin to masks worn by nomads, enable jurists to adopt multiple roles and perspectives, facilitating a more adaptive and multifaceted approach to legal interpretation and application. Goodrich argues that these masks represent the diverse identities and roles that legal practitioners can assume, enabling them to navigate various cultural, social, and legal contexts effectively. This metaphor highlights the necessity for a legal system that is capable of continual self-reinvention and responsive adaptation to complex global interactions.

This dynamic approach fosters a legal environment where continuous evolution and flexibility are not only possible but encouraged. It advocates for the reinterpretation of laws as societies evolve, suggesting that legal systems should not merely respond to changes but proactively anticipate and facilitate transformation. This could be particularly crucial in areas

like technology law, where new developments frequently outpace existing legal frameworks, and in multicultural societies where diverse legal traditions must coexist and interact harmoniously.

Nomadic legal theories thus propose a reimagined framework for law, one that supports a legal culture of perpetual motion and adaptation, mirroring the fluidity and uncertainty of the modern world. By embracing this nomadic ethos, legal systems can become more adaptable, responsive, and equipped to handle the complexities of a rapidly changing global society.

3.2. Rhizomatic Law

Rhizomatic law, building on the concept of rhizomatic knowledge, proposes a decentralized, non-hierarchical approach to legal interpretation and application. Unlike traditional legal systems that operate within a fixed hierarchy of authority, rhizomatic law envisions a legal landscape where multiple sources of law coexist, interact, and influence one another without a clear center of control. This approach mirrors natural systems and networks, where numerous nodes operate independently yet are interconnected, each capable of growth and regeneration in various directions. This model is particularly effective in handling the complexities of global law where different legal traditions and systems must interact and where local contexts significantly influence the interpretation and application of law.

Drawing parallels to Barthes' *Empire of Signs* (1983), we can see how signs and symbols operate fluidly across different cultures, carrying multiple meanings and interpretations depending on their context. Similarly, a rhizomatic approach to law recognizes that legal concepts are not fixed but are open to various interpretations based on cultural, social, and political contexts. For instance, the concept of "freedom" may carry different implications and limitations in different legal systems. In a rhizomatic legal system, these variations are not merely acknowledged but are seen as essential to the comprehensive application and understanding of laws in a diversified, interconnected world.

Deleuze and Guattari (1987: 30-39) highlight the intrinsic movements of deterritorialization and reterritorialization within legal systems, reflecting the constant shifts in how laws are understood and applied. These movements suggest that legal systems themselves are not static entities but are continuously shaped and reshaped by societal forces, movements, and conflicts.

The concept of “mutant flows” (Deleuze and Guattari 1987: 237-252) further introduces the idea that legal changes often arise from what initially appears as marginal or anomalous. These flows challenge existing legal codes, leading to their evolution or transformation – a process vital for the adaptation of law in response to new realities.

By embracing these theoretical frameworks, legal scholars and practitioners can explore more resilient, responsive, and inclusive ways to structure and apply legal systems in our increasingly complex world.

The rhizome, a botanical structure characterized by its horizontal growth and regenerative capabilities, provides a powerful metaphor for conceptual development in intellectual and creative fields. This chapter explores how the principles of rhizomatic growth can be applied to generate new ideas and recontextualize existing ones with new meanings. By examining the characteristics of rhizomes, such as their ability to expand in multiple directions, allocate resources dynamically, and regenerate from any point, we can develop a dynamic and non-linear approach to thought and creativity. This approach emphasizes multiplicity, connectivity, and continuous evolution, offering a fresh perspective on how concepts can be generated and transformed.

Rhizomes grow horizontally, spreading outwards and exploring new areas. This characteristic can be translated into the conceptual realm by encouraging the exploration of ideas in a non-linear and multi-directional manner. Rather than following a single path or hierarchy, rhizomatic thinking allows for the simultaneous development of multiple ideas and perspectives. This horizontal expansion symbolizes the potential for intellectual and creative endeavors to break free from traditional constraints and explore a broader range of possibilities.

Nodes along the length of a rhizome are points from which new shoots and roots emerge. These nodes represent intersections of ideas, disciplines, or methodologies that can give rise to innovative thoughts and solutions. In the context of conceptual development, nodes are the points of potential where new concepts can be generated. By recognizing and leveraging these nodes, thinkers can create connections between seemingly disparate ideas, leading to the emergence of novel and creative solutions.

The regenerative capability of rhizomes is another crucial aspect of their growth. Rhizomes can regenerate from any point, even if parts are severed or damaged. This resilience and adaptability highlight the importance of flexibility in conceptual development. Ideas can be revisited, reinterpreted,

and revitalized, allowing for the continuous evolution of thought. This regenerative process suggests that former concepts can be given new life through recontextualization, enabling them to remain relevant and impactful in changing contexts.

Rhizomatic growth encourages multiplicity and diversity, embracing a plurality of perspectives and approaches. This principle is essential for fostering creativity and innovation. By allowing diverse ideas to coexist and interact, we can stimulate intellectual and creative growth. Traditional hierarchical models often constrain the development of new ideas by imposing rigid structures and linear progression. In contrast, rhizomatic thinking promotes decentralization and non-linearity, enabling the spontaneous and organic emergence of concepts. This approach allows thinkers to break free from conventional patterns and explore novel pathways, leading to richer and more innovative outcomes.

The dynamic interplay of ideas is a fundamental aspect of rhizomatic structures. Just as rhizomes thrive on the interaction of interconnected nodes, the reinterpretation of former concepts involves recognizing and exploring the relationships between ideas. This dynamic interplay can reveal new insights and facilitate the transformation of old concepts into innovative and relevant ones. The continuous growth and regeneration of rhizomes illustrate the potential for ideas to evolve over time. By adopting a rhizomatic approach, we can embrace the ongoing process of conceptual evolution, allowing former ideas to be perpetually redefined and adapted to meet changing needs and contexts.

Grosz's concept of "volatile bodies" (1994) provides an additional layer of depth to our understanding of rhizomatic thought. In her work, Grosz explores the fluidity and dynamism of the body, emphasizing its capacity for change, adaptation, and transformation. This concept aligns with the principles of rhizomatic growth, as both highlight the importance of flexibility, adaptability, and the potential for continual reinvention. Volatile bodies, much like rhizomes, are not fixed or static; they are in constant flux, responding to and interacting with their environment. This perspective reinforces the idea that concepts, like bodies, are not rigid structures but dynamic entities capable of evolving and transforming in response to new contexts and interactions (Grosz 1994).

Deleuze and Guattari (1987: 388) also discuss the idea of bodies and concepts as inherently volatile and fluid. They emphasize that the rhizomatic

model of thought and organization opposes rigid hierarchical structures, promoting a networked, non-hierarchical approach to knowledge and existence. This model, akin to volatile bodies, underscores the importance of adaptability and resilience, allowing for continuous transformation and growth in unpredictable directions.

Integrating the rhizome metaphor with the field of law offers compelling insights into the nature of legal systems as evolving entities. Jeremy Bentham famously described the law as a “monster” that continually grows and adapts, reflecting the dynamic and expansive nature of legal principles and practices. Bentham’s metaphor underscores the law’s ability to evolve and expand in response to societal changes and emerging needs (Bentham 1843). This perspective aligns with the rhizomatic framework, which emphasizes growth, adaptability, and the continuous reconfiguration of structures.

Law, much like a rhizome, is characterized by its horizontal expansion and ability to generate new pathways. Legal systems evolve by incorporating new statutes, precedents, and interpretations, much like how rhizomes develop new shoots and roots. The nodes within a rhizomatic structure can be seen as analogous to pivotal legal cases or legislative acts that create new avenues for interpretation and application. This dynamic interplay allows the law to remain responsive and relevant, continuously adapting to the complexities of modern society.

The evolution of law, however, varies significantly between different jurisdictions, making the rhizome metaphor even more complex. From a European perspective, legal evolution often involves intricate interactions between national laws and supranational regulations from bodies such as the European Union. This multilayered legal structure requires continuous negotiation and adaptation, reflecting a deeply interconnected and collaborative process. Conversely, a domestic legal perspective, such as that in the United States, focuses more on federal and state dynamics, where laws evolve through judicial interpretations and legislative amendments within a more self-contained system. The distinct paths of legal evolution in these contexts underscore the importance of understanding the full legal framework when analyzing how laws develop and adapt. Without this comprehensive legal context, the rhizomatic growth of law becomes difficult to decipher, as the nuances of each system’s interactions and adaptations are crucial to fully grasp its evolution.

Moreover, the roots of the rhizome can flow upwards and downwards, akin to the perpetual pendulum (Wagner, Marusek and Matulewska 2023). This movement illustrates the dynamic nature of growth and adaptation, where the direction of development is not fixed but oscillates in response to various influences and conditions. In the legal context, this means that the evolution of law can be influenced by grassroots movements pushing upwards or by top-down reforms implemented by higher authorities. This bidirectional flow enhances the complexity of the rhizome metaphor, emphasizing that legal evolution is a multifaceted process influenced by diverse and often competing forces (Mchangama and Alkiviadou 2022).

Furthermore, Hart's concept of "open texture" (1961) aligns with the rhizomatic framework, suggesting that the application of legal rules can vary according to space and time. Hart (1961) posits that legal language is inherently indeterminate and open to interpretation, which allows for flexibility and adaptation as new situations arise. This notion of open texture complements the rhizomatic view of law as an evolving and adaptive entity, capable of matching or mismatching according to the specific contexts in which it operates.

The notion of commensurability in law (Schauer 1994) adds another layer to this discussion. Commensurability refers to the ability to measure or compare different legal principles, cases, or systems by a common standard. In a rhizomatic legal framework, commensurability can be challenging due to the decentralized and non-linear nature of legal evolution. Different legal systems and jurisdictions may develop unique interpretations and applications of the law, making direct comparisons difficult. However, this diversity also enriches the legal landscape, allowing for a more nuanced and adaptable approach to justice.

Oscillation is a key concept in the determination of legal principles, reflecting the fluctuating nature of legal interpretation and application. Just as a rhizome's growth can oscillate between different directions, legal concepts can oscillate in their interpretations, influenced by shifting societal values, political pressures, and new judicial precedents. This oscillation mirrors the perpetual pendulum described by Wagner, Marusek and Matulewska (2023), emphasizing that the determination of legal concepts is not a fixed process but one subject to constant movement and change. This dynamic oscillation underscores the adaptability and fluidity of legal systems, enabling them to respond to evolving contexts and emerging challenges effectively.

The idea of oscillation can also be linked to the concept of the Newtonian clock, which represents a system in perpetual motion, constantly influenced by external forces and conditions. Just as a Newtonian clock keeps expanding eternally according to circumstances, the oscillation in legal concepts reflects a continual process of adjustment and redefinition in response to new contexts and challenges. This perpetual expansion and adaptation ensure that legal systems remain dynamic and responsive, capable of addressing the complexities of modern society.

The integration of the concept of “Third Space” into rhizomatic reflection and the construction of legal concepts further enriches this framework. Bhabha’s notion of Third Space refers to an intercultural space where hybrid identities and meanings are negotiated and constructed (Bhabha, 1994). In a legal context, the Third Space represents the intersection where diverse legal traditions, cultural norms, and societal values interact, creating opportunities for new interpretations and applications of the law. This intercultural space is inherently rhizomatic, characterized by its fluidity, multiplicity, and potential for continuous transformation.

Within this rhizomatic approach, the cultural element is more than crucial in deciphering the flexibility in law. Legal systems do not evolve in a vacuum; they are deeply embedded within the cultural contexts that shape and are shaped by them. Culture influences how laws are interpreted, applied, and adapted over time. It informs the values, beliefs, and practices that underpin legal reasoning and decision-making processes. Understanding the cultural dimensions of law is essential for grasping its flexibility and responsiveness to changing societal needs. This cultural layer adds depth to the rhizomatic framework, highlighting the importance of considering cultural factors when analyzing the evolution and adaptation of legal concepts.

The complexity of law is intrinsically tied to cultural knowledge, which varies significantly from one country to another. This variation necessitates cultural mediation to solve legal meanings and interpretations. G mar and Kassirer (2004) emphasize that translation and interpretation of legal texts are not merely linguistic tasks but also cultural ones, requiring a deep understanding of the cultural contexts from which these texts emerge. This cultural mediation is crucial for ensuring that legal concepts are accurately understood and appropriately applied across different jurisdictions. The multi-layered nature of legal systems, encompassing local, national,

and international levels, further underscores the necessity of cultural mediation in navigating the complex landscape of legal knowledge.

Sacco's concept of "legal formants" further elaborates on this notion. According to Sacco, legal formants are the different components that influence the creation and interpretation of legal norms, including legislative texts, judicial decisions, academic writings, and social practices (Sacco 1991). Understanding these formants requires more than mere translation; it demands mediation that comprehensively considers the cultural and contextual factors that shape legal systems. This approach ensures that new laws and concepts are effectively transferred and adapted into different legal frameworks, maintaining their relevance and applicability.

Additionally, the idea that law has a hidden side, as explored by thinkers like Umberto Eco and Roland Barthes, provides a profound dimension to this discussion. Eco (1979) and Barthes (1983) suggest that texts, including legal texts, possess layers of meaning that are not immediately visible. These hidden layers can reveal underlying structures, assumptions, and ideologies that influence the interpretation and application of law. In the context of rhizomatic growth, this hidden side of law can help decipher complex situations that have created multi-rooted rhizomes, rendering legal knowledge a challenge. The hidden dimensions of law can uncover connections and contradictions that are not apparent at first glance, allowing for a deeper and more nuanced understanding of legal principles and their applications.

In academic research, adopting a rhizomatic approach can lead to more interdisciplinary and integrative studies. Researchers can draw from multiple fields and methodologies, fostering a richer and more holistic understanding of complex issues.

The rhizome, with its horizontal expansion, connectivity, and regenerative capabilities, offers a powerful framework for conceptual development. By embracing the principles of rhizomatic growth and integrating the concepts of volatile bodies, the evolving nature of law, the perpetual pendulum, open texture, commensurability, oscillation, Third Space, cultural elements, the multi-layered construction of law, and the hidden side of law, we can foster a dynamic and non-linear approach to generating new ideas and reinterpreting existing ones (Heijenoort 1986: 40-41). This approach not only encourages creativity and innovation but also ensures the continuous evolution and adaptation of thought. As we navigate an increasingly complex and intercon-

nected world, the rhizome metaphor provides a valuable lens through which to understand and engage with the ever-changing landscape of ideas.

4. Conclusion

The Doctrine of Flex Law articulates a conceptual framework through which legal systems can be reimagined as dynamic, adaptable, and responsive to the multifaceted realities of contemporary life. Drawing from interdisciplinary theories, particularly rhizomatic and nomadic paradigms, this doctrine challenges the conventional rigidity of legal structures by emphasizing multiplicity, decentralization, and continual evolution.

Rather than viewing law as a fixed and hierarchical entity, Flex Law positions it as a living, mutable system—capable of integrating cultural, technological, and societal transformations into its interpretative and operational core. This reconceptualization not only foregrounds the necessity of cross-pollination between legal traditions and academic disciplines but also underscores the importance of reflexivity and inclusivity in legal processes.

By exploring the intersections of semiotics, legal theory, and cultural studies, this work contributes to a broader understanding of law's potential to act as a fluid mechanism of governance, interpretation, and social coordination. Flex Law thus offers a robust analytical lens through which to examine the ongoing transformation of legal norms in response to global challenges and complexities. Future research might further investigate its practical implications across varied jurisdictions and thematic domains, reinforcing its relevance in both theory and praxis.

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