Minor Case of Judge Schreber

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I. Introduction

Judge Daniel Paul Schreber, at once an author and object of one of the most famous cases of psychosis, is a recurring figure throughout *Anti-Oedipus* and the protagonist of its opening scene. In Deleuzian scholarship, Schreber has been often discussed as a paradigm of the schizo and celebrated as a revolutionary figure of anti-Oedipal emancipation that stands in contrast to the paranoiac to which Freud's analysis had reduced him. Although Deleuze and Guattari's reflections on Schreber's *Memoirs of My Nervous Illness* (*Denkwürdigkeiten eines Nervenkranken*)[1] add to the existing literature on the possible diagnostic interpretations of Schreber's delirium that challenge reductive, Oedipalized readings of his case, a close reading of the passages in which Schreber enters *Anti-Oedipus* might also suggest a different function he has within Deleuze and Guattari's project with implications for both the psychoanalytic clinic and legal field.[2]

On the first page of *Anti-Oedipus*, Deleuze and Guattari indeed write that Schreber "produces something" and is capable of theorizing about it: "Judge Schreber feels something, produces something, and is capable of explaining the process theoretically" (et peut en faire la

1 The English translation of the title personalizes Schreber's illness by referring to it in terms of "my" rather than "a" ("eines"), which overlooks the fact that Schreber's account of his experience is also an attempt at establishing a legal precedent of "harmless insanity." More on that below.

2 Daniel Paul Schreber, *Memoirs of My Nervous Illness*, trans. Ida Macalpine and Richard A. Hunter (New York: New York Review Books, 2000). Subsequent references will appear parenthetically within the text.

théorie).[3] Our hypothesis is that this "something" that the judge produces could be approached as *a case*. And because the subject of the case can be reduced to neither a puppet in the Oedipal, familial theater, nor to a linear, sovereign figure, they pose a challenge for both psychoanalysis and the law as two fields of practice and knowledge heavily affected by casuistic proceedings at the center of which there is always a subject that these fields have worked to define and approach in a generalizable way. In reading *Anti-Oedipus*, we are indeed pushed to conclude that any reduction of Schreber (or, arguably, of any other case) to "the simplistic terms and functions of the Oedipal triangle" is an attempt to make his case paradigmatic, exemplary and typical, and to effectively subsume it under a broader category or theoretical framework that evacuates the singularity of Schreber's *feeling*, *producing*, and *theorizing*.[4]

Schreber not only "produces" — on the plane of writing — a case whose singularity has been misrecognized, but he is also capable of theorizing about it. After all, prior to his hospitalizations he worked as a judge and a jurist, constantly dealing with peculiarities of the case and the difficulty of judging it within the legal field. However, despite his ambiguous status as both a judge *and* a psychotic, numerous studies on Schreber have so far mostly focused on only one aspect of his case: the clinical or, more recently, the legal one.[5] Furthermore, most

3 Gilles Deleuze and Félix Guattari, *Anti-Oedipus: Capitalism and Schizophrenia*, trans. Robert Hurley, Mark Seem, and Helen R. Lane (Minneapolis: University of Minnesota Press, 1983), 9. Originally published as Gilles Deleuze and Félix Guattari, *Capitalisme et schizophrénie: L'Anti-Œdipe* (Paris: Les éditions de Minuit, 1972), 7.

4 Ibid., 14.

5 In recent years, there has been, for the first time, an interest in Schreber within legal studies. The major figure of this re-turn to the *Memoirs* as a legal text is Peter Goodrich, author of "The Judge's Two Bodies: The Case of Daniel Paul Schreber," *Law and Critique* 26, no. 2 (2015): 117-133; *Schreber's Law. Jurisprudence and Judgment in Transition* (Edinburgh: Edinburgh University Press, 2018); and editor, together with Katrin Trüstedt, of *Laws of Transgression: The Return of Judge Schreber* (Toronto: University of Toronto

interpreters have often considered Schreber as the mere object of the case: that is, the one who has to be examined and judged by the clinical or the forensic gaze. Our goal, on the contrary, is to consider the case both analytically and legally, and to think — in accordance with Deleuze and Guattari — Schreber's ability to become, at the same time, the producer and the actor of his own case.

To this end, in the first section, we will proceed to reconstruct the case by retracing the essential moments of the *Memoirs*: from the description of the crisis of the Order of the World that risks destroying mankind, to the role played by Schreber's relationship with God and the feminine in repairing this crisis. We will try, in particular, to highlight the singularity of Schreber's *savoir* and its ability to resist any easy generalization. In the following sections, we will then attempt to interpret this singularity starting from the peculiar *art of judgment* deployed by Schreber in the construction of his legal case, which he never separates from his psychotic experience and — precisely because of this — is able to produce what Deleuze and Guattari have called a new "image of thought," i.e., "the image thought gives itself of what it means to think, to make use of thought, to find one's bearings in thought."[6] We propose specifically that Schreber produces a minor and casuistic image of thought, capable of challenging the assumptions of the binary logic.

Press, 2022). These texts are of high relevance for highlighting the theoretical significance of the *Memoirs* as the work of critique of law and its political theology, and for underscoring Schreber's attempt to imagine an embodied, minor and human jurisprudence, to wit, distant from the imposition of a tyrannical and pure law. However, they tend to emphasize the legal aspect of Schreber's case at the expense of the clinical one.

6 Gilles Deleuze and Félix Guattari, *What Is Philosophy?*, trans. Hugh Tomlinson and Graham Burchell (New York: Columbia University Press, 1994), 37. On the same page, Deleuze and Guattari also add that the image of thought coincides with the "plane of immanence" necessary for thinking. This image can be reduced to neither a method nor to a state of knowledge, and it "demands 'only' movement that can be carried to infinity" (Ibid.).

II. The *Memoirs*: Between Singularity and Theory of the Case

Schreber's first, relatively brief hospitalization at the Leipzig clinic run by Paul Flechsig followed his failure to get elected to the Reichstag in 1884. His second hospitalization coincided with his nomination as the presiding judge of the Saxon Supreme Court in 1893 and took place mainly at the Royal Public Asylum at Sonnenstein under Guido Weber. Schreber describes the period of this second hospital stay in his *Memoirs*, which he interestingly presents to the same aforementioned court nearly a decade later in order to justify his appeal for release from involuntary detention. He leaves the hospital and publishes the *Memoirs* shortly after winning the case and, following his mother's death and wife's stroke, enters the Leipzig-Dösen asylum in 1907, where he remains until death in 1911.[7] The *Memoirs* center on tracing and detailing the trajectory of Schreber's contact with God, which he first starts to experience at the beginning of his second hospitalization, as well as its consequences for the Order of the World. Importantly, Schreber's contact with God necessitates his "unmanning," the experience and stakes of which shift throughout the course of the *Memoirs* as Schreber's relationship to femininity and God undergoes modification (67).

In Schreber's account, the "Order of the World" pertains to "the lawful relation . . . *between God and the creation called to life by Him*" (67).[8] God is a system of "infinite and eternal" nerves, rays and creation which, under the conditions according to the Order of the World, maintains a harmonious relationship with human nerves that compose human souls (21). However, the Order of the World is shaken when Schreber enters into permanent "nerve-contact" with God's rays (37). Schreber initially believes that as the result of this experience, "all creation on earth would have to perish," which places him in

7 Eric L. Santner, *My Own Private Germany: Daniel Paul Schreber's Secret History of Modernity* (Princeton: Princeton University Press, 1996), 3-6.
8 All italics appear as in the original.

the position of the agent responsible for destruction of the world and humankind (41). At first, this "crisis in God's realms" is attributed to an attempt at "soul murder" orchestrated by Dr. Flechsig, who Schreber not by chance refers to as a "nerve specialist" (33; 45). Indeed, Flechsig was a well-known brain neuroanatomist who specialized in nerve fibers and nervous diseases, and performed brain dissections as a way of establishing "lawful relations of dependence between mental disorders and brain anomalies" (gesetzmässiger Abhängigkeitsverhältnisse zwischen Geistesstörungen und Hirnanomalien).[9] Perhaps unsurprisingly, as Eric L. Santner reminds us, one of Flechsig's famous lectures on the subject was titled "Brain and Soul" ("Gehirn und Seele").[10] Schreber's *Memoirs* describe soul murder in terms of abuse of nerve contact aimed at imprisonment of will power and destruction of reason and bodily integrity.[11] When nerve-contact is manipulated in order to maintain the "*hold on the divine rays*," God comes into conflict with himself by deviating from the path of divine creation and becoming the overbearing figure of persecution, destruction and violence (35). Under conditions according to the Order of the World,

9 Paul Flechsig, *Die körperlichen Grundlagen der Geistesstörungen: Vortrag gehalten beim Antritt des Lehramtes an der Universität Leipzig am 4. März 1882* (Leipzig: Veit & Comp., 1882), 11. Our translation.

10 Drawing on Friedrich Kittler's work, Santner discusses Flechsig's "neuroanatomical paradigm" — that dissolves personhood into "systems of *information* transfer" and annihilates "the very horizon of intelligibility in which worlds like soul, psyche, or spirit would make any sense" — as a new episteme and model of psychic and social organization at the *fin de siècle* (71, 74). Meanwhile, Zvi Lothane links Schreber's experience of soul murder to "iatrogenic" effect that Flechsig and Weber's practice of "psychiatry without a soul" might have had on Schreber during his hospitalizations. See Zvi Lothane, "The Legacies of Schreber and Freud," *European Journal of Psychoanalysis*, no. 31 (2010), https://www.journal-psychoanalysis.eu/articles/the-legacies-of-schreber-and-freud/.

11 Schreber first introduces the term in the context of placing a patient in the position of an "object," as happens for example in hypnosis or "*scientific experiments* apart from the real purpose of cure" (Schreber 9).

God only maintains continued contact with humans after they die, their bodies turn into corpses and their souls and nerves become part of God as "forecourts of heaven" (24-25). On rare occasions, God also intermittently enters into nerve contact with humans as a result of a "particularly fervent prayer" or, interestingly, through dreams and poetry in order to fertilize them with "thoughts and ideas about the beyond (23-24).[12] When the Order of the World enters a state of crisis due to an attempt at Schreber's soul murder, "power alone counts, and the right of the stronger is decisive" (66). These new conditions command Schreber's "unmanning" that he experiences as abuse, persecution and destruction of his body and reason aimed at sexual satisfaction of the Other (67). He thus becomes an *object* of the Other's simultaneous efforts to "cure" his nervous illness but also to "annihilate" him as a human being (62). Later on, however, Schreber moves toward a vision and experience of God's nature as fundamentally creative and aesthetically fertile, which begins to transform his relationship to unmanning and femininity into something "essential and curative" and not against the Order of the World (164). He will go on to experience unmanning as divine "fertilization" that reconstructs the world and renews humanity (164). This fertilization cannot be captured in terms of biological and ideological reproduction which would turn Schreber's becoming-woman merely into a passive receptacle for God's predetermined agenda or a vehicle for reinforcing a socially authorized program and "reality," but rather, we argue, is linked more to an infinite process of creation for which there is no preexistent ideal or image.

A group of medical and legal experts studied a draft of Schreber's *Memoirs* that he submitted as part of his appeal for release from involuntary detention. In the 1902 Judgment passed by Saxon Supreme Court and attached to the *Memoirs*, the Court — relying on

12 We will go back to God's solidarity with creativity when we discuss Schreber's fertilization by divine rays, his project of "picturing," as well as his piano-playing that drowns "nonsensical twaddle of the voices" (210, 158).

distinction between religious and civil lives — rescinds Schreber's tutelage, stating that even though Schreber's mental illness cannot be doubted due to "irrefutable certainty" of his hallucinations and delusion, "whatever one may think of his belief in miracles, no one is entitled to see in it a mental defect which makes plaintiff require State care" (422; 411).[13] In winning the appeal, Schreber thus established a legal precedent of "harmless insanity" (318).[14] With his *Memoirs*, Schreber not only constructs and theorizes the case which pushes us to reconsider the theory and practice of legal and clinical case from the perspective of psychosis, but also, as he stresses in his addendum to the *Memoirs*, he hopes that his text reaches much wider circles, in particular theologians and philosophers (363). For the Sonnenstein asylum director Guido Weber, it was precisely Schreber's desire to publish the *Memoirs* and share them with others on a large scale that constituted evidence — or, in Weber's words, a "very pregnant example" — for his inability to look after his own affairs (Schreber 347). In his medical report to the Court, Weber, in an outraged tone, noted that Schreber's "urgent desire" to share the *Memoirs* with "the widest circles" was a proof that "his whole attitude to life" was "pathological" (347-48). Indeed, it seems that Weber finds the *Memoirs* risky precisely because they can be shared with others and potentially infect

13 For more on this, see Rajgopal Saikumar, "The Office of Pleasure: On Schreber's Minor Jurisprudence," in *Laws of Transgression*, 65.

14 In the essay attached to the *Memoirs* and titled "In what circumstances can a person considered insane be detained in an Asylum against his declared will?," Schreber establishes the legal category of "harmless insanity" to refer to cases of persons of whom it "*cannot* be said that being at liberty would be dangerous either to themselves or others […] irrespective of how these diseases are classified by *scientific psychiatry*." Lothane remarks that in establishing the precedent, Schreber defeated his doctor and forensic expert Weber who opposed Schreber's release and insisted on diagnosing Schreber as a sufferer of paranoia caused by incurable brain disorder and delusions that "in a strictly forensic sense" constitute "incurable pathological effects of a hopelessly diseased brain." Lothane, "The Legacies of Schreber and Freud."

and fertilize them with ideas that, despite their medical diagnosis as pathology, might have an effect on them and perhaps put into question Weber's theory of psychosis as the case of a "hopelessly diseased brain."[15]

In their discussion of an "uneasy" relationship between theory and the clinic — between university discourse and analytic discourse (and we could perhaps also extend that point to the legal field) — psychoanalysts Daniele Bergeron, Lucie Cantin, and Willy Apollon point to the incompatibility between theory and singularity of the case: "the fundamental insufficiency of any *generalizable* theory to the experience of the clinic and its irreducibly *singular savoir* . . . utterly particular to the subject and irreducible to the level of information."[16] Deleuze and Guattari are indeed aware of this discrepancy when, for example in their critique of attempts at capturing the essence of schizophrenia in terms of the ego, they implore us to recall "Marx's caveat," according to which

> we cannot tell from the mere taste of wheat who grew it; the product gives us no hint as to the system and the relations of production. The product appears to be all the more specific, incredibly specific and readily describable, the more closely the theoretician relates it to ideal forms of causation, comprehension, or expression, rather than to the real process of production on which it depends.[17]

Here, the tension between the singularity (and singular *savoir*) of the case and the ideal forms of theory is linked to the tension between process and product. In siding with singularity of the case, the project of schizoanalysis sides with the process of the unconscious

15 Lothane, "The Legacies of Schreber and Freud."
16 Willy Apollon, Daniele Bergeron, Lucie Cantin, *After Lacan: Clinical Practice and the Subject of the Unconscious*, trans. Robert Hughes and Kareen Ror Malone (Albany: SUNY Press, 2002), 3-4.
17 Deleuze and Guattari, *Anti-Oedipus*, 24.

desire: a "factory" rather than teleological "classical theater."[18] In this way, schizoanalysis is not opposed to psychoanalysis but in fact pushes psychoanalysis to do its job, to not remain stagnant but to welcome and attune itself to the movements of the unconscious; indeed, Deleuze and Guattari remark that "the great discovery of psychoanalysis was that of the production of desire, of the productions of the unconscious. But once Oedipus entered the picture, this discovery was soon buried beneath a new brand of idealism."[19] Indeed, this incompatibility between the productions of the unconscious desire on the one hand and the top-down, Oedipal framework on the other is reflected in Freud's own difficulty in judging Schreber's case; it is interesting to recall a doubtful tone with which Freud concludes his "Notes on a Case of Paranoia": "It remains for the future to decide whether there is more delusion in my theory that I should like to admit, or whether there is more truth in Schreber's delusion that other people are as yet prepared to believe."[20]

In posing a challenge to neurosis as the universal model of the human, the case of and by Schreber — psychotic judge — questions the so-called Oedipal brand of idealism and, further, also pushes us to accompany him in thinking about what happens to the theory and practice of the case, judgment and the law if we approach them from the perspective of the *savoir* and ethics of psychosis which, unlike the individualized, familialized theater of neurosis, are concerned with the future of all humanity and the world. Indeed, as Freud points out in his analysis of Schreber, to experience psychosis is to experience "the end of the world,"[21] while Apollon goes on to suggest that this apocalyptic experience forms the basis of the ethics of psychosis fundamen-

18 Ibid., 55.
19 Ibid., 24.
20 Sigmund Freud, "Psycho-Analytic Notes on an Autobiographical Account of a Case of Paranoia (Dementia Paranoides)," in *The Standard Edition of the Complete Psychological Works of Sigmund Freud* (hereafter *S.E*), ed. and trans. James Strachey et al. (London: Hogarth Press, 1958), 12:79.
21 *S.E.* 12:70.

tally concerned with repairing "a fundamental defect in the Other, which calls into question the very order of the universe," repairing it in order to "uphold a new order of things for the benefit of all humanity."[22] Accompanying Schreber on his journey does not imply we should romanticize or idealize psychosis, and it does not appear that *Anti-Oedipus* is calling for that kind of reduction either. To take Schreber and his "delirium" seriously, we must indeed pay attention to the manifold textures of his response to an experience he articulates and theorizes about in his *Memoirs*.

Perhaps, therefore, Deleuze and Guattari suggest that the 1902 Court of Appeals judgment, which revoked the interdiction and restored Schreber's full legal capacity and freedom, failed to highlight two sides of the same coin: the revolutionary, disruptive power of Schreber's delirium (Oedipalized by Freud's interpretation) and his simultaneous tendency toward fascism. Deleuze and Guattari write in this regard:

> We can't go along with Maud Mannoni when she sees the first historical act of antipsychiatry in the 1902 decision granting Judge Schreber his liberty and responsibility, despite the recognized continuation of his delirious ideas. There is room for doubting that the decision would have been the same if Schreber had been schizophrenic rather than paranoiac, if he had taken himself for a black or a Jew rather than a pure Aryan, if he had not proved himself so competent in the management of his wealth, and if in his delirium he had not displayed a taste for the socius of an already fascisizing libidinal investment.[23]

22 Willy Apollon, Danielle Bergeron, Lucie Cantin, "The Treatment of Psychosis," in *The Subject of Lacan: A Lacanian Reader for Psychologists*, ed. Kareen Ror Malone and Stephen R. Friedlander (Albany: SUNY Press, 2012), 212, 217.

23 Deleuze and Guattari, *Anti-Oedipus*, 364. The argument to which Deleuze and Guattari are referring can be found in Maud Mannoni, *Le psychiatre, son fou et la psychanalyse* (Paris: Editions du Seuil, 1970).

At the same time, as for example Santner has pointed out, we have to be cautious to not simply reverse the binary and turn Schreber into a prefiguration of fascism and totalitarianism[24] either, for, after all, his project of repair is predicated on identification with the Wandering Jew and the feminine through which it becomes possible to embark on the process of "working though the very totalitarian temptation that so many Germans after Schreber were unable to resist."[25] Why is the experience of unmanning and becoming-woman — that Deleuze and Guattari will consider later in *A Thousand Plateaus* as the key to all other

24 This is the interpretation of Elias Canetti who dedicates two sections of his well-known book, *Crowds and Power*, trans. Carol Stewart (New York: Continuum, 1978), to the figure of Schreber. Canetti claims that a close reading of the *Memoirs* can provide a useful understanding of paranoia as an "illness of power" (448). He particularly emphasizes the "sense of catastrophe" (441) present throughout Schreber's text, linked to a desire for the destruction of mankind. In this apocalyptic scenario, Schreber would remain the sole survivor and — through his transformation into a woman — would be able to bring forth a new generation. According to Canetti, this dystopian vision reflects a specific "model of *political* power" (441) — totalitarian and fascist — because the survivor of the catastrophe also transforms into the only savior and ruler of the world. Despite the relevance of Canetti's analysis for highlighting a properly political dimension of paranoia, we argue that the Deleuzian-Guattarian reading is more capable of emphasizing the ambiguity and creative potential of Schreber's text. In particular, as we will see shortly, our interpretation of the sense of catastrophe in the *Memoirs* differs from Canetti's, because it is linked to a *baroque* and *mannerist* solution that attempts to repair the world rather than push toward its total destruction, moreover to repair it in a way that does not place Schreber in the position of authority and supremacy over others. In the following sections, we discuss this baroque and mannerist solution drawing on Deleuze's formulations developed in *The Fold: Leibniz and the Baroque*.

25 Santner, *My Own Private Germany*, 18. Referring to Cuvier's theory of periodic world catastrophes, Schreber suggests that the figure of the "*Eternal Jew*" was instrumental in preventing extinction of human species during the Ice Age. The Eternal Jew had to be unmanned in order to bear children and ensure survival of humankind. Schreber, *Memoirs*, 60-61.

becoming-minoritarian[26] — so fundamental in Schreber's case? Why is femininity so crucial, perhaps necessary, to Schreber's experience of destruction as well as reconstruction of the world from its ruins? In what follows, we will begin to address these questions, firstly by situating Schreber's *Memoirs* as a response to the problems and impasses of the specific historical, sociopolitical and legal milieu. In particular, we will discuss how the *Memoirs* respond to an ongoing crisis of authority and judgment that forced Schreber to build and write his legal case in a new and unpredictable manner.

III. How to Build a Case: The Baroque Art of Judgment

The etymological root of the term "crisis" derives from the Greek word *krinein*, meaning "to separate, decide, judge." The crisis was understood as a moment of rupture in the established order, which required intervention of an act of judgment in order to respond to this fracture. In Ancient Greece, the connection between *krisis* and *krinein* was particularly evident in the legal and medical environment, more specifically in the scene of a trial or diagnosis, where *krisis* identified the art of making distinctions necessary to judge and act at a critical point.[27] At the same time, because crisis points to the inextricable,

26 Gilles Deleuze and Félix Guattari, *A Thousand Plateaus*, trans. Brian Massumi (Minneapolis: University of Minnesota Press, 1987). In *A Thousand Plateaus*, becoming-woman is one the most powerful figures to conceive a minoritarian or molecular politics. Even if Deleuze and Guattari do not deny that it is indispensable for women to conduct a molar politics in which they have to appear as a subject of enunciation — "we as women" (276) — in order to make their political demands, they argue that to confine oneself to such a subject would risk drying any new possible flows of subjectivation. More on this later.

27 *Online Etymology Dictionary*, s.v. "Crisis," https://www.etymonline.com/word/crisis. See also: Reinhart Koselleck, "Krise" (1982), trans. Melvin Richter and Michaela Richter, *Journal of the History of Ideas* 67, no. 2 (2006):

non-linear link between rupture and judgment, it implies that no act of judgment can fully annul or fix the fracture. Although judgment, as it were, is thus always in crisis, the crisis of sociopolitical order — such as that experienced in the nascent German State at the end of the 19th century — intensifies the crisis of judgment. Therefore, it should not come as a surprise that Schreber's nervous illness started shortly after his nomination as President Judge of the Supreme Court of Saxony. Schreber, after all, worked as a judge exactly during the period when unified Germany was attempting to adopt its first Civil Code, which was promulgated in 1896 after more than twenty years of debates that only served to highlight the "all too human" character of the law, its artificial nature and its absolute lack of a solid foundation.

In the *Memoirs*, Schreber, borrowing the words from Hamlet, observes that "*there is something rotten in the state of Denmark* — that is to say in the relationship between God and mankind" (186). Less than twenty years later, Walter Benjamin will use a very similar expression — "there is something rotten in Law"[28] — to describe the sense of disorientation that arises from the awareness that the established order lacks any transcendent foundation. The law exists simply because it has been instituted, and the force of law derives from human and contingent artifice; thus, its universal claim is nothing but a form of violence. The background of Schreber's life and illness is therefore that of a generalized crisis of institutions linked to their evident lack of legitimacy or justification: it signals, in other words, a crisis of authority or — as Santner writes, drawing on the lexicon of the sociologist Pierre Bourdieu — a "crisis of investiture" (124). From this perspective, institutions, through their rites and procedures, should exert a symbolic power, an almost "magical" performative force through which, by naming an individual, they endow them with "a socially

343-356.

28 Walter Benjamin, "The Critique of Violence" (1921), trans. Edmund Jephcott, in *Reflections: Essays, Aphorisms, Autobiographical Writings*, ed. Peter Demetz (New York: Schocken, 1986), 277–300, 286.

intelligible status."[29] But if the authority that names is authorized by nothing, a sort of *semiotic blockage* occurs: as Michel de Certeau notes, the name "President Judge" with which Schreber is invested, is foreclosed and transforms into an empty space.[30]

And it is precisely in the face of this generalized crisis of institutions and investiture that the singularity of Schreber's case emerges. Instead of announcing the loss of all principles and values, the *Memoirs* keep open the possibility of repairing the Order of the World. Schreber's attempt to reconcile the relationship between God and humanity, and between the art of judgment and the capacity to end a crisis, is neither nihilistic nor takes refuge in the Enlightenment's ideal of human reason. Rather, we suggest that Schreber's text comes up with a unique solution that Deleuze, in *The Fold*, refers to as "baroque" and "mannerist." Indeed, although Deleuze's book does not explicitly mention Schreber's case, it defines the Baroque as "a psychotic episode":

> Before the world lost its principles […] a psychotic episode was necessary. A crisis and collapse of all theological Reason had to take place. That is where the Baroque assumes its position: Is there some way of saving the theological ideal at a moment when it is being contested on all sides, and when the world cannot stop accumulating its 'proofs' against it, ravages and miseries, at a time when the earth will soon shake and tremble? The Baroque solution is the following: we shall multiply principles — we can always slip a new one out from under our cuffs — and in this way we will change their use. We will not have to ask what available object corresponds to a given luminous principle, but what hidden principle responds to whatever object is given, that is to say, to this or that 'per-

29 Santner, *My Own Private Germany*, 144-145.
30 Michel de Certeau, "The Institution of Rot," in *Hetereologies: The Discourse on the Other*, trans. Brian Massumi (New York: SUNY Press, 1988), 35-46, 38.

plexing case.'[31]

The Baroque response to the crisis of the Order of the World is tied to the proliferation of principles. Rather than abandoning the possibility of judgment due to the absence of a solid, unifying principle to distinguish between right and wrong—or, conversely, relying solely on a judgment that subsumes the particular under the universal, as in Kant's concept of determinative judgment—the Baroque introduces an art of judgment. "A case being given, we shall invent its principle," so that "we witness the honeymoon of singularity and the concept" (*Fold* 67). This means continually attempting to *build new cases*: a task that radically changes the image of thought. Deleuze indeed writes that "the philosopher is still not the Inquisitor he will soon become with empiricism, and he is even less the Judge he will become with Kant (the tribunal of Reason). He is a Lawyer" (68). Schreber's *Memoirs*, in fact, serve precisely the function of building a legal case, preparing a defense, and justifying a request for freedom. This requires an art of judgment or, as Deleuze defines it, a kind of "jurisprudence," a capacity for "arranging cases" that becomes "a condition for the manifestation of reality" (21):

There results a collapse of the world; the lawyer has to rebuild

31 Gilles Deleuze, *The Fold: Leibniz and the Baroque*, trans. Tom Conley (London: The Athlone Press, 1993), 67. Subsequent references will appear parenthetically within the text as "*Fold*." When Deleuze writes that "the earth will soon shake and tremble," he is clearly referring to the earthquake that devastated the city of Lisbon in 1755 and that has been an important episode for the development of Leibniz's philosophy. It is also worth noting that in the *Memoirs* Schreber writes that during one of his "visions" he thought "the end of the world" was "imminent or already past," and that it came through "an earthquake." He adds: "In this connection I want to mention that I once received news that the great earthquake of Lisbon in the year 1755 had occurred in connection with a seer of spirits, similar to my own case," making therefore an explicit connection between his case and the crisis that occurred during the Baroque period (Schreber 93).

> it, exactly the same world. But on another stage and in respect to new principles capable of justifying it (whence jurisprudence). (68)

It is worth noting at the same time that for Deleuze, jurisprudence indicates the opposite operation compared to that of the Law. The latter, indeed, coincides with the promulgation of legal codes — just like the German Civil Code of 1896 — that classify [*classifier*] things based on what they already have in common. Jurisprudence, on the contrary, is aimed at the opposite operation: ordering [*classer*] things that, apparently, have nothing in common.[32] While *classification* is based on the principle of identity, the *ordering* of jurisprudence deals with creating "problematic cases," that is, "cases that don't fit within existing classifications" and require an unforeseen connection between a particular and a universal.[33] To this extent, creating a case means creating alternative modes of existence and composition. To succeed in this, Deleuze argues, it is necessary to make a "reflective" use of judgment (*Fold* 67-68): a term that refers to Kant's famous distinction between *determinative judgment* — theorized in the first *Critique* and based on subsuming the particular under one of the universal categories that Kant defines as *a priori*, i.e., already present in human reason — and *reflective judgment* discovered by Kant in the third *Critique* and linked to an aesthetic movement from the particular to a universal that, however, is not already given.[34] The universal, or the principle, must be invented each time.

32 The distinction between "classification" and "ordering" in relation to law and jurisprudence is elaborated by Deleuze in his Lecture on May 24th, 1983. "Seminar on Cinema: Classification of Signs and Time, 1982-1983: Lecture 21," trans. Graeme Thomson & Silvia Maglioni, May 24, 1983, digital transcript, "The Deleuze Seminars," https://deleuze.cla.purdue.edu/lecture/lecture-21-2/.
33 Ibid.
34 See also: Gilles Deleuze, "Seminar on Cinema and Thought, 1984-1985: Lecture 10," January 22, 1985, digital transcript, "The Deleuze Seminars," https://deleuze.cla.purdue.edu/lecture/lecture-10-6/.

Such a jurisprudential operation is precisely what characterizes the *Memoirs*. Schreber not only, as mentioned earlier, writes the book to prepare his defense before the Court, but he primarily constructs his case by making an aesthetic use of judgment. This is already evident from the title of the text, where he presents his case as that of a "nervous" patient. This expression found no correspondence in legal language at the time: while there were already clear legislative provisions regulating "mental illness" and imposing detention for those affected, Schreber finds a way to avoid subsuming his case into such a category. He invents a new one and writes over 300 pages of the *Memoirs*, wherein clearly emerges the urgency of narrating the singularity of his account with an abundance of details. It is interesting to note how the role of an antagonist in Schreber's story is played, as mentioned above, by Professor Flechsig, who devoted all of his studies — as he himself states — to the "localization of the crucial categories of Kant's transcendental idealism in the frontal lobe of the brain,"[35] that is, to finding out where the universal *a priori* categories necessary for producing determinative judgments could be located within the human brain. Schreber, against Flechsig, intends to assert an art of judgment that does not require pregiven universals, but rather a multiplicity of particulars from which to generate a multitude of new principles.

IV. Becoming Minor

This jurisprudential and baroque operation that invents a new principle for every case is clearly characterized by a form of excess. As Deleuze states, a "response to the world's misery is made through an excess of principles, a hubris of principles, and a hubris inherent to principles" (*Fold* 67). Indeed, when Schreber provides a justification

35 Zvi Lothane, *In Defense of Schreber: Soul Murder and Psychiatry* (London and New York: Routledge, 1992), 229.

for his ideas, he does not hesitate to repeat: "I could multiply the examples a hundred-or thousand-fold" (Schreber 193n90). A reflective and free use of judgment always appears *out of measure*: an excess that reflects the subject's inability to adapt to existing scales of measurement — of which justice, in Schreber's account, is obviously a powerful metaphor.

Schreber experiences this feeling out of measure as deficiency, or as a kind of shrinking; he is worrying about his "loss of weight" and becoming "smaller" as a result of the process of unmanning (45; 142). It is therefore a kind of *minor* excess, confirmed by the fact that Schreber — contrary to those interpretations of the *Memoirs* that read the text as an ominous harbinger of totalitarianism — never attempts to occupy a place of honor or command within the Order of the World that he strives to save. Faced with the empty space left by his title "President Judge," he does not imagine either recovering that investiture or replacing it with other, more prestigious positions. Indeed, the name by which God addresses him (the only time He appears to him) during his intense psychotic episode is instead an insulting one: "*Luder*," a term that can be translated not only as "wretch," but also "slut," "naughty thing," or "brat":[36]

> Also *what* was spoken did not sound friendly by any means: everything seemed calculated to instill fright and terror into me and the word "wretch" was frequently heard — an expression quite common in the basic language to denote a human being destined to be destroyed by God. (Schreber 131)

As de Certeau states, even though *Luder* is an aberrant name, at least it "assigns him a place," because the name always "performs" and Schreber "will incarnate his name by believing it."[37] Schreber indeed

36 We want to thank Christoph F. E. Holzhey, Marietta Kesting, and Claudia Peppel from ICI Berlin for highlighting the nuances and multiple possible translations of this word.
37 de Certeau, "The Institution of Rot," 39.

adds that his impression upon being called a wretch was "not one of alarm and fear, but largely one of admiration for the magnificent and the sublime," and the effect on his nerves was "beneficial despite the insults contained in some of the *words*" (Schreber 131). At least that was a sign that he had a place in the Order of the World, even if a minor and "rotten" one.[38] Indeed, Schreber's ambiguous relationship to being pronounced a wretch reflects his ambiguous relationship to God: on the one hand, the name is deployed by God to announce Schreber's destiny to be destroyed, which puts Schreber in the position of the object — the wretch — at the mercy of the Other's rule and enjoyment; and, on the other hand, the name testifies to God's magnificent capacity for creation.

Furthermore, not only does Schreber not occupy a position of command and authority in the Order of the World — as evidenced also by the fact that when he begins to perceive his becoming-woman, he finds it impossible to attribute this event to his own will (thus abandoning the paradigm of the sovereign subject who wants and decides) — but even God, as mentioned earlier, is not described as an omnipotent and infallible subject. While, for example, Antonin Artaud — the other author who, in the work of Deleuze and Guattari, embodies the anti-Oedipal figure of the schizo — assigns to God the role of a tyrant judge (one of Artaud's most famous writings is in fact titled *To Have Done with the Judgement of God*), Schreber instead complicates the relationship between God and mankind. Deleuze and Guattari point out that Schreber's God is not simply a will, not the transcendent law of the Father; in other words, He is not just the God of persecution, authority and command. On the contrary, He is at the center of a system of nerve-contacts through which He can transmit, infect, and radiate. According to Deleuze and Guattari, Schreber identifies God as "the master of the disjunctive syllogism . . . the principle . . . from which all secondary realities are derived by a process of

38 de Certeau suggests translating *Luder* as the "*rotten* person" ("The Institution of Rot," 36).

division."[39] In this regard, it is important to emphasize that

> hence the sole thing that is divine is the nature of an energy of disjunctions. Schreber's divine is inseparable from the disjunctions he employs to divide himself up into parts: earlier empires, later empires; later empires of a superior God, and those of an inferior God.[40]

The divine is represented as an energy that decomposes and recomposes, separates and brings together: God is a force of "*attraction and repulsion*."[41] He is neither an infallible nor an omniscient figure, especially when it comes to dealing with the affairs of living human beings; indeed, Schreber remarks that "*within the Order of the World, God did not really understand the living human being* and had no need to understand him, because, according to the Order of the World, He dealt only with corpses" (Schreber 62). The real danger to the Order of the World — as Schreber's experience proves — is posed by the excessive proximity of God, which risks transmitting a nerve-exciting force too powerful for a human body (that is why He dealt only with corpses: God Himself constantly runs the risk of being out of measure).

Indeed, as Daniela Gandorfer points out in her discussion of Schreber's case, "God interfering with the living . . . throws the world — its law of reason, its conception of reasonable law, of what is thinkable and thoughtful —into crisis."[42] However, in a footnote added to the *Memoirs* in November 1902 (i.e., around the time of his release from the asylum) Schreber includes a remark that testifies to the modification in his relationship to God and the crisis in divine realms: "God Himself was on my side in His fight against me"

39 Deleuze and Guattari, *Anti-Oedipus*, 13.
40 Ibid.
41 Ibid., 19.
42 Daniela Gandorfer, "Thoughts Worthy of Being Thought," in *Laws of Transgression*, 126.

(Schreber 68n35). As we noted earlier, at first, God's breach of the law of distance — which inaugurates Schreber's unmanning through permanent nerve-contact with his body — is primarily experienced by Schreber as abuse of the soul and destruction of the body. God is preying on Schreber's soul and body. In rupturing the Order of the World, this infringement forces Schreber into the position of both an object of violence and an accomplice in the destruction of all humankind, and is marked by the moment when Schreber is referred to by God as *Luder*. Later on, however, Schreber makes two following observations in relation to divine power, unmanning and femininity.

First, although God can temporarily step outside the Order of the World and thus "cause temporary damage," he cannot ultimately destroy it because he cannot "achieve what contradicts His own attributes and His powers" that the Order of the World rests upon (Schreber 66-67). This does not mean that the Order of the World is in the position of authority over God, which would imply a paternalistic relationship where God, after brief periods of rebellion, must eventually surrender to an agency even "higher" than him — something akin to what Lacan referred as "metalanguage" or the "Other of the Other."[43] Rather, this Order of the World — as the "lawful relation" between God and the world — is itself a construction woven from God's attributes and powers that are "essentially constructive in its nature, and creative (Schreber 67-68). Because this lawful relation is founded on the infinite movement of creation, it is indestructible. Indeed, the Order of the World contains within its very logic and structure a solution for suturing its wounds: "the remedy is *Eternity*" (41). As Schreber notes earlier in the *Memoirs*, approaching the truth

43 Ibid., 67. In his discussion of the Other as the locus of the signifier in *Écrits*, Lacan famously proclaimed that "there is no Other of the Other," after which he went on to add: "And when the Legislator (he who claims to lay down the Law) comes forward to make up for this, he does so as an impostor. But the Law itself is not an impostor, nor is he who authorizes his actions on its basis." Jacques Lacan, *Écrits*, trans. Bruce Fink (New York: W.W. Norton & Company, 2006), 813.

of eternity and creation — namely that there can be a "cause" which cannot be attributed to "a previous cause" as well as, relatedly, that divine creation is "out of the void" — falls out of human understanding and language (16-17). God's eternally *constructive*, *creative* power as a cause untraceable to a previous cause is precisely the reason why God, as remarked by Schreber in his footnote, is on Schreber's side even when he temporarily attempts to abuse and destroy him. This divine power is ultimately also not confined to God, but rather it spreads, radiates and infects, necessitating that Schreber himself mobilize God's attributes as a way of upholding a lawful relation of eternal creation.

Schreber's mobilization of these creative attributes is manifest not only in his broader project of writing the case with the aim of spreading and transmitting it to the wide circles of readers, including theologians and philosophers, but also in his descriptions of "picturing" and playing the piano (210). The former involves using human imagination to produce recollections as well as to create pictures of objects "not yet existing in the outer world," pictured out of the void (210). It is a form of aesthetic production that, as Fernanda Negrete observes, is a way of "altering reality based on an experience without preexistent referents."[44] Through the activity of picturing, Schreber represents himself in a different way than the rays would like to see, which brings him "consolation and comfort in the unending monotony" (211). For example, when he plays the piano, he is sometimes able to create a picture of a whole opera through picturing "the whole course of the action, the characters, the scenery, etc. — sometimes with surprising vividness" (212). Because playing the piano is invested with "the real feeling," it is capable of drowning "the nonsensical twaddle of the voices," and their attempts at "'representing'" Schreber

44 Fernanda Negrete, "The Aesthetic Pass' Beauty and the End of Analysis," in *Differences: A Journal of Feminist Cultural Studies* 33, nos. 2-3 (2022): 229. Drawing on Apollon's metapsychology and formulation of the aesthetic, Negrete discusses aesthetic production as "a practice of transforming the environment according to something that doesn't exist" (229).

in a false way (158). And furthermore, since playing the piano is one of the most effective ways of engaging in the "not-thinking-of-anything-thought," it not only helps Schreber to defend himself against the voices but also signals a new way of thinking (158). Indeed, Schreber's case is concerned with what and how to think when the law fails to offer protection, justification and shelter for one's desire, the body and thought. And, consequently, with how far one can go in one's experience of thought, desire and the body when the law can no longer circumscribe, judge and guard their limits. In *Denkwürdigkeiten* — literally translatable as "thoughts worthy of thinking" or "of being thought" — Schreber produces and theorizes thoughts that go beyond what Gandorfer has referred to as "a representational image of thought (and of law)" and simultaneously struggle against this image's continuous attempt to adjudicate on what is thinkable and to arrest thinking in "linguistic orders, empty phrases, clichés," and "structural formalism, linear causality, and predictability."[45] Schreber's not-thinking-of-anything-thought enabled through the aesthetic, musical experience brings to mind what Deleuze, in his discussion of Artaud, referred to as "thought without image."[46] For Deleuze, the task of thinking is not simply to oppose to "the dogmatic image of thought another image borrowed, for example, from schizophrenia," but rather to remember that "schizophrenia is not only a human fact but also a possibility for thought."[47] Even though Schreber's picturing is concerned with creating images, these images — to be worthy of thinking — must continuously go beyond attempts to arrest and freeze thought in a predetermined image, in order to open up thinking to a kind of thought that moves by not thinking of anything in particular. In this

45 Gandorfer, "Thoughts Worthy of Being Thought," 129-131.
46 In his comments on Artaud's "case," Deleuze writes: "His case brings him into contact with a generalised thought process which can no longer be covered by the reassuring dogmatic image but which, on the contrary, amounts to the complete destruction of that image." Gilles Deleuze, *Difference and Repetition* (New York: Columbia University Press, 1994), 147.
47 Ibid., 148

way, we could say that Schreber is preoccupied with creating a new image of thought. The possibility of a new way of thinking is linked to his experience of the feminine, which leads us to Schreber's second observation.

Indeed, as Schreber remarks later in the *Memoirs*, because of the fundamentally creative dimension of divine power, his unmanning as a result of God's violation of distance from the human can also serve a different aim than sexual abuse, destruction of bodily integrity, soul murder, and ultimately annihilation of the humankind. In the course of the *Memoirs*, Schreber begins to experience his unmanning as not only "in *consonance* with the Order of the World," but also as a possible "solution" that could be key to the renewal of humanity and reconstruction of the world necessitated by the crisis in God's realms (67). His body becomes "a zone of intensity"[48] open to crisscrossing by vectors, lines and flows. In *Anti-Oedipus*, Deleuze and Guattari use a counterintuitive image to describe Schreber's opening of the body to becoming: that of an egg. Here, they have in mind the work of Belgian embryologist Albert Dalcq,[49] who analyzed the egg before the formation of layers, describing it as a space traversed by different energetic mutations — to wit, by axes and vectors pushing in different directions. It is interesting to note how this image of the body without organs as an egg, i.e., an area where various forces of intensity pass through and exert themselves, seems particularly appropriate for describing the Schreberian bodily experience of unmanning linked to production of intense and often contrasting nervous states. As proof of singularity of Schreber's case, this experience does not seem to fit with the other anti-Oedipal figure mentioned in this paper, Artaud, who writes in one of his poems:

> Don't you know
> that the state of

48 Deleuze and Guattari, *Anti-Oedipus*, 19.
49 Albert Dalcq, *L'oeuf et son dynamisme organisateur* (Paris: Albin Michel, 1941), quoted in Deleuze and Guattari, *A Thousand Plateaus*, 531-532n7.

EGG
was the
anti-Artaud
state
par excellence[50]

The state, as Artaud makes clear in the poem's subsequent lines, is also the one that could poison him. While Artaud aims to construct a closed body capable of escaping the judgment of God (even if this will prove to be an impossible task), Schreber accepts both pleasure and suffering that the openness to transition and becoming entails.

Transformation into a woman becomes indeed "essential and curative" for Schreber's project and involves "fertilization by divine rays for the purpose of creating new human beings" (Schreber 164). After discovering the essential dimension of this transformation in the body, Schreber writes: "Since then I have wholeheartedly inscribed the cultivation of femininity on my banner" (164). Becoming-woman has important consequences for Schreber, discussed in the following passage: "The pursuit of my previous profession, which I loved wholeheartedly, every other aim of manly ambition, and every other use of my intellectual powers in the service of mankind, are now all closed to me through the way circumstances have developed" (165).

Schreber can no longer be a judge not only because, according to the nineteenth-century legal criteria, a judge could not be a woman. Rather, Schreber's encounter with femininity marks and exposes the limit of the judicial system when it comes to adjudicating on the experience of desire and the body. Schreber asks: "What can be more definite for a human being than what he has lived through and felt on his own body?" (142). Although the judiciary attempts to regulate and contain the human experience through norms that structure a social, moral and legal order, this effort is never fully effective. The unconscious desire cannot be controlled or mitigated through codifi-

50 Antonin Artaud, *Artaud the Mômo*, trans. Clayton Eshleman (Zurich and Berlin: Diaphanes, 2020).

cation, authorization, or prohibition.[51] And because the divine power rests on the principle of creation — out of the void, where a cause cannot be traced to a previous cause — God cannot be apprehended as a replica or a more effective instantiation of the judicial system. Moreover, it would also be a mistake to interpret Schreber's desire and experience of transformation into a woman solely in terms of gaining access to repressed homosexuality which Freud placed at the origin of psychotic delusion and which would imply that Schreber's becoming-woman happens for the purpose of sexual intercourse with God, who occupies the position of the father.[52] Furthermore, because God's power is infinitely constructive and creative, the experience of fertilization by divine rays does not turn Schreber's body simply into an instrument for biological and ideological reproduction that carries out a top-down program laid down by the paternal master to restore the socially authorized parameters of order and reality. Rather, we suggest that becoming-woman is linked here to the eternal process of creation for which there is no preexistent ideal or image. This process can be understood as a form of deterritorialization, which Deleuze and Guattari define in *A Thousand Plateaus* as "the movement by which 'one' leaves the territory" (508). Deterritorialization is inherently tied to becoming and disrupts dualistic subject positions—such as woman and man—that are culturally assigned. Schreber's becoming-woman,

51 Tracy McNulty suggests that the Oedipal model of prohibition, where the father occupies the role of an agent of prohibition, metaphorizes the impossibility of the drive to get its object. Conversely, femininity marks confrontation "not with the lack in drive—the impossibility of obtaining its object that the prohibition metaphorizes—but with an excess that is not anchored by any object, and that the law (and more broadly the signifier itself) is therefore unable to limit"; "the lack of lack, as it were." Tracy McNulty, *Wrestling with the Angel: Experiments in Symbolic Life* (New York: Columbia University Press, 2014), 58. For more on the relationship between femininity and the law, see Lucie Cantin, "Femininity: From Passion to an Ethics of the Impossible," *Topoi* 12 (1993).

52 Freud, "Psycho-Analytic Notes on an Autobiographical Account of a Case of Paranoia," *S.E.* 12.

therefore, instigates a "deterritorialization" of the primary coordinates of identity, language, thought, and even the case itself.[53]

Indeed, when Schreber writes the *Memoirs*, he creates the case as a production and theorization of an "enterprise" that — as emphasized by Apollon, who studied with Deleuze — specifically characterizes the experience and ethical project of psychosis concerned with repair of a "defect" in the Other.[54] Apollon notes: "The psychotic 'works,' and it is on this basis that we recognize his structure and distinguish it from that of the neurotic."[55] We argue that for Schreber, the anti-Oedipal coordinates of the enterprise, and consequently the workings and logics of the case, depend to a significant degree on, or even require, the shift in his relationship to God and femininity. As underlined by Tracy McNulty, Schreber's experience of "feminization of his own erogenous body" is an expression of "solidarity with the feminine" that for Apollon forms the core of the psychotic's experience.[56] The psychotic's project of repair and their solidarity with the

53 Importantly, in *A Thousand Plateaus*, all becomings necessarily begin with and need to pass through the stage of becoming-woman who through her placeholder status for negative difference is in a minoritarian position in relation to the majoritarian male subject who is the marker of being. Deleuze and Guattari suggest that in order to dissolve the myriad of violent gender dualisms that would release "a thousand tiny sexes" and bring into play "not only the man in the woman and the woman in the man, but the relation of each to the animal, the plant, etc.," (213) woman herself too must become-woman through unfastening from the norms constituting her fixed, unified, molar identity as man's subjugated minority.

54 Willy Apollon, Danielle Bergeron and Lucie Cantin, "The Treatment of Psychosis," 211.

55 Ibid.

56 Tracy McNulty, "The Traversal of the Fantasy as an Opening to Humanity," *Differences: A Journal of Feminist Cultural Studies* 33, nos. 2-3 (2022): 202. If for Deleuze and Guattari, becoming-woman has to do less with demanding recognition or a right to mobile, fluid identity and more with deterritorialization of the very parameters of identity, for Apollon, femininity — censored in the bodies of both men and women — concerns "something at work in the body that cannot be addressed to others" (McNulty 201). Thus,

feminine also forms the ethical foundation from which Apollon has rethought the stakes of transference and the psychoanalytic treatment. The analyst's goal should not be to expose the fallacy of psychotic's beliefs in order to make them abandon their desire to repair the defect in the world. Rather, it is about accompanying them on the path toward sharing this project of repair with others so that they no longer occupy the impossible position of sole responsibility for it.[57] Even though Schreber was never in an analysis, his project of writing the case and desire to make it available to others might be a way of not only sharing his discovery and unique solution to the defect in the world that he assumes sole responsibility for, but also a way of creating bonds with others, of reconstituting the social tie.

This case does not operate as the particular subsumed under a universal or as an example of a rule, but rather as the creation of a process that involves, impacts, or, in Schreber's words, radiates the social fabric far beyond the individual subject to whom it can be ascribed. We propose that Schreber holds an important place in *Anti-Oedipus* because he *feels*, *produces* and *theorizes* a minor case linked to a creation of a new image of thought and an art of judgement. This minor case poses a series of question. What happens to not only a clinical but also a legal case if we take into account the subject of the unconscious, desire and the body, and approach them as a process and creation? What can the psychotic tell us about the broader links between the case, the catastrophe and re-construction? And what would it mean for psychoanalysis and the law to place a case within a factory rather than a theater?

Reappraising Deleuze and Guattari's Anti-Oedipal program

it is at odds with cultural constructions of womanhood reinforced by culture for the sake of its survival and reproduction. As Schreber's case manifests, it also cannot be addressed to and validated by judicial discourse. For more on the question of femininity in Apollon, and Deleuze and Guattari, see Fernanda Negrete, *The Aesthetic Clinic: Feminine Sublimation in Contemporary Writing, Psychoanalysis, and Art* (Albany: SUNY Press, 2020).

57 Apollon, Bergeron and Cantin, "The Treatment of Psychosis."

via Schreber and his case seems timely in an era marked by an intensifying crisis of ideals, norms and frameworks which could accurately address, legitimize, and justify the subject's experience in the world.

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