A MINOR JURISPRUDENCE OF PLAY:  
BECOMING JURISPRUDENTS THROUGH PLAY IN THE MAJORA’S MASK  

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Abstract  A minor jurisprudence is a productive mode of encountering video games for the purpose of describing the jurisdictional techniques exemplified in them. To give effect to a minor jurisprudence in The Legend of Zelda: Majora’s Mask, the author argues that play must be seen as a critical component of finding and participating in the production of the space and time of jurisdiction: play underlies, mechanically and narratively, the production of Termina’s lawscape. A jurisprudential reading of play—particularly as the player-as-jurisprudent participates in the production of Termina’s lawscape—is made possible through the game’s virtuality and dimensionality (time, persona and movement). The chapter concludes by situating this intervention in legal theory to help characterise a minor jurisprudence of play—aesthetically, representationally and materially—as world-making. (124 words)  

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Abstract A minor jurisprudence is a productive mode of encountering video games for the purpose of describing the jurisdictional techniques exemplified in them. To give effect to a minor jurisprudence in The Legend of Zelda: Majora’s Mask, the author argues that play must be seen as a critical component of finding and participating in the production of the space and time of jurisdiction: play underlies, mechanically and narratively, the production of Termina’s lawscape. A jurisprudential reading of play—particularly as the player-as-jurisprudent participates in the production of Termina’s lawscape—is made possible through the game’s virtuality and dimensionality (time, persona and movement). The chapter concludes by situating this intervention in legal theory to help characterise a minor jurisprudence of play—aesthetically, representationally and materially—as world-making. (124 words)

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INTRODUCTION

Even without naming a law or legal system, a player in a video game may encounter characters and environments in a ‘lawful’ manner. By lawful, I mean the player’s movements in the game coincide with—indeed, are expressive of—modes, grammars or idioms that authorise ways of relating to others; the products of a constellation of materials and affects that make up jurisdiction.¹ These movements are produced in and expressed through play, tethering jurisdiction and play or playfulness. Shaunnagh Dorsett and Shaun McVeigh refer to ‘lawfulness’ as ‘what it means to belong to, and to live with, law […] [which] is a material practice concerned with how we inhabit the world.’² Similarly here, lawfulness is a matter of inhabiting, of ordering, of belonging in a world, even if it is principally expressed immanently through the movements of play.

Jurisprudents like Andreas Philippopoulos-Mihalopoulos,³ Olivia Barr,⁴ Victoria Brooks,⁵ among others,⁶ have argued that through movement, bodies and environs cleave up, hierarchize and order social space—giving rise to, what Philippopoulos-Mihalopoulos refers to as, the logos of jurisdiction or lawscape.⁷ Such jurisprudents also argue that the distribution and movement of bodies and environs through the threshold of these striations stage, potentiate change in, and give meaning to, legal space—a lawscape’s nomos.⁸ Taken together, the lawscape is an expanse of norms and meanings that circumambulate, fuse with, and transform material space.⁹ The lawscape becomes what bodies breathe, what bodies secrete and leave behind, what are constantly re-formed through bodily effects. These bodies are not necessarily human nor are they necessarily corporeal; as Gilles Deleuze wrote, ‘a body can be anything: it can be an animal, a body of sounds, a mind or idea; it can be a linguistic corpus, a social body, a collectivity.’¹⁰ For Philippopoulos-Mihalopoulos, ‘[w]hat connects these bodies is matter;’ ‘[i]n its movement, matter is generative of both order and chaos.’¹¹ The lawscape is composed of order, in the sense of authorising certain ‘distances and propinquiries between bodies,’¹² and chaos, in that the lawscape inheres bodies’ inexhaustible, antinomian tendencies to become otherwise through the movement of their constituent matter.¹³
In other words, the lawscape is atmosphere that is material in its physical (including corporeal or ecological) expression, and immaterial in that the lawscape always exceeds itself, extending virtually in the becoming of something else. As atmosphere, the lawscape individuates and dissimulates in an unending process of world-making, depending upon the conditions of its provisional formation, that cannot be accounted for by legal doctrines or codices. But video games suggest a different constellation of movements through the act of play or playing, which indicates not only the potential for a jurisprudence of play with respect of video games but also that play contributes to the production of jurisdiction and legal meaning, generally.

For this chapter, I focus on The Legend of Zelda: Majora’s Mask (the “Majora’s Mask”)—originally released for the Nintendo 64 console in 2000 and re-mastered for the Nintendo 3DS handheld console in 2015—as my case study. The Majora’s Mask is a single-player, three-dimensional action-adventure game set in the realm of Termina. The player plays as Link. Like the player, Link is not from Termina. Link was coaxed into this alternate world by an imp named ‘Skull Kid’ whilst wandering the Lost Woods, taking Link from his homeland of Hyrule. In Termina, Link encounters people whose lives are threatened by the moon hurtling toward them under the Skull Kid’s spell—a power obtained by the Skull Kid through a mask—the Majora’s Mask—that he now wears. Unless Link acts, the moon will collide with Termina on the day of the Carnival of Time, which occurs three days hence from Link’s arrival. The game involves Link’s search for four giants who can stop the moon’s descent and prevent annihilation, a campaign that requires Link to: traverse the overworld of Termina (an environment that connects all other areas and allows multidirectional movement), resolve certain challenges experienced by denizens of Termina, complete puzzles to advance through four dungeons, and engage in battle with monsters, among other responsibilities.

This is a jurisprudential intervention in a varied and expansive scholarly space that has theorised play. I argue that play underlies the production of Termina’s lawscape, which orders, authorises and gives meaning to Link’s relations with denizens and environs of Termina. A jurisprudential reading of play is made possible through the game’s virtuality and dimensionality, which contribute to but are not exhausted by narrative. I argue that ‘formal qualities’ of the game itself, such as the ‘nonrepresentation, affect and movement’ constitutive of or constituted in play, condition lawful productions. Although I do not mean to prioritise narrative or representation, this involves looking at how formal qualities ‘authorise’, select or otherwise make possible certain narratives. Specific to the Majora’s Mask, a jurisprudence of play emerges in the game’s virtuality and dimensionality through time, persona and movement in terms of their expression in the game’s formal or technical qualities; Majora’s Mask is replete with experiences of play, in that it conditions dynamic, searching and world-making actions.

The chapter assumes the following structure. First, I shall describe playing a video game as ‘a minor legal literature’ or ‘minor jurisprudence,’ which requires the jurisprudent to encounter the game under study in a way that gives expression to marginal meanings and effects, away from a majoritarian, often transcendentally imposed genre or disciplinary understanding. The game under study can be understood here as the assemblage of code, texts, bodies, materials, sound, music, etc. that fold in together to constitute the game as a minor literature. The second section shall introduce the concept of the player-as-jurisprudent, which includes the assemblage of comportments, orientations and other movements that allow the player to encounter and sense the lawful in the game. The third section shall describe formal qualities of the Majora’s Mask, and the game’s narrative, which, when encountered through play, constitute the game’s lawscape. Fourth, and finally, I shall conclude the chapter by situating this intervention in legal theory to help characterise a minor jurisprudence of play—aesthetically, representationally and materially—as world-making.
The notion of minority, as taken from Gilles Deleuze and Félix Guattari,\(^\text{21}\) implicates an ethico-political mode or positioning through which one encounters meanings buried or dissimulated in social phenomena; minority requires an actor to pull a muffled essence—or perhaps more accurately, a quelled possibility—out from under a dominant reading to a text or an institution, or some other sovereign set of affects, allowing the minor to take flight. This mode also insists upon the significance of those lines of flight otherwise denied, sensing how these minorities, although their content is always ephemeral and transforming, are taken up and come to matter in social life. The emancipated minor can potentiate new polities—deliberately and incidentally—in action, as we are affected by, and in turn mediate, the aesthetic, representational and material effects of the minor’s lines of flight. Deleuze and Guattari argue that the minor is rhizomatic, in that it constantly becomes some-thing, some-one and somewhere else, defying the imposition of organisation; the minor is in a constant condition of becoming, defying the state of a body as a closed, hierarchized organism and yet necessary for the possibility of the social organisation of life.

Thinking through jurisprudence, the notion of minority implicates a mode of being with law and legal meaning.\(^\text{22}\) In particular, minor jurisprudence resists jurisprudence and philosophy of law as those are predominantly practised, in the sense that sensed jurisprudential minorities defy or exceed the latter’s often transcendental, universal or sovereign legal concepts. In some ways, minor jurisprudents attend to the plural and unnoticed expressions of law in a manner that might recall, for some, the sociolegal insights of Eugen Ehrlich in his 1936 text, *Fundamental Principles of the Sociology of Law*. Ehrlich described ‘living law’ as cultural sediment, emerging reflexively in social encounters, undergirding and exceeding the statutes and legal doctrine ordinarily studied by jurisprudence.\(^\text{23}\) Similarly, there are a panoply of legal minorities capable of sensation and description that belie the dominance of state legal doctrine and yet, nonetheless, mediate legal relations. These minorities are necessary for, and can be said to relate formatively to, dominant legal orders and meanings.\(^\text{24}\) For example, Olivia Barr, Andreas Philippopoulos-Mihalopoulos and Edward Mussawir all describe, albeit in different keys, the material and immaterial effects of movement as law’s minority.

Barr attends specifically to the itinerant office of the jurist. She argues that a jurisprudent must attend to characteristics of office—such as the office of the lawyer, judge, jurisprudent or even coroner—\(^\text{25}\)—to identify, describe and analyse the formation of jurisdiction in the common law.\(^\text{26}\) The office does not refer, plainly, to the bespoke, wood-panelled workspaces of jurists at universities, inns of court or law firms; although, it could implicate movements within and of these spaces as well.\(^\text{27}\) Rather, Barr treats the office as an institutionalised expression, or genre, of engaging, writing and thinking through law.\(^\text{28}\) In other words, the office is techne—a jurisdictional technique or, rather a bundle of techniques, as Dorsett and McVeigh put it—\(^\text{29}\)—creating and refining conditions for the common law’s jurisdiction.\(^\text{30}\) The offices of each vary in their particular jurisdictional techniques and the objects of their legal action but are all implicated in the iterative making and remaking of the common law. For Barr, common to each office is the materiality of movement, especially walking, which she argues is involved in inheriting, carrying and spreading legal normativity. Movements, particularly the movements of office, are the common law’s minority, in that their material and immaterial effects are silenced in the learning, analysis and application of legal doctrine.

Philippopoulos-Mihalopoulos argues that all bodies and environs lawscape through movement. Lawful relations are produced from encounters between bodies that co-exist, and collide, with one another; these encounters instantiate affective orders that hold bodies together, apart and together again in a manner that matters to us, and that we might recognise as law
and through legal meaning. Like Barr, Philippopoulos-Mihalopoulos attends to the material and immaterial effects of movements. But Philippopoulos-Mihalopoulos locates the lawful beyond office, allowing jurisprudential expressions to be sensed at a variety of sites at varying degrees of remove from human agents. He calls for jurisprudents to sense the material and immaterial forms of jurisdiction that are rendered in social space through human as well as beyond-human affects. In other words, the jurisprudent must treat jurisdiction as incidental to the movements of texts, objects, feelings, materials, tissues, molecules, etc. that come together and matter in how they affect one another, even apart from human activity. This atmospheric excess to law—affective forces consolidating, albeit always provisionally, as jurisdictional techniques—are the minority of Philippopoulos-Mihalopoulos’ jurisprudence; spatial and material effects of law that are necessary to, but often denied, in our apprehension of it.

With greater relevance to the media of video games, Mussawir, thinking with Deleuze’s *Cinema 1: The Movement-Image* and *Cinema 2: The Time-Image*, argues that cinema’s ‘three principal concepts’ of frame, shot and montage are jurisprudential in character, instituting not only movements between images but also the conditions that authorise certain actions or understandings through film. Mussawir thereby refracts the mechanics of filmmaking through a minor jurisprudence attentive to the formation of lawful relations ‘between bodies and sets’ through the ‘interplay of images’ in duration or across intervals. For example, montage—the ‘automatic progression or succession of images by means of continuities or false continuities’—itself articulates a certain kind of rationality that denies the need for a subject to interpret it. Films are thereby capable of producing regularised, or legal, senses or sensations, apart from and before the consciousness of an audience; films’ images mediate or produce movements between bodies—within and between images, the audience and the broader context—necessary to affect the spectator, ‘instit[ing] […] life’ as desire, feelings and narrative, much like law would, through their expression in movement. Put in other words, movements between bodies and environs are produced mechanically through the particular arrangement of images—even before the ascription of narrative or representation, before an event of interpretation and its registration in consciousness—which regularise through techniques of frame, shot and montage, certain affects.

Film and video games are undoubtedly distinct; but minor jurisprudences from Barr to Philippopoulos-Mihalopoulos to Mussawir demonstrate the potential to productively encounter video games through a minor jurisprudence. In doing so, a jurisprudent could give voice to a legal minority in their attention to movements produced through, and in, a video game. In the next section, I attempt to realise that potential through *Majora’s Mask*; I attempt to realise the potential for the jurisprudent to identify, describe and participate in the production of lawful relations between bodies and environs that exist mechanically and narratively in the game, like one would with literature or film. I understand the lawful as conditions or competences that mediate how bodies and environs in a video game relate to one another, which reflect and give effect to modes of relating that accord with what jurisdictions authorise, making possible progression within the game. In the case of *Majora’s Mask*, I argue that the jurisprudent should attend specifically to movements constituted in play to sense the legal minorities endemic to the game, since it is only through play that these jurisprudential expressions become possible and legible. I now turn to demonstrating that minor jurisprudence of play, first, through the concept of *players-as-jurisprudents* and, second, through mechanics of play that give rise to this legal minority.
PLAYERS-AS-JURISPRUDENTS

Play has been considered in jurisprudence or sociolegal theories through theatre and performance as well as games. For example, Nicole Rogers, drawing on Margaret Davies, describes law as a generative performance that ‘must be re-read, re-created or re-constructed for each new set of circumstances.’ This invites the legal actor to engage in the transformative, improvisational space of play to give effect to their legal performance. Davina Cooper theorises states as engaged in play to conceptualise the attachments and dis-attachments between states and rights-claiming subjects. Specifically, Cooper writes that play is ‘both a quality and a kind of activity involving creative, satisfying, open-ended and willing interactions between bodies, things and spaces.’

Attending to play focusses Cooper on the feeling- and otherwise affective-relations between subjects, and subjects and states, which emerged whilst jostling for certain entitlements. Giorgio Agamben—in his reading of Walter Benjamin’s and Carl Schmitt’s thinking on violence and law—analogises play to action that is prior and external to law, liberating life from what is ‘appropriated or made juridical.’ In contrast to law’s practice or ‘application’, Agamben sees playing with law as unconcerned with law’s original meaning or canonical use, like how ‘children play with disused objects,’ moving toward some horizon through which justice is possible. Duncan Kennedy has also described law as akin to the play and learning of children, with reference to Jean Piaget, in that law is a system that ‘is not merely cognitive open—it can “assimilate” a “new” narrative by adjusting its categories, and also “accommodate” by modifying its outputs or responses to given input or stimulus.

Video games have inspired further consideration of law’s relation to play or playing, but these interventions are limited for my purposes, in that law is principally discussed as metaphor, representation or allegory inserted into the game, or, in the alternative, as a social effect of the game. Play has also been distinguished by some from law as a different category of rules, entirely, even whilst acknowledging the importance of play to forming social life. In each of these examples, play has or could obtain some formative relation to law or legal meaning, but the specificity of what play does, materially and virtually, are left unaccounted, particularly in language amenable to a jurisprudence of jurisdiction sought here. In contrast to these accounts, I hope to show, by treating the Majora’s Mask as a minor legal literature, that play relates to law immanently in the expression of certain jurisdictional techniques and is thereby an ontological attribute of the lawscape.

Johan Huizinga provided a helpful intervention in chapter four of his 1938 monograph, Homo Ludens: A Study of the Play-Element in Culture. His relation of play to law privileges the spectacle and gamification of the court room and law undoubtedly, as sociolegal theorists will remind us, exceeds the court room. But his consideration of play’s relation to ritual takes us somewhat closer to understanding how play might relate to law and legal relations in social context. He is a good starting point for such a minor jurisprudence in that he argued that play was immanent to culture, and by consequence constitutive of social norms and rituals. In other words, comparing this ‘play-element of culture’ to activities engaged in sport, Huizinga argued that individuals established the jurisdictional space of culture through the act of playing, through which certain acts, roles and interpretations became available and meaningful to participants and spectators in a certain place and time. This could be demarcated through lines, the colour and size of objects and the orientation of bodies to the ground and others, among other materials, staging ways of behaving in the space-time of the game.

Corné du Plessis revisits Huizinga’s insights on play through the prism of Deleuze and Guattari to describe play as dynamic movement. In particular, Du Plessis argues that movements constitutive of play are ‘creative, labile and transformative in character’, emerging from an assemblage of bodies and environs that, taken together, propel forces that subsist in
play. Considering the consciousness of the player as an enfolding of such an assemblage—a pinched extension of the assemblage of bodies and environs tethered in play—Du Plessis argues that the player entails:

[…] openness and sensitivity to the feedback produced by the different components in the field of problems [encountered and perceived through play]. […] Once the assemblage is experienced as a field of problems, there is a narrowing of attention in consciousness, which leads to a heightened sensitivity to the constant feedback generated by the components of the assemblage. […] The play sensibility renders the player open or sensitive to the various signs emitted by the components, or stating it differently, through the play sensibility, the player enters an apprenticeship to signs.\textsuperscript{50}

Having regard to this, if the dynamism of movement is implicated in play as Du Plessis argues, and movement is understood, as with Barr, Philippopoulou-Mihalopoulou and others, to give rise to legality or legal meaning, then it might be said that play can give rise to law, or at least certain expressions of law. Indeed, it should be possible to theorise that play, like any movement of lawscaping bodies, mediate the production of affective atmospheres or lawscape.

Atmospheres defined by a playful mode of existence, or in which the movements of humans and non-humans are expressed through the ‘aesthetic’ or ‘the sensorial and emotional’\textsuperscript{51} aspects of play, would authorise ways of relating to others—the basis of jurisdiction. To render playful atmospheres sensible—either in learning to participate for the first time, or to make conscious those conditions one takes for granted—the jurisprudent of play must search forensically—awkwardly at first, but eventually, ideally, with consonant flow—for the rhythms, the ‘to-and-fro movement,’\textsuperscript{52} of play through the act of playing itself, like Henri Lefebvre’s rhythmianalist\textsuperscript{53} or Erin Manning’s dancer.\textsuperscript{54} The jurisprudent must strive to sense those rhythms external to their body by unifying with them, allowing the incipiency of their movement to entangle in encounter with others in play, ‘enter[ing] an apprenticeship to’\textsuperscript{55} the affects of a given lawscape.

This player-as-jurisprudent, or jurisprudent-as-player, is salient in \textit{Majora’s Mask}. The player-as-jurisprudent plays with time and persona, using music and masks to bend and transform their environs and Link, himself, allowing new agencies, passages and situations to emerge in performance. There are twelve songs that Link can perform. Notably, Link can play the Song of Time to return to the first of three days comprising the game, avoiding the cataclysmal event of the moon colliding fatally with the world of Termina at the end of the third day; Link can play the Song of Double Time to jump forward in time; Link can play the Inverted Song of Time to slow time, and the movements of others, until time is reset. Beyond playing with time, musical performances can have other effects, including spatial ones: for example, the Elegy of Emptiness incorporates up to four statues of Link, whose strategic placement can depress switches, activating environs like doors or bridges whilst allowing Link, himself, to move; playing Epona’s Song in the overworld of Termina summons a horse, whom can be ridden to move with haste or leap over walls; and playing the Song of Soaring, no matter Link’s location, transports Link over great distances to any Owl Statue he has previously visited across Termina.

Link can collect and equip twenty-four masks in total, each with transformative effects. The masks are primarily given to Link as rewards, but some masks are discovered in chests, or purchased, exchanged or gifted. Four masks are left behind by tormented spirits, who Link shepherds to the afterlife or otherwise mollifies by performing the Song of Healing. Four masks transform Link entirely, assuming a different, special form with distinct abilities: the Goron Mask transforms Link into a lumbering, fire-resistant Goron; the Zora Mask transforms Link into an agile, swimming Zora; the Deku Mask transforms Link into a flighty, lightweight Deku Scrub; or
the Fierce Deity’s Mask transforms Link into a knight bestowed with immense strength at fighting. The other twenty masks have different, albeit more limited effects, like the Bunny Hood that confers Link with greater running speed, the Postman’s Hat that authorises Link to look into mailboxes and the Mask of Truth that enables Link to hear the thoughts of animals and certain stones.

Upon finding a mask, or learning a song, the player is presented with a brief description—for example, Kafei’s Mask includes the description, ‘A mask that lets you inquire about the location of a certain missing person named Kafei’—but Link is left to discover how and where the mask or song will have an effect. To make use of these effects, the player must learn to move with others in space and time within the video game. The player-as-jurisprudent identifies through play the rhythms by which non-player characters interact with each other and the environment of Termina over a three-day period and, through use of the controller, moves the protagonist, Link, to coincide with and encounter, productively, those rhythms. Training in this minor jurisprudence is obtained, in part, from wandering Clock Town and later, other regions of Termina; in other words, by playing: by running, climbing, listening, rotating (i.e. the camera, Link), donning and doffing masks, among other things.

Take, for example, the task of reuniting Kafei and Anju. The task begins when Link wanders into the official residence of the Mayor of Clock Town and speaks with Madame Aroma, ‘Postmaster of Clock Town’ and wife of the mayor. Link speaks to Madame Aroma by coincidence, as the player explores, aimlessly, the streets and buildings of Clock Town. The player can find Madame Aroma, and speak to her about her son, Kafei, between 10 AM and 12 PM on the first and second day. She asks Link to find Kafei, who has gone missing and Link is given a mask that resembles the lost son to aid in that search. The player can have Link wear the mask and begin to approach other denizens of Clock Town, enabling Link to inquire as to Kafei’s whereabouts. Speaking with Anju in the Stock Pot Inn without the mask starts a conversation about reserving a room; if Link speaks to her before 2:30 PM on the first day whilst wearing Kafei’s mask, she notes she waits every day, starting at 12:00 PM, for a letter from the postman. Between 2:10 and 2:30 PM, the postman arrives and delivers a letter. If Link speaks with Anju again while wearing the mask, she will request they meet in the kitchen of the Stock Pot Inn at 11:30 PM that evening.

The remainder of the task spans the entire three days and will require Link to turn back time at least two times if the player wants to see the task completed in full. To advance in this task, Link must encounter a variety of Clock Town denizens in certain places and at certain times of day, while wearing the appropriate mask (or not wearing a mask at all). Non-player characters, like Anju, will provide information that the player can act upon (such as her directions to meet up in the kitchen at 11:30 PM, or to deliver a letter and follow the postman until he perfects the delivery); but, the rule-conditions are often ambiguous, requiring the player to run around, moving Link and the camera to-and-fro, experimenting within and with the game’s environment to find affordances or conditions for a desired performance. Twirling, climbing and looking about in East Clock Town helps me find and encounter a flower that, as a Deku Scrub, Link can use to take flight and access the inn afterhours through a window; or slowing time down allows Link to keep up with the high-speed postman as he darts across Clock Town. This can require the player—particularly a player still grappling with the rhythm of Clock Town—to turn back time often, since certain actions may foreclose an event in the future or depend upon certain conditions unavailable to Link at a particular point in time.

Clock Town appears then to the player in the absence or silence of law, at least initially. There are no statutes, or case decisions or by-laws, in the sense of legal systems we might ordinarily encounter. There are no lawyers, administrators or law enforcement, apart from the mayor, city guards and postmaster and the latter do not explicitly reference legal codes or
obligations. Clock Town appears almost rule-less, with characters moving about and behaving free of, or at least without obvious regard to, law; but this is just that: an appearance. Acts of play allow the player to sense, and make some sense of, the actual regime of rules through which characters and environs of Termina behave, which is otherwise invisible. This regime is dissimulated from view, at first, like any lawscape, but the player comes up against fault-lines borne from Link’s movements and the movements of non-player characters and environs. Eventually the player’s dynamic movements will coincide with these rhythms, ‘enter[ing] into composition’ with other characters or environs, until the duration of that movement ends and the next movement begins. Such compositions authorise certain virtual effects, like donning the correct mask at the correct time for the correct person, or playing the correct song in the correct place wearing the correct mask. Certain techniques—like diarising non-player characters’ schedules in a notebook received from the Bombers’ Secret Society of Justice or following one of Tingle’s maps—facilitate the player in this task, allowing the player to adapt their playful movements in their encounters. But the presence of these techniques—allowing abstraction and planning and purposeful movements—do not overtake the ubiquity of play; indeed, it might be said such techniques complement and augment conditions of play.

VIRTUALITY AND DIMENSIONALITY

1. MECHANICS OF...

The player-as-jurisprudent, and the lawscaping capacities of play, are preceded by the game’s virtuality and dimensionality. By virtuality, I mean that movement within the game is always, already mediated through ‘concrete abstractions’—or the effects of ‘atmospheric engineering’ as Philippopoulos-Mihalopoulos refers to it—which condition the composition of bodies and environs into larger ecologies or their decomposition. Instances of atmospheric engineering compose or decompose affective ecologies, allowing bodies and environs to come apart, come together and undergo constant transformation. For example, virtuality allows Link to play the Song of Soaring to teleport to an owl statue in the Zora Cape, or to play the Song of Time to return to day one whilst retaining the hookshot or fire arrow in his inventory. Virtuality is essential for the dynamism of play, as it is what enables play to be, as Du Plessis describes it, ‘creative, labile and transformative in character.’ This virtuality is a consequence of, and regularised by, the molar structure of the game’s code, which engineers conditions that allow for the repetition of compositions and decompositions of bodies and environs within the game. But, as will be explained further below, virtuality—and the lawscaping possible within the Majora’s Mask—exceeds the game’s code.

Dimensionality is also implicated in play’s lawscaping effects. Both virtuality and dimensionality depend on the Spinozan logic of affect, as developed by Deleuze and Guattari and thought with in law and theory by Philippopoulos-Mihalopoulos, and others. But, whilst virtuality refers to a transformative incipiency of movement (the process of becoming in movement), dimensionality refers to the actualisation of movement’s affective forces (the displacement of bodies and environs in movement). Dimensionality is the momentary end to the duration of movement; the end that is not really an end, but more of a pause, a break or a breather, before the body’s movement continues. It is a cut, to borrow from Anna Grear, imperfect, approximate and never really free of movement, but nonetheless a point by which the virtuality of movement comes to take on meaning relative to bodies and environs implicated in it. Put in other words, dimensionality is the spatio-temporality of movement, from the vantage point of a body’s displacement, such as the passing or end of time, or the change of place, which open space for interpretation. In the Majora’s Mask,
dimensionality allows for interpretations of progression, including the settling of conflicts, which makes it possible to find and identify ways of moving within the game lawfully.

Virtuality and dimensionality are formal mechanics of play in the Majora’s Mask, which—having regard to the media by which virtuality and dimensionality are engineered—undoubtedly depend on the presence of the game’s code. The game’s code regularises the virtual capacities of the player’s movements, such as allowing the player to run, somersault, swing a sword, shoot an arrow, etc. throughout Termina, but also in establishing a regime of rules that determine when a non-player character moves and when, how and to what mask they respond and the consequences of encounters between the player and these characters. Code also establishes—aesthetically, representationally and materially—the interpretive tools to encounter and interpret movements in the game as meaningful play. In other words, code not only allows bodies and environs to affect each other and “enter into compositions” that can be played with, but code also allows the player, non-player characters and environs to encounter and, potentially, interpret these compositions according to a regime of rules, idioms and narratives immanent to the game.

For example, Lulu will not acknowledge Link unless the player recomposes Link by wearing the Zora Mask. Lulu regains her voice and sings if Link, wearing the Zora Mask, plays the New Wave Bossa Nova in front of her. Hearing Lulu’s voice transforms a nearby island into a giant sea turtle, who offers to bring Link to a temple to fight a curse cast by the Majora’s Mask. Meanwhile, a clock on the bottom of the screen reminds the player that it is the third day and the moon’s collision is near. These movements are potentiated, and actualised, through the virtuality and dimensionality of the game’s code, authorising the player to encounter other bodies and environs in the game so to meet well with the rule-conditions they move through. Without virtuality, the player could not affect Lulu or the island productively, nor could the player avoid the game’s end wrought by the moon; without dimensionality, the player could not make sense of their effects on other characters or environs, or their effects on the player, leaving Link’s movements shorn of responsibility, meaning or value.

One might be tempted into thinking the regimes of rules—the lawful affordances of play—appear to the player through the virtuality and dimensionality of code, but I must go farther: the lawful both precedes the player and is constituted by them in play. The code can be said to establish molar movements of gameplay that ‘enter into compositions’ with the player, effecting certain capacities in the game. But the code does not completely define the molecular movements a player can engage in within the game; indeed, as Colin Cremin argues, ‘the molecular [in the game] can only be defined by a series of affects or intensities, speeds and slowness, of “stompiness,” [in the case of playing as the Goron], “slideiness,” and so forth,’ which are affected by and yet exceed the molar structure of the game’s code. No less mechanically, the game’s non-linearity and ambiguity requires the player to compose and decompose with the code through the dynamism of play to give effect to lawful conditions, lawscaping byte by byte, note by note, leap by leap, etc. Even where a player follows the rules and procedures set out in a walkthrough, such as Nintendo’s Player Guide, such a gloss cannot replace the aesthetic task of play encountered in the player’s movements, nor can a walkthrough replace the necessity of play’s dynamic movements. Virtuality and dimensionality of the game’s code allows for dynamic, molecular movements in play. Such movements are necessary for the player to encounter, sense, and, indeed, give effect to the regime of rules that enable and order movements underlying game progression.
2. A MINOR NARRATIVE OF...

The formal qualities or mechanics of a game underlie a jurisprudence of play. In the case of the *Majora’s Mask*, these formal qualities can condition narrative which adds to the lawful qualities of play. In particular, the dimensionality of the player-as-jurisprudent’s movements may be augmented through narrative, the latter of which itself depends, in part, on virtuality and dimensionality for its existence. In other words, narrative is mediated by the very same mechanics noted above, which lends to a jurisprudential experience of the game in that movements obtain additional, lawful meaning through their composition in narrative. Narrative facilitates jurisdiction in the sense of authorising, ordering and making sense of movements constituted in play; narrative is one of the world-making possibilities of jurisdiction.

Thinking with Deleuze and Guattari, I consider narrative as the effect of ‘[an] assemblage […] of a collective enunciation,’ which relies on the formal qualities of that assemblage for its expression of intensities (between bodies and environs) that can resist and exceed majoritarian representation. With reference to the game’s mechanics, the relation of narrative to play is apparent in the capacity to play, and importance of playing, with time. The repetition of movements through time allows Link to meet the needs and desires of others, whilst repeatedly averting the cataclysm of the moon clashing with Termina. This is facilitated by the transformative effects of masks that, when donned or doffed, authorise certain relations, certain outcomes, certain possibilities that would otherwise be foreclosed to Link. Playing thereby enables Link to advance the game’s narrative in ways that would otherwise be impossible. Even when Link dies in combat or from a wayward fall, Link’s capacity to participate in the production of narrative resumes from the last door or entrance Link entered, allowing infinitely repeated attempts. In making these infinitely repeated attempts, the player-as-jurisprudent partakes in the production of narrative through the repetition of movement, which defies the mischief of the Majora’s Mask, the Skull Kid and the monsters who conspire to establish a counter-narrative of destruction.

Further, narrative in the *Majora’s Mask* generally does not attempt to re-territorialise or ossify meaning in a majoritarian representation, even if the game’s story reaches an ostensible end. The narrative is open to, indeed relishes in, its porosity to the fantastic, the phantasmal and bizarre that animates the minor. The player-as-jurisprudent can experience Termina as made-up or the consequence of mere play between Link and the Skull Kid. This is first suggested in the opening scene of the game as Link falls into Termina, coaxed into this alternate space by the Skull Kid whilst wandering the Lost Woods. Elsewhere in the game, fairies and some stones frame the Skull Kid as a lonely and rebuffed child, who just wanted to play. Once Link defies the everyday experience of Clock Town and climbs atop the moon in the final hours of the third day, the theme of play is front-and-centre. Link can share masks with, and complete procedural puzzles created by, children who want to play. The act of playing with these children requires the player to draw on Link’s virtual capacities to resolve these procedural quagmires and perfect the exchange of masks. Furthermore, these playdates take place alongside the children’s musings on ethics, collapsing any thematic distinction between play and the lawful. A fifth child sits apart from the other children and, when encountered, invites Link to play ‘good guys versus bad guys.’ Upon accepting the child’s invitation, combat ensues against the Majora’s Mask itself, which transports Link onto another, dizzying and colourful plane that assumes the form of a battlefield.

After Link defeats the mask’s sentient incarnation, returning it to its inanimate form, the moon returns to the sky and Link happens upon the Skull Kid back on Termina. The Skull Kid is remorseful but is quickly overcome with the realisation that the giants and Link remain his friends and want to play with him. Following a cut scene that comprises the closing credits—
brimming with jubilance as Termina’s denizens celebrate carnival—the Majora’s Mask closes with Termina fading to black and a shot of Link riding his horse by a chopped tree trunk in the Lost Woods. As Link rides out of frame, the shot focusses on the tree trunk, which bears an etching that depicts Link and the Skull Kid contentedly embraced, side by side, with two fairies above and the four giants on a horizontal plane behind them. The game between Link and the Skull Kid reaches an apparent end.

In these final moments of the game, play is reflected in the narrative as a basis for finding and creating relations (such as sharing masks), settling conflicts and meeting lawfully in the creation of an imagined world. Link’s journey to Termina is revealed to the player as staged in the context of play between Link, the Skull Kid and others in the Lost Woods. The expression of play in Majora’s Mask appears bounded, concluding in terms of gameplay upon resolving the Skull Kid’s conflict, which allows him to realise his friendship in Link. The end to gameplay allows for a majoritarian story, in the sense of narrative that is enclosed, stabilised and appropriated in representation. However, the engraving of the tree trunk suggests narratively that the effect of this stage of play extends outside these virtual bounds: a happier Skull Kid who successfully played with Link and found friendship and imagined different worlds together. The player seems, in these scenes, to be invited to memorialise the effects of play—as opposed to the story in of itself—and carry the virtuality and dimensionality of play forward.

The minor narrative suggests, critically to a minor jurisprudential reading of play, the ongoing possibility of play as open, boundless desire to meet well with others; the ongoing possibility through replay of the Majora’s Mask, play of the at least nineteen other Legend of Zelda games (at time of writing) or play in other spaces. The invitation to continue play is open ended, consonant with the formal qualities of virtuality and dimensionality in the Majora’s Mask that allow for playful movement in the game.

A MINOR JURISPRUDENCE OF PLAY

Herbert Hart analogised law to games in his description of law’s universal features; specifically, in defining law from the vantage point of his positivist jurisprudence, he identified that both law and games, like sport, are systems of primary rules and procedures by which such systems are maintained. But the player-as-jurisprudent I have described does not encounter play as analogy; analogy presupposes the separation of distinct entities that are to be compared. It is not that law is like play or games, or vice versa. Instead, I claim that the player-as-jurisprudent constitutes, and thus can encounter, an expression of the lawful immanently in the dynamism of play; the player-as-jurisprudent constitutes, and thus can encounter, relations of inhabiting, of ordering, of belonging through play’s movements. Play and the lawful are inextricable in these instances, like Philippopoulos-Mihalopoulos sees law and space as inextricable. A minor jurisprudence of play does not attempt to address ‘what is law’, the question that Hart’s legal positivism aspires to answer and which invites the use of analogy. A minor jurisprudence of play is instead akin to Dorsett and McVeigh’s jurisprudence of jurisdiction, or Marianne Valverde’s sociolegal studies, which directs inquiry to the techniques through which actions are authorised in a social situation.

In the Majora’s Mask, virtuality and dimensionality in the game’s formal qualities, narrative and the player’s jurisprudential mode of movement are essential to the capacity to fabricate the lawful. A minor jurisprudence of play can be described in the Majora’s Mask because the player moves to sense the way jurisdiction authorises actions, understandings or feelings in the game; this move is involved in the production of the lawscape as well as conditioning the player’s experience of it as a lawscape. The lawscape is otherwise
dissimulated, as Philippopoulos-Mihalopoulos argues, still mattering to gameplay in that the affects of playful performances and environments still authorise particular actions, understandings or feelings, but without the player’s critical awareness. The player-as-jurisprudent is a mode of participating in that lawscape deliberately as one can, to sense, experience and potentially perturb its striations (logos) and worldings (nomos), making ethico-political choices that potentially make a difference in the production of the lawscape. It is a mode of world-making. This is consistent with Philippopoulos-Mihalopoulos’ exhortation to law students to become lost in the city to sense the lawscape in urban environments and, through our movements, lawscape. Likewise, this is consistent with Barr who attends to the office of the jurisprudent as a mode of encountering the lawscape so to meet with the laws well. Sensing and experiencing this lawscape through play and attempting to intervene ethico-politically in it, again through play, is the minor jurisprudence I have sought to describe and encourage other jurisprudents to undertake.

Going forward, as I—and I hope others—think through the world-making possibilities of playing law, I want to hold onto something Philippopoulos-Mihalopoulos said: “It’s our responsibility to diversify the languages of the law.” Play, like movement for Barr or dance for Sean Mulcahy (or me, elsewhere), may be one of those languages that reconsiders how the lawful can be sensed, felt and understood. Whilst the Majora’s Mask is one example of where play can constitute the lawful, I suspect we might find conditions for a minor jurisprudence of play if we look elsewhere, as well. So, I invite you to play with me.

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1 Dorsett and McVeigh (2007); (2012).
3 Philippopoulos-Mihalopoulos (2015); also see McVeigh (2017).
4 Barr (2016)
5 Brooks (2014).
6 See e.g., Shaw (2020a); (2020b); (2021).
9 See Philippopoulos-Mihalopoulos (2020).
13 See Shaw (2020a).
14 See Philippopoulos-Mihalopoulos (2020).
15 *The Legend of Zelda: Majora’s Mask* (Nintendo EAD, 2000); Also see *The Legend of Zelda: Majora’s Mask 3D* Grezzo, 2015). Nintendo’s *The Legend of Zelda: Majora’s Mask 3D* is an enhanced remake of *The Legend of Zelda: Majora’s Mask*, released on Nintendo’s 3DS handheld console with updated graphics (see Grezzo 2015). There are marginal differences between *The Legend of Zelda: Majora’s Mask* and *Majora’s Mask 3D* that have no bearing on the analysis in this chapter. As such, I refer to these two games as the singular, *The Legend of Zelda: Majora’s Mask*, throughout this chapter.
16 *The Legend of Zelda: Majora’s Mask* (Nintendo EAD, 2000).
17 *The Legend of Zelda: Majora’s Mask 3D* (Grezzo, 2015).
18 Scholars have heretofore considered the *Majora’s Mask* in gaming studies. Cremin (2012; 2015) and Zagal and Mateas (2010) considered its use of temporality as a game mechanic, while Carbone, Ruffino and Massonet (2017) attended to the use of masks to assume forms with distinct abilities. The game has also been studied for narrative, such as by Consalvo (2003) with respect of the creation of walkthroughs and by Pugh (2018) to describe queer representations.
19 Cremin (2012), p. 73.
21 Deleuze and Guattari (1986); Deleuze and Guattari (1987).
22 See e.g., Goodrich (1996); Minkkinen (1994).
23 Ehrlich (2017); Also see Banakar (2010), p. 485.
24 Goodrich (2017); Also see Barr (2016); Dorsett and McVeigh (2007); (2012).
26 Barr (2010, 2016).
27 Barr (2019).
28 Barr (2016).
29 Barr and McVeigh (2012).
30 There is a second sense in which Barr explores the techne of office; the office implicates the jurist in an assembly of comportments, traditions and responsibilities owed to their community and to ensuring the community meets well with the common law. In other words, the jurist conducts themselves in a manner productive of the lawful. This can be rehabilitated—for the critical jurisprudent—to attend to identifying, describing and adapting the minor in the lawful. See e.g., Barr (2010).
33 See e.g., Minkkinen (1994).
34 See e.g., Mussawir (2005).
35 Barr (2016).
36 Barr (2016); Also see Dorsett and McVeigh (2007); (2012).
37 Davies (1996).
40 Agamben (2005), p. 64.
42 Agamben (2005), p. 64.
44 See e.g., Mitchell (2018); Sykes (2017).
45 See e.g., Pearson and Tranter (2015); Mitchell (2018); Shum and Tranter (2017).
46 See e.g., Lastowka (2009).
47 See e.g., Cowan and Wincott (2016).
48 Huizinga (2016).
49 Du Plessis (2018), p. 120.
53 Lefebvre (2013).
54 Manning (2009); also see Shaw (2020a); Mulcahy (2021).
58 Manning (2009); Shaw (2020a).
62 Du Plessis (2018), p. 120.
64 See e.g., Deleuze (1988b); Deleuze and Guattari (1987).
66 Barr (2016); (2019).
74 Hart (1961); also see Jackson (1991).
75 Philippopoulos-Mihalopoulos (2020).
76 Valverde (2009).
79 Barr (2016).
80 Barr (2016); (2019).
81 Mulcahy (2021); Shaw (2020a).