

Est.
1841

YORK
ST JOHN
UNIVERSITY

Kabgani, Sajad, Zargarian, Amin and Clarke, Matthew ORCID: <https://orcid.org/0000-0003-4693-248X> (2018) The morbid dance of ideology on the scaffold: On subjectivity and capital punishment in Iran. *Psychoanalysis, Culture and Society*.

Downloaded from: <http://ray.yorks.ac.uk/id/eprint/2849/>

The version presented here may differ from the published version or version of record. If you intend to cite from the work you are advised to consult the publisher's version:

<https://link.springer.com/article/10.1057/s41282-018-0083-2>

Research at York St John (RaY) is an institutional repository. It supports the principles of open access by making the research outputs of the University available in digital form. Copyright of the items stored in RaY reside with the authors and/or other copyright owners. Users may access full text items free of charge, and may download a copy for private study or non-commercial research. For further reuse terms, see licence terms governing individual outputs. [Institutional Repository Policy Statement](#)

RaY

Research at the University of York St John

For more information please contact RaY at ray@yorks.ac.uk

The morbid dance of ideology on the scaffold: On subjectivity and capital punishment in Iran

Sajad Kabgani, School of Education, UNSW

Amin Zargarian, School of Humanities and Social Sciences, Faculty of Arts, University of Adelaide

Matthew Clarke, School of Education, York Saint John University

Abstract

In this paper we examine the discursive structures adopted by the Iranian state in the context of public execution. Specifically, we argue that the state's insistence upon executing an offender in public is nourished by an intangible yet efficacious violence that has politically and psychically determinative consequences. As such, what is foregrounded in this paper are not the legal aspects of executing the offender and the act itself, but the visibility of this act and its after-effects in terms of the formation of particular subjectivity. The paper's analysis draws on examinations of the psycho-discursive structure of the punitive state from the points of views of thinkers such as Foucault, Butler and Lacan.

Keywords: public execution, Iran, violence, subjectivity, Lacan

Introduction

Whistling, crying, sighing, shouting vulgarities and whispering in sorrow, a crowd of witnesses – delighted, disgusted, angry, and awe-struck – is watching a condemned man being pulled off a stool to be hanged from a crane or scaffold. Strangled by a plastic rope, he takes 10-20 minutes to die in front of the watching gathering. This is the story of those condemned offenders who, having committed crimes such as drug trafficking, armed robbery, child molestation, sodomy, rape, kidnapping, terrorism and treason, are punished by the death penalty in Iran – a country in which (Shia) religious principles are interwoven with the judiciary. In this paper, we will discuss how the concomitant function of theatricality in capital punishment, coupled with the underlying religious ideologies of the state, embodies deep-rooted cultural values and harbours potent political consequences.

Here, as the opening paragraph shows, we have intentionally foregrounded the seemingly contradictory reactions that witnessing public executions induce. We believe that it is precisely the existence of such varied reactions that renders the public scene of capital punishment a unique locus for the functioning of ideological apparatus. In fact, this issue is intricately tied to the questions of “identification” and “fantasy” that, in political critique in general and its Lacanian version in particular, have been extensively discussed (Glynos and Stavrakakis, 2008). In this regard, as Adler (2015) observes, such witnesses, whether directly (via viewing such scenes) or indirectly (via watching their visual representations or merely imagining them), “experience conflicting, simultaneous, and disavowed reactions: not only shame and disgust but also hidden pleasure, desire, complicity, guilt, and ultimately denial” (p. 237). In fact, it is the existence of this fantasmatic assemblage, or, in Walter Benjamin’s (1999 [1936]) term, the “phantasmagoria” of different and contrasting experiences felt by such witnesses, that paves the way for the formation of an identificatory relation with such scenes. Fantasy and not “a fantasy”, as Judith Butler (1990) argues, functions “as the scene of the subject’s fragmentation and dissimulation” through the enactment of “a multiplication or proliferation of identifications that puts the very locatability of identity into question” (p. 110).

In line with the above argument, Lesser (1993), in an insightful observation, remarks that it is more authentic to talk about people’s “interest” than their fascination or obsession with watching violent scenes in general and scenes of public execution in particular. As he points out, the word “interest” in such a context signals “our involvement in the subject”, hence an identificatory relation with actors as different as the hangman (i.e. the state), the offender, and other witnesses (p. 3). In this regard, when, in one way or another, we think “about execution and its real or potential witnesses [spectators]”, doing so “can help us to understand why and how we identify with various participants involved in the process of public execution” (p. 8).

Moreover, thinking about why people might be interested in watching such scenes “offers us new realizations about the link between pleasure and horror” (p. 8). This last point can be linked to the ideological purposes of a state which practises such acts in public. As will be shown later, Lacan’s concept of *jouissance* helps us further understand how an act of public execution is intricately linked to the ideological structure of the state.

Although the description of such a scene, as depicted in our opening paragraph, inevitably conjures up the problematic phenomenon of capital punishment in general and its public enactment in Iran in particular, we do not aim in this paper to consider the legal aspect of this issue. In other words, this study is not concerned with the (im)plausibility, (il)legitimacy and (ir)rationality of public execution. Nor is it concerned with the historical background of this issue within the context of Iran. Rather, this paper sets out to examine the less tangible – yet, we believe, more important – issue of *witnessing* the practice, which can also be generalised to incorporate other situations in which the issue of what it is to watch scenes of violence is engaged. More specifically, this paper will look closely at the political/ideological function of exhibiting the inherent brutality of executing an offender in public. With such an aim in mind, we discuss this issue, i.e. the political function of public execution¹, within a broader framework or from a more comprehensive conceptual perspective. Accordingly, we aim, firstly, to develop our argument through an engagement with a specific conceptualisation of the notion of “violence”. More particularly, we seek to discern how such an approach to the question of violence might help us uncover the inherently determinative yet less studied phenomenon of watching a violent scene. This approach can help us look closely, albeit from a less orthodox perspective, at the effect of the punitive culture of the state and its representational apparatus on the formation of a particular kind of subjectivity.

¹ These ideas are not limited to the Iranian context; for instance, Gattrell (1994) provides an insightful analysis of the interrelationship of politics and public executions in England.

There are two issues that are highly important in our discussion of the political function inherent in the state's emphasis on the visibility of the act of public execution. Firstly, to consider its political function, we consider how and to what extent this act can play a role in (trans)forming the cultural domain so as to be able to take on a determinative ideological apparatus. To do so, in the first part of our analysis, we look closely at the way in which a society's culture affects and is affected by the punitive mechanism of the state. This, ultimately, has political consequences that can lead to a particular form of *subjection*. Secondly, our argument is not founded on an understanding that simply and naïvely treats the witness of public execution as a subject (subjectified) and the offender as an object (objectified). In fact, as will be discussed later, for the state's ideology to function efficiently, this binary opposition must be blurred. Indeed, in one sense, we would argue that the blurring of the boundary between the subject and the object of capital punishment is the very strategy through which the state's ideology is established. Accordingly, in this study, these two issues will be studied closely. While the former issue is mainly discussed from a cultural/political perspective, the latter will be explored through a psychoanalytically informed lens. However, there are certain moments where these two approaches are employed simultaneously within one section or the other. This can be related to the fact that psychoanalysis and cultural studies have close connections (Frie, 2014; Layton, 2007, Yates, 2015).

“Looking awry” at violence

An investigation of the issue of *witnessed* public executions, rather than the issue of execution itself, is coterminous with a Žižekian (2008) approach to the question of violence. While the issue of capital punishment can be considered, in Žižek's terms, as a form of “subjective violence” in which a known agent can be identified as the performer of a violent act, we deliberately confront the “objective” or “systematic” dimension of violence; that is, that kind of violence which cannot be attributed to a specific individual and, more

importantly, is not readily recognisable due to its non-immediately observable consequences (p. 1). As Žižek argues, there is always the possibility of “mystifying” the question of violence when one directly confronts it (p. 3). We believe that looking at the less obvious aspect of public execution, that is witnessing it, can help us better see how the mere act of watching a violent scene acts as a means within any legal system, and results in more gripping yet less tangible ends.

To see how the objective aspect of public execution acts as an ideologically controlling apparatus, it might be helpful to look at the very act of capital punishment itself in the first place. The death penalty, as Boulanger and Sarat (2005) point out, is an “intrinsic part of modern politics” which entails a particular ritualisation and symbolisation of the punishment process (p. 16). This is apparently contrary to what Foucault (1995) refers to as the “disappearance of spectacle” within modern political systems. In fact, while we assert the plausibility of such a well-documented observation, we at the same time argue that the deliberate *manifestation* of the spectacle can pursue ideologically manipulative purposes that would not be achieved otherwise. In spite of the significant role that the process of the death penalty plays in explaining the cultural life of a society, as Boulanger and Sarat observe, most researchers in the field concentrate “on the instrumental, political aspects of this symbolism, and neglect the question why it finds an audience in the first place” (p. 16).

A psychosocial approach to the question of violence

In this study, Scanlon and Adlam’s (2013) psychosocial model of “reflexive violence” underpins our general orientation to the issue of witnessed executions. Reflexive violence has been defined as “the sense of a violent and impulsive action that is unconsciously and reflexively turned back on the embodied self” (p. 224). Our hypothesis is that the act of watching public execution involves a kind of “self-harm”. The notion of self-harm, as a

realisation of reflexive violence, is discussed by these scholars within a philosophical, historical and sociological framework. The authors delineate how and why, in certain political regimes, self-harm enacted by the supposedly mentally-disordered subject is treated as a deliberate action, while, in reality, “self-harm is rooted in societal violence that denies a voice to the oppressed, the dispossessed, the disenfranchised and the dismembered” (p. 233). Reflexive violence in some cases is expressed overtly in the form of, for example, self-cutting, self-burning, self-poisoning and etc., and in other cases is manifested less obviously in acts such as “self-neglect, self-sabotage and extremes of stubbornness and procrastination” (p. 224).

The act of denial referred to above by the system responsible for the consideration of the subjects of self-harm is itself another systematic violence which is justified “by attributing to them [watchers] a rational intent” (p. 233). Attributing this intent to such individuals for acts of what appear to be self-harm is used as a shield behind which the less obvious, yet more consequential, issue of the “social unconscious” is disguised (Hopper, 2003; see also Brown, 2001 and Dalal, 2011). In other words, the fact that the state does *not* consider the act of witnessing the death to be non-violent, but rather conceives of it as a moralising means – as it is assumed to have a deterrent effect – lays bare an important point. In a nutshell, it indicates that the state believes that the society’s collective unconscious is configured in a way that it needs to be frequently exposed to watching state-sponsored violent scenes in order not to commit crimes.

As far as the issue of attributing the intent to witnesses of public execution is concerned, categorising such an action in which the individual him/herself seems to be responsible for what s/he does as a rational behaviour, can lead to “the regressive and foreclosing use of identity categories” considered “as normative unconscious processes” (Layton, 2006, p. 239; see also Layton 2002, 2004). According to Layton, normative unconscious processes are “the

psychological consequences of living in a culture in which many norms serve the dominant ideological purpose of maintaining a power status quo” (pp. 239-40). From this perspective, one can argue that the exhibition of violence for such a political system turns out to act as a strategy or tool by which the status quo will be maintained.

A note on self-harm

According to Scanlon and Adlam (2013), self-harm is originally rooted “in the processes of traumatisation in the individual’s internalised experience of his own excluded interpersonal, familial, social, ethnic or historical past” (p. 225). From this perspective, the individual who, in one way or another, performs a harmful behaviour which has a direct or indirect effect on him/her uses the violent act as a defence mechanism through which s/he is able to cope with the traumatic experience. On the other hand, this is done unconsciously so that the afflicted subject does not find solace by projecting the traumatic experience onto “traumatising others, or the organisational and social bodies that represent them” (p. 225).

In a similar vein, albeit from a different perspective, Žižek (2008) asserts that watching a violent scene is the realisation of what he called “fetishist disavowal: ‘I know, but I don’t want to know that I know, so I don’t know’” (pp. 45-6). In this way, the subject intentionally repudiates the brutality of his/her act, in spite of the fact that s/he knows how inhumane his/her behaviour is. This denial, according to Žižek, is made by the subject because, as far as s/he pretends not to know what s/he is doing, s/he would not be assumed to be responsible for what is going on in front of his/her eyes. Employing these two views in relation to the issue of watching public execution, one can realise that they are not only non-contradictory, but rather meaningfully complement one another. From the former perspective, the witness of public execution resists projecting his/her own traumatic experience onto any representative of the traumatising other, hence accepting the past traumatic reality. From the latter perspective, s/he strives ineffectually to forget the very traumatic experience that induces

him/her to attend such a violent ceremony. In fact, as far as the issue of witnessing capital punishment as a realisation of self-harm is concerned, it is the very complex, obscure and entangled juxtaposition of resistance to projecting one's traumatic experience onto others and the incessant yet abortive attempt to forget that traumatic experience that renders this phenomenon a powerful ideological apparatus. Here, the state makes the witness of public execution stand on the verge of this conflicting state, hence blurring the boundary between the witness and the act witnessed. Confounded by what the witness experiences while watching the scene, s/he is prepared to receive a much more explicit message that the state proposes to them at the scene of public execution. In other words, what is the source of uncertainty and confusion for the witness turns out to become a smooth terrain for the state on which it finds the potential to disseminate and develop its ideology of control and hegemony. We turn now to a discussion of why and under what conditions Iranian society has been facing such a conundrum.

Iran: a post-traumatic society?

“Post-conflict”, “post-violent” (Brewer, 2010) or “post-traumatic” society (Alexander et. al, 2004) is characterised by four traits. As Sztompka (2004) observes, when a society faces such a change which is “sudden” (in terms of “speed”), “comprehensive” (in terms of “scope”), “fundamental” (in terms of “content”), and “unexpected” (in terms of “mental frame”), one can say that this society is facing a “traumatogenic social change” (p. 159). The formation of unconscious processes as a consequence of encountering traumatogenic social change, as Hollander (2016) points out, can lead to the formation of hegemonic ideology, a particular collective identity, and a vertical power structure. This issue turns out to become highly important when, as a result of such social change, a particular psychosocial mechanism becomes active which leads to the constitution of a particular subjectivity (Hollander, 2013). In considering the above discussion, it would not be inappropriate to call Iranian society a

good example of a post-traumatic society. The combined experience of an eight-year long war (1980-1988), preceded by a deeply transformative revolution (1979) and followed by all-encompassing sanctions mainly imposed by Western powers, particularly the U.S, has formed in this society a deep-seated subjectivity in which the existence of a threatening “other” is in one way or another always looming. Revolution, as Sztompka (2004) argues, is a prime example of traumatogenic social change which “embraces not only the political domain, but also law, economy, morality, culture, art, sometimes even language” (p. 159). While a political revolution is sufficient for a society to be affected by traumatising experiences, in the case of Iran it has been followed by an overwhelmingly violent war and isolating sanctions. What can help us find a way through this convoluted situation is a consideration of psycho-discursive structure within an Iranian context. This issue can be discussed from two main perspectives which play a determining role in the way the current practice of capital punishment is justified. Accordingly, in the following section we will discuss the cultural and religious structure of Iranian society.

Psycho-discursive structure: cultural versus religious factors

According to Lesser (1993), capital punishment contains many different and interrelated aspects, such as “legal, political, ethical, aesthetic, [and] emotional” (p. 25) considerations. The important point regarding the simultaneous existence of these factors within a single sphere is that this very intricate interconnectedness of seemingly disparate aspects makes the realm of law-making a controversial one (Garland, 1991, 2002, p. 464). However, what is more or less obvious is that the legal codes to which a governing state cleaves can, in some way, be indicative of that society’s cultural contours. According to Durkheim (1984 [1893]) and Mead (1918), penal practices play defining roles in setting cultural boundaries, and also create solidarity via lines of demarcation between self and other. For Durkheim, the morals to which a society cleaves are represented by the legal codes adopted by that society. But one

important question that might be raised here concerns how punishment turns out to become such a powerful means through which the cultural, social, political and moral realities of a society can be both prescribed and explained. As far as the question of capital punishment in Iran is concerned, this issue can be examined, at least, from two perspectives: the performative culture of capital punishment and the religious thought associated with the state's system of punishment.

According to Sarat (2001), what gives state punishment an undeniably authoritarian force is the way it assumes the public's presence and even consents to its enactment. Sarat believes that all members of a society, whether in the guise of "a juridical fiction" or "as an authorizing audience unseeing and unseen", are present in state punishment (p. 205). However, as he persuasively argues, punitive states are not able to recruit people as virtual or physical witnesses of an execution scene unless they apply particular theatrical techniques. The application of particular performative techniques finds significance when one notices the difference between public and non-public executions. According to Wood (2009), there is a considerable difference between an execution performed in a state prison and one performed in public. In effect, what differentiates these two forms is the question of power. Wood contends that when people are physically present at an execution scene, they are given excessive power over the event, while, when an execution is carried out behind the locked gates of a prison, it is the state which takes control of everything. Therefore, it might seem that, in an Iranian context, where the condemned person is executed in public, those attending the event are given a special role, hence the participatory and legitimising role of the viewer. But such a deduction is misleading when we consider the performativity of public execution. As Sarat et al. (2015) argue, the theatricality of such an event blurs the boundaries between "watching for pleasure or enjoyment" (spectatorship) and "witnessing, namely authorizing that which one sees" (p. 202). The dynamism which is produced and intensified as a result of

the theatricalisation of execution has a strong political consequence: it “combines the Lacanian constructive responsibility inherent in the viewing experience with the political responsibility that all democratic citizens retain” (p. 205). Overall, the theatrical aspect of public execution plays a determining role in politicising a society’s citizens by making them responsible for what the state is supposed to be responsible for.

In the above argument there is a point that might give rise to a misunderstanding. On the one hand, we are implying that witnesses should be exonerated of any complicity with what they observe, and on the other hand, this idea might be conveyed that witnesses in some ways authorise state violence. In fact, this is a key moment in which what was presented above under the titles of ‘self-harm’ and ‘post-traumatic society’ can help us clarify this seemingly contradictory argument. Above we mentioned that a post-traumatic society, due to experiencing conflicting state to which the state cleaves to realise its ideology, undergoes self-harm. In fact, it can be argued that the governing state uses this opportunity; that is the conflicting state as experienced by the post-traumatic society, and by setting public execution prepares a terrain for the afflicted society to find a way for alleviating their pain. In other words, while this is true that witnesses attend the event by their own will, hence authorising and legitimising the state’s act, in reality they are merely reacting to their deep-seated mental state. Here willingness is not matter of intentional and deliberate decision but it is concerned with the fact that the afflicted society has no other options to cathect its pain. And for this cathexis to happen what is more suitable than the event that the state prepares? It is in such a situation that the theatricality of public execution finds significance.

According to Sarat (2001), the application of specific cultural representations can be used as a means through which a state seeks to justify the moral force behind its act and also legitimise it (p. 15). Such a representation follows a specific semiotic apparatus embedded “in discourses and symbolic practices in specific times and places” (p. 1). In this regard, as

Garland (1990) argues, culture and capital punishment affect each other in two ways: “culture gives punishment meaning and legitimacy and shapes its practice through cultural ‘sensibilities and mentalities’. On the other hand, punishment itself defines cultural and sociopolitical identities and provides vivid symbols in cultural battles” (Garland, quoted in Boulanger and Sarat, 2005, p. 2). According to this discussion, the importance of the application of particular representational tools in the process of state-sponsored punishment can be noted. But how does the procedural aspect of capital punishment achieve such a determinative force? This issue finds particular relevance in the context of Iran, in which the visibility of capital punishment is an important part of its process.

Theatricality as a political instrument: depersonalising the offender

According to Valier (2005), penal practices in society include particular “textual, rhetorical and pictorial practices” which together form a particular punitive culture (p. 3). The “practices” to which Valier refers are consistent with the point Lesser (1993) makes when she writes about “the theoretical overlap between theatre’s way of working on its audience and the fascinations of violent spectacle” (p. 7). As she puts it, “all these connections remind us that there is a profound and historical link between murder and theatre” (p. 7). In fact, it can be argued that, by giving a theatrical dimension to punishment, particularly when it is practised in public, the state (un)intentionally dramatises the act. In this way, the more the state ritualises an act of punishment, the more audiences conceive of it as a dramatic and theatrical experience. In such a situation, the witnesses of an execution scene tend to drain the actors involved in the act of their real characters (i.e. a real offender and an executioner), and instead see them in their theatrical roles. As such, the witnesses can identify with the actors without necessarily getting over-involved in the act itself. In other words, the witnesses, to be able to create a theatrical atmosphere, *impersonate* the actors involved in the real act of punishment, while at the same time undergoing an alienation – they must be alienated in

order to be able to put themselves in the offender or executioner's shoes. With regards to this point, Lesser (1993) writes, "once we begin to view him as the victim of depersonalisation, the condemned murderer instantly becomes more appealing. It is easier to identify with a victimised 'it'...with his pathetic grotesques...than with an obnoxious and reprehensible 'him'" (p. 64).

Viewed from this perspective, one can argue that the performative/semiotic contour of capital punishment, which makes it appear like a theatrical act, sets a solid ground for the realisation and functioning of the ideological apparatus. As mentioned at the beginning of this paper, "identification" and "fantasy" are two major elements through which an ideology is developed. Taking into account the theatricalisation of public execution, as practiced in Iran, now we can argue that the impersonating mechanism as triggered by the theatre-like act of public execution sets a ground both for the functioning of fantasy and also identification with different actors involved in the act. Put another way, through impersonating the actors involved in the public execution, the state makes witnesses identify with people involved in the act in the way that they (i.e. witnesses) prefer. And the formation of this identificatory process for witnesses is not possible if they do not activate their imaginations, hence the complementary role of fantasy.

The above discussion also links us to what we referred to above as the blurring the boundary between subject and object of public execution. The impersonating mechanism as being activated through the theatricalisation of capital punishment disturbs the neat dividing line between the witnesses (as the subject) and the offender (as the object). By activating the identificatory relation, the witnesses are no longer located in the position of the one who merely watch the scene and leave the place. Upon watching the execution scene, they can *fantasmatically* place themselves in the offender's shoes. In a sense, it can be argued that the major function of public capital punishment is to set a ground for triggering fantasy, and

hence identification, in the witnesses. And the consequence of the latter can be seen in the way the witnesses of public execution identify with the offender, hence the objectification of the witnesses.

Religious factors and the question of subjection

The axiomatic fact that the ideology of the state in Iran and its constitution as drafted after the 1979 revolution is indivisible from its Shia reading of Islam may not need further elaboration. Accordingly, it is also obvious that, under such a system of government, the system of jurisdiction is closely connected with Sharia, the system of Islamic law. Maftai (2010) has meticulously examined the Islamic interpretation behind the penalties enacted by the Iranian judiciary, hence verifying the involvement of the latter with Islamic law. Accordingly, a more important question to be examined here is how the state's insistence upon the visibility of capital punishment is in some way associated with the religious orientation of the state. In the following section this issue is examined more closely.

For Foucault, the question of death, as the tangible consequence of capital punishment, has much to do with religion and the way it is interpreted by the governing state. For Foucault (1995), public execution is a political strategy in the hands of the state through which a particular ideology is enacted (p. 47). He masterfully depicts how capital punishment, particularly when it is performed in public, marries the terrestrial and the divine, the corporeal and the transcendent, in a way that takes on a particular political function that may not be attained otherwise. In fact, it is through such a haunting picture of death under the hand of the seemingly religious state that one can find a tangible link between punitive state culture and the way by which obedience is institutionalised in the subject, forming thereby a particular kind of subjectivity. The subject in such a society takes the state-sponsored punishment as the preceding complement to the divine trial. In this way, the gallows is the ladder which connects the just terrestrial judgment to the pre-ordained and irrefutable divine

sentence. What exactly connects these two realms is the system of reward and punishment as adopted by a theocratic state. As discussed above, the combination of the performative mechanism and the religious background of the judiciary in Iran can lead to a particular form of subjection. In the following section, the question of subjection will be examined more closely.

Subjection

From a Foucauldian perspective, what has been discussed in the previous section can be readily read as the process of subjection. Subjection, according to Judith Butler (1997), “signifies the process of becoming subordinated by power as well as the process of becoming a subject” (p. 2). According to Butler, the subject’s submission to power is essential to its existence, whether one looks at this process according to an Althusserian theorisation of subjection in which the subject is “interpellated” through “ideological state apparatus” or through a Foucauldian approach in which the subject is submitted to hegemonic discursive structures as designed and consolidated through institutions. Foucault (1995) asserts that “[a] real subjection is born mechanically from a fictitious relation” (p. 202). For this fictitious relation to form, particular processes are entailed, which Foucault refers to as “techniques” (p. 171) and “tactics” (p. 272) of subjection. These processes, which are performed through a “mechanism of objectification” (p. 224), put the subject at an objectified level (p. 184). For Foucault, the process of subjection relies heavily on the materiality of the human body. According to him, “[w]hat the apparatuses and institutions operate are, in a sense, a micro-physics of power, whose field of validity is situated in a sense between these great functionings and the bodies themselves with their materiality and their forces” (p. 26). These Foucauldian arguments provide a rich conceptual resource by means of which it would be possible to demonstrate how public execution in the Iranian context can lead to a particular form of subjection. Accordingly, the religious discursive structure rooted in Islamic law

provides a fabricated relation whose dynamism is supported by performative mechanisms of public capital punishment. As such, both the presence of the condemned man in public and the witnesses can function as the “micro-physics of power”. Consequently, this entire combination helps the process of “objectification” to go on efficiently.

While, as demonstrated above, a Foucauldian approach to the paradoxical formation of the subject is, in many ways, persuasive, in it, as Butler (1997) argues, “not only does the entire domain of the psyche remain largely unmarked...but power in this double valence of subordinating and producing remains unexplored” (p. 2). Accordingly, Butler suggests that a plausible solution to this problem “requires thinking the theory of power together with a theory of psyche” (p. 3). This synthesis allows us to see how, in the process of subjection, “power that at first appears as external, pressed upon the subject, pressing the subject into subordination, assumes a psychic form that constitutes the subject’s self-identity” (p. 3). To address this problem, we will complement the above discussion with a psychoanalytic approach which is highly affected by a Lacanian reading of subjectivity.

The Other’s desire and ideological captivation

Our discussion in the previous sections can be summarised as follows: behind the state’s emphasis upon the visibility of capital punishment, there is a kind of systematic violence aiming at performing as a controlling ideological apparatus. In this scenario, the body of a condemned man and the witnesses undergo an objectification and the semiotic manoeuvring of techniques and tactics of executing the condemned man support the process of subjection. This, in fact, can be considered as a description of how power structures work within a theocratic society such as Iran. But, as mentioned earlier, such an approach leaves the question of psyche unexplored.

To complement the above discussion with a theory of psyche, we refer to the Lacanian conceptualisation of the socio-symbolic order (the Other). In Lacan, as Fink (1995) points out, the subject, as that which locates the unconscious, is defined “as a position adopted with respect to the Other as language or law: in other words, the subject is a relationship to the symbolic order” (pp. xi-xii). In fact, as Fink observes, by creating “reality as that which is named by language and can thus be thought and talked about...the ‘social construction of reality’” is enacted (p. 25). There are, at least, two important consequences that are the result of the subject’s entrance into the symbolic order. Firstly, such an entry makes “thinking” possible as a result of providing the subject with the language as the locus of the unconscious; secondly, it teaches the subject how to desire. In other words, the subject is not merely a position in relation to the Other, but what makes this relation a determining one is the desiring that permeates the subject as a result of being subjected to the realm of the Other. However, as Fink remarks, there is always an “anomaly” in the seemingly all-encompassing symbolic order which is unaccountable, unexplainable: an aporia” (p. 30). This inevitable and ontologically necessary lack within the symbolic realm causes anxiety in the subject, as it leads to an “enigma”. In Ruti’s (2012) words, while the subject’s socialisation “into symbolic law” relies on his/her being subjected to “the discourse of the Other...underneath the explicit meaning of the Other’s discourse, the subject is being addressed by the Other’s enigmatic desire” (p. 70). Ruti believes that this traumatising force is an ineluctably ontological and universal feature of the subject which can inflict itself upon each subject in a variety of ways. The important point to take into account is that this incapability of the subject to decipher “the meaning of the Other’s desire does not even necessarily result from some cognitive failing on either side of the divide but rather from the inherent ambivalence of that desire itself” (p. 73).

To make explicit the link between lack and desire, it is necessary to elaborate further on the status of lack in the subject and the way through which it leads to the emergence of desire in him/her. Lack in the Other, as Stavrakakis's (1999) remarks, is "first of all, a lack of jouissance, the lack of a pre-symbolic, real enjoyment which is always posited as something lost, as a lost fullness, the part of ourselves that is sacrificed/castrated when we enter the symbolic system of language and social relations" (p. 40-41). In fact, when this pre-symbolic enjoyment, i.e. jouissance, which is a result of the infant's full access to "the primordial Thing, the mother" is prohibited by the Name-of-the-Father, the infant has no other options but to resort to the realm of the Other, that is the realm of language, to retrieve this loss (p. 41). But this time the subject once more is not able to retrieve the lost Thing as the Other is also inflicted by a lack, or in Fink's (1995) words, by an "anomaly" (p. 30). In other words, while the prohibition of jouissance causes the emergence of desire in the subject, the desiring subject encounters a confounding state as the symbolic order, which is where the subject expects to find the lost object, does not have the capacity to fulfil the latter. In Ruti's (2012) words, the Other's lack "constitutes a constant source of mystification for the subject who seeks answers to its existential predicament. The Other's inconsistency, in short, forces the subject into the frustrating and largely defensive posture of *Why are you telling me this? What do you want from me?*" (p. 70, emphasis in original).

As implied in the above quotation, this lack in the Other is home to the Lacanian real. In fact, the real is the realm of unrepresentability, the place which no signifier can fill. Jouissance arises out of the very lack of the Other. As Fink (1995) remarks, it is "a pleasure that is excessive, leading to a sense of being overwhelmed or disgusted, yet simultaneously providing a source of fascination" (p. xii). However, the important point is that the subject's "traumatic encounter with the Other's desire" allows the subject to experience jouissance. As such, Fink points out, "[t]he subject—lacking in being—is thus seen to consist in a relation

to, or a stance adopted with respect to, the Other's desire as fundamentally thrilling and yet unnerving, fascinating and yet overwhelming or revolting" (p. xii).

The argument discussed above can shed new light on the ideological functioning of public execution. For Lacan, as Ruti (2012) points out, "the Other's enigmatic desire ensures that the subject's ideological 'captivation' is not merely a matter of its symbolic interpellation into hegemonic sociality but also of the ways in which the energies of its bodily 'real' respond to opaque and potentially life-arresting demands arising from the Other" (p. 69). Taking into account the varied and conflicting reactions that public execution elicits, it can be argued that it is an embodiment of the Other's enigmatic desire. Put another way, the fact that state-sponsored executions, either in public or behind the locked gates of prisons, is still a controversial issue confirms this argument that the nature of state-killing defies a simple interpretation, hence the enigmatic nature of the latter.

Kornbluh's (2004) notion of "negation" can also help us see how this ambivalence, as a result of the Other's desire, works in relation to the issue at stake. According to Kornbluh, the state's insistence upon exhibiting the scene of capital punishment that can be considered as a "negation". Negation here must not be confused with the same term in psychoanalysis. As Kornbluh points out, it "is not a gesture of *hiding* something from the narrative, but rather a tactic of *representation* that actively presents the decoy in order to render non-existent/structurally impossible choice" (emphasis in original, p. 124). Kornbluh refers to capital punishment as an example of negation in which the state-sponsored sentence aims to obfuscate the immersion of the unobservable yet pervasive presence of violence in a society. In this way, public capital punishment acts as a decoy which makes the witnesses of the scene imagine that, behind this behaviour of the state, there is a safe and secure life which is bound up with the act of capital punishment. In this sense, people's presence at the scene implicitly attests the state's insistence upon having a safe society.

The act of obfuscation as elaborated above has another critical implication in the context of the state's ideology. In fact, if the hypothesis of public capital punishment as a decoy is accepted, then we can work through another hypothesis to which the visibility of the act can give rise. This hypothesis is that the state does aim at obscuring the real intention behind its act; however, the resultant obscurantism has no particular aim but to leave the subject catatonic and the interpretation of the act unfathomable and cryptic. In other words, the fact that a state insists upon the visibility of capital punishment does not necessarily mean that it knows the effect of its behaviour; the fact is that even the state itself might not have a clear reason for doing this. However, as Ruti (2012) notes, this very ambiguity on the side of the state not only does not challenge its decision to perform its sentence in public, but, conversely, can "fortify its domain" (p. 73). Lacan (1988), specifically in *Seminar II*, makes this clear when he says "[m]an is always in the position of never completely understanding the law, because no man can master the law of discourse in its entirety" (p. 128).

A last point that can be argued here is that, in capital punishment, the state employs those extreme potentials with which the symbolic order provides it. This can create a scene which leads to the manoeuvring of a glimpse of the Lacanian real, i.e. death as that which, at least apparently, disrupts the chain of signification. As such, if this juxtaposition of the haunting image of death and the state-sponsored theatre of the irruption of the real is not the manifestation of *jouissance*, what else can it be? In Stavrakakis's (2007) words, this can be read as "the mobilisation of *jouissance*" which is "the necessary prerequisite for any sustainable identification" with the ideological cause of the state (emphasis in original, p. 282).

Conclusion

We started this paper with a description of the scene of public execution and finished it with a remark on the ideological function of this event. What has linked these two phenomena is the

particular rendering of violence in the hand of the punitive state. From this perspective, we can argue that the core element of this paper is violence. In this way, a more or less obvious conclusion is that the state's implicit or systematic violence is the guarantor of its ideological controlling mechanism. But the less tangible deduction can unravel the contours of state violence. In fact, to realise how this violence works, one must attend to the resource from which this violence feeds. Here we can argue that what allows the state to apply its systematic violence is the crime that the offender commits, which results in his/her public execution. In other words, if there were no crimes punishable by the death penalty, the state would not be able to manoeuvre its ideological apparatus. In a sense, the ideological purposes of the state heavily depend on the prevalence of the crimes that can cost one's life. Put it another way, the life of the state is bound up with the (theatricalised) death of a citizen. This citizen might be a murderer/ess who pays the price for what s/he does by being killed or can be an innocent witness who is not hanged but can identify with the one whose body dangles from the scaffold. This is what we mean by *the morbid dance of ideology on the scaffold*.

Conflict of interest statement: On behalf of all authors, the corresponding author states that there is no conflict of interest.

References

- Adler, A. (2015) The pleasures of punishment: Complicity, spectatorship, and Abu Ghraib. In: C. J. Ogletree and A. Sarat (eds.) *Punishment in Popular Culture*. New York: New York University Press, pp. 236-256.
- Alexander, J., Eyerman, R., Giesen, B., Smelser, N. and Sztompka, P. (2004) *Cultural trauma and collective identity*. Berkeley, CA: University of California Press).
- Benjamin, W. (1999 [1936]) *The Arcades Project*. Translated by H. Eiland and K. McLaughlin. Cambridge, MA: The Belknap Press.

- Boulanger, C. and Sarat, A. (2005) Putting culture into the picture: Toward a comparative analysis of state killing. In: A. Sarat and C. Boulanger (eds.) *The Cultural Lives of Capital Punishment: Comparative Perspectives*. Stanford: Stanford University Press, pp. 1-45.
- Brewer, J. D. (2010) *Peace Processes: A Sociological Approach*. Cambridge: Polity.
- Brown, D. (2001) A contribution to the understanding of the social unconscious. *Group Analysis* 34(1): 29-38.
- Butler, J. (1990) The force of fantasy: Feminism, mapplethorpe, and discursive excess. *Differences: A Journal of Feminist Cultural Studies* 2(2): 105-125.
- Butler, J. (1997) *The Psychic Life of Power: Theories in Subjection*. Stanford: Stanford University Press.
- Dalal, F. (2011) The social unconscious and ideology: In clinical theory and practice. In E. Hopper and H. Weinberg (eds.) *The Social Unconscious in Persons, Groups and Societies* (Vol. 1). London: Karnac, pp.243-263.
- Durkheim, E. (1984 [1893]) *The Division of Labor in Society*. Translated by W. D. Halls. New York: Free Press.
- Fink, B. (1995) *The Lacanian Subject: Between Language and Jouissance*. Princeton: Princeton University Press.
- Foucault, M. (1995) *Discipline and Punish: The Birth of the Prison*. Translated By A. Sheridan. New York: Vintage Books.
- Frie, R. (2014) What is cultural psychoanalysis? Psychoanalytic anthropology and the interpersonal tradition. *Contemporary Psychoanalysis* 50(3): 371-394.
- Garland, D. (1990) *Punishment and Modern Society: A Study in Social Theory*. Oxford, UK: Clarendon Press.

- Garland, D. (1991) Punishment and culture: The symbolic dimensions of criminal justice. *Studies in Law, Politics, and Society* 11: 191–222.
- Garland, D. (2002) The cultural uses of capital punishment. *Punishment & Society* 4(4): 459-487.
- Gattrell, V. A. C. (1994). *The hanging tree: Execution and the English people 1770-1868*. Oxford: Oxford University Press.
- Glynos, J. and Stavrakakis, Y. (2008) Lacan and political subjectivity: Fantasy and enjoyment in psychoanalysis and political theory. *Subjectivity* 24(1): 256-274.
- Hollander, N. C. (2013) Social trauma, politics and psychoanalysis: A personal narrative. *Psychoanalysis, Culture & Society* 18(2): 167-183.
- Hollander, N. C. (2016) Trauma as ideology: Accountability in the “intractable conflict”. *Psychoanalysis, Culture & Society* 21(1): 59-80.
- Hopper, E. (2003) *The Social Unconscious: Selected Papers*. London: Jessica Kingsley.
- Kornbluh, A. (2004) Romancing the capital: Choice, love, and contradiction in 'The Family Man' and 'Memento'. In: T. McGowan and S. Kunkle (eds.) *Lacan and Contemporary Film*. New York: Other Press, pp. 111-144.
- Lacan, J. (1988) *The Ego in Freud's Theory and in the Technique of Psychoanalysis, The Seminar of Jacques Lacan, Book II, 1954-1955*, J-A Miller (ed), Translated by S. Tomaselli. New York: W.W. Norton.
- Layton, L. (2002) Cultural hierarchies, splitting, and the heterosexist unconscious. In S. Fairfield, L. Layton and C. Stack (eds.) *Bringing the Plague: Toward a Postmodern Psychoanalysis*. New York: Other Press, pp. 195- 223.

- Layton, L. (2004) A fork in the royal road: On defining the unconscious and its stakes for social theory. *Psychoanalysis, Culture & Society* 9(1):33-51.
- Layton, L. (2006) Racial identities, racial enactments, and normative unconscious processes. *Psychoanalytic Quarterly* 75:237–269.
- Layton, L. (2007) What psychoanalysis, culture and society mean to me. *Mens Sana Monographs* 5(1): 146-157.
- Lesser, W. (1993) *Pictures at an Execution*. Cambridge, MA: Harvard University Press.
- Mladek, K. (2004) The psychic life of punishment (Kant, Nietzsche, Freud). *Studies in Law, Politics and Society* 30: 211-246.
- Maftai, C. V. (2010) The Sanctions of the Islamic criminal law: Aspects regarding penalties of the criminal law of the Islamic Republic of Iran (Religion and Tradition vs. observing human rights). *The Juridical Current* 41: 139-148.
- Ruti, M. (2012) Reading Lacan as a Social Critic: what it means not to cede on one's desire. *Angelaki* 17(1): 69-81.
- Sarat, A. (2001) *When the State Kills: Capital Punishment and the American Condition*. Princeton: Princeton University Press.
- Sarat, A. et al. (2015) Scenes of execution: Spectatorship, political responsibility, and state killing in American film. In C. J. Ogletree and A. Sarat (eds.) *Punishment in Popular Culture*. New York: New York University Press, pp. 199-235.
- Scanlon, C. and Adlam, J. (2013) Reflexive violence. *Psychoanalysis, Culture & Society* 18(3): 223-241.
- Stavrakakis, Y. (1999) *Lacan and the political*. London: Routledge.
- Stavrakakis, Y. (2007) *The Lacanian left: Psychoanalysis, Theory, Politics*. Edinburgh: Edinburgh University Press.

- Sztompka, P. (2004) The trauma of social change: A case of post-communist societies. In: J. C. Alexander, R. Eyerman, B. Giesen, N. Smelser and P. Sztompka (eds.) *Cultural Trauma and Collective Identity*. Berkeley, CA: University of California Press, pp. 155–195.
- Valier, C. (2005) *Crime and Punishment in Contemporary Culture*. London: Routledge.
- Wood, A. L. (2009) *Lynching and Spectacle: Witnessing Racial Violence in America, 1890-1940*. Chapel Hill: University of North Carolina Press.
- Yates, C. (2015) *The Play of Political Culture, Emotion and Identity*. Basingstoke: Palgrave Macmillan UK.
- Žižek, S. (2008) *Violence*. London: Profile Books.