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FROM THE CRIMINAL TO THE SINTHOME

LACAN'S ETHICS OF PSYCHOANALYSIS AND CONTEMPORARY LIFE

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Abstract

This thesis examines the continuity and the changes in Lacan's elaboration of psychoanalytic ethics. It focuses in particular on the shift from Lacan's classic formulation of psychoanalytic ethics in relation to the criminal figures of Sade and Antigone in *Seminar VII*, to his later formulation of a psychoanalytic ethics based on a re-elaboration of the concept of symptom - the *sinthome* - in the 1970s. By illustrating the way in which psychoanalytic ethics is constantly, from Freud to Lacan, defined against a critique of civilization, and by engaging with a number of contemporary clinical readings of Lacan's work, this thesis argues that the development of Lacan's understanding of psychoanalytic ethics should be seen as an attempt to adapt the practice of psychoanalysis to a major change in the structure of contemporary civilization. In this way, this thesis also insists on the importance of maintaining a distinction between Lacan's theory of ethics and, on the other hand, the ethical effects of psychoanalytic practice, and aims to explore the dialogue, the exchanges and the tensions between psychoanalytic practice and contemporary culture.

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Note on References and Translations

All notes and quotations throughout the thesis follow MLA style, as detailed in the fifth edition of the *MLA Handbook for Writers of Research Papers*. I have made an exception for all quotations from Lacan's seminars and added a reference to the seminar number (e.g. *SVII*, *SX*, *SXXIII*, etc.) in each parenthetical page reference, regardless of whether the seminar title is mentioned in the body of the sentence or not. For each foreign language work cited (mostly French), I have tried to use translations whenever they were available, with the exception of Lacan's work. Given that not all the texts by Lacan I refer to have an English translation and that the translations available vary considerably in quality and

terminology, I have decided to work exclusively on the original French texts. The list of works cited, consequently, contains only French editions and references to titles of Lacan's works are given in French in the body of the text for consistency, except when seminars are referred to as *Seminar VII*, *Seminar X*, etc. (in the body of the text), and as *SVII*, *SX*, etc. (in parenthetical page references). All translations from Lacan's texts are mine. I have omitted footnotes and parenthetical breaks reporting the original text, as the frequency of my references to Lacan would have made this impractical.

Introduction

In his seventh seminar, *L'éthique de la psychanalyse*, Lacan defines ethics as a "judgement on our actions" and reminds us that a "return to the meaning of action" is also the most basic definition of what constitutes psychoanalytic practice (SVII 359-60). By making the analysand recollect and interrogate the meaning of his or her past actions, psychoanalytic practice enables ethical judgement, yet it would be wrong to assume that the role of psychoanalysis is only instrumental to an ethical judgement that would proceed from a system of values external to the psychoanalytic process. Contrary to ego-psychology and to other psychoanalytic and psychotherapeutic orientations, Lacan does not suggest that the analytic

process should aim at the adaptation of the ego to external reality, nor does he indentify ethical value with Oedipal normativity. For Lacan, rather, it is the analytic process itself that enables the subject not only to formulate an independent judgement on his actions, but also, eventually, to discover the fundamental ethical value of his own freedom, autonomy of judgement and autonomous desire qua outcomes of the analytic process. As Lacan explains, this outcome is only possible if the analyst is ready to "pay" a triple fee involving his own *words*, whose meaning is sacrificed to the work of interpretation, his own *person*, which is taken away from him in the transference, and, finally, his own *judgement*, which must give way to the lack of a final truth and allow desire, instead, to articulate on this lack its own signifying law (*SVII* 237). Consequently, we may say that because psychoanalysis does not refer to any value external to its practice and to its effects, the *ethics of psychoanalysis* can be defined as comprising two different sets of values. On the one hand, we find those values that, within the psychoanalytic ethical framework, emerge at the end of analysis and *ground* ethical judgement - for example, the autonomy of the subject and the autonomy of his desire. On the other hand, we find those values that *enable* ethical

judgement by assisting the psychoanalytic process itself - for example, interpretation, the articulation of unconscious knowledge and the critical interrogation of meaning. We may say that the first set of values represents the "what" of the ethics of psychoanalysis (e.g. psychoanalytic ethics is an ethics of desire, of the subject, of the real towards which the autonomous desire of the subject is oriented, etc.). The second set of values, on the other hand, represents the "how" of the ethics of psychoanalysis (e.g. psychoanalysis should proceed *through* interpretation, sublimation, transferential love, construction, etc.).

This thesis is about the development of psychoanalytic ethics in Lacanian theory. It examines the continuity and the changes of the "what" and of the "how" of psychoanalytic ethics in Lacan's teaching, focussing in particular on the shift from his classic formulation of psychoanalytic ethics in *Seminar VII, L'éthique de la psychanalyse*, to his later formulation of a psychoanalytic ethics based on a re-elaboration of the concept of symptom - the *sinthome* - in the 1970s. More specifically, it looks at the practice of psychoanalysis itself (the "how") as the privileged arena for psychoanalytic ethics (the "what"), and aims

at exploring the dialogue, the exchanges and the tensions between psychoanalytic practice and the culture in which it takes place, and with contemporary culture in particular. By illustrating the way in which psychoanalytic ethics is constantly, from Freud to Lacan, defined against a critique of civilization, I argue that the development of Lacan's understanding of psychoanalytic ethics should be seen as an attempt to adapt the practice of psychoanalysis to a major change in the structure of contemporary civilization. My conclusion will be that the relevance of psychoanalysis for the contemporary world can only be articulated starting from this type of historical reading of psychoanalytic practice and on the ground of the "how" of psychoanalytic ethics as defined by the later Lacan and by contemporary analysts. As I will demonstrate in the course of my argument, it is, in fact, precisely and only at this level, and not at the level of its otherwise stable foundational ethical values (its "what"), that psychoanalytic ethics can not only define the specificity of its subversive and political implications, but also engage with the structural coordinates and unique discontents of contemporary life.

This thesis may also be defined as a study of the possible ways in which the concept of psychoanalytic ethics and the other three key Lacanian concepts of my title, the *criminal*, the *sinthome* and *contemporary life*, are connected to and define each other in Lacan's work. I use the concept of the *criminal* to define Lacan's classic theory of psychoanalytic ethics as it appears in *Seminar VII*, where the question of ethics is approached from the standpoint of the signifying law and its transgressions and in relation to the criminal figures of Sade and Antigone. As early as 1950, in the *Écrit* "Introduction théorique aux fonctions de la psychanalyse en criminologie," Lacan insists on the "symbolic" and "dialectical" nature of the criminal and distances himself from any "instinctual" or "utilitarian" understanding of the criminal ("Introduction" 131, 134). For the early Lacan, the criminal is opposed dialectically to the law and associated with the regressive, "obscure, blind and tyrannical" instance of the superego, "grounded on the effects of unconscious censorship" and manifested in the formation of symptoms ("Introduction" 130, 137). By the time of *Seminar VII*, however, although it still maintains its constitutive and dialectical relation to unconscious censorship and, more broadly, to the symbolic displacements of

signification, the criminal is no longer associated exclusively with the agency of the superego and becomes ethical: the criminal is also seen as a manifestation of the ethical tendency of the death drive towards a lost jouissance (a lost good) that transcends not only the symbolic law but also the superegoic jouissance of the symptom. I use the second key concept of my title, the *sinthome*, to define the later theory of psychoanalytic ethics formulated by Lacan during the 1970s, and particularly in his 1975-1976 seminar, *Seminar XXIII*, where the ethical good of jouissance is no longer located beyond the signifying structures of the law and of the symptom but within a particular linguistic formation that Lacan calls *sinthome*. As Luke Thurston explains, the *sinthome* - which Lacan distinguishes from the symptom [*symptôme*] by adopting an archaic spelling - "designates a signifying formulation beyond analysis, a kernel of enjoyment immune to the efficacy of the symbolic" (100). The introduction of the concept of the *sinthome* thus suggests a shift from an ethics based on the idea of criminal transgression or transcendence of symbolic structures (the law and the symptom) to an ethics based on a certain *savoir-faire* with language, a pragmatic ethics based on the production of the *sinthome* through the isolation of that part of the

symptom that resists meaning and signification. Having identified the conceptual shift from the *criminal* to the *sinthome* as a crucial development in psychoanalytic ethics, finally, I use the third key concept of my title, *contemporary life*, to illustrate the social and historical conditions of this shift. Lacan elaborates the notion of "contemporary life" in his 1970-1971 Seminar, *Seminar XVII*, and uses it to refer to a distinctively modern discursive regime marked by a radical change in the symbolic mechanism of repression, whose productive side - its ability to produce surplus jouissance ciphered in symptoms - comes to subordinate its once primarily defensive function in relation to jouissance. From Lacan's point of view, and from the point of view of the particular reading of Lacan proposed by Jacques-Alain Miller and by the analysts of the *École de la Cause freudienne*, this discursive change is homologous to the conceptual breakdown of the boundary between signification and jouissance that leads to the definition of an ethics of the *sinthome* (Miller, "Milanese Intuitions 2" 9). The shift from an ethics of the criminal to an ethics of the *sinthome* emerges, in this sense, as a response to a fundamental change in the structure of contemporary civilization, while the practice of isolating the *sinthome* from the symptom, on the other

hand, also emerges in this way as a new strategy to enable an ethical orientation for the contemporary subject who can no longer conceive *jouissance* in terms of transcendence or transgression and suffers from an inhibition of the symbolic function.

My approach to Lacan's work and, to a large extent, the overall direction of my argument, has been shaped and oriented by a crucial methodological problem. This is the problem of how to read - write, speak about - Lacan in an academic, rather than clinical setting, and, more specifically, the problem of how to articulate knowledge about psychoanalytic discourse from within the boundaries of academic discourse. As is well known, in Lacan the term "discourse" does not refer to a distinctive body of knowledge but to a set of structural relations that determine, among other things, the way in which knowledge is treated in a particular social setting. The distinctively, if not constitutively, academic disposition to articulate knowledge about Lacan and to apply Lacanian concepts to the study of culture and society emerges, from this perspective, as highly problematic, given that such a disposition presupposes a specific use of knowledge that not only conflicts with but also obscures the underlying logic of psychoanalytic discourse. This

methodological *crux* may be grasped better if we consider briefly Lacan's illustration of the place of knowledge in discourse. Knowledge is, according to Lacan, only one of the four discursive "functions" that compose the structural relations of a given configuration of the social bond and, as such, it is always found in a specific, but by no means necessary, relation to the function of the subject, to the function of the signifier that represents the subject in the field of knowledge, and to the function of the object that embodies the gap between the signifier and the subject as well as the shifting boundaries of knowledge itself (*SXVII* 105). According to Lacan, the difference between one type of discourse and the other depends on the particular "positions" occupied by these functions, so that, for example, the "discourse of the university" is defined as the discourse that puts knowledge in a "dominant" position, while in the "discourse of the analyst" the "dominant" position is assigned to the object that incarnates the limit of the field of knowledge (*SVII* 47). The notion of discourse thus comes to designate not only a social link organised around a particular dominant function, but also, by extension, a particular way of approaching and articulating knowledge. In more concrete terms, we may say that the discourse of the

university can refer to a social setting where scientific, theoretical, bureaucratic or statistical knowledge rules over people and things (occupying the structural function of objects), but also to the underlying logic of a body of knowledge that is essentially only preoccupied with expanding the limits of its grasp over people, things or concepts. Psychoanalytic discourse, on the other hand, refers to a social bond where the object rules and the limits and impotence of knowledge are highlighted in the analyst's gesture, already recalled at the start of this introduction, of paying the price of his words, person and judgement - in short, the price of a "full" knowledge - so as to enable the analysand to form an autonomous judgement on his own actions. More subtly, however, psychoanalytic discourse also designates the underlying logic of the type of knowledge articulated by Lacan in his teaching, which is not a knowledge *about* something - not even a knowledge about decentred knowledge - but a knowledge that bares its limit in order to *establish* and *mark* the fundamental rules of psychoanalytic discourse itself, precisely as a discourse that has no rules.

The opposition between the discourse of the university and analytic discourse, therefore, is not merely a matter of different ways of understanding knowledge, a matter of, let's say, systematic academic knowledge against decentred psychoanalytic knowledge, but, much more radically, a matter of the underlying logic of what one does whenever knowledge is articulated, of whether knowledge is used to know an object or decentred in order to allow the formulation of a groundless judgement (the analysand's ethical judgement on his actions) and the marking *ex-nihilo* of the principles of a practice that can make such groundless judgement possible (Lacan's writing and teaching). There is, consequently, a fundamental, and perhaps inevitable, contradiction inherent to the very act of taking "Lacan" as an object of academic knowledge, to the extent that whatever is articulated about "Lacan" would immediately be rejected by analytic discourse, even if a non-systematic and decentred understanding of knowledge is adopted. This inevitable contradiction would, however, become a crucial methodological error, and thus also something to avoid, if, in writing or talking about "Lacan," we also had to assume that Lacan is trying to articulate knowledge about an object, and decided to approach Lacan as a "theorist" - a theorist, for example, of

sexuality or subjectivity or culture. In this case, our knowledge about (what) Lacan (says about sexuality, subjectivity, language, etc.) would call itself into question by ignoring and obscuring the very nature, purpose and discursive logic of Lacan's writing and teaching.

It is interesting to note that this methodological problem has been discussed to a certain extent by Lacan himself and specifically in relation to the publication of the first doctoral thesis about his work in 1970. The thesis was written by a Belgian student, Anika Lemaire, and was subsequently also translated into English in 1977 (with the title *Jacques Lacan*), remaining one of the standard academic references to Lacan's work. Lacan wrote a preface to the first edition (now published in *Autres écrits* as "Préface à une thèse"), and also re-stated his views on the enterprise during his 1970-71 seminar, *Seminar XVII*. Lacan presents Lemaire's thesis as an "example" of the "obligatory distortion" that "the translation into academic discourse of something that has its own laws" inevitably produces (*SXVII* 46). The translation from analytic to academic discourse thus "erases by showing" something that Lacan wants to "designate" in what he writes and in what he says: not only the

unconscious (the very limits of knowledge), but also the dimension of discourse itself, which is not of the order of knowledge ("Préface" 393-94, 398). Lacan insists that although his "prestigious" position of enunciation *ex-cathedra* implies the risk of an "element of refraction" that can easily hand over his discourse to the discourse of the university, he does not conceive his teaching as a matter of "what am I going to tell them this time," but as a matter of "tracing" or "cutting" the laws of psychoanalytic discourse (SXVII 46). It is significant that Lacan should use the French verb "*frayer*" (literally, "to cut a trace") for the act of formulating the laws of psychoanalytic discourse, since "*frayer*" not only usually translates the term used by Freud to describe the inscription of memory traces in the psychic apparatus in one of the foundational texts of psychoanalysis, the *Project for a Scientific Psychology*, but also points to Lacan's later understanding of writing and of the written "letter" as an inscription that "opens a hole" and destabilises knowledge from within ("Lituraterre" 14-5). The *writing* of the laws of psychoanalytic discourse is in this way recalled as an autonomous creative gesture that has nothing to do with the articulation of knowledge and signification and does not rest on the

authority of an "academic" knowledge produced through signification (a knowledge about something). Lacan's *préface* to Lemaire's thesis confirms this point by claiming that psychoanalytic discourse is "asymptomatic" - that is, foreign to the substitutive signifying economy of a discourse that strives to talk about something - and that his *Écrits* are "antithetic" to academic theses as it is only possible to "take" what they "formulate" or "let them go" altogether (393-94). The incompatibility of the discourse of the analyst and of the university thus generates a problem of translation - the translation of a writing of psychoanalytic laws into psychoanalytic knowledge - but also, and perhaps more crucially from the point of view of the university, the problem of whether there might actually be anything - any knowledge at all - that academic discourse may want to "take" from a discourse that refuses to submit knowledge to any criteria of truth other than the subjective marking (writing) of a law at the edges of knowledge.

In order to start to clarify the way in which I have tried to find a solution to these problems, I would like to emphasise that my reading of Lacan does not orient itself on a distinction between systematic and decentred or "deconstructed" knowledge. The (Lacanian)

problem of the translation from one discourse to the other and from writing into knowledge does not, in fact, equate to the (poststructuralist) problem of the erasure of presence by writing and cannot be addressed simply by exposing the destabilising play of difference within a given "open" textual system. To be sure, the act of systematizing Lacan's teaching involves a certain degree of what Lacan calls "refraction" into academic discourse, but systematization and textual closure as such do not imply a conversion of the discursive logic of Lacan's teaching and of the formulation of rules relative to a specific social practice into the articulation of knowledge about an object. On the other hand, any attempt to preserve and reveal the non-systematic nature of Lacan's work, and even more any attempt to "deconstruct" it and expose its inherent contradictions and inconsistencies, by approaching Lacan's work as a more or less consistent body of "knowledge" does necessarily miss the whole point of what Lacan is trying to do *with* knowledge, and may thus be rightly considered an academic "translation" and a "distortion" or "refraction" of Lacan's work. A very clear example of this type of reading of Lacan may be found in David Macey's *Lacan in Contexts*, a book which attempts to demolish the systematic

wholeness imposed on Lacan's work by his followers, in order to expose a variety of textual and contextual layers through which the value of Lacan's supposed theories of sexuality and language may be subjected to critical examination. In the first chapter, Macey offers a review of the three most influential approaches to Lacan's work in English speaking countries throughout the 1970s and 1980s (Macey's book was published in 1988), arguing that all three are equally guilty of transforming Lacan into a "systematic theoretical entity" whose authority is never challenged or questioned critically (10, 24-25). The first approach is identified with Jacques-Alain Miller's editorial re-fashioning of Lacan's writings and seminars, which, of course can only be seen as an indirect influence (Macey 7-11). The other two are the "strikingly instrumental" readings of Lacan proposed by the journal *Screen* for film studies and by Juliet Mitchell's *Psychoanalysis and Feminism* for feminist studies (Macey 15-23). While I think Macey is right in criticising the instrumental character of feminist and film theoretical readings of Lacan, I would like to suggest that his criteria for deciding what may constitute a "correct" way of reading knowledge are, at least in Lacan's case, fundamentally misplaced. If we agree, in fact, that Lacan's teaching was

formulated as a definition of the principles of analytic practice, rather than as a theory of language or sexual difference, we may also be able to see that Macey's will to submit Lacan's (supposed) theories to critical scrutiny is no less blind to the letter of Lacan's text than the uncritical appropriations of the same (supposed) theories deployed by feminism and film theory. Miller's editorial systematization of Lacan's work, on the other hand, may be perceived as the lesser evil, to the extent that, far from ignoring the discursive coordinates from which Lacan was writing and speaking, is engaging in the hard task of giving order and relief to a writing that, as we have seen, cannot be translated from one social discourse to the other without also being erased and mistaken.

I think I have, by now, given a sufficient impression of what is at stake in the act of reading Lacan to try and propose a definition of the particular methodology I have chosen to adopt in this work in order to find my way around the problem of the discursive status of knowledge in Lacan's work. Without trying to avoid the constraints of the academic discourse that allows me to produce this thesis - after all, I too must write about Lacan - and maintaining a constant commitment to critical thought, I have chosen to give a particular

emphasis to psychoanalytic practice in my reading of Lacan, as a way to avoid, as far as this may be possible, the "refraction," "distortion" and "erasure" implied in the act of translation of analytic discourse into academic discourse. In my view, practice is equivalent to discourse, since discourse is the dimension where the practical rules of the relations between subject, knowledge and object are laid down and followed. Lacan's work should be approached, as we have seen, as the place where the rules of a specific discursive practice are formulated, so to say, from within, according to the structural logic of psychoanalytic discourse itself. In writing about Lacan, my thesis and, in general, academic discourse cannot avoid adhering to their own underlying structural logic and thus turning Lacan into an object of knowledge. Academic discourse, however, can at least reflect critically on Lacan's formulation of the laws of psychoanalytic discourse and, by always relating Lacan's ideas to the logic of psychoanalytic discourse and to the practice of psychoanalysis, refuse to reduce psychoanalysis to the status of a mere theory of language, culture, sexuality and subjectivity. The choice of writing about psychoanalytic ethics may be seen, in this sense, as determined by the methodological

complications inherent in the very act of treating psychoanalysis as something other than a practice, which means that, in a way, one can only write about ethics when writing about psychoanalysis because it is only when psychoanalysis is approached as an ethics that its practical and discursive specificity is acknowledged. We should remember, moreover, that not only is the dimension of ethics, by definition, the dimension of a practice, but also that in Lacan the "ethics of psychoanalysis" refers to psychoanalysis primarily as an ethical practice, rather than as a simple theory of ethics. This last point allows us to specify further what "emphasising practice" might mean: it means refusing to turn Lacan into a body of knowledge and also, once this is achieved, avoiding turning psychoanalytic practice into an abstract theory of ethics by insisting on the concrete specificity of ethical practice. We encounter again, at this point, the distinction between the "what" and the "how" of psychoanalytic ethics we introduced above. In the light of the problem of "translation" that Lacan's work imposes on its academic readers, this distinction acquires a special methodological import as it is clear that the discursive specificity of Lacan's work can be preserved not only by emphasising practice, discourse and ethics, but also

by acknowledging and engaging critically with the difference between the level where ethics and discourse are theorised, and the level where the concrete social practices that constitute psychoanalytic ethics and psychoanalytic discourse are defined.

My approach to Lacan should emerge in this way as significantly innovative and original, not through choice but as a consequence of the particular problem it strives to confront. I have already marked my distance from the film theoretical and feminist trends in Lacanian studies on the grounds of their instrumental appropriation and theoretical reduction of Lacan's work. My brief critique of David Macey's book on Lacan, moreover, has allowed me to define the limitations of poststructuralist readings of Lacan in terms of a problematic of "visibility" investing the letter of Lacan's writing (another famous poststructuralist reading of Lacan that may be approached from this direction, and which deals specifically with the question of the letter and its visibility is, of course, Derrida's critique of Lacan's seminar on Poe's "Purloined Letter," "Le séminaire sur 'La Lettre volée'," in *The Post Card*). In opposition to film theory, feminism and

poststructuralism, we can identify a fourth approach to Lacan, which over the past twenty years has become hegemonic in Anglo-American universities, and which has been shaped by the influential work of two contemporary European Lacanian thinkers: Slavoj Žižek and Alain Badiou. The Lacan filtered through Žižek and Badiou is certainly truer to the letter of Lacan's teaching than the Lacan reconstructed by film theory, feminism and poststructuralism, since both Žižek and Badiou are broadly focussing their readings not on Lacan's "knowledge," but on Lacan's formulation of the structural/practical coordinates of discourse (the subjective relation to knowledge, truth and the object) in order to elaborate their theories of subjectivation and structural change. On the other hand, however, Žižek's and Badiou's accounts of the subject's ethical engagement with the functions of discourse are characteristically unconcerned with the technicalities of a practice that may enable this engagement, and move instead from abstract theorisation to the discussion of accomplished examples of ethical practice drawn from politics or culture. Through the mediating influence of Žižek and Badiou, the tendency to neglect psychoanalytic practice has become a generalised trend in contemporary Lacanian studies, which typically

concentrate exclusively on the "what" of psychoanalytic ethics and treat the "how" as irrelevant. In this respect, my approach can be considered as different also from this fourth, Žižekian-Badiouian orientation, and my reading of psychoanalytic ethics may thus be seen as departing significantly from the example set by recent seminal discussions of Lacanian ethics such as Alenka Župančič's *Ethics of the Real: Kant, Lacan*, Alain Badiou's *Ethics: An Essay on the Understanding of Evil*, or Joan Copjec's *Imagine There's No Woman: Ethics and Sublimation*. Župančič, for instance, is concerned mostly with producing a new reading of Kant's ethics through Lacan's theory: a reading that manages to outline the links between Kant's critique of practical reason and Lacan's formulation of the laws of psychoanalytic discourse but remains alien to the implications of psychoanalytic practice for psychoanalytic theory. Badiou, on the other hand, engages in a polemical illustration of the difference between the theoretical stakes of a Lacanian-inspired ethics that confronts the subject with his truth and the contemporary mainstream ethics of otherness and difference, avoiding, again, any engagement with the concrete "how" of an ethics of truth. As for Copjec, her main concern is with producing a series of

readings of cultural and artistic works which, again, present artistic sublimation as an ethical *fait accompli*, an illustration of the end product of an ethical practice of the subject that leaves us none the wiser on the exact modalities of this practice.

In consideration of the particular emphasis that my reading of Lacan wants to put on the "how" of psychoanalytic ethics, I have tried, instead, to model my own approach to Lacan not on the work of Žižek, Badiou and their followers, but, instead, on the work of contemporary analysts and, in particular, of Jacques-Alain Miller and the other analysts of the *École de la Cause freudienne* (the school of psychoanalysis founded by Lacan just before his death and after the dissolution of the *École freudienne de Paris*, which he directed in the years between 1964 and 1979). As I will demonstrate throughout my argument, far from being a simple presentation of clinical cases and technique, this type of work introduces a unique and novel articulation of the logic that connects the "what" and the "how" of psychoanalytic ethics to each other and, more widely, to the structure of culture and its historical permutations. It does not constitute, as Macey suggested above, a dogmatic systematization of Lacan's knowledge, but a constantly

self-renewing elaboration of psychoanalytic discourse based on the real of a clinical practice that is always related to its socio-historical conditions. It is, consequently, an essential reference for anyone wishing not only to develop an appropriate grasp of psychoanalytic concepts but also to explore their social and cultural significance. It should be said, however, that even when it takes as principal reference the work of contemporary analysts, this thesis also preserves a necessary edge of originality; firstly, because, differently from Žižek and Badiou, the work of the *École de la Cause freudienne* has had little or no direct influence on the British and American reception of Lacan; secondly, because my own academic writing position is different from the clinical position of the members of the *École de la Cause freudienne* and my reference to their work thus requires an effort of epistemological mediation and the definition of a position of research that is significantly new and unusual.

From this particular point of view, this thesis also attempts to articulate an indirect critique of the readings of Lacan presented by Žižek and some of his followers (I engage with Žižek rather than with Badiou for the obvious reason that, although they are both

influential on the way Lacan is approached today in the UK and US, Žižek is the only one who insists in trying to "explain" and discuss Lacan directly). This critique is by no mean central to the argument of the thesis itself but is consistent throughout and has the main purpose of demonstrating the importance of engaging with analytic practice by showing how the characteristic form of theoretical reduction of psychoanalytic ethics that marks the work of Žižek and his followers has a radical impact on the very way in which Lacan is understood by these theorists. The problem with contemporary readings of Lacan, therefore, is not merely that they emphasise the "what" over the "how" of psychoanalytic ethics, but that this emphasis ends up affecting and distorting everything else in their texts, including, of course, the way in which they present the "what" of psychoanalytic ethics. While these readings, particularly in Žižek's work, often self-consciously strive to negotiate their entanglement with academic discourse, by not engaging with the clinical implications of the analytic relation they contradict the psychoanalytic principle that puts practice (discourse) before theory (knowledge), so that their accounts of psychoanalytic ethics also eventually emerge as disconnected from any sort of clearly

defined practice or socio-historical condition, in striking contrast to the theoretical elaboration of ethics that we encounter in contemporary analytic literature. By contrasting the different versions of Lacan that emerge from academic and analytic literature, it is thus possible to show that there is nothing innocent and unproblematic about the gesture of separating psychoanalytic theory from psychoanalytic practice, as this separation is bound to overdetermine heavily our reading. This particular type of critical distortion - in which theory compromises its own insight by prioritising itself over practice - extends, as we will see, to some of the main tenets of the "Žižekian" Lacan: from the understanding of subversion (the analytic act) as a moment of radical rupture with the social link, to the subordination of desire to drive and the refusal to acknowledge a historical change in the structure of the big Other in contemporary culture.

Given my claims of originality and the polemical slant of this introduction (which, I repeat, are not pursued for their own sake but reflect my engagement with a specific methodological problem) I would like to clarify three points concerning my own position as a reader of Lacan to prevent some possible

misunderstandings regarding my approach. In the first place, my position does not imply a critique of academic discourse *per se*, but only a critique of the way in which academic discourse can distort analytic discourse and, even more precisely, a critique of the way in which Lacan has been read from the perspective of academic discourse in the past. As I insisted above, not only did Lacan himself acknowledge his necessary reliance on the discourse of the university, but I recognise that my own writing position is made possible and requires that I abide by the rules of this discourse. Even less, moreover, does Lacan's or my critique of the discourse of the university imply that any discourse, and particularly analytic discourse, should seek to prevail over or eradicate the others, since not only the knowledge that academic discourse elaborates is essential to psychoanalysis, but psychoanalysis itself, as Lacan has famously put it, can only exist as the "other side" of a social link based on the functions of language (SXVII 61).

In the second place, my position by no means implies a rejection of critical thought in favour of a discourse that chooses to formulate its own laws *ex-nihilo* and rejects knowledge as empty. As I hope will become clearer in the course of my argument, critical

thinking is just as essential to analytic discourse as it is to academic discourse. The difference is that academic discourse sustains critical thinking through an *imperative to know* while analytic discourse puts critical thought to work by stimulating a *desire to know* (Lacan, *SXVII* 120-21). Analytic discourse thus does not suspend critical thinking but interrogates the very ground of critical thought, making thought an instrument of subjective freedom (one knows when to stop thinking in order to formulate an independent judgement) rather than the instrument of a compulsion (one must never stop knowing, one must be the slave of knowledge).

In the third place, my position attempts to accommodate the rules of academic discourse (to articulate, critically, knowledge about an object) with the rules of analytic discourse (to decentre knowledge and allow autonomous judgement by articulating, critically, one's desire to know an object at the limits of knowledge) by following a particular method of composition. I have, to start with, organised rather tightly the different units of my thesis - chapters and sections - around a set of very specific questions: what is the link between social discontent and ethics? Is there an ethical

crime? Is the ethical crime internal or external to the social link? Does social change imply the definition of a new type of ethics? What is the ethics of contemporary life? What is the contemporary ethics of psychoanalysis? In each chapter or section I have then worked critically on one of these separate questions, up to the point when the production of a particular signification or "answer" allowed me to close the unit and move on to a different question. In this way, I was able to adapt loosely my method of composition to the structure of the analytic session, where a symptom is subjected to interpretation and the production of a signification determines the logical conclusion of the session, as well as the isolation, as Lacan puts it, "from behind the signification" of a "non-sensical signifier" "essential for the advent of the subject" (SXXI 279). This "non-sensical signifier" of analytic interpretation is the original signifier that the enigmatic formulation of the symptom displaces and which eventually refers and leads to the traumatic kernel of the letter as a hole that decentres and undermines knowledge from within. In a similar fashion, then, although I have also eventually organised all my chapter and section units within a coherent narrative and argument, the significations or "answers" I have produced at the end of each unit do

not, in any way, totalise Lacanian knowledge but isolate, instead, a series of self-standing Lacanian signifiers - the letter of Lacan's teaching - that ground the possibility of a (my own) subjective act of interpretation on the very absence of a final "truth about Lacan."

A last question concerning the particular approach adopted in this work may revolve around the specific advantages and general relevance for the field of critical theory of emphasising analytic practice in a reading of Lacan. What we have seen above as the problem of writing about Lacan from within the boundaries of academic discourse is not merely a problem of "translation" but also a problem of whether eventually there might be any non-clinical interest in a reading that strives to be faithful to the letter of Lacan's teaching. After all, as Lacan reminded us, a letter can only be "taken or left" and many may object that the contingent technicalities of clinical practice have no relevance for critical theory and cultural studies since they do not provide any insight or valid contribution to broader theoretical, political and cultural debates. In response to this type of objection, we may reiterate one of the points we already made and say that an emphasis on practice

is essential to all critical studies of Lacan because, given the particular articulation of theory and practice in psychoanalytic discourse, only by emphasising practice and discourse we can arrive at a correct and consistent theoretical appreciation of Lacan.

The relevance of an emphasis on practice, however, is not limited to the definition of a correct theoretical approach. Psychoanalytic practice is not a mere therapeutic treatment of individual symptoms, it is what enables the configuration of a social relation, a social relation where the subject, according to Lacan's own definition, is brought to formulate an independent judgement on his actions. As one Lacanian analyst has recently suggested, given the absolute rule of scientific and economic knowledge in contemporary society, the analytic link may even be seen today as the *only* social relation capable of guaranteeing that the subject thinks independently as a subject, rather than as a slave of scientific and economic imperatives (Guéguen 136). An emphasis on psychoanalytic practice is thus not only relevant to wider debates on culture, politics and society, but even invested with a certain degree of political urgency. By insisting that psychoanalysis be seen as a

social relation, in fact, psychoanalytic practice foregrounds the links between psychoanalysis and the discontent of culture, rather than downplaying them; it outlines a viable and concrete emancipatory project for the contemporary subject; it also allows, as we will see, a reconfiguration of the relation between politics and ethics by articulating the politics of the analytic link as well as its political consequences. This is precisely the direction in which I have tried to develop a more practical academic approach to psychoanalysis in this thesis: not towards the discussion of technique and clinical cases, but towards the appreciation of the analytic social link in its relation to culture and to the emancipation and autonomy of the subject.

This thesis is divided in two parts. Part One is titled "The Criminal" and examines psychoanalytic ethics from the standpoint of its relation to social structures and to the discontents of civilization. It develops and proposes a critical definition of psychoanalytic ethics as a criminal ethics opposed to the ethics of civilization by focussing on three main aspects of Lacan's *Seminar VII, L'éthique de la psychoanalyse*: Lacan's reading of Freud's *Civilization and Its Discontents*, his discussion of

the Marquis de Sade and his reading of Sophocles' *Antigone*. The first part also distinguishes Freud's and Lacan's critique of civilization from the question of historical change and may thus also be seen as adopting a "synchronic" approach. Part Two is titled "The Sinthome" and mirrors thematically the first by systematically re-examining the question of psychoanalytic ethics in the light of its developments in the work of the later Lacan and of contemporary analysts. In contrast to part one, it adopts a "diachronic" and historicized approach and tries to assess the status and role of psychoanalytic ethics in relation to contemporary ethics and contemporary discontents by endorsing a new definition of psychoanalytic ethics based on Lacan's later conceptualisation of the sinthome.

Chapter I concentrates on Lacan's reading of Freud's *Civilization and Its Discontents* in *Seminar VII*. It starts by considering Freud's hypothesis on the discontent of civilization and looks at some of the ways in which this hypothesis has been elaborated in the field of social theory, particularly in the work of Marcuse and Deleuze and Guattari, which is then opposed to Lacan's own elaboration of Freud's hypothesis on the grounds of Lacan's introduction of

the concept of jouissance. The chapter then moves on to consider Lacan's identification of the ethical drive towards jouissance with the criminal death drive at the heart of the discontent of civilization, contrasting not only Freud's and Lacan's different ethical endorsements of the drive, but also Lacan's and Levinas' understandings of neighbour and of the Other in order to illustrate how Lacan conceives the possibility of a separation of the criminal and ethical tendency of the death drive from the repressive and aggressive violence of civilization. The last part of the chapter looks at this possibility from the perspective of Lacan's re-elaboration of the concept of sublimation in *Seminar VII*, distinguishing between the social violence and aggression that follows the sublimation of the drive into the common good and the ethical relation to the good of jouissance that the subject can find in love and art when the drive is sublimated from the common good and a criminal good is pursued in a practice that defuses, rather than fuelling, social aggression.

Chapter II concentrates on Lacan's discussion of the Marquis de Sade - in *Seminar VII* and in the *Écrit* "Kant avec Sade" - in order to establish how a criminal act of negation - an ethical crime - may or

may not enable the ethical sublimation of the drive from the common good and thus help us to define the practical condition - the "how" - of psychoanalytic ethics. The chapter starts from a comparison between Lacan's and Bataille's readings of Sade's definition of the ethical crime - an absolute act of negation capable of outdoing even the structural violence and destruction of natural laws - which is understood by Bataille as sovereign expenditure and by Lacan as an overcoming of the drive by desire. It then traces a genealogy between Lacan's and Klossowski's readings of Sade, showing how Lacan borrows from Klossowski a distinction between Sade's thought and the underlying structure of Sade's fantasy which, by functioning as a practical Kantian principle for Sade's actions, undermines Sade's philosophical insight and the ethical crime by turning the negation of the drive into a structural law. On the grounds of this critique, the chapter then proposes a practical definition of the ethical crime as a matter of taking up a particular position within the structure of fantasy in a specific modality of the social bond, and contrasts this definition with Žižek's popular definition of the ethical act as a matter of "traversing the fantasy."

Chapter III moves from this definition of the ethical crime in order to question its political stakes and ask how the ethical crime may not only free the subject from the repression and aggression of civilization but also allow the reconstitution of the social link around the analytic bond. In order to do so, it engages with Lacan's commentary of Sophocles' *Antigone*, first by situating it within the more general critical tradition of Freudo-Hegelian readings of *Antigone* (including Hegel, Derrida, Irigaray, Žižek, Grigg, Župančič, Copjec and Butler) and then by looking closely at Lacan's text. The chapter argues that while most of the post-Hegelian and Lacanian readings of *Antigone* insist in different ways on the radical externality of the criminal ethical drive (Hegel's "divine law") to the civilizing bond (Hegel's "human law"), Lacan presents *Antigone's* parable as an illustration of the way in which the dynamics of transference can operate not only to separate the drive from the common good, but also to forge an analytic social bond centred on the criminal orientation of the drive. The last part of the chapter proposes an alternative definition of psychoanalytic politics based on the practical handling of power within the transferential bond and on the transmission of desire within a wider social network, arguing that

psychoanalytic ethics should not be looked at and theorised merely as a framework for politics but as political practice *tout court*.

Chapter IV opens the second part of the thesis by introducing the logic of Lacan's diachronic account of civilizing structures and by arguing that the innovations of Lacan's later account of psychoanalytic ethics should be approached not so much as theoretical revisions but as attempts to adapt the practice of an otherwise consistent set of ethical principles to the changes of modern civilization. After explaining Lacan's use of the concept of "contemporary life" (from *Seminar XVII*) as a historical category that identifies the discursive structure of modernity and post-modernity with a series of radical alterations in the status of jouissance, power and knowledge, the chapter draws on contemporary clinical literature and on some of Lacan's later work in order to arrive at a definition of the discontent of contemporary life as an inhibition of the symbolic (signifying) mechanism of repression and symptom-formation. The remaining part of the chapter compares the Lacanian and clinical account of contemporary discontent with the readings of contemporary culture produced by Lacanian theorists like Žižek and Todd McGowan, developing a critique of

Žižek and McGowan's attempts to translate psychoanalytic ethics into wider political practice on the grounds of their unethical suppression of subjectivity and misrecognition of the inherent political import of psychoanalytic ethics itself.

Chapter V returns to the question of ethics from the standpoint of contemporary life, and, by continuing to move between Lacan's work and the work of contemporary Lacanian analysts, defines the ethics of contemporary life as a utilitarian ethics. It then considers two alternative ethical orientations emerging from the contemporary trends of religion (fundamentalism, terrorism, etc.) and addiction (substance misuse but also food, technology and other forms of surplus-jouissance), arguing that although these types of ethics are in excess of utilitarian ethics and seek to find a solution to its discontents (either by altogether rejecting surplus-jouissance or by rejecting any involvement in a productive system that would put a limit to it), they eventually also reinforce the utilitarian discourse of contemporary life and should then be seen as complementary limits of contemporary ethics, rather than as autonomous ethical positions. The chapter also offers a brief

critique of the treatment of addiction in contemporary life as representative of the contradictions of utilitarian ethics and its limits.

Chapter VI concludes the thesis by finally addressing the question of contemporary Lacanian ethics. It proceeds by means of a comparison between the account of Lacan's later understanding of ethics popularised by academic theorists close to Žižek's position and the account proposed by Jacques-Alain Miller and the analysts of the *École de la Cause freudienne*, showing that while the Žižekian side insists that Lacan's later ethics is defined by a theoretical shift from desire to drive, the Millerian side insists that Lacan's later theoretical revisions do not imply an alteration of the relation between drive and desire in ethics, but simply a different way of finding the same criminal and ethical articulation of desire and jouissance - defined by the later Lacan in terms of the bare structure of the symptom, or *sinthome* - in relation to a different type of signifying structure. On the grounds of the arguments proposed in the rest of the thesis, the chapter chooses to endorse Miller's account and argues that the concept of the *sinthome* defines the contemporary ethics of psychoanalysis not so much against the criminal ethics elaborated by

Lacan in *Seminar VII*, but against the utilitarian ethics of contemporary life and in relation to the inhibition of repression and signifying structures associated with the rise of the contemporary Other.

Part One

The Criminal

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Chapter I

From *Civilization and Its Discontents* to the *Ethics of Psychoanalysis*

1. Freud's Hypothesis

A preliminary articulation of the link between psychoanalytic ethics and social critique is essential for a research project that aims at exploring not only the subversive and political potential of psychoanalytic ethics, but also the impact of social change on psychoanalytic ethics as such. This first chapter thus aims at illustrating how Lacan's ethics of psychoanalysis is defined against a very specific type of social critique: the Freudian hypothesis on the discontent of civilization. More specifically, I will try to reconstruct how Lacan arrives at the

formulation of psychoanalytic ethics as a "criminal" ethics via a particular reading of Freud's *Civilization and its Discontents*. I will start with a short summary of the main tenets of Freud's argument, and discuss briefly how Lacan's reading differs from other seminal readings and responses to the questions raised by Freud's text. I will suggest that at the heart of the conceptual distance between Lacan's and other readings of Freud there is a fundamental methodological difference, and that the originality of Lacan's approach lies precisely in the fact that it confronts the Freudian hypothesis on the discontent of civilization as a primarily ethical, rather than exclusively socio-critical or political problem. In this way, I also hope to define further the methodology of Lacan's critique of civilization, a methodology that does not amount to a privileging of the ethical over the social and the political, but, rather, as will become clear in the course of my argument, to the positing of ethical practice as the condition for a set of social and political effects that concern the subject's autonomy, the containment of the intertwined violence of drive (transgression; aggression) and civilization (repression), and the possibility of an alternative type of social bond.

In *Civilization and Its Discontents* Freud isolates three causes of human suffering: the superior power of nature, the frailty of the human body, and our relations with others (17). Freud observes that while the first two causes of suffering are readily accepted as inevitable - and perhaps more readily in Freud's time than in ours - the common attitude towards the suffering that arises from our relations with others is more ambivalent and on the whole different. On the one hand, we tend to regard social suffering as a contingent accident, a "superfluous extra," and "we cannot see why institutions that we ourselves have created should not protect and benefit us all" (*Civilization* 29, 31). On the other hand, we often find that "much of the blame for our misery lies with what we call our civilization, and that we should be far happier if we were to abandon it and revert to primitive conditions" (*Civilization* 30). This ambivalence means that, from the moment that our relations with others are regulated by social institutions, two opposed attitudes towards social suffering become possible: we either blame it on the absence or inadequacy of social institutions and believe that it may be avoided through social and political reform; or we blame it on social institutions as such and believe that it may be

avoided through a return to a mythical pre-civilised and "natural" state. As the original title of Freud's work, *Des Unbehagen in der Kultur*, and its French translation, *Le malaise dans la civilization*, suggest, therefore, the discontent of civilization can be understood both as an "uncivilized" social aggression that is *in civilization - in der Kultur* - in the sense that civilization is affected by it and strives to contain it, and, on the other hand, as a "civilized" social aggression that is *in civilization*, in the sense that it constitutes the violent and repressive side of civilization itself.

We may say that the originality, and the challenge, of Freud's stance lies in his full acceptance of the paradox that these two positions try to conceal and which leads him to posit that social institutions prevent and cause social suffering at the same time. Freud, in other words, does not chose between the two meanings that distinguish between an "external" and an "internal" discontent of civilization but maintains the ambiguity expressed by its title as the key characteristic of social suffering. The Freudian notion of the discontent of civilization could thus be captured effectively through the Lacanian category of the *extimate*, referring to what is simultaneously

internal and external: *discontent is estimate to civilization*; "in der Kultur" signifies that social aggression is simultaneously external and internal to social institutions. As a reader of Freud has observed, this logical catch in Freud's theory of civilization depends on the fundamental hypothesis of a "primitive" and "independent" aggressive drive - the death drive - that would not only exclude the possibility of a "rational" and "utilitarian" reconciliation between drive and civilization, but also suggest that "the set of prohibitions and requirements that regulate social relations in civilization, [...], had to include some that from the perspective of self-interest, even enlightened self-interest, appear unreasonable" (Deigh 296). To be sure, the institutions of social life protect us from the aggression of our neighbours, and yet, so goes Freud's famous argument, this protection is also always experienced, and resented, at the same time as a sacrifice, as a "cultural frustration," and as a renunciation of the "satisfaction of powerful drives" (*Civilization* 44). Moreover, civilization is not simply repressing or frustrating a deep seated aggressive drive, but is actually, and paradoxically, relying on the aggressive drive itself in order to implement its civilizing project, leading Freud to

conclude that "there are some difficulties that are inherent in the nature of civilization and will defy any attempt at reform" (*Civilization* 66).

In order to understand better this last, but crucial, claim made by Freud we need to turn to the last chapters of *Civilization and Its Discontents*, where Freud explains how the violence of the drive becomes associated with the superego as the primary civilizing agency that the civilizing process sets up within the individual psyche. Freud explains how the violence of civilizing structures depends on a mechanism of "introjection" whereby frustrated aggression is internalised and "taken over by a portion of the ego that sets itself up as the super-ego, in opposition to the rest, and is now prepared, as 'conscience' to exercise the same severe aggression against the ego that the latter would have liked to direct towards other individuals" (*Civilization* 77). There is, in this way, no escape from the aggression of the death drive. Civilization is caught between destructive violence and violent repression. Frustrated aggression is passed on and attributed to all civilizing figures of authority, so that civilization, eventually, can counteract aggression only by appropriating it for its

own psychic and social agencies, rather than by putting a stop to it.

As is well known, Freud is, of course, interested in exposing the link between the aggression of what he refers to as the "cultural super-ego" and the social incidence of neurosis as a major symptom of cultural "discontent" (*Civilization* 102-3). The central question posed by Freud's text, however, is not so much that of the social cause of neurosis, but remains the much broader one of the ambivalent cultural repression and exploitation of a constitutive violence that emerges as internal/external (extimate) to civilization itself. This question is central not only to Lacan's reading but also to some of the most seminal readings of Freud produced within the field of psychoanalytic social theory in the last sixty years.

2. Eros, Schizophrenia, Jouissance

It is easy to note that the reception of Freud's theory of civilization within psychoanalytic social theory depends to a great extent on whether the Freudian thesis of a primary and constitutive aggressive drive, the death drive, is accepted or not.

The hypothesis of a discontent that is "extimate" to culture depends, as we have seen, precisely on whether one accepts the idea that the death drive is constitutive - of the individual, of civilization - and thus not susceptible to be eliminated by the progress of civilization. Only those readers of Freud who accept such an understanding of the drive, therefore, may be seen as engaging with the problem of the discontent of civilization as it was formulated originally by Freud. In order to indicate what a position that rejects the constitutive status of the death drive involves, I would just like to point out, with Slavoj Žižek, that the well-known debate between the Freudian revisionists - including Eric Fromm - and the members of the Frankfurt School in the 1940s, 1950s and 1960s revolved precisely around the revisionists' attempt to reduce the aggressive drive to its social and historical determinants, with the effect of also reducing the problem of the discontent of civilization to a mere hindering or frustration of the full "creative" development of the individual ego (*Metastases* 9-10). Among the readings of Freud that have accepted the Freudian thesis of an originary and constitutive drive we can find, on the other hand, not only the work of the Frankfurt School critical theorists but also the post-structuralist critique of

psychoanalysis offered by Deleuze and Guattari in the 1970s and, of course, Lacan's own "return to Freud." In spite of their relative and significant differences, all these theorists refuse, in different ways, to subordinate or reduce the drive to direct socio-historical causality and, consequently, manage to engage critically with the Freudian question of the discontent of civilization in its full implications, rather than avoiding or simplifying it.

As social theorist Anthony Elliott has explained, in spite of its central concern with the "imbrications of historical and social factors in the structuring of the psyche," the Frankfurt School maintained a fundamental theoretical investment in Freud's "instinctual conception of the ego" and was thus able to preserve the double-edged complexity of Freud's critique of civilization in its main theoretical statement, Horkheimer and Adorno's *Dialectic of Enlightenment*, as well as in all the subsequent work produced by its members (48-49). A good example of the particular way in which the members of the Frankfurt School developed Freud's hypothesis in the direction of a critique of contemporary civilization can be found in Adorno's famous essay "Freudian Theory and the Pattern of Fascist Propaganda," where the idea of

the introjection of the aggressive drive by the superego is used to explain the violence of Fascism precisely as an example of the "reproduction of the archaic in and by civilization itself," in a way that follows closely, and explicitly, Freud's argument in *Civilization and Its Discontents* (137).

The main response to Freud's theory of civilization within the Frankfurt School, however, is without a doubt Herbert Marcuse's *Eros and Civilization*. Marcuse works with a fastidiously literal understanding of Freud's definition of the death (conservative) and life (aggregative) instincts - the death drive and Eros - and defines them as biological tendencies opposed to the historical process of civilizing repression, a process that, according to Marcuse, is not only, as in Freud's account, exploiting the aggressive tendency of the death drive but also weakening the socialising tendency of Eros and thus unleashing even more aggressive violence (26-27; 52; 83-87). Alongside Marcuse's *Eros and Civilization*, but outside the Frankfurt School, the other major text to repropose and revive the problematic of *Civilization and Its Discontents* is perhaps the first volume of Deleuze and Guattari's *Capitalism and Schizophrenia, Anti-Oedipus*. The link between *Anti-Oedipus* and

Civilization and Discontents is less obvious than that between *Civilization and Its Discontents* and *Eros and Civilization*, especially because Deleuze and Guattari's book not only presents itself as an open attack to psychoanalysis but also insists on a "materialist" understanding of desire (the drive) as what coincides with, rather than precedes social production (28-29). The conceptual revisions to which Deleuze and Guattari submit psychoanalysis are such, however, that ultimately the Freudian principle of the constitutive and primary character of the drive is preserved, since "social production" is understood by Deleuze and Guattari as a free "schizophrenic" play of libidinal "connective" (Eros), "disjunctive" (death drive), and "conjunctive" (subjectivation) syntheses which are then historically "organised" (repressed) in a particular system of production (civilization) (8; 12-13; 16; 28-29). In this way, Deleuze and Guattari's famous argument that capitalism relies on and fosters the same schizophrenic and disjunctive syntheses that it also represses may be read, *mutatis mutandi*, as an updated version of Freud's original theory of the instrumental introjection of frustrated aggression by the civilizing superego.

Beyond their more or less dramatic conceptual revisions and adjustments, I would like to suggest that the main difference between the theorists quoted above and, on the other hand, Freud and Lacan, should be identified methodologically, rather than conceptually, at the level of the different ways in which they approach the same fundamental problem or question about civilization. Deleuze and Guattari and the Frankfurt School theorists, in fact, approach Freud's hypothesis on civilization from the point of view of their underlying concern with social critique and political transformation. The question of the discontent of civilization, therefore, becomes for them a primarily political question. This is particularly apparent in Marcuse's and in Deleuze and Guattari's negative emphasis on the idea of repression - which for them is almost synonymous with civilization - and in their parallel attempt to rediscover, against Freud and psychoanalysis more broadly, a positive, at once revolutionary and socially binding aspect of the drive through their promotion of the concepts of Eros and schizophrenia. We may say that in Marcuse and in Deleuze and Guattari Eros and schizophrenia emerge as political, socially constitutive and revolutionary categories, and are used to formulate an answer to a political reading of

the question originally posed by Freud. For Marcuse, the "liberation" of the erotic component of instinctual life has in itself the capacity of "generating lasting erotic relations among individuals" in an advanced, "non-repressive" society that has "mastered the struggle for existence," while the most violent manifestations of the death drive should be seen as by-products of the "surplus repression" and "frustration" of sexuality imposed by civilization, rather than as necessary consequences of a release from civilizing constraints (198-202). Similarly, Deleuze and Guattari argue that the schizophrenic character of the unconscious connective, disjunctive and conjunctive syntheses has the ability of continuously undoing their rigid social/Oedipal organization and of continually opening up the possibility of new social connections and "nomadic" subjectivities, while, again, the aggressive and destructive quality of schizophrenia and of the disjunctive synthesis (the death drive) is for them only an effect of the way in which the three libidinal syntheses have been historically organised within the capitalist mode of production (335-36).

Although Lacan definitely shares this concern with the emancipatory potential of desire and with the

possibility of alternative and non-repressive socio-political arrangements of the drive, the method of his approach to Freud is essentially different and should not be confused with the overtly political approach adopted by Marcuse and Deleuze and Guattari. Lacan gives us his most extensive reading of Freud's *Civilization and Its Discontents* in Seminar VII, *L'éthique de la psychanalyse*, which is also, as is well known, the seminar where Lacan offers his first sustained discussion of the concept of jouissance. Next to Marcuse's *Eros and Civilization* and Deleuze and Guattari's *Capitalism and Schizophrenia*, Lacan's Seminar VII may be thus hypothetically re-titled *Jouissance and Civilization*, as it is precisely through the concept of jouissance - rather than through "Eros" or "schizophrenia" - that Lacan reads the Freudian hypothesis of the discontent of civilization. Lacan's specific use of the concept of jouissance, in turn, introduces the main methodological difference between Lacan and the theorists discussed above.

As Nestor A. Braunstein explains in his book on Lacan's elaboration of the concept of jouissance, Lacan's understanding of jouissance comes from Hegel's philosophy of right, and refers to "enjoyment" in the

legal sense of the "particular" and "subjective" "usufruct" of a good that is owned or possessed, and thus, by implication, also always stolen, lost, or appropriated by others (12-13). In Lacan's concept of jouissance, Braunstein continues,

the theory of rights and the theory of psychoanalysis meet, since from the very beginning we need to confront the question of the original property of each subject, the body, and of the relationships of this body with the body of the other as they are made possible by a certain discourse or social link. [...] Does my body belong to me or is it consecrated to the jouissance of the Other, of the Other of the signifier and of the law, who is depriving me of this property that cannot be mine if I do not snatch it in the same way from the arbitrary ambitions of the Other? [...] As we can see, this is the history of the barriers to jouissance, of the licit and of the illicit. (13)

As we will explain in the next sections of this chapter by following Lacan's own words, jouissance is, just like "Eros" and "schizophrenia," a concept that relates to the more general Freudian notion of the drive, and thus also to the discontent of

civilization: it is through the destructive and aggressive drive that the subject attempts to "snatch" the jouissance of his body from the social order - the "Other of the signifier" - that has taken it away in the first place.

In this way, the concept of jouissance characterises the conceptual and methodological specificity of Lacan's approach to the question of the discontent of civilization. On the one hand, *conceptually*, the notion of jouissance adds a new dimension to Freud's critique of civilization: civilization is not seen by Lacan simply as repressing and exploiting the aggressive drive but also as structuring the aggressive drive through its original dispossession of the subject's body. Lacan thus maintains the Freudian idea of the death drive as an original and primary orientation (causality is still assigned to the drive, rather than to civilization), but does not think, like Marcuse and Deleuze and Guattari, that the drive may be conceived as a "positive" force separated from its civilizing repression. On the other hand, *methodologically*, the notion of jouissance also transforms the question of the discontent of civilization into an ethical, rather than political, problem, since it also implies the idea of a choice

between the desire of the civilizing Other which takes possession of the body and its *jouissance*, the pleasure that one gets in return from accepting to lose one's body to civilization, and the *jouissance*, which, as Braunstein also points out, is opposed to both desire and pleasure, and, being found outside the civilized domain of the pleasure principle, is closer to pain or to a certain type of "pleasure-in-pain" than it is to mere "enjoyment" (12).

We could sum up by saying that while Marcuse and Deleuze and Guattari offer a political reading of Freud centred on the concepts of Eros and schizophrenia as political concepts, Lacan offers an ethical reading of Freud centred on the concept of *jouissance* as an ethical concept. This distinction is of capital importance to grasp not only the method but also the originality and the specificity of Lacan's reading of Freud, a reading that starts and is informed precisely by Lacan's elaboration of the category of *jouissance*. Differently from "Eros" and "schizophrenia," *jouissance* cannot be treated as a political concept, at least not in the sense that *jouissance* may be understood as a revolutionary or democratic force susceptible to be placed at the heart of a progressive political project. This is due to the

"legal" connotation that, as we have seen, marks Lacan's understanding of this concept and that suggests that *jouissance* is always in some way "stolen" and "owned," either by the civilizing Other or by the subject who steals it back from the Other as something that is *constitutively* owned.

Although *jouissance* is always, as we will have the chance to insist, criminally opposed to the Other of civilization, the act of reappropriating one's *jouissance* is thus not necessarily politically subversive, as it would still imply a certain degree of ownership, which cannot be avoided unless we are ready to forsake the idea of subjectivity as such (the subject being simply an effect of the loss of *jouissance*). For the same reason, moreover, *jouissance* is also not likely to be "liberated" or "shared" in any way, because, being *constitutively* and dialectically owned by a subject or by an Other, it must always be subjective and particular. We must insist, however, that the non-viability of *jouissance* as a political concept does not imply that *jouissance* may not, for Lacan, still function as an ethical category and embody a "criminal good" beyond the common good of civilization, in relation to which the subject may redefine his ethical conduct with

significant social and political consequences. Rather than endorsing the reappropriation and private enjoyment of jouissance, in fact, the ethical orientation towards jouissance proposed by Lacan aims precisely at overcoming the alienating and isolating effects of jouissance, as well as creating the conditions for a more effective type of social subversion (analytic subversion) and for the forging of a less repressive form of the social link (the analytic link). In Chapter II and Chapter III I will discuss in more detail these social and political consequences of the ethical orientation towards jouissance. Now we need to turn to Lacan's text in order to follow the letter of his reading of Freud's *Civilization and Its Discontents* in *L'éthique de la psychanalyse*.

3. From Freud to Lacan

It is easy to see how in his examination of the paradox that lies at the heart of civilization's discontent Freud finds himself confronted with a problem that is essentially ethical. It is, on the one hand, clear to Freud that the ineradicable discontent of civilization suggests that we should reject social institutions and

seek happiness outside them, orienting us towards a type of ethics that Freud identifies as regressive and natural, insofar as it emerges through the negation of the constraints that define civilised life: "it is contended," writes Freud, "that much of the blame for our misery lies with what we call our civilization, and that we should be much happier if we were to abandon it and revert to primitive conditions" (*Civilization* 30). On the other hand, however, Freud is also well aware that such an ethical orientation cannot result in the resolution of social suffering within a happy natural or "edenic" state, because the "powerful drives," forming what Freud calls "man's inborn tendency to wickedness, to aggression and destruction, and therefore to cruelty", can only result in even more violence and destruction when they are not checked, repressed or sublimated by the pacifying forces of civilization (*Civilization* 72). Faced with the ethical conundrum, so essential to psychoanalytic thought, of man's desire to go against what protects him from destruction and death, Freud finds no other way out than to reconfirm a civilising and pacifying ethics of the common good at the expense of the destructive and regressive pursuit of individual freedom outside civilization: "given this fundamental hostility of human beings to one another

[...] civilization has to make every effort to limit man's aggressive drives" (*Civilization* 61).

Freud's "choice" and his rejection of a primitivist or anarchic ethics depends, of course, on his hypothesis of an originary destructive drive. We have seen how this hypothesis can be, and has indeed been rejected and contested in different ways, giving rise to different readings that either reduce the drive to its social and historical determinants or strive to recuperate a constructive and emancipatory side of the drive. While such readings may be criticised for simply changing the conceptual coordinates of Freud's original question without really attempting to answer it, they also, however, fail to grasp the originality of Freud's ethical position, a position that in no way amounts to a mere conservative apology of civilization. Even if he ends up upholding civilization against the aggressive and anarchic power of the drives, in fact, Freud's insistent awareness that, as he puts it, human beings will never "change their nature and become like termites" and will always "defend their claim to individual freedom against the will of the mass" also suggests that his ethical ground is different from that underlying other conservative or progressive endorsements of social

institutions (*Civilization* 42). Freud's ethical position cannot be mistaken for an unconditional apology of the common good of civilization because it remains based on a fundamental intuition of the ineradicable reality of human desire, on the idea that although civilization must be upheld to prevent violence and unhappiness, men will never be happy within civilization.

Lacan's attempt to extract a psychoanalytic theory of ethics out of Freud's hypothesis on civilization starts precisely from this attitude of ethical indecision and hesitation that emerges very clearly in Freud's text and that Lacan tries to articulate by comparing Freud's ethical position to the ethical positions of the knave and of the fool. When in *Seminar VII* Lacan introduces his famous distinction between left- and right-wing intellectuals in terms of the difference between the figure of the fool and that of the knave, we can see how these two terms function to indicate two ethical attitudes towards desire which bring out by contrast the specificity of Freud's stance in his defence of social institutions.

Lacan presents the left-wing intellectual as a fool because his place in society is similar to that of the

medieval court jester who can attack institutions while remaining a servant of institutions, "giving voice to so many heroic truths without ever wanting to pay the price for them" (SVII 215-16). The right-wing intellectual, on the other hand, is described by Lacan as a knave because, in his acceptance and defence of the social *status quo*, "he does not hesitate in front of the consequences of what one calls realism, that is, he is ready, when necessary, to admit that he is a crook" (SVII 215). If we look at these two characters from the point of view of an ethics of desire we can say that the figure of the (leftist) fool embodies a disavowal of the "destructive" face of desire and of the price of death and destruction that freedom demands *against* social institutions, replacing, so to say, the cost of freedom with a "foolish" belief that it is the progress of civilization that will liberate human beings from suffering. The figure of the knave, on the other hand, is also marked by a certain disavowal of desire, although this time it is the "human" face of desire and the dignity of the human quest for freedom against civilization that are not acknowledged: the knave does not care about the discontent of civilization; rather, he tries to exploit it for his own good, thus giving up on his

freedom in favour of a total acquiescence with social institutions.

According to Lacan, in his diagnosis of the discontents of civilization, Freud does not manifest any of the traits of the fool and of the knave: he acknowledges the destructive nature of the drives but he also appreciates the suffering involved in their social repression. So, even if Freud did end up choosing civilised life against the dangers of the unrestrained drives, the fact that his defence of social institutions sprang from an intuition, rather than from a denial, of the contradictory structure of desire makes it inappropriate to describe his ethical attitude as either progressive or conservative. The Freudian hypothesis of the discontent of civilization, therefore, manifests an impasse of conservative and progressive ethics in front of desire. As Lacan puts it, "Freud was neither a crook nor an imbecile [...] and this is why it is possible to say of him these two things, disconcerting in their juxtaposition and opposition - he was a humanitarian but not a progressivist" (SVII 216).

The distinction between the fool and the knave is important for Lacan insofar as it allows him to point

towards an impasse also within Freud's own ethical position and to start defining the specificity of his own approach against Freud. For Lacan, Freud's endorsement of a conventional civilizing ethics of the common good and good functioning of social institutions represents a disavowal of the possibility, implicit in Freud's own formulation, of a criminal and all-destroying ethics of desire against the laws of civilization. In front of this possibility Freud "stops," as Lacan puts it, "as if in horror," and ultimately leaves the problem of the discontent of civilization unresolved (SVII 216). To paraphrase Lacan's point, we could say that Freud's insight into the nature of the discontent of civilization was, so to say, enough to prevent him from being a knave or a fool, but also too much for him to face up to its consequences, which would have made of him a criminal if he had just acknowledged the death drive as an ethical force.

Caught between these three positions - the position of the fool, that of the knave and that of the criminal - Freud thus reached a point of impasse. Lacan imputes Freud's inability to move beyond a traditional ethics of the good to his reliance on classical notions of *reason* and *need*, which are "inadequate to appreciate

the field of human realisation," but also to the unavailability of a structural logic of signification on which to ground a full understanding of the function of desire (SVII 247). Lacan's own proposed task in *Seminar VII, L'éthique de la psychanalyse* is precisely to question and develop the criminal ethics of desire which follows from Freud's diagnosis of the discontents of civilization. This criminal ethics depends, in turns, on Lacan's broader structuralist reformulation of Freud's hypothesis, a reformulation that is based on the Freudian notion of the death drive and that enables Lacan to introduce and articulate the difference between the concepts of jouissance, pleasure and desire as the cornerstones of psychoanalytic ethics.

As we have noted in the first two sections of this chapter, in *Civilization and Its Discontents* Freud grounds his theory of "cultural frustration" on the idea, already introduced in *Beyond the Pleasure Principle*, of a fundamental destructive drive or death drive operating in addition and in contrast to the life-preserving and civilising tendency of Eros: while civilization is "a process in the service of Eros, whose purpose is to gather together individuals," the programme of civilization is "opposed by man's natural

aggressive drive, the hostility of each against all and all against each, the descendant and principal representative of the death drive" (*Civilization* 74). Recasting Freud's theory in the new language of structural linguistics, Lacan redefines the death drive, and thus also the very cause of the discontent of civilization, in relation to the logic of the signifier: "the idea of the death drive [...] depends on that structural element which, as soon as we are dealing with something presenting itself under the form of a signifying chain, produces, somewhere, and certainly outside the world of nature, the beyond of this chain, the *ex-nihilo* on which the chain grounds and articulates itself as such" (*SVII* 252).

According to Lacan, human beings are primordially and constitutively "caught" [pris] within the logical structure of signification, suffering a fundamental splitting or *Spaltung* which alienates and locates their jouissance - the bodily kernel of our being, "defined as what defines the human" (*SVII* 150) - precisely in this inaccessible void produced beyond the signifying chain (*SVII* 247). This empty structural "place," containing the jouissance that has been stolen from the subject by the signifying Other of civilization, becomes thus the gravitational field

orienting desire and the death drive towards nothingness and "beyond the pleasure principle," that is, towards destruction and death, "insofar as it calls into question everything that exists" (SVII 251). Moreover, the articulation of the drive to the signifying chain allows Lacan to identify the destructive and negative tendency of the drive not only as a *criminal* but also an *ethical* tendency. *Criminal* because the destructive drive is clearly defined as a direct dialectical effect of its social prohibition through a contingent articulation of the signifying chain: "the dialectical relation between desire and the Law," writes Lacan, "enflames our desire only in its relation to the Law, through which it becomes desire of death" (SVII 101). *Ethical* because this desire of death is essentially the desire for a certain good - identified by Lacan with the lost and radically other jouissance of *das Ding* - that is found beyond the good (and bad) of civilization, beyond the pleasure and pain that civilization trades for it, and, eventually, beyond the symbolic chain itself: "the subject [...] cannot bear the good that *das Ding* can bring to him any more than he can take it for something bad, [...] he can cry, blow up, curse, he cannot understand - nothing can be articulated, not even through metaphor" (SVII 89).

Most significantly in terms of Lacan's recasting of Freud's hypothesis on civilization, the criminal and ethical relation of the subject to *jouissance* must pass, for Lacan, not simply through the death drive but, more specifically, through a distinctively *social* relation to a *neighbour* who comes to occupy the structurally empty place of *jouissance* created by the signifying chain. As a site of radical otherness that confronts the subject with his lack or loss of a good that exceeds the limits of pleasure and signification, the place of *jouissance* becomes the place of the subject's neighbour, the place in relation to which a first and ambivalent social relation to the other, characterised by hostility, aggression and the death drive on the one hand, but also by the desire for a primordially lost *jouissance* on the other, is articulated. According to Lacan, Freud's "horror" in front of the ethical injunction to love the neighbour stems precisely from his inability not so much to understand as to accept the component of social aggression and hostility involved in an ethics of desire. As Lacan explains:

Each time that Freud stops, as in horror, in front of the consequences of the commandment of the love of the neighbour [*l'amour du*

prochain], what comes up is the presence of that fundamental hostility that inhabits the neighbour. On the other hand this same hostility also inhabits myself. And what is closer [*plus prochain*] to myself than that kernel of *jouissance* in myself to which I don't dare approach? Because as soon as I move closer to it - and this is the meaning of *Civilization and its Discontents* - this inscrutable aggressivity arises, in front of which I step back. (SVII 219)

Our ambivalent, conflictual and social relation to *jouissance* paves the way for a "scandalous" ethics that finds goodness and happiness in the transgression of the law and in the aggression of the neighbour. The destructive death drive, that is, is not only directed against or transferred to the Other of civilization that originally steals and appropriates the *jouissance* of the body. Precisely because it is constitutively lost, *jouissance* embodies, as such, a type of otherness that is distinct from the symbolic otherness of the civilizing Other of social institutions and distinct also from the imaginary otherness of the "fellow man" [*le semblable*] (SVII 223). *Jouissance* embodies the other as neighbour rather than as fellow man, the other as "*prochain*" rather than as

"*semblable*," the neighbour that is myself and other to myself, the neighbour that enjoys the jouissance I have lost and whose body, in turn, I want to enjoy, the neighbour that makes me suffer and that, in turn, I love and torture for making me suffer. In this way, the subject's relation to jouissance comes to determine the social impact of the death drive on multiple levels: at the level of the subject's aggression against civilization, of civilization's aggression against the subject, and of the subject's aggression against the neighbour.

Moreover, for Lacan the aggressive tendency of the death drive and the discontent of civilization are also related to the way in which the symbolic law ties up jouissance to the common good by asking the subject to give up his jouissance and by locating this jouissance in an object which then becomes the driving force of the social war around the possession of goods. In Lacan's account, the process that locates jouissance in the common good reverses the logic of Freud's original definition of sublimation. While Freud had simply argued that the "natural" death drive could be sublimated and directed towards the common good of civilization (*Civilization* 43-44), Lacan suggests that it is precisely in the production and

circulation of the common good *qua* social sublimation of jouissance that the death drive finds its support and becomes a discontent of civilization: "the true nature of the good," says Lacan, "its inherent duplicity, lies in the fact that it is not purely and simply a natural good, the answer to a need, but possible power and power to satisfy" (SVII 274). There is, in other words, much more to the common good than its use value, there is also what Lacan calls its "use of jouissance," the possibility for the common good to sublimate and embody an inaccessible and all-important satisfaction which will justify not only its economic circulation but also the "social war" around its (impossible) possession (SVII 269-275).

"The relationship of man to the real of the goods," says Lacan, "is organised in relation to a power that is that of another, of another who deprives us of it" (SVII 274). This means that, because for human beings the jouissance sublimated in goods must be structurally the jouissance of someone else, the jouissance of the neighbour who deprives us of it, nobody eventually enjoys anything, the good reinforces the civilising "barrier against jouissance" and everyone is also constantly at war against everybody else (SVII 270). For Lacan, the death drive thus also

sustains the "necessary dialectic of the struggle over goods, of the conflict between goods, and of the necessary catastrophe that it generates" (*SVII* 275).

We may say then that the logic of the signifier allows Lacan to sketch a topology and an ontology on which to ground theoretically Freud's joint claim about the "natural" social aggressivity of human beings and the suffering caused by the social control of this aggressivity. In this respect, however, Lacan's reading also marks an important departure from Freud's original formulation. On the one hand, where Freud had talked about a "natural" and "original" aggressivity of human beings, Lacan's structural explanation, while maintaining the original character of human social hostility, redefines the death drive as an effect of the socio-cultural order of signification (the Symbolic Other), and, consequently as an effect of civilization, rather than as a natural condition. Of course, Lacan does not contradict Freud's idea that a certain discontent of civilization - which we can call "neurotic" suffering - is produced by the social repression or introjection of this aggressivity, since for Lacan, as for Freud, the function of civilization *qua* symbolic structure is primarily that of producing

a barrier against the destructive effects of the drive.

The relation between drive and civilization in Lacan remains, however, dialectical, so that not only is the drive a direct effect of the law that forbids it, but the law itself cannot be invested with the dignity of a causal principle as it can only be the effect of a contingent, rather than necessary, articulation of the signifying chain with the body of the subject and its jouissance. The second main difference between Lacan and Freud is that Lacan, as we have seen, also overcomes Freud's embarrassment in front of an ethics of desire and, building on the ambiguity of Freud's ethical position, proposes an explicit identification between the death drive and the ethical drive. Freud had attempted to keep love and death neatly separated, acknowledging to some extent the link between the death drive and individual freedom and also opening up to the possibility of a social sublimation of the drive, but eventually reacting with horror to the idea of a "love of the neighbour" (e.g. the idea of a direct love of death). Lacan, on the other hand, manages to acknowledge more bravely and fully the fundamental link between love and death, presenting the criminal and ethical orientation of desire towards

death as a structural effect of a signifying/civilizing law rather than as a deviation from the civilizing purposes of Eros.

4. The Ethical Drive and the Other

At this point, Lacan's identification of the death drive as the ethical drive also raises an important question, particularly in relation to the problem of the discontent of civilization. Is Lacan suggesting that the violence and aggression of the drive should be simply accepted, and even embraced, as part of an ethical tendency towards the good of jouissance? Is Lacan implying, in other words, that the discontent of civilization is ethical? In fact, although Lacan does insist on the negative force of the death drive, the social aggression and violence that accompany it are always clearly distinguished from the ethical tendency of the drive as such. What Lacan refers to when he talks about a criminal ethics centred on the death drive cannot be reduced to the simple criminal transgression of social rules taking place in the struggle over power and jouissance that marks all civilized life. These more or less common aggressions and transgressions cannot constitute a criminal ethics

because, in spite of their apparent rejection of common civilized values, at a much deeper level they remain nevertheless subordinated to the Other's law and to the principle of the common good.

For Lacan, there is an inherent "flaw" [*une faille*] in a social law that is not only born out of a paradoxical act of negation of authority - the totally contingent and groundless act of signification that articulates the body to the symbolic chain - but also gets transgressed all the time; nevertheless, it is precisely this "flaw" that makes the law difficult to break, since every transgression can only "lean on its opposite" and eventually reinforce the law (SVII 207-08). As Lacan repeatedly reminds us, the effectiveness of social rules in cutting off the access to jouissance depends on them being transgressed just as much it depends on them being respected: "we spend our time breaking the ten commandments, and this is why a society is possible" (SVII 84). Besides, as we have already seen, for Lacan the death drive is always tied up with, rather than opposed to the common good, so that even if criminal violence and aggression do, of course, always in a way manifest the ethical orientation of the drive by targeting the jouissance sublimated in the common good, their ethical

allegiance must remain, for this very same reason, with the common good rather than with a *jouissance* that could never be attained by the simple possession of objects. The "love of death" and the aggression against the neighbour as well as the aggression directed against and perpetrated by the Other (civilization) are thus seen by Lacan as *symptoms* of an orientation towards *jouissance* that betrays an ethics different from the ordinary, common ethics of civilized pleasure and interest. They are not, however, ethical as such. The death drive as ethical drive should therefore not be confused or equated with violence, aggression and transgression even when violence and aggression reflect the ethical agency of the death drive.

In order to start to clarify further Lacan's identification of the death drive with the ethical drive, it may be useful to add some brief remarks on the difference between Lacan's theorisation of the Other and other, perhaps more popular, ethical elaborations of the concept of the Other, such as the one proposed, for example, by Emmanuel Levinas. On a superficial level, Levinas' analysis of the structure of the subject's relation to the Other seems rather close to Lacan's. In one of his most representative

later essays, "God and Philosophy," Levinas describes how through a phenomenological relation to the neighbour the subject can "awaken" to a transcendental relation to the "other" [autrui] and to a desire that is not only "beyond satisfaction" and "of another order than the desires involved in hedonist or eudaemonist affectivity," but also fundamentally traumatic and "nondesirable," capable of "disturbing" and "devastating" the signifying order of thought, subjectivity, presence and being (175-77).

For Levinas, the love of the neighbour is "a dazzling, where the eye can take more than it can hold, an igniting of the skin which touches and does not touch what is beyond the graspable, and burns" (177). These formulas may sound rather close to those used by Lacan to describe the subject's relation to the neighbour and to the structural place of *das Ding*. There is, however, a radical difference between Lacan's and Levinas' way of conceptualizing the otherness of the neighbour. In Levinas, the relation to the neighbour becomes a relation to an otherness that is primary and absolute, to the point of being explicitly transcendent and religious, to the point also that the relation to the neighbour can be defined as a religious experience, as the "latent birth of religion

in the other" (181). For Lacan, on the other hand, the shattering power of the otherness that the subject experiences in his relation to the neighbour is divested of all religious transcendence and necessity only to become the effect of a contingent articulation of the signifying chain. While for Levinas the otherness of the neighbour points to the Otherness of a God that is "other with an alterity prior to the alterity of the other" (179), and thus capable of imposing its Law on the subject, for Lacan there is, according to the famous formula proposed in "Subversion du sujet et dialectique du désir dans l'inconscient freudien," "no Other of the Other:" if the Other is the "place of the signifier," Lacan argues, "any statement of authority can only be backed up by its own enunciation, as it is pointless that it should try to find its guarantee in another signifier, which in no way may be found outside this place" (813).

The Lacanian big Other is nothing more than an inconsistent, incomplete set of signifiers that carves out the empty place of the small other/neighbour but does not hold, as such, any power over the subject, who is ultimately (albeit not, of course, consciously) the only one responsible for its articulation and for

the enunciation of the law. It is true, therefore, that for Lacan the death drive does, essentially, constitute an ethical relation to otherness - to the otherness of jouissance and of the neighbour - but the ethical responsibility and the obligation that the subject feels towards this otherness beyond his pleasure and understanding do not have the absolute and binding character of a law that pre-exists the subject. On the other hand, the fact that the place of the neighbour is constituted by a contingent social act - the articulation of the signifying chain and the supposed subtraction of jouissance from the subject by the Other - implies that the relation to the neighbour is marked not only by the purely ethical excess of a "mystical" experience but also by a whole set of unethicial motives (envy, fear, resentment, revenge) that determine the aggression and violence of the relation to the neighbour.

These unethicial motives, and the violence and aggression that accompany them, are not necessary attributes of the death drive but consequences of the subject's supposition of an all powerful, law-giving and jouissance-depriving Other, and may be overcome only at the cost of the subject's ability to acknowledge the inconsistency of the Other and to take

responsibility for the positing of the law that led to his loss of jouissance. Lacan, in short, suggests not only that the death drive can be isolated from the violence and aggression of civilization, but also that the very possibility of a purely ethical relation to the neighbour depends on the non-existence, rather than on the existence, of an Other acting as the guarantor of the Law of civilization.

The entanglement of the death drive with the discontent of civilization depends, therefore, on the existence of the Other, since it is the symbolic Other and its law that triggers a displacement of jouissance from the body to the common good and determines, in turn, the overlapping of the ethical drive with social aggression. Lacan's ethics, however, questions the existence of the Other and argues that the authority of the symbolic law is only supposed by the subject. From a purely linguistic point of view, the metaphorical articulation of the symbolic chain with the jouissance of the body can only be the result of an absolutely contingent and by no means necessary act of signification that produces the subject and the Other only retroactively.

In *Seminar VII*, moreover, Lacan finds the same logic at work in Freud's myth of the primal horde in *Totem and Taboo*, where the existence of the Other and its civilizing law are given only as the *après coup* effect of a murder that needs to pass through the disappearance of the Other in order to signify its power - as Lacan succinctly puts it: "there has never been a father except in the mythology of the son" (*SVII* 207-9). The non-existence of the Other has then a crucial importance for the possibility of formulating a psychoanalytic ethics based on the death drive because, if the subject can eventually find a way to acknowledge that there is not an Other responsible for the jouissance that is lost or gained, the ethical drive can also be deflected from social conflict and aggression. By taking responsibility for whatever is signified through the symbolic chain, on the other hand, the subject can also start to question the ethical values proposed by the Other and learn to locate his jouissance where it belongs, not in the common good, not in the pleasure principle, not in the jouissance of violence and pain, not in any object that may be bought or stolen, but in the nothingness carved out by the symbolic chain, beyond the common good, beyond pleasure and pain.

From this position, of course, ethics still involves a relation to a point of otherness; this otherness (the place of jouissance), however, is essentially empty and does not pre-exist or hold any sway over the subject. In being directed towards this essentially empty target, the death drive becomes autonomous from the law and from the common good and, consequently, leaves the aggressions and transgressions of the social dialectic behind. It becomes ethical and criminal not by virtue of its transgression of the law, but by virtue of its focus on jouissance as a good that transcends any good that the law may define, propose, circulate or forbid. As Lacan puts it, the separation of jouissance and the drive from the common good implies a "radical repudiation of a certain ideal of the good" which opens up the way for what Lacan calls a "relation to the criminal good:" a criminal ethics (*SVII* 270; 281). In *Seminar VII*, Lacan describes this process whereby the death drive can be separated from the common good - and from the discontent of civilization - as a process of sublimation. In this particular sense, sublimation inverts the dynamic of the sublimation of jouissance into the common good which grounds the social war over the possession of goods, and finds its most typical

manifestations, as we will see in the next section, in the practices of art and love.

5. Sublimation and the Common Good

Lacan devotes the whole of the second part of *Seminar VII* to a reassessment of the concept of sublimation. The first three sessions ("Drives and Lures," "The Object and the Thing," and "On Creation *Ex Nihilo*") concentrate on the definition of the concept of sublimation in the context of a re-reading of Freud's theory of the drives and against previous definitions, including Freud's and Melanie Klein's. The other three sessions ("Marginal Comments," "Courtly Love As Anamorphosis," and "A Critique of Bernfeld"), focus on art and on the cultural and historical implications of sublimation, offering the case of courtly love literature as example. Lacan starts from Freud's definition of sublimation as a certain form of satisfaction of the drive in which the drive is deflected from its natural and original aim (SVII 110). He rejects, however, both Freud's and Klein's explanation for this paradoxical satisfaction of the drive away from its aim: the drive is neither simply "desexualised" and turned away from its natural

genital/instinctual aim (Freud) nor satisfied thanks to the substitution of an imaginary object for the lost body of the mother (Klein). The drive, Lacan argues, is satisfied precisely because it misses its aim. The sublimation that provides the drive with a satisfaction different from its aim is, says Lacan, "precisely that which reveals the nature of the drive insofar as it is not simply instinct, but has a relation to *das Ding* as such, to the Thing insofar as it is distinct from the [imaginary] object" (SVII 111). How is this possible? Simply "by raising the object" - Lacan's formula for sublimation - "to the dignity of the Thing," that is, by introducing a split in the object, so that the object is itself (e.g. imaginary) and other than itself (e.g. the real Thing that provides satisfaction) at the same time (SVII 112).

For Lacan, then, sublimation is not simply one particular form of satisfaction of the drive but it defines the very nature of the drive as a "drift," as a circular path around the erogenous zones as gaps or "*points de béance*" on the surface of the imaginary body (SVII 93). The libidinal economy of the drive is opposed to the direct genital cathexis of the instinct, to the indirect economy of signifying

substitution of the symptom, and to the metonymical lack of satisfaction of desire (Lacan, *SVII* 94). This is why sublimation becomes a crucial *ontological* rather than *psychological* concept. The Freudian *Trieb*, Lacan insists, "can in no way be limited to a psychological notion" and should be considered instead as an "absolutely fundamental ontological notion" (*SVII* 127).

Lacan, in fact, is very cautious regarding the Kleinian myth of the primordial lost object as the body of the mother and prefers instead to qualify *das Ding* as a primordial ontological "nothing," an after-the-fact hypothesis that functions as an operational concept to formulate a theory of the subjective constitution of knowledge (*SVII* 104). The primordial Thing is what "suffers from the signifier," meaning that the opposition between the Thing and the representations or *Vorstellungen* through which the Thing can be known is not merely one of separation between thinking and being, but, rather, a loss of enjoyment and, consequently, the creation of a void, of the ontological nothing of enjoyment as void (Lacan, *SVII* 118). If, by consequence, the real of the Thing, "the real that we do not have to limit, the real in its totality," is irreparably lost, we still

nonetheless have access to the partial real of the drives that get their satisfaction from circling around little nothings, gaps or voids that may be filled by any particular object (Lacan, *SVII* 118). The Thing, its nothingness and its enjoyment are still there but they are always also already cut up and veiled by the semblant of the *Vorstellungen*, objects-semblants, signifiers or representations. This is what allows Lacan to say that, essentially, "there is nothing between the organisation of the signifying network in the network of *Vorstellungsrepräsentanzen* [the representatives of the representation, the unconscious as a chain of signifiers] and the constitution of the central place in which the field of the Thing as such presents itself to us:" because the Thing is always, by nature, represented by something else, the Thing is also the Other thing, the unconscious network of signifiers as the place of the Thing (*SVII* 118). Even if the search for enjoyment "follows the path of the signifier," this search is, as Lacan puts it, a radically "antipsychic" search, because it operates, by means of sublimation, to arrest the sliding of signifiers that regulates the functioning of the psychic apparatus in order, so to say, to "purify" the signifier from its symbolic function, allowing it to become a representative of

the Thing by being a *thing*, that is, a little piece of nothingness (SVII 119).

If we turn now more specifically to the question of art we find that for Lacan the ontology of the drive is exactly what grounds sublimation as a creative process. It is only, in fact, the creative manipulation of a signifier or of an object that can put the subject into relation with an object that represents the Thing: "an object, insofar as it is a created object, may fill the function that enables it, not to avoid the Thing as a signifier, but to represent it" (Lacan, SVII 119). Not only, then, does sublimation create a new object by impeding its signifying function (what the object is, its definition by means of other signifiers), but it creates it as a partial ontological nothingness that represents a (lost, impossible) total nothingness. Referring to the classic philosophical example of the vase as the first created object, Lacan points out that the emptiness of the Thing "represented in the representation" of the vase "presents itself as a *nihil*, as nothing:" this is the reason why it is also possible to say that the artist-potter "creates the vase with its hands around this emptiness, creates it,

just like the mythical creator, *ex nihilo*, starting with a hole" (SVII 121).

Lacan thus offers a psychoanalytic theory of art that is radically (although also somewhat ambiguously) anti-mimetic. Works of art imitate the objects they represent, "but their end is certainly not to represent them" because "in offering the imitation of an object, they make something different out of that object" (SVII 141). Works of art "only pretend" to imitate the object because their true end is "to establish it in a certain relationship to the Thing which it is intended to encircle and to render both present and absent" (Lacan, SVII 141).

The positing of sublimation and the drive at the centre of the creative process has major consequences for Lacan's views on the historical and social status of the artwork. In the first place, Lacan rejects the possibility of a "history of art," that is, the possibility of relating art to what he calls a "substructure" (SVII 141). Because every operation of sublimation "consists in overthrowing the illusory operation so as to return to the original end, which is to project a reality that is not that of the object represented," Lacan concludes that "the relation of

the artist to the time in which he appears is always a contradictory one. It is against the current, in opposition to the reigning norms - including, for example, political norms, or indeed, systems of thought - that art attempts to operate its miracle once more" (SVII 141-2). Sublimation is thus presented as an anti-historical moment of discontinuity (a "miracle"), capable of, literally, purifying the created aesthetic object from its dominant social value by tying it closely to the ontological nothingness of the death drive.

It is very important to note that, in spite of this position, Lacan does not contradict Freud's thesis that the operations of sublimation are always morally, culturally, and socially valorised, but specifies, instead, the particular sense in which Freud's claim should be understood. While Freud simply argued that sublimation redirects the libido towards objects of public utility, socially approved and valorised, Lacan asserts that "at the level of sublimation the object is inseparable from imaginary and especially cultural elaborations," yet, at the same time, he also insists that "it is not in the approval that society gladly accords it that we must seek the power of sublimation" (SVII 99). On the one hand, sublimations can be

socially acceptable and welcome to the extent that the collectivity can find in them a defensive and comforting "space of relaxation where it may delude itself on the subject of *das Ding* and colonise the field of *das Ding* with imaginary schemes" (Lacan, *SVII* 99). On the other hand, however, Lacan is very clear on the importance of separating *idealisation* (e.g. the production of social values), from *sublimation*, on the ground that sublimation, by definition, operates outside and beyond the domain of the pleasure principle, that is, beyond the domain of the law and of the imaginary ideals set up by the Other.

Sublimation can indeed produce systems of rules and values, but these are not, strictly speaking, social and moral, but, rather, *ethical* values insofar as they concern the subject's desire in the real and not its subjection to the demands of the Other (Lacan, *SVII* 142-45). The example chosen by Lacan, courtly love, is very significant in this respect. Firstly, courtly love shows how art can produce, from nothing, a codified ethics that stands in total contrast with the social values of the time (Lacan, *SVII* 147-49). Secondly, it illustrates how two very distinct processes, *idealisation* (the Lady as an imaginary narcissistic ideal) and *sublimation* (the Lady as

"inhuman partner," a stand-in for the Other Thing) can overlap (Lacan, *SVII* 150-51). Thirdly, it reveals that the nothingness embodied by the Lady is not a universal and transcendental structure but is contingent and historically specific: because the Lady is often described as a cruel and arbitrary master (a "*domna*"), Lacan notes that what courtly poems really do is "to locate in the place of the Thing certain discontents of the culture" (*SVII* 150). It is, in other words, the very underside of the dominant social law (arbitrary cruelty) that is acknowledged in the act of sublimation, while sublimation also enables a purification or separation of the drive from the aggression and violence that accompany its articulation with objects, customs and social relations sanctioned by the Other.

To return to the more general scope of our discussion, we may say that Lacan thus distinguishes between a sublimation of the drive *into* the common good and a sublimation of the drive *from* the common good. The first type of sublimation corresponds to what Lacan calls "idealization" and describes the properly Freudian process whereby the drive is put at the service of civilization: civilization directs the drive towards certain objects that in this way achieve

a certain "jouissance value" and can circulate and be shared socially. Lacan acknowledges that this type of sublimation results in a certain regulation and pacification of the drive within the register of the pleasure principle, but also insists that since this regulation is sanctioned by the Other it is also always associated to a certain degree of violence and aggression in the social struggle over the possession of goods.

The second type of sublimation of the death drive, the sublimation from the common good, on the other hand, is specific to Lacan's theory and describes the process whereby a subject can direct the drive towards an object that would index or embody the lost place of his jouissance *directly*, that is, without the mediation of the Other and beyond the received social value or meaning of that object. Lacan insists that this is a process of creation, a creation, however, that works in two directions: the creation of a new object by the subject from or around the nothingness of the Thing and the simultaneous creation of a new set of ethical values (a Law) that define the subject's independent and autonomous relation to the space of his jouissance.

As Gérard Pommier has pointed out, this two-way creative movement is particularly apparent in Lacan's examples of love and art, where the "creating work" and the "created creator" exchange places: the lover and the artist create the loved one and the work of art as narcissistic semblants of the empty space of jouissance at the heart of their beings, but in this way the loved one and the work of art also appear as the very cause and content of the lover's name and of the artist's signature, "creating the creator" and allowing him to exist as a subject that relates to his jouissance independently from the Other (64-66). Sublimation thus becomes *literally* a form of purification of desire from the common good and thus also a separation of the ethical tendency of the death drive from the discontents - violence, aggression, envy, resentment, etc. - that the subject experiences when he relates to his jouissance through the Other and its Law, rather than through his own "name" or "signature."

In conclusion to this section and to this chapter, we may observe that Lacan redefines the Freudian concept of sublimation in a way that brings it much closer to the Kantian notion of the sublime as formulated in the

Critique of Judgement, and, more broadly, to the sublime as a distinctively aesthetic category, than to Freud's original *psychological* understanding of sublimation as a form of desexualisation of the drive. This aspect of Lacan's teaching has received extensive attention in many recent studies that have emphasised the centrality of the concept of sublimation for a Lacanian understanding of art. These studies include Joan Copjec's *Imagine There Is No Woman and Read My Desire*, Darian Leader's *Stealing the Mona Lisa*, Parveen Adams' *The Emptiness of the Image*, as well as many collections of essays such as *Art: Sublimation or Symptom?* (edited by Parveen Adams) and *Lacan and Contemporary Film* (edited by Todd McGowan and Sheila Kunkle). By focussing on the singularity of the creative process of sublimation within each individual text, many of these books and essays have managed to move away from the most conventional types of psychoanalytic reading - which typically reduce texts to Oedipal narratives or imaginary ideological lures - and insist instead on the essentially ethical value of the artwork as the site of a subjective engagement with the place of *jouissance*.

This approach has been illustrated effectively with particular reference to film studies by Benjamin Noys

in the introduction of a recent special issue of *Film-Philosophy, Lacan, Encore*. According to Noys, contemporary Lacanian film criticism is marked by a concentration on truth, on the Lacanian truth as "half-saying" ("mi-dire"), a truth which "takes places in the impasse of saying" (III). This impasse of saying corresponds, in film, to an impasse of signification and representation which takes the designation of the Real and which is not a mere "inert block to signification," but, as Noys explains using the terminology of Alain Badiou, an "evental site" of possible transformation which the reading of film must learn to "cultivate" (III-IV). However interesting and significant Lacan's theory of sublimation may be for the study of art, we must remember, however, that in the context of Lacan's reading of Freud's *Civilization and Its Discontents* in *Seminar VII*, the concept of sublimation is far from exhausting Lacan's engagement with the ethical and social problematic raised by Freud's hypothesis. Lacan in no way reduces ethics to aesthetics or suggest a reductive identification of ethical practice with artistic practice and love. Lacan's discussion of sublimation, rather, has only the function of illustrating the structural logic of the separation of the death drive from the discontents of civilization and, occupying only the second part of

Seminar VII, leaves open a series of questions concerning the nature and consequences of the ethical act in relation to the social link. We will now turn to these questions continuing to follow closely Lacan's argument in part three and four of *Seminar VII*.

Chapter II

Sade and the Ethical Crime

1. The Ethical Crime

In Chapter I we have tried to reconstruct how Lacan's reading of Freud's *Civilization and Its Discontents* leads him to the conclusion that, in relation to the common good that orients the ethics of civilization, the ethics of psychoanalysis must be defined as a criminal ethics. Two particular theoretical steps were essential to this conclusion. The first was the identification of the death drive with the ethical drive. The second was the distinction between, on the one hand, the merely criminal agency of the death

drive sublimated *into* the common good and, on the other hand, the ethical criminal agency of the death drive sublimated *from* the common good. In more concrete terms, we have seen how the first, non-ethical (for Lacan if not for Freud) sublimation of the drive into the common good fuels the criminal violence of the social struggle for the possession of goods, while the second, ethical sublimation of the drive from the common good identifies the criminal *disregard* for the common good one can encounter in art and love. We have thus seen the process of sublimation emerge as the element that allows one to discriminate between the common crime and the ethical crime, between the crime that partakes of the discontent of civilization and the crime that the criminal ethics of psychoanalysis defines against the good of civilization. At this point we cannot avoid, however, remarking that this distinction between common crime and ethical crime also seems to have the effect of somehow undermining the very "criminality" of the ethical crime. If, in fact, the ethical crime corresponds to a sublimation of the drive from the common good, it seems clear that the criminal and destructive value of this process is only a secondary and accidental effect of the drive's goal, which is

primarily that of circling around and enjoying a void and not that of destroying the common good.

As Lacan's examples of art and love show very well, the criminality of the ethical sublimation of the drive appears to be only a secondary consequence of the drive's *indifference* towards the common good because the drive does not aim at destruction per se but at enjoying a remainder of *Das Ding* in the object. This point has been illustrated in different ways by Lacanian theorists. Alain Badiou, for example, has developed it in the context of a critique of the contemporary ethics of difference, suggesting that ethics is not so much *against* what in a particular situation is identified as good, as it is *in-different* towards differences, indifferent, that is, towards the very system of differential values that constitute a situation (*Ethics* 27). It would seem, therefore, that a certain non-reversibility exists between the ethical and the criminal in psychoanalytic ethics: the ethical must *also* somehow be criminal because it implies a destruction and a disregard for the good, but, at the same time, the criminal as such cannot define the ethical since the ethical is not concerned with a mere "negation" of the good, but with the articulation of a position of *jouissance*.

What I would like to suggest, however, is that the non-reversibility of the criminal and the ethical in Lacan's theory of ethics is only apparent, since it is also clear that the very possibility of the articulation of the position of *jouissance* - the relation to *Das Ding* - which defines the ethical in psychoanalysis *depends* on a criminal act, while the process of sublimation itself is also nothing but a criminal act of negation. Although ethics might rightly be deemed to be indifferent, rather than opposed, to the common good, this indifference must be born out of an act that can only define itself in relation to the Other and to the law that it negates. We will argue then that the criminal not only cannot be explained simply as a secondary effect of the ethical but must be recognised as the very "practical" condition of the ethical in Lacan's theory.

In this chapter I will try to clarify how this is the case by reversing the terms of my analysis: rather than interrogating - as I have done up to this point - the way in which the ethical sublimation of the drive must be distinguished from the criminal vicissitudes of the drive within civilization, I will follow Lacan's reading of Sade - in *Seminar VII* and in "Kant

avec Sade" - in order to establish how, conversely, a criminal act of negation may - or may not - enable the sublimation of the drive. The question will be, in other words, more specifically that of how a subject may arrive at the ethical sublimation of the drive: can this be achieved through a simple "criminal" act of negation capable of projecting the subject beyond the common good of civilization? Lacan's discussion of art and love in the second part of *Seminar VII* illustrated how sublimation can structure the relation of the subject to jouissance beyond the common good but did not disclose what particular gesture can make such sublimation possible. In his discussion of Sade, which occupies the third part of *Seminar VII* and is continued in one of Lacan's most famous *Écrits*, "Kant avec Sade," Lacan interrogates the very possibility of this gesture, not only from the point of view of its possible definition as an *ethical crime*, but also, and especially, from the point of view of the conditions of its practice for the subject.

Lacan gives us a very explicit definition of the ethical crime towards the end of *Seminar VII*. Although at this point he is talking about Sophocles' *Antigone* and not about the Marquis de Sade, Lacan returns to Sade for a moment in order to present his audience

with a *theoretical* definition of the ethical crime, which he borrows and adapts from a passage of Sade's *Juliette* quoted earlier in the seminar, the "system of Pope Pius VI" (SVII 248-50). Following Sade, Lacan defines the ethical crime as a type of transgression which becomes ethical because it manages to outdo the structural violence and destruction of civilization by aiming *directly* at the nothingness of jouissance:

The thought of Sade arrives at giving shape to this truly singular type of excess - that through crime it is in the power of man to free nature from the chains of her own laws. The reproduction of forms around which her possibilities at once harmonious and irreconcilable come to a halt in a conflicting impasse, this is all that one needs to put aside in order to force her, if we may say so, to start again from nothing. This is the aim of the crime. (SVII 302)

In Lacan's reading of Sade, the "chains of nature" stand for the signifying chain of the symbolic order that governs civilization by means of a functional and socially useful alternation of opposites - vice and virtue, violence and altruism, creation and destruction - "possibilities at once harmonious and irreconcilable." The Sadean notion of crime becomes

for Lacan the structural definition of the ethical act because, by preserving the sense of Sade's quest for an extreme and ultimate transgression, the ethical act would similarly manage to fully realise the course of the death drive towards the "criminal good" - the place of *jouissance*, the nothingness beyond the signifying chain - bypassing the structural violence of civilization. But how exactly does Lacan understand this fundamental ethical gesture?

Lacan emphasises how the logic of the ethical crime is not one of simple and all-embracing annihilation because the deadly void targeted by the drive is also the *living* core of human subjectivity: the death drive aims at a nothingness that is between life and death, a "second death," "death impinging upon the domain of life, life impinging upon death" (SVII 291, 341). This is why, as Lacan points out, the Sadean crime never results in the simple death of its victims but rather turns the victim into an "indestructible support" of torture and destruction, unveiling the fundamental relation of the subject to his *jouissance* as a neighbourly and torturing void at the heart of subjectivity (SVII 303).

The Sadean crime thus manages to confront the subject with his jouissance, but the unveiling of the subject's relation to his violent neighbourly core, however, is not sufficient to free the subject from a jouissance that remains structural even when it is detached from the common good. For Lacan, *the ethical crime can only come full circle when the subject negates his own subjection as "victim" to the jouissance of the drive by articulating an indestructible desire that sustains itself on nothing,* opening up the possibility of, as Lacan puts it in the quote above, "starting again from nothing," from a pure and objectless desire. We may say that in this way the ethical crime complements the "reversed" process of sublimation of the death drive from, rather than into, the common good by negating even the jouissance of the drive itself and by adding a further degree of sublimation of the drive into desire.

As Lacan clearly states in the last pages of *Seminar VII*, the ethical act is, essentially, the act of being faithful to one's impossible desire for jouissance by sacrificing the (fake) jouissance embedded in or even extracted from the common good: "you can sublimate everything you want but you need to pay for it with something, [...] this something is called jouissance,

[...] this is the object, the good that one has to pay in order to satisfy desire, [...] the share of goodness sacrificed in the name of desire - and you can observe that this corresponds to the share of desire that is lost in the name of what is good" (SVII 371). In short, therefore, because there cannot be any "free" jouissance for the subject (not even the jouissance of the drive sublimated from the common good), for Lacan the ethical crime must intervene to liberate the subject from the stronghold of the symbolic Other not by liberating the drive - which eventually remains tied up with the controlling power of the Other - but by putting the barrier of desire between the subject and jouissance.

Lacan's definition of the ethical crime thus insists not so much on how the subject may find an ethical position in relation to his jouissance beyond the common good of civilization, but on how the subject may reclaim his freedom and autonomy from the structural constraints of civilizing structures and from the power of jouissance itself. In this sense, Lacan's definition recalls in many ways Georges Bataille's famous theory of the "sovereign" nature of crime and transgression. As Elisabeth Roudinesco has pointed out in her biographical study of Lacan, as

well as having strong family ties - Lacan married Bataille's first wife Sylvia and subsequently acted as a father for Bataille's daughter Laurence - Lacan and Bataille had been friends since the early 1930s, were inspired by the same ideas and concepts, and shared a number of formative intellectual experiences, including an active involvement with surrealism and with the Nietzschean and Hegelian revival of the 1930s (130-39). Indeed, as David Macey has also suggested, Lacan's tendency to value the subversive and liberating side of crime and transgression may be taken, among other things, also as a persisting legacy of Surrealism's own avant-garde cult of criminals (70-74).

The link between Bataille and Lacan, however, goes beyond the mere range of their common influences and concerns and includes a direct influence of Bataille on Lacan. According to Roudinesco, in fact, it was Bataille that "initiated him [Lacan] to a new understanding of Sade, whose writing would later lead him to formulate a non-Freudian theory of pleasure," while Lacan "also borrowed Bataille's ideas on the impossible and heterology, deriving from them a concept of the 'real,' seen first as a 'residue' and then as 'impossible'" (136). As is well known,

Bataille's work turns around the concept of limitless and wasteful expenditure [*dépense*] as the primary attribute of the sovereign element which, in relation to a given closed, social, psychic and signifying economy, disregards all considerations of utility, reason and meaning in order to open up to the freedom of a boundless general economy and to expenditure itself as a form of "being in excess of being" (*Eroticism* 173). Gratuitous crime, destruction and violence are, for Bataille, privileged instances of such sovereign expenditure, and it is precisely this idea of the criminal gesture as a gesture that can happen in excess of the values and functional rules of a particular system (including their "utilitarian" transgression) that marks the point of contact between Lacan's and Bataille's thought.

Just like Lacan, moreover, Bataille also considers Sade a fundamental reference for the theoretical elaboration of this type of criminal ethics. In one of his major works, *Eroticism* (published in 1957), Bataille presents the Sadean man (rather than Sade himself) as the ideal embodiment of the "sovereign man" whose criminal acts of destruction reach beyond the common good and "control sovereign attitudes in ourselves, attitudes that is to say that are

gratuitous and purposeless, only useful for being what they are and never subordinated to ulterior ends" (185). Crucially, for Bataille, the Sadean man pursues crime even beyond his own interest and egoism and asserts his sovereignty by means of an "enormous denial" which also involves his own personal self and leads to the motif of the "pleasure" of apathy and impersonality in crime (171-76). In another work, *La littérature et le mal* (also published in 1957), Bataille pushes this analysis even further and argues that this negation of self and other, which defines the Sadean crime as a form of "disenchainment" [*déchainment*] (compare Lacan's reference to the "chains of nature" in the quote above) from the social laws of utility, reason and meaning, can enable man to transcend the limits of his own individuality and lead him to an identification with being as "what is," as "the indefinite totality that we cannot know" (254-55).

It is easy to discern the (Lacanian) logic of the death drive behind Bataille's notion of expenditure. More precisely, sovereign expenditure *qua* wasteful destruction of goods may be taken to illustrate what for Lacan is the ethical functioning of the death drive: a functioning that, by means of a sovereign

disregard for the common good, shatters the symbolic signifying "chains" that structure civilization and orients itself, instead, towards the lost good of *Das Ding* - which in Bataille becomes, as we have seen, a "being in excess of being" and an "indefinite totality that we cannot know." The interest of drawing a parallel between Lacan and Bataille, however, lies, for the purposes of our work, less in the similarities than in the differences between their respective understandings of the criminal. My parallel exposition of Lacan's and Bataille's notions of the ethical crime should have already disclosed, at least implicitly, an important point of divergence in their way of developing an ethical system out of a rather similar conceptual configuration. It is, in fact, apparent that while for Lacan ethical crime - understood as death drive - aims primarily at a purification (sublimation) of desire and thus reasserts the fundamental separation of the desiring "empty" subject from the lost being of *Das Ding*, for Bataille criminal expenditure aims fundamentally at a dissolution of all boundaries, including that between the subject and the "indefinite totality" of being: far from simply detaching his desire from false goods, through expenditure, as Bataille puts it, man "loses himself"

and "becomes *equal to what is*" (Bataille's italics) (*Littérature* 255).

We may say that while for Lacan the criminal act aims at putting the subject in front of the nothingness of his *jouissance* as a lost good, what is truly ethical, what psychoanalysis proposes as a measure for our actions, is not the possibility of losing oneself in a sovereign *jouissance* of the nothingness at the heart of the drive, but, rather, the subjective ability to assume this loss and find a freedom and a dignity in the autonomy and singularity of the process of subjectivation itself. I will return to the peculiarities of Lacan's understanding of the ethical crime in the last section of this chapter. For the moment, what I want to underline is that Bataille's theory suggests that it is expenditure (the crime) itself that is ethical; Lacan, on the other hand, sees the criminal work of the death drive as ethical only insofar as it allows the subject to sublimate his desire and to rearticulate his position in relation to the truth of his *jouissance*, rather than in relation to the common good.

In this respect, Bataille's ethics seems to be closer to a deconstructive ethics of difference - in *Writing*

and *Difference*, for example, Derrida has shown how Bataille's expenditure can work also like an inexhaustible textual drift - or even to the "schizophrenic" ethics of desubjectivation proposed by Deleuze and Guattari in their *Anti-Oedipus* - particularly in relation to Bataille's references to the possibility, for the subject, of identifying with the unregulated order of being as an "indefinite totality" or "general economy." The distance between Bataille's and Lacan's understanding of the criminal, therefore, is noteworthy since it may also serve to acknowledge the difference between Lacan's ethical reading of the death drive and other theories of subversion and transgression akin to the work of Derrida or Deleuze. In all these different instances the Lacanian position marks its specificity by articulating transgression with the positing of subjectivity, rather than with desubjectivation.

By comparing and contrasting Lacan's and Bataille's theories of the criminal we have thus come to establish that, as far as the ethical status of the death drive is concerned, one further specification is required for Lacan: the drive needs to be articulated with a lacking, desiring subjectivity. We can thus already anticipate one major point of Lacan's

understanding of what does not constitute an ethical crime: the mere enjoyment of the nothingness of the drive "beyond good and evil" and beyond the subject-object distinction which the drive eventually also tears down cannot be an ethical end in itself. We can see now how Lacan's quest for an ethics capable of providing an answer to the problem of the discontent of civilization passes through a series of exclusions: first, the exclusion of the traditional ethics of the good which represses the destructive drives of the individual; then, the exclusion of an ethics centred on the violent drives that cause social conflict when they are engaged in the struggle over the possession of goods; finally, the exclusion of an ethics centred on the death drive as a pure de(con)structive agency operating beyond the realm of the common good.

Lacan's discussion of Sade, which we will examine in the rest of this chapter, will explain the reasons for this last exclusion and demonstrate why the realisation of a pure desubjectivised drive not only cannot be proposed as an ethical project, but would also prove inadequate in tackling the problem of civilization's discontent. This is, indeed, a crucial point, particularly because Lacan has sometimes been read or misread as a proponent of precisely this type

of radical desubjectivation, particularly, as we will see, by theorists like Slavoj Žižek. The crucial point that we shall advance in this chapter is that, in order to become ethical, the criminal act of negation needs to be able to negate also its own necessity as an ethical principle, returning to the subject the full responsibility of his desire rather than enslaving it to the imperative of jouissance of the drive. Without this conclusive "coda" to the ethical crime, the death drive becomes "perverted" and crime only arrives to articulate the subject's relation to jouissance, without ever enabling him to transcend it autonomously through desire. The function of Sade's figure within Lacan's teaching, and within the general context of the question of psychoanalysis' stance in relation to the discontent of civilization, is precisely that of illustrating how a criminal act of "pure" negation can articulate the subject's fundamental relation to his jouissance but, at the same time, also come short of becoming ethical by tying the subject to a forced and endless imperative of transgression.

2. Sade: History, Thought, Structure

Lacan's discussion of Sade in *Seminar VII* (taught between 1960 and 1961) and in "Kant avec Sade" (first published in 1963) is articulated on different levels, which all address the problem of the ethical crime from different angles. Sade is approached successively as a historical figure, as a thinker and as the subject of a particular structure or position of jouissance. As a historical figure, Sade is shown to manifest the consciousness of the structural persistence of crime at the heart of civilization. As a thinker, Sade is credited with the definition of a modality of crime capable of freeing man from the chains of civilization as well as from the violence that is endemic to it. As the subject of a particular psychic structure, finally, Sade is used to demonstrate the impasse inherent in the attempt of realizing this "ethical" modality of crime through the pursuit of an absolute negation taken as a practical imperative. Lacan's reading of Sade is disseminated with numerous, generally critical or dismissive, allusions to the work of other Sade scholars (see, for example, Lacan's reference to other readers of Sade as "do-good existentialists" and "ready-made personalists" in "Kant avec Sade" (778)). Only three

names, however, are mentioned explicitly: Bataille, Blanchot and Klossowski.

In "Kant avec Sade" Lacan praises the "extreme perceptiveness" of Klossowski's work on Sade (15). Although Lacan does not say exactly in relation to what he considers him "extremely perceptive," a reading of Klossowski's *Sade My Neighbour*, a text first published in 1947, reveals that many of the themes developed by Lacan in *Seminar VII* and "Kant avec Sade" - particularly the analysis of neighbourly love and the structure of perversion - had already been articulated by Klossowski in his book. Most interestingly, however, Klossowski also lends to Lacan the particular method of his reading of Sade, which approaches the figure of Sade from three different angles: as a historical figure, as a thinker and as a psychological "case." As far as Bataille and Blanchot are concerned, their names appear in *Seminar VII*, in the context of a passage where Lacan interrogates the overall value of Sade's work. Bataille is dismissed by Lacan for suggesting that Sade's work, as Lacan puts it, "finds its value from giving us access to an assumption of being as *dérèglement*" (SVII 236). Openly paraphrasing one passage of Blanchot's *Lautréamont and Sade* (published, like Klossowski's *Sade My Neighbour*,

in 1947), Lacan endorses, on the other hand, Blanchot's idea that the value of Sade's work lies in its unique and unsurpassed ability to reach the "absolute of the unbearable in what can be expressed through words concerning the transgression of all human limits" (SVII 236).

In Lacan's terms, this means that the value of Sade's work lies in its ability to trace a limit for the subject, not in its illustration of a "dérèglement" that may liberate being, but in the reactions of "ennui" it produces, in its unbearable excess, which manifests, as Lacan says, "precisely the response of being - the being of the reader or the being of the author - to the approach of an incandescent centre, of an absolute zero, which is psychically unbreathable" (SVII 237). In this opposition between Bataille's and Blanchot's judgement on Sade's work we can find the gist of Lacan's critique of the Sadean crime, in which the dream of sovereign emancipation through gratuitous acts of negation is uncovered as a structure of subjection, that is, as a structure kept in place by the subject's subordination to the jouissance - or unbearable *ennui* - provided by his fantasy of transgression. I will develop this point, which concerns the *structural* position of jouissance defined

by the Sadean subject, in the next section of this chapter. Before then, however, it is important to illustrate the way in which Lacan distinguishes between this particular aspect of Sade's work (e.g. the particular structure of fantasy that can be extracted from Sade's writing) and Sade's position as a thinker and a historical figure.

As we said above, the threefold approach which distinguishes between history, thought and (psychic) structure, comes to Lacan from Klossowski's *Sade My Neighbour*. Klossowski's book is essential to grasp the specificity of Lacan's critique of the Sadean criminal at the structural level, as opposed to the historical and philosophical levels, where the value of Sade's work in relation to the question of a criminal ethics and to the discontents of civilization appears to be altogether different. According to Klossowski, historically Sade represents and reflects in his work "a supreme degree of consciousness" of the social dialectic that led from the "murder of God," perpetrated at the summit of the social hierarchy by the atheist libertine aristocracy, to the "murder of the king" (and of the aristocracy that had started the process in the first place) perpetrated by the people during the French Revolution (53-57). Klossowski shows

how Sade's "utopia of evil" - the caricature of republican freedoms presented in the famous "One More Effort" pamphlet attached to the *Philosophy In the Bedroom*, but also, more generally, the vast criminal landscape deployed in the whole of Sade's fiction - gives voice to Sade's idea that the new revolutionary order was founded on the criminal "solidarity of the parricide" (the murder of the king) rather than on the "fraternity of the natural man," and thus eventually serves to "denounce the dark forces camouflaged as social values by the defence mechanisms of the collectivity" (57, 65).

From this particular historical bias, the Sadean crime reflects primarily the crime that grounds the social dialectic - parricide - and, by consequence, also the crime that is inherent to the civilized order, the persistence of the death drive at the heart of civilization itself. Lacan follows this particular reading of Sade when he presents Sade's work as a "testimony" of the social status of the aristocratic man in the years around the French Revolution and, more specifically, as a self-conscious, even ironic, reflection on the position of the "man of pleasure," whom Lacan defines as the "master who does not bend his head in front of the being of God" (SVII 234).

Quoting a passage from Freud's *Civilization and Its Discontents*, Lacan goes on to demonstrate how the position of the Sadean aristocratic man of pleasure implies, socially and historically, the possibility of a criminal jouissance that, on the one hand, disregards the limits posed by civilized life but remains, on the other hand, conditional on the possession of wealth - in this sense, "crime" refers specifically to the possibility of destroying goods - and thus also on the social dialectic and on the very structure of civilization (SVII 235).

In Lacan, just as in Klossowski before him, therefore, Sade emerges as a figure that embodies historical consciousness and reflects upon the structural persistence of crime at the heart of civilization. This reading of Sade, moreover, also suggests a parallel between Sade and Freud. As I have insisted in the first chapter, in fact, the Freudian conception of social discontent goes well beyond the mere idea of a frustrating repression of natural drives: especially in Lacan's reading of Freud, it is clear that the discontent of civilization is also, as Freud's original title *Des Unbehagen in der Kultur* suggests, the discontent in civilization, the suffering caused by the violence and destruction of the death drive

that civilization harbours within itself and is structurally unable to contain. From this particular angle, Sade's work may then be seen also as an *ante litteram Civilization and Its Discontents* and as a pre-Freudian reflection on the centrality of the death drive within civilization.

The second approach to Sade suggested to Lacan by Klossowski consists in looking at Sade as a thinker. This approach is logically connected to the historical approach we have just examined, to the extent that both Klossowski and Lacan present Sade's "system" of thought as an attempt to provide a response to what historical consciousness has discovered at the heart of the social dialectic, i.e., to the recognition of crime as the fundamental component of the social link between the subject and his neighbour. We can thus see how Lacan's reading of Sade unfolds the same problematic as his reading of Freud: in both cases, the starting point is the recognition of a discontent of civilization; from this recognition, one has to move to the fundamental question of *theorising* an ethics which would allow the human being, caught between his contradictory drives to create and destroy civilizing structures, to find a measure for his actions. Lacan shows us how Freud and Sade, having

reached a similar level of insight, adopt, however, very different solutions to the problem of evil in civilization: Freud, to recall Lacan's own words, "stops as if in horror" at the idea of an ethical endorsement of the death drive (*SVII* 212); Sade, on the other hand, does not stop and dares to articulate what Lacan calls a new and "unprecedented" theory of the ethical crime (*SVII* 303).

As we have already explained at the beginning of this chapter, in Lacan's reading Sade's theory of the crime has nothing to do with a mere "liberation" of "natural" criminal instincts, nor with an endorsement of the criminal violence that is endemic to the social sphere (there is, in fact no difference between "natural" and "social" violence for Sade), but concerns, rather, the possibility of transcending the constraints of civilization and its endemic violence through an exceptional criminal act. This is the element of Sade's thought that is most interesting for Lacan and that leads him to adopt Sade's definition of the crime as one of the possible ways to theorise the ethical act in psychoanalysis.

Of course, Sade never formulates his theory of crime directly in his fictional work. The numerous, and

often contradictory, philosophical "systems" that are put forward in Sade's writings belong, in fact, to Sade's fictional characters and not to Sade himself. This has led some readers of Sade, notably Georges Bataille, to argue that it would be pointless to try to extract a coherent Sadean theoretical system from Sade's work (*Littérature* 245). In his book on Sade, however, Klossowski devotes a whole chapter to outlining what he describes as the "different phases" of the "dialectical process" of Sade's thought, reconstructing a dynamic theoretical system that culminates, according to Klossowski, precisely with the "system of nature" exposed by the Pope in *Juliette* and containing the definition of crime that Lacan refers to in *Seminar VII* (67). Klossowski underlines how the Pope's system is centred around a particular idea of nature not only as "enslaved" by her own laws of perpetual creation and destruction, but also constantly wishing to free herself from these laws through an exceptional criminal act of destruction that would restore her to her "most active power" (90-91). By actively rejecting the laws of human self-preservation and multiplication, the Pope's system marks, in Klossowski's reading, a "dehumanisation" of Sade's thought and an attempt to "integrate cruelty into a universal system in which, by recovering its

cosmic function, it would figure as pure cruelty" (85-88).

Klossowski thus hands over to Lacan a particular reading of Sade's thought where the problem of the discontent of civilization - the problem of the constraints posed by civilization to individual freedom and the problem of the violence and destruction that are inherent to civilization - finds a solution that allows one to go beyond the barrier of the common good and to recognise the ethical import of the death drive, beyond a simple endorsement of social aggression. Lacan accepts this solution - he accepts that the suffering that comes to man from civilization and from his social relations to his neighbours can only be overcome through a criminal act of negation capable of investing both the common good and the "necessity" of its transgression. At the same time, however, Lacan also insists that the Sadean definition of the ethical crime can only be accepted *theoretically* and should not be mistaken for an ethical practical principle commanding the pursuit of a "pure" criminal negation since, if this were the case, it would amount, as he puts it, to no more than a "laughable fantasy" (SVII 303).

For Lacan, Sade's work illustrates precisely this gap between a formal definition that successfully locates the limits of the common good beyond the register of simple transgression and a practice that by taking this definition as an ethical principle remains trapped within the boundaries of the fantasy of these limits. Sade, in Lacan's own words, not only "imagines and demonstrates the imaginary structure of the limit" but he also "crosses the limit:" "he does not cross it, of course, in the fantasy, [...], but in the theory, in the doctrine proffered through words" (SVII 232). It is thus only at the level of fantasy - which is also the level of practice insofar as fantasy is what drives the actions of the subject - that the impasse of the Sadean theory of ethical crime can be registered and that a further step towards the definition of a criminal ethics can be achieved. And it is precisely with a view to assessing this impasse at the level of practice that a third, "structural" or more distinctively "psychoanalytic" approach to Sade's work is defined by Klossowski and developed by Lacan in order to unravel not only the fundamental structure of the Sadean mind but the structure of fantasy itself.

3. The Ethical Crime and the Sadean Fantasy

After having reconstructed the dialectical "system" of Sade's thought through the arguments of his characters, in the last chapter of *Sade My Neighbour* Klossowski tries to delineate the psychological structure that lies behind this system. Sade's theory of nature and his ideal of an ultimate crime capable of freeing nature from her self-imposed bondage, are, in other words, approached by Klossowski as external manifestations - the term *symptoms* also seems appropriate here - of a deeper psychic structure ascribed to the man Sade in particular and to the Sadean man that Sade typifies - the "libertine great lord of the century of the Enlightenment" (100) - in general. For Klossowski, Sade's theory of crime expresses the "pathos of the soul enchained, which rattles its chains and sees in the universe it inhabits only a creation likewise in chains" (99). The Sadean mind "discovers its own inner conflict" in the dualism of a system of nature that becomes aware of itself and aspires to negate its own laws of perpetual creation and destruction through a fundamental criminal act of destruction (90-91). Now, Klossowski's fundamental step consists in reading this criminal aspiration as the aspiration of a "fallen soul" that not only wishes to destroy the creation that imprisons

it and the Creator who has occasioned its fall, but also retains a sense of the "purity," freedom and eternity of non-being beyond creation (99). From this particular perspective, it becomes apparent that the criminal drive to unconditionally negate and destroy - or, as Maurice Blanchot also puts it, the "complete identification with the spirit of negation" that marks the Sadean man (36) - hides, when it is articulated as a sovereign drive seeking emancipation from every type of law or constraint, a deeper psychological truth. This truth is that the unconditional negation of the Sadean crime aims not at the negation of the laws of creation, but at the destruction and negation of everything that appears pure, free and eternal beyond creation. It is only in this way that the fallen and captive soul can not only deny its own fallen state but also, and at the same time, achieve a paradoxical affirmation of the very freedom, purity and eternity it longs for in the constant failure and endless endeavour of its negation. In this way, writes Klossowski, "Sade's soul not only compensates for its initial defeat but affirms the compensation for it" (104).

Klossowski manages to extract this particular psychological structure from what he refers to as

Sade's *delectatio morosa*. *Delectatio morosa* is a theological notion that Klossowski borrows from the doctors of the medieval church who used it, as Klossowski takes care to explain, to describe a "state characteristic of the generations posterior to the ages of faith," and which designates "the movement of the soul by which it bears voluntarily toward images of forbidden carnal or spiritual acts in order to linger in contemplation of them" (113). These images towards which Sade's soul "voluntarily bears and lingers" form the most characteristic scenario of Sade's fiction, in which a cruel torturer confronts an innocent and pure victim - typically a virgin as in the *Justine* novels - whose pure virtue and innocence only become stronger and stronger as the torturer's attempts to negate them become more and more terrible and extreme.

In this way, the imaginary scenario of Sade's *delectatio morosa* provides the concrete illustration of the "practical" (in the Kantian sense) possibility of the ethical crime, understood as the supreme, emancipatory act of negation beyond good and evil which Sade also elaborates, as we have seen, theoretically. It provides, in other words, an illustration of what it would be like if the ethical

crime really happened. Klossowski points out how this scenario defines a very precise target against which the ethical crime can unleash its effort of absolute negation: the figure of the virgin which, as a symbol of purity, is fit to embody the ultimate obstacle, the ultimate limit that negation must confront. In fact, because the purity of the virgin, just like the purity, freedom and eternity of non-being, must necessarily escape the torturer who is nothing but a fallen creature captive to the laws of creation, it is only the negation of this purity that could finally guarantee the freedom and sovereignty of the Sadean man. The problem is, however, that the purity of the virgin is nothing else but the effect of negation, it is literally what remains after everything has been negated and destroyed and is, as such, impossible to negate. This is why Klossowski can affirm that "Sade elevates and definitively consecrates the virgin by this holocaust" and that "cruelty is for him a fidelity, and an homage to the virgin and to God, an homage become incomprehensible to itself" (105).

Even more crucially, by affirming the purity of the virgin as a leftover of negation, crime also becomes a way for the torturer to affirm the immortality of his own soul and to "prove that the insatiability of [his]

soul is commensurate with its immortality" (Klossowski 109). Eventually, therefore, for Klossowski Sade's *delectatio morosa* can be elevated to the level of an act of devotion and of a "spiritual exercise" whereby the soul can "become conscious of itself" (115-16). The limits of this spiritual exercise are, however, also marked very clearly by Klossowski, who concludes his analysis by pointing out that *morose delectation* is at bottom a "sterile" exercise that rather than liberating the soul "welds new chains" for it (118). If, in fact, the soul wants to find itself through crime, the negation needs to be endless and frustration maintained forever. As Klossowski puts it, "the powerlessness to reach something that would be accomplished once and for all betrays the consciousness of the author" (119). This also means, of course, that the ethical crime remains a mirage and that the subject remains trapped within the net of nature and of its laws.

I have tried to reconstruct in some detail Klossowski's analysis of the psychological structure behind Sade's *delectatio morosa* because this analysis represents in many ways the blueprint for Lacan's own unravelling of the Sadean fantasy. While in Klossowski, however, the category of *delectatio morosa*

has a narrower application, and aims ultimately at demonstrating that the Sadean mind is, in spite of its virulently professed atheism, informed by a religious tension towards the divine, in Lacan the religious problematic is cast aside and the structure of the Sadean fantasy becomes the structure of fantasy as such, the very definition of fantasy as a psychic formation. Although in "Kant avec Sade" he does recognise that "the Sadean fantasy is better situated among the fundamentals of Christian ethics than elsewhere" (789), Lacan is interested mostly in how the Sadean fantasy reveals the basic structure of fantasy as the psychic formation that links the subject to its point of disappearance in the object. Lacan, in other words, credits Sade with unveiling the bare axiom of fantasy in his fiction, rather than simply a form of frustrated religious consciousness.

The scenario of Sade's *delectatio morosa* analysed by Klossowski, where the soul can become conscious of itself as non-being through never-ending negation, in Lacan becomes the scenario of fantasy itself, in which, as Lacan puts it in "Kant avec Sade," "the object, [...], the object of desire, where we see it in its nakedness, is nothing but the residue of a fantasy in which the subject does not reappear after blacking

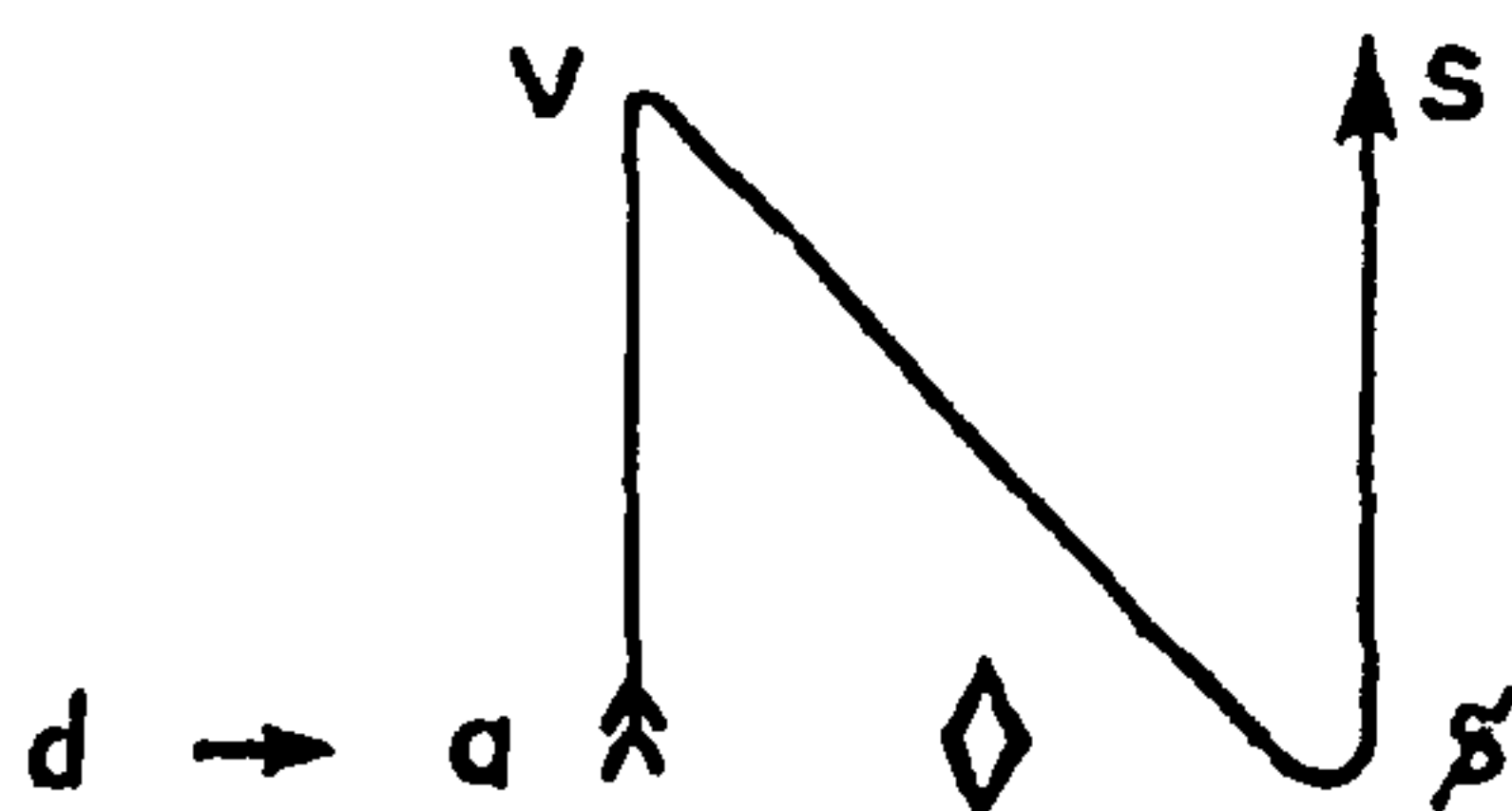
out" (780). More generally, for Lacan the logic that articulates the interaction between the Sadean torturer and his incorruptible virginal victim illustrates the logic of the death drive and the link between the object-neighbour or object-jouissance and the subject ("Kant" 776). This is why, where Klossowski talked about "spiritual exercise," Lacan prefers to describe the subject's attempt to capture its own nothingness through negation in the scenario of fantasy as "a case of necrophilia" ("Kant" 780). The coordinates of their analysis are, however, essentially the same and Lacan, just like Klossowski, underlines the structural impossibility for the subject to finally capture, through a conclusive negation, an object that "vacillates in a manner that is complementary to the subject's vacillation" ("Kant" 780).

Even if he stresses how the Sadean fantasy rests upon and has the merit of bringing into light the structural logic of fantasy as such, Lacan is nevertheless also attentive to the specificity of the Sadean fantasy. If, in fact, the general logic of fantasy is but the general logic of the drive, the subject can adopt a variety of different positions of jouissance and thus articulate or "enter" the basic

structure of fantasy in different ways, creating his own particular fantasy. In Lacan's reading of Sade in "Kant avec Sade" it is precisely this modality of entering or of positioning oneself within the fantasy which accounts for the specificity of the Sadean fantasy, and therefore also for the particular way in which the criminal negation of the death drive is adapted to an imaginary "practical" scenario by the Sadean mind. Lacan's reading here joins Klossowski's once more in trying to assess how Sade's theoretical elaboration of the ethical crime hides a deeper psychological structure in which the criminal act loses its ethical value and functions as a mere support for the subject (as opposed to the "soul" in Klossowski's analysis), who remains enslaved by the necessity of his own perpetually unaccomplished negation.

In "Kant avec Sade" Lacan starts precisely from the Sadean criminal ethics of negation - Sade's idea of the ethical crime - and shows how in Sade's work this negation takes the character of a "will to jouissance" and of a universal maxim of practical reason of the type described by Kant: "I have the right to enjoy your body, [...], and I will exercise this right without posing any limit to the capriciousness of the

exactions I may wish to satisfy with your body" (768-69, 773). I will return later on to the significance of Lacan's juxtaposition of Kant's and Sade's ethics; for the moment what matters is that by presenting the Sadean crime as the manifestation of a will to jouissance and of a universal - that is to say unconditional - rule of jouissance, Lacan determines a very particular point from which Sade - or the Sadean criminal - appears to enter the structure of fantasy. This entry point is indicated very clearly by Lacan in the first of the two schemas of "Kant avec Sade:"



The bottom line of the schema presents the Lacanian formula of fantasy - $\$ \blacklozenge a$ - where the empty subject $\$$ is confronted with an "a" (utre) (small a for other) - the "little other" which stands for the neighbour or for the object-jouissance - and where the fundamental orientation of the death drive is given, precisely, as the orientation of the subject towards his point of disappearance in the nothingness of the object-

jouissance. In this particular case, the point of access to the fantasy for the Sadean criminal is indicated by the arrow pointing to the letter "a" at the bottom left of the schema: the criminal does not enter the schema as the subject but as the object, as the neighbourly figure that tortures the subject, and does so by articulating its desire (d in the schema) with the death drive of another subject (\rightarrow a). In this way, desire is confused with a will to jouissance in the "psychology" of the Sadean criminal. As Lacan points out, however, desire can sustain itself as a will to jouissance only by becoming the "instrument" or the "agent" of a will to jouissance that desire has already created in the Other, since otherwise desire would remain subject to the limits of the pleasure principle and the will to jouissance as such could not be sustained ("Kant" 773).

The whole operation answers, consequently, to what Lacan calls a "calculus of the subject," illustrated by the curvy arrow that zigzags across the schema: by becoming the instrument of another subject's death drive, the torturer can sustain a will to jouissance (V in the upper left angle of the schema) that produces a subject by isolating it as an empty remainder from the full "pathological" subject of

pleasure alienated in the Other (S) ("Kant" 775). Just as in Klossowski's reading, where the torture of the virginal victim had the ultimate goal of affirming the immortality of the torturer's soul, in Lacan's analysis, Sade's fantasy thus turns out to be nothing less than a strategy to make subjectivity exist - not only the victim's subjectivity, but subjectivity as such: "the apparent agent [of the fantasy]," Lacan writes, "freezes with the rigidity of an object, in view of having his division as a subject entirely reflected in the Other" ("Kant" 774).

If we return to the main thread of our argument, we should now be in the position of appreciating the significance of the step that led Klossowski first, and Lacan after him, to move from a historical and theoretical analysis of Sade's work to a "psychoanalytic" study of the structure of Sade's mind, where the underlying structure is revealed through the subjective triangulations of Sade's imaginative output (Sade's *delectatio morosa* or fantasy). We must, in the first place, recognise that Klossowski and Lacan's psycho-structural approach does not work to undermine Sade's theory of the ethical crime. The thrust of Klossowski's and Lacan's arguments is, as we have seen, essentially the same,

and in both cases the impasse reached by the Sadean mind does not exclude the ethical import of rejecting the common good and of transcending the constraints of civilization - or "nature" in Sade's language - by means of an act of negation. Sade's definition of the human condition as trapped by the binary chains of a Law that commands creation and destruction, virtue and crime at the same time remains, in other words, valid for both Klossowski and Lacan, along with his hypothesis on the ethical necessity of crime that would manage to outstrip these alternatives and operate on a different level, beyond the common good and beyond common crime.

What Klossowski's and Lacan's psychoanalytic readings of Sade reveal is thus not a flaw in Sade's theory of the ethical crime, but, rather, a flaw at the level of the *practical* application of Sade's theory in Sade's fantasy. As we have seen, this level coincides with the level of fantasy insofar as it is precisely within the imaginary scenario of fantasy that the subject can stage and determine the fundamental logic of his actions. The particular way in which the fantasy will determine the hidden logic of the subject's actions, moreover, will depend on the way in which the subject chooses to position himself within the fantasy. To put

it simply, therefore, we could say that for Klossowski and Lacan the Sadean fantasy constitutes a failed attempt to stage a practical imaginary script for a theory of the ethical crime. Of course, if we approach it simply as a psychic structure, the Sadean fantasy could not be described as a failure, since it obviously accomplishes what it sets out to achieve, that is, a consolidation of subjectivity or - for Klossowski - an affirmation of the immortality of the soul.

From the point of view of the particular reading of Sade in which Klossowski and Lacan include it, however, the Sadean fantasy is there to demonstrate a particular impasse in the practical application of the ethical crime. As Lacan states at the end of "Kant avec Sade," Sade's "apology for crime merely impels him to an oblique acceptance of the Law," turning his "promise that nature, [...], will magically give us ever more" into nothing more than a "typical dream of potency" (790). Once its logic is dictated by the coordinates of the Sadean fantasy, the ethical crime ceases to be an ethical act, breaking its promise of freedom and committing the subject to sustain his own division through a perpetually unaccomplished gesture of corruption and division of the Other.

In conclusion to this section, we can sum up by saying that Klossowski and Lacan not only show us how the Sadean theory of the ethical crime must be translated into a fantasy scenario before it can be put into practice, but also provide us with an illustration of how this translation into fantasy may determine an impasse of the ethical crime. As Bruce Fink has pointed out in his *Clinical Introduction to Lacanian Psychoanalysis*, this impasse corresponds, in clinical terms, to a "perversion" of the drive: in the Sadean fantasy, the drive is neither sublimated into the common good nor from the common good into desire, but is extracted from the common good and articulated as an instrument of the Other's jouissance, in order to deny a lack in the Other and make not only the subject, but also the Other as such exist as the giver of the law that is transgressed (180-81). Quite beyond any consideration of the specificity of the clinical structure behind the Sadean crime, however, the significance of Klossowski's and Lacan's studies of Sade lies in the fact that they also show how every theory of ethics and every theory that wants to propose itself as the theory of a practice needs to consider the level of fantasy as the crucial benchmark where its practical failure or success is determined

in advance. It is the particular way in which the subject chooses to "enter" the fundamental subject/object structure of the fantasy that will determine the inner logic of the act, regardless of what its theoretical definition or its explicit intention may be.

4. Entering and Treversing the Fantasy

Lacan's reading of Sade in "Kant avec Sade" does not set itself up only as a critique of classical Aristotelian ethics, but also as a critique of the modern ethics articulated by Kant in his *Critique of Practical Reason*. The idea that the Sadean motif of "happiness in evil" represents a point of subversion of the classical principle, or, as Lacan puts it, "prejudice" that "each creature is preordained to its good" is repeatedly brought forward by Lacan and is part of his more general critique of the ethics of the good and of the discontent of civilization in *Seminar VII* ("Kant" 765). Lacan's unravelling of the Sadean fantasy in "Kant avec Sade," however, works first and foremost as a critique of the modern ethics defended by Kant, whereby it is not the "pathological" object as good or bad that can provide the practical rule for

ethical action - as Kant specifies in his *Critique of Practical Reason*, in fact, feelings of pleasure and pain "can never be supposed to be universally directed to the same objects" - but a universal moral law of "pure reason," which "must be able to determine the will by the mere form of the practical rule without supposing any feeling" (231). Lacan's statement of intention in the first page of "Kant avec Sade" is to demonstrate that the Sadean maxim of the categorical right to jouissance (the will to jouissance) advanced in the *Philosophy in the Bedroom* "is consistent with," "completes" and eventually "reveals the truth" behind the Kantian moral law of pure reason formulated in the second *Critique* (765). If we refer back to the structure of the Sadean fantasy it is easy to see what this hidden truth of Kantian ethics may be for Lacan: the object-jouissance of which the Sadean torturer becomes the instrument is nothing else but the double of the Kantian law, the law as a non-pathological object-voice, or, in Lacan's own terms, a "point of emission" that tortures the pathological subject demanding that he approaches his annihilation endlessly by a "radical rejection of the pathological, of all consideration towards the good, towards a passion or a compassion, that is, [by] the [same type of] rejection through which Kant clears the field of

the moral law" (770, 772). The Sadean will to jouissance, therefore, in Lacan's critique turns out to be the truth behind Kant's rational rejection of the pathological as a practical principle of the moral law.

This aspect of Lacan's reading of Sade has naturally received much attention among contemporary theorists, particularly in the work of Alenka Župančič, who has shown very well how the Sadean fantasy illustrates the impasse behind the Kantian preoccupation with the infinite movement of purification of the immortal soul from the pathological (*Ethics* 81-82). On the other hand, Župančič has also turned to Lacan's commentary on the Sadean fantasy to re-evaluate Kantian ethics, not only insisting that it is only through a different approach to fantasy that the impasse of Kantian ethics can be overcome (*Ethics* 82-83), but also demonstrating that the Sadean will to jouissance, far from coinciding with the Kantian moral law, should be approached rather as its superegoic supplement, so that, once separated from it, the Kantian moral law would identify simply "desire in its pure state" and thus point in the same direction as Lacan's own ethics of desire ("What Love" 64-65).

To restrict the scope of Lacan's articulation of the Sadean fantasy to a critique or reassessment of Kantian ethics, would be, however rather limiting. As well as revealing the "truth" of Kant's moral law, the structure of the Sadean fantasy can also reveal the "truth" of any act of negation that may similarly claim to provide an ethical response to the "pathological" constraints of civilization and of the common good by means of an unconditional and inexhaustible negation. As we have seen this type of negation would be neither the "structural" negation of the common crime which is part and parcel of the Law of civilization, nor the negation of the ethical crime that would enable transcendence of this Law; it is, rather, the negation of the will to jouissance, which on the one hand moves beyond the common good and only wishes to negate - recognising in gratuitous negation the sovereign good of an absolute freedom from virtue and crime - but on the other hand remains confined within the limits of the Law by the very necessity of this uncompromising and always necessarily unaccomplished negation. Even in this case, it is essential to point out that the distinction between the negation of the ethical crime and the negation of this other type of crime identified by Lacan's notion of the will to jouissance can only be grasped at the

level of fantasy and is not, at any rate, discernible from a merely theoretical standpoint. We might also suggest that the lack of a distinction between these two types of negation is, in fact, apparent within theories of transgression that do not account for or take into consideration the role of fantasy as a "practical" matrix.

Bataille's ethicisation of the sovereign power of boundless expenditure as we have illustrated it at the beginning of this chapter is a first clear example of this inability to grasp the practical dead end of the inexhaustible negation of the death drive. Another, more general example could be provided by a certain variety of deconstructive theories resulting in critical practices where the endless undoing of signifying structures is oriented towards the isolation of an ineffable but persistent remainder around which a whole ethics of "otherness" and "responsibility" is developed: here, again, ethical transgression is confused with the never-ending task of corrupting and dividing the Other. If, on the other hand, in Lacan's study of Sade the unethical character of the will to jouissance becomes apparent, this is thanks to the introduction of the structure of fantasy as a mediator between theory and praxis.

As we have seen, the concept of fantasy allows Lacan to show that a will to jouissance - a negation that always delineates a new limit for itself - can only be sustained and acted out if it becomes the agent of a will to jouissance that is already there in the Other as a fantasy of the Other. The Sadean criminal, and those who follow more or less deliberately its steps, like Bataille's sovereign man or the deconstructive critic, take up their "parasitical" position not theoretically but practically, through the particular way in which their transgression is displayed or stages itself as the instrument of another - the Other's or the "text's" - fantasy qua point of self-annihilation. The scene of fantasy thus gives the lie to the will to jouissance and its ethical claims to freedom and autonomy, unmasking it as a mere strategy to violently extract from the Other the evidence of a non-pathological subject, of an immortal soul, or of an unfathomable "Other" worthy of our respect and ethical consideration.

The Lacanian notion of fantasy also proves to be essential to articulate an answer to the problem of the discontent of civilization. We have seen how the Freudian hypothesis of a type of suffering that is

determined culturally, at the level of the social link, leads Lacan to formulate the ethics of psychoanalysis as a criminal ethics or an ethics based on the necessity of a gesture of negation directed towards the order of civilization. The definition of this negation, which is also the definition of the ethics of psychoanalysis, is not however, an easy task: even if we recognise that "common" crimes have a structural value and thus can only reinforce the constraints of civilization and make social suffering worse, the possibility of theorizing a radical crime capable of undoing the very structural opposition between conformity and crime does not seem to make room for much progress. The risk is, in fact, that, once translated into practice, this radical ethical crime would amount to nothing more than an endless process of negation (a will to jouissance) that, far from providing an ethical solution to the discontents of civilization, would have the opposite effect of generating even *more* violence and even *less* freedom and autonomy for the subject. We have shown how the Lacanian understanding of fantasy as a scenario where the logic of a particular practice linking the subject to the object and to the Other of culture is staged and scripted beforehand is what allows us to grasp this particular impasse of the ethical crime. However,

to the extent that, as we have also shown, this scenario is "open" and can be entered and structure the desire of the subject in more than one way - and not only as a will to jouissance - fantasy is also the necessary starting point to identify what an authentic ethical negation or crime may be in relation to a particular disposition of the fantasy.

The idea that the ethics of psychoanalysis must be defined at the point of intersection between the discontent of civilization and the *montage* and *démontage* of fantasy is something that has been grasped and developed in different ways in the work of many contemporary Lacanian cultural and political theorists. Seminal texts like Slavoj Žižek's *The Plague of Fantasies* and Joan Copjec's *Imagine There's No Woman*, for example, demonstrate how the structure of the Sadean fantasy and its characteristic "perversion" of the drive can be read behind a number of discontents of contemporary civilization, for example behind the ideological violence of totalitarian regimes and the fetishism of commodities. For the same reason, the understanding of psychoanalytic ethics put forward by many of these theorists tends to coincide with the Lacanian notion

of "traversing the fantasy" popularized by Žižek in many of his texts.

The act of "traversing the fantasy" is normally explained as a negation of the Other of civilization as such, not in the sense of a direct confrontation with it (as in the case of a will to jouissance), but in the sense of an unmasking of the Other in its inconsistency and man-made lack of necessity, up to the point where the very structure of fantasy is done away with and the subject can manifest itself as a pure object-drive. In her already quoted book on Kant and Lacan, *Ethics of the Real*, for example, Alenka Župančič paraphrases directly the Žižek of *Enjoy Your Symptom!* and defines the ethical crime as a "type of suicide" whereby we "kill ourselves through the Other, *in the Other*" (84; Župančič's italics), until "the subject passes over to the side of the object" (104). Some theorists, for example Joan Copjec in *Imagine There's No Woman* and some of the contributors to the collection *Art: Sublimation or Symptom*, edited by Parveen Adams, also emphasise the link between the act of negation that deconstitutes the Other and the sublimation of the drive, suggesting that the ethical crime that challenges the consistency and necessity of the Other in its civilizing structure coincides with

the act of sublimation itself and its ability to relate the subject directly to the lost good of his jouissance beyond the barrier of fantasy.

We can note that this particular way in which Lacan's work has been filtered down within contemporary cultural theory - and which may be summed up with a very simple formula: if ideology=fantasy then ethics=traversing the fantasy - can help us to answer one question we have left in suspense since the beginning of this chapter. We started our discussion of the ethical crime by questioning whether the criminal negation of the social order is only an effect of the ethical process of sublimation that allows the subject to isolate a remainder of *Das Ding* from the common good or whether, alternatively sublimation can be conceived in itself as dependent on or coinciding with a criminal act. Our reading of Lacan and the definition of psychoanalytic ethics as a matter of "traversing the fantasy" allows us to answer this question by saying that the ethical crime that suspends and deconstitutes the Other - as opposed to the Sadean crime that constitutes the Other through negation - is not a mere effect of sublimation but is the act of negation that makes sublimation as such possible. The ethical crime is thus brought right to

the core of psychoanalytic ethics: psychoanalytic ethics is not criminal incidentally, simply because it ignores or disregards the common good; psychoanalytic ethics is *inherently* criminal because it depends on a criminal act of negation of the Other.

Having established this, however, it is also important to push our argument a little bit further by acknowledging that identifying the ethical crime with the act of traversing the fantasy raises some important questions. The problem is not that this widely circulating account of psychoanalytic ethics is incorrect, the problem is that it leaves something essential behind. The central ideas of suspending the symbolic order (the Other) and of traversing the fantasy do not, in fact, say anything about *how* these particular acts may be accomplished. The definitions of psychoanalytic ethics as "symbolic suicide," "traversing the fantasy" and even "being faithful to one's desire" that abound in contemporary cultural theory are entirely theoretical and do not explain from what particular position or through what specific practical rule the subject may arrive at this sequence of moments - negation, traversal, fidelity - that mark the conclusion, rather than the modality or the process of an ethical praxis.

To recall a distinction we formulated in the introduction, these definitions only cover the "what" of psychoanalytic ethics and ignore the "how." This is, indeed, a problem since an ethics cannot be an ethics if it is not able to offer a practical orientation to the subject. In this sense, we may even say that the notion of "traversing the fantasy" as it appears in contemporary theory represents yet another theoretical definition of the ethical crime, so that, in spite of any emphasis on the importance of addressing the question of ethics from the point of view of fantasy, the specific practical function of fantasy we have learnt to recognise in Lacan's reading of Sade - fantasy as what provides the rule of the subject's actions - is missing from these accounts. Incidentally, moreover, we can also note that the distinctively Žižekian tendency to present the final outcome of the ethical crime as a transformation of the subject into an object-drive thus seems to reflect exactly the same impasse that leads from the Sadean theory of the ethical crime to the Sadean fantasy of the will to jouissance, insofar as it would be difficult, once again, to distinguish between this form of de-subjectivised agency and the will to jouissance that animates the Sadean fantasy.

My suggestion is that, in order to grasp the full extent of the ethical crime at the heart of Lacan's understanding of psychoanalytic ethics, we need to follow carefully the logic of Lacan's distinction between the theoretical and the structural - between a theoretical definition that tells us what the ethical crime is and a structural definition that tells us how the underlying logic of the ethical crime is laid out in the practical scenario of fantasy. To put it more briefly, I would like to suggest that *the ethics of psychoanalysis - and the ethical crime - be defined structurally not as a matter of "traversing the fantasy," but as a matter of "entering the fantasy" in a particular way so as to make sure that the fantasy can eventually be traversed.* On the one hand, this means that the ethical crime cannot be defined without specifying the particular position that a subject needs to take up within a fantasy in order to commit that crime. On the other hand, the difference between "entering" and "traversing" is also that while the traversal of the fantasy is clearly not something that can be voluntarily decided by the subject, the manipulation of the point of access to the fantasy is, on the other hand, something that can constitute a praxis for the subject.

But how can we define this point of access? For a "virtuous," law abiding subject the criminal tendency of the death drive remains a repressed and never realized possibility - at the most, this subject can transgress the law to possess goods, but his fantasy will always be structured by the impossibility of transgressing the barrier of the good and the limit of the pleasure principle (the limit of pain). We have seen that the Sadean criminal, on the other hand, enters the fantasy as an instrument of the will to jouissance of the Other: he takes, in other words, upon himself the task of realizing the death wish that remains repressed in another subject's fantasy, and in this way manages to sustain it as a superegoic law, beyond the limit of the pleasure principle and of the common good. The ethical criminal enters the fantasy in a way that is similar to that of the Sadean criminal, that is, from the position of the object in the Other's fantasy, but, differently from the Sadean criminal, he positions himself as the cause of the Other's desire rather than as the instrument of the Other's will to jouissance. It is from this particular point of access to the fantasy, which separates desire from jouissance rather than confusing them, that the ethical crime can arrive to a deconstitution of the

Other and overcome the necessity of its hold over the subject.

A renowned French analyst, Serge André, has offered a particularly enlightening account of the difference between the Sadean way and the ethical way to enter the practical script of fantasy in his seminal study of perversion *L'imposture perverse*. André's book demonstrates very clearly that it is not the overcoming of the fantasy but the access to the fantasy that distinguishes between the perverse Sadean crime and the ethical crime that, in André's reading, becomes explicitly associated with the conduct of the analyst in the analytic bond. As André explains, the Sadean master and the analyst are both marked by a similar way of entering the structure of fantasy from the position of the object that represents the fundamental tendency of the death drive for another subject, and, in this sense, they both take up a position of criminal disregard from all considerations of "compassion" or "justice" that eventually aims at extracting the divided subject from the pathological subject (20-21).

In spite of this fundamental "analogy of structure," however, the analyst manages to escape the compulsive and endless negation that enslaves the Sadean criminal by the fundamental gesture of separating his desire from the will to jouissance articulated in the Other's fantasy, a gesture that coincides with a "response" given to the Other and that allows the analyst to "witness that there is not a supreme Other depositary of the truth about jouissance" (André 18, 22). As André points out, therefore, while the Sadean criminal "identifies desire with his conscience of it" and "elevates to an absolute necessity the fact of satisfying it" - thereby turning desire into a will to jouissance or permanent negation - the analyst "avoids jouissance" and thus manages to sustain, in himself and in the Other, a desire that can remain mysterious and unsatisfied (56).

This desire purified from jouissance, commonly referred to as the "desire of the analyst," represents, like the "will to jouissance" of the Sadean criminal, a particular form of negation, whose structural and practical condition is laid down by a specific modality of access to the fantasy. Serge André encourages us to remember that the desire of the analyst recovers two main functions: the function of

causing interpretation - according to the Lacanian formula that "desire is its interpretation" - and the function of providing a protective barrier against jouissance (57-58). These two functions define the ethical thrust of the criminal negation of the desire of the analyst against the unethical negation of the will to jouissance: if, in fact, the will to jouissance only strengthens the hold of the Other on the subject and fuels the violence of the drive, the desire of the analyst frees the subject from the constraints of the Other through interpretation and protects him from the violence of the drive by separating desire from jouissance. More generally, we can also remark that the desire of the analyst in this way defines itself as the underlying logic for an ethical crime capable of providing a successful answer to the problem of the discontent of civilization, insofar as its particular type of negation would address not only the repressive constraints of the Other of civilization, but also its inherent structural violence (its will to jouissance).

If we return now to the definition of psychoanalytic ethics that has been popularised in contemporary cultural theory, we must recognize that the analyst's intervention within the structure of fantasy also

implies, of course, a "symbolic suicide" (a deconstitution of the Other), a "traversal of the fantasy" (a separation of jouissance from desire) and "fidelity to desire" (the articulation of the desire of the analyst). It is also essential, however, to recognise that there is an important difference between the approach that defines psychoanalytic ethics at the level of a "practical" intervention within fantasy and the approach which defines it only theoretically in terms of a subjective act of emancipation from the fantasy. This is the same difference we have appreciated in Lacan's distinction between the Sadean criminal fantasy and Sade's theory of crime.

Conceived as practical ethical rules to be pursued by the subject for their own sake, the merely descriptive ideas of "suicide," "traversal" and "fidelity" become completely useless, not only because we don't know how they should be applied or how the subject may determine in advance either the nature of the desire to whom he needs to be faithful or of the fantasy he needs to traverse, but also because their application as practical ethical rules would inevitably lead to a perversion of the goal they describe. As Nestor Brauenstein has observed, to take the Lacanian formula

of "not giving up on one's desire" as an absolute ethical rule would amount to nothing more than a "perverse reading that confuses unconscious desire with the intention to enjoy and that proposes enjoyment as a self-affirmation," serving only to "justify negativism and a subjectivism that passes through the misrecognition and through the enslavement of the other" (311).

This impasse can be avoided if we define the ethics of psychoanalysis and the ethical crime that lies at its heart as an intervention at the fundamental level of the fantasy that determines the logic of the subject's acts. A subject can, in other words, "commit symbolic suicide," "traverse the fantasy" and "be faithful to his desire" only by accessing ethically a fantasy that is already there in the Other, the fantasy of another subject, and by separating a pure desire from the will to jouissance that he finds in the Other. The negation of the desire of the analyst that defines the ethical crime can, that is, only be sustained through a transferential social bond that allows the desire of one subject to be projected onto and purified by another subject. In this sense, the identification between the ethical criminal and the figure of the analyst becomes significant, although not in a

reductive way. The analyst cannot be, in fact, simply a figure instrumental to the ethical parable of the subject, so that, having "traversed the fantasy" the subject would be free to exist as pure and free object-drive beyond the fantasy. The position of the analyst is already proposed as an ethical task to the analysand from the very beginning of the treatment and the position of the subject at the end of analysis cannot be that of a pure object but, rather that of a subject capable of accessing ethically a fantasy in the Other from the position of the object.

Chapter III

Antigone and the Criminal Transference

1. Criminal Ethics and the Social Bond

As Lacan points out in "Kant avec Sade," the redefinition of the field of ethics brought about by psychoanalysis starts from the self-imposing evidence of a certain "*bonheur dans le mal*," a happiness in evil or pain which marks social life and which clinical experience foregrounds (765). From Freud to Lacan, however, to acknowledge that human beings often search for happiness beyond the threshold of what is good and pleasurable, and even to propose, as Lacan does, a criminal ethics *against* the good and the

pleasurable, never amounts to a wholesale refusal of the social bond. Psychoanalysis, in fact, sees the social bond not only as civilizing structure that restrains human beings - speaking beings or *parlêtres* in Lacan's jargon - from their ethical tendency towards *le mal* (evil and pain), but also as a civilizing structure that protects human beings from *le mal*, both as a pathological incidence (pain or suffering) and as a compulsive tendency (an evil destructive drive). The criminal ethics of psychoanalysis thus advocates a negation of the social bond that is neither a common crime (it does not simply give in to evil and pain as "normal"), nor a will to *jouissance* (it does not take evil and pain as absolute imperatives), but a purified desire that allows one to transcend the ethical horizon of civilization - the horizon of the common good and of the pleasure principle - and at the same time forges an alternative type of social bond capable of protecting the subject from evil compulsions and pain.

We have seen how Lacan uses a multilayered reading of Sade in order to give us a definition of the ethical crime and of its practical conditions at the level of a particular position taken up by the subject within the fantasy of another subject. Although Lacan

criticises the Sadean position for giving place to a will to jouissance rather than to a purified desire, his reading of the Sadean fantasy makes it nevertheless very clear that, being determined by a particular point of access to a fantasy that exists in the Other *for another subject*, the ethical crime is not only transgressive but also constitutive of a particular modality of the social bond. In this chapter I will focus on this socially constitutive function of the ethical crime, emphasising how the emancipatory deconstitution of the Other of civilization made possible by purified desire coincides with - depends on, makes possible - the practical structuring of a social bond whose "civilizing" effects represent psychoanalysis' response to the dilemma of the discontent of civilization.

Leaving Sade behind, I will focus instead on Sophocles' Antigone - the second criminal figure around which Lacan organises his definition of psychoanalytic ethics in *Seminar VII* - trying to bring to the fore how, in Lacan's reading, Antigone's position, and her particular point of access to the fantasy of the Other, come to illustrate precisely the constitution of an alternative modality of the social

link. More specifically, I will show how Lacan's reading of Sophocles' play functions as an illustration of the transferential dynamic which structures the analytic bond as an alternative civilizing bond around the purified and "criminal" desire of the analyst.

The concept of transference is, of course, only one of the many possible angles from which Lacan's reading of *Antigone* can be approached. In Lacan's commentary, Antigone's act is, in fact, not only a transferential act that transforms the structural logic of the social bond but also, by consequence, an act of freedom, a break in the continuity of the symbolic order, an act of neighbourly love and an act of fidelity to the impossible limit of one's jouissance. As we will see, other contemporary readers of Lacan have chosen to underline these aspects, privileging the "negative" potentiality of Antigone's act, so that even "love" and "fidelity" are generally referred to a bond that is external to the social link, while social change tends to be understood as a post-traumatic new structuring of the symbolic, rather than as a structuring of an altogether different type of social link around the dynamics of transference.

In the next section, before I move on to consider how Lacan's reading of *Antigone* illustrates the social and civilizing aspect of the ethical crime, I want to rehearse briefly some key articulations of the history of interpretation of *Antigone*, which will allow me to measure the distance between those - Lacanian or non-Lacanian - interpretations that see Antigone's crime as a pure gesture of negation and Lacan's own presentation of Antigone's crime as an intervention capable of initiating a transferential social bond. I will suggest that the modern history of the interpretations of *Antigone* is also, in a way, the history of a set of answers to the tragic "dilemma" of the discontent of civilization as formulated by Freud: the dilemma that opposes the singular to the universal and the reasons of the individual to the reasons of the community. In this respect, while readings of *Antigone* that privilege the negativity of her act will emerge as inevitably biased towards a criminal ethics that remains external to the possibilities of a different model of community, Lacan's reading of Antigone's act as a criminal transference points towards the practical possibility of a form of community where the subject's ethical orientation beyond the laws of community can be preserved and protected from the violence of its negativity.

2. Sophocles' *Antigone* and the Dilemma of Civilization

In his history of the readings of *Antigone*, *Antigones*, George Steiner points out that the fortune of Sophocles' play in modern European culture starts after the French Revolution (7). Steiner names a series of reasons to explain why this may have been the case, the main one being the "irruption of the political into the private" and the "historicization of the personal" which marked the lives of millions throughout the economic and political revolutions of the late XVIII and early XIX Century, and which eventually became dominant features of the new post-revolutionary order (10-11). By telling the story of the tragic clash between Antigone's devotion to her dead outlaw brother and the collective law of the city that forbids that she honour him, Sophocle's play was, as Steiner puts it, unique in making explicit the "dialectic of intimacy and exposure, of the 'housed' and of the most public," and managed to dramatise a distinctively modern concern with "the enforced politics of the private spirit," with "the necessary violence that political-social change visits on the unspeaking inwardness of being" (11). At a moment of historical discontinuity, Sophocles' *Antigone* thus started to draw attention to itself for being a classic text capable of reflecting a condition, a

conflict, which was perceived as typical of the subject of modern civilization: the ethical dilemma between the reasons of the individual and the reasons of the collectivity, the *discontent of civilization* made manifest by the clash between the individual and the collective.

Among the early interpretations of *Antigone* produced in the first half of the XIX Century, the one that set the coordinates for all the subsequent philosophical engagements with Sophocles' text was, of course, the one presented by Hegel in the *Phenomenology of Spirit* and in later texts such as the *Lectures on the Philosophy of Religion* and the *Philosophy of Right*. In the *Phenomenology of Spirit*, *Antigone* constitutes the central reference for Hegel's discussion of the historical actualization of Spirit as ethical substance and its subsequent division in the two opposed ethical principles, the human law (the public law of the city) and divine law (the private law of the family). If *Antigone*, therefore, became a staple of modern European culture through its ability to reflect the underlying discontent of its new post-revolutionary civilization, we can say that Hegel was the first to approach this modern discontent through a

new theory of ethics and by means of a critical reading of Sophocle's text.

In Hegel's *Phenomenology*, Antigone's devotion to her dead criminal brother is taken as a paradigm of conformity to the divine law, while Creon's defence of the interests of the collectivity against Antigone is taken as a paradigm of conformity to the human law. For Hegel, the divine law is the law that dictates the ethical relationship between the members of the family as a "natural ethical community," understood as an "immediate" ethical form of the Spirit (*Phenomenology* 268). The human law, on the other hand, is the law that regulates relationships within the community, "the superior law whose validity is openly apparent," embodied by the government as "the reality of Spirit that is reflected into itself, the simple self of the entire ethical substance" (Hegel, *Phenomenology* 272). Although it is only within the larger political community that the ethical substance can achieve self-consciousness, Hegel recognises that self-consciousness is possible also within the immediate and natural sphere of the family as such; it is, indeed, this possibility, for the family, of rising above its natural status, without nevertheless confusing its self-consciousness with the self

consciousness of the community, that enables the family to be determined as an "ethical being" with its own ethical (as opposed to natural) laws (*Phenomenology* 268). As Hegel puts it, "the ethical principle is intrinsically universal, and this natural relationship [e.g. the family] is just as much a spiritual one, and it is only as a spiritual entity that it is ethical" (*Phenomenology* 268).

The ethical action dictated by the divine law, therefore, can only be the one that relates the individual to the self-conscious universality of the whole family, and this is only possible if the individual himself is taken as an ethical end - not the living individual in its pathological needs but "the whole individual or the individual qua universal," that is, the *dead* individual who "after a long succession of separate and disconnected experiences, concentrates himself into a single complete shape, and has raised himself out of the unrest of the accidents of life into the calm of simple universality" (Hegel, *Phenomenology* 269-70). The burial of the dead and the cult of the "pure being" of the dead individual thus come to represent the ultimate ethical duty for the member of the family and this is why for Hegel Antigone's act becomes a

paradigm of conformity to the divine law, "the perfect divine law, the positive *ethical* action towards the individual" (*Phenomenology* 270-71).

Even if he recognises in Antigone the ethical dignity of the act that honours and raises to self-consciousness the individual in its accomplished, universalized form of pure being or death, Hegel's own position remains, however, faithful to the dialectical logic of his system, which means that he sides neither with Antigone nor with her enemy Creon, the guardian of the collective human law whose ethical legitimacy Hegel also recognises. Hegel emphasises, instead, the interdependence of the two ethical laws and the necessity to overcome both human and divine law in the progression of the Spirit beyond the sphere of ethics, beyond the ethical order itself.

For Hegel, the self-conscious existence of the ethical order in the community's laws and regulations - the human law - crucially depends and rests upon the institution of the family and its divine law as its own "unconscious" substance, so that while the human law allows the family to "give to each [of its own] part[s] an enduring being" by checking their tendency to "be submerged in a merely natural existence," the

family "shows itself to be the real power of the community and the force of its self-preservation" (*Phenomenology* 272-73). There seems to be, consequently, no tragic conflict or dilemma but only a peaceful harmony between human and divine law within the ethical substance as such. The conflict between human and divine law which finds its exemplary illustration in Sophocles' *Antigone* is only, in Hegel's view, the consequence of the inevitable polarisation of human ethical consciousness on one side or the other and of the polarised ethical action that must necessarily derive from such consciousness: for this reason, "absolute right" can only be accomplished, just like in Sophocle's play, by the tragic "downfall of both sides" which allows for a superior form of the ethical substance, destiny, to "step on the scene" as a "power that engulfs both sides" (*Phenomenology* 285).

For the purposes of our enquiry into the nature of psychoanalytic ethics, the significance of Hegel's reading of *Antigone* lies in the fact that we can already find in it the essential coordinates of the Freudian analysis of the dilemma at the heart of the discontent of civilization. Hegel's description of the opposition between human and divine law, in fact, is

not merely an account of the conflict between the egoistic, pathological interests of the individual and the universal laws and customs of the collectivity, but an account of the conflict between civilization and the individual's ethical orientation towards the pure being of death, in which we can recognize an early formulation of the ethical agency of the death drive as defined by Lacan. More specifically, we can say that it is possible to find in Hegel's reading of *Antigone* the first articulation of a question which will be central to Freud's psychoanalytic reflection on the discontent of civilization: the question of the position of the drive in relation to the social bond.

It is important to specify that this question is not the same as the one we have learnt to recognise, for example, in Sade's work following the logic of Lacan's and Klossowski's readings. Sade, we have seen, is concerned with the ethical nature of the death drive and asks whether the ethical crime is possible, whether there can be an exceptional ethical crime different from the crimes that are part and parcel of the discontent of civilization. Hegel, on the other hand, knows that the death drive is ethical and that the ethical crime is possible, he even defines it by pointing at *Antigone's* act, what he asks is whether

this crime - the purified death drive - has a place within civilization as well as against it. We may then say that Hegel's reading of *Antigone* can easily appear to be overdetermined (even if retroactively) by a distinctively Freudian problematic: the dilemma of the conflict between civilization and the death drive on the one hand and the question of how the drive may be integrated into the civilizing bond on the other.

Even if they do not always present themselves as commentaries on Hegel, the most seminal contemporary readings of *Antigone* - including Lacan's, Derrida's, Irigaray's, Butler's, Copjec's, Žižek's and Župančič's - can all nevertheless be seen as approaching Sophocles' play from the same distinctive angle where Hegel's and Freud's positions merge along the lines we have just sketched above. This means that these theorists not only formulate the tragic conflict of *Antigone* as the Hegelian conflict between human and divine law, but also generally tend to reformulate this distinctively Hegelian problematic in Freudian terms, so that even non- or anti-psychoanalytic readings of *Antigone* like those proposed, for example, by Jacques Derrida and by Luce Irigaray, typically chose to recast the dialectic of consciousness/self-consciousness that in Hegel opposes divine and human

law into the terms of a Freudian opposition between unconscious and conscious agencies.

In engaging with Sophocles' text through Hegel and Freud, besides, these contemporary readings of *Antigone* also typically aim at formulating a critique of Freud's and Hegel's own set of answers to the ethical questions they raise, answers which, we cannot fail to notice, sound rather similar, particularly in relation to their common insistence on the necessity of controlling and overcoming the anarchy of the individual drive through the civilizing constraints of the communal law. It is, in fact, quite clear that, in spite of his dialectical neutrality (or perhaps precisely because of it), Hegel is nevertheless - just as Freud is - more than keen on emphasising the ethical superiority of the human law (civilization) in its function of control and containment of the centrifugal and anarchic tendencies of the divine law (the death drive).

We may then posit that the contemporary critical debate on *Antigone* is marked by the following traits:

- 1) it approaches *Antigone* from the point of view of Hegel's reading, as a play that stages the opposition between human and divine law;
- 2) it reformulates this

conflict in Freudian terms as the conflict between conscious and unconscious and between drive and civilization; 3) it attempts to define an ethical stance against the Hegelian-Freudian ethics of functional sublation (*Aufhebung*) and sublimation (in the Freudian sense) of the drive into the life of the community. Overall, we can say that most of the contemporary readings of *Antigone* are also marked by an overt endorsement of Antigone's criminal stance against the repressive and civilizing stance embodied not only by Creon's defence of the laws of the community, but also by the systematic logic of Hegel's philosophy itself. If Antigone's uncompromising obedience to the divine law is unanimously taken to be the paradigm of ethical action, the views on how her ethical stance may affect, be affected by or figure within the larger ethics of the community are, however, different. . . We will now see how these different views depend on the different ways in which the opposition between divine law (drive) and human law (civilization) is theorised and on the different ways in which the question of their (in)compatibility is answered.

If we consider, to start with, the readings of *Antigone* produced in the 1970s by theorists like

Derrida and Irigaray - readings that betray the more or less direct influence of Freud's and Lacan's work but do not present themselves as psychoanalytic - we can notice that the ethical stance adopted by Antigone in conformity with the divine law is emphasised in its criminal subversive and deconstructive character as well as in terms of the violence and repression it is subjected to by the human law which governs the community. Another common trait of these readings, and perhaps the most distinctive one, is an emphasis on the radical and unthinkable unconscious externality of the ethical crime in relation to the human law that represses it and which thus figures as the conscious law not only of society but also of rational thought itself. We may thus say that these readings answer the fundamental questions posed by Hegel's text by maintaining that divine law (drive) and human law (civilization) are radically external to each other and that the divine law can be integrated into the logic of the human law only at the cost of its violent disappearance and repression to the position of an unthinkable and unsettling supplement.

Derrida's reading of *Antigone* in *Glas*, for example, insists on how the unconscious side of the divine law constitutes itself as an effect of the conscious

actuality of the human law, so that "no operation can actualize itself in the (day)light of consciousness without having structurally to restrain (shall we say repress, gird, suppress, push back into darkness, unthink, un-know) the other law," which thus becomes the law of what cannot be thought, known or posited in the open light of consciousness (171). For Derrida, the "structural" opposition between human and divine law implies that every action is in itself criminal and guilty for having to align itself with one or the other of the two opposing laws. The ethical action, the ethical crime thus can only consist in the impossible attempt of making conscious what is unconscious, in bringing into light what by definition must remain hidden: "the crime" Derrida writes, "is more *purely* ethical when the opposition of one law to the other become conscious" (*Glas* 174). In this sense, Antigone is a paradigm of ethical action because she not only conforms to the divine law but also strives to bring this law into consciousness, to articulate it within the sphere of the human law without nevertheless allowing it to be assimilated by it: she is, as Derrida puts it, the guardian of a limit that is lost when it is guarded, and her conformity to the divine law can thus be defined precisely as an

irresistible but never accomplished drive; as a "trance that does not re(s)t(r)ain itself" (*Glas* 167).

With this brief formula, Derrida gives us his answer to the question of the compatibility of human and divine law, of drive and civilization. The answer is, clearly, negative, as there is no possibility for the two laws to coexist: the divine law can only manifest itself within the civilized order as an "unrestrained" subversive drive; any attempt to assimilate it, on the other hand, will result in it not being "retained" and having to slip back into unconsciousness again, just like Antigone, who eventually is buried alive and must "return to the subterranean world that is her fundamental place" (Derrida, *Glas* 174).

Derrida's understanding of Antigone's position in relation to the law of the collectivity is, in this respect, also very close to that articulated by Luce Irigaray in *Speculum of the Other Woman*. Although she gives additional emphasis to the feminine quality of the divine law, Irigaray similarly recognizes in Antigone's ethical drive the character of something that, for being radically other to the laws of consciousness and communal living, can neither be restrained or retained in any way. According to this

logic, Antigone's ethical crime can only be conceived, as Irigaray puts it, as a subversive act of "irony" or "corruption," as the "resurgence of an 'essence' so different, so other, that even to expect it to 'work on the outside' reduces it to sameness, to an unconscious that has never been anything but the unconscious of someone conscious of human law alone" (223).

In more recent years, the figure of Antigone has been repropounded as a paradigmatic model of ethical action in the work of Lacanian theorists like Slavoj Žižek, Russell Grigg, Alenka Župančič and Joan Copjec. All these theorists claim to ground their readings of Sophocles' play - and their understanding of psychoanalytic ethics - on Lacan's own commentary of Antigone in *Seminar VII*. I will suggest, however, that their position should be considered in isolation from Lacan's since they are, in fact, emphasising only one particular aspect of Lacan's reading and developing it independently according to their own distinctive theoretical agenda.

In *Enjoy Your Symptom!* and in many other of his books, for example, Žižek stresses above all the negative quality of Antigone's stance, and reads Antigone's

"No!" to Creon and to the law of the community as a radical "refusal of the social pact" - a subjective act of suspension of the symbolic order that creates the condition for a new subjectivation and for a transformation of the symbolic order of the community (76-77). We can thus say that for Žižek and for the other Lacanian theorists mentioned above, Antigone constitutes an example of the ethical crime as we have defined it in Chapter II, but divested from its practical condition at the level of the intersubjective montage of the fantasy, and thus ultimately turned into a pure subjective act of radical negation of the Other qua lacking and inconsistent.

As Russell Grigg has pointed out in an article titled "Absolute Freedom and Major Structural Change," this particular way of reading *Antigone* defines the opposition between the negative tendency of the drive and the symbolic community (civilization) around two main theoretical concerns: on the one hand, the drive is seen as what guarantees the possibility of *freedom* by enabling a radical suspension of the symbolic order of the community; on the other hand, the suspension of the symbolic can also enable *change* and a transformation of the community (114-15). If we return

to our guiding question - the question of the opposition between drive/divine law and civilization/human law as it emerges in *Antigone* through Hegel's reading - we can observe that although the Žižekian answer is different from the answer provided by Derrida and Irigaray, the idea of the radical externality of drive and social bond is nevertheless maintained by Žižek and by the other Lacanian theorists that follow his orientation.

It is true that from Žižek's perspective the externality of drive and social bond is perhaps less radical than in Derrida or Irigaray, because the ethical act that follows the logic of the drive is also the act that can inaugurate a new social bond and not a mere moment of irony or corruption of the symbolic. As I have already pointed out at the beginning of this chapter, however, the new order of the symbolic inaugurated by the ethical crime as it is described by Žižek is not a different type of social link capable of integrating the pure ethical tendency of the drive (the divine law), but simply another arrangement, a new version of the same type of social link according to the same symbolic principles (the human law). It is thus apparent that, even in this type of reading, the drive figures as an exclusively

negative force, and that even if the drive is understood as a distinctive bond - between Antigone and Polynices, between the individual and what Hegel calls the pure being of death - this bond is thought of as external to civilization and the possibility of articulating a distinctive type of social link around it and within civilization is not taken into consideration.

In this last respect, it is interesting to notice that some of the Lacanian readers of *Antigone* mentioned above - the most scrupulous ones, which does not include Žižek - have remarked that, in Sophocles' play as well as in Lacan's reading, Antigone is not simply defending a purely negative stance of absolute freedom from the symbolic order but she is also defending a particular position she has come to occupy within the symbolic network of her own family history. Ironically, instead of leading them to question the accuracy or partiality of their own accounts of psychoanalytic ethics, this awareness that their theoretical insight does not match the practical example provided by Lacan has also led them to argue that *Antigone* is, against Lacan himself, not the best example of Lacanian ethics.

In the article I quoted above, for example, Russell Grigg argues that Antigone's act is not an act of absolute freedom "in the required sense" (e.g. Žižek's sense) because Antigone's rejection of the symbolic law of the community "is entirely consistent with, and binds her to, her family destiny and paternal law," reducing her parable to a mere subjective path of recognition and acceptance of her own symbolic destiny (116; 121). This almost paradoxical imposition of a rather different theoretical agenda onto Lacan's own reading is most apparent in Župančič's *Ethics of the Real*, where the whole second half of the book, explicitly titled "Ethics and Tragedy in Psychoanalysis," nevertheless purposefully avoids any sustained reference to *Antigone* and focuses instead on Lacan's discussion of Claudel's *The Hostage* in *Seminar VIII*, under the pretext that the heroine of Claudel's play exemplifies a much more radical and accomplished type of negation than Antigone (258-59).

In relation to this particular issue, the most insightful Lacanian reader of *Antigone* seems to be, on the other hand, Joan Copjec, who in *Imagine There's No Woman* has managed to produce a reading of Lacan's commentary where the emphasis is not solely on the negativity of Antigone's act but also on the position

of Antigone within her familial network. Unlike Grigg, and, I think, correctly, Copjec does not see Antigone's conformity to the family law as the sign of her acceptance of her symbolic destiny, but, rather, as the sign of her ability to enter within a symbolic line of transmission that allows her to undermine and suspend symbolic necessity itself. As Copjec writes, Antigone shows that what the individual inherits from the family "cannot be located merely in a stateable law or dictate, [...] but includes also that excess in the law that cannot be articulated within it" (*Imagine* 45). This means that Antigone is not engaged in a simple negation or acceptance of her "fate" - of the symbolic law, of the human law - because what she inherits, what forms a social bond for her, is precisely the ability to criminally and ethically suspend the necessity of the symbolic Other: "*she is,*" Copjec emphasises, "*destined to overturn her fate through her act*" (*Imagine* 45).

We can see how a very different understanding of the opposition of divine and human law, between drive and civilization takes shape through this type of reading. Suddenly the drive appears as transmissible and forms a social bond that is radically different from the bond of the human law but is nevertheless not

incompatible or external to it. Unfortunately, Copjec does not articulate the nature of this bond further. Her insight into the possibility of a social transmission of the ethical crime does not lead her to a reassessment of the Hegelian-Freudian question of the opposition between drive and civilization and her own theoretical agenda remains consistent with the Žižekian problematic of radical structural emancipation and transformation (freedom and change).

The main critique that could be raised against the post-Hegelian readings of *Antigone* we have considered so far, therefore, is that, in spite of their firm rejection of Hegel's own way of accommodating the opposition between drive and civilization, they all nevertheless fail to provide an alternative ethical model capable of preserving and acknowledging the ethical dimension of the divine law/death drive within the boundaries of the human law/civilization. The readings of *Antigone* proposed by Derrida and Irigaray on the one hand, and by Žižek and his many contemporary Lacanian followers on the other, all move from a fundamental critique of the Hegelian and Freudian endorsement of a "superior" ethics of civilization against the ethics of the divine law and of the drive, choosing the latter as the referent for

their own brand of post-Hegelian or post-Freudian (Lacanian) ethics.

This ethical inversion, however, does not prevent them from accepting Hegel's and Freud's fundamental tenet that, even when it provides the underlying ethical substance of the community and it can be sublimated into the higher purposes of civilization, the drive must nevertheless remain in a position of radical externality to the civilizing social bond of the community. If drive and the divine law are recognised as ethical dispositions against the violence of civilization, they are also presented as nothing more than negative dispositions that can only subvert and deconstruct or, at the most, introduce a radical break in the symbolic organization of the community which is then "free" to rearrange itself according to the same civilized ethics, that is, according to the human law and the pleasure principle. In this sense, the readings of *Antigone* proposed by all these theorists hardly represent a step forward from Hegel and Freud and may even be seen as confirming Hegel's and Freud's social subordination of the divine law and the death drive by continuing to exclude the possibility of a civilizing social link forged around an ethics of the drive.

But is another account of the opposition between drive and civilization even possible? Can we think of an ethical outcome to the dilemma between drive and civilization that would neither subordinate one to the other (as in Hegel and Freud), nor reinscribe this subordination by reserving a merely negative role for the drive (as in Derrida, Irigaray and Žižek), but adopt, instead, the very externality of the drive as an aggregative principle? While it will be my contention that Lacan's reading of *Antigone* heads precisely in this direction, it is worthwhile mentioning that an attempt to come to terms with this third position can also be identified in Judith Butler's own reading of *Antigone* in her book *Antigone's Claim: Kinship Between Life and Death*. Butler's reading thus emerges as quite apart from the other readings discussed above, although this distance does not imply, as I will try to show, a greater or less complicated proximity to the position that we will finally recognize in Lacan's reading of *Antigone*.

In *Antigone's Claim*, Butler reformulates the opposition between drive and civilization in Sophocle's play as the opposition between *kinship* and the *state*, thereby emphasising how the drive, qua

divine law and law of the family, also implies in itself a certain level of sexualised social aggregation - kinship - that demands to be interrogated not only from the perspective of its opposition to the dominant social link but also from that of its recognition as social link. After suggesting that, as we have just seen, in the history of the readings of *Antigone* "the separation of kinship from the social haunts even the most anti-Hegelian positions within the structuralist legacy," Butler insists that

The distinction between them does not quite hold, for in each instance we are still referring to social norms, but in different modes of appearance. The ideal form [i.e. the symbolic social law] is still a contingent norm, but one whose contingency has been rendered necessary, a form of reification [...].

(3; 20-21)

For Butler, therefore, the drive - the ethical push that orients *Antigone's* action against the law of the state - must be understood not as the negotiation or transgression of a symbolic limit but as a "social norm," as a drive that is already articulated as a contingent sexual social bond and that enters into conflict not with the social as such but with another

social norm "reified" into a universal condition of social acceptability and cultural intelligibility. In spite of her emphatic critique of psychoanalysis, Butler's position is, in this respect, much closer to Lacan's than she would like to admit, although a crucial difference also opens up between Butler and Lacan at this point.

In full conformity with her "queer" agenda, Butler argues that the ethical kernel of Antigone's act lies in her "claim" for the public recognition of the incestuous and unconventional sexual bonds that mark her family history, in her defence of kinship "not in its ideal form but in its deformation and displacement" (24). Butler takes great care to explain to her readers that Lacan and his followers do not acknowledge the contingency of the allegedly universal social norms they theorise and defines the Lacanian symbolic as "what sets limits to any and all utopian efforts to reconfigure and relive kinship relations at some distance from the Oedipal scene" (20). We know very well, however, that this is not true since for Lacan the symbolic is far from being a mere set of rigid universal rules dictating sexual positions. Lacan understands the symbolic as nothing more than an inconsistent and open-ended set of signifiers and is

ready, not unlike Butler, to recognise not only the contingent aspect of Oedipal social norms but also the possibility and ethical dignity of a non-Oedipal social norm marked by a non-Oedipal jouissance. The crucial difference between Butler and Lacan is, rather, that Butler understands non-Oedipal social norms essentially in terms of sexual orientation or object-choice, while for Lacan the only non-Oedipal social norm is the norm that defines the analytic link as a bond that allows the subject to pass from the phallic jouissance of the sexual object to the jouissance of the Other - the jouissance of speech - through the path of desire.

From this perspective, it is clear that Butler's "claim" for the social recognition of displaced structures of kinship risks losing its ethical edge and becoming, at best, simply a political claim for the recognition of a right to (phallic) jouissance, or, at worst, just another instance of the perverse superegoic will to jouissance we have examined in Chapter II. In relation to the problem of the conflict between drive and civilization, we may say then that Butler is right in arguing that the drive as ethical force needs to be seen as a social norm and not as a tendency external to the social. Her error is that she

implies that the drive can be socialised against the dominant ethics of civilization simply by being articulated to an unconventional sexual object, while Lacan reveals that the drive can be socialised against the dominant ethics of civilization only if it is articulated in a social bond that can alter the modality of its relation to the sexual object as such.

We have seen how a certain series of seminal readings of Sophocles' *Antigone* starts from common post-Hegelian and post-Freudian preoccupations to develop them in different directions according to a range of different theoretical agendas, including otherness (Derrida and Irigaray), freedom and change (Žižek and the other Lacanians), and sexuality (Butler). These different agendas lead these readings to concentrate on different aspects of the drive vs. civilization dilemma emphasising either the orientation of the drive outside the boundaries of civilization or the possibility of articulating the drive in alternative social structures.

In the remaining parts of this chapter, we will focus on Lacan's own reading of *Antigone*, where the main agenda is, instead, the definition of an ethical

conduct for the subject faced by the dilemma of civilization. Lacan's agenda can be seen as including, but also exceeding, the limited concerns with otherness, freedom, change and sexuality which condition the partial outlook of the readings we have analysed so far. Lacan, as we will see, accepts that the drive is directed outside the limits of civilization (Derrida's, Irigaray's and Žižek's position) but also insists that the drive can only achieve its ethical thrust outside the symbolic *within* a particular modality of the social link. On the other hand, if he acknowledges that the drive can be articulated in an alternative type of social structure (Butler's position), Lacan will also insist that this is not simply a social structure stripped of its civilizing universality by virtue of an unconventional sexual object-choice, but a structure, *the structure*, that enables the subject to sustain its freedom and autonomy by isolating desire from the jouissance of the object.

3. Antigone's Criminal Transference

Lacan's reading of Sophocles' *Antigone* occupies the whole of Section IV of *Seminar VII*. Coming just after

Lacan's discussion of Sade, it establishes a neat contrast between the figure of Sade and the figure of Antigone as two different paradigms of the ethical crime. If, as we have seen, Sade is still in many ways a criminal figure "on the limit" of the ethical threshold of *jouissance*, Sophocles' Antigone represents for Lacan the fully ethical criminal figure that manages to cross that limit: Antigone, says Lacan, is "a character situated from the start within a liminal zone between life and death" (VII 317), within that empty ethical space that ex-sists beyond the symbolic structure of civilization, after the sacrifice of the imaginary common good, and at the real gravitational end of the death drive. For Lacan, Antigone's criminal negation of civilizing laws succeeds where Sade had failed: Antigone can *really* suspend the symbolic order, her actions obey neither symbolic rules nor a fantasy of *jouissance* guaranteed by the Other. As Lacan puts it in his own reprise of Hegel's terms, Antigone's law is not the human law as "written" law but the divine law as "unwritten," as "what is in fact of the order of the law but is not developed in any signifying chain, in nothing at all" (SVII 324).

Reprising the argument with which I closed Chapter II and against most of the Lacanian readings of *Antigone* I have discussed above, I would like to suggest that Lacan's reading of *Antigone* is more about how Antigone manages to accomplish her ethical crime than about *what* her ethical crime actually involves. It is, of course, correct to say, as has been said, that for Lacan Antigone's trajectory involves a "symbolic suicide," a "traversal of the fantasy" and a "fidelity to desire." Lacan, however, is also telling us how these logical moments are made possible, and I would like to argue that neglecting this side of Lacan's commentary - the most specifically ethical side insofar as ethics is essentially concerned with *conduct* - has major consequences not only for our understanding of psychoanalytic ethics, but also for our understanding of how Lacan approaches the opposition between the ethical/criminal drive and civilization. The privileging of the "what" over the "how" neglects a crucial part of Lacan's analysis of Sophocle's play and tends to present Antigone's emancipation as a mere individual act of arbitrary nihilism whose only social consequence can be that of allowing a temporary suspension and subsequent reconstitution of the symbolic. A focus on the "how," on the other hand, is not only closer to Lacan's

actual argument, but will also allow us to appreciate that ethical conduct depends on the forging of a particular type of social link and that the "unwritten" divine law of the drive is constitutive of a particular social bond as well as external to the social.

We can start by noting that, in Lacan's reading of *Antigone*, the divine law that drives Antigone to persevere in her attempt to bury her brother Polynices against Creon's public law is clearly not a mere abstract drive towards death and annihilation. In terms that are possibly also more coherent with the original Hegelian analysis of the play, Lacan presents the divine law - and, by implication, the ethical drive - as a matter of *how one relates* to a particular body that comes to represent the nothingness of death. In this sense, for Lacan, the key to grasp the ethical import of Antigone's gesture lies in the specific way in which she relates to the body of her brother Polynices for what it comes to represent - a lack or void in the Other - on the grounds of what it actually is - the dead body of a criminal. Because he is not only an enemy of the common good but also a corpse, a piece of nothing, Polynices comes to embody what Lacan refers to as the neighbour, the hostile other that

stands in excess of the symbolic chain in and outside ourselves, the void in which we locate the lost treasure of our jouissance.

Polynices, however, occupies the place of the neighbour within Antigone's fantasy in a very special way. Unlike the Sadean torturer, he does not act as the instrument of Antigone's will to jouissance, taking its place within a fantasy of jouissance which is already constituted in the Other. Rather, Polynices acts as the semblant of a remainder of symbolization that escapes symbolization and as such undermines Antigone's fantasy from within, undoing the symbolization of jouissance produced by fantasy and thus allowing Antigone to suspend and deconstitute the Other. As Lacan points out closely following Sophocles' text, Polynices represents for Antigone something "unique" that "cannot be replaced" - that is, symbolized: Antigone defends Polynices because "he is what he is," she "insists on the unique value of his being beyond all content, beyond all that Polynices may have done of good or evil, beyond anything that may be inflicted on him" (*SVII* 324-25). In Lacan's reading,

This purity, this separation of being from all the characteristics of the historical drama it

has gone through, this is exactly what the limit is, the *ex-nihilo* around which Antigone holds herself. It is nothing else but the cut that the very presence of language installs in human life. (SVII 325)

By finding and holding her relation to this limit Antigone can separate her desire from the jouissance of the fantasy and thus accomplish her ethical crime, deconstituting the Other and conquering her own self-legislating autonomy.

Directed to an elusive cut in the Other, Antigone's desire loses its object and becomes a "pure desire," "the pure and simple desire of death as such," the enigmatic, objectless and all-destroying desire of the lacking inconsistent Other that originally confronts all speaking beings in their relation to the maternal Other (Lacan, SVII 329). "What happens to Antigone's desire?" - asks Lacan - "Must it not be the desire of the Other and branch itself on the desire of the mother?" (SVII 328). The "autonomy" of Antigone's position ("autonomous," from "autos" (self) and "nomos" (law), means "self-legislating:" Lacan takes the term directly from the Greek word used by Sophocles, "αὐτόνομος") rests precisely on her ability to redirect her desire from the jouissance promised by

the fantasy, a fantasy that the Other is (only) supposed to guarantee with its supposed laws, demands and knowledge, to the infinite measure of this cut in the Other: "Antigone presents herself as *αυτόνομος*, pure and simple relation of the human being with what he finds himself to be the bearer of, that is, the signifying cut, which confers on him the indestructible power to be, in front of and against everything, what he is" (SVII 328).

If the ethical crime depends on a relation to the signifying cut, however, it is equally important for Lacan to insist that this relation can happen only through Antigone's relation to Polynices acting as a semblant of this cut. Antigone's ability to maintain a certain ethical stance in relation to what exceeds the symbolic Other, in other words, depends on the forging of a particular bond with the body of another speaking being and on the particular way in which this body can enter or find its place as a semblant of this excess within Antigone's fantasy. There is no other *practical* way. It should thus be clear that for Lacan the Hegelian divine law and the drive in its ethical/criminal articulation cannot be understood simply as purely negative forces or abstract orientation towards nothingness. In this sense, Lacan

would certainly agree with Judith Butler in maintaining that for Antigone the divine law is a matter of kinship, a matter of maintaining a certain libidinal bond with another body rather than with abstract (symbolic) death, except that, of course, for Lacan this would be a bond with a body that *represents* (symbolic) death, rather than with an unconventional type of sexual object.

We could say, therefore, that in his reading of Antigone Lacan defines psychoanalytic ethics not just as a negation of the Other, but as a negation of the Other whose practical condition is a social bond. This social bond, in turn, reveals that the drive in its ethical/criminal course is not just opposed to civilization but also a civilizing force in its own right to the extent that it is constitutive of a precise social bond. Lacan's definition of Antigone's act confirms this by emphasising how this act depends on a relation between two speaking beings. Antigone, Lacan says, "chooses to be purely and simply the guardian of the criminal being;" her position "is situated in relation to the criminal good" (*SVII* 280; 329). This means that Antigone accomplishes her ethical crime by loving a criminal, she becomes a criminal by loving a criminal, her crime is the full

realization of that "love of the neighbour" that Lacan had found missing in Freud's ethical formulation.

We have seen how this love depends on a transferential relation between Antigone and Polynices, who comes to represent that signifying cut that resists and undermines the symbolic law of the Other from within. The logic of this relation is specifically *transferential* because Antigone transfers her relation to the cut that defines her own unique being - and the possibility of her criminal autonomy - on her relation to the unique and non-replaceable body of her brother qua semblant of this cut. As well as being transferential in one direction (from Antigone to Polynices), however, this ethical and criminal relation structured by the drive is also characterised by a dynamic of *transmission* which works in the opposite direction (from Polynices to Antigone), in the sense that Antigone appears to "inherit" her relation to the signifying cut and her pure criminal desire from Polynices. As Lacan puts it, Antigone "perpetuates, eternalizes, immortalizes the family *Até*," the criminal "undoing" of the law that she recognises in the history of her family (SVII 329). This is why we can say that Antigone *becomes a criminal by loving a criminal*.

We can see then how this double dynamic of transference and transmission that characterises the practical side of the ethical tendency of the drive allows for the articulation of a social bond that does not stop and goes well beyond the dual link between the subject and the neighbour. The process of transference and transmission, in fact, ensures that the relation to the signifying cut and the purified desire of the criminal can be "immortalized" and handed down from one to another and then to another subject to create an open social network based precisely on its participants' ability to undo social norms and articulate their own autonomy. We have seen how Joan Copjec gestured implicitly towards this form of social aggregation by pointing out that Lacan's Antigone inherits an excess of the symbolic law through which she is paradoxically bound to a line of inheritance and to a destiny that consists in being able to overthrow one's destiny. I would like now to suggest that this movement is also made apparent, in its particular implications for the constitution of an alternative type of social bond, by Lacan's own focus on the function of Antigone's image within the economy of the tragic spectacle.

Lacan approaches Sophocles' play by adapting Aristotle's definition of tragedy to his own theory of the death drive. The purification (or sublimation) of desire from the good that defines the unhindered activity of the death drive is equated by Lacan to the "catharsis" of fear and pity that defines the tragic spectacle according to Aristotle. As Lacan puts it, "catharsis means purification of desire," a purification that "cannot be accomplished, as is clear simply from reading Aristotle's phrase, if one has not at least situated the crossing of its limits, which are called fear and pity" (SVII 372). Fear and pity are, of course, the limits of the common good insofar as it is through fear and pity that our relation to the imaginary register of the good takes place - fearful hostility and pitiful altruism being the emotions we use to protect ourselves from the horrifying nothingness of the neighbour (Lacan, SVII 219-20).

For Lacan, in Sophocles' play it is the criminal *image* of Antigone that performs the cathartic purification of desire, so that it is possible to say that, at least within the economy of the tragic spectacle, Antigone occupies, for the audience, a position analogous to that occupied by the criminal body of

Polynices for Antigone: the position of the neighbour, of the criminal good in relation to which an ethical stance can be defined. Antigone's desire confers on her terrible and pitiful image the cathartic power of "purifying from fear and pity through fear and pity:" Antigone's image becomes a paradoxical image capable of purifying from imaginary passions, an image endowed with a "dissolving power [...] towards all the other images that suddenly seem to fall against it and vanish" (Lacan, *SVII* 290). The purification of desire from the common good that lies at the heart of the trajectory of the tragic hero, therefore, is repeated in Lacan's reading within the economy of the tragic spectacle which in this way manages to forge an ethical social bond around the figure of the criminal.

In the particular type of relation to the criminal good that marks the tragic spectacle, the spectator is made aware, as Lacan puts it, of the "cost" of pure desire and "demystified on the value of the prudence that is opposed to it, on the relative value of the beneficial reasons, attachments and pathological interests [...] that may withhold him from that way" (*SVII* 372). The ethical experience is thus not just the extreme trajectory of those who decide, like Antigone, to pay with their lives (and with the lives

of others) the price for the realization of their desire, but also, and especially, the trajectory of those who, like the spectators of *Antigone*, decide to pay with the value of their own good, with the value of their own personal "beneficial reasons, attachments, and pathological interests," the price for the revelation of the truth of their desire in somebody else's semblance.

Lacan's illustration of the way in which Antigone's relation to the criminal good is redoubled by the relation between Antigone's figure and the tragic audience permits us to bring into focus the essence of the ethical crime. Although it is defined by a gesture that exceeds and questions the social link, the ethical crime does not, strictly speaking, take place outside the social arena of civilization. Before the ethical crime can suspend and project the subject towards the very limit of the social order and its symbolic structure, it must take place as an intersubjective transferential relation where one of the two parties acts as a semblant of the criminal good: there is no other way for Antigone's desire to be transformed and purified if not through her very special type of relation to the body of another speaking being.

The ethical dimension of the criminal act can thus be realised only within a type of social exchange capable of accommodating what by definition exceeds the limits of the social exchange of goods: love, the tragic spectacle as an example of artistic sublimation, and also the analytic relationship itself, which is discussed by Lacan in the last part of *Seminar VII* as an instance of the subject's relation to the criminal good in the person of the analyst. For Lacan, the tragic spectacle provides the "model" for the psychoanalytic bond between analyst and analysand, and the cultivation of the criminal good becomes the focus of the social practice of psychoanalysis qua ethical practice (*SVII* 372).

Like the tragic spectacle, the analytic relationship is based on a social exchange of the criminal being, at the end of which the subject must learn to sustain his/her own pure desire and "reach and know the field and the depth of the experience of absolute loss" (Lacan, *SVII* 351). The subject's acknowledgement of the cost of his/her desire in relation to the common values that orient his/her life is actually even more profound in the analytic setting than in the tragic spectacle because, as Lacan points out, it is only in

the singularity of the analytic transference that the subject can "open the ballot box of his own law" and thus also of his/her own particular good rather than of the generalised common good staged in the tragic spectacle (*SVII* 347). Rather than as a dissolution or negation of the social bond, the analytic bond is presented by Lacan as a particular type of social exchange whereby the discontents of civilization - that is, the social conflicts and neuroses centered around the symbolic displacements of the common good - may be treated.

As we have seen, Freud had chosen the common good over the criminal good and left the problem of the discontent of civilization open by putting the ethics of psychoanalysis under the compass of a civilizing ethics. Lacan's choice of the criminal good does not simply reverse Freud's position: Lacan does not throw out the baby with the bathwater by seeking a solution to the discontent of civilization in a negation of civilization. Rather, Lacan strives to address the discontents of civilization by identifying a criminal ethics capable of finding its place in a different type of social bond - the analytic bond itself - through which the subject may learn to articulate his

desire against the repressive constraints and the structural violence of civilization.

4. The Ethics and Politics of Transference

We could sum up the progress of our argument so far by saying that Lacan's commentary on Sophocle's *Antigone* illustrates the necessary practical condition that needs to be fulfilled if the criminal and destructive tendency of the drive wants to become ethical and allow (1) an orientation towards the good of jouissance beyond the common good of civilization, as well as (2) the possibility of the subject's autonomy and freedom from the constraints and inherent violence of civilization. This condition coincides with a particular ethical practice, which we have defined as an intervention at the level of fantasy and as the articulation of a transferential bond, and which would allow the subject's relation to the "limit" of jouissance as well as his autonomy and ability to purify his desire from the jouissance of the fantasy. By turning to Lacan's commentary on *Antigone* in order to emphasise the centrality of this practical condition of psychoanalytic ethics, we have also had the chance to insist on how, in this respect, Lacan

defends a unique position within the Hegelian-Freudian legacy as he maintains that the ethical criminal drive is not external to civilization but constitutive of a certain civilizing bond. I would like to conclude this chapter, and the first part of my thesis, by suggesting that the handling of the (criminal) transference thus emerges in Lacan as the fundamental principle not only of psychoanalytic ethics but also of psychoanalytic politics.

In *The Language of Psychoanalysis*, Jean Laplanche and Jean-Baptiste Pontalis give a minimal definition of transference as "a process of actualisation of unconscious wishes" that "uses specific objects and operates in the framework of a specific relationship established with these objects" (455). They point out that the structure of transference coincides with that of repression, since transference is essentially only a particular case of the displacement of unconscious wishes from one object to the other that defines the mechanism of defence and symptom formation (456-57). The peculiarity of transference as a mode of displacement is clearly that the subject's relation to a specific unconscious object (e.g. his fantasy) is transferred not to a manifest conscious idea (as in dreams) or to a bodily part or bodily action (as in

symptoms) but to the body of another person that in this way becomes the object of a transference social relation.

In his papers on transference, "Observations on Transference-Love" and "The Dynamics of Transference," Freud insists on this particular side of transference by presenting it as a repetition of the subject's unconscious fantasy that provides the formula of the subject's relation to its libidinal objects. As Freud puts it, the subject's ability to acquire a "specific method [...] in the preconditions to falling in love which he lays down, in the instincts he satisfies and the aims he sets himself in the course of it" produces a sort of "stereotype plate (or several such), which is constantly repeated - constantly reprinted afresh - in the course of the person's life" ("Dynamics" 99-100). In this particular sense, transference is what maintains the subject's subordination to the fantasy as a practical unconscious law, simply by repeating and displacing/transferring the structure of this law onto every relation that the subject needs to negotiate.

Freud is then able to say that transference is also a form of "resistance" to the work of analysis and to

the dynamics of the analytic relation, in which such unconscious social stereotypes need to be brought into consciousness so that the analysand may be enabled to escape the sway of his unconscious determinants ("Dynamics" 105). Now, if this is the standard Freudian definition of transference, we have seen that the transferential dynamic illustrated by Lacan's reading of *Antigone* takes place on a very different level. We can, indeed, say that, in a way, *Antigone* is "actualising her unconscious wish" by transferring it onto Polynices, but it would not be correct to say that this transference is simply a repetition of *Antigone's* unconscious fantasy. In order to transfer her fantasy object onto Polynices, *Antigone* would need to rely on a signifier capable of producing that object as a signification invested with the necessity of a law.

As we have seen, however, what *Antigone* transfers onto her relation to Polynices is not her relation to a particular object or signification guaranteed by the supposed authority of a signifier - *Antigone* cannot say what Polynices is - but her *independent* relation to a body representing her own lack of being and the impossibility of her jouissance. Polynices is the semblant of a limit in the symbolic register of

signification, and this means that in her relation to him Antigone cannot be backed by any pre-existing "method," "stereotype" or law and must take responsibility for her own desire as an autonomous subject. Antigone's transference is thus both "criminal" and "ethical," guaranteeing an autonomous orientation towards *jouissance* for the subject.

The possibility of moving from transference as repetition to transference as ethical and criminal bond, and, generally, the central role played by transference in the ethical experience of the subject, depend on the dialectic of desire and demand that, according to Lacan, structures the relation of the subject to the Other and underlies every social relation negotiated by the subject. In one of the key texts of his *Écrits*, "La direction de la cure et les principes de son pouvoir," Lacan explains how this dialectic orients the dynamics of the transferential relation and how it is only through the strategic *direction* of this dynamics that an ethical structuring of the transference can be achieved.

Lacan insists that, since the transference invests a second person not only as an object but also as a

speaking being, the transference should also be understood as the transferring of a demand originally addressed to the Other as point of origin of all the demands addressed to the subject, not a demand for something specific but a pure, "radical" demand:

He [the analysand] demands... , from the very fact that he speaks: his demand is intransitive, it does not involve any object. [...] His demand [...] is not even his, since after all it is me [the analyst] that has offered him to speak. [...] To demand, the subject has never done anything but that, he has lived to demand, and we have to follow this pattern. ("Direction" 617)

It is by directing or handling this radical demand of the speaking being that the dynamics of the transference can be moved on from the repetition of an unconscious fantasy (of satisfaction of the subject's demand) towards a desiring engagement with that cut or limit in the Other that exceeds all fantasies of satisfaction. As Lacan puts it referring to the analyst's response to the analysand's demands in the transference: "the analyst has the task of sustaining the subject's demand, not, as has been said, to frustrate the subject, but so that the signifiers that capture his frustration [e.g. the signifiers through

which the subject can refer to his lack and thus sustain himself as a desiring subject] may reappear" in the subject's speech ("Direction" 618).

One partner of the transference, in other words, needs to refuse to play the role of the demanding, law giving Other that his partner's demands invite him to play, but at the same time "sustain" his partner's demand, so that his own lack of being and incomplete knowledge may eventually enable his partner to define and choose autonomously the signifiers of his own desire. The role of demand within the transference thus allows us to emphasise two points. First, the fact that the subject needs to negotiate the Other's demands before being able to move from (the) jouissance (of the fantasy) to his autonomous desire, and, most importantly, the fact that such negotiation can only take place through a relation to another speaking body to which the Other's demands are transferred, allow us to insist once more that there can be no grandiose ethics of "negation," "suicide" or "fidelity" without a perhaps more modest, but certainly more viable, ethics of transference which can be practised only at the level of the concrete handling of the analytic social bond. Second - and this leads us to the last part of our argument - we

can see that this ethics of transference also implies a particular politics, which we will identify as psychoanalytic politics insofar it characterises, to return to Lacan's words, the "direction of the treatment" and the "principles of its power," or, to put it differently, the way in which power relations are handled within the criminal and ethical transferential social bond of analysis.

In "La direction de la cure," Lacan observes quite explicitly that in the transferential relation the analyst needs to orient his "strategy and tactics, that is, his politics, [...] on his lack of being rather than on his being" (589). In orienting his politics on his "being" and on a certain understanding of reality (how things are, how things should be), the analyst would simply accept the *powerful* position of the demanding Other that the analysand transfers on him, thinking that he is acting independently while in fact he is merely acting as a dummy of the Other of the transference. Lacan formulates this very beautifully when he writes that "the inability to sustain a *praxis* in an authentic way results, as is common in the history of men, in the exercise of power" ("Direction" 586).

Psychoanalytic politics thus implies a degree of rejection or demystification of the power that the dynamics of transference displaces within the social bond. It is also true, however, that psychoanalytic politics does not imply a simple abdication of power since the demand of the Other also needs to be "sustained" so that the signifiers that allow it to be separated from desire can be found. We may say that psychoanalytic politics must walk a thin line between *renouncing* and *sustaining* power in order to enable all the subjects involved in the transference to finally reclaim their autonomy from the Other.

Freud's early papers on transference offer a very effective formulation of this thin line that psychoanalytic politics needs to walk in negotiating the way in which the supposed power and knowledge of the Other is displaced under the guise of a demand for love during the transference:

It is, therefore, just as disastrous if the patient's craving for love is gratified as if it is suppressed. The course the analyst must pursue is neither of these; it is one for which there is no model in real life. He must take care not to steer away from the transference-love, or to repulse it or to make

it distasteful to the patient; but he must just as resolutely withhold any response to it. He must keep firm hold of the transference-love, but treat it as something unreal [...]. ("Observations" 383)

By "keeping firm hold" of a power that is nevertheless also "treated as something unreal," psychoanalytic politics prepares the ground for the moment when power flows back from the Other to the subject and the subject can stop addressing his demand to the Other and start to articulate his signifiers and his desire autonomously.

Contrary to what one may think, moreover, this moment of emancipation of the subject, which is the logical outcome of the particular handling of power that marks psychoanalytic politics, does not imply a dissolution of the transference and the release of its participants to a state of individualistic and atomised autonomy. Some commentators of Lacan, and most notably John Rajchman, have suggested that Lacan's ethics of desire opens up the question of a social bond among "singular subjects," among subjects that are not gathered together by a common ideal or morality, but by a form of love that "assumes the 'transferential' form of the place of the subject in

language" (Rajchman 52-53). With reference to our discussion of Antigone, I think we can make this point clearer by saying that the ethical-criminal social bond can also sustain itself through a dynamics of transmission that would bind together a set of autonomous subjects not through their common submission to a law or ideal guaranteed by the Other, but through their common relation to a lack or limit in a powerless Other. On a different level, therefore, psychoanalytic politics is also concerned with the transmission of the ethical-criminal social bond within a certain type of collective formation.

As Jacques-Alain Miller has pointed out in his "Turin Theory of the Subject of the School," the structure of this collective transferential social bond based on criminal transmission is articulated by Lacan in his 1964 "Acte de fondation" of the Freudian School of Paris, where Lacan emphasises the "loneliness" of his "relation to the analytic cause" as the constitutive principle of the collective formation of the school (229). In Lacan's formulation, the "loneliness" of the leader is the loneliness of the autonomous subject who does not address his demands to the Other because he has recognised that the power of the Other is only ever supposed and that responsibility lies with the

subject. The leader who orients his politics on his loneliness (or, as we have said above, on his lack of being) is thus a leader that sustains the transference that invests him with the insignia of the Other not in order to control his subjects but in order to transmit his loneliness and his autonomy to them.

It is this transmission that can tie a group together, not as an *ideal* but as a *cause* - a cause as *chose*, *causa* or thing, *Das Ding*, the limit in the Other, but also a cause as something one fights for, an orientation, an ethical good which has the same structure for all speaking beings but is signified differently by each "lonely" subject. As Miller points out: "a community is possible between subjects who know the nature of semblants, and for whom the ideal, the same for all, is nothing more than a cause experimented by each one, at the level of his subjective loneliness, as a subjective choice, of one's own alienating choice, even forced, and implying loss" ("Turin" 4).

In terms of its internal dynamics of power, such a community would be an "anti-totalitarian set par excellence," a "series in which a law of formation is missing," a "series of exceptions, of lonelinesses

incomparable to each other, except that all are lonelinesses structured as lonelinesses" (Miller, "Turin" 6). In terms of its type of government, such community would not be a collectivity of isolated individuals relating to a common ideal or identification (as in the collective formations analysed by Freud in *Group Psychology*), but, rather, a collective *subject* emerging from the signifiers produced by the open-ended work of interpretation of its members (Miller, "Turin" 7).

Finally, in terms of its relation to the power of the State (the power of the Other), such community would be comparable to an underground criminal society, not, as Miller explains, in a "conspiratorial" sense, but in the sense that it is its very inconsistency that makes it "invisible" to the eyes of the Other: "the School is in itself its own purloined letter, unfindable by the police, this police that, according to Hegel, forms the very essence of the State" ("Turin" 8).

Lacan's insistence on the centrality of the transferential bond for psychoanalytic ethics should thus not lead us to the usual conclusion that psychoanalysis, even as an ethical practice, only

concerns the individual and is alien to, and conservatively separated from, the social and political sphere. On the contrary, it is precisely its inherent link with the handling of the social dynamics of the transferential bond which makes of psychoanalytic ethics also an always already social and political practice and thus marks its significance for contemporary debates on radical politics. As Yannis Stavrakakis has stated in his book *Lacan and the Political*, the appeal of psychoanalytic ethics for contemporary politics is that it can offer a "new ethical framework" capable of overcoming the limits of "traditional fantasmatic politics" (120-21).

While the work of Slavoj Žižek and others has unfortunately, as we have seen, paradoxically only reinforced the idea of the externality of psychoanalytic ethics to the social and political sphere by exaggerating its transgressive and revolutionary political effects, other theorists have managed to grasp the political potential of the transferential bond. In a representative essay published in the collection *Emancipation(s)*, for example, Ernesto Laclau has shown how a Lacanian critique of universalistic ethics, and the reduction of the "space of the common good" to an empty symbolic

transferential function - a "master signifier" - covering a constitutive antagonism inherent to the social, can "open the way to a relative universalisation of values which can be the basis for a popular hegemony" and a radicalisation of the democratic project (60-5).

Alain Badiou, on the other hand, has grounded the idea of the ethical "fidelity" of the subject to an "undecidable" and traumatic event on the possibility of distinguishing between political orientations based on truth and political orientations based on interest: while the vast majority of empirical political manifestations - including the "action of the State" - have nothing to do with truth, "a political orientation touches upon truth provided it is founded on the egalitarian principle of a capacity to discern the just or the good" ("Philosophy" 70-71). Interestingly, Badiou's definition of a politics based on truth, that is, on the defence of the possibility of the subject's ethical relation to a truth-event, may find an example precisely in the type of transferential collectivity described by Miller in his theory of the subject of the psychoanalytic school.

I would like to suggest, however, that neither Laclau, nor Badiou, nor any other contemporary political theorist has identified the handling of the transferential relation and the transmission of desire as the fundamental and structuring feature of their understanding of radical politics. Some Anglo-American readers of Lacan, notably Sherry Turkle (in *Psychoanalytic Politics: Jacques Lacan and Freud's French Revolution*) and Jacqueline Rose (in a long critical preface to her translation of Moustapha Safouan's *Jacques Lacan and the Question of Psychoanalytic Training*), have devoted some attention to the question of politics within psychoanalytic institutions, reconstructing Lacan's attempt to create an institution based on a form of political sovereignty "capable of renouncing its own essential or reigning principle," and suggesting that the significance of such an attempt "has to exceed the person of Lacan and indeed, finally, the institution of psychoanalysis itself" (Rose 39, 43).

If this is the case, we might argue that, while contemporary political theory has learnt to use psychoanalysis - to return to Stavrakakis' formula - as a "new ethical framework" to study and theorise politics, there is also another, perhaps more

fruitful, way in which the relation between psychoanalysis and politics might be reconfigured today. Lacan's understanding of politics, as we have seen, refers *literally* to the direction of the analytic treatment as a *practical* strategy of power to enable an ethical position that has profound political consequences in the constitution of a social bond based on the transmission of the desire of the analyst. Psychoanalysis, in this sense, does not need to be applied or used as a "framework" to study and theorise politics: it *is* politics already and it should then not only be practiced as politics but also studied and theorised as politics.

Part Two

The Sinthome

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Chapter IV

The Discontents of Contemporary Life

1. A Diachronic Approach

Up to this point we have considered Lacan's reading of Freud's hypothesis on the discontent of civilization. On this reading rests Lacan's classic formulation of the ethics of psychoanalysis, an ethics centred on the death drive and on the criminal act as means of sublimating desire from the common good of civilization. We have also remarked that Lacan's reading of Freud is based on a structuralist paradigm, so that we are now in the position to observe that Lacan's critique of civilization seems to operate according to a timeless logic - the logic of

signification - independent from historical contingency or cultural difference. This is, however, only partially true because Lacan's approach to the discontent of civilization never limits itself to the mere *synchronic* study of structures. Even in those moments of his teaching when he is most concerned with the incidence of signifying structures, Lacan also constantly sustains a rigorously *diachronic* approach, emphasising the impact of historical change on the structure of civilization and the close relation between the symptomatology of discontent and structural change.

Seminar VII, L'éthique de la psychanalyse, is a very good example because, although it belongs to Lacan's most overtly structuralist period (1953-1964), its reading of Freud's *Civilization and its Discontents* also manifests a diachronic awareness of how the structural logic behind both civilization and civilization's discontent had changed since the time of Freud's critique. In fact, while Freud insisted on the repressive agency of civilization and on "neurotic" discontent, Lacan's emphasis is more, as we have seen, on the violence emerging from within civilization itself in the social struggle over sublimated goods, once civilization's repressive

agency against the death drive becomes less effective. For Lacan, this "crisis" of repression is not simply a cyclical, episodic incident that may justify periodic explosions of social "barbarism" (wars, etc.): it is also a distinctive long-term historical tendency of modern civilization (SVII 276-77). Lacan's structuralist reading of Freud thus draws our attention to a type of social structure (the ambivalent link between subject-object or subject-neighbour) and to forms of discontent (the struggle over goods) that are characteristic of the modern world, and in this way also manages to highlight the crisis of the traditional, repressive and pacifying function of civilization as a historical dynamic, rather than as a periodic structural phase.

Lacan's synchronic analysis of civilization, therefore, should also be seen as a diachronic analysis of civilization because it emphasises the structure of the subject's (impossible) relation to jouissance - rather than the structure of repression - as the fundamental structure of contemporary civilization. In addition to this, we can also note that, over the years, Lacan's basic position remains essentially unchanged on this subject. The idea of a historical crisis in the symbolic function that

prohibits jouissance and contains the death drive - the paternal function - is an underlying constant of his work.

Early, and often quoted, examples of Lacan's insight in this sense are his 1938 article "Les complexes familiaux dans la formation de l'individu" and the 1948 *écrit* "L'agressivité en psychanalyse," where the endemic violence and aggression of a modern, "narcissistic" and "utilitarian" civilization are explicitly linked to the increasing absence of the structural "pacifying function" of the "libidinal normativity and cultural normativity bound up from the dawn of history with the *imago* of the father" ("Agressivité" 117; 121-24). This early diagnosis is consistent not only with Lacan's account of the social struggle over goods as we have encountered it in *Seminar VII* (e.g. in Lacan's middle period), but also, as I will show, with the later Lacan's analysis of a society in the grips of the surplus jouissance embodied in the surplus value of consumer goods. In fact, even if these different accounts also clearly imply a different understanding of the "object" of jouissance at the heart of the death drive as, respectively, Imaginary double (early Lacan), Symbolic lack (middle Lacan) and Real nothingness (later

Lacan), it is always the decline of the "libidinal normativity" of the paternal function that allows for the rise to prominence of the object and of the death drive on the social horizon of contemporary life.

In spite of the substantial continuity and conceptual coherence of Lacan's preoccupation with the idea of structural change, however, it is in his later work that his diachronic approach becomes more apparent. The explicit diachronicity of Lacan's later work lies in the fact that here Lacan is less concerned with illustrating the logic of a structural reading of Freud than with attempting to formulate a direct response to the new type of civilization that had, by the end of the 1960s, defeated and replaced the old and traditional social horizon. As Véronique Voruz and Bogdan Wolf have explained in their "Introduction" to a recent collection of essays on the later Lacan, "Lacan's persistent reworking of psychoanalysis [...] has as much or more to do with the practical need to address impasses encountered in the consulting room as it does with theoretical difficulties" (vii).

From the late 1960s onwards the structure of modern civilization had ceased to be an emerging one and, having become dominant, started to impose itself on

psychoanalytic practice, prompting a direct and practical engagement of psychoanalysis with the specificity of contemporary civilization. In the later Lacan, therefore, we find not only an analysis of contemporary life that develops his earlier critique of civilization through an explicit study of the differences between traditional and modern social structures (Lacan's theory of discourse), but also a new treatment of psychoanalytic ethics that, while it does not negate the ethical principles extracted, as we have seen, from a structural reading of Freud, also examines the conditions and modalities of their practice in a contemporary setting.

2. Contemporary Life

In order to outline the logic of the later Lacan's account of modern civilization I will refer to *Seminar XVII, L'envers de la psychanalyse* (taught between 1969 and 1970), as well as to a later text, "Du discours psychanalytique" (dated 1972), where the analysis put forward in *Seminar XVII* is developed more fully. As Jacques-Alain Miller has pointed out, *Seminar XVII* represents in many ways a "new edition" of the reading of Freud's *Civilization and Its Discontents* given by

Lacan ten years before in *Seminar VII, L'éthique de la psychanalyse*, a new edition where particular attention is paid to the specificity of the "current moment of contemporary civilization" ("On Shame" 12).

The privileged Lacanian term to refer to this historically specific "moment" of civilization is "contemporary life." This tag figures prominently in the title of the third part of *Seminar XVII, "The Other Side of Contemporary Life,"* which, as Lacan himself makes clear towards the end of the seminar, is a direct reference to the title of a novel by Balzac, *The Other Side of Contemporary History* (SXVII 219). The expression "contemporary life" is still currently used, almost forty years after Lacan's seminar, by Lacanian clinical theorists, and holds a descriptive meaning that is close, but not identical, to that of more popular academic labels such as "late capitalism," "postmodernism," and even "globalization."

Like other, apparently neutral Lacanian terms, "contemporary life" is in fact an exceptionally complex and meaningful category, overdetermined by its implicit reference to Balzac's text and to Lacan's reading of it. Balzac's novel tells the story of a

secret elite that govern "beneath history" in the years after the French Revolution and the regicide that marked its climax. Through Lacan's few passing remarks and aided by Jacques-Alain Miller's commentary ("Religion" 23), we gather that, for Lacan, the significance of Balzac's novel lies in its historical insight into the social structure of French post-revolutionary society: "if you have not read it," Lacan says, "you may have read anything you want on [...] the French Revolution, [...] you may even have read Marx, but you will not understand anything about it, there will always be something that escapes you" (*SXVII* 219). This "something" that would normally escape the scholars of post-revolutionary modernity but is revealed in Balzac's novel is the well-known Lacanian structural logic whereby transgressive "freedom" ultimately functions as the reverse hidden side of prohibition. This is the same logic that, as we have seen, allows Lacan to distinguish between ethical crime and structural transgression, and that in this context also allows him to pin down the "inverted" structure of a new society where post-revolutionary freedom finds its "other side" in the constraints of a hidden power.

In Lacanian theory, consequently, "contemporary life" comes to identify a social structure characterised by the decline, disappearance or absence of traditional figures of authority like the king in Balzac's example: in this type of structure the organising principle is not an overt prohibition that dictates a certain order, but, rather, the structural complementarity of Law and transgression that makes the prohibition survive as a "secret ruling elite" when the figures that embody it disappear in order to give way to a false semblance of freedom. If we wanted to recast this analysis in the terms of Freud's original argument on civilization, we could say that "contemporary life" is a civilization that has ceased to actively try to restrain and frustrate man's "powerful drives," but where the hindering of the drives is nonetheless still "secretly" at work in the liberated drives as such because drives, as Lacan constantly reminds us, are the by-product of frustration and would not exist without an originary prohibition.

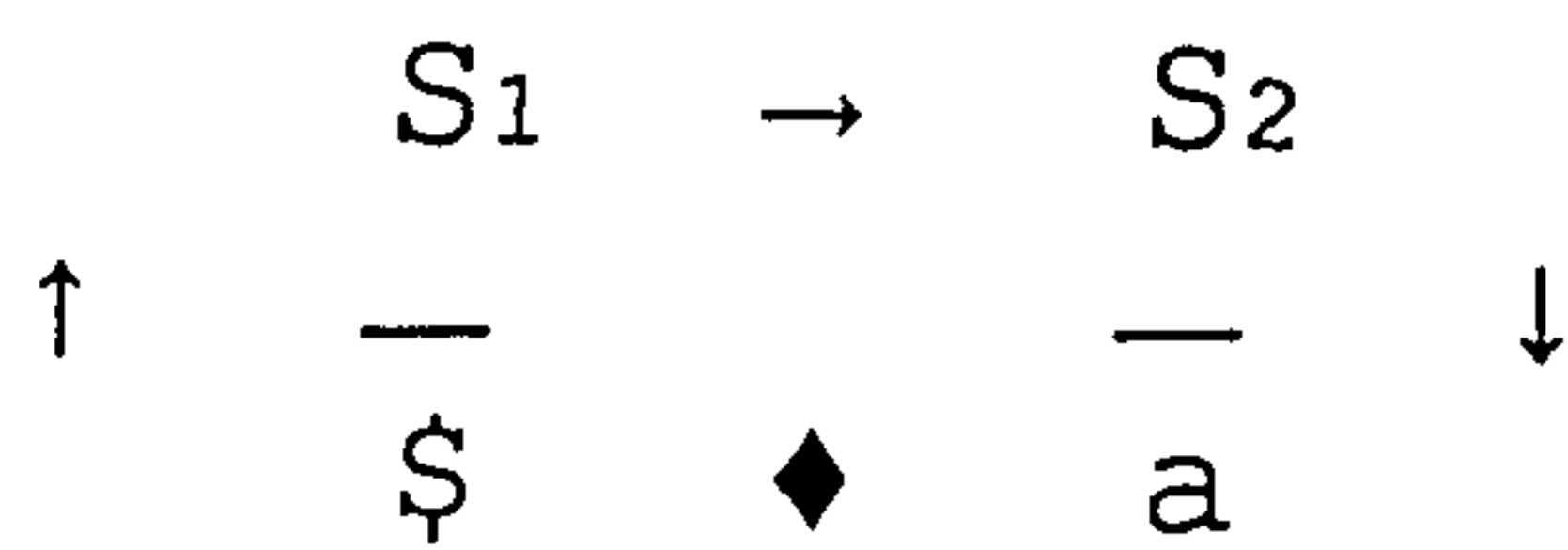
As the example of Balzac's novel also suggests, for Lacan, the historical rise of this social structure begins with the great political and economic revolutions of the 18th and 19th centuries. Lacan

comes to terms with this historical shift already in *Seminar VII*, where his extended discussion of Kant and Sade is presented precisely within the framework of a structural alteration of the Law in what Lacan calls the "great revolutionary crisis of morals" of the end of the 18th century (SVII 85). Sade's reformulation of the moral imperative as "pure and simple object" - that is, as unhindered satisfaction of the drives - and Kant's reformulation of the moral imperative as a universal maxim abstracted from all "pathological" objects (SVII 85), represent and reflect precisely the two sides of the structure of contemporary life, its explicit liberation of the drives and hidden, "non-pathological" structural constraints. Even if the emergence of this structure can be dated back to the eighteenth century, however, for Lacan it is not until the end of 1960s, and the full affirmation of a late capitalist consumer society centred on the enjoyment of the drives, that the structure of contemporary life becomes dominant and thus ripe for direct analysis. "Contemporary life," in sum, refers not to a precise historical time, but to a historical social structure that emerges at the end of the 18th century and, becoming dominant during the last decades of the 20th century, is still with us today.

But how does Lacan justify this structural shift? How are we to understand the historical transformation that led to the affirmation of the structure of contemporary life as the underlying structure of modern civilization? In *Seminar XVII*, Lacan answers these questions by saying that the crucial, albeit somewhat elusive, historical event behind the transformation of the traditional social structure was the conversion of surplus jouissance into surplus value:

Something has changed in the discourse of the Master from a certain moment in history. We will not trouble ourselves trying to find out if it was because of Luther, or of Calvin, or of some traffic of ships around Genoa, or in the Mediterranean, or somewhere else, because the important point is to know that, starting from a certain day, surplus jouissance is counted, measured and totalised. It is there that what we call the accumulation of capital starts. (207)

This is an important statement and it requires some explanation. By "discourse of the Master" Lacan means the traditional structure of civilization based on the control and repression of the drives as we found it in Freud. Lacan writes it in the following way:



This formula can be read (clockwise, starting from \$) as the basic structure of signification: a signifier (S1) represents (\uparrow) a subject (\$) to (\rightarrow) another signifier (S2), thereby producing (\downarrow) a signification of the lost being/jouissance ("a" or surplus jouissance) that cannot be reconciled (\blacklozenge) with the constitutive void of the barred subject introduced retroactively by signification. The two levels of the formula also correspond to the two "sides" of the traditional social structure that becomes reversed in the structure of contemporary life. The upper side is the open and official side: in traditional societies, a collectivity bound together, organised and pushed to work by a Master, a ruler, an ideal, a universal Law. The lower side is the repressed and hidden side: in traditional societies, the individual subject pursuing the impossible satisfaction of the drives via "significations" or sublimated objects of jouissance that strive to fill his constitutive lack.

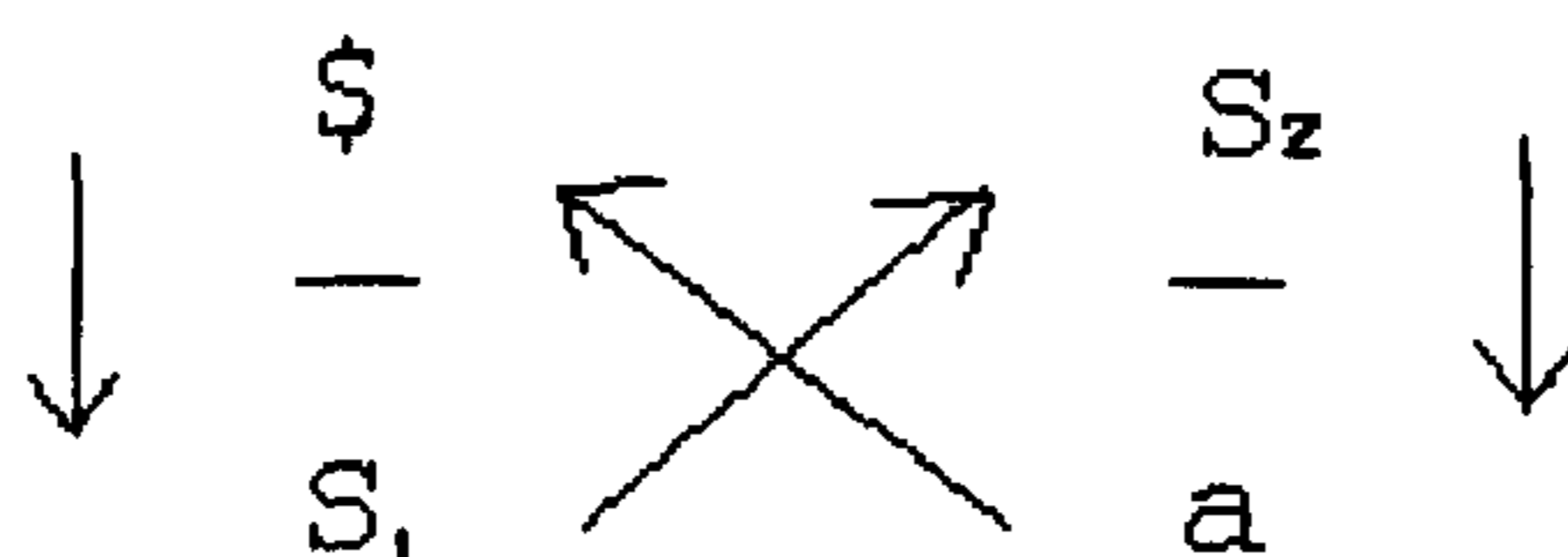
As long as these objects, this surplus jouissance, do not get counted and valued, this traditional structure remains stable. Even if the subject may pursue drive satisfaction in the object, their relation remains of secondary social importance because the object as such has no power over the subject: "on the second line," Lacan points out, "not only is there no communication, but there is an obstruction" (symbol ♦) (SXVII 203). This obstruction, continues Lacan, is "production" itself, "that which results from work," as opposed to the object *qua* pure surplus jouissance embedded in it; as such, "production does not have any relation with the truth [of the subject]," it is "something that protects it [the truth of the subject], which we will call impotence" (SXVII 203).

To the impotence of the object is opposed the overt social power of the Master signifier (e.g. the King, the Father, God, an ideal, etc.), a power that derives precisely from the fact that, conversely, the signifier *counts*, it can be *counted* as one and for this reason it can give to and take from the subject by representing him. We should now be able to see what Lacan means when he says that it is the conversion of surplus jouissance into surplus value that determines the shift from the traditional to the modern structure

of civilization. When surplus jouissance starts to get counted as surplus value, in fact, not only does the object overcome its lack of power over the subject and starts to function as a Master, but the drive also fulfils its social "liberation" and the absolute power of the Master signifier becomes displaced and redoubled in the drive, giving place to the illusory freedom of contemporary life. As Lacan puts it, "surplus value is added to the capital - no problem, it's homogeneous, we are dealing with values," and once this is done, "from the fact that the clouds of impotence have been dissipated, the Master signifier appears even more invulnerable [...]. Where is it? What should we call it? How can we find it? (SXVII 207).

If *Seminar XVII* gives us an explanation of the logic behind the transformation of traditional social structures, Lacan comes closer to articulating a full definition of the structure of contemporary civilization in a later text, "Du discours psychanalytique." In this lecture, presented at the University of Milan in May 1972 (and sometimes referred to as the "Milan Discourse"), Lacan elaborates for the first time the formula of the new social structure resulting from the alteration of the

discourse of the Master, presenting it as the "discourse of capitalism:"



What marks the difference between this new type of social structure and the old one is, in Lacan's reading of the formula, "simply a very little inversion between S₁ and the barred S (\$), that is the subject" (8). This inversion, which we can observe if we compare the formula above with that of the discourse of the Master on page 246, is *exactly* the effect of the capitalist logic of countability that, as we have seen, historically invests surplus jouissance: now counting as One (the Capital) surplus jouissance (a) starts to impose itself as a Master (right-to-left diagonal arrow) on the subject (\$); the "liberated" subject (\$), meanwhile, rises to the upper side of the social structure and traditional Masters (S₁) fall socially (↓) but also persist as products (again, ↓) of the subject alongside all sorts of other rules and regulations which allow (left-to-right

diagonal arrow) the whole system (S2) to work and produce (↓) surplus jouissance (a) again.

Significantly, whereas the discourse of the Master could be read clockwise as an interrupted circle, reflecting a social structure based on prohibition and repression, the discourse of capitalism/contemporary life functions as a continuous loop (the arrows form a "∞" loop figure), with no interruptions, or, in Lacan's own words, as a "madly clever" mechanism that "runs as if on wheels" and "could not work better" ("Du discours" 8). This endless circularity is essential not only, as we will see shortly, for Lacan's diagnosis of the particular discontent of civilization associated with it, but also for pinning down the essence of what we refer to as contemporary life. The closed loop of Lacan's formula illustrates perfectly the logic of a social structure where the purpose of prohibition (e.g. of all the different regulations and S1 that order our modern world) is to enable transgression (e.g. the subject's relation to surplus jouissance via consumption of products). This is the fundamental logic of contemporary life. Underneath the apparent freedom of the subject, we find two Masters, the two sides of the Law locked to

each other: the Law as object (enjoy!) forcing itself on the subject, and the Law as prohibition, the symbolic Law (no!), forcing itself on the subject *in order to produce the Law as object*.

3. The Discontents of Contemporary Life

We have seen that in *Seminar VII, L'éthique de la psychanalyse*, Lacan's analysis of the discontent of civilization moved away from the Freudian idea of a "neurotic" discontent deriving from the social repression of the drives and concentrated, instead, on the violence and destruction of the liberated drives as an inherent aspect of civilization. In this way, by describing a social order dominated by the ambivalence of the subject's relation to two particular forms of the object of jouissance - the common good and the neighbour - Lacan was already grounding his argument on a reading of the modern social link between subject and object, rather than on the traditional link between subject and Master, and he was thus also anticipating his later definition of contemporary life.

The forms of social discontent discussed by Lacan in *L'éthique de la psychanalyse* - the aggression against the neighbour who enjoys the jouissance of the good and the destructive violence of the struggle over goods - can therefore also be introduced now as forms of the discontent of the contemporary social order we have tried to define so far. Social conflict and violence for the possession of goods, however, are not the only consequences of the promotion of the object on the scene of contemporary life. We may even suggest that, although they certainly illustrate one social consequence of the structural rise of the object and fall of the Master, they do not necessarily reflect *per se* the full structural logic that defines the functioning of contemporary discourse.

It is another type of violence that allows us to capture the logic of contemporary discontent: not the violence that aims at possessing the neighbour's goods but the violence that aims at destroying an excess of goods. Lacan refers to this type of violence already in *L'éthique de la psychanalyse*, when he discusses the anthropological wisdom of the *potlatch* ceremonies where an excess of goods is destroyed, as he puts it, in a fully "conscious and controlled" way, suggesting that much of our "modern" explosions of destructive

violence may be put down to our inability to deal with our excesses of jouissance in a similar fashion (SVII 274). The discontent of contemporary life, therefore, is not merely the effect of a sudden liberation of the drive and promotion of the struggle over jouissance in the social arena. It is also, and more profoundly, the effect of an excess of jouissance sustained by the structuration of the drive in contemporary discourse. After *Seminar VII*, the later Lacan (and contemporary Lacanian theory) will focus more and more on this idea of excessive jouissance as the fundamental aspect of contemporary discontent, exploring its connections not only with violence, but also with anxiety, inhibition and the functioning of the system of production.

In "Du discours psychanalytique," Lacan eventually comes to explain how this pathologic and pathogenic excess of jouissance arrives to disturb the apparently flawless circular logic of the discourse of capitalism (and thus of the structure of contemporary life) itself:

After all, it is the cleverest discourse we have made. It is no less headed for a blow-out. This is because it is untenable. It is untenable because capitalist discourse is here, you can see it, simply a little

inversion between the S_1 and the $\$$, that is the subject [...]. This is enough to make it run as if on wheels, it couldn't work better, but it runs too fast, it consumes, it consumes so well that it consumes itself [*ça se consomme, ça se consomme si bien que ça se consume*]. (8)

On a first level, we can take Lacan's "it consumes/it consumes itself" as a kind of prophecy of the inevitable implosion of a consumer capitalism that feeds on itself, and is therefore "headed for a blow-out."

On another level, however, if we keep in mind that Lacan (and psychoanalysis in general) maintains a fundamental homology between social and psychic structures, Lacan's statement can also work as a definition of the discontent of our social order as a form of "being consumed" by excessive "consuming." We must not forget that, for Lacan, the subject is in itself an integral part of the structure as consumer. The "it consumes" of the structure depends thus on the pull of the object on the subject, so the "it consumes itself" and the eventual "blow-out" of the structure can only coincide with a discontent of the subject: on the one hand, with a "wearing out" of the subject's functional desiring engagement to the object; on the

other hand, as I will illustrate shortly, with the "blow-out" of the subject itself who becomes inert, passive and incapable of desire.

In general, therefore, the collapsing of the distinction between "consuming" and "being consumed" at the logical level of the structure becomes apparent as social discontent in the experience of the subject. The homology between psychic and social structure, however, does not, in itself, explain the implosion that leads, according to Lacan's analysis, to the blow-out of both. If we want to understand why the smooth functioning of contemporary discourse is bound to come to a painful and distressing halt not only *for*, but also *in* the subject, we need to look elsewhere, to the peculiarity of the link between subject and object on the scene of contemporary life. As Lacan frequently points out in his later teaching, one of the consequences of our increasingly abstract scientific and technological system of production (S2 in Lacan's formula of the discourse of capitalism) is the progressive erosion and destruction of human reality (including nature and the human body) by the technological objects of jouissance and consumer goods produced by science. For Lacan, the characteristic of the pure signifying formulas of modern science is not

"the introduction of a better and wider knowledge of the world" but the fact that "they have allowed the emergence, in the world, of things that did not exist in any way at the level of our perception" (SXVII 184). The emergence of such invisible things - chemical compounds, electromagnetic waves, DNA molecules, neurotransmitters, etc. - as the new Real of science allows for the production of new objects, new technological gadgets, new drugs, new bodies and new virtual realities that are, as Lacan puts it, "plugged into" this invisible Real (SXVII 188).

Technological products are thus always invested by a fantasmatic quality that turns them into a source of both desire and anxiety for the subject who can consume them as surplus jouissance but also sees his own world and his own humanity as *being consumed* and eventually wiped away by them (Lacan, SXVII 189). The structure of contemporary life, therefore, produces consumer goods that are also "consuming goods," goods that can be consumed and make the system function because they are plugged into a Real that also swallows and consumes human reality. The two cannot be kept apart: the better the product, the higher its ability to erode humanity; the ultimate drug, the ultimate surgery, the ultimate technological gadget

promising total satisfaction are thus nothing but a fantasy of the extinction of humanity.

Is this the eventual blow-out of contemporary discourse predicted by Lacan? Is this ultimate fantasy of total satisfaction as total annihilation destined to be realised? Lacan does not think so and encourages us to grasp the difference between the fantasy and the Real effects of the fantasy on the subject. In a text of 1974, *Le triomphe de la religion*, Lacan ironises on technological anxiety defining total self-destruction as the ultimate "triumph" of humanity, and clearly states that he does not find scientific research exceedingly dangerous due to the "resilience of animality" (75). If the full advent of humanity can only coincide, as Lacan seems to suggest here, with humanity's final confrontation with the absurdity of its fantasy of satisfaction, and thus with its own nothingness as the essence of humanity (the path of psychoanalytic ethics), then what is threatened and consumed by science is not humanity but "animality," the resilient stupidity of an unenlightened, satisfaction-driven sub-humanity which we cannot hope will be wiped out by science.

Lacan's ironic reversal of terms should not be taken here as an indication that the erosion of human reality by technological products must be dismissed as a fantasy. On the contrary, the problem remains *precisely* because we are dealing with a fantasy and not with reality: *fantasy is dangerous because it creates anxiety and not because it can be realised.* "We are not there yet, but," continues Lacan, "the idea provokes in any case some anxiety" ("Triomphe" 75). Lacan's stance is thus less pessimistic than it may seem at first sight. For sure, science and the products of technology are "consuming" a great deal of what we *understand* as our human heritage. The *Spaltung* that divides the subject from itself and allows not only for the pleasure-seeking animality of man but also for his ability to transcend it, however, remains basically safe, unthreatened by a science which not only does nothing to undermine the survival of base animality, but also does not facilitate the traversing of the apocalyptic fantasy which, in any case, would lead to a revelation of the nothingness of the human, rather than to its annihilation.

The end of the human is, therefore, a fantasy, a fantasy of the discontent of contemporary civilization. It reflects the structural contradiction

between "consuming" and "being consumed" in the discourse of contemporary life but it cannot, as such, be identified with the necessary "blow-out" of the structure referred to by Lacan. For Lacan, the "blow-out," the wearing out of contemporary discourse, must be primarily *an effect of the anxiety induced by this fantasy*, rather than of the direct undermining of established human reality by the system of production. Technological consumer goods can consume reality as much as we want, but eventually it is only the anxiety awakened by this process that can wear out the subject and lead to a blow-out of the system.

This exhaustion of the subject is not linked merely to technological anxiety, but is the effect of the more general anxiety that accompanies the subjective confrontation with the massive and growing presence of the object and of surplus jouissance on the scene of contemporary life. As Lacan points out in his seminar on anxiety, *Seminar X, L'angoisse*, from a strictly clinical point of view, anxiety is essentially an affect that works as a "signal" of a "lack of lack," the red light indicator of a total jouissance that would wipe away the lack on which the split desiring subject constitutes himself, a signal, that is, of the

possible, anticipated extinction of the subject by jouissance (SX 66-67).

Now, on the ground of what we have elaborated so far, we can also add that the danger signalled by anxiety is clearly not a real one for the "normal" neurotic subject, whose anxiety-ridden confrontation with the object would lead, along the ethical lines of the analytic path, to an enlightened purification of desire from the fantasy of jouissance and *not* to an extinction of subjectivity. Similarly, the anxiety that surrounds the possible end of humanity through a perfect technology of satisfaction is not a signal of the likelihood of this end, but, as we have seen, rather a cultural ethical path for the revelation of the essential nothingness of humanity. There is, however, a danger that is implicit in the experience of anxiety, and it comes from the - likely, this time - chance that the subject may react to what promises to be an overload of jouissance by a withdrawal of the libido and a generalized *inhibition* of desire. And it is precisely in this sense that we should understand the "blow-out" of the discourse of capitalism predicted by Lacan: as a defensive inhibition of desire that, warding off an excess of jouissance, leaves the subject "consumed," depressed and incapable

of sustaining its structural role of consumer in relation to the object.

As Éric Laurent has pointed out in his inaugural paper for the 2008 World Association of Psychoanalysis (WAP) congress, it is the logic of this oscillation between anxiety and inhibition that captures the sense of Lacan's remarks on the current state of civilization: "Lacan," observes Laurent, "oscillated between the anguish-inducing aspect of a civilization that lacked lack, and the effect of fatigue, of ennui, of generalized depression that it produced" ("Stakes"). Lacan's diagnosis of the discontent of contemporary civilization, therefore, not only stresses the importance of giving the right weight to the apocalyptic fantasies evoked by the excess of surplus jouissance that marks our society, but also points towards a very specific psychic formation to name the discontent caused by this excess: inhibition.

The psychic process of inhibition, first discussed by Freud in *Inhibitions, Symptoms and Anxiety* (published in 1936), has been given much attention by contemporary analysts and psychoanalytic theorists, who have, in the wake of Lacan's teaching, tried to articulate its relation to the structure of

contemporary life (see, for example, Renata Salecl's *On Anxiety*, Darian Leader *The New Black: Mourning, Melancholia and Depression*, Julia Kristeva's *Black Sun: Depression and Melancholia* and *New Maladies of the Soul*). In the work of these theorists, the mechanism of inhibition is mostly used to explain the logic behind the growing clinical incidence of depression in our society, but also transcends the clinical specificity of depression and comes to identify a general *crisis of desire* that emerges more and more as the prevalent discontent of contemporary civilization.

It may seem, at first, an overstatement or a contradiction to present depression and the inhibition of desire as the keywords of contemporary discontent. After all, depression is only one of the many types of psychic suffering that afflict contemporary subjects. We should not forget, however, that, as always in Lacan, what we are confronting is not an empirical symptomatology but a structure that may find a variety of empirical manifestations. Although it would perhaps be wrong to understate the social incidence of depression - which according to the World Health Organization website, by 2020 is expected to become the second *global* cause of death after heart disease -

depression is only one of the social epiphenomena of inhibition. The crisis of desire that marks inhibition is also not only not contradicted but even manifested by the triumphant hedonism of our civilization, by the anonymity and impersonality of the mass produced objects of jouissance that are in themselves a negation of the unique singularity of each subject's desire.

As one of the analysts of the New Lacanian School, Rik Loose has shown in his work on addiction, the conspicuous consumption of surplus jouissance in contemporary society becomes a way for the subject to find refuge from the anxiety and responsibility of the confrontation with his/her own object-cause of desire in the anonymity of deceptively "safe" worldly objects which will also, eventually, confront him with the anxiety of a lack of lack (153-54). Moreover, giving up the confrontation with one's own object-cause of desire also means, necessarily, giving up on knowledge. Another Lacanian analyst, Guy Trobas, has pointed out that inhibition testifies to a "patent failure of the elaboration of jouissance in the unconscious," which means that, in its effort to find a protection from an excess of jouissance, the subject does not limit itself to a mere neurotic processing of

jouissance through signification, but disengages from both jouissance and its signification, and thus finds itself "at odds with knowledge," "in a conflict with knowledge which can reach a point of true 'epistemic anorexia'" (92-93).

This refusal to sustain a desire for knowledge is another manifestation of inhibition that has reached prominence in contemporary life, "a position in which the subject passively consents to test a know-how without wanting to verify the knowledge that supports it, or wanting to be enlightened on his state of suffering, and even less to make himself the agent of any elaboration of knowledge" (Trobas 93). Of course, knowledge does reign sovereign in our culture, but this is, as we have already pointed out, a technical and academic knowledge that disregards the subject rather than articulating its constitutive split and desiring disposition. As a structural function, inhibition thus underlies the contemporary discontent of civilization well beyond depression and also beyond a simplistically defined "crisis of desire" and comes to inform the very passivity of contemporary subjects, their docile conformity to the institutions, regulations and procedures that "consume" them. Even more generally, inhibition defines the very crisis of

the subject as such, the crisis of the singularity and dignity of the desiring subject as the distinctive social disease of contemporary civilization.

If Freud's original account of the discontents of civilization turned around the standard neurotic structure of repression, Lacan's remarks on the discontents of contemporary life, eventually also turn out to be centred around a clinical structure: not repression but inhibition. In this respect, however, it is essential to remember that inhibition is not simply another psychic structure, a modern "alternative" to repression, but is, rather, a structure that coexists and supplements that of repression when the mechanism of repression becomes geared towards producing, rather than towards warding off, *jouissance*.

Inhibition, in a sense, presupposes repression, not repression as a defence structure but repression as a productive structure. For Freud, repression involves the barring from consciousness of a signifier, or "ideational representative," of *jouissance*, which then attracts by association a whole unconscious formation of signifiers related to it ("Repression" 570). Repression is thus primarily a defensive structure,

but it can also be seen as working in the opposite sense because the fantasy *produced* by the associative work of the signifiers can also be brought to consciousness and emerge in symptomatic forms. When this happens one signifier linked to the repressed formation associates itself with a bodily function or object, and thus generates not only a surplus of jouissance and a compulsive repetition of the act and/or desire for the object, but also the anxiety of a potential "too much" of jouissance.

As Freud puts it, the instinctual representative "takes on extreme forms of expression, which when they are translated and presented to the neurotic are not only bound to seem alien to him, but frighten him by giving him the picture of an extraordinary and dangerous strength of instinct" ("Repression" 570). There is, therefore, a distinctively productive side-effect to the mechanism of repression, and it is precisely to this side-effect that inhibition responds as an attempt to minimise the anxiety aroused by the neurotic production of symptoms and fantasies. Freud states this very clearly in *Inhibitions, Symptoms and Anxiety* when he defines inhibition as a "restriction" imposed by the ego on its functions "so as not to arouse the anxiety symptom" (39).

This structural connection between inhibition and repression allows us to say that the discontent of contemporary life, centred on inhibition, is still, nevertheless, a *neurotic* discontent. It is true that Lacan insists on the incidence of a certain liberation or social rise of surplus *jouissance* in contemporary life, and yet his later teaching also shows how contemporary life depends on neurotic repression as a mechanism of production and consumption, if not as a system of defence. There can be no work, no elaboration of knowledge, no production of desirable objects or desire for objects to consume if the signifying chain and *jouissance* are not linked together through the process of repression.

The problem of contemporary life is that the social rise of surplus *jouissance* has reduced the defensive function of repression and replaced it with inhibition, while continuing to exploit repression as a structure of production and consumption. We can, interestingly, find a trace of this - very modern - possibility of repression functioning as a mere logic of *production*, rather than of *protection*, in Freud's own example of the case of "inhibition to work" in *Inhibitions, Symptoms and Anxiety*: work, the Freudian

defensive and repressive activity *par excellence*, the sublimating process on which the whole of civilization is based, may become, explains Freud, using terms that echo closely those used later by Lacan, in itself a source of anxiety and a cause of inhibition for the subject who then "feels a decrease in his pleasure in it or becomes less able to do it well; or he has certain reactions to it, like fatigue, giddiness or sickness, if he is obliged to go on with it" (15): the productive system "consumes" and "consumes itself" at the same time.

We might note that this structural link with repression also allows inhibition to account for the discontents of contemporary life more convincingly than other psychic structures proposed by cultural theorists influenced by psychoanalysis. Particularly in the context of the debate around postmodernity, contemporary civilization has sometimes been described using psychoanalytic categories like psychosis, schizophrenia, paranoia or even perversion, suggesting a complete breakdown of traditional "neurotic" social structures and the advent of a new, loose and decentred social network.

In spite of this trend, Lacanian theorists have always been firmly opposed not only to the idea, and possibility even, of a psychotic or non-neurotic civilization (Miller, "Fantasy" 6), but also to the generalizing application of psychic categories to a particular moment or aspect of civilization (Salecl, *(Per)versions* 159). This resistance is due not so much to the obvious gap between clinical and cultural realities (if that was the case, how could we talk of a neurotic civilization in the first place?), as it is due to the incoherence of using constitutive and foundational psychic categories as historical categories. Psychic categories like neurosis, psychosis and perversion cannot be historicised because they are defined in relation to an event - repression - which is *not historical*. Repression takes place before the beginning of history and civilization; it represents the ahistorical condition for the possibility of a neurotic formation, and, consequently, also the condition of possibility for civilization and history as such. So, of course, civilization is neurotic and neurosis is the ahistorical and universal logic of history and civilization as neurotic formations, while perversion and psychosis are the equally ahistorical and

universal logics of the subjective rejection of civilization and history.

None of these categories, however, may be used to identify one moment or aspect of civilization over another. To talk about a psychotic or neurotic *moment* of civilization, besides, also carries the risk of falling into the trap of a certain reductionism or determinism which would overemphasise the power of the structure and overlook the freedom of the subject in front of the ahistorical and structurally constitutive choice of repression. From a Lacanian point of view, the psychic or social structure obviously has a constraining effect on the subject; the structure itself, however, confronts the subject not only as a destiny but also in the first place as a fundamental choice that the subject makes, a free choice between neurosis, psychosis and perversion. By presenting psychic categories as the result of a structuring event (repression), rather than as historical labels, the Lacanian position thus also preserves the freedom of the subject by insisting on the constitutive necessity of a choice.

As opposed to neurosis, psychosis and perversion, inhibition is more suited to capture the logic of

contemporary life because its incidence is subject not to the pre-historical "choice" of repression, but to the historical/discursive alteration of the structure of repression itself. For Lacan, historical change does not respond to the logic of choice or chance that regulates the alternative between different psychic categories; it responds to the combinatorial logic that regulates the permutations of the discourse of the Master as the fundamental, repressive and neurotic structure of civilization. Inhibition can work as a historical category because its emergence as a social phenomenon formulates a response to the discontent generated by these permutations, and in this way also signals and manifests a historical variation. As Guy Trobas has put it, contemporary social inhibition does not respond to a historical crisis of the structuring function of repression because this function cannot be touched by history: "primal repression constitutes something intangible, something which, once carried out, once produced, remains, in neurosis as in perversion, beyond the reach of contingency: a structure is in place, which cannot be modified by historical contingencies" (86-87).

What inhibition does is to accommodate a historical and discursive "variation" in a mechanism of

repression that is "always partial, mobile, and oscillates between success and failure according to the margin left by its symptomatic product to displeasure and in particular to anguish" (Trobas 87). It becomes clear, therefore, that inhibition marks contemporary life not as a fundamental psychic or social structure, but as a particular way of dealing with the symptomatic product of the fundamental neurotic structure of civilization. From this observation we can draw two further conclusions. The first is that we should not regard contemporary life in terms of a radical structural alteration. We should learn, instead, to recognise that behind the generalised lack of lack and crisis of desire that identifies our time there is an inhibited and submerged neurosis and not a psychotic breakdown. The second conclusion is that if inhibition is only one way to deal with an excess of neurotic anxiety, other ways may be found, ways through which the subject may not only be relieved of its anguish, but reawakened as a desiring subject from the slumber of its inhibitions.

4. Academic Readings and Ethical Practice

Lacanian theorists working from within the academic circuit have, in recent years, repeatedly turned to Lacan's analysis of contemporary life in order to formulate their own accounts of contemporary culture and society. In their work, they are essentially consistent with the Lacanian position I have outlined above, although they also tend to emphasise certain aspects over others, and often extract particular conceptual keys from Lacan's discourse in order to give a particular slant to their argument and develop it in a particular direction.

Todd McGowan's *The End of Dissatisfaction? Jacques Lacan and the Emerging Society of Enjoyment*, for example, grounds its account of contemporary society around Lacan's idea of an historical transformation in the status of jouissance. Lacan's remarks on the modern discursive decline of the paternal function and rise of surplus jouissance lead McGowan to define contemporary society in terms of an historical shift from a society of prohibition to a society of enjoyment, and, more specifically, in terms of a shift from a society centred on the prohibition of the Symbolic Law to one centred on the Superegoic imperative to transgress and enjoy (8, 34). The

classic Lacanian thesis of the dialectical co-dependency between prohibition and enjoyment, Law and transgression, Ego-Ideal and Superego, is then used by McGowan to conclude that of course, "though the social order today demands enjoyment rather than the sacrifice of enjoyment, this in no way allows subjects within the social order to enjoy themselves," since "the existence of the superegoic command 'Enjoy!' merely produces a sense of obligation to enjoy oneself; it does not produce enjoyment" (37).

For McGowan, the problem of contemporary society is that contemporary subjects are caught within the logic of an imperative that creates an impossible ideal of satisfaction, leading them to "move so quickly - from commodity to commodity, from internet site to internet site, from channel to channel," resulting in an "absence of enjoyment, widespread apathy, aggressiveness and cynicism" (38-39). McGowan does not mention, even less go into the details of, the fundamental link between surplus jouissance, anxiety and inhibition, but it is nevertheless possible to read in his conclusions an implicit reference to Lacan's guiding remarks about the consuming/self-consuming movement of contemporary discourse.

While McGowan focuses his account of contemporary society around the concept of *jouissance*, Slavoj Žižek has organised his own reading of Lacan's thesis on contemporary life around the concept of fantasy. Like McGowan, Žižek also grounds his analysis of postmodern culture on Lacan's theory of the contemporary discursive rise of surplus *jouissance* over symbolic authorities. Žižek's definition of contemporary culture, however, emphasises not so much a shift from prohibition to transgression, as the proliferation and growing social incidence of fantasies, in which the ambivalent (love/hate; desire/anxiety) subjective relation to surplus *jouissance* is articulated in imaginary forms.

In the introduction to one of his best known books, *The Plague of Fantasies*, Žižek gives an almost literal reading of Lacan's circular, self-feeding formula of the discourse of contemporary life when he argues that "among the antagonisms that characterize our epoch (world-market globalization versus the assertion of ethnic particularisms, etc.), perhaps the key place belongs to the antagonism between the abstraction which increasingly determines our lives (in the guise of digitalization, speculative market relations, etc.) and the deluge of pseudo-concrete images [e.g.

fantasies]" (1). On the one hand, Žižek here is following Lacan in presenting not only the fantasmatic object of jouissance, but also the abstract scientific-technological system charged with its production - which he also defines as the "fetishised" "immaterial virtual order that effectively runs the show" (*Plague* 103) - as the two interlocked masters of contemporary society.

On the other hand, Žižek's distinctive focus on the fantasmatic, that is to say imaginary, articulations of jouissance also leads him to expose in an original way the implication of surplus jouissance within contemporary social systems of belief, and in particular within ideology. In what is perhaps his most original and important contribution to the Lacanian analysis of culture, Žižek repeatedly underlines how fantasies of jouissance function as a screen against the impossibility of jouissance, thereby not only transgressing or contradicting ideological meanings and beliefs, but also indirectly upholding them as an indispensable "hidden obscene supplement" that operates as a "filler holding the place of some structural impossibility, while simultaneously disavowing this impossibility" (*Plague* 72, 76).

In *The Metastases of Enjoyment*, Žižek explains how in contemporary society the balance between these two levels - ideological "reality" and fantasies of jouissance - is altered and the "imaginary overgrowth" of fantasies results in a "de-realization" of reality itself: today "reality is no longer structured by symbolic fictions [e.g. ideology]; fantasies that regulate the imaginary overgrowth get a direct hold on it" (76). The result of this altered balance is, for Žižek, an increasing recourse to social violence, in the form of hatred against "enjoying neighbours," racial or otherwise, as an "attempt to evict a [e.g. surplus jouissance] from reality by force, and thus regain access to reality" (*Metastases* 77-78).

Although Žižek emphasises violence rather than inhibition as social discontent, we can observe that his analysis of contemporary society nevertheless comes close to that of the later Lacan because violence here is not presented merely as a manifestation of a "social struggle" with the neighbour over the possession of jouissance-goods (as in the early Lacan of *Seminar VII*), but becomes, like inhibition, a subjective strategy to deal with the excess of jouissance that marks contemporary

discourse, an attempt to re-establish a reality eroded by the "plague of fantasies."

As far as social and cultural analysis goes, the work of McGowan and Žižek is certainly a valuable illustration or complement to Lacan's teaching; particularly in Žižek's case, Lacanian positions are articulated into an analysis of contemporary society that becomes even more complex, variegated and revealing than the few examples mentioned above might suggest. There is, however, a problem with this type of academic reading of Lacan, and it lies in their inability to transcend effectively the field of social and cultural critique and come up with a convincing model for a political practice based on psychoanalytic ethics.

Of course, an attempt to formulate viable strategies and solutions to social discontent is never absent from this type of work, and, as is well known, Žižek has gone to great lengths in trying to convert psychoanalytic ethics into political strategy. As already noted by Žižek's critics, however, the ideas of political practice resulting from this type of theoretical "translation" generally not only come across as absurdly vague and extreme, but also end up

obscuring the radicality of psychoanalytic clinical practice itself by introducing a rigid distinction between individual and social change (Parker 74). My suggestion is that this inability to elaborate a coherent model of political practice based on psychoanalytic ethics should be explained through McGowan's and Žižek's position in relation to academic discourse.

Academic discourse, or, as Lacan also calls it, university discourse, is characterised first and foremost by the value it puts on knowledge: in it knowledge is the Master, knowledge "comes first" and "counts" above everything else, just as surplus-jouissance "counts" above everything else in the discourse of contemporary life. This capitalization of knowledge implies a total disregard for the subject, which is merely cast off as a useless remainder each time knowledge attempts to master a particular object. As Lacan has put it, "science has no subject," because what drives academic knowledge is not a subjective desire to know but a categorical "imperative to know" (SXVII 120-21) - an imperative to know an object or, in the human sciences, an imperative to compare and assesses critically different theories in order to find the one that is most valuable for, again, gaining

knowledge over a particular object. In this sense, because it seeks to eliminate or push forward the limits of knowledge, rather than to confront the subject with the jouissance of these limits, the discourse of the university is also clearly not an ethical discourse.

For the same reason, besides, academic discourse also tends to introduce a rigid separation between socio-political and subjective practice, regarding the contingent particularity of subjective practice - the only possible form of ethical practice - as a deviation from the universally valid and applicable type of social and political knowledge it strives after. Žižek's and McGowan's difficulties with converting psychoanalytic ethics into political practice, and the improbable notions of political practice that result from their separation of the clinical-subjective from the socio-political domain, may be explained precisely in terms of their different entanglement with academic discourse and with the disregard for subjectivity that defines it.

McGowan's allegiance to academic discourse is apparent from his explicit effort to explain, systematize and ultimately demonstrate critically the validity of

Lacanian thought as a form of social knowledge, particularly in contrast or at the expense of Marxism.

"Marxism," argues McGowan:

allows us to understand the role of economic and social contradictions in driving the movement of history, but it often provides an inadequate explanation of the actual politics of historical transformation - why change does or does not occur at a given time. It is on this question that psychoanalysis proves indispensable. Psychoanalysis allows us to rethink socio-political history around the question of enjoyment. (5)

McGowan may well be right here, and psychoanalysis may indeed allow us to think history differently and better than Marxism. This is, however, quite beside the point. What matters is that McGowan's statement clearly reveals that what drives his work is not an ethical, subject-oriented understanding of knowledge but an impersonal, scientific (and very un-psychoanalytic) categorical imperative to know and discern between different models of social and political knowledge. We should also note, besides, that McGowan's concern with a wider notion of political transformation rather than with subjective transformation at a "clinical" level - and here we

could read "transformation" as another word for "practice" - reflects the same kind of discursive promotion of universal knowledge over subject-specific practice. And perhaps this is the reason why his attempts to formulate a wider political practice grounded on psychoanalytic ethics sounds so disappointingly inappropriate and misplaced, as if a subject-oriented practice is being forced to become a wider, universalised political practice without subjectivity, within a discourse that rejects subjectivity.

At the end of the book, for example, McGowan suggests that "today, after enjoyment has become a social duty, the embrace of partial enjoyment - rather than the pursuit of an illusory total enjoyment - emerges as a unique political possibility" (194). How can we possibly imagine and put into practice a generalised political strategy based on "partial enjoyment"? Should people just gather together and make a collective effort to "embrace partial enjoyment," regardless of their own subjective disposition towards enjoyment? As we will see, the detotalization or deconstitution of jouissance, its separation, that is, from the structure of fantasy, is indeed a central element of the new psychoanalytic ethics formulated by

Lacan in response to the discontents of contemporary life. Once it is displaced from a subject-oriented clinical practice and from a discourse that centres itself around the ethical furthering of subjectivity, however, this type of recommendation cannot but sound improbable and useless as a generalised political strategy, however radical the social implications of its clinical application may be.

As we saw at the end of Chapter III, in strict Lacanian terms, there is no separation between clinical and political practice: psychoanalytic ethics finds its social application in clinical practice, which is at once subjective and political and has effects that are both subjective and political. The attempt to translate psychoanalytic ethics into a purely social or political practice, separated from its already political treatment of subjectivity, is the effect of a discourse that rejects subjectivity structurally, and thus ends up subtracting from the ethics of psychoanalysis its most fundamental component: the subject.

Let's now turn to Žižek and consider how this discursive logic determines his position. While McGowan's work can be seen as falling more easily and

comfortably within the logic of academic discourse, Žižek's case is more complex. On one level, Žižek's work appears as a formidably diligent response to the academic "imperative to know" which seems to sustain it in its continuous critical dialogue with different areas of academic knowledge (political theory, film studies, cultural studies, gender studies, etc.) and to motivate its fastidious illustration and enthusiastic endorsement of Lacanian thought. On another level, the chaotic, unrestrained and apparently incoherent flow of Žižek's writing has also been linked to the disorienting and baffling quality of psychoanalytic discourse as typified by Lacan's own writing. It has been pointed out, for example, that Žižek's writing "teases at the limits of our understanding at the level of the chapter or the book in a way practised by Lacan from the level of the sentence upwards" (Kay 7).

There is, however, a significant difference between Lacan and Žižek in this sense. Lacan's discourse is the ultimate example of analytic discourse because its baffling quality serves to instigate a desire for knowledge and thus to awaken the subject to its ethical path. Lacan's work is essentially didactic, it offers a series of enigmatic and self-contained

conceptual tools that function as provocations for the subject to engage in interpretation and put his knowledge to work. Žižek, on the other hand, does not encourage the work of interpretation: he just puts forward an incessant and chaotic maze of interpretations. For this reason, Žižek's discourse is closer to that of the hysterical analysand than to that of the analyst, and it would not be inappropriate, I think, to say that his is the writing of an academic subject who has put his knowledge to work in response to Lacan's teaching.

His writing is incoherent because it meanders through academic knowledge following a desire for knowledge rather than a categorical imperative to know. It proceeds chaotically, by free associations, like the unconscious that speaks in the analysand's discourse during an analytic session. Its essential effect or product is inconsistent and decentred knowledge, or, as Lacan puts it, the emptying out and barring of the Other as the locus of knowledge. Žižek's discursive position thus establishes an ambiguous relation between itself and academic discourse. On the one hand, Žižek challenges academic discourse by foregrounding desire and subjectivity and by carrying out a hysterical deflation of knowledge. On the other

hand, Žižek remains tied up to the logic of academic discourse because his horizon is still that of a critical dialogue with academic knowledge, a dialogue that gives voice to a desiring subjectivity but ultimately addresses itself primarily to knowledge, and not to the subject.

Žižek's discursive position certainly gives an ethical edge to his work by introducing subjectivity and desire into the field of knowledge. Žižek's flattening of the Other, and his hysterical *dérive* of interpretations, can be rightly taken as an ethical stance against the disregard for subjectivity that marks the academic approach to knowledge. His "negative" entanglement with academic discourse, however, is eventually also the cause of his incapacity to elaborate the guidelines of a clear and consistent political practice. However Žižek may try to translate psychoanalytic ethics into political practice, it is the very structure of his discourse that pulls him back, because it addresses knowledge, not subjectivity, and aims at turning "full" knowledge into "empty" knowledge, not at orienting the subject ethically towards the limits of his own knowledge about *jouissance*. Besides, because Žižek's fundamental address is the field of "universal" academic and

generally applicable knowledge, his work is susceptible to the same kind of polarization of the socio-political against the subjective that we have noted in McGowan, and eventually leads to the same type of exclusion of psychoanalytic practice qua subject-oriented practice. This can be observed easily if we consider a few examples of Žižek's political "adaptations" of psychoanalytic ethics.

Žižek's texts borrow or adapt a whole set of concepts from psychoanalytic ethics, all of which signal the subjective process of transcending the constraints of symbolic structures by means of an overcoming of the contemporary fantasmatic hold of surplus jouissance. These concepts include: "traversing the fantasy," whereby the subject is "obliged to assume a distance towards the myths [e.g. fantasies] that guarantee the very consistency of our symbolic universe" (*Metastases* 82); the "act," whereby the subject's gesture of "assuming the big Other's non-existence" manages to "redefine the rules and contours of the existing socio-symbolic order" (*Iraq* 80-81); or the "organ without body," whereby "the acephalous subject assumes the position of an object that subjectivizes itself" and thus freely enjoys its own "partial" nothingness, rather than the imaginary fullness of the body (*Organs*

176). Now, what is remarkable is that, whenever Žižek attempts to adapt these concepts to the socio-political arena, this is usually done by providing a wealth of historical illustrations and examples, rather than by discussing the type of political practice that may put this type of transformative dynamics to effect.

In his book on Iraq, *Iraq: The Borrowed Kettle*, for example, Žižek gives three very different examples of a political "act" in the space of only a few sentences: the 1974 referendum on divorce in Italy, Mitterrand's first electoral victory in France, and Khrushchev's 1956 speech denouncing Stalin's crimes, explaining that the only distinctive trait of the political "act" that connects these three moments is "a kind of reckless excess which cannot be accounted for in terms of strategic reasoning" (87-88). By identifying political practice with what transcends it (e.g. a "strategic excess"), Žižek here demonstrates against himself the contradictory nature of any attempt to universalise and de-subjectivize psychoanalytic ethics. He also ends up reducing political practice to a spontaneous and miraculous emergence of subjectivity, which ultimately makes all praxis appear as unnecessary, be it the traditional

political practice that operates "strategically," or the subject-oriented practice of psychoanalysis that aims at producing such "strategic excesses."

Examples like this also manifest the structural constraints of Žižek's discursive position by showing how Žižek's prime concern is much less the articulation of a political practice from psychoanalytic ethics than the use of psychoanalytic ethics to provide new against-the-grain interpretations of historical and political knowledge - as if the (hysterical) endeavour of suggesting different interpretations of received historical knowledge were more important to Žižek than the articulation of a clear and detailed political practice. Moreover, even when Žižek does attempt to suggest the concrete forms and modalities of a political practice grounded on psychoanalytic ethics, this normally involves reference to practices that are not political in a socially strategic or universal sense, but, rather, aesthetic, and therefore, not surprisingly, closer to clinical practice and to the particularity and contingency of subjective experience. This is, for example, definitely the case with Žižek's elaboration of the political strategy of ideological "overidentification," which consists in

taking a given ideological stance (no matter how conservative or progressive) at face value and without any sort of critical distance, so as to "shock" the subject that witnesses overidentification into questioning that ideological stance and, eventually, into "taking up his [ideological] position and decide on his desire," in a way that, according to Žižek, recalls the conclusion of the analytic treatment (*Metastases* 72).

In conclusion, we might say that the work of theorists like McGowan and Žižek illustrates a fundamental aspect of psychoanalytic ethics, namely that it is not a practice that can be easily universalised or applied to a wider socio-political field. While psychoanalysis can help us to understand the structural changes behind contemporary life and the predicaments of the subject in the particular configuration of knowledge, power and jouissance that marks our society, psychoanalytic discourse and psychoanalytic ethics cannot be simply applied to the social and implemented on a collective level by suggesting that people should engage in practices that follow the same logic of, but are different from, psychoanalytic practice itself. We must insist that the reason for this impossibility is definitely not, as some might suggest, that

psychoanalytic ethics is merely concerned with the individual or with subjectivity and thus ultimately incompatible with the wider sphere of social and political practice. On the contrary, psychoanalytic ethics is a constitutively social and political practice, concerned with handling power relations and with forging relationships between subjects, but precisely because it is also concerned with subjectivity it cannot be universalised or generalised or applied or translated in any way. It must start from the uniqueness and contingency of each subject's ethical relation to his jouissance, even if it also aims at forging a social and political bond. This is something that is immediately clear to anyone who has ever tried to apply psychoanalytic "knowledge" to himself in an analytic setting and was immediately confronted with a resolute resistance on the side of the analyst, justified by the fact that the application of universal knowledge to what is unique and singular can only result in a loss or suppression of subjectivity.

It is one of the most well-known principles of psychoanalytic practice that there are no fixed rules and no ready-made procedures to apply and that the practice of psychoanalysis must be re-invented anew

for each subject, finding its bearings in a formalisation that maintains, without reducing it, the singular domain of subjectivity (Leclaire 16). The same principle should also be applied, I think, to psychoanalytic politics, which, being based on psychoanalytic ethics, and, consequently, on an agenda that places the subject's autonomy and freedom at its strategic core, can only engage with power at the level of the transference and of the analytic bond in order to be able to address the wider discontents of civilization and expand the analytic bond into wider social networks based on the transmission of desire and on the autonomy of each one of its members.

Chapter V

Addiction and the Limits of Contemporary Ethics

1. The Ethics of Contemporary Life

We have up to now concerned ourselves with the structure of contemporary civilization and with the discontents that are inherent to it. We have also seen that the ethics of psychoanalysis is oriented towards the subject and aims at providing an answer to the discontents of civilization by offering the subject an ethical measure for his/her actions different from the ethos of civilization. The ethics of psychoanalysis qua ethics of the subject is, consequently, fundamentally at odds with the ethics of civilization. But what is the ethics of contemporary life? Has the installation of the discourse of contemporary life

also brought along a new social ethos against which psychoanalytic ethics needs to define itself?

The idea that contemporary civilization is dominated by a superegoic imperative to enjoy is commonly used by Lacanian theorists and analysts alike, suggesting that the ethics of contemporary life should be defined as an ethics of *jouissance*. We have seen, for example, how Todd McGowan explains contemporary society in terms of a shift from an ethics of prohibition to an ethics of enjoyment, and Jacques-Alain Miller has also recently talked about our civilization as a "merchant civilization" in which "the superego strictly speaking dominates, the superego whose imperative can be formulated as *jouis!*" ("Psychoanalysis"). This analysis is, of course, true, but it is also, at the same time, misleading because in the discourse of contemporary life the imperative to enjoy is incorporated within a system of production that can only be sustained through a regulatory mechanism of prohibition and repression.

Jouissance, therefore, is allowed and even commanded, but only on condition that it should remain within the limits of what makes the structure function and work, that is, within the limits of production and

signification. As Lacan has reminded us, the discourse of contemporary life is before anything else a "perfect mechanism" that "works as if on wheels" ("Du discours" 8). If this "mechanism" tells us to enjoy it is only because of the "effort" that, as Eric Laurent has put it, "needs to be made in order to attain that point of jouissance for which everybody has to work even harder, which just reinforces the system" ("Symptom" 233). In sum, the contemporary Other - the discursive structure of contemporary life - may command its subjects to enjoy, but the fundamental ethos of our social structure is work, not jouissance.

We can trace a first definition of this type of work-oriented social ethics back to *Seminar VII, L'éthique de la psychanalyse*, when Lacan discusses the shift from Aristotelian ethics to utilitarianism as a radical historical transition characteristic of the modern era. For Lacan, the rise of utilitarianism at the beginning of the XIX century represents a "conversion" or "reversal" from the *ideal* to the *real* in the nature of the common good, and is "entirely conditioned historically by a radical decline of the function of the Master, which clearly grounds all Aristotelian thought" (SVII 21). In Lacan's reading, utilitarian ethics finds its bearings in an

interrogation of the value of what Jeremy Bentham calls "fictions," that is, of symbolic social institutions seen from the point of view of their ability to create the common good as a real and useful object of human need rather than as an ideal (SVII 22). The utilitarian conversion of the common good from the ideal to the real thus implies an ethical emphasis on the "useful" functioning of the symbolic structure that can create the common good as an object of use, pleasure and exchange (Lacan, SVII 269).

We can see how this shift in the history of ethics matches the Lacanian account of the historical transition from traditional social structures based on the discourse of the Master to the discourse of contemporary life via the transformation of surplus jouissance into "countable" surplus value. The utilitarian conversion of the common good from the ideal to the real is, in fact, nothing but the result, in the field of ethics, of the historical-discursive promotion of the object on the horizon of contemporary life. The ethics of contemporary life is, therefore, a utilitarian ethics, oriented towards the service of the common good qua real, material good through the fundamental principle of the good functioning of the socio-symbolic structure qua productive machine.

The utilitarian ethics that rules over the discourse of contemporary life can be observed in the current unshakable social belief that economic growth and the good functioning of the economy comes before anything else. Our society is also manifesting more and more clearly that the utilitarian principle of efficient economic growth tends to operate today in complete independence from and disregard of any other ethical norm, be it a traditional and humanistic understanding of the good of Man or a psychoanalytic ethics of subjectivity and desire. As Antonio di Ciaccia, analyst of the Lacanian School in Italy, has pointed out in an article entitled "Ethics in the Era of Globalization,"

the ethic of the free market absolutely does not have the good of Man as its final aim. Its final aim is that the machine go where it is going, following its own circuit inescapably and irresistibly. Free marketers uphold that the final aim of the machine is necessarily positive because it is the best system of resource creation yet invented. So the good of the market becomes the good of Man because it does not proceed directly from Man's

intention, since Man could very well want evil. (20)

Utilitarian ethics thus emerges as an increasingly autonomous imperative in contemporary life and eventually enters into frontal conflict not only with humanistic understandings of the common good as an ideal of humanity based on the discourse of the Master, but also with a psychoanalytic understanding of the good. While, in fact, utilitarian ethics understands the common good as a real material "resource" to value and accumulate, psychoanalysis also understands the good as real, but approaches the real of the good as surplus jouissance, that is, as a piece of worthless waste, as a void, and can thus sustain an ethics of desire and subjectivity independent from the ethics of the "grinding machine" of economic progress (Di Ciaccia 20-21).

Lacan's discussion of utilitarianism in *Seminar VII* also confirms our point that Lacan's early critique of civilization is consistent with his later definition of contemporary life. We are familiar with the way in which, in *Seminar VII*, Lacan was already referring to a modern social structure where the bond between subject and neighbour - that is between subject and object - had started to assert itself over the

traditional bond between subject and Master. Similarly, we can see Lacan's first reading of utilitarianism as pointing towards the contemporary capitalist ethics of structural efficiency he comments upon in the last phase of his teaching.

When in *Seminar VII* Lacan refers to a civilization that "implements to its extreme consequences the universal imperative of the service of goods" he is already talking about the ethics of contemporary life (*SVII* 250-51). This is important because it means that the psychoanalytic ethics of "criminal" sublimation of desire from the common good, introduced by Lacan in *Seminar VII* precisely as an antidote to the discontent of a civilization based on the service of goods, is still relevant for us today. For sure, the paradigm of psychoanalytic ethics undergoes a radical change in the space between *Seminar VII* and the teaching of the later Lacan, and we will interrogate more closely the logic of this change in the next chapter. In his later work, in fact, Lacan links the contemporary structural and subjective effects of the utilitarian service of the goods to a new practice of psychoanalytic ethics which takes into account and adapts to both the permanence of jouissance within social and signifying structures and the subject's growing incapacity to

process jouissance through signification. This later version of psychoanalytic ethics is, however, still grounded on the same ideals of subjective freedom and autonomy from the imperatives of symbolic law on the one hand and of jouissance on the other, while it also continues to define itself against the same type of utilitarian social ethics that Lacan had started to explore in his earlier work. In order to bring these continuities into light and to identify how exactly the contemporary ethics of psychoanalysis defines itself against the ethics of contemporary utilitarianism, I will follow the direction of the argument that led me, in the first part of this thesis, to interrogate the Sadean crime as an ethical gesture at the limit of the ethics of the good, and I will consider, instead, the more specific question of the limits of contemporary utilitarianism.

2. The Limits of Contemporary Ethics

In *Seminar VII* Lacan makes his formulation of psychoanalytic ethics pass through an interrogation of the common good as a *limit* separating the subject from jouissance and the death drive. On this limit he places two figures, Kant and Sade, whose complementary

ethical stance he presents as oriented simultaneously beyond and within the ethical horizon of the common good. In Lacan's reading, the Kantian moral law projects the subject beyond the limit of the common good by detaching the universal maxim of ethical action from all "pathological" interest (SVII 364). The Sadean injunction to treat the other *only* as a "pathological" instrument of pleasure, on the other hand, overcomes the limit of the common good by opening the doors to the cruelty of murder and destruction (Lacan, SVII 234). In both cases, the subject also remains, however, within the limits of the good: not only, in fact, is the Sadean destruction of the good sustained by a fantasy of jouissance, but the same fantasy of jouissance also haunts the pure "non-pathological" rationality of the Kantian moral action through the (masochistic) suffering that the moral law requires from the subject (Lacan, SVII 97, 232).

If the common good represents a limit to jouissance and to the death drive, therefore, we can say that the complementary ethical positions of Kant and Sade represent the two limits of the ethics of the good, the two opposite and complementary directions from which the limit of the common good can be approached

but not crossed. In the remaining parts of this chapter I will consider the limits of the ethics of contemporary life from the point of view of two social practices - *addiction* and *religion* - that replicate the two ethical positions formulated by Kant and Sade: on the one hand, a rejection of the satisfaction of the object in the name of a transcendental and universal principle; on the other, a no holds barred pursuit of satisfaction beyond the limits of pleasure itself. Without wanting to suggest, or even less argue for, any simplistic identification of Kantian and religious ethics, or of Sadean ethics and the psychology of addiction, I will attempt to establish how addiction and religion as social practices challenge the utilitarian ethics of contemporary discourse by adopting the two *positions of jouissance* that Lacan finds formalised in Kant's and Sade's work, rather than a Kantian or Sadean ethics as such.

Significantly, it is Lacan himself who points out how the *positions* articulated by Kant and Sade emerge *historically* as a response to two key aspects of the new discursive structure of contemporary life: the "revolutionary crisis of morals" of the late XVIII century and the "disorienting effect" of the scientific, and specifically Newtonian, formalization

of the laws of physics (SVII 82, 93). In this sense, we can see Kant and Sade's projection of ethics beyond the limits of the good as an attempt to assert the autonomy of the subject from the determinism of a new symbolic structure (formalised by the laws of physics) whose automatic functioning appears more and more as eroding the freedom and autonomy of the subject. As Jorge Alemán has noted in the presentation of *Lakant*, a collective seminar on Lacan and Kant by the *École de la Cause Freudienne*, the Kantian subject "who gives to himself his own law" and the Sadean subject who tries to outdo natural limits in his pursuit of pleasure are both subjects who assert, for the first time, their autonomy in relation to a signifying structure, scientific, "natural" or otherwise, that had started to emerge and function independently from human reality - and this is one of the reasons why the formulations of Kant and Sade have been so important for psychoanalytic thinking so far (18).

In sum, Kant and Sade provide us with the first formulations of two ethical positions from which the "ethics of the machine," which is at once the ethics of modern science and the utilitarian ethics of contemporary life, can be resisted. In this respect, however, it is important to mark the distance between

the significance of Kant and Sade's work and the limits of the ethical positions they propose. As Jacques-Alain Miller's contribution to the *Lakant* seminar makes clear, in fact, the autonomy of the subject does not lie in the possibility of a subject defined purely by his *duties* (as in Kant) or of a subject defined purely by his *rights* (as in Sade), since such subjects are, as we have seen, both eventually controlled by a fantasy of *jouissance* ("Incroyable" 39-40). The autonomy of the Kantian/Sadean subject lies instead in the splitting of the subject that the self-imposition of duties (or rights) provokes and which is the only structural element that can preserve the autonomy of the subject from the causality of the structure (Miller "Incroyable" 28-29). In Chapter II we have seen how this splitting of the subject is palpable in Sade's thought, rather than in Sade's subjective position, but now we must insist that it is also not an attribute of the Kantian subject of absolute duty and of the Sadean subject of absolute right *per se*, who are always, in spite of their "ethical" resistance against the constraints of the symbolic structure, also responding to the imperatives that guarantee the functioning of the symbolic structure.

In contemporary life, we can encounter the Kantian and Sadean positions of jouissance within two characteristic and widespread social practices which thus emerge, if we follow the logic of our analysis, as markers of the limits of contemporary utilitarian ethics: religion and addiction. This point has been illustrated nicely by Éric Laurent, who has shown how a "Kantian" renunciation of jouissance and, on the other hand a "Sadean" pursuit of jouissance beyond the pleasure principle, constitute the two structural limits of the contemporary relation to the common good upheld by our capitalistic-utilitarian ethics of "hedonism:"

The current state of civilization is from time to time described as an individualism of the masses or as a conformist hedonism of the masses. [...] A psychoanalyst cannot endorse this term of contemporary hedonism, because hedonism is a dream: it supposes a possible degree of relationship between the subject and his jouissance. The limits to this relationship can be marked from two directions. The first is that of love, which prefers nothing to satisfaction. [...] The second direction of the limit of the so-called hedonism is the jouissance beyond the pleasure

principle that shows the horizon of the death drive. ("Stakes")

In Laurent's analysis, these two limit positions, that of "the restoration of a love for the dead father" and that of the "death drive," are produced as "effects" of the "actualization of surplus jouissance" that marks the discourse of capitalism in two main types of social practice: "religious fundamentalism" on the one hand, and "narco-capitalism" on the other ("Stakes"). *Mutatis mutandis*, therefore, the Kantian and the Sadean responses to the ethics of the common good are replicated, against the horizon of contemporary hedonism and utilitarianism, by religious fundamentalism and addiction. Just like the Kantian and Sadean subjects discussed by Lacan, the subject of religion and the subject of addiction stand on the limit of the common good: they point *beyond it* from the double angle of a "pure" moral duty and of a "pure" right to jouissance beyond the pleasure principle, but they also remain *within it* as "effects" of an ethics of the good which ultimately determines them through the promise of a more complete satisfaction (to be obtained either through dutiful renunciation or through the repeated administration of the drug itself).

Establishing a structural similarity between the positions of jouissance of Kant/Sade and those of religion/addiction is important not only because it allows us to identify the limits of contemporary ethics with two precise social practices, but also because it allows us to read these practices as ethical practices and interrogate the differences between them and the peculiarities of Kant's and Sade's ethics. In this sense, a first line of interrogation may try to assess whether contemporary fundamentalism and addiction can succeed, like Kant and Sade before them, in transcending the limits of their own positions of jouissance by revealing, in a gesture which would take on a completely different ethical resonance, the radical division of the subject who independently imposes his own rights and duties on himself.

For sure, as social practices religion and addiction fall much more fully than the philosophy of Kant or the writing of Sade within the limit of an ethics of the good. The experience of contemporary subjects, however, also shows that when the subject, in the wake of Sade and Kant's examples, wilfully engages in an exclusive and extreme pursuit of his duties or rights beyond the pleasure principle and into the realm of

religious and political fundamentalism or fully-fledged addiction, we start to cover a different ethical ground, an ethical ground that points beyond the limits of the utilitarian ethics of contemporary life. In this sense, however easily and quickly the ethics of religion and addiction may be co-opted within utilitarian ethics, the subjective stance involved in taking these two positions to the extreme must also be seen as implying an ethical complaint of the subject against the utilitarian ethics of the Other, insofar as it reveals, behind its renewed fantasy of *jouissance*, the splitting of the free subject who sets the stakes higher, actively demanding *more rights or more duties*. We can thus see how the contemporary practices of religion and addiction can replicate not only the positions of *jouissance* formalised by Kant and Sade, but also, in a way, the ethical vindication of the autonomy of the subject that is implicit in the Kantian and Sadean self-legislating subject. A series of very important restrictions, however, must be introduced in this respect, so that it is also essential to mark the distance between the ethics that emerge from Kant and Sade's work and the fundamental indifference towards subjectivity that, as we will see, characterises fundamentalism and addiction.

3. The Ethics of Religion

In the first place, we can observe that, in opposition to what is defined by Kant's and Sade's position, the position of religion and the position addiction pursue a radical suppression of the splitting of subjectivity which, from a Lacanian perspective, is the only ground on which a non-utilitarian ethics of subjective freedom and desire can be built. While Kant's philosophy and Sade's writing emphasised the painful division of the subject who single-mindedly pursues his duties or rights to the extreme limit, religion and addiction replicate the subjective positions formalised by Kant and Sade but also fundamentally negate and aim at concealing the suffering of the divided subject. In religion, in fact, the law that enjoins the religious subject to ignore all material or "pathological" satisfaction is not the law of his own reason, as in Kant, but the law of the dead father, commanded by a love for the dead father. For Lacan, the ethics of religion is even opposed to the rationalism of Kantian ethics.

In a text of 1974, "La troisième," Lacan states this explicitly by presenting the contemporary Church ("*l'Église*") as a watchman there to "contain" ("*tamponner*") "a raving rationalisation like Kant's."

Even if both Kant and contemporary religion approach the same limit of contemporary ethics by renouncing the service of goods and the satisfaction of surplus jouissance, their way of dealing with the rationalism which also characterises contemporary ethics (as a utilitarian functional/scientific ethics of the signifier as well as a hedonistic ethics) is crucially different. Kant grounds on the rationality of the Newtonian laws of science the very possibility of a rational subject who freely promulgates his own moral law, while religion rejects all rationalism, scientific or ethical, altogether. The contemporary subject of religion manages in this way to avoid not only (1) the anxiety involved in the confrontation with the contemporary excess of surplus jouissance (e.g. consumer goods), but also (2) the anxiety involved in the freedom that the subject must assume in the act of giving his own law to himself, and (3) the splitting of subjectivity which becomes "healed" and "anaesthetized" by a structure of fantasy which is infinitely stronger than that detected by Lacan in the Kantian hypothesis of the immortality of the soul or in the moral masochism implicit in the Kantian position (SVII 366).

In sum, the ethics of contemporary religion steers the modern Kantian position of *jouissance* back towards a traditional ethics of the Master and of the good understood as ideal rather than real. This does not mean that contemporary religious ethics is a mere return to a traditional ethics of the Master: its modernity and its deepest affinity with Kant manifests itself in the "fundamentalism" of its attitude towards duty and of its total abstraction from surplus *jouissance* which places it on the limit of contemporary ethics. The contemporary ethics of religion thus both loses and gains something in comparison with Kantian ethics. It loses something because it gives consistency to the Other, using "God" as a "*tampon*" to plug the Kantian opening towards the autonomy of the divided subject. It gains something - over Kant and over every other type of ethics - because of its ability to heal and appease all sort of division and anxiety: the division of the subject, the anxiety of surplus *jouissance*, and the anxiety of freedom.

This is, perhaps, the secret of the growing success of religious ethics in contemporary life and the meaning of Lacan's well known "prophecy" on the eventual "triumph of religion." According to Lacan, religion

will eventually triumph thanks to its ability to confer meaning on the ever growing incidence of the real in contemporary life:

The real [...] is going to spread and religion will have many more reasons to reassure people. Since always, religion turns around giving meaning to those things that in the past were understood as "natural." And it is not because things are now, thanks to the real, getting less natural, that religion is going to stop producing meaning [*sécréter le sens*]. Religion is going to give a meaning to the most strange enterprises, about which even scientists are rightly starting to feel anxious. Religion is going to find some fierce and terrible meanings for all this. (*Triomphe* 79-80)

The ethics of religion will then triumph over the scientific and utilitarian "ethics of the real" that governs contemporary life because it can give meaning where the real only gives anxiety.

However close its "fundamentalist" challenge to the common good may get to that posed by the Kantian categorical imperative, however "fierce and terrible"

the meanings imposed by religion may become, religious ethics will nevertheless always essentially "give meaning" and thus avoid all division, all split and all responsibility for the subject. We can see how Lacan's "prophecy" on the triumph of religion points in the same direction as his comments on the eventual "exhaustion" of the discourse of capitalism: just like inhibition, the ethics of religion presents the subject with a strategy to deal with the anxiety-provoking excess of surplus jouissance in contemporary life. This is not, however, a strategy that blocks off the production of jouissance by inhibiting the symbolic mechanism of repression, nor simply a repression of the "natural" real: it is a strategy that aims at *repressing the symptom*, at repressing the real as a product of repression itself: "by continuing to soak [noyer] it in meaning, into religious meaning," Lacan points out, "we will arrive to repress this symptom" (*Triomphe* 82). This means, of course, that what is at stake with contemporary religious ethics is much more than a simple renunciation of "material" worldly contentments: the stake is, as Lacan also reminds us elsewhere (in his discussion of Pascal's wager in *Seminar XVI*), the symptom that this renunciation produces, and, with it, the division of the autonomous subject which the symptom allows (*SXVI*

118-20). In this sense, we can appreciate once more the distance between traditional religious ethics and the contemporary, post-Kantian ethics of religion that does not sustain a dominant social discourse based on the repression of a "natural" real, but moves from the limits of a contemporary discourse oriented towards the production of a technological real in order to abstract the moral imperative from this technological real as a "pathological" product or symptomatic object of the subject's jouissance.

If we move forward in time from the context of Lacan's historical analysis in the early 1970s, we can observe that the current rise of religious fundamentalism seems to confirm and, indeed, fulfil Lacan's hypothesis on the growing strength and appeal of religious ethics for contemporary subjects. As for a final "triumph" of religion, however, the current state of civilization has also thrown light on some aspects of contemporary religious discourse that had escaped Lacan's insight. Éric Laurent notes that the contemporary practice of a neo-religious ethics by different types of fundamentalist groups also maintains an unexpected hidden alliance with the ethics of addiction that defines the other complementary limit of the common good (the other way

to go "beyond the pleasure principle") in contemporary life:

These two sides [religion and addiction] might be brought together when we learn that the Taliban support themselves by the cultivation of poppies and the export of opium, just like the Columbian guerrillas with cocaine trafficking. A very interesting study shows that, as the fall of ideals transforms the guerrillas into a discourse more open on the ideological plane - and this, as much as regards the reasons for their struggle as who they are -, these same guerrillas transform themselves radically into organizations remarkably adapted to the fabrication, distribution and financing of drugs. We thus find a mélange of extremes that leaves us to think that the most difficult thing in this civilization of supposed hedonism is the treatment of its relationship to addiction.

("Stakes")

The examples presented by Laurent are extreme but illustrate very well an essential trait of contemporary fundamentalism. Through its connections with the system of production of drugs, technology and, more generally, of surplus jouissance, religious

fundamentalism defines its relation to the real not only in terms of an ethics based on "giving meaning" and "giving up satisfaction," but also in terms of production.

The idea that religion may succeed in "drowning" the real in meaning remains, therefore, distant from our current social reality, where religion is actively taking part in the production of the real as surplus jouissance. This, of course, pushes to the fore the question of addiction, as a pathological excess of jouissance induced by contemporary discourse, as well as an ethical stance in relation to jouissance - a Sadean refusal to "give up on satisfaction" - from which the other limit of the ethics of contemporary life can be challenged.

4. The Ethics of Addiction

After religious fundamentalism, addiction defines today the second limit of contemporary utilitarian ethics, the limits formalised by the Sadean position of the subject who recognises nothing but his right to jouissance. This position - we must insist on this point once more - is distinct not only from its

theoretical elaboration in Sade's work but also from Sade's own ethical position as a subject, and represents here only an underlying structural relation linking the Sadean subject and the subject of addiction.

My concern is with the differences between the ways in which this fundamental relation to jouissance is developed from an ethical standpoint by Sade and, on the other hand, by the subject of addiction. Of course, addiction as a social pathology escapes ethical consideration. In this specific sense, addiction defines an inherent disturbance of the utilitarian system, one that occurs when the subject conforms too much to the utilitarian imperative to consume and enjoy and ends up being led astray, beyond the ethics of the common good and "beyond the pleasure principle." The guardians of utilitarian ethics - organised by the state in the name of the good management of human and financial resources - are always ready to intervene and invest to "rehabilitate" and recuperate these subjects who have crossed the limit of jouissance and made themselves "useless." While there is nothing ethical about the stance of these subjects duped into addiction by the false promises of satisfaction made by contemporary

civilization, the treatment of addiction provided by contemporary civilization also remains within the boundaries of its own utilitarianism and prioritizes social adaptation over the freedom and the singularity of the subject.

There is, however, one aspect of the subjective experience of addiction which cannot be reduced to or incorporated within the ethics of contemporary utilitarianism. This aspect is the very cause of addiction, the lack of satisfaction that motivates the subjective ability to fall into an addiction in the first place. It is to this aspect that we owe the possibility of thinking about addiction as an ethical stance at the limit of utilitarianism. The fact that addiction can only be theorised as an action taken in relation to a lack of satisfaction that is structural and, consequently, *cultural*, installed by the Other of civilization, explains why addiction has constantly been associated with cultures marked by a non-conformist ethics of revolt and rebellion. Interestingly, this association dates back to the beginning of what Lacan describes as the discursive restructuration of contemporary life (the late XVIII - early XIX century) and stretches from the Romantic movement (Coleridge's and De Quincey's addictions to

opium are good examples), through *fin-de-siècle* aestheticism (Baudelaire's "*paradis artificiels*"), to re-emerge triumphantly within the Counterculture of the 1960s and 1970s.

Lacan's own definition of addiction points precisely in this direction: for Lacan, "the only possible definition of drugs" is "what permits one to break the marriage to the little willy," that is, what allows the subject to find a way of enjoying that is different from the phallic jouissance made possible by the subject's relation to the Other through castration (Loose 221). This means that addiction always contains an "ethical" complaint or protest against the enjoyment that the Other can(not) give or promise. As Rik Loose puts it:

Despite the attempt of neurotic (and perverse) addicts to break away from phallic jouissance in an act that takes place independently of the Other, it is undoubtedly the case that this act is, at the same time, an appeal to the Other as it was the encounter between the subject and the Other that produced the dissatisfaction of having to put up with limited pleasure and desire. In other words, the act of neurotic and perverse addicts is an

appeal to the Other in the form of a
complaint. (221)

The ethical side of addiction, therefore, is not the revelation of a more authentic "good" - the good of toxic jouissance - whose pursuit would represent a higher ethical path than the pursuit of the enjoyment offered, commanded or regulated by the Other of culture.

This may indeed be the position defended by the addict himself, but the truth is that the drug is always fundamentally letting down the addict (who needs to repeat its administration over and over again) and also ultimately undermining his freedom by reducing him to complete dependence. The ethical aspect of addiction rather lies in the "complaint" that the subject of addiction addresses to the Other and that bares the fundamental division of the subject, the division on which the possibility of freedom and autonomy from the Other is based. It is on this point that we can find a similarity and a historical continuity between the ethical position of the Sadean subject and the position of the subject of addiction. We can, in fact, see the subject of addiction as replicating not only the Sadean quest for a jouissance beyond the limits of any type of "natural" or social

order arranged by the Other, but also the Sadean experience of a subject who discovers himself as constitutively divided - and free - through the very failure of his quest which ties him to the Other in a perpetual position of defiance or protest.

There is also, however, one fundamental difference between the subject of addiction and the Sadean subject. The Sadean subject, on the one hand, relates to jouissance by means of the "unconscious" structure of fantasy, that is, by means of signification, which means that he is continuously reinscribed as a split subject both within and without the limits of the Other. The drug as a product of the real of science and capitalism, on the other hand, allows the subject of addiction to separate his jouissance from the Other in a much more radical way than fantasy, and eventually tends to cover and hide the split of the subject rather than to reinscribe and reveal it. Without referring to Sade, Rick Loose has explained this difference in terms of a distinction between the "unconscious fantasy" of the neurotic subject who "deals with the real via the detour of the signifiers of the Other" and the "conscious fantasy" of the addict who uses the drug to create an "immediate" way of dealing with the real, a "symptom in the real"

which depends on, but at the same time also bypasses, the unconscious fantasy structure of the subject (254).

The ethics of a jouissance "against the Other" that gives shape to the experiences of the Sadean subject and of the subject of addiction is pursued, in this sense, much more successfully by the subject of addiction, at the cost, however, of that subjective split which was guaranteed by the very impasse implicit in the Sadean fantasy. In relation to the Sadean subject, therefore, the subject of addiction loses much of his ethical edge and may be seen as the result of a historical push to close down, from the perspective of the same position of jouissance, the opening towards an overly demanding ethics of desire that had emerged in Sade's experience. If Sade's right to jouissance had the structural function of producing the painful splitting of the subject and to affirm, eventually, the subject itself in its relation to jouissance, the right to jouissance defended by the addict has the opposite effect of erasing lack and subjectivity by pursuing a jouissance that not only transgresses the limits posed by the Other but also bypasses the jouissance of transgression and the symbolic structure of the Other altogether.

This difference between the Sadean subject and the subject of addiction can also account for the different ways in which their liminal ethical stances end up being assimilated within the mainstream ethics they strive to challenge. We have already discussed how Sade's attempt to cross the barrier of the good fails because his transgression is based on the script of a fantasy that is taken from and attributed to the Other. In the case of the addict, on the other hand, it is precisely the attempt to seek *jouissance* by *avoiding* the detour of signification and fantasy that collapses the limit between the ethics of addiction and the utilitarian ethics of contemporary life. In fact, even if addiction, contrary to utilitarianism, moves beyond the boundaries of the good and the useful, its attempt to eliminate the lack at the heart of subjectivity and of the social structure by bypassing the mediation of the Other also mirrors closely the utilitarian logic articulated in the discourse of contemporary life.

Lacan's analysis of the discourse of contemporary life shows very well how the utilitarian "machine" of contemporary life aims at the production of surplus *jouissance* destined to fill the lack of the subject

and how, in this way, social discourse has managed to turn itself into a seamless loop that can function without the two stumbling blocks of signification - that is, without the "impossibility" of representation and the "impotence" of the object to satisfy the subject as the two structural principles of signification (*SXVII* 203). Another way to put this is that contemporary utilitarian discourse strives to overcome the libidinal frustration inherent to civilization and the always partial and contested jouissance that passes through the Other by producing objects that satisfy and complete the subject.

We may say that the relation between the subject and the object in contemporary discourse, therefore, is already an *addictive* one, in the sense that the surplus jouissance embodied by the object qua prosthetic technological gadget, medication, drug or commodity is already there to fill the lack of the subject *directly*, not as the "impotent" remainder of an "impossible" process of signification that invests the relation of the subject to the Other, but as a master that can control the subject in a dynamic of direct dependence and addiction. In this way, the ethics of addiction not only challenges one side of contemporary utilitarianism - the side that would

maintain a limit to jouissance in order to preserve the pleasure principle and the principle of the common good as prerequisites of the good functioning of production - but is also consistent with that side of utilitarian ethics that aims at restructuring social discourse so as to avoid and eliminate the constitutive lack that disturbs the smooth functioning of the symbolic structure.

This second side of contemporary utilitarian ethics may be characterised as "prosthetic ethics" insofar as it believes in the power of objects to satisfy and complete subjects. The object is, in this case, still the sovereign good that orients the subject but it emerges as crucially different from the ideal object of classic Aristotelian ethics and from the fantasy object of Sade's *bonheur dans le mal*: it is the object as prosthesis, the prosthetic good. Freud was among the first to acknowledge this aspect of modern ethics when he described the civilized man as a "god with artificial limbs" and linked the production of prosthesis to the human search for happiness in *Civilization and Its Discontents* (36). The prosthetic tendency at the heart of contemporary culture ethics has also received much attention in contemporary critical and cultural theory. Marquard Smith and

Joanne Morra, for example, have talked about a "prosthetic impulse" to describe the interaction of the human body and technology in modern culture (4). They point out how in contemporary critical debates, and following a series of seminal interventions by theorists like Baudrillard (*The Transparency of Evil*), Haraway ("The Cyborg Manifesto") and Hayles (*How We Became Posthuman*), the prosthetic impulse of modern culture has been approached from the point of view of the dialectic between the human and the posthuman, with an emphasis that oscillates, on the one hand, between the evolutionary outcomes of this impulse (the prosthetic leading to the overcoming of the human) and its constitutive character (the prosthetic as part of the human), and, on the other hand, between the dystopic and catastrophic outcomes of the prosthetic impulse (the invasion and infiltration of the body by technology) and its utopian, political, transformative and liberating promise (the prosthetic impulse as a way to overcome the limitations of the human) (6-7).

From a Lacanian psychoanalytic perspective, we may say that the prosthetic impulse corresponds exactly to the tendency to fill the subject's lack with surplus jouissance without the mediation of the Other as we have described it above and as it is illustrated in

Lacan's formulation of the discourse of contemporary life. In this sense, we may say that the prosthetic impulse emerges in Lacanian discourse neither as an evolutionary/constitutive impulse in relation to the human, nor as a dystopian/utopian promise. It seems, in fact, correct to suggest that in Lacanian terms the prosthetic impulse is neither constitutive nor evolutionary to the extent that it reflects a socio-historical investment of a mode of jouissance that both precedes (as we will see shortly) and bypasses the signifying relation to the Other that defines the human, and neither utopian nor dystopian, to the extent that it manifests the structure of a particular modern solution to the problem of jouissance but also the structure of addiction as a contemporary pathology or discontent of civilization.

This link between addiction and the prosthetic impulse of contemporary utilitarian ethics has been underlined by contemporary analysts who have presented addiction not only as a timeless clinical category but also as a pathology related to modern culture's promotion of the prosthetic enhancement of the human. The best example of this kind of two-fold approach, respectful of both the clinical and of the socio-historical dimensions of addiction, is perhaps the work of Fernando Geberovich,

one of the most well-known analysts to have specialised and worked in the field of addiction in France. Geberovich starts from the standard Lacanian definition of addiction as an attempt to find a jouissance outside the limits and the conditions imposed for it by the Other and outside the "substitutive satisfaction" that can be achieved through the metaphorical displacements of signification (castration, repression, symptoms, sexuality, etc.) (261-62). He also develops, however, the Lacanian definition in an original way, emphasising that, just like signification, addiction functions not only as a modality of access to jouissance but also, and primarily, as a defence against jouissance and as a particular way of dealing with psychic pain (254).

In this way, Geberovich argues, the structure of addiction can be traced back to the originary and symbiotic relation between mother and child - when the pain of excessive internal or external stimuli is regulated by the acts (endlessly repeated by the addict) of *searching* and *holding on to* a "prosthetic" substance that has not, strictly speaking, yet become a person or an object separated from the child - and

extended up to, but not beyond, the logical moment of separation that, by creating a lack and a loss, prepares the ground for the metaphorical interpretation of this lack and the beginning of signification (244, 249-250). According to Geberovich, therefore, as a mode of *jouissance*, addiction and, generally, the use of prosthetic objects, represents a regression in relation to signification/symbolization, which marks a phase that is logically, if not necessarily chronologically, secondary. The *jouissance* of the addict is thus not the *satisfaction* that comes from the relation to an object (or, more generally, from speech and from symptomatic formations) but the *relief* of pain, the regulation of *jouissance* as bodily intensity, or the *nostalgia* (depression, melancholia) for the maternal body as an object that has never existed as such (Geberovich 240).

For the same reason, addiction is also to be related not simply, as we have noted above, to a "complaint" against the Other but also to the return or manifestation of a pain or *jouissance* that cannot be metaphorised and displaced through signification, either because the pain is too intense (as when addiction is triggered by a trauma) or because the symbolic function does not work well (Geberovich 250).

By differentiating in this way between a prosthetic (maternal) and a symbolic (paternal or "phallic") mode of jouissance, Geberovich can lay the ground for a definition of addiction as a pathology marked by what he refers to as "autolysis" (self-dissolution): rather than symbolizing the lack associated with bodily pain or jouissance the subject fills it with a prosthesis that eventually opens a hole in the place of the object and in the place of the ego (254).

The emptying out of the object and of the ego, in turn, triggers a whole series of problems that are commonly associated with addiction: depression (mourning for an object that does not exist), destruction of the erogenous body and crisis of desire, inability to process knowledge and produce meaning through signification, inability to love and relate to others, manipulation of others (co-dependence), inability to invest in the future, dissociation from one's identity, violent oscillations between sense of omnipotence and depression and between total freedom (from the Other and towards the other) and total dependence (on the prosthesis) (Geberovich 258-269).

Of course, Geberovich is not the only analyst to have presented addiction as a return to the maternal register of psychic experience. We can find, for example, a similar, and perhaps more familiar to English-speaking readers, account of addiction in Kristeva's *Black Sun: Depression and Melancholia* and *New Maladies of the Soul*. Geberovich's analysis is, however, more relevant to the type of argument we are trying to articulate here for the emphasis he puts on the prosthetic character of addiction and for the way in which it presents the "prosthetic impulse" as an effect a specific socio-historical change in the contemporary organisation of the symbolic function (Like Smith and Morra, Geberovic also uses the term "impulse" to suggest a difference between the "pulsating" temporality of the relation to the prosthesis - searching, holding on to, letting go - and the more linear symbolic temporality of the drive or *pulsion* that relates the subject to the lost object (264)).

Following Lacan, Geberovich argues that the crisis or impasse of the symbolic/paternal function (e.g. signification) as one of the main determinants of addiction is not merely a clinical occurrence but reflects a more general cultural delegitimation of

signifying structures in favour of other forms of biological and social organisation. In particular, Geberovich links addiction and the prosthetic impulse to a shift from *signification* to *information*, from a system of social and psychic regulation marked by the "metaphorical delegation of power" to a system marked by the "total mastery over life," where metaphor, "far from pointing to a necessary structural lack," becomes instead "a mechanical fault in the transmission of messages, a technological void that scientists, politicians and advertisers strive to fill by inventing the adequate prosthesis" (270).

In this context, the whole landscape of psychopathology is necessarily altered, so that the subject moves from repressed normality and neurotic pathologies to prosthetic normality and addictive pathologies:

In a culture that substitutes lack with void, and satisfaction with fullness [*comblage*], the structure of normality is that of the prosthesis and the structure of pathology is that of addiction. The passage from the formation of symptoms to that of addictions throws light on a symbolic mutation that is,

eventually, that of the passage from the metaphor to cybernetics. (271)

We may see Geberovich's idea of a passage from metaphor to cybernetics as just an updated way of formulating the shift already written by Lacan in the formula of the discourse of contemporary life: the shift from a social discourse where power rests on a relation of impossibility (signification) and impotence (the drive) to another *utilitarian* configuration of the social link where the object starts to become *useful* and allows the system to run smoothly so that relations of impossibility and impotence are avoided.

The prosthetic impulse is thus the core libidinal relation of utilitarian ethics and addiction is not opposed to it, but emerges as its a-symptomatic (non-signifying) and autolytic pathology, as the side effect of the prosthetic use of the object. As Nestor Braunstein has put it, addiction is an "a-(d)diction," a way of relating to the jouissance of an object which is not produced by signification and speech ("diction") as immediately lost and impossible to name, but which can be "found on the market" as a product (240). For this very reason, the prosthetic impulse, at least if we see it from the standpoint of

the *use* rather than from that of the *production* of the prosthesis, is neither constitutive nor evolutionary with respect to the human, neither human nor posthuman, since in contemporary life the prosthesis avoids the signifying relation that defines the human and models itself on a libidinal disposition that logically precedes the articulation of signification and the constitution of subjectivity.

In conclusion to this section, I would like then to propose the following reading of addiction as a limit of contemporary utilitarian ethics. On the one hand, addiction implies an ethical position (a position of *jouissance*) that exceeds the limit of contemporary ethics by pushing *jouissance* beyond the limits of the common good and of the useful and by acting out (rather than giving voice to) a complaint or a protest against the conditions of *jouissance* imposed by the Other. If the contemporary Other imposes or commands *jouissance*, we have also seen that this imperative is subordinated to the imperative that, at least socially, the signifying system of production be kept working in order to make surplus *jouissance* available to the subject. In this sense, the discourse of contemporary life does not function solely as an information system that strives to fill in lack as a

"mechanical fault" of transmission but also as a signifying system that needs to impose rules, regulations, and a certain sacrifice of jouissance in order to be able to produce the prosthetic filler.

The ethics of addiction implies a complaint and an attempt to bypass these conditions imposed on jouissance by the Other of contemporary life, while the self-destructive and autolytic tendency of addiction expresses well its orientation beyond the limits of utilitarianism, beyond the limits of the pleasure principle that underpin utilitarian ethics. The problem with the ethics of addiction, however, is that its transgression and its protest, differently from the Sadean transgression, fail to produce a subjectivity and thus negates, rather than guarantee, all autonomy and freedom for the subject. The jouissance of addiction, in fact, is not articulated to a subject within the signifying structure of fantasy: at most, the addict can articulate pain to the lack of the prosthetic filler but, once produced, this lack is always more likely to be filled in by a new administration or by a different prosthesis rather than being metaphorised and repressed. The ethics of addiction thus oscillates between a complaint against the utilitarian order of the Other, an attempt to

secure a jouissance without conditions and beyond the thresholds of the good, the useful, and the pleasurable, and the failed attempt to create a certain margin of freedom and autonomy that never goes beyond the production of an unsymbolised lack.

On the other hand, it is also possible to approach the liminal character of the ethics of addiction from the opposite perspective, and emphasise the way in which the ethics of addiction is included within the limits of the ethics of contemporary life. We have shown how the ethical position of addiction is consistent with the prosthetic impulse of utilitarian ethics, and can even serve to illustrate the shift of contemporary social discourse towards information and the imperative to treat lack as a fault in the efficient transmission of information rather as a structuring principle within a signifying system. From this perspective, addiction does not emerge as an ethical transgressive protest or complaint against the Other but simply as a pathology and as a discontent (a malfunctioning) of the prosthetic ethics of contemporary utilitarianism.

Addiction can thus be associated to the delegitimation of the symbolic function that marks contemporary life

and, generally, also to the mechanism of inhibition that we have identified in the last chapter as the distinctive trait of the discontent of contemporary civilization. Seen as the pathological underside of prosthetic utilitarianism, addiction rejoins the discontents of contemporary life: the inhibition of the symbolic function caused by the excess of surplus jouissance made available to the subject in the social discourse of contemporary life becomes an addiction to the prosthesis as the sole regulator of jouissance for a subject that becomes more and more cut off from the Other, from desire, from love, from knowledge and from the possibility of his freedom, autonomy, and singularity.

5. Treatments of Addiction in Contemporary Life

I would like to finish this chapter with some remarks on the treatment of addiction, which is, I will suggest, a privileged field not only to verify the limits and internal contradictions of contemporary utilitarianism, but also to define the coordinates of an alternative ethical stance, one that would pass neither through a(n addictive) right to jouissance nor through a (religious) duty of abstinence. Once again,

I will try to ground these remarks on some indications offered by Éric Laurent in his already quoted introductory address to the 2008 WAP congress.

Laurent claims that while addiction isolates the user from the social bond and from the Other, there are four possible types of treatment of addiction which represent four possible ways of re-socialising and re-inscribing the subject/user in the Other. These four treatments correspond, in turn, to the four functions of social discourse defined by Lacan: knowledge, the signifier, the object and the subject. Laurent thus distinguishes between: 1) A "treatment by knowledge," which consists in confronting the subject with knowledge about the drug as well as in extracting such knowledge from the subject, who will then learn to negotiate his "disorder" in relation to this knowledge; 2) A "treatment by the signifier," which consists in asking the subject to identify as an "addict" and to become the member of a community of "addicts" who commit to support each other and to follow a common set of rules; 3) A "treatment by the object," which consists in substituting the drug or addictive behaviour with a legal object, i.e., a medication or legal drug, as in the case of methadone prescription; 4) A "treatment by the subject," which

consists in leading the subject to find a way to signify his jouissance and to "leave place for his subjective division and for the jouissance of speech" ("Stakes"). In all these different cases, the addicted subject can re-inscribe himself within the social link, as a subject of knowledge, as a subject of the signifier, as a subject of an object (that is, as a consumer), or as an autonomous subject who assumes responsibility for the law that determines his desire and that led to the loss of his jouissance.

My first remark will be that the first type of treatment of addiction, the treatment by knowledge, clearly answers to and applies the utilitarian ethics of contemporary life. This means that this type of treatment of addiction works according to a utilitarian logic, but also, and more subtly, that the treatment itself is instrumental to the utilitarian concerns of the contemporary Other, that it represents an intervention of the Other on the internal threat that addiction poses to its utilitarian order. Laurent explains that this type of treatment works on the most basic level as a simple imposition of knowledge about the negative consequences of an addictive behaviour (e.g. "Smoking gives you cancer," etc.). We may add, however, that, on a more specialised level, the

treatment by knowledge is also characteristic of different forms of therapeutic "conditioning," such as cognitive behavioural therapy (CBT), rational emotional behavioural therapy (REBT) and neuro-linguistic programming (NLP), which in the UK are currently being administered on a mass scale through the NHS and all the major health charities, not only for addiction but for many other types of "ordinary" mental suffering (including depression, anxiety, eating disorders, etc.).

These treatments generally attribute addiction to a cognitive disorder that can be traced down to specific "dysfunctional" and "maladaptive" thoughts and beliefs and then corrected by isolating and reinforcing "useful" and "adaptive" cognitions by means of different types of repetition and conditioning techniques (Beck 118-21). To the extent that it is actually administered by the Other, the treatment by knowledge can then be seen not only as an application of utilitarian ethics but also as a form of social control, a resource used by the utilitarian Other to correct any dysfunctional disorder in its perfectly functioning system. Significantly, a review of the official literature issued by the Government and by its collaborating research institutions (including the

National Institute for Clinical Excellence (NICE) and the London School of Economics) shows that the public expenditure that goes towards the free supply of this type of treatments through the NHS is routinely justified *precisely* in utilitarian terms, by saying that these interventions, for being cost-effective in terms of measurable behavioural change, are also effective in enabling patients to return to work, to stop claiming benefits, and to stop burdening the NHS and the criminal system by becoming ill and by getting involved in illegal activities as a consequence of their drug use (Evans 143-45).

We may also suggest, therefore, that the treatment by knowledge is not merely a treatment of addiction but the dominant form of socialisation and social inscription in contemporary life: in a way, addicts are treated simply by being asked to do what everyone else is asked to do: becoming a member of society not by identifying with a collective ideal but by using knowledge (cognitions, thoughts, beliefs) in a way that allows adaptation to the utilitarian order of the contemporary Other. More precisely, Jacques-Alain Miller has pointed out that this type of inscription in the social implies that the subject is asked to identify with the quantitative knowledge of statistics

and to become a "man without qualities," "a quantitative man" (someone who can fit in a form and who can reduce himself to a ticked box), since the conversion of surplus jouissance into countable surplus value that marks, as we have seen, the utilitarian discursive logic of contemporary life, is also, rather clearly, an attempt to master and quantify the singularity of the jouissance of the subject by using knowledge ("Era" 34-35).

If we consider now the second and the third type of treatment of addiction defined by Laurent - the treatment by the signifier and the treatment by the object - I think it is possible to say that these two treatments respond not to a utilitarian ethics but, rather, to the ethics of religion and to the ethics of addiction in their tendency to function as limits of utilitarianism, and particularly, in this case, in their tendency to put their rejection of utilitarian hedonism at the service of the utilitarian order itself. The treatment by the signifier, as we have seen, asks the subject to identify as an addict in order to constitute a community of identified addicts who support each other towards abstinence - as in Alcoholic Anonymous (AA) or Narcotic Anonymous (NA) meeting societies, or as in group therapy sessions

delivered in rehab centres. In these groups or communities, the "signifier" that treats the subject is not the word "addict" or "recovering addict" (which functions more as a collective ego identity shared by the members of the group, as in Freud's *Group Psychology*) but the signifier of a powerful Other evoked by a formalised and fixed set of rules - commonly referred to as the "12 steps" - which prescribe the different modes of relation to this Other (accepting help, following rules, delegating power, confessing wrongdoings, etc.). Standard guides to 12 steps treatment explain that different types of clinical setting generally push for different interpretations of this signifier, so that the powerful Other (a "Power greater than ourselves") that the 12 steps refer to can be presented as the Christian God, as the recovery programme itself, or as anything that the recovering addict may want to put in its place (Williams 140-41).

From a psychoanalytic perspective, however, this signifier can only be seen as a name of the father - a semblant that signifies a lack in the (maternal) Other and allows for a sacrifice of jouissance in the name of the powerful (paternal) Other that this signifier constitutes. The treatment of addiction by the

signifier is thus always an application of religious ethics, regardless of how this signifier might be interpreted, since it implies a rejection of jouissance (of the surplus jouissance of the drug) for a higher ideal that can create a community and thus re-inscribe the subject in the social link.

From the completely opposite position, the treatment of addiction by the object does not reject the jouissance of the drug, but rather uses it as a way to achieve the same effect of re-inscription in the Other. This form of treatment includes not only the administration of substitutive legal drugs, like methadone for heroine addicts or librium for alcohol dependent subjects, but also the new generation of experimental drugs that operate on neuron receptors to reduce or eliminate "cravings," and, of course, the different types of anti-depressants and tranquillisers routinely prescribed by GPs to alleviate withdrawal and sustain the "recovering" addict. As we have seen above, addiction can be seen as a regression to a prosthetic relation to the maternal Other, which means that addiction can also constitute the Other, not the symbolic Other that demands a sacrifice of jouissance, but the pre-symbolic Other that fulfils all the demands of the subject. In this way, if the social

link can act as this second, maternal and pre-symbolic Other by giving access to legal drugs and medications to replace and control addiction, the addicted subject can also be included in the social link as a legal user/consumer of jouissance. Paradoxically, therefore, the ethics of addiction can be applied, if not to the treatment of addiction as such, at least to the treatment of some of its effects, including the social isolation of the addict.

In the course of this chapter we have considered how the ethics of religion and the ethics of addiction can, in their particular way of approaching jouissance, disturb the utilitarian ethics of contemporary life. In their application to the treatment of addiction, however, these two ethical orientations demonstrate how they can also work to enable the efficiency of utilitarian discourse by sustaining the addicted subject in its re-inclusion in the Other. For this reason, it should not be surprising that both the treatment by the signifier (12 steps) and the treatment by the object (pharmacological) have a central place next to the treatment by knowledge (cognitive behavioural therapies) in the official clinical guidelines issued by the UK Government, as shown, for example, in the

Models of Care report by the National Treatment Agency for Substance Misuse (62-90). In particular, it is apparent that while the treatment by the object can guarantee to the utilitarian Other a direct control over its human resources (to the point that the pathological and "maladaptive" affects of addiction may be resolved by chemical administration but the subject's addiction to the substance and to the enabling Other maintained for the sake of social control, order and economic efficiency), the treatment by the signifier can also reinforce the subject's vulnerability and dependence on the Other by insisting on a particular type of identification ("to be an addict"), which makes the identified addict conveniently responsive to the Other's prohibitions as well as the Other's ability to answer his demands.

The question of the treatment of addiction thus shows the internal contradictions of contemporary utilitarianism, the fact that it can include and turn to its own advantage two ethical positions which are also external, and at times even opposed to its concern with the maintenance of a productive and functional hedonism. Moreover, if the ethics of religion and the ethics of addiction represent, as we

have seen, an attempt to deal with the discontents of contemporary utilitarianism, and particularly with the anxiety generated by the production of surplus jouissance, and, on the other hand, with the imperative of efficient productivity, we may say that the way in which these ethical orientations are applied to the treatment of addiction also demonstrate the ultimate failure of these attempts.

Utilitarianism deals with the discontent generated by its own production of surplus jouissance by promoting an adaptation to scientific knowledge; the ethics of religion seek to treat this discontent by using the signifier but ends up constituting a symbolic Other that might sustain, if not the use of surplus jouissance, at least the process of production of surplus jouissance; the ethics of addiction, on the other hand, seems to avoid utilitarian concerns and go for an unrestrained right to jouissance, but eventually can also sustain a "treatment by the object" that turns against its own excess and reinscribes the subject in the utilitarian social link by constituting an Other that responds to the subject's demand.

To conclude, we are left with the last type of treatment of addiction proposed by Laurent, the treatment by the subject. Even structurally, at the level of discourse, this treatment suggests the possibility of an ethical alternative to the utilitarian ethics of contemporary life, as well as the possibility of a way to deal with the discontent of contemporary life which will not result in a reinforcement of the utilitarian order of the Other.

This type of treatment applies the ethics of psychoanalysis and might be compared to the treatment by the subject to the extent that it also proceeds by introducing a semblant that signifies a lack in the Other and thus allows to break the endless circuit of supply and demand. On the other hand, however, the treatment by the subject is also radically and ethically different from the treatment by the signifier, since in this case the semblant is provided by the subject and thus serves not to constitute and give consistency to the Other, but to affirm the autonomy of the subject, who is re-inscribed in the social link but not dependent on the Other and on surplus jouissance. This type of solution clearly illustrates the classic coordinates of psychoanalytic ethics as we have reconstructed them in the first part

of this thesis. More specifically, however, it also illustrates the place of psychoanalytic ethics in relation to the contemporary Other and opens the question of the development of psychoanalytic ethics in relation to contemporary discourse, which we will explore in the next chapter.

Chapter VI

The Ethics of the Sinthome and Contemporary Life

1. Psychoanalytic Ethics and Contemporary Life

The ethics of psychoanalysis can be defined in many ways: as an ethics of the real, an ethics of desire, of love, of the subject and of discourse. As we have seen in the first part of this project, the ethics of psychoanalysis is fundamentally an ethics of the real because it orients the subject towards the real of his/her jouissance. It is also, however, essentially an ethics of desire because this jouissance must be assumed by the subject as lost or lacking, an ethics of love because it is through the unconditional commitment of love that desire can be sublimated from

its attachment to imaginary forms, and, finally, an ethics of the subject because it is only through the paths of desire and love that the subject can assume his constitutive division and find the dignity of his autonomy and freedom. This is why psychoanalytic ethics is also an ethics of discourse, or, to put it differently, an ethics that necessitates a particular form of social exchange: love, the psychoanalytic transference between analyst and analysand, and the artistic sublimation that relates subject and object to each other in the aesthetic space.

Lacan's discussion of Kant, Sade and Antigone in *Seminar VII* has allowed us to develop a critical illustration of all these aspects, while at the same time drawing our attention to yet another trait of psychoanalytic ethics: the criminal. Lacan's presentation of Sade and Antigone as paradigmatic ethical figures defines psychoanalytic ethics not simply as an ethics of desire, love, or discourse, but also as a *criminal* ethics, because desire, love, and the type of social exchange that ground psychoanalytic ethics all imply an act of separation from the common good, a separation that often takes the form of a criminal destruction or sacrifice of common social values, reasons or interests. It is at this point that

Lacan's definition of psychoanalytic ethics reveals itself most explicitly as a response or as a reading of Freud's critique of civilization. The category of the criminal, in fact, allows Lacan to identify the position of psychoanalytic ethics in relation to the social norms that define and structure civilized life. Psychoanalytic ethics is criminal not so much because it is *against*, but because it is not *concerned* with the norms of civilization and it can thus offer to the subject *another* ethical measure for his actions whenever these norms fail and he is confronted not with the benefits of civilization but with its discontents.

The real, desire, love, the subject, discourse and the criminal (understood as an indifference towards the ethics of the Other or ethics of the common good) are the *constant* defining concepts of psychoanalytic ethics. They form a set of stable ethical principles which orient the whole of Lacan's teaching and ground all Lacanian psychoanalytic theory and practice. In my discussion of the *malaises* of contemporary life (Chapter IV) and of the limits of contemporary ethics (Chapter V) I have assumed that the validity of these fundamental ethical principles is not affected by the discursive permutations of contemporary life. This is,

indeed, another case of that consistency that characterises the Lacanian approach to ethics and civilization from *Seminar VII, L'éthique de la psychanalyse*, onwards, and that I have more than once underlined in my discussion. Even if its fundamental principles remain unchanged, however, psychoanalytic ethics as a whole was also subjected to constant revisions and re-elaborations by Lacan. These changes were motivated both by theoretical developments and by the need to adapt the practice of psychoanalytic ethics to the discursive changes of contemporary life.

It is possible today to find two main critical accounts of the transformation of psychoanalytic ethics from *L'éthique de la psychanalyse* to the later phase of Lacan's teaching. The first account emphasises the shift from an ethics of "pure" desire to an ethics centred on the drive as the final goal of analysis. This account is associated especially with the work of the Slovenian Lacanian theorists gathered around Slavoj Žižek and tends to privilege the idea of an "internal" theoretical development in Lacanian ethics rather than the idea of an adaptation of psychoanalytic ethics to social change. The second account emphasises the shift from a transcendental to a pragmatic model of ethical action based on the late

Lacan's concepts of *savoir-faire* (know-how) and *mi-dire* (half-saying). This account is associated particularly with Jacques-Alain Miller and the analysts of the Lacanian School and tends, on the other hand, to see the theoretical developments of Lacan's later teaching from the point of view of the definition of a new ethical *praxis* attentive to the historical transformations of the social link. In this chapter I will try to unravel the logic and the significance of these two different explanations of the development of Lacanian psychoanalytic ethics. Moving from a critique of the position defined by the Slovenian theorists, but without contesting the validity of their account of a transition towards the centrality of the drive in Lacanian ethics, I will argue in favour of Miller's understanding of a new "contemporary" psychoanalytic ethics as a practice still grounded on the classic principles of Lacanian ethics but also attentive to the problems and demands of contemporary subjects.

2. From Desire to the Drive?

The idea that Lacan moves from a structuralist phase centred on the symbolic to a post-structuralist phase

centred on the real has become today almost a commonplace in Lacanian studies. This is no doubt due to the popularity of the work of the Slovenian group of Lacanian theorists - Slavoj Žižek, Alenka Župančič, Renata Salecl, Madlen Dolar - who have imposed an acknowledgement of the distance between these two moments of Lacan's teaching by explicitly presenting themselves as followers of the later, rather than of the early, Lacan. For these theorists, the trajectory of Lacan's teaching can be described in terms of a transition from an *ethics of desire*, that is, from an understanding of the analytic cure that sees the "purification" or sublimation of desire from the good as the goal of analysis, to an *ethics of the drive*, which identifies the goal of analysis with a "liberation" of the jouissance of the drive from the symbolic structure that sustains and "rules" over the subject.

Lacan's 1964 seminar, *Seminar XI, Les quatres concepts fondamentaux de la psychanalyse*, is the text that best illustrates this shift and also one of the most quoted and discussed by the Slovenian group in general. In particular, it is Lacan's double claim that 1) "the desire of the analyst [e.g. desire purified from fantasy at the end of analysis] is not a pure desire"

(SXI 307), and that 2) "the subject who has traversed the fundamental fantasy" is called to find a new way to "live out the drive (*vivre la pulsion*)" (SXI 304) that offers to the Slovenian-Lacanian the privileged reference for their understanding of what constitutes the position of the later Lacan. In *Ethics of the Real*, for example, Alenka Župančič explains the logic of the transition from desire to drive in Lacanian ethics precisely as the consequence of the realization that desire cannot be purified completely from a persisting and ubiquitous remainder of jouissance (or surplus jouissance) (241). If the early, structuralist Lacan conceived jouissance as something forever lost and lacking, and could thus justify an ethics based on the fidelity to and acceptance of this lack of jouissance through pure desire, the later Lacan, as Župančič puts it, "tries to find a conceptualization of the status of enjoyment which would simultaneously embrace these two features: that jouissance does not exist, and that it is found everywhere" (*Ethics* 242). The ethical goal of analysis, consequently, cannot be conceived anymore as a mere purification of desire and is redefined as the enjoyment of the drive, as the enjoyment of that "nothingness" that emerges as a remainder *after* the purification of desire that

projects the subject outside the frame of his fantasy (Župančič, *Ethics* 244).

Despite its popularity, the Slovenian-Lacanian account of this shift in Lacan's teaching has also met with some criticism. In her recent book *Amorous Acts: Lacanian Ethics in Modernism, Film and Queer Theory*, for example, Frances Restuccia engages in a useful, although wisely cautious, polemic with what she refers to as the "New Lacanians," and particularly with Slavoj Žižek, on the ground of their supposed "misreading" of Lacanian ethics (XI; XIII). Restuccia considers the opposition between ethics of desire and ethics of jouissance and blames, at different points of her argument, not only Žižek and his followers, but the most prominent Lacanian analyst working in the U.S., Bruce Fink, for suggesting that the teaching of the later Lacan may be approached in terms of a shift from the first to the second type of ethics.

Although she more than acknowledges that Lacan "moves beyond metonymic desire" and that in his teaching of the 1960s and 1970s "the drive's pursuit of objet a as well as the desiring subject's relation to the Real become central" (41), Restuccia also insists that:

a subject entirely *in the Real* is an oxymoron. A subject might confront momentarily his or her annihilation, meet the gaze, but this would be a moment of desubjectivation - a provisional state of disarray like the analytical state Lacan talks about as necessary for subsequent emergence of desire predicated on knowledge of death - rather than a desirable permanent condition. [...] Though it must be granted that Lacan through traversal of one's most basic fantasy allows the subject to live out the drive, this proposition does not translate into a drive of one's own, glorification of *jouissance*, or the jettisoning of desire. (41-42)

Restuccia's polemic is, as I said, justly cautious as both Fink and Žižek are clearly aware of such a distinction and the fault she finds in their positions is mainly one of emphasis, motivated, I would add, by the distinctive focus of their arguments: Žižek's "glorification of *jouissance*" is motivated by his radical-political concern with the transformative potential of negativity; Fink's insistence on the "ability to live out the drive" comes from a clinical-therapeutic concern with the loosening of the grip of the ego-ideal at the end of analysis.

In their best moments, moreover, the "New Lacanians" are also clearly aware that the emphasis put by Lacan on the drive does not imply an overcoming of his classic formulation of an ethics of desire. Župančič is, for instance, very explicit on this point when she states that in Lacan the concept of the drive "supplements" but never "replaces" that of desire as the central concept of the analytic process because "in order to arrive at the drive one must pass through desire and insist on it until the very end," that is, until the moment when desire carries us beyond the symbolic frame of fantasy (*Ethics* 239). Bruce Fink makes an even stronger case against a misunderstanding of what "living out the drive" may imply when he insists that the subject who arrives at the end of analysis is never "brought to the point of altogether jettisoning the symbolic constraints on the drives" (*Clinical* 211), so that the divided and desiring status of the subject is never completely given up in favour of a complete "objectivation" in the drive.

In spite of these corrections and clarifications, Restuccia's point remains, however, an important and useful one to make insofar as it is indeed a fact that the work of a theorist like Žižek does often and at

many points suggest that the last word of Lacanian ethics is a total identification with the drive as an "organ without body" which would take on a life of its own and act independently as a transformative revolutionary agency (*Organs* 176). This position must be distinguished from Lacan's own understanding of what "living out one's drive" means, since for Lacan the drive as such never replaces the divided subject as an ethical agent, even when the subject becomes a subject in the real and a subject of the drive.

Even if we accept their account of Lacan's transition from one to another ethical paradigm, however, we must also consider two limitations inherent to the particular way in which the Slovenian theorists present this shift. In the first place, it is essential to recognise that the integration of the notion of the drive within Lacan's understanding of psychoanalytic ethics is a development that takes place over a rather short period of time and at a relatively early phase of Lacan's teaching. As we have seen, the subjective ability to "live out the drive" beyond fantasy becomes the ethical goal of analysis already in *Seminar XI, Les quatre concepts fondamentaux de la psychanalyse*.

This seminar was given by Lacan in 1964, that is, only four years after *Seminar VII, L'éthique de la psychanalyse*, where Lacan's original definition of psychoanalytic ethics as a "purification" of desire is first introduced. This means that what is presented by the Slovenian theorists as the "late Lacan" is in fact the Lacan of the mid '60s - and it is, indeed, rather rare to find in these theorists extensive references to the Lacan of the '70s (the only exception being *Seminar XX*, which is, however, generally recalled only for its definition of sexuation). We might therefore say that a first major problem with critical accounts that chart the development of a Lacanian ethics from desire to the drive is that they do not consider what happens to Lacan's understanding of psychoanalytic ethics in the 1970s. Their account of Lacan's "supplementation" of desire with the drive is, therefore, certainly correct, but also limited and eventually misleading, since it overemphasises the few years between 1960 and 1964 and glosses over the other major developments in Lacan's ethical position that took place throughout the 1970s.

The second problem with the model proposed by the Slovenian theorists is that Lacan's redefinition of the terms of psychoanalytic ethics is approached as a

mere *theoretical* development, motivated, that is, only by the internal logic of Lacan's thought. This approach, which can be seen as a reflection of their own discursive position as academic *theorists*, allows only a limited grasp of the development of psychoanalytic ethics insofar as it fails to acknowledge the specificity of Lacan's discursive position as an *analyst* and the discursive-historical logic behind the shifts in his theory of ethics. As we have already seen, the driving force of analytic discourse is not a passion for pure critical or theoretical enquiry but an engagement with the unfathomable real of the symptoms that the theorist encounters in his analytic practice (as an analysand or as an analyst). This means that theoretical elaboration never develops and proceeds on its own; rather, it follows and responds to the incidence of symptoms, or "discontents," which are always produced at the level of the structure of civilization and of its historical permutations. As Jacques-Alain Miller has put it:

Theory, when we try to produce it - theory in the present - is nothing more, at least for psychoanalysis, than a sinuous trail, a trail we blaze to try to catch up with what has already taken place and which is going forward

on its own. Theory and practice in psychoanalysis are not symmetrical or parallel. There is in psychoanalysis, it cannot be ignored, a lagging of the theory that is not contingent, not accidental, but probably structural, at least as far as its elaboration is concerned. ("Milanese 1" 5)

In Lacan, therefore, theoretical elaboration follows the experience of the ethical practice in which analyst and analysand engage with the real of the symptom. This ethical practice is never the same and needs to be adapted and changed, not only because of the singularity of each subject's symptom, but also because of the ways in which the mechanism of repression changes in the historical shift from traditional civilization to contemporary life.

The development of (Lacan's theoretical elaboration of) psychoanalytic ethics can thus be appreciated only if it is linked to the incidence of the discourse of contemporary life on the symptoms of contemporary subjects and cannot be reduced to a simple theoretical revision. Typically, the work of the Slovenian theorists is motivated not by clinical practice but by a critical engagement with other thinkers (mostly Hegel or Kant as far as ethics is concerned), and

although it also constantly refers to contemporary social, cultural or political issues, it also refuses to acknowledge the impact of the real of civilization (the discontents or symptoms of contemporary life) on its own Lacanian theoretical framework.

The limited and incomplete account of the shift in Lacan's conceptualization of ethics that marks the work of the Slovenian theorists is a consequence precisely of this separation of the theoretical from the domain of an ethical praxis in the real, not simply in the sense that their approach ignores the real cause of Lacan's theoretical shift from desire to drive (that is, the discontent of contemporary life), but also in the sense that their account excludes that part of Lacan's later work where a new theoretical elaboration of ethics is more explicitly linked to an alteration in the nature of contemporary symptoms.

3. From a Transcendental Ethics to a Pragmatic Ethics

In their own, very different, theorization of the development of Lacanian ethics, Jacques-Alain Miller and the other theorists of the Lacanian School emphasise a conceptual shift that is much later - we

are talking of the early 1970s - than that which led, in the mid 1960s, to the ethical ideal of "living out one's drive," and which, as we have seen, constitutes the core of the Slovenian definition of the "later Lacan." We can find a useful summary of all the main tenets of this particular reading of Lacan's later understanding of psychoanalytic ethics in a recent paper (2007) by Miller, significantly titled "Psychoanalysis in Close Touch with the Social." Miller's paper is significant because it underlines how this later conceptual shift is not (as in the Slovenian theorists' account) motivated merely in terms of a theoretical change in Lacan's understanding of the status of jouissance, but, rather, in terms of a change in the social status of jouissance.

A very clear and explicit link, therefore, is established between the re-elaboration of the ethical paradigm of psychoanalysis and the needs of a society where the ready availability of jouissance means that the ethical practices of "transcendence" necessary to realise a "pure desire" or "a drive beyond fantasy" are no longer viable, and where analysts are called to respond to the malaise caused by the frenetic consummation of jouissance of our civilization, rather than persist in what Miller refers to as an "obsolete

pleading for the right to each one's jouissance"
("Psychoanalysis").

In this way, according to Miller, the redefinition of psychoanalytic ethics which marks the last decade of Lacan's teaching entails an overcoming not only of Freud's position, but also of Lacan's own classic formulations of ethics as a matter of "purifying one's desire" or "living out one's drive," and results in a shift towards a very peculiar form of "ethical pragmatism:"

The Freudian moment is behind us. The Lacanian moment is not less behind us. It was both, in a baroque conjugation, existentialist and structuralist, that is, scientific. Lacan himself left this moment behind him, and he sketched out for us the configuration of the contemporary moment, which is pragmatic. Yes, we are pragmatic as everyone is today, but somehow still apart, - paradoxical pragmatists who do not practice the cult of "it works." The "it works" never works. Our good humour probably comes from the fact that we know that it misses the mark, but we believe we hit on the side of the target in the right way.
("Psychoanalysis")

We can thus sum up the main points of Miller's position as follows: 1) the psychoanalytic ethics put forward by the later Lacan is a form of pragmatism; 2) it is a pragmatism grounded on the notion of failure or impossibility; 3) it is distinct from all Lacan's earlier formulations of psychoanalytic ethics (either as desire or as drive); 4) it was elaborated or "sketched" by Lacan in response to a change in the status of jouissance which was *first* social (e.g. discursive) and *then* theoretical; 5) it provides a model for an ethics suited to the discursive structure and the regime of jouissance of contemporary life.

The best way to understand what Miller means by "paradoxical pragmatism" is to consider the link between Lacan's later conceptualization of jouissance and his theory of the symptom as *sinthome*. Lacan's earlier transition from desire to drive was motivated, as we have seen, by the acknowledgement that desire can never be purified from a remainder of jouissance or surplus jouissance. According to Miller, this earlier transition corresponds to the middle phase of Lacan's teaching when he "places the accent on what fills the lack rather than on the lack itself" ("Milanese 1" 14), "what fills the lack" being, of

course, the remainder of *jouissance* referred to by Lacan as surplus *jouissance* or *objet a*.

In the later phase of Lacan's work, this emphasis on surplus *jouissance* is carried to its extreme consequences so that, as Miller puts it, *jouissance* becomes the "essential term" and "loses its contrary" in the signifier which is not conceived as a "mortifying" agent of repression anymore but as an "operator of *jouissance*" ("Milanese 1" 14). It is precisely the introduction of the idea of a *jouissance* that has no contrary and no opposite that determines the setting aside of the system of boundaries and oppositions that had marked Lacan's earlier structuralist approach and leads to the redefinition of psychoanalytic ethics as a form of pragmatism because, in Miller's own words, "the end of analysis is [now] stripped of the pathos of the beyond, of transcendence, of the passage, and the accent is put on the changes in the regimes of *jouissance* that can be found in the cure" ("Milanese 1" 15).

The pragmatism of psychoanalysis is thus a matter of making changes in the regimes of *jouissance* of each subject by operating at the level of their symptom, given that it is the symptom that, by definition,

primarily functions to regulate jouissance by processing it through the symbolic system of signification. As a consequence, the ethical goal of analysis is no longer formulated either as a sublimation of desire or as an ability to experience the drive beyond the symbolic constraints of fantasy, but as a reduction of the symptom to the point where "jouissance loses its contrary" and the symptom becomes a *sinthome*, "a new name to indicate the symptom that has no contrary or no longer has one" (Miller, "Milanese 1" 15).

It is possible, at this point, to appreciate how the new ethical pragmatism of psychoanalysis in no way implies a rejection of Lacan's earlier promotion of desire or drive as ethical targets for the subject. The pragmatic reduction to the *sinthome*, in fact, closes the ethical trajectory of the subject at a point of fundamental articulation of the real, the imaginary and the symbolic orders, but is still conditional on the subject's ability to follow the path of desire and overcome the jouissance of fantasy in the drive. The novelty of this approach to psychoanalytic ethics, and particularly its completely new rejection of transcendence and emphasis on pragmatic know-how, need, however, to be marked

clearly because, as we will see, psychoanalytic ethics owes its ability to engage with contemporary life precisely to these revisions.

The logic of Lacan's later formulation of psychoanalytic ethics as a type of pragmatism has also been illustrated in a much more detailed way by Véronique Voruz - another analyst member of the *École Freudienne*. Voruz has shown how a "definite modification in Lacan's ethical position," which, in her own words, "no longer strives to define a *transcendental* aim for psychoanalysis but rather leans on the side of *pragmatism*," is strictly concurrent with a conceptual shift which "takes the emphasis away from the *signifier* and places it on the *letter*" (113). As Voruz points out, Lacan's turning to the letter was, in turn, motivated by an increasing awareness of how *jouissance* is embedded within discursive (that is, signifying) structures and by the resulting undermining of his traditional understanding of the psychoanalytic cure as a process grounded on the structural coordinates of discourse: "Lacan's project of speaking from a given position of enunciation in order to have a determined effect on [or through] the Real is undermined" because "the only Real attainable

by means of discourse is a Real tainted by the symbolic" (114).

Lacan's solution, as Voruz explains, is to decompose the signifier into letters as simultaneously symbolic and Real units of "intransitive jouissance" and "pure drive-objects," so that the analysis proceeds not by isolating a transcendental discursive position, but by "using what in Language is material, non-calculable, in order to learn how to *make do* with the Real" in a truly pragmatic fashion (114). In concrete, clinical terms, this means that jouissance is isolated from *within* the signifier by introducing a "cut" which reverses the process of interpretation and stops the attribution of meaning rather than encouraging meaning-making, so that eventually the subject is always returned to the "opacity of his jouissance" and the jouissance of the letter is separated from the jouissance procured through meaning and fantasy (Miller "Interpretation in Reverse" 9).

The end-product of this process of reduction is what Lacan refers to as a *sinthome* in *Seminar XXIII*, that is, a symptom without fantasy, defined by Voruz as "a letter, mark of the Real in language, coupled with the signifier that represents the subject, articulated by

lack" (Voruz 126). As Voruz and another analyst, Bogdan Wolf, have insisted elsewhere, the reduction of the symptom to sinthome implies a "radical decrease of the suffering" produced by the jouissance of the fantasy, and reaffirms the classic Lacanian ethical goal of separating the subject from the fantasy that gives consistency to the Other and commands the subject's alienation (xiv). Presented as the endpoint of analysis, however, the sinthome also introduces something new in Lacan's understanding of the direction of the treatment, which now aims not merely at a point of transcendence and emancipation (via symbolic death, sublimation, negativity, etc.), but also at providing the subject with a structure, not the structure of the Other but the structure of the sinthome as the unique and original "invention" of the subject that anchors him or her in language (Voruz and Wolf xiv), the sinthome as the fundamental support of the subject's own liberated subjectivity and desire.

We now have all the elements to understand why the new pragmatism of psychoanalytic ethics is also a "paradoxical" pragmatism grounded on the notions of failure and impossibility. This idea, which is given much emphasis by Miller, can be traced back to Lacan's own very explicit indication - in 1972 - that the

failure of his earlier attempts to sustain the position of the analyst through the mere logic of the signifier "is not essential, because we know very well from analytic experience what a failure [*un échec*] is: it is one of the forms of success" ("Du Discours" 7).

How can failure be one of the forms of success? In a way, the successful reduction of the symptom to *sinthome* needs to be also, and at the same time, the acknowledgement of a *failure*, insofar as the logic of the symptom is the logic of signification, and the logic of signification is based on the fact that the signifier *fails* to represent the subject directly and is thus referred indefinitely to another signifier. The success of signification and the success of the *sinthome* thus depend on failure and the ethical pragmatism involved in writing, knotting or reducing the *sinthome* can only be a paradoxical pragmatism that aims, as Miller's puts it, at "hitting the side of the target in the right way" ("Psychoanalysis").

Moreover, from the moment that in the later Lacan the signifier is not, as we have seen, simply the "opposite" of *jouissance* but becomes an "operator of *jouissance*," the failure that marks the inscription of the *sinthome* is further qualified by Lacan as a

"sexual" failure, as a failure of the sexual relationship. This means that, as Lacan famously puts it, "there is no sexual rapport" because the subject only enjoys his or her own symptom. For the later Lacan the symptom - as symptom or as *sinthome* - is therefore always a "symptom of non-rapport" (Miller, "Fantasy" 14). As Miller has pointed out, the principle of the impossibility of the sexual relationship - essential for the later Lacan - is thus also very close to the principle of pragmatism itself, because it is precisely the "definitive obliteration of the norm" and of any idea of a necessary structure capable of guaranteeing a rapport between the sexes that opens up the space of "norm-less creativity" where the subjective invention of the symptom as a mode or regime of *jouissance* can take place ("Milanese 1" 15).

Incidentally, we should also note that the necessary connection between the failure or impossibility of sexual rapport and the ethical pragmatism of the *sinthome* has a significant further effect on psychoanalytic ethics insofar as it pushes Lacan to redefine the ethical limit of analysis and to give new emphasis on the idea of love. As Véronique Voruz has pointed out, in fact, even if the *jouissance* of the

sinthome emancipates the subject from the jouissance of fantasy that alienates him in the Other, it nevertheless also "locks him up in solitary jouissance and obliterates the possibility of love," so that the reduction of the sinthome needs to be taken as the starting point of the new ethical task of knowing how to live with and love the other (132-134). In other words, since jouissance cannot be conceived as a social-structural limit any longer, the new limit for psychoanalytic ethics must be found in another jouissance, or, rather, in *another's* jouissance, in the jouissance of somebody else.

For the later Lacan, therefore, the ethical limit becomes the social as such, the dimension of rapport, the relationship with an absolute Other, that is, the Other sex beyond the isolation of the jouissance of the body. We have already seen how in *L'éthique de la psychanalyse* Lacan accords to the love of the neighbour a central place in his ethical theory. In his later teaching, however, and particularly in *Seminar XX, Encore*, love seems to be less to do with recognising one's own jouissance in the other than with acknowledging the isolation that this jouissance produces. Love is now defined as what can make up for the absence of a sexual relation (SXX 59), the affect

that can tear away the sexed speaking being from the isolation of its solitary jouissance. In Lacan's own words:

There is no sexual relation because the jouissance of the Other as a body is always inadequate - perverse on one side [the masculine side], insofar as the Other is reduced to objet a, and mad and enigmatic on the other [the feminine side]. Is it not from the acknowledgment of this impasse, of this impossibility which defines the real, that love can be put to the test? Of one's partner, love can only realise what I've called [...] the courage in front of this fatal destiny. But is it courage or a trajectory of recognition? This recognition is nothing but the way in which the so called sexual relationship - which becomes here a subject to subject relationship [...] - stops not being written. (SXX 183).

We don't, therefore, simply love the other because we recognise in him or her our *estranged* and lost jouissance, or because, to recast Lacan's earlier definition of neighbourly love in the language of the later Lacan, we recognise in him or her our own symptom. We can love the other because we can continue

to love him or her even after we acknowledge that our love is fundamentally narcissistic, so that this acknowledgment, when mutual, can actually result in a relationship.

3. The Ethics of the Sinthome and the Contemporary Other

As we have already anticipated above, one of the fundamental aspects of the Millerian account of Lacan's development towards ethical pragmatism is the fact that this shift is presented as the outcome of a theoretical elaboration of the concept of *jouissance* that reflects and responds to a *real* modification in the *social* status of *jouissance*. In Miller's account, Lacan's basic gesture of positing a *jouissance* "without opposite" and a signifying structure that functions as an "operator of *jouissance*" are seen as attempts to reflect and elaborate conceptually the logic of a new social structure that, in the early 1970s, at the time of Lacan's inauguration of the last phase of his teaching, had started to impose itself precisely as an apparatus of mass consumption and enjoyment, rather than as an apparatus of repression. The new pragmatic ethics of the *sinthome*, therefore,

does not emerge from a mere theoretical revision but, rather, it strives to define a way to realise the classic principles of psychoanalytic ethics - the freedom and autonomy of the divided and desiring subject oriented towards the truth of his *jouissance* - in a new historical context marked by a profound alteration in the structure of the symbolic Other *qua* social structure.

We have already examined this alteration in detail in Chapter IV, and we have presented it as the underlying structural logic of contemporary life. It will be now sufficient to recall that for Lacan the discourse of contemporary life is marked by a change in the mechanism of repression, whose *productive* side - its ability to produce surplus *jouissance* ciphered in symptoms - comes to subordinate its once primarily *defensive* function in relation to *jouissance*, so that the processes of prohibition and production of *jouissance* end up feeding on each other in an endless self-consuming loop. Lacan's social critique of contemporary life is thus already an account of the conceptual breakdown of the boundary between signifier and *jouissance* that leads to the ethical pragmatism of the *sinthome*. And this means, of course, that the

ethics of the sinthome is elaborated from the structure of the contemporary Other.

The connection between the theory of jouissance that informs Lacan's later thinking and the status of jouissance in the contemporary social domain is illustrated by Jacques-Alain Miller in the second "Psychoanalysis in the City" session of his 2002 seminar, *The Lacanian Orientation*.

For Miller, this connection is necessary given Lacan's understanding of the nature of the signifying structure. As Miller reminds us quoting Lacan's famous *Écrit* on Daniel Lagache ("Remarque sur le rapport de Daniel Lagache: 'Psychanalyse et structure de la personnalité'), for Lacan the structure is "neither an ordered description of reality, nor a theoretical model elaborated apart from experience" but must be conceived as something that "is produced within reality itself and determines its effects there," these effects being "effects of truth, effects of jouissance, effects of subject" ("Milanese 2" 5). If the structure is produced within social reality, then all theory of the structure needs to be considered as a theory of social reality and cannot be approached simply as an independent and autonomous intellectual

elaboration. For Miller, this necessary homology becomes apparent through the Lacanian logic of the "not-all" or non-totalization which appears to inform both Lacan's most abstract speculations of the 1970s and the structure of the contemporary Other. While the logic of the "all" functions within a structure that "comprises an all with a supplementary and antinomic element that poses a limit, and which allows the all to be constituted precisely as such," the logic of the "not-all" refers to a "series in development without limit and without totalization" (Miller, "Milanese 2" 9). The "all" and the "not-all" can be used to describe the way in which the signifier sets itself up respectively as a limit or as an operator of jouissance in Lacan's later theory of sexuation.

They can also, however, serve very well to illustrate the underlying logic of the contemporary Other, where the "not-all" takes, as we have seen, the form of a breakdown of the opposition between repression and production, and also, as Miller insists, the form of the dissolution of all sorts of symbolic and imaginary boundaries in the process of globalization ("Milanese 2" 9). Moreover, just as it motivates a theoretical shift to the individuation, inventiveness and pragmatism of the *sinthome*, the "not-all" also

motivates a social push to the individuation of "dispersed" and "unfixed" contemporary subjects presented with the ever growing "social duty and subjective imperative" to "invent and enhance their own individual styles of life" through the "constitution of micro-totalities [...] that offer, within the not-all, pockets, shelters, a certain degree of systematicity, stability, codification, and that permit the restitution of mastery" (Miller, "Milanese 2" 11-12).

It is perhaps at this level, the level that defines the structure of the Other in its relation to social reality, that we can locate the most significant difference between the Millerian and the Slovenian-Žižekian account of the later Lacan. The shift from desire to drive emphasised and popularised by the Slovenian theorists could, of course, also be related to an earlier phase of the same modification of the social status of jouissance that leads to Lacan's later elaboration of the ethics of the sinthome. For the Slovenian theorists, however, the trajectory of Lacanian thought is not motivated by a transformation in the social Other. The Lacanian theorization of the Other they extract predominantly from the Lacan of the mid-'60s is used by them as a stable theoretical model

to read the Other of contemporary culture but it is never subject, as such, to the real permutations of contemporary discourse.

Their characteristic reluctance to acknowledge a major conceptual shift in Lacan's teaching of the 1970s may be explained through the fact that it is during this phase that the link between Lacan's conceptual revisions and the new arrangement of the Other of contemporary life are more explicit. This different approach to the Other of contemporary life becomes even more apparent if we look at Žižek's own critique of Miller's position. Žižek, in fact, blames Miller precisely for giving in to the "temptation" of historicizing Lacan's theoretical framework. According to Žižek:

Today, in a time of continuous rapid changes, [...] thought is more than ever exposed to the temptation of "losing its nerve," of precociously abandoning the old conceptual coordinates. Against this temptation, [...] one should ask the difficult question: how are we to remain faithful to the Old in the new conditions? ONLY in this way we can generate something effectively New. And the same holds for psychoanalysis: [...] psychoanalysts are

"losing their nerve," laying down their (theoretical) arms, hastening to concede that the Oedipal matrix of civilization is no longer operative, [...] that the concept of repression is of no use in our permissive times. Unfortunately, even such an astute theoretician as Miller seems to succumb to this temptation, [...]. Miller's description of Lacan's last paradigm of jouissance exemplifies the failure of conceptual thought, whose lack is filled in by hasty pre-theoretical generalizations. (*On Belief* 32-33)

In a way, Žižek is right in marking the difference between himself and Miller as the difference between the theoretical and the "pre-theoretical." As we have demonstrated above, however, Miller's "pre-theoretical" approach has nothing to do with a "failure of conceptual thought" and is motivated, instead, by the necessity of prioritizing the real of psychoanalytic experience in relation to its conceptual elaboration. Far from being simply "hasty generalizations," Miller's conceptual elaborations of analytic experience not only display a level of theoretical rigour that is arguably higher than that of Žižek's own inconsistent and endlessly digressive

discourse, but also recognise that psychoanalysis cannot separate theory from social change because the theoretical coordinates that psychoanalysis elaborates are also the symbolic coordinates of the social Other.

The idea of an uncompromising fidelity to "theory," therefore, at least from a psychoanalytic point of view, does not make much sense and is definitely at odds with the principle of Lacan's own "return to Freud," where a fidelity to the psychoanalytic message depends on continuous revision and challenging of former positions. Ironically, this is precisely what escapes Žižek, since Lacan's later ethics of the *sinthome* as described by Miller is *exactly* a way to realize Žižek's project of "remaining faithful to the Old in the new conditions," a way, that is, to remain faithful to the classic principles of psychoanalytic ethics in the new discursive conditions of contemporary life.

In his haste to dismiss Miller's proposal of a new "pragmatic" ethics of psychoanalysis, Žižek does the most obvious thing, that is, he compares Miller's position with the position of postmodern thinkers like Rorty and Ulrich Beck for whom, in the absence of a transcendental understanding of language as a

transcendental a priori of society, "all patterns of interaction, from the forms of sexual partnership to ethnic identity itself, have to be renegotiated/reinvented" (*On Belief* 27). We have, however, seen how Miller's "paradoxical pragmatism" and the ethics of the sinthome are extremely far from the postmodern ideal of groundless pragmatic self-invention, opposing to the easy invention and consumption of ready-made lifestyles and "micro-totalities" the hard task of returning the subject to his freedom and to the truth of his desire by means of a reduction of his own pragmatic invention.

Žižek's project clearly aims at preserving the possibility of such subjective transformation by insisting on the given transcendental incidence of an unchanging structure, and this is why the construction or "knotting" of the sinthome is never an ethical matter for him. This may indeed be merely a matter of perspective, but it seems to me that in this way Žižek's approach risks misrecognising the type of ethical intervention required by the structure of the contemporary Other. This misrecognition is never only a matter of mere *transcendence* and *liberation* but also, and significantly, a matter of *construction* and *orientation*. I will consider this point, and

illustrate how the ethics of the sinthome provides a privileged answer to the discontents of contemporary life, in the conclusion.

Conclusion

In the introduction I defined psychoanalytic ethics as comprising two different sets of values. I described the first set of values as the "what" of psychoanalytic ethics and the second as the "how." The "what" are the values that ground and orient psychoanalytic practice and, in this sense, also constitute the primary effects of psychoanalytic experience. They include the autonomy and freedom of the subject from the Other, the subjective ability to remain faithful to desire, to enjoy the drive outside the constraints of fantasy and to become responsible for the fundamental choices that govern and determine

our lives. The "how" of the ethics of psychoanalysis, on the other hand, are the values that inform psychoanalytic practice as such, the prescriptive "know-how" of psychoanalysis. They include the handling of transferential love, sublimation, interpretation, and the "writing" or "knotting" of the *sinthome*.

Interrogating the development of Lacan's theory of ethics from *Seminar VII* to his later work, we have observed that the foundational and defining values of psychoanalytic ethics - the "what" - remain essentially stable and consistent throughout Lacan's teaching. The ethics of the later Lacan is still, in fact, an ethics that values the autonomy and the freedom affirmed by the absolute contingency of what reveals the subject and his unconscious desire. This is, as Alexandre Leupin has pointed out, essentially and consistently throughout Lacan's teaching, an ethics of singularity, an ethics for which "the only responsibility is to take upon oneself one's position as a subject" (65). The "criminal" negation of the Laws of the Other that had informed Lacan's early reflections on Sade and Antigone thus remains an essential component of what the subject needs to accomplish on his ethical path.

However, if the "what" of psychoanalytic ethics remain constant, we have also recognised that Lacan's ethics undergoes a series of crucial revisions at the level of the "how" that shape its practice. It has become apparent, moreover, that these revisions are motivated by a more general change in Lacan's understanding of the status of *jouissance* in the symbolic order and that this new understanding of *jouissance* aims first and foremost at conceptualising a radical historical transformation in the discursive structure of contemporary culture.

The "ethics of the *sinthome*" that marks the final articulation of Lacan's ethics should be understood in this sense as a development of psychoanalytic ethics at the level of the "hows" rather than at the level of the "what." The clinical practice of constructing or reducing the subjective symptom to a *sinthome* preserves, as we have seen, the primary ethical task of emancipating the subject from the constraints of the fantasy that constitutes the Other and holds the subject under the sway of the Law and of its dialectical transgression. The novelty of the *sinthome* thus lies not in leaving behind the classic tenets of psychoanalytic ethics but in offering a new *practice*,

an ethical practice which operates at the level of signification and which Lacan describes as a "duty of speaking well" [*devoir du bien dire*] (*Télévision* 526). This is a practice that may assist the subject not simply in the old and still valid task of finding its freedom from the Other, but also in the new task of finding, by constructing it or by retrieving it from the unconscious, a unique orientation and a unique *support* for his own freedom in the articulation of the *sinthome*.

The second point that we have stressed and that we need to remember now is that this new ethical task is *historical*, that it is an ethical task for the subject of contemporary civilization and that it has gained urgency because of the particular regime of *jouissance* that structures and defines contemporary civilization and its discontents. The utilitarian ethics of contemporary life, in fact, promotes the production of surplus *jouissance* and the ready availability of *jouissance* results, as we have seen, in an inhibition of the subject's ability to process *jouissance* through signification (e.g. through symptoms).

This arrangement underlies a "crisis of desire" that assumes today mass proportions via the ever growing

incidence of depressive and anxious lifestyles and ultimately also undermines the possibility of presenting the contemporary "desireless" subject with the old ethical injunction of interpretation, sublimation and "purification" of his desire. In this context, it is the pragmatic work of construction and reconstruction of the *sinthome* that becomes the essential task of psychoanalytic ethics and the prerequisite for realizing the classic values of psychoanalytic ethics in the contemporary world. The ethics of the *sinthome* thus becomes even more than a simple clinical practice and can be endorsed as a viable and concrete response to the devastating effects of contemporary utilitarian capitalist ethics as well as an alternative to the equally devastating "repression of the symptom" pursued by the neo-Kantian ethics of fundamentalism and by the neo-Sadean ethics of addiction.

The grounding values of psychoanalytic ethics have long been recognised by contemporary theory and the same can be said also for Lacan's theory of *jouissance*. Lacan's understanding of the subject's ethical relation to his lost kernel of *jouissance* and the idea of *jouissance* as a remainder of the process of symbolization have been the object of much

discussion and have proven influential in many fields of contemporary research. This recognition is due mostly to the popularity of theorists like Slavoj Žižek and Alain Badiou and to their ability to motivate an interest for Lacanian theory outside "specialised" analytic circles.

One aspect that is significantly missing from current academic investigations and debates on Lacanian thought, however, is an awareness of the way in which Lacan's ideas were originally articulated in response to historical alterations of the social structure and, more specifically, in response to the confrontation with the social and historical real of the symptoms and "discontents" addressed within psychoanalytic practice. By neglecting this point contemporary theory tends to ground, more or less explicitly as we have seen, Lacanian thought on the sole *auctoritas* of Lacan's (or Freud's) original theoretical insight, while Lacan's thought was grounded, in reality, on the sole *auctoritas* of the real of social discourse as it presented itself in analytic practice.

I have insisted on this point because it seems to me that it is only by acknowledging this primacy of praxis over theory that psychoanalytic theory can not

only, following Lacan's own example, renew itself in response to the changes of contemporary life, but also formulate an effective and viable ethical practice rooted in the specificity of contemporary culture and suited to the needs of contemporary subjects. Many contemporary Lacanian theorists seem to be stuck in the attempt to apply or translate an abstract Lacanian "model" to different types of social - political or aesthetic practices - with results that rarely go further than an advocacy or pursuit of miraculous spontaneous "acts" or "events" of radical transformation and change. My suggestion is that Lacanian theory would benefit greatly from looking more seriously at the work of contemporary analysts and from adjusting its focus to the practice of psychoanalysis itself in its radical social and political effects and in its ongoing and open theorization from within the constraints of contemporary culture.

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