

A Theoretical Introduction to the Functions of Psychoanalysis in Criminologyⁱ

Jacques Lacan¹

I. ON THE MOVEMENT OF TRUTHⁱⁱ IN THE HUMAN SCIENCES

While theory in the physical sciences has never really escaped from the requirement of internal coherence at the very heart of knowledge (*connaissance*), the human sciences, because they form themselves through the very behaviours that constitute their object, cannot evade the question of their meaning or pretend that the answer doesn't impose itself in terms of truth.

That human reality implies this process of revelation is a fact that has enabled some people to think of history as a dialectic inscribed in matter: indeed, no "behaviourist" ritual of protection of the object in relation to its object can castrate this truth of its creative and mortal point, and this fact makes scientists, who are dedicated to "pure" knowledge, responsible in the first instance. No one knows this better than psychoanalysts who, in the awareness of what their subjects confide to them as well as in the handling of behaviours conditioned by analytic technique, act through a revelation whose truth determines its efficacy.

Moreover, is not the search for truth what constitutes the object of criminology in the realm of judicial matters, and also what unifies its two aspects: the truth of the crime under its police aspect and the truth of the criminal under its anthropological aspect?

The problem my presentation will be concerned with today is: what can the technique that guides our dialogue with the subject and the notions that our experience has defined in psychology contribute to this research? My presentation is less concerned with stating the contribution of psychoanalysis to the study of delinquency – discussed in the other presentations – than with posing the legitimate limits of our contribution. My purpose is certainly not to propagate the letter of our doctrines without concern for method, but to rethink our doctrine, as we are advised to do constantly, in relation to a new object.

II. ON THE SOCIOLOGICAL REALITY OF CRIME AND OF THE LAW AND ON THE RELATION OF PSYCHOANALYSIS TO THEIR DIALECTICAL FOUNDATION.

Neither crime nor criminals are objects that can be conceived outside of their sociological reference. The saying, "It's the law that makes the sin,ⁱⁱⁱ" remains true outside the eschatological perspective of Grace where Saint Paul formulated it. This saying is scientifically verified by the observation that there is no society that does not include a positive law, whether traditional or written, one of custom or of right. There is also no society in which every degree of transgression that defines crime does not appear in the group. The supposed "unconscious", "forced," "intuitive" obedience by the "primitive" to the rules of the group is an ethnological conception: it is the product of an imaginary insistence that has left its mark on many other conceptions of "origins," and it is just as mythic as they are.

Every society, after all, displays crime's relation to the law by punishments whose realization, whatever form it takes, requires a subjective assent. It does not matter whether criminals actually make themselves the executor of the punishment that the law determines as the price of their crime, as in the case of the incest committed on the Trobriand Islands between matrilineal cousins (whose outcome Malinowski recounts in his essential book (*Crime and Custom in Savage Societies*)). The psychological motives that constitute the reason for the suicide are inconsequential, as are the vindictive oscillations that the curses of one who has committed suicide can engender in the

¹ IPCS: Journal for the Psychoanalysis of Culture & Society, Volume 1, Number 2, Fall 1996

14 A Theoretical Introduction to the Functions of Psychoanalysis in Criminology – Jacques Lacan group. Nor does it matter whether the sanction provided by a penal includes a procedure requiring quite differentiated social apparatuses. Whatever the case, subjective assent is necessary for the meaning of the punishment itself.

The beliefs through which this punishment is motivated in the individual, as well as the institutions through which it is carried out in the group, are what permit any given society to define what in our own society we call responsibility. However, the responsible entity is by no means always equivalent. Let us say that however primitively, it is society as a whole (always closed in principle, as ethnologists have emphasized) that is considered to have been thrown by the action of one of its members into a disequilibrium that must be set right. This member is so little responsible as an individual that the law often requires satisfaction at the expense either of one of the individual's supporters or of the collectivity of an in-group that includes the individual. It even happens that a society considers itself to be so tainted in its structure that it resorts to the procedure of excluding evil in the form of a scapegoat, or even of regeneration through an external resource. The responsibility is a collective or mystical one, which our own mores contain traces of, if indeed this responsibility does not attempt to return to the light of day in inverted forms.

But even in cases where the punishment is limited to the individual perpetrators of crimes, it is not in the same function – or, if one prefers, in the same image of themselves – that they are held responsible. This is evident when we consider the difference between being called to account for one's acts before a judge of the Holy Office versus being called to account before a judge of the People's Court. It is here that psychoanalysis, through the agencies that it distinguishes in the modern individual, can clarify the vacillations in the notion of responsibility in our time and the correlative advent of an objectification of crime that the notion may be contributing to.

It may well be that since its experience is limited to the individual, psychoanalysis cannot claim to grasp the totality of any sociological object, or even the entirety of causes currently operating in our society. Even so, in its treatment of the individual, psychoanalysis has discovered relational tensions that spear to play a fundamental role in all societies, as if the discontent in civilization went so far as to reveal the very joint of culture to nature. If one makes the appropriate transformation, one can extend the formulas of psychoanalysis concerning this joint to certain human sciences that can utilize them – especially, as we will see, to criminology.

Let me add that if recourse to the subject's confession, which is one of the keys to criminological truth, and reintegration into the social community, which is one of the goals of its application, appear to find a privileged form in the analytic dialogue, it is above all because, capable of being pushed to the most radical meanings, this dialogue unites with the universal that is included in language and which, far from being eliminable from anthropology, constitutes its foundation and its end. For psychoanalysis is only a technical extension that exploits in the individual the import of the dialectic that marks the productions of our society and from which the Pauline saying receives its absolute truth.

To those who would ask where my remarks are heading, I will respond, at the risk, readily accepted, of sidestepping their clinician's conceit and their obstructionist hypocrisy, by referring then to one of the dialogues that recount the deeds of the heroes of dialectics notably to *Gorgias*, whose subtitle, which invokes rhetoric and is well designed to amuse the uncultured contemporary, contains a veritable treatise on the movement from the Just to the Unjust.

Here, Socrates confutes the infatuation of the Master embodied in this free man of that ancient City whose limit is marked by the reality of the slave – a form that constitutes a transition to the free man of Wisdom in avowing the absolute of Justice, set up in it solely by virtue of language under the maieutic of the Interlocutor. Thus Socrates comes to make him bow before the eternal myths that express the meaning of punishment, of making amends for the individual and of making an example for the group. Socrates achieves this result by making his interlocutor apperceive the dialectic (bottomless as the tomb of the Danaïdes) of the passions of power and recognize the law of his own political being in the injustice of the City. Nonetheless, he himself, in the name of the same universal, accepts his own destiny and submits in

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advance to the insane verdict of the City that makes him a man.

It is not at all pointless, in fact, to recall this historical moment at which a tradition was born that has conditioned the appearance of all our sciences and in which the thought of the initiator of psychoanalysis is affirmed when he declares with moving confidence: “The voice of the intellect is low, but it by no means stops just because it is not heard.” Here, we believe that we hear a muffled echo of Socrates addressing himself to Callicles: “Philosophy always says the same thing.”^{iv}

III. ON CRIME EXPRESSING THE SYMBOLISM OF THE SUPEREGO AS A PSYCHOPATHOLOGICAL AGENCY: IF PSYCHOANALYSIS DE-ESSENTIALIZES CRIME, IT DOES NOT DEHUMANIZE THE CRIMINAL

We are thus not even able to grasp the concrete reality of crime without referring it to a symbolism whose positive forms are coordinated in society but which is inscribed in the radical structures that language unconsciously transmits. This symbolism is also the primary symbolism, and psychoanalytic experience has demonstrated, through pathogenic effects, the extent (formerly unknown) to which this symbolism reverberates in individuals, in their physiology as well as in their conduct.

Thus it is by starting from one of these relational meanings – which the psychology of “mental synthesis” in its reconstruction of individual functions, repressed to the greatest degree – that Freud inaugurated the psychology that has strangely been called depth psychology, no doubt because of the completely superficial value of what it replaced. Psychoanalysts boldly designated these effects whose meaning it uncovered, by the feeling that corresponds to them in experience: namely, guilt. Nothing can better show the importance of the Freudian revolution than the use, technical or vulgar, implicit or rigorous, avowed or surreptitious, that since Freud has been made, its psychology, of this truly omnipresent category, misrecognized as it has been – nothing if not the strange efforts of certain people to reduce guilt to “genetic” or “objective” forms, bearing the guarantee of a “behaviourist” experimentalism that would have dried up long ago if it had deprived itself of reading in human actions the meanings that specify them as human.

Moreover, the primal situation is precisely that of crime in its two most abhorrent forms. Incest and Parricide, whose shadow engenders all of the pathology of the Oedipus complex. This primal situation, not as an abstract confrontation designating a relation, but as a dramatic crisis that is resolved into a structure, was conceptualized by the Freudian initiative for psychology, where it has encountered over the course of time the most prodigious fortune. We can see how Freud the medical doctor, having received in psychology such a contribution from the social, was tempted to return the favour, and how with *Totem and Taboo* in 1912 he wanted to demonstrate the origin of universal Law in the primordial crime. Whatever criticism the method in this work might be subject to the important thing was the recognition that humankind began with the Law and with Crime, after Freud the clinician had shown that their meanings hold sway even in the form of the individual – not only in its value for the other but in its construction for the individual him or herself.

This is how the concept of the superego came into being, based initially on the effects of unconscious censorship explaining previously identified psychopathological structures, then clarifying the anomalies of everyday life, and finally being correlated with the simultaneous discovery of an immense morbidity and of its psychogenetic roots: character neurosis, mechanisms of failure, sexual impotence, “*der gehemante Mensch*”². A modern human figure was thus revealed, which contrasted strangely with the prophecies of late nineteenth-century thinkers, a figure that mocks both the illusions nourished by the libertarians and the uneasiness inspired in the moralists by the emancipation from religious beliefs, and the weakening of traditional ties. To the lust gleaming in the eye of the old Karamazov, when he questions his son – “God is dead, thus all is permitted” – this “modern man,” who dreams of the nihilistic suicide of Dostoyevsky’s hero or who attempts to blow into the Nietzschean windbag, replies through all of his ills and all of his deeds: “God is dead: now nothing is permitted.”

² Transcriber’s note : the stranger

The signification of self-punishment covers all of these ills and deeds. Will it therefore be necessary to extend this signification to all criminals? After all, according to the formula in which the icy humour of the legislator is expressed, since no one is supposed to be ignorant of the Law, everyone can anticipate its action and must therefore be assumed to seek its blows. This ironic remark, by forcing us to define what psychoanalysis recognizes as crimes or misdemeanours emanating from the superego, must permit us to formulate a critique of the value of this notion in anthropology.

Let's go back to the remarkable original observations by which Alexander and Staub^v introduced psychoanalysis into criminology. The tenor of their observations is convincing, whether it concerns "the attempted homicide of a neurotic:" or the unusual thefts of a medical student (who did not cease until he was imprisoned by the Berlin police and who, rather than acquire the diploma to which his real knowledge and gifts gave him the right, preferred to exercise his talents in contravention of the law), or even "the one hooked on joyriding." Re-read once more the analysis by Madame Marie Bonaparte of the case of Madame Lefevre.^{vi} Here the morbid structure of the crime or misdemeanours is obvious. The forced way in which the crimes are carried out, the stereotypical manner in which they repeat themselves, the provocative style of the defence or of the confession, the incomprehensibility of the motives – all of this confirms "constraint by a force that the subject was unable to resist." And the judges in all of these cases came to the same conclusion.

These behaviours become perfectly clear, however, in light of an Oedipal interpretation. But what characterizes them as morbid is their symbolic character. The psychopathological structure is not at all in the criminal situation that they express, but in the unreal mode of that expression.

To explain ourselves completely, let's contrast these behaviours with a deed that, as a constant element in the records of armies, derives its entire significance from the manner, at once very extensive and excluding asocial elements, in which we have for more than a century recruited defenders of our fatherland, and even of our social order. I am referring to the taste that manifests itself in the collective thus formed, in the day of glory that places them in contact with their civil adversaries, for the activity of raping one or several women in the presence of a male, preferably old and above all reduced to impotence. There is nothing to indicate that the individuals who engage in this action differ – either before or afterward, as a son, a husband, a father, or a citizen – from the normal morality. This is a simple fact that could easily be described as diverse – because of the diversity of the credibility it is accorded depending on its source – and even, properly speaking, as diverting, because of the material that this diversity offers to propaganda. We say that this is a real crime, even though it is realized precisely in an Oedipal form, and the perpetrator would be justly punished for it if the heroic conditions under which it is held to have been carried out did not most often make the group to which the individual belongs assume responsibility for it.

Let us then rediscover the clear formulas that Mauss's death^{vii} has brought once more to our attention: the structures of society are symbolic: individuals, insofar as they are normal, use them for real behaviours, and insofar as they are psychopathic, express them through symbolic behaviours.

But it is evident that the symbolism thus expressed can only be partial: at the most, one can affirm that this symbolism signals the point of rupture that the individual occupies in the network of social aggregates. The psychopathic manifestation can reveal the structure of the fault, but this structure can only be taken for one element in the exploration of the whole.

This is why we must, with the utmost rigour, distinguish from psychoanalytic theory the constant fallacious attempts to base on analytic theory notions such as those of a model personality, a national character, or a collective superego. One can certainly see the attraction that a theory that renders human reality so transparent in such a palpable way exercises on the pioneers of fields of more uncertain objectification: haven't we heard an ecclesiastic full of good will boast of his plan to apply the data of psychoanalysis to the Christian symbolic? To cut short these recent extrapolations, all that is necessary is to refer the theory once again to experience.

It is in the way that symbolism, long ago

17 A Theoretical Introduction to the Functions of Psychoanalysis in Criminology – Jacques Lacan recognized in the primary order of delinquency that psychoanalysis had isolated as psychopathological, must permit us to elaborate, in extension as well as in comprehension, the social meaning of the Oedipal complex, as well as to critique the value of the notion of the superego for the human sciences as a whole. Most, if not all, of the psychopathological effects in which the tensions deriving from the Oedipal complex are revealed – as well as the historical coordinates that imposed these effects on the investigative genius of Freud – lead us to believe that they express a dehiscence of the familial group at the heart of society. This conclusion is justified by the narrower and narrower reduction of the familial group to its conjugal form, and by the consequence that follows of the more and more exclusive formative role that is reserved for the conjugal group in the primary identifications of the child as well as in the learning of the first disciplines. This conclusion also explains the increase of the captating power of the familial group over the individual precisely in proportion to the decline of the family's social power.

But in order to solidify our understanding, let's recall the fact that in a matrilinear society such as that of the Zuni or the Hopi, care of the infant from the moment of its birth in a double system of parental relations that will be enriched at each stage of its life in a growing complexity of hierarchical relationships. We have thus gone beyond the problem of comparing the advantages that a supposed matriarchal organization of the family might have over the classical triangle of the Oedipal structure for the formation of a superego that is tolerable for the individual. Experience has henceforth made it obvious that this triangle is only the reduction to the natural group, produced by an historical evolution, of a formation in which the authority reserved for the father, the only remaining trait of its original structure, shows itself in effect to be more and more unstable, even broken, and the psychopathological incidences of that situation must be related as much to the thinness of group relations of which this authority assures the individual as to the greater and greater ambivalence of this authority's structure.

This conception is confirmed by the notion of latent delinquency to which Aichhorn^{viii} was led in applying the analytic experience to the youth he had charge of as the result of a special jurisdiction. We know that Kate Friedlander^{ix} developed a genetic conception of it under the rubric of the "neurotic character," and also that the most informed critics from Aichhorn himself to Glover^x, appeared astonished by the powerlessness of the theory to distinguish the structure of this character as criminogenic from that of neurosis, where the tensions remain latent in symptoms.

The observations we are pursuing here allow us to recognize that the "neurotic character" is the reflection, in individual behaviour, of the isolation of the familial group of which these cases always demonstrate the asocial position, while neurosis expresses instead the family's structural anomalies. Also, what requires explication is less the passing into action of the unlawful act in a subject enclosed in what Daniel Lagache quite correctly characterized as imaginary behaviour, than the processes through which neurotics partially adapt themselves to the real: these are, we know, the auto-plastic mutilations that can be recognized at the origin of symptoms.

The sociological reference of the "neurotic character" agrees for the rest with the genesis that Kate Friedlander gives it, if it is correct to summarize this genesis as the repetition, throughout the biography of the subject, of drive frustrations that would be as though arrested in a short circuit on the Oedipal situation, without ever again being engaged in an elaboration of structure.

Psychoanalysis, in its understanding of crimes caused by the superego, thus has the effect of de-essentializing them – in which it agrees with a dim recognition that has for a long time imposed itself on the best of those charged with assuring the application of the law.

The vacillations that are recorded throughout the nineteenth century in the social conscience on the issue of the right to punish are characteristic as well. Penologists of the time were self-assured and even implacable as soon as they found a utilitarian motivation, to the extent that English practice at that time held misdemeanours – even if the only involved

18 A Theoretical Introduction to the Functions of Psychoanalysis in Criminology – Jacques Lacan scrounging – that resulted in a homicide to be equivalent to the premeditation characteristic of assassination (cf. Alimena. *La premeditazione*^{xi}) The thought of penologists hesitates, however when confronted with a crime where instincts appear whose nature escapes the utilitarian register in which Bentham^{xii} developed his thinking.

A first response is given by the Lombrosian^{xiii} conception in the early days of criminology, which holds these instincts to be atavistic^{xiv} and makes of the criminal a survivor of an archaic form of the species, biologically distinguishable. One can say of this response that it reveals above all a much more real philosophical regression in its authors and that its success can be explained only by the satisfactions that the euphoria of the dominant class can require, as much for its intellectual comfort as for its bad conscience.

The calamities of the first World War marked the end of these suppositions, and the Lombrosian theory has been rendered defunct. The simplest respect of the conditions proper to every human science – conditions that I have found it necessary to recall in my introduction^{xv} – has imposed itself even on the study of the criminal. Healy's *The Individual Offender*^{xvi} constitutes an important step in the return to principles by stating that such study must first of all be monographs. The concrete results brought by psychoanalysis constitute another step, just as decisive psychoanalysis constitute another step, just as decisive by the doctrinal confirmation that they bring to the principle as by the abundance of the facts placed in evidence.

At the same time, psychoanalysis resolves a dilemma of criminological theory: in de-essentializing crime, it does not dehumanize the criminal. Moreover, through the resource of the transference, psychoanalysis gives an opening into the imaginary world of the criminal that can be for him or her the door open onto the real. Let us observe here the spontaneous manifestation of this resource in the behaviour of the criminal, and the transference that tends to be introduced onto the person of the criminal's judge, demonstrations of which would be easy to collect. Let us cite solely for the beauty of the deed the confidences of one Frank to the psychiatrist Gilbert^{xvii} who was charged with the favourable presentation of the accused at the Nuremberg Trials. This mocking Machiavelli^{xviii}, neurotic to the point that the insane order of fascism entrusted to him its great works, felt remorse move his soul only by the look of dignity embodied in the figure of his judges, especially that of the English judge – “so elegant,” he said.

The results obtained with “major” criminals by Melitta Schimberg^{xix}, while their publication runs into the obstacle that is encountered by all our treatments, would deserve to be followed in their catamnesis^{xx}.

Be that as it may, the cases that clearly derive from the Oedipus complex should be entrusted to the analyst without any of the limitations that can hinder his or her action. How can we not prove it completely when penology is so poorly justified that the popular conscience repels at applying it even in the real crimes, as is seen in the celebrated case in America that Grotjahn reports in his article in *Searchlights on delinquency*^{xxi}, the jury to the delight of the public, acquits the accused, even though all the charges appeared to overwhelm the jury with proof of the murder of one of their parents, disguised as an accident at sea.

Let's finish these considerations in completing the theoretical consequences that result in the utilization of the notion of the superego. The superego, let's say, must be taken as an individual manifestation, linked to the social conditions of the Oedipal situation. It is thus that the *criminal intentions* included in the familial situation become pathogenic only in societies where the family situation disintegrates. In this sense the superego reveals the tension, just as illness sometimes clarifies a function in physiology.

But our experience of the effects of the superego, as well as the direct observation of children in light of this experience, reveals to us its appearance at a stage so early that it appears contemporary and even anterior to the appearance of the ego. Melanie Klein affirms the categories of Good and of evil at the preverbal stage of behaviour, posing the problem of the retroactive implication of meaning at a stage prior to the appearance of language. We know how her method – playing in spite of all objection with the tensions of the Oedipal complex in an extremely early interpretation of the intentions of a small child – cut this knot by action, and not without provoking passionate debates

It remains that the imaginary persistence of good and bad primordial objects in avoidance behaviours that can put adults in conflict with the responsibilities contributes to the conception of the superego as a psychological agency that has a generic signification in humans. This notion nonetheless has nothing idealist about it : it is inscribed in the reality of the physiological misery that is characteristic of the first months of human life, on which I have insisted, and it expresses the dependence, quite generic of humans in relation to the human milieu. That this dependence might appear significant in individuals at an incredibly early stage of their development is not a fact before which the psychoanalyst should recoil.

Our experience of psychopaths has thus carried us to the joint of nature and culture, and we have discovered there this obscure agency, blind and tyrannical. This agency seems to be the antinomy, at the biological pole of the individual, of the ideal of pure Duty that Kantian thought posits as suspended from the incorruptible order of the starry heavens^{xxiii}. It is always ready to emerge from the disarray of social categories to recreate, according to the nice expression of Hesnard, the morbid Universe of error^{xxiv}. But this agency is graspable only in the psychopathic state – that is, in the individual.

Thus no form of the superego can be inferred from the individual to a given society. And the only collective superego that one can conceive of would acquire a total dissection of a given society at the molecular level. It is true that the enthusiasm in which we have seen an entire youth sacrifice itself for ideals of nothingness makes us discern its possible realization at the horizon of mass social phenomena that would then presume the universal hierarchy.

IV. ON CRIME IN ITS RELATIONS WITH THE REALITY OF THE CRIMINAL : IF PSYCHOANALYSIS PROVIDES THE STANDARD FOR THIS REALITY. THIS REALITY INDICATES THE FUNDAMENTAL SOCIAL PROVINCE OF PSYCHOANALYSIS

Responsibility – that is, punishment – is an essential characteristic of the idea of the Human that prevails in a given society. A civilization whose ideals are even more utilitarian, engaged as it is in the accelerated movement of production, can no longer know anything of the expiatory meaning of punishment. If this meaning retains its exemplary impact, it is in tending to reduce that impact for its correctional purpose. Besides, this purpose is imperceptibly changing its object. The ideals of humanism are dissolved into the utilitarianism of the group. And since the group that makes the law is, because of social reasons, not at all reassured of the justice of the foundation of its power, it gives itself over to a humanitarianism in which are expressed both the revolt of the exploited and the bad conscience of the exploiters, for whom the notion of punishment has become equally intolerable. The ideological antinomy reflects here as elsewhere the social malaise. It is now seeking its resolution in a scientific posing of the problem – that is, as a psychiatric analysis of the criminal to which must be related, in the final analysis, all the measures for preventing crime and guarding against its repetition, which can be designated as a sanitary conception of penology.

This conception presumes that the relations of law to violence and the power of a universal police are resolved. We saw this conception, in fact, holding sway at Nuremberg, and although the sanitary effect of this trial remains doubtful regarding the suppression of the social evils that it presumed to repress, the psychiatrist should not have missed it for reasons of “humanity”, which we can see, derives more from respect of the human object than from the notion of neighbour.

To the evolution of the meaning of punishment corresponds, in fact, a parallel evolution of the proof of the crime. Beginning, in religious societies by the ordeal or the test of the oath, where the guilty ones are identified by means of belief or utter their fate to the judgment of God, the proof, to the extent that the juridical personality of the individuals is specified, requires more and more of their engagement in the confession. This is why the entire humanist evolution of Law in Europe – which begins in the rediscovery of Roman Law in the School of Bologna and extends to the entire captation^{xxv} of justice by the royal jurist and the universalization of the notion of the Law of the people – is strictly correlative, in time and in space, with the spread of the torture that was also inaugurated at Bologna as a means of proving the crime. This is a

20 A Theoretical Introduction to the Functions of Psychoanalysis in Criminology – Jacques Lacan [matter]^{xxvi} of whose significance we apparently still have not grasped. This is because the contempt for conscience that is manifested in the general reappearance of this practice as a method of oppression hides from us the faith in humans that the practice presumes as a method of applying justice.

It is at the precise moment that our society promulgated the Rights of Man^{xxvii}, ideologically founded in the abstraction of his natural being, that the judicial use of torture was abandoned, it is not because of a softening of manners, which would be difficult to maintain given the historical perspective we have of the reality of the nineteenth century. Rather, it is because this new man, abstracted from his social stability, is no longer believable in either sense of this term. That is, since he is no longer at fault, one cannot give credence to his existence as a criminal, or to his confession either. It is thus necessary to know his motives along with the causes of the crime, and these motives and these causes must be comprehensible, and comprehensible for everyone. This implies – as Tarde, one of the best minds among those who tried to rethink “penal philosophy”^{xxviii} in its crisis, formulated it with a sociological correctness worthy of correcting his unjust oblivion – two conditions in order for the object to be fully responsible: social similitude and personal identity. Hence the door of the court is open to psychologists, and the fact that they only rarely appear there in person simply proves the social deficiency of their function.

From this moment, the “situation of the accused,” to employ the expression of Roger Grenier^{xxix}, can no longer be described as anything but the meeting of irreconcilable truths as is apparent from listening to the most insignificant of trials in Assize Court in which an expert is called to testify. There is a striking incommensurability between the sentimental references with which the prosecutor and the defence attorney confront each other (because these point of reference are those of the jury) and the objective notions that the expert brings, but that, since he is a poor dialectician, he never succeeds in making understood, since he is unable to force these notions to produce a conclusion of irresponsibility.

And one can see this discordance in the minds of the experts themselves, when they turn against their function in a resentment that manifests itself in scorn of their duty. We encounter cases of experts in the service of the Court refusing every examination except a physical one for an indicted person who is, moreover, clearly mentally healthy. Such experts take refuge behind the Code so that they will not have to reach a conclusion regarding the nature of the act imputed to the subject by the police investigation. A psychiatric expertise would explicitly inform them that a simple examination from this point of view would demonstrate with certainty that the act in question was pure appearance and that, as a deed of obsessional repetition, it could not constitute, in the enclosed but observed place where it was produced, an offense of exhibition.

The experts, however, are given an almost discretionary power in the severity of the sentence, however little use they make of the extension added by law to their employment in Article 64 of the Code^{xxx}. But solely by means of that article, even if they cannot respond with the compelling character of the force that led to the act of the subject, at least they can seek to discover who underwent that compulsion. But only psychoanalysts can respond to such a question, to the extent that only they have a dialectical experience of the subject.

Let us observe that one of the primary elements from which this experience has taught the psychoanalyst to understand psychic autonomy – that is, what psychoanalytic theory has progressively elaborated as representing the agency of the ego – is also that which subjects in the analytic dialogue admit as part of themselves, or more precisely that which, concerning both their actions and their intentions, they admit to. And Freud recognized the form of such an admission that is most characteristic of the function that it represents: that is, *Verneinung*, negation.

We could describe here an entire semiology of cultural forms through which subjectivity is communicated. We could begin with the mental restriction characteristic of Christian humanism, of which the Jesuits, those admirable moralists, have been so often reproached for having codified the usage. We could continue our account with the Ketman^{xxxi}, a sort of exercise for protecting against truth, which Gobineau, in his quite penetrating revelations on the social life

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Of the Middle East, indicates is widespread. And from there we could pass to the Yang, a ceremony of rejection that Chinese politeness presents as levels of recognition of the other. From these accounts we would see that the most characteristic form of expression of the subject in western society is the protestation of innocence. We could thus posit that sincerity is the first obstacle encountered by the dialectic in the search for true intentions, the primary function of speech apparently to disguise them.

But this is only the efflorescence of a structure that is found throughout all the stages of the genesis of the ego, and it shows that the dialectic provides the unconscious law of the formations, even the most archaic, of the mechanism of adaptation, thus confirming the gnosology of Hegel, who formulated the generative law of reality in the process of thesis, antithesis, and synthesis. And it is certainly striking to see Marxists trying to discover imperceptible traces of this process in the essentially idealist notions that constitute mathematics and misrecognizing the process precisely where it must appear in its truest form: namely, in the only psychology that clearly deals with the concrete, however little its theory acknowledges being guided by that form.

It is even more significant to recognize the dialectic in the succession of crises – weaning, intrusion, Oedipus, puberty, adolescence – each of which produces a new synthesis in the mechanisms of the ego in a form that is always more alienating for the drives that are frustrated in the synthesis, and always less ideal for those that are normalized in this process. This alienating form is produced by what is perhaps the most fundamental psychic phenomenon that psychoanalysis has discovered: identification, whose formative power is confirmed even in biology. And each of the periods of so-called drive latency (the corresponding series of which is completed by the one that Franz Wittels^{xxxii} discovered for the adolescent ego) is characterized by the domination of a typical structure of the objects of desire.

As I have pointed out elsewhere, the identification of the preverbal subject with the specular image is the most significant model, and also the most original moment, of the fundamentally alienating relation in which the being of humans constitutes itself dialectically, I have also demonstrated that each of these identifications develops an aggressivity^{xxxiii} that cannot be adequately explained by drive frustration – unless in the commonsense understanding, dear to Mr Alexander^{xxxiv}. Rather, this aggressivity expresses the discordance that is produced in the alienating realization. The essence of this alienating realization can be exemplified by the exaggerated form that is given to it by experiments in which animals are given an ambiguous signal that embodies two signals (such as the ellipse and the circle) to which the animals have been conditioned to respond in opposite ways.

This tension manifests the dialectical negativity^{xxxv} inscribed on the very forms in which, in humans, the forces of life are engaged, and we can say that the genius of Freud showed its magnitude in recognizing this tension as an “ego drive” under the name of the death instinct^{xxxvi}. Every form of the ego, in fact, embodies this negativity, and we can say that if Clotho, Lachesis, and Atropos share the control of our fate^{xxxvii}, it is in concert that they twist the thread of our identity. An aggressive tension integrates the drive that is frustrated each time the “other’s” inadequacy aborts the resolving identification. And this aggressive tension produces a type of object that becomes criminogenic in the suspension of the dialectic of the ego.

I have attempted to show the structural function of this object, and its correlation with delirium, in two extreme forms of paranoiac homicide, the case of Aimée^{xxxviii} and that of the Papin sisters^{xxxix}. The latter case provides proof that only the analyst can demonstrate, contrary to common opinion, the criminal’s alienation from reality in a case where the crime seems to respond to its social context.

These are also the structures of the object that Anna Freud, Kate Friedlander, and Bowlby^{xl} ascertain, as analysts, in acts of theft in juvenile delinquents, according to whether these acts manifest the symbolism of a fecal gift or that of an Oedipal demand, the frustration of the nourishing presence or that of phallic masturbation. What these analysts call the educative part of their intervention into this behaviour is guided by the notion that this structure corresponds to a type of reality that determines the actions of the subject. Such education is actually a living dialectic, according to which the educators, through their non-action,

22 A Theoretical Introduction to the Functions of Psychoanalysis in Criminology – Jacques Lacan return the aggressions proper to the ego to become attached for the through being alienated in their relations to the other, in order that the educators might then detach these aggressions through the manoeuvres of classical analysis.

Of course, the ingenuity and the patience that we admire in the initiatives of a pioneer such as Aichhorn^{xli} do not make us forget that the form of these manoeuvres must always be revised in order to overcome the resistances that the “aggressive group” cannot help but deploy against every recognized technique.

Such a conception of the action of “reform” is opposed to all that can be inspired by a psychology that labels itself genetic. Such a psychology does nothing with children but measure their degressive aptitudes in response to questions that are posed to them in the purely abstract register of adult mental categories. This procedure suffices to reverse the simple apprehension of a primordial fact: that children, from their first manifestations of language, make use of syntax and particles with nuances that the postulates of mental “genesis” should allow them to attain only at the height of their careers as metaphysicians. And since genetic psychology presumes in this idiotic manner to attain the reality of the child, let us say that the pedants are the ones who should indeed be warned that they will have to return from their error when the words, “Long live death” proffered by lips that know not what they say, will make the pedants understand that the dialectic ardently circulates with the blood in the flesh.

This conception specifies once again the sort of expertise that analysts can give concerning the reality of crime in basing themselves on the study of what we can call the ego’s techniques of negativism, whether such techniques are occasionally undergone by the criminal or directed by the criminal as a matter of habit. These techniques of negativism include the fundamental emptying of spatial and temporal perspectives that is necessitated by the intimidating prevision on which the so-called hedonistic theory of penology naively relies the progressive subduction of interests in the field of object temptation: the narrowing of the field of consciousness in correlation with a somnambulistic apprehension of the immediate in the commission of an act: and the structural coordination of the act with fantasies in which the author is absent – an imaginary annulment or creation, on which are inserted according to an unconscious spontaneity the denials, excuses and dissemblances by which the alienated reality that characterizes the subject is sustained.

I want to say here that this entire chain ordinarily has nothing of the arbitrary organization of a deliberate behaviour and that the structural anomalies that analysts can expose there will be for them so many landmarks on the road to the truth. Thus the analyst will interpret more deeply the meaning of the often paradoxical traces by which the author of the crime identifies himself and which signify less the errors of an imperfect execution than the failure of an all too real “psychopathology of everyday life.”

The anal identifications, which analysis has discovered at the origins of the ego, make sense out of what the forensic physician designates in police jargon by the name of “calling card.” The often flagrant “signature” left by the criminal can indicate at what moment of the identification of the ego the repression is produced by which one can say that the subjects cannot be responsible for their crimes in their negation. Everything right down to the phenomenon of the mirror, as in a case recently published by Mademoiselle Boutonier^{xlii}, shows us the means of an awakening of the criminal to consciousness of that which condemns him.

To overcome these repressions, should we resort to one of those methods of narcosis so curiously promoted at present by the alarms that they provoke from the virtuous defenders of the inviolability of consciousness? Anyone less than the psychoanalyst will lose his or her way on that path, first, because, contrary to the muddled mythology in the name of which the ignorant ones expect narcosis to “lift the censorship,” the psychoanalyst knows the precise meaning of the repressions that define the limits of the synthesis of the ego.

The analyst knows already that for the repressed unconsciousness, when the analysis restores it into consciousness, it is less the content of its revelation than the motive force of its reconquering that constitutes the efficacy of the treatment. This is a fortiori the case

23 A Theoretical Introduction to the Functions of Psychoanalysis in Criminology – Jacques Lacan for the unconscious determinations that support the very affirmation of the ego. The analyst also knows that the reality, whether it is a question of the motivation of the subject or (as is sometimes the case) of the subject's action itself, can appear only through the progression of a dialogue that the narcotic twilight can only render inconsistent. Here no more than elsewhere, the truth is not a given that one might grasp in an inert state, but a dialectical in motion.

Let us not search at all, then, for the reality of the crime any more than that of the criminal by means of narcosis. The vaticinations^{xliii} that narcosis provokes, baffling for the investigator, are dangerous for the subjects, who, however little they participate in a psychotic structure, can find there the "fertile moment" for a delirium. Narcosis, like torture, has its limits: it cannot make the subjects confess something that they don't know.

Thus in Zacchias's *Questions medico-légales*^{xliv}, which inform us that from the seventeenth century on these questions were posed concerning the notion of the unity of the personality and the possible ruptures that illness can bring, psychoanalysis brings the investigative procedure that, once again, covers a field of liaison between nature and culture: namely, that of personal synthesis, in its double relation of formal identification, which connect with the gaps of neurological dissociations (from epileptic fits to organic amnesias), and of alienating assimilation, which connects with the tensions of group relations.

Here the psychoanalyst can indicate to the sociologist the criminogenic functions proper to a society that on the one hand requires an extremely complex vertical integration of the social collaboration that is necessary to its production, and on the other hand proposes to the subjects that this society employs for that purpose individual ideals that tend to be reducible to a plan of assimilation that is more and more horizontal. That formula designates a procedure whose dialectical aspect can be summarized by observing that, in a civilization where the individualist ideal has been raised to a previously unknown level of affirmation, individuals find themselves tending toward that state where they will think, feel, act, and love exactly the same things at the same times in strictly equivalent portion of space.

The fundamental notion of an aggressivity correlative to every alienating identification allows us to recognize that there must be in the phenomena of social assimilation, based on a certain quantitative scale, a limit, where the standardized aggressive tensions must be precipitated into points where the mass breaks apart and becomes polarized.

We know for the rest that these phenomena have already, under the sole point of view of output, attracted the attention of the exploiters of labour who are not paid with words, and has justified the cost at Hawthorne Western Electric^{xlv} of a study of group relations in their efforts on the most desirable psychic dispositions in employees.

There is a complete separation, for example, between the vital group constituted by the subject and his or her people, and the functional group, where the means of subsistence of the first group must be found – a fact that is sufficiently illustrated in saying that it makes Monsieur Verdoux^{xlvi} realistic. There is an anarchy of image of desire that is all the greater insofar as these images seem to gravitate more and more around scopophilic satisfactions, homogenized in the social mass. And the fundamental passions of power, of possession, and of prestige are becoming more and more prominent in the social ideals. These phenomena are so many objects of study for which analytic theory can offer to statisticians correct coordinates for introducing their measures there.

Thus even politics and philosophy find benefits here. The insertion of the psychological type of the criminal among those of the sports hero, the philanthropist, or the scout – even the reduction of the criminal type to the general type of the mental labourer – connotes, in a certain democratic society whose manners extend their domination over the world, the appearance of a criminality stuffing the social body, to the point of taking on legalized forms there. The social signification of crime is thus reduced to its usefulness for publicity. In these structures, a social assimilation of the individual pushed to the extreme shows its correlation with an aggressive tension whose relative impunity in the state is quite palpable to a subject from a different culture (as it was, for example, to the young Sun Yat Sen^{xlvii}).

These structures manifest themselves in inverted from when, according to a formal process already

24 A Theoretical Introduction to the Functions of Psychoanalysis in Criminology – Jacques Lacan described by Plato, tyranny succeeds democracy^{xlviii} and performs upon individuals, who are reduced to ordinal numisers, the cardinal act of addition, immediately indexed by the three other fundamental operations of arithmetic.

It is thus that in totalitarian societies, if the “objective guilt” of the leaders makes them be treated as criminal and responsible, the relative effacement of these notions, which the sanitary conception of penology indicates, bears its fruits for all the others in the society. Thus arises the concentration camp, which is nourished less by the intention of the outlawed group to rebel than by a certain quantitative relation between the social group and the outlawed group.

This relation could without a doubt be calculated in terms of the mechanics developed by so-called group psychology, and it could allow us to determine the irrational constant that must correspond to the aggressivity characteristic of the fundamental alienation of the individual.

Thus in the very injustice of the city – which is always incomprehensible to the “intellectual” in thrall to the “law of the heart” – is revealed the procedure through which humans create themselves in their own image.

V. ON THE NON-EXISTENCE OF “CRIMINAL INSTINCTS”: PSYCHOANALYSIS STOPS AT THE OBJECTIFICATION OF THE ID AND INSISTS ON THE AUTONOMY OF AN IRREDUCIBLY SUBJECTIVE EXPERIENCE.

If psychoanalysis illuminates, as we have claimed, the psychological objectification of the crime and of the criminal, does it not also have something to say concerning innate factors? Let’s first observe the critique to which it is necessary to submit the muddled idea to which many honourable people are devoted, the idea that sees in crime an eruption of “instincts” overturning the “barrier of moral forces of intimidation. It is a difficult image to get rid of, because of the satisfaction it gives to serious minds by showing them the criminal under strong guard and the policemen, who as characteristic of our society here becomes reassuring omnipresence.

But if instinct indeed signifies the incontestable animality of humans, it can’t at all be seen why this animality would be less docile as a result of being embodied in a reasonable being. The form of the adage *homo homini lupus*^{xlix} deceives us about its meaning, and Balthazar Gracian¹, in a chapter of his *Criticicon*^{li}, constructs a fable in which he shows what the moralist tradition means when it says that the ferocity of humans confronted with another human exceeds everything that animals are capable of and that carnivores themselves recoil in horror at the menace with which humans confronts nature as a whole.

But that very cruelty implies humanity. It is another human that it is aimed at, even in a being of another species. An experience no more remote than that of psychoanalysis has sounded in the lived world, that equivalence of which we are warned by the moving appeal of Love – it is yourself that you strike – and by the icy deduction of Spirit: it is in the fight to the death for pure prestige that humans make themselves recognized by other humans.

If in another sense one uses “instincts” to mean atavistic behaviours whose violence was necessitated by the law of the primitive jungle, which some physiopathological softening would free, in the manner of morbid impulses, from the inferior level where they are contained, one can wonder why, since humans have been human, there have not also been revealed impulses to dig, to plant, to cook, and even to bury the dead.

Psychoanalysts certainly includes a theory of instincts greatly elaborated, which is in truth the first verifiable theory of instincts that has been provided concerning humans. But psychoanalysis shows us the instincts engaged in a metamorphism where the formula of their organ, of their aim, and of their object is a Jeannot’s knife^{lii} of infinitely exchangeable pieces. The *Triebe* or drives which are identified here constitute only a system of energetic equivalences where we ascribe the psychic exchanges, not insofar as they are subordinated to some entirely set behaviour, natural or acquired, but insofar as they symbolize, or even integrate dialectically, the functions of the organs where the natural exchanges appear – that is, the buccal^{liii}, anal, and genito-urinary orifices.

Henceforth these drives appear to us only in very complex combinations in which not even their warp-

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-ing can be pre-judged from their original intensity. To speak of an excess of libido is a meaningless formula. If it is indeed a notion that is derived from a great number of capable individuals – as much through their antecedents as through the “constitutional” impression that one derives from contact with them and from their look, which give the idea of “criminal tendencies” – it is actually that of a defect rather than of a vital excess. Their hypogenitality is often clear, and their climate radiates libidinal coldness. If numerous subjects in their misdemeanours, exhibitions, thefts, pilferings, anonymous calumnies, and even in crimes of murderous passion, are getting and seeking a sexual stimulation, this fact, whatever the mechanisms that cause it may be – anxiety, sadism, or associations with a particular situation – could not be taken for an effect of an overflowing of instincts. Assuredly the correlation is obvious from numerous perversions in the subjects who come to the criminological examination, but this correlation can only be evaluated psychoanalytically in function of object fixations, of developmental stagnation, of conflicts in the structure of the ego, and of neurotic repressions that constitute the individual case.

More concrete is the notion by which psychoanalytic experience completes the psychic topology of the individual, that of the id, which is much more difficult to grasp than the others. To make the id the sum of the innate dispositions is a purely abstract definition without practical value. A term that is a situational constant, fundamental in what psychoanalytic theory designates as repetition compulsions, appears to make sense here (the deduction being made from the effects of the repressed and of the identifications of the ego) and can be relevant to the facts of recidivism. The id doubtlessly also implies those fatal choices evident in marriage, profession, or friendship that often appear in crime as a revelation of the faces of destiny.

The “tendencies” of the subject, on the other hand, are not at all without showing slippages linked to the level of their satisfaction. One would like to pose the question of the effects that a certain index of criminal satisfaction can have there. But we are there perhaps at the limits of our dialectical action, and the truth that is given to us to recognize there with the subject is capable of being reduced to scientific objectification.

From the confession that we receive from the neurotic or the pervert of the ineffable jouissance that they find in losing themselves in the fascinating image, we can measure the power of a hedonism, which introduces us to the ambiguous relations between reality and pleasure. If in referring to these two great principles we describe the meaning of a normative development, how can we not be struck with the importance of the fantasmatic functions in the motifs of this progression, and how captive human life remains to narcissistic illusion, from which, we know, human life weaves its most “real” coordinates. And on the other hand, is not everything already weighed near the cradle in the incommensurable balances of discord and of Love?

Beyond these antinomies that lead us to the threshold of wisdom, there is no absolute crime, and there still exist, despite the police action extended by our civilization to the entire world, religious associations, linked by a practice of crime, whose initiates know how to recover the superhuman presences that in the equilibrium of the Universe watch over destruction.

For us in the limits that we have endeavoured to define as those where our social ideals reduce the comprehension of crime and which condition its criminological objectification, if we can bring a truth of a more exact rigour, let us not forget that we owe it to the privileged function, that of the recourse of subject to subject, which inscribes our duties in the order of the eternal brotherhood. Its rule is also the rule of every action that is permitted to us.

Translated by

Mark Bracher, Russell Grigg, Robert Samuels

NOTE

Presentation at the Thirteenth Conference of Francophone Psychoanalysts (29 May 1950), in collaboration with Michel Cénac. Originally published in Jacques Lacan, *Écrits* (Paris, Éditions du Seuil, 1966), p125-49. Thanks to Jacques-Alain Miller and Éditions du Seuil for permission to publish this translation.

This was transcribed by Julia Evans (www.LacanIsnWorks.net), from a feint copy, in December 2019. Notes were also added which follow.

ⁱ Probably translated from *Revue Française de Psychanalyse, janvier-mars 1951 tome XV, n° 1 pages 7 à 29*. See <http://www.lacanianworks.net/?p=1160> for further information.

ⁱⁱ Bruno de Florence (<http://www.deflorence.com>) notes '*mouvement de la vérité* (movement of truth) is an Hegelian concept, it corresponds to Hegel's thesis-antithesis-synthesis, with the synthesis becoming the thesis for a new triad. This is why the term *dialectic* is so present in this text (19 times). (December 2019)

ⁱⁱⁱ Probably Saint Paul's Letter to the Romans, Chapter 7, Verse 7, from the Bible
New King James Version

What shall we say then? Is the law sin? Certainly not! On the contrary, I would not have known sin except through the law. For I would not have known covetousness unless the law had said, "You shall not covet."

^{iv} In Xenophon's dialogue, the *Memorabilia*, Hippias, upon overhearing Socrates converse with a group of people in the streets of Athens, commented:

"Socrates, you are still repeating the same things I heard you say so long ago."

Not in the least bit fazed by Hippias' attempt to belittle him, Socrates responded:

"Yes, and what is more wonderful, I am not only still saying the same things, but am saying them on the same subjects."

^v *The Criminal, the Judge, and the Public: A Psychological Analysis*, By Hugo Staub, Franz Alexander, 1932 can be read at <https://www.questia.com/library/140163/the-criminal-the-judge-and-the-public-a-psychological> in translation

^{vi} Marie Bonaparte, "Le cas de Madame Lefebvre" (25th June 1927) *Revue française de la psychanalyse* (from the S.P.P.)

^{vii} Marcel Mauss was a French sociologist. The nephew of Émile Durkheim, Mauss' academic work traversed the boundaries between sociology and anthropology. Born: 10 May 1872, Épinal, France Died: 10 February 1950, Paris, France

^{viii} August Aichhorn (July 27, 1878, Vienna – October 13, 1949, Vienna) was an Austrian educator and psychoanalyst. Aichhorn was an advocate of the idea that there was a distinction between manifest and latent delinquency, and believed that arrested development in youth was a precursor to antisocial behaviour. He also believed that this situation was caused by disturbances in early child-parent relationships.

^{ix} Kate Friedlander (born Käte Frankl; also Käte Misch-Frankl or Kate Friedländer-Frankl; 1902–1949) was a pioneering female psychoanalyst, who left Germany for England in 1933, and became a member of the British Psycho-Analytical Society. She also wrote on the link between crime, and defects in the development of ego/superego.

^x Probably [The relation of perversion-formation to the development of reality-sense : 7th September 1932 \(Wiesbaden\) \[1933\] : Edward Glover](#) There are 5 other papers by Glover listed <http://www.lacanianworks.net/?cat=375>

^{xi} Bernardino Alimena distinguished four types of homicides, constituting a scale of culpability and justifying corresponding grades of punishment. (1) Passionate sudden homicide, such as that which a husband commits upon discovering his adulterous wife in flagrant delict; (2) homicide committed in consequence of a resolve formed before the act, but under the influence of a persisting passion-as in the case of Othello; (3) sudden homicide, but committed in cold blood and voluntarily-everyday vulgar murder, as in the case of a safe-breaker caught in the act; (4) premeditated homicide, planned deliberately in advance, in cold blood-like that of Macbeth. La premeditazione was written in 1933.

^{xii} Jeremy Bentham : In 1776, he first announced himself to the world as a proponent of utility as the guiding principle of conduct and law in *A Fragment on Government*. In *An Introduction to the Principles of Morals and Legislation* (printed 1780, published 1789), as a preliminary to developing a theory of penal law he detailed the basic elements of classical utilitarian theory. The penal code was to be the first in a collection of codes that would constitute the utilitarian *pannomion*, a complete body of law based on the utility principle, the development of which was to engage Bentham in a lifetime's work and was to include civil, procedural, and constitutional law. As a by-product, and in the interstices between the sub-codes of this vast legislative edifice, Bentham's writings ranged across ethics, ontology, logic, political economy, judicial administration, poor law, prison reform, international law, education, religious beliefs and institutions, democratic theory, government, and administration. In all these areas he made major contributions that continue to feature in discussions of utilitarianism, notably its moral, legal, economic and political forms.

^{xiii} Definition of Lombrosian : of or relating to the doctrine propounded by the Italian criminologist Cesare Lombroso that criminals are a product of hereditary and atavistic factors and can be classified as

a definite abnormal type. Cesare Lombroso, Italian: born Ezechia Marco Lombroso; 6 November 1835 – 19 October 1909), was an Italian criminologist, physician, and founder of the Italian School of Positivist Criminology.

^{xiv} Atavistic definition : relating to or characterized by reversion to something ancient or ancestral.

^{xv} Possibly ‘Prémises à tout développement possible de la criminologie’ : 29th May 1950 : Jacques Lacan See <http://www.lacanianworks.net/?p=286>

^{xvi} Healy’s *The Individual Offender* A Text-Book of Diagnosis and Prognosis for all Concerned in Understanding Offenders by William Healy, A.B., M.D. 1915. Available <https://www.questia.com/library/5768132/the-individual-delinquent-a-text-book-of-diagnosis>

^{xvii} Probably Gustave Mark Gilbert (September 30, 1911 – February 6, 1977) was an American psychologist best known for his writings containing observations of high-ranking Nazi leaders during the Nuremberg trials. His 1950 book *The Psychology of Dictatorship* was an attempt to profile the Nazi German dictator Adolf Hitler using as reference the testimonials of Hitler’s closest generals and commanders. In 1945, after the end of the war, Gilbert was sent to Nuremberg, Germany, as a translator for the International Military Tribunal for the trials of the World War II German prisoners. Gilbert was appointed the prison psychologist of the German prisoners. During the process of the trials Gilbert became, after Douglas Kelley,[3] the confidant of Hermann Göring, Joachim von Ribbentrop, Wilhelm Keitel, Hans Frank, Oswald Pohl, Otto Ohlendorf, Rudolf Höss, and Ernst Kaltenbrunner, among others. Gilbert and Kelley administered the Rorschach inkblot test to the 22 defendants in the Nazi leadership group prior to the first set of trials.[4] Gilbert also participated in the Nuremberg trials as the American Military Chief Psychologist and provided testimony attesting to the sanity of Rudolf Hess. In 1946, after the trials, Gilbert returned to the US. Gilbert stayed busy teaching, researching, and writing. In 1947 he published part of his diary, consisting of observations taken during interviews, interrogations, "eavesdropping" and conversations with German prisoners, under the title Nuremberg Diary.

^{xviii} Niccolò Machiavelli (1469—1527) Machiavelli was a 16th century Florentine philosopher known primarily for his political ideas. His two most famous philosophical books, *The Prince* and the *Discourses on Livy*, were published after his death. His philosophical legacy remains enigmatic, but that result should not be surprising for a thinker who understood the necessity to work sometimes from the shadows. There is still no settled scholarly opinion with respect to almost any facet of Machiavelli’s philosophy. Philosophers disagree concerning his overall intention, the status of his sincerity, the status of his piety, the unity of his works, and the content of his teaching. His writings are maddeningly and notoriously unsystematic, inconsistent and sometimes self-contradictory. He tends to appeal to experience and example in the place of rigorous logical analysis.

^{xix} Melitta Schmideberg, Psychological Factors Underlying Criminal Behavior, 37 *Journal of Criminal Law & Criminology* 458 (1946-1947) Available with notes at <http://www.lacanianworks.net/?p=12385> or <https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=3432&context=jclc> Other texts by Schmideberg at <http://www.lacanianworks.net/?cat=406>

^{xx} Catamnesis : The follow-up history of a patient after the onset of illness, or after discharge from treatment.

^{xxi} The Primal Crime and the Unconscious By Martin Grotjahn, M.D. in *Searchlights on Delinquency*, see https://archive.org/stream/in.ernet.dli.2015.157033/2015.157033.Searchlights-On-Delinquency-New-Psychoanalytic-Studies_djvu.txt or <http://www.lacanianworks.net/?p=12388>

^{xxii} Texts by and notes on Melanie Klein <http://www.lacanianworks.net/?cat=382>. Probably the case of ‘Little Richard’ given in [Early Stages of the \(Edipus conflict : 3rd September 1927 Innsbruck \[1928\] : Melanie Klein](#) See [here http://www.lacanianworks.net/?p=11978](http://www.lacanianworks.net/?p=11978)

^{xxiii} Immanuel Kant (1724–1804) argued that the supreme principle of morality is a standard of rationality that he dubbed the “Categorical Imperative” (CI). Kant characterized the CI as an objective, rationally necessary and unconditional principle that we must always follow despite any natural desires or inclinations we may have to the contrary. All specific moral requirements, according to Kant, are justified by this principle, which means that all immoral actions are irrational because they violate the CI.

^{xxiv} Dr Angèlo Hesnard would appear to have been a psychiatrist who drew the attention of the Vatican’s Holy Office to three of his books. On January 10th 1956, the Authorities put three of his books on the Index list, that is they proscribed: Dr. A. Hesnard: *Morale sans péché* (Morality without sin), Presses Universitaires de France, Paris 1954; *L’univers morbide de la faute* (The Morbid Universe of Guilt), same publishers 1939; and *Manuel de sexologie normale et pathologique*, Payot, Paris, 1951. Lacan also quotes this in Seminar VII : 18th November 1959 : see <http://www.lacanianworks.net/?p=425>

^{xxv} Definition of captation : 1 : an attempt to achieve or acquire something (as favor or applause) especially artfully For example, the candidate’s obvious captation 2 : the making of an ad captandum appeal

^{xxvi} Transcriber's addition

^{xxvii} Rights of Man by Thomas Paine (1792) Available <http://pinkmonkey.com/dl/library1/right.pdf> : Paine, Thomas (1737-1809) - An Englishman who came to America in 1774, he was a political philosopher who promoted change through revolution rather than reform. Paine is most renowned for his activities advocating democracy. Rights of Man (1792) - Written as an answer to Edmund Burke's Reflections on the Revolution in France, it states Paine's belief that men have "natural rights" and urges individuals to free themselves from governmental tyranny.

^{xxviii} Gabriel Tarde ; in full Jean-Gabriel De Tarde;[2] 12 March 1843 – 13 May 1904) was a French sociologist, criminologist and social psychologist who conceived sociology as based on small psychological interactions among individuals (much as if it were chemistry), the fundamental forces being imitation and innovation. Sigmund Freud built on Tarde's ideas of imitation and suggestion for his work on the theory of the crowd. [See Part IV Suggestion & Libido of Group Psychology and the Analysis of the Ego : 1921 : Sigmund Freud, SEXVIII p69-143, published by www.Freud2Lacan.com : available [here](http://www.freud2lacan.com/docs/Group_Psychology.pdf) : http://www.freud2lacan.com/docs/Group_Psychology.pdf Tarde wrote *La philosophie pénale* in 1890

^{xxix} Roger Grenier (19 September 1919[1] – 8 November 2017) was a French writer, journalist and radio animator. He was Regent of the Collège de 'Pataphysique. As a journalist, he followed post-war trials which inspired his first essay in 1949 *Le Rôle d'accusé*.

^{xxx} Probably: Article 64. Rules for the application of penalties which contain three periods. - In cases in which the penalties prescribed by law contain three periods, whether it be a single divisible penalty or composed of three different penalties, each one of which forms a period in accordance with the provisions of Articles 76 and 77, the court shall observe for the application of the penalty the following rules, according to whether there are or are not mitigating or aggravating circumstances:

1. When there are neither aggravating nor mitigating circumstances, they shall impose the penalty prescribed by law in its medium period.
2. When only a mitigating circumstances is present in the commission of the act, they shall impose the penalty in its minimum period.
3. When an aggravating circumstance is present in the commission of the act, they shall impose the penalty in its maximum period.
4. When both mitigating and aggravating circumstances are present, the court shall reasonably offset those of one class against the other according to their relative weight.
5. When there are two or more mitigating circumstances and no aggravating circumstances are present, the court shall impose the penalty next lower to that prescribed by law, in the period that it may deem applicable, according to the number and nature of such circumstances.
6. Whatever may be the number and nature of the aggravating circumstances, the courts shall not impose a greater penalty than that prescribed by law, in its maximum period.
7. Within the limits of each period, the court shall determine the extent of the penalty according to the number and nature of the aggravating and mitigating circumstances and the greater and lesser extent of the evil produced by the crime.

^{xxxi} In *The Captive Mind*, his brilliantly lucid reflection on totalitarianism and its temptations, Czeslaw Milosz devoted most of his essays to the problem of communism and the intellectuals. In one chapter, however, he turned aside to view another manifestation of tyranny, and also to examine the verbal and literary means by which it could be thwarted. The essay is called "Ketman." The term was first introduced to the West by Arthur de Gobineau, a rather sinister ethnologist who in the mid-nineteenth century served two tours as a French diplomat in Tehran. It means the art and science of dissimulation, particularly in matters of religion. In his book *Religions and Philosophies of Central Asia*, Gobineau describes the practice of Ketman, the act of paying lip service to Islam while concealing secret opposition. With this done, he could begin to introduce all manner of subversive philosophy into his sermons and addresses: Ketman fills the man who practices it with pride. Thanks to it, a believer raises himself to a permanent state of superiority over the man he deceives, be he a minister of state or a powerful king: to him who uses ketman, the other is a miserable blind man whom one shuts off from the true path whose existence he does not suspect; while you, tattered and dying of hunger, trembling externally at the feet of duped force, your eyes are filled with light, you walk in brightness before your enemies. It is an unintelligent being that you make sport of; it is a dangerous beast that you disarm. What a wealth of pleasures!

^{xxxii} Fritz Wittels, "The Ego of the Adolescent," in *Searchlights on Delinquency*, ed. K. R. Eissler (New York: International Universities Press, 1949 p256-262 See <http://www.lacanianworks.net/?p=12390>

^{xxxiii} See [Aggressivity in Psychoanalysis : mid-May 1948 \(Brussels\) : Jacques Lacan](http://www.lacanianworks.net/?p=12096) : Information [here](http://www.lacanianworks.net/?p=12096) <http://www.lacanianworks.net/?p=12096>

^{xxxiv} Franz Gabriel Alexander (22 January 1891 – 8 March 1964) was a Hungarian-American psychoanalyst and physician, who is considered one of the founders of psychosomatic medicine and psychoanalytic criminology. In the

forties ... Franz Alexander, following the lead of Sandor Ferenczi, proposed ... the form of a "corrective emotional experience", which enjoyed an enormous vogue.

Alexander stated: The patient, in order to be helped, must undergo a corrective emotional experience suitable to repair the traumatic influence of previous experiences. It is of secondary importance whether this corrective experience takes place during treatment in the transference relationship, or parallel with the treatment in the daily life of the patient.

The concept provoked much controversy, provoking opposition from figures as disparate as Kurt R. Eissler, Edward Glover, and Jacques Lacan, who later said 'I did not hesitate to attack it myself in the most categorical way ... at the 1950 Congress of Psychiatry, but, it is the construction of a man of great talent'. : See [Seminar XI: The Four Fundamental Concepts: 1963-1964 : beginning 15th January 1964 : Jacques](#)

[Lacan](#) or [here](#) <http://www.lacanianworks.net/?p=1145> p174 of Alan Sheridan's translation

^{xxxv} Bruno de Florence (www.deflorence.com) notes - *négativité* (negativity) is used in the Hegelian sense. It is equivalent to *antithèse* (antithesis). This term was not part of Western philosophy until introduced by Hegel. [Dec 2019]

^{xxxvi} Having put forward, particularly in "Instincts and Their Vicissitudes" (1915c), [published at www.Freud2Lacan.com : available [here](http://www.freud2lacan.com/docs/FL6-Instincts%20and%20Their%20Vicissitudes.pdf) : <http://www.freud2lacan.com/docs/FL6-Instincts and Their Vicissitudes.pdf>] a dualism in which the sexual drives conflict with the ego drives, in *Beyond the Pleasure Principle* (1920g), SE XVIII p1-64, Freud introduced the concept of the death drive as a negative term in opposition to the life drive: "The opposition between the ego or death instincts and the sexual or life instincts would then cease to hold and the compulsion to repeat would no longer possess the importance we have ascribed to it" (p. 44). The death instinct was Freud's attempt to explain this repetition compulsion that overrides the pleasure principle, whether in post-traumatic dreams, certain compulsive children's games (such as the "fort-da" game), or indeed in analysts' resistances to the treatment (the transference). He observed that "*the aim of all life is death*," "*inanimate things existed before living ones*" and that "everything living dies for *internal* reasons" (p. 38).

^{xxxvii} In ancient Greek religion and mythology, the Moirai (Ancient Greek: Μοῖραι, "lots, destinies, apportioners"), often known in English as the Fates (Latin: Fata), Moirae or Mœrae (obsolete), were the white-robed incarnations of destiny; their Roman equivalent was the Parcae (euphemistically the "sparing ones"), and there are other equivalents in cultures that descend from the Proto-Indo-European culture. Their number became fixed at three: Clotho ("spinner"), Lachesis ("allotter") and Atropos ("the unturnable", a metaphor for death).

^{xxxviii} For information, publication and availability see [The Case of Aimée, or Self-punitive Paranoia: 1932: Jacques Lacan](#) Or [here](#) <http://www.lacanianworks.net/?p=113>

^{xxxix} For information, publication and availability see [The Problem of Style and the Psychiatric Conception of Paranoiac Forms of Experience \(June 1933\) & Motives of Paranoiac Crime \(December 1933\) : Jacques Lacan](#) or [here](#) <http://www.lacanianworks.net/?p=12295>

^{xl} P65-66 of Horne, Ann (2012) Winnicott's delinquent. In: Broken bounds. Contemporary reflections on the antisocial tendency. Winnicott Studies Monograph Series . Karnac, London, pp. 61-62. : The interest of psychoanalysts in delinquency grew. Analysts, in particular Edward Glover, were prominent in the formation of the Institute for the Scientific Treatment of Delinquency-later the Institute for the Study and Treatment of Delinquency (ISTD)-in 1932 and its clinical wing, the Portman Clinic, in 1933. In the archives, we find record cards indicating that Bowlby spent time working with clinic patients, as did Bion. Glover, of course, was director, and another analyst, Kate Friedlander, an involved colleague. The main writings bow to Freud in emphasizing superego formation and Oedipal resolution (Friedlander, 1947; Glover, 1949). However, Glover interestingly proposed that not all antisocial young people needed psychoanalysis and in 1950 made clear his distinction between *functional stress* (which we might connect to the normal developmental processes of puberty and adolescence and which he termed "transitory") and defensive symptomatic reactions to Oedipal conflict where therapy is indicated (Glover, 1950, p. 110).

In the period just before the 1939-1945 war, Bowlby was engaged on the early stages of what became his life work on attachment. His study *Forty-four Juvenile Thieves*, unsurprisingly to us today; places -maternal deprivation and separation at the centre of risk factors in the development of an antisocial stance (Bowlby; 1944). His "affectionless children", a category descriptive of the bulk of persistent offenders in his survey; suffer from deficit rather than conflict, an absence of mothering in the first six months (Bowlby, 1944, p. 113).

Finally; mention should be made of the festschrift for Aichhom, edited by Eissler in 1949 [Searchlights on delinquency : https://archive.org/stream/in.ernet.dli.2015.157033/2015.157033.Searchlights-On-Delinquency-New-Psychoanalytic-Studies_djvu.txt]. I would like to allude to only two of the many contributors to this but both important when thinking of the antisocial child. Anna Freud's (1949) paper "Certain types and stages of social maladjustment" is a classic. She emphasizes "early disturbance of object-love" consequent on absent, neglectful, ambivalent, or unstable mothering, or multiple impersonal carers, meaning the child cannot invest emotionally in parent figures, so retreats to the self, the body and its needs, which "retain a greater importance than normal" (Freud, 1949, p. 194). This absence of "good-enough mothering" is also problematic in relation to aggression, agency, and potency, which are not met with understanding and containment, and may manifest themselves on a spectrum ranging from "overemphasized aggressiveness" to "wanton destructiveness". Thus the onset, or otherwise, of what is perceived as, or becomes,

antisocial behaviour, depends on whether or not there is sufficient maternal attunement and whether or not there is a carer present who can understand the child's gesture, offer containment, and modulate the response.

^{xli} Searchlights on Delinquency [see above] Edited by K. R. Eissler, 1949 : “This volume was dedicated to August Aichhorn. The book contains thirty-seven articles, a preface by Ernest Jones, a warm dedication by Paul Federn, and a brief but very informative biographical sketch by Kurt R. Eissler.”

AICHHORN, AUGUST (1878-1949) from <https://www.encyclopedia.com/psychology/dictionaries-thesauruses-pictures-and-press-releases/aichhorn-august-1878-1949>

An Austrian educator with an interest in psychoanalysis, the pioneer of a new approach to reeducating problem children, August Aichhorn was born July 27, 1878, in Vienna, Austria, where he spent his entire life, and died October 13, 1949. He was raised, along with a twin brother who died when Aichhorn was 19, in a Catholic family of modest means. He became a teacher and continued his studies at the Technische Hochschule of Vienna.

From 1908 to 1918 he was in charge of managing homes for boys in the Austrian capital. In 1918 he was made responsible for setting up an educational center for delinquent children in an unused refugee camp. Convinced that the suppression then commonly practiced was not the right approach, and disappointed by the kinds of psychological training taught at the university, he introduced unorthodox methods, based on "warm sympathy with the fate of those unfortunates and was correctly guided by an intuitive perception of their mental needs" (Freud, 1925f). His educational success caught the attention of Anna Freud, and it is through her that he discovered psychoanalysis when he was already past forty. He undertook an analysis with Paul Federn and, in 1922, became a member of the Vienna Psychoanalytic Association. When his experiment in reeducation came to an end, Aichhorn created, in 1923, educational centers that focused on psychoanalysis in each of Vienna's fourteen districts. He worked in the centers, always at his teacher's salary, until his retirement in 1930.

^{xlii} Juliette Favez-Boutonier (1903-1994) : This particular case has not been identified, though was probably given to the SPP. A further case is mentioned in Seminar II : 9th February 1955 : p119 of Sylvana Tomacelli's translation : See <http://www.lacanianworks.net/?p=1141>, After the split, she would be associated with the other side through her marriage in 1952 to Georges Favez : See <https://www.encyclopedia.com/psychology/dictionaries-thesauruses-pictures-and-press-releases/favez-boutonier-juliette-1903-1994> for detail. : She studied philosophy at the Sorbonne, for a while with Léon Brunschvicg. In 1926 she was one of the first women ever to take the state doctoral exam in philosophy. She was only twenty-three at the time. In 1930 she wrote to Sigmund Freud, who responded personally on April 11 that "philosophical problems and their formulation were so foreign to him that he didn't know what to say." In 1938 she wrote her doctoral dissertation on ambivalence (La notion d'ambivalence); the text was reprinted in 1972. In 1935 she obtained a job in Paris teaching philosophy and it is here that she met Daniel Lagache and began analysis with René Laforgue, with whom she remained friends for many years. During the Occupation, Laforgue entrusted Favez-Boutonier with the Freud letters he had preserved. At this time she met with members of the Société Psychanalytique de Paris (SPP, Paris Psychoanalytic Society) who had remained in Paris. John Leuba wrote to Ernest Jones on December 31, 1944, the day after the Liberation, that new analysts were now beginning to appear, including "Mlle Boutonier, a gifted physician and philosopher with a sound technique; she was monitored by me and I can confirm that she will be one of the first recruits. Her thesis, *Anxiety*, was published in 1945 by Presses Universitaires de France and, in 1947, was awarded the Prix Paul Pelliot "Junior." The "Senior" prize went to Henri Wallon.

While working for the Centre national de la recherche scientifique (CNRS) she presented several papers to the SPP and was elected a member in 1946. Having trained in clinical psychopathology at the Sainte-Anne Hospital with Georges Heuyer, she was put in charge of the Centre Psychopédagogique Claude-Bernard, which had been created by Georges Mauco. She was soon replaced by André Berge, for that same year she was appointed professor in the humanities department at the University of Strasbourg.

Close to the circle of analysts around René Laforgue, she participated in meetings and contributed to *Psyché*, the review founded by Marie Choisy in 1946. She argued in favour of "assistant psychologists," participated in the Section des Psychanalystes d'Enfants, and tried to promote the creation of psychoanalytic groups throughout the country, especially in Strasbourg. This led to a conflict with those who were setting up the future Institut de Psychanalyse de Paris (Paris Institute for Psychoanalysis). In 1952 she married Georges Favez, one of the future presidents of the Association Psychanalytique de France (French Psychoanalytic Association).

^{xliii} Definition of vaticination 1 : PREDICTION 2 : the act of prophesying

^{xliv} Paul Zacchias or Paolo Zacchia (1584-1659) was an Italian physician, teacher of medical science, forensic medicine, medio-legal jurist, philosopher, and poet. He is said to have been personal physician to Pope Innocentius X and Pope Alexander VII. Zacchias was also legal adviser to the Rota Romana, the highest Papal court of appeals, and head of the medical system in the Papal States. His most well known book in three volumes, *Quaestiones medico-legales* (1621-1651) established legal medicine as a topic of study. Zacchias work also contains superstitious views on magic, witches, and demons which were widely held at the time. For summary of Questions médico-légales see https://en.wikipedia.org/wiki/Paul_Zacchias

^{xlv} See https://en.wikipedia.org/wiki/Hawthorne_effect. The Hawthorne effect (also referred to as the observer effect) is a type of reactivity in which individuals modify an aspect of their behaviour in response to their awareness of being observed. This can undermine the integrity of research, particularly the relationships between variables. The original research at the Hawthorne Works for telephone equipment in Cicero, Illinois, on lighting changes and work structure

changes such as working hours and break times was originally interpreted by Elton Mayo and others to mean that paying attention to overall worker needs would improve productivity. Later interpretations such as that done by Landsberger suggested that the novelty of being research subjects and the increased attention from such could lead to temporary increases in workers' productivity. This interpretation was dubbed "the Hawthorne effect". It is also similar to a phenomenon that is referred to as novelty/disruption effect.

^{xlvi} Monsieur Verdoux is a 1947 black comedy film directed by and starring Charlie Chaplin, who plays a bigamist wife killer inspired by serial killer Henri Désiré Landru. Full details https://en.wikipedia.org/wiki/Monsieur_Verdoux & it is probably available on the internet. : Verdoux delays them long enough to bid the unnamed girl farewell before letting himself be captured by the investigators. Verdoux is exposed and convicted of murder. When he is sentenced in the courtroom, rather than expressing remorse he takes the opportunity to say that the world encourages mass killers, and that compared to the makers of modern weapons he is but an amateur. Later, before being led from his cell to the guillotine, a journalist asks him for a story with a moral, but he answers evasively, dismissing his killing of a few, for which he has been condemned, as not worse than the killing of many in war, for which others are honored, "Wars, conflict - it's all business. One murder makes a villain; millions, a hero. Numbers sanctify, my good fellow!" His last visitor before being taken to be executed is a priest (Fritz Leiber). When guards come to take him to the guillotine he is offered a cigarette, which he refuses, and a glass of rum, which he also refuses before changing his mind. He says "I've never tasted rum", downs the glass, and the priest begins reciting a prayer in Latin as the guards lead him away and the film ends.

^{xlvii} See https://en.wikipedia.org/wiki/Sun_Yat-sen Sun Yat-sen ; 12 November 1866 – 12 March 1925) was a Chinese philosopher, physician, and politician, who served as the first president of the Republic of China and the first leader of the Kuomintang (Nationalist Party of China). He is referred as the "Father of the Nation" in the Republic of China due to his instrumental role in the overthrow of the Qing dynasty during the Xinhai Revolution. Sun is unique among 20th-century Chinese leaders for being widely revered in both mainland China and Taiwan. Sun is considered to be one of the greatest leaders of modern China, but his political life was one of constant struggle and frequent exile. Sun's chief legacy is his political philosophy known as the Three Principles of the People: nationalism (independence from foreign imperialist domination), "rights of the people" (sometimes translated as "democracy"), and the people's livelihood (sometimes translated as "socialism").

^{xlviii} See https://en.wikipedia.org/wiki/Plato%27s_five_regimes Philosopher Plato discusses five types of regimes (Republic, Book VIII). They are Aristocracy, Timocracy, Oligarchy, Democracy, and Tyranny. Plato also assigns a man to each of these regimes to illustrate what they stand for. The tyrannical man would represent Tyranny, for example. These five regimes progressively degenerate starting with Aristocracy at the top and Tyranny at the bottom.

^{xlix} *Homō hominī lupus*, or in its unabridged form *Homō hominī lupus est*, is a Latin proverb meaning "A man is a wolf to another man," or more tersely "Man is wolf to man." It has meaning in reference to situations where people are known to have behaved in a way comparably in nature to a wolf. The wolf as a creature is thought, in this example, to have qualities of being predatory, cruel, inhuman i.e. more like an animal than civilized.

^l Lacan also quotes Gracian in - [Television: 31st January 1974 : Jacques Lacan](#) :

See [here http://www.lacanianworks.net/?p=326](http://www.lacanianworks.net/?p=326) : p16 of Translated by Denis Hollier, Rosalind Krauss, and Annette Michelson's translation : p19-20 of October v 40 :

So let's turn to the psychoanalyst and not beat about the bush. Though what I am going to say is to be found under that bush as well.

Because there is no better way of placing him objectively than in relation to what was in the past called : being a saint. During his life a saint doesn't command the respect that a halo gets for him.

No one notices him as he follows Balthasar Gracian's Way of Life – that of renouncing personal brilliance – something that explains why Amelot de la Houssaye thought he was writing about the courtier.

A saint's business, to put it clearly, is not *caritas*. Rather, he acts as trash [*déchet*] ; his business being *trashitas* [*il décharite*]. So as to embody what the structure entails, namely allowing the subject, the subject of the unconscious, to take him as the cause of the subject's own desire. : See <http://www.lacanianworks.net/?p=12288> for full quote.

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Seminar XVIII : 20th January 1971 : [Seminar XVIII:On a discourse that might not be a semblance:1971: from 13th January 1971: Jacques Lacan](#) : See [here http://www.lacanianworks.net/?p=237](http://www.lacanianworks.net/?p=237)

pII 16-17 of Cormac Gallagher's translation : Someone, for example, that someone. must take responsibility for one day, is Baltazar Gracian, who was an eminent Jesuit, who wrote some of the most intelligent things that could be written. They are absolutely prodigiously intelligent in {?} everything that is involved, namely, to establish what one could call the sanctity of man, he resumes in one word, resumes it in what? His book on the Courtier, in a word, two points: to be a saint. It is the only point of western civilisation where the word saint has the same sense as in Chinese, *Tchen-Tchen*. Note this point, because, this reference, because same it is late, today, I am not going to introduce it today, I will give you this year some little references to the origins of Chinese thinking. See <http://www.lacanianworks.net/?p=12322> for full quote.

^{li} *El Criticón* is a Spanish novel by Baltasar Gracián. It was published in three parts in the years 1651, 1653 and 1657. It is considered his greatest work and one of the most influential works in Spanish literature, along with *Don Quixote* and

La Celestina. El Criticón collects and expands his previous works. The work takes the form of an allegory covering the life of Andrenio, representing two facets of his life: his impulsiveness and lack of experience. It outlines the philosophical vision of Gracián's world in the form of an epic tale. Gracián produced a work of romance meant to summarize his thoughts and expanding his skills as a writer at the same time. The novel was written during his later years and contains his ultimate vision of the world and human life. Its worldview is pessimistic and desolate, although the two virtuous protagonists represent hope. They escape mediocrity and reach eternal fame.

^{lii} Probably : Johnny the Giant Killer aka Johnny vs the Giant (French: Jeannot l'intrépide) is a 1950 French fantasy animated film directed by Jean Image. The film was made in 1½ years with a very small crew. The music was composed by René Cloërec. The film won the Venice Film Festival's Grand Prix for children's films, and was picked up for U.S. distribution in 1953 by Lippert Pictures, a company specialising in B-movies. Johnny the Giant Killer was never copyrighted at all, hence its current public domain status which has led to numerous VHS and DVD copies of the cartoon published by various distributors. Further details https://en.wikipedia.org/wiki/Johnny_the_Giant_Killer

^{liii} Buccal adjective & TECHNICAL, relating to the cheek as in "the buccal side of the molars" : relating to the mouth - "the buccal cavity"