

‘Fundamental Phantasy and the Symptom as a Pathology of the Law’ by Geneviève Morel

I) The “Fall” of the Fundamental Phantasy

The fundamental phantasy is one of Lacan’s most thoroughly explored themes, at least in the central period in his teaching in the 1960s. The seminar of 1966-1967, *The Logic of Phantasy*, is devoted to its study. The phantasy is written in a formula (or *matheme*) that apparently eliminates any reference to development, or to the Oedipus complex. It places the divided subject in relation to the cause of desire, object *a*, which Lacan considered his most important innovation in psychoanalysis.¹ Thus phantasy appears as the extreme point of the most sophisticated Lacanian structuralism. What’s more, it’s at the heart of Lacan’s institutional theory, insofar as the two consecutive seminars, *The Logic of Phantasy* and *The Analytic Act*, are contemporary with the invention of the pass, by which Lacan, who had already abolished the distinction between personal analysis and didactic analysis, intended to recruit analysts to his school at the end of their analyses. The pass aimed to locate whatever particular desire allowed the subject to take up the gauntlet of an operation whose secret they knew, having themselves “gone all the way” with it — a process resulting in the destitution of the analyst (known as “*désêtre*”).

Starting with Seminar 11, in 1964, the end of analysis is defined in reference to the fundamental phantasy. First of all, “the crossing of the plane of identification” is only possible because of the desire of the analyst who, by incarnating the cause of the analysand’s desire, allows the latter to differentiate that cause from his or her own ideals. Secondly, “After the mapping out of the subject in relation to object *a*, the experience of the fundamental phantasy becomes the drive.”² A lot of ink has been spilled over this enigmatic formulation. Some have seen in it a “perverse” or “cynical” liberation of the drive, or even the promised land of the famous sexual freedom of a new subject, reborn after “traversing the phantasy” — an expression used just once by Lacan, but repeated so often by his students that it has become a cliché. On the other hand, some, after the death of Lacan, read in this term the need for a definitive renunciation of *jouissance* that would amount to the beginning of a new asceticism: the new analyst would have to be entirely devoted to the analytic cause, his or her drive

¹ Lacan makes this claim in the *Logic of Phantasy* (unpublished seminar), session of 16 November 1966. The formula is read, “barred S, diamond, small a”.

² Jacques Lacan, *The Seminar of Jacques Lacan, Book XI, The Four Fundamental Concepts of Psychoanalysis* (1964), ed. Jacques-Alain Miller, trans. Alan Sheridan (New York: Norton, 1978), 273.

would have to be entirely dedicated to it. But such an austere way of life doesn't work, as we've seen, without a 'muscular' orientation at the initiative of an "enlightened" leader, in a school formatted entirely on the model of his ego.

The importance of the concept of phantasy in Lacan's teaching was proportional to the value assigned to object *a*. At first, the imaginary object of desire — and thus of lack — in the rivalry with the small other (the partner of the ego in the mirror stage) object *a* derives its symbolic coordinates from the relation to the big Other (the locus of the symbolic, of language and of speech). The subject comes into the world as the object of the desire of its parents, who incarnate this Other. Starting with the *Ethics* seminar, object *a* finds a real substrate in *Das Ding*, the Freudian "Thing." Then it becomes the pivotal point of the operation of separation, which founds the identity of the subject on its reunion with object *a*. The formula for phantasy relates the subject's lack to this object that serves as a stopper, the phantasy itself becoming the only recourse of the subject faced with the impossibility of the sexual relationship. Moreover, Lacan didn't neglect to situate his invention historically in reference to other psychoanalytic theorists: to Melanie Klein in order to differentiate his object *a* from the partial object, and to Winnicott, in order to distinguish it from the transitional object. At the same time, he struggled, in his "return to Freud," to disengage psychoanalysis from the post-Freudian "deviation" of object relations.

The fundamental phantasy is a term that doesn't exist in Freud, who speaks instead of primal phantasies (*Urphantasien*) — universal formations that were supposed to be part of the "phylogenetic inheritance" of humanity.³ Even though Lacan still endows phantasy with a ready-made side that borrows from the collective formations of culture, he draws it closer to the singularity of the absolute cause of desire that object *a* inscribes. But Lacan's formula of phantasy borrows heavily from the commentary on "A Child is Being Beaten," from which it notably retained the fact that the support of the drive in the phantasy is a sentence.

In *The Logic of Phantasy*, we can note the essential place taken by phantasy and the object *a* in Lacan's work. There phantasy takes the place of the real. The "ontic" reference in psychoanalysis is *jouissance*, understood as beyond the pleasure principle. In short, "The phantasy, to take things up at the level of interpretation, takes on the function of an axiom, that is, is distinguished from the variable laws of deduction, which specify in each structure the abatement of symptoms, by appearing there in a consistent

³ Sigmund Freud, *Introductory Lectures on Psycho-Analysis*, Standard Edition, vol. XVI (New York: Norton, 1963), 370-71.

manner.”⁴ People were able to extract from this a doctrine that makes the phantasy a sentence holding the eminent position of a unique axiom in the structure of the subject — a fixed point or a centre of gravity that would support the whole of this structure, a constant determining the life of the subject, a particular law of desire holding the key to his or her destiny. As a unique axiom, phantasy would thus be distinguished from the symptoms that are deduced from it in a variable and overdetermined way, as Freud showed.

This doctrine is compelling and seductive in its simplicity, but is it clinically verifiable? Yes and no. Yes, in certain cases, of which I’ll give you an example shortly, but I don’t think it’s generalizable to everyone. In the 90s people went too far, believing that it sufficed to find “the” formula of the subject’s phantasy in order to undo his or her symptoms and terminate the analysis. Obviously, this proved to be an impasse, because it’s not enough to name the *jouissance* of the symptom for that symptom to be dissolved (*résoudre*). People thus unwittingly returned to the inadequate theory of the symptom as a metaphor that is completely undone by an interpretation, and above all, they subordinated the end of each analysis to a theory posited in advance, in express contradiction to both Freud’s and Lacan’s warnings that the analyst’s non-knowledge when presented with each new case must be maintained, whatever theoretical knowledge is otherwise required of him or her.⁵ The result of these abusive simplifications was noticeable in a reduction of case histories or testimonies of the pass to stereotypical vignettes illustrating this superficial reading of the Lacanian theory of the fundamental phantasy.

But even while Lacan was alive, after phantasy and object *a* had taken on their pre-eminent position, we witnessed a kind of “fall”. In fact, in 1976, Lacan no longer defined the end of analysis in relation to phantasy, but as identification with the symptom.⁶ From that point on, it’s no longer phantasy that occupies the place of the real, but the symptom, “which is the only thing that is truly real.”⁷ At the end of the treatment, it’s no longer a matter of “falling from one’s phantasy,”⁸ nor of separation from object *a*, but of something that resonates very differently — finding a “satisfaction that marks the end of the analysis.”⁹ As for phantasy, it is recaptured as object *a* by the

⁴ Jacques Lacan, “La logique du fantasme, Compte rendu du séminaire 1966-1967,” *Autres Écrits*, ed. Jacques-Alain Miller (Paris: Seuil, 2001), 326-27.

⁵ Cf. for example, Jacques Lacan, “Introduction à l’édition allemande des *Écrits*” (1973), *Autres Écrits*, 556.

⁶ Jacques Lacan, *L’insu que sait de l’une-bévue s’aïlle à mourre* (unpublished seminar), session of 16 November 1976.

⁷ *Ibid.*, session of 15 March 1977.

⁸ Jacques Lacan, “Proposition du 9 octobre 1967 sur le psychanalyste de l’école,” *Autres Écrits*, 252.

⁹ Jacques Lacan, “Preface to the English-Language Edition,” *The Four Fundamental Concepts of Psychoanalysis*, viii.

imaginary from which Lacan had tried to extract it: in fact, in *Encore*,¹⁰ Lacan notes “the affinity of *a* to its envelope” (imaginary) and its relation to meaning, and speaks of “the suspicion” that this provokes regarding the object. It thus becomes necessary to differentiate the real, as beyond meaning and linked to the impasses of formalization, from object *a*, as related to the imaginary.

We might wonder why Lacan made such a spectacular change in direction regarding the real value of phantasy and the object *a*. The reason most often given is the failure of the pass in the *École Freudienne de Paris*, “officially” announced at the congress of Deauville.¹¹ This political and clinical disappointment was assumed to have provoked him to abandon his initial doctrine of the end of analysis. While this reason seems altogether plausible, we could still wonder if there might not also have been other more theoretical reasons for this change of course.

In fact the Lacanian doctrine of the fundamental phantasy leans heavily on the article, “A Child is Being Beaten”, and particularly on Freud’s insistence regarding the second phase of the feminine phantasy, which is repressed and never remembered by the subject, but only reconstructed in analysis: “I am being beaten by my father.” Regarding this sentence, Freud wrote: “People who harbour phantasies of this kind develop a special sensitiveness and irritability towards anyone whom they can include in the class of fathers. They are easily offended by persons of this kind, and in that way (to their own sorrow and cost) *bring about the realization of the imagined situation* of being beaten by their father.”¹² Thus Freud emphasized a passage into real life of the repressed masochistic phase of the phantasy in the form of a painful symptom: in this there really is an anticipation of the Lacanian idea of the fundamental phantasy inscribing itself as a law in the real and holding the key to the subject’s destiny. But if Freud called this laboriously reconstructed formation a phantasy, it is because of its initial link to an imagined scenario (*fantaisie*), thus to a conscious representation articulated by the subject; “a child is being beaten.” Thus the structure is the following: there exists before analysis a conscious sadistic phantasy, which is certainly imaginary, but which leads to a real content, in other words to a position that is, on the contrary, masochistic — a position that delivers the keys to the analysand’s *jouissance* and symptom.

¹⁰ Jacques Lacan, *The Seminar of Jacques Lacan, Book XX, Encore* (1972-1973), ed. Jacques-Alain Miller, trans. Bruce Fink (New York: Norton, 1998).

¹¹ Referred to by Elizabeth Roudinesco, *Jacques Lacan & Co.: A History of Psychoanalysis in France, 1925-1985*, trans. Jeffrey Mehlman (Chicago: Chicago University Press, 1990), 639.

¹² Sigmund Freud, “A Child is Being Beaten”: A Contribution to the Study of the Origin of Sexual Perversions” Standard Edition, vol. XVII, 195. My emphasis.

Now, is this situation generalizable? The Lacanian fundamental phantasy is actually a construction of analysis in relation to an initial real (the *jouissance*/suffering of the symptom) — a construction that is subsequently reduced to a sentence of axiomatic value. Its link to an imaginary scenario or daydream isn't necessary in the least. In fact, there are many cases in which the deciphering of the symptom has nothing to do with an initial phantasy scenario (*fantaisie*) along the lines of “a child is being beaten”. But if that is true, why continue to call what is really only the analytic product of the deciphering of the symptom a phantasy? Indeed, to call it a phantasy has the disadvantage of unduly accentuating an imaginary causality and structure that we are forever after going to look for in representations that could be marginal in this deciphering. And on the other hand, why look for a unique sentence that condenses this deciphering? Isn't this a bit artificial in those cases where there isn't already, at the start, a sentence like “a child is being beaten”? Isn't the assumption at the start of an analysis of the existence of this sort of sentence an effect of the subject-supposed-to-know?

So I think that Lacan, always inclined more towards the real as antinomic to meaning, and thus distinct from the phantasy (as related to the imaginary) was led to elaborate anew his theory of the symptom, which we can observe in his seminar, *R.S.I.* For the law of the fundamental phantasy, he substituted a new conception of the symptom, which he re-named “*sinthome*”, prompted by his reading of Joyce. This formulation has the advantage of providing a new global perspective on neurosis, psychosis, and perversion (even though phantasy isn't very well suited to psychosis). This new conception starts with a problem that haunted Lacan at the start of his teaching: the effect of language on the living being. Everything begins with the imposed and parasitic effect of language, which he emphasized in the case of Joyce, whose symptom results from the complex transformation of “imposed speech.”¹³

Here, in summary, is what I'm now about to discuss: in learning to speak our mother tongue, we are confronted with the *jouissance* of our mother, the mark of which we may carry for the rest of our lives. In order not to be swallowed up by this *jouissance*, we have to separate ourselves from the law imposed on us, a mad and peculiar law to which we are “subjected.”¹⁴ But separating from this “law of the mother” is costly: we fabricate separating symptoms that are in fact the envelope of the only universal law that psychoanalysis recognizes, the prohibition of incest. The symptom can thus be seen, from this angle, as an inevitable pathology of the law.

¹³ Jacques Lacan, *The Sinthome* (unpublished seminar), session of 17 February 1976.

¹⁴ Jacques Lacan, *Le Séminaire, livre V, Les formations de l'inconscient* (Paris: Seuil, 1998), 188.

II) The Symptom and Pathologies of the Law

In Martin Scorsese's *Gangs of New York* (2003), the rival gangs of the city come together to incite a bloody riot against the army and the police. The gangs object to the poor being drafted into the Civil War, where they will certainly die in a fight that they don't see as theirs. Throughout the film the hero, Amsterdam (played by Leonardo di Caprio), looks for "The Butcher," (Daniel Day Lewis), who murdered his father before his eyes when he was still a child. Although the Butcher also seriously maimed Amsterdam in the process, this isn't what animates his lust for vengeance: a voice-over tells us that he is "settling the accounts of his father". There's an insight into what I call the pathologies of the law: to turn away from the problems of the polis and from politics in order to devote oneself to the law inherited from one's father, one's family, and one's race. This is what we see in Greek tragedy: since Freud, we have come to call it neurosis.

The pathologies of the law are engendered in the subject from his or her first encounter with it. I'm not speaking here of law in the institutional or juridical sense of the term, but of the primordial law linked to language. Is it necessarily the law of the father? No, it's first of all that of the mother (or her substitute) and sometimes this will be the only one. In fact, we're plunged into language long before coming into the world. That's why Lacan called us "speaking-beings," since we are, above all, beings "spoken" by the desires of those who wanted us. However, we are also beings who speak,¹⁵ and we learn to speak in our mother tongue. Formed by this immersion in language, we set down the roots of our desire in that of our mother, and we bear, even in our way of speaking and style, the stamp of her desire, the stigmata of her jouissance. These marks alone could already condition one's life or even constitute the kind of law that I'm in the process of describing, if they aren't modified by another principle.¹⁶

Two examples, just to give you a brief glimpse of this. The first is the case of a psychotic woman who had tried to kill herself and her three children. Her passage to the act was the deferred enactment (*réalisation après-coup*) of an ambiguous statement that her mother made at her birth and that she always quoted, twenty years after the

¹⁵ The "being" who speaks "takes its being from speech." Jacques Lacan, "Introduction à l'édition allemande des *Écrits*" (1973), *Autres Écrits*, 554.

¹⁶ Cf. Jacques Lacan, *Le Séminaire, livre XVII, L'envers de la psychanalyse* (1969-1970), 89: "It isn't just a matter of talking about prohibitions, but simply of a dominance of the woman as mother, and a mother who says, a mother of whom one makes demands, a mother who commands, and who institutes at the same time the dependence of the little man. Woman allows jouissance to dare to mask itself as repetition. She is presented here as she is, as the institution of the masquerade. She teaches her little one to parade. She's inclined towards surplus-jouissance, because she puts down her roots, she, the woman, like the flower, in jouissance itself."

fact: “She wasn’t supposed to live.” She had interpreted this ambiguous statement of maternal desire as unfavourable to her, as a death sentence and, when she became a mother herself, she perpetuated this maternal curse on the next generation. The second example is less dramatic, coming from the analysis of a neurotic woman. She told me how her mother taught her to speak. (Obviously, it’s from her mother that she heard this story.) Her mother, whose early marriage had prevented her from studying literature and who became depressed when her in-laws gave her a rather cold reception, locked herself up with her child in the kitchen closet, and thus isolated from the world with her baby, named all the foods for her one by one. The young woman attributed her serious problems with bulimia, to this strange entry into language, and also her difficulties as a writer. But, you might say, this isn’t what we call “the law” in psychoanalysis; in fact, these are only words that the subject has somehow drunk in with the mother’s milk and that have then alienated them by becoming a phantasy lodged in a restrictive symptom. This is true. But what I would like to maintain here is that in the unconscious there isn’t something universal that one could call “the law.” There are only legislating (*légiférantes*) words, some of which are inscribed in such a way as to create a symptom. This demands that we clarify what we mean by symptom, and what is its relation to the law.

Analytic doctrine places the Oedipus complex at the centre of psychic reality. For Freud, it was important to situate the murder of the enjoying father mythically at the crux of the law. But, to follow Lacan, the Oedipus complex is no more than a mythical frame of reference for locating the limits of the analytic operation, that is, the role that a certain number of concepts play in it: the father, the mother, the division of the subject, the object-cause of desire, and so on. It’s a structuralist view of analytic experience and not a moral norm that psychoanalysts, transformed into judges or missionaries, must put back in place in the treatment.

The evolution of Lacan’s reading of the Oedipus complex indicates a decentering in relation to Freud. In fact, his reading of the Oedipus complex in the 50s is that of a substitution, known as the paternal metaphor — a substitution of the signifier of the Name-of-the-Father (which is supposed to represent the law in the unconscious as structured like a language) for a word that has the force of law at the outset, a mad, capricious law, supposed to constitute the desire-of-the-mother. But, for one thing, these signifiers — the Name-of-the-Father and the Desire-of-the-Mother — are unique in each case; they aren’t the veneer of a pre-existing universal order glued onto individuals. And for another, the law of the Name-of-the-Father, which is supposedly pacifying, also has a pathogenic side. Lacan created his formula of the paternal

metaphor based on the case of Little Hans, who suffered from a phobia of horses because he wasn't able to symbolize what separated him from his mother. The paternal metaphor is only a theoretical schematic of Little Hans' symptom, his response to grappling with the prohibition of incest. This reading of Freud's case could be considered the Lacanian paradigm of neurosis, in which the symptom is the envelope of the Name-of-the-Father, while on the other hand, the case of Schreber is the paradigm of psychosis, characterized by the rejection (or foreclosure) of the Name-of-the-Father, leaving the subject open to the legislating interventions of maternal speech. From the structural point of view, neurosis and psychosis are contrasted point by point: Name-of-the-Father and paternal metaphor for the first, foreclosure and delusional metaphor for the second.

At the end of his teaching, Lacan achieved a complete reversal of perspective between the Name-of-the-Father and the symptom: his thesis isn't that there are symptoms in spite of the "good" law of the Name-of-the-Father, but that the Name-of-the-Father itself is nothing but one possible symptom among others, specifically that of the neurotic. Psychoanalysis, invented by Freud with hysteric women, first brought to light the neurotic kind of symptom, made with the father. But it has no reason to confine itself to this. Indeed in psychosis, which is particularly instructive for us, the subject tries to put in place other kinds of symptoms in order to separate from the mother (or her substitute). In this new conception, the symptom, even if the subject complains about it, becomes a necessary support for him or her in order to separate from the mother and not be enslaved to her jouissance. Analysis reduces the pathological and overly restrictive aspect of the symptom; it modifies it, but doesn't eliminate its necessary function as support of the subject. And sometimes, in cases where the subject hasn't accomplished it before, analysis may even help the analysand to invent an appropriate symptom.

I'm going to present to you now two cases, one of psychosis, the other of neurosis, that each show in a different way how the symptom is a pathology of the law.

A Hostage to His Mother

The case of Paul gives a specific example of a boy who was unable to constitute a neurotic symptom by leaning on his father and who remained caught between the horror he felt for his mother and his terrible fear of his father.

At the age of twenty nine, Paul came to see me because he was suffering from panic attacks and hypochondriacal anxiety; after each sexual encounter, he feared that

he had contracted AIDS, and he thought every little bruise was a sign of cancer. He attributed the emergence of his troubles to a breakup that occurred a year earlier, although his panic attacks actually dated back to his early childhood. Indeed, his bodily anxieties had hardly let up since his first sexual encounter at the age of nineteen. Paul was a student in Lebanon up to the time when he came to study in France. From the ages of three to seventeen he had lived daily with bombings. When he was three, his aunt was killed in the courtyard of the school where she taught, and his earliest memories are of feelings of panic at every separation from his parents.

He attributed his panic attacks to the trials of war: they were, according to him, their after-effects. While I don't in the least want to underestimate the terrors of war, I think it is legitimate to wonder if he wasn't also using the war as a metaphor to name another fear. Let me present several elements of his history. His parents, Lebanese Catholics, were married on their return from South America, where they had immigrated. Their marriage was arranged and, according to Paul, his mother accepted it only to escape the yoke of her parents. She never loved her husband. They had three sons, of whom Paul was the youngest. The eldest was "massacred" by their father, said Paul. He wanted to become an athlete, but the father forced him to study to be an engineer; he became an alcoholic and a loner. The middle son was respected by the father and became a professional — to this day he remains a model for Paul.

The mother decided to protect Paul from his father, whom she judged to be a failure. Her leitmotif, which still resounds in Paul's head, was, "Not like your father!" Suffering from night terrors, Paul slept between his parents until the age of ten. His father, who was depressed, spent every afternoon lying in bed watching television, and on returning home from the Jesuit junior high school where he was educated, Paul joined his father in his parents' bed, where he regularly managed to get himself punished. Nevertheless, he was the son who was closest to the mother, and she made him her confidant.

At ten, he tried to strangle himself on the balcony after a decisive episode that he called "the transformation". His father had taken him to buy some shoes, but he couldn't pick the ones he liked because his father kept forcing others on him. At that point, he experienced a mental transformation: from then on, he was no longer able to keep himself from adopting his father's tastes, no matter how foreign they were to him. He called this phenomenon having "self-imposed ideas." What's more, he began to be attracted to boys. Thus he was "split" (*clivé*), as he put it: on the one hand, he had his mother's imperative, "Not like your father!", which he tried to live up to with all his might; on the other, he experienced forced mental intrusions from his father. But in spite of

everything, there remained a domain of his own: his secret taste for “boys who came from somewhere else”, beardless and with dark skin. The analysis showed that this trait derived from a fantasmatic attraction to his father’s adolescence in South America. From the episode of the shoes/imposed ideas there remained in him a passion for these objects. He kept an extraordinary collection of them and they always appeared in his dreams as emblems of desire.

Paul remembered an awful scene from when he was thirteen years old that struck me as paradigmatic of his position. During bombardments, his parents were indifferent and would never go to the shelters. Moreover, the only thing his mother was afraid of, according to him, was losing a son. Nothing else mattered to her. Paul, on the other hand, was terrified by the bombardments and he remembers dragging his mother into the windowless foyer of their apartment and holding her tightly for hours while his father remained in bed. Ultimately, he hoped that his mother would protect him from the bombs as she protected him from his father, by using her body as a shield. His fear associated paternal violence and the violence of the war in the same unconscious series. Fear of the war had become a metaphor for his dread of his father. Against this, there was an unfortunately ineffective shield: the mother and her “Not like your father!” At about 16, at the time when the brother who was a role model to him left home and during a phase of rebellion against his mother, he heard, while taking an exam, murmuring voices in the air, whispering “like ghosts.” After this disturbing elementary phenomenon, which recurred, his panic attacks intensified. As an adult, Paul fulfilled the professional ideals of his mother to the letter, and even though he lives far from her, he is permanently under her gaze. Whenever he has a decision to make, he hears an echo of her voice saying, “Not like your father!”

After I made an interpretation indicating to him that his father terrified him as much as the war, he had a series of dreams. In one of them, he was with a French comic actor, Louis de Funès — one of his old idols — but the actor appears disgusting and decrepit. Some of the other boys around him knew how to shoot a gun, but not him: he didn’t even have the right to try out the gun, and felt like his shoes were glued to his feet. He associated Louis de Funès with his father. But one could also deduce from the dream that he despised his father, that he never believed in him and never expected anything from him, probably because of his mother’s negative judgment. The price for this rejection is to be excluded from the world of “armed” men and to be persecuted by his father.

The second dream is a double nightmare. First, his mother is in the kitchen, and he notices a huge cockroach approaching her. Unable to avoid it, he pops its abdomen

open, and out come bloody eggs. A pestilential stench begins to spread, but his mother doesn't notice anything. He associates this part of the dream with the immodesty of his mother, who sometimes "forgot" to close the bathroom door. In the second part of the dream, he's chewing something strange: meatballs made of human flesh that are invading his mouth. He commented briefly: "Up until now, I've only been an outgrowth of my mother." This double nightmare shows his horror of incestuous closeness.

Paul's father wasn't able to serve him effectively as a symptom that would separate him from his mother. Paul was, at the cost of fear at every moment, a hostage to the mother's law — which didn't, for all that, stop him from being terrified of his father. That's what the pathology of the law consisted of for him. In retrospect, he spoke of his fear of war as being his partner at every moment, as a bulwark against something worse, another more familial terror. Sometimes, he misses the fear of the bombs as if it were a long lost friend, but his panic attacks make up for the absence of the war.

In such a case, the direction of the treatment doesn't consist in laying down the law or in creating a father to replace the one that didn't manage to exist, but in offering the subject the support of the transference (for Paul that means offering another gaze to take the place of his mother's) in order to enlarge the space that he was able to conceal from his parents' intrusions. We see some of the contours of this space in his homosexuality (the trait that determined his homosexual object choice was, moreover, borrowed from his father). This space allows him numerous social links and is accompanied by a certain artistic sublimation that Paul absolutely wants to maintain alongside the social/professional ideals imposed on him by his mother. In this way, this space may have taken on the function of a symptom separating him from his mother — a symptom that is less costly than fear of war — or it may even have been a *sinthome*. It is remarkable that this symptomatic first step was made — in this case of psychosis in which the Name-of-the-Father was, nevertheless, foreclosed — by leaning on traits that came fantasmatically from the father. But this was also the case with Joyce:¹⁷ the "imposed speech" that was to form the basis of his "*sinthome*" first came to him from his father.¹⁸

¹⁷ This could contradict a thesis of Lacan's from 1958: *Père-version* is to send the father packing.

¹⁸ Cf. Geneviève Morel, "A Young Man Without an Ego: A Study of James Joyce and the Mirror Stage" in Parveen Adams, ed., *Art, Sublimation or Symptom?* (New York: The Other Press, 2003), 123-145.

The Involuntary Parricide

In neurosis, the Name-of-the-Father is a symptom that is sometimes debilitating, and its corollary could be a severe superego, which constitutes another kind of pathology of the law. Arno was six when his fishing pole slipped into the Marne River, dragging him in after it. He didn't know how to swim and thrashed about in the water. His father dived in to save him, but sank immediately from the shock of the icy water and drowned. A passerby managed to pull Arno out of the water in time. His mother was present at the drowning, helpless and in tears. Arno never remembered this event, although it was told to him, and when he came to see me he didn't retain memories of anything prior to the accident. He remembered only the cold and brilliant red truck of the firemen who brought him back to his house after the tragic event.

He began his analysis at the age of forty four. His wife had just left him, taking their two daughters with her. He had been transferred to "a hole in the wall" after a number of professional setbacks caused by his violence and his lack of tact with his superiors. He wanted to kill himself but was afraid to die.

At the start of our preliminary meetings, he had a car accident in a company vehicle while under the influence of alcohol and was arrested somewhere he wasn't supposed to be. He was under threat of serious disciplinary measures. I had to offer a precipitous interpretation of his desire (*envie*) to punish himself to death. After that, the dangerous acts stopped, but a series of nightmares began, the flood of which still hasn't been dammed up. They revolved around his dead father, who returned as a terrifying ghost in the form of a rat coming out of the water with its mouth open to attack him while he only had his fishing pole to defend himself; with his pole covered with blood, he tried to kill the ghost. In one nightmare, a dog tried to enter his apartment from the balcony, and Arno struggled to keep it out. The dog began to squeal like a pig and Arno heard his own voice respond: "You'll never come back here anymore!" which woke him up. In another, he was dining across from a ghost that pointed its finger at him in silence, and so on.

After his father's death, Arno remained for some time with his mother, and then, when she fell into a depression, he was sent to a boarding school that seemed to him like a prison. At that time, he developed several different phantasmagorias. He became a vegetarian out of fear of eating the corpse of his father, which might have been introduced into the food chain by an oversight. He was fascinated by an expedition of travellers in the Andes who had to eat one of their own in order to survive. He identified with Lionel Terray, the only survivor of that catastrophe. Inversely, he looked for signs of

his father's survival. He became interested in mummies, and in bodies frozen in glaciers after seeing the film *Hibernatus*, in which a frozen man is brought back to life. He wanted to make a pact with the devil and imagined sending messages to his father by carrier pigeon, telegram, and so on. Meanwhile, he became brutal, injuring a classmate and trying to slit his own wrists. His mother had become very religious, "a secular saint", while he violently rejected religion. He asked her questions about conception, found her answers ridiculous and, as a result, doubted his father's paternity and fantasized that, like Jesus, he had another father than his own.

At this point in time, he hated both of his parents equally: his father because he had contracted a debt of life to him that he could never pay back (and which the whole family continually reminded him of), his mother because she had abandoned him in his distress by putting him in boarding school. He nevertheless cared for her with devotion when she died of cancer. At thirteen he went to live with his older sister. After this period, during which he developed a severe obsessional neurosis, he entered into puberty with phantasies of sexual relations with a friend of his sister's. A disappointment in love brought out, along with rather classic voyeuristic and sadistic phantasies, a momentary sexual ambiguity — he made himself up as a woman in front of a mirror after having been rejected by a girl, in an act linked with mourning for his mother. Indeed, he felt inhabited by her; he had headaches like she did, spoke with her voice, and dreamed of a feminine cavity that bled. Later, in analysis, he interpreted this old dream by saying, "I was a wound." Feminizing phantasies that signified to him that he wasn't a man came to him every time he failed to achieve an erection. He interpreted his sexual shortcomings as his mother taking posthumous revenge on him.

He did exceptionally well in his studies, had a son — whom he legally recognized — by a woman he didn't live with. And, by a repetition that he was only conscious of a long time afterwards, abandoned this son only to search frantically for him during his analysis. Before they were reunited he dreamed, not without a certain satisfaction, of everything that his son would reproach him for. We can deduce from this that he dreamed of making a weak father exist.

Meanwhile, as I have said, he had married, having chosen a wife who was in every way similar to his mother — violent and devoted to her religion. After the birth of their two daughters she left him — the catalyst for his entry into analysis. He expected that analysis would solve his impotence problems. One transference dream had him naked before me as I offered him a pair of underpants. He also hoped it would allow him to settle his accounts with his father. In another dream, I told him in an ambiguous way, "This is the last time we'll be seeing each other," and he didn't know if this was a death

sentence or a simple leave-taking before vacation. As it turned out, his sexual problems, which were related, as we saw in the analysis, to an identification with his mother, seemed to be less deeply rooted than the guilt stemming from his father's accident. This guilt endlessly haunted him in new and terrifying nightmares, recalling those of traumatic neurosis described by Freud in *Beyond the Pleasure Principle*.

Arno recovered only two memories prior to the age of six that retroactively bore the mark of trauma: in one he saw himself going fishing with his father and in the other he was in a car with his parents when a wild boar attacked them savagely. Ultimately, it's as if his father had been a flawless hero: no memory, no word could contradict this. And yet, isn't this what could relieve him? Hence the wish to be a bad father to his son. In the case of Arno, the pathology of the law comes from the superego that holds his father's death against him as a crime — since he was its accidental cause — and demands of him his own life in exchange, according to the *lex talionis*. Why such severity? Arno presumes that it is because of his pre-existing Oedipal hatred for his father, but for the moment, we haven't found any trace of that in the treatment. Couldn't it be, rather — and this would be Freudian enough to consider — his infantile love for his father that has fed the unquenchable thirst for revenge by this merciless superego? We know, of course, that the superego comes in part from the initial love for the father, which is transformed into identification. It seems that the flawless hero status that Arno's father assumed has consolidated the superego's weaponry. At least Arno no longer tries to kill himself in car accidents: analysis has confined his repetition compulsion to dreams.

Psychoanalysts occasionally distinguish “the Law” (with a capital L) from laws in general, leading one to believe that a single transcendental instance of the law, conforming to a supposed “symbolic order” (which soon turns into a moral order), is objectifiable in the unconscious. And because of this should be respected and even copied by lawmakers. However, psychoanalysis shows that there is no psychical agency in the unconscious that distinguishes good from bad for us in any coherent way. The psychoanalytic myth of Oedipus signifies that a child must be separated from the jouissance of its mother, who initially imposes her own law on the child, and that this separation is costly. The child will, in any case, make a symptom out of whatever separating principle it finds, whether it be the father or something else. That's “the law” — both necessary and pathogenic.

Our two subjects used their fathers, who had caused them such problems, to try to constitute symptoms for themselves. In the first case, that of psychosis, the fear of war and then panic attacks failed to create a phobia as a viable symptom; so the subject

had to search elsewhere, although he still borrowed from his father. In the second case, that of neurosis, the symptom involving the Name-of-the-Father is intolerable and the subject remains stuck in an impasse. We also observe, from my two examples, why the “good father,” according to Lacan, is the one who allows his children to constitute symptoms for themselves: neither a hero, a model of excellence, nor a terrifying puppet, but a father whose enunciations are situated in a suitable “half-saying” [“mi-dire”].

III) An Example of a Fundamental Phantasy: The “Messenger of Death”

I’m now going to present a case that we could describe with either the theory of the fundamental phantasy or that of the symptom as pathology of the law, as I just sketched out.

The case of Mrs. P. could simultaneously be linked to and opposed to the case of infanticide I made a brief allusion to earlier — the patient who constantly quoted the statement made by her mother at her birth: “She wasn’t supposed to live.” These two cases might appear to be very similar on account of the symbolic elements imposed on the subjects at the beginning of their existence, their mothers’ oracular speech, “the mother’s law.” But they are also quite distinct from each other because, in their lives, these two women made very different uses of these imposed words.

Mrs. P.’s entire life is organized around a fundamental phantasy, deducible from her analysis, which began eight years ago: she would like to have the power of life and death over her fellow human beings. Mrs. P. is an anaesthetics nurse on a surgery ward and her work consists of putting patients to sleep and waking them up before and after very serious operations. Obsessed with the death of other people, she never stopped asking herself the following question in analysis: wouldn’t it be better to help certain patients die rather than live? This particularly centered on elderly people being operated on for debilitating illnesses whom, she said, “we would do better to let die in peace.” She was an activist against aggressive life-saving techniques, which she saw as an unjustified prolongation of suffering.

Mrs. P. began an analysis upon the death of one of her older brothers. She felt responsible because he had called her that morning describing cardiac pains and she had reassured him. That night, he died of a heart attack, leaving her tormented by intense guilt. It is interesting to note that she later gave me another version of these events that was very different from the first: in the second version, it was her brother’s work colleagues, and not she, who had minimized the seriousness of his problem. This suggests that she may fantasmatically take responsibility for the death of others. It must

be said that she had the bad luck to belong to a family whose members died with frightening regularity: within eight years, she lost her brothers, her brother-in-law, and her parents.

Mrs. P. came from a humble family of farmers. When she was born prematurely, it was suggested to her mother that she be put in an incubator, but her mother preferred to keep the baby with her and pronounced these fateful words that were often repeated to Mrs. P: "We'll see tomorrow if she's still alive." She was placed, half dead, in a shoe box lined with cotton. "They didn't know if I was going to live or die," she said. After eight years of analysis, Mrs. P. realized that she had fixated on this ambiguous point of her mother's desire. The ambiguity resides in her mother's refusal to leave her in the hands of doctors so that she could care for her daughter herself. Mrs. P. always wondered whether it was foolhardiness due to an excess of motherly love or, on the contrary, a death wish. When someone in the family died, she scrutinized her mother, convinced that she "enjoyed mourning." In this family of farmers, boys were preferred. Mrs. P. was the first daughter after two sons: "They counted less on daughters. I told myself that since I was a girl, I was not wanted (*souhaitée*) by my mother." Mrs. P. also said that they attributed her premature birth to a dead twin foetus carried during her mother's pregnancy. The idea of having a dead masculine double is crucial for Mrs. P, as we shall see.

She concluded from the circumstances of her birth that she was born with "two strikes against her": being a girl (not a boy) and being sick (not healthy). Her assumption of these two "strikes," expressed as a phallic lack, is the hallmark of her neurosis: she was worth less, to her parents than a healthy boy. As a consequence, she had carried on since childhood a "war of the sexes," in the manner of a hysteric avenger.

Between three and four years old, Mrs. P. slept in her parents' bedroom. Thus she was present, as she reconstructed it, at her sister's conception. At her sister's birth, her father threatened to hang himself, which strengthened Mrs. P.'s interpretation that her parents didn't want daughters. (Incidentally, this sister grew up to become a wretched alcoholic.)

Shortly after her sister's birth, Mrs. P's mother contracted a very serious illness. Mrs. P. was sent to live with her aunt for three months where she waited every day, in a state of anxiety, for news of her mother's death. Even though her mother got better, Mrs. P. began to have recurring nightmares that lasted until the age of eleven: "I'm holding my mother's hand, we're going for a walk. Suddenly, a fault opens up in the

earth and I fall. Then, I let go of her hand.” Here the loss of her mother is inextricably tied to her own loss.

As we might have expected, the death of her mother was a kind of “quilting point”¹⁹ in Mrs. P.’s analysis: the material became organized, retroactively, around this point of separation in which were knotted together her own loss, that of her mother, and the loss, real or fantasmatic, of others. The occasion for it was an exchange with her sister in front of the coffin of their mother: “When I think that she carried me for nine months!” said her sister. Mrs. P. then thought, “But she only carried me for seven months.” She realized then the ambivalence of her relation to her mother, made up, on the one hand, of the profound resentment she felt towards her on account of the circumstances of her birth, and, on the other hand, of a passionate love that had very early on, at the time of her mother’s illness, given rise to her vocation as a nurse. This ambivalence was transferred onto her elderly patients, whom she wished to spare the unpleasantness of old age by accelerating their deaths. Thus she realized the ambiguity in the way she wished others well, which she called, “helping them to death,” and she finally took some distance from her obsessive phantasy.

Her mother died around the time of her birthday, and on that day she offered me a piece of jewellery. When I pointed out to her that she was offering me a gift on *her* birthday, she responded that she would have liked to receive one from her mother, but that this was no longer possible. Thus she displayed what was at stake in the transference: the precious object that she would have liked to be in the desire of her parents, especially her mother. Her father was an alcoholic, a “womanizer” (*chaud lapin*) who was always ready with dirty jokes and whom the mother reproached for his infidelities. But her mother, who was apparently the victim, was actually the boss. Since childhood, Mrs. P. had sided with her against her father, and always lent a sympathetic ear to her complaints. Her mother even advised her daughters never to get married or have children, but to get dogs or cats instead!

Mrs P’s choice of husband, a doctor, followed the same phantasy. At the outset, she gave him a hard time and sought to emasculate him. Adhering to her mother’s principles, she refused to make a commitment to him. One day, depressed over a professional setback, he made a serious suicide attempt. In order to save him, it was necessary to perform a very risky procedure that could have left him with a lifelong disability. Mrs. P. was asked for her opinion. She began by refusing, which would have

¹⁹ Jacques Lacan, *The Seminar of Jacques Lacan, Book III, The Psychoses* (1955-1956), ed. Jacques-Alain Miller, trans. Russell Grigg (New York: Norton, 1993), 293 ff.

meant his certain death, but finally she agreed to the operation. He survived, and only then did she agree to marry him and to have a child.

I mentioned earlier Mrs. P.'s phantasy of being the one who decides whether people will live or die — not only her patients, but her relatives too. We saw an example of it at the time of her brother's death, and the story of her sister's sick baby is analogous: she described these situations as being ones in which she is "the messenger of death," for her phantasy simultaneously involved her power of life and death and her knowledge, as in the prediction of someone's death. She chose for a husband an almost-dead double, recalling her dead twin at birth, a man who was brought back to life because of her, but who constantly threatens to die again. The link between her deadly phantasy and her sexuality is attested to by the explicit dreams she had of jouissance at the death of her two brothers, dreams that traumatized her and made her feel guilty. Her condition for jouissance really is the "dead man" or the "castrated lover."²⁰

If we want to parody Freud and find "the sentence" of Mrs P's phantasy, we could perhaps express it as, "A child is being killed". But if the central object is really the subject, then its agent would be her mother.²¹ This phantasy is constructed on the basis of an equivocation in her mother's desire, interpreted by Mrs. P as implying the right of life and death over her children, reported as a kind of oracle: "We don't know if she'll make it through the night." This became the law of Mrs. P.'s being, and she continually lived out this sentence in her job. We could almost say that she lived in a kind of permanent acting out, in the limited sense in which Lacan used the term to speak of the repetitive behaviors of Dora and the young homosexual woman. In effect, she exhibited daily, in both her professional and her private life, the cause of her desire — the dead man — as a kind of macabre scenario.

Indeed, her fundamental phantasy was deciphered from the symptomatic behaviors in which it was embodied, without her or me ever pronouncing a sentence like "A child is being killed." Her phantasy doesn't have the same structure as the Freudian phantasy of incest with the father, and it would be forcing things, as I said earlier, to try to make it fit at any cost into the framework of this theory. On the other hand, what's relevant is her interpretation of her mother's initial sentence, "her mother's law," which reveals the articulation between her desire and that of her mother. Mrs. P. had to get back to this point in order to separate from it, at the moment in analysis when she

²⁰ Jacques Lacan, "Guiding Remarks for a Congress on Feminine Sexuality" in *Feminine Sexuality*, ed. Juliet Mitchell and Jacqueline Rose, trans. Jacqueline Rose (New York: Norton, 1982), 95.

²¹ [Trans. note: In French, Freud's article is called 'On Bat un Enfant', while the English translation introduces the construction 'A Child is Being Beaten'. Morel's French sentence here is, 'On tue un enfant'.]

glimpsed the difference between what she was for the Other and what she would like to be, the distance between object *a* and her ideal.

To conclude by returning to what I said at the beginning, I willingly acknowledge that the concept of the fundamental phantasy is appropriate to the clinical features of this case. But we could also consider the inscription of the phantasy in the real as a symptom that separated Mrs P. from her mother, a symptom which is also a pathology of the law. The ethical side — linked to problems of time and destruction — of Mrs. P.'s preoccupation with the life and death of others is notable. Her symptom is also what allows her to maintain a relationship with a man suited to her phantasy. The originality of this case lies in the fact that the symptom borrows so little from the father, but a great deal from the practice of medicine. "Medecine" becomes a master signifier with which she identifies or against which she struggles. Behind her mother's initial speech was the doctor's verdict. On the other hand, the phallic charge of the phantasy and of the symptom is very strong.

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