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Crimes of the Pen

Summary:

Hardly anyone writes about Lacan's paper, "A Theoretical Introduction to the Functions of Psychoanalysis in Criminology." It is one of the least commented on essays in the *Ècrits*, a Lacanian archive that has gone largely unarchived. Who reads this paper? Why is there no evidence of its effects? Lacan and his co-author, Michel Cénac, write that the question at issue is the relationship among revelation, truth, and efficacy, in the juridical environment and in psychoanalysis. This essay interrogates these various projects that deal in truth effects—criminal justice, psychoanalysis, speech, and writing—by way of the criminology paper and two crime texts that imbricate all of these four coordinates, Fyodor Dostoevsky's Crime and Punishment and Henry James's The Turn of the Screw, as a way of articulating the relationship between psychoanalysis and literature or psychoanalysis and writing.

Hardly anyone writes about Lacan's paper, "A Theoretical Introduction to the Functions of Psychoanalysis in Criminology." It is one of the least commented on essays in the *Ècrits*, a Lacanian archive that has gone largely unarchived. It has left few visible traces. In their introduction to volume I of *Reading Lacan's Ècrits*, Stijn Vanheule, Derek Hook, Callum Neill write that Lacan published his writings only reluctantly: writing was not his preferred medium of transmission, it was crap, something for the waste bin, publication into the toilet. It had to be pried from him; it was the symptom or material residue of his seminars. Writing closes down the multivalence that speech keeps in play, it causes what Lacan, in "The Instance of the Letter in the Unconscious," called a "kind of tightening up" which "leave[s] the reader no way out than the way in" (Lacan 2006, p. 412). This is the prison house of writing, or writing and reading as disciplinary procedures. Its collection is worth nothing but the title *Ècrits*, a tautology for a title, a book named for itself.

Yet these contractions are performed around a writing that is also quite messy and exposed, structured, as the introduction notes, like primary process to Freud's secondary. Perhaps these writings—as much as they perform the locking up that writing institutes—also all, in one way or another, dance around the relationship between writing and speech, each positioned in its own way somewhere between the two. Thus they are writings that leave open the possibility that a text that, as Lacan said, is not meant to be read—not meant to be apprehended as a visible trace—may instead be made to speak, and even to speak in multiple voices. The introduction quotes Elisabeth Roudinesco, who says that the *Ècrits* collects a life devoted to oral transmission in a form that "does not come undone, does not vanish, cannot be stolen: a letter arrived at its destination" (Vanheule, Hook, Neill 2018, p. xx). Perhaps, as the introduction says, it is a love letter to psychoanalysis.

These exchanges—between speaking and writing, enunciation and trace, opening and closing, disappearance and residue, reluctance and haste, arrival and abduction, or stolen letters—get played out around the criminology paper, which is so hard to track that it evidently has produced no detectives. Who reads this paper? Why is there no evidence of its effects? Lacan and his co-author, Michel Cénac, write that the question at issue is the relationship among revelation, truth, and efficacy, in the juridical environment and in

psychoanalysis. One might also add, in writing, and in speaking one's writing, as this was a text that was presented orally at the 13th conference of Francophone Psychoanalysts.

In the following essay, I would like to interrogate these various projects that deal in truth effects—criminal justice, psychoanalysis, speech, and writing—by way of the criminology paper and two crime texts that imbricate all of these four coordinates, Fyodor Dostoevsky's *Crime and Punishment* and Henry James's *The Turn of the Screw*, as a way of articulating something of the relationship between psychoanalysis and literature or psychoanalysis and writing. Both of these literary works center on the relationship among speech, writing, and the unconscious, and both are written texts about oral confession, and what it opens or closes; at the same time, as works of nineteenth-century prose associated—in one way or another—with the genre of detective fiction, they interrogate the status of truth at the advent of modernity, that is, at the moment of the invention of psychoanalysis. The nineteenth-century detective novel was among Freud's various cultural inheritances, determining in some way the assumptions about the pursuit of truth in psychoanalysis and the relationship among truth, revelation, and effect in the psychoanalytic scene, and these texts speak to this historical constellation, albeit from radically and importantly different cultural positionings. Lacan, who marked the shift from modernity to postmodernity in psychoanalytic thinking, is then positioned to articulate these coordinates perhaps especially via an attention to the action and status of the signifier, which can then be read back into the texts themselves. It is my contention below (admittedly largely influenced by my own personal passions) that, for various cultural reasons, Dostoevsky in particular harnessed the ethic of the signifier in speech within his writing, lending a flavor of orality to the detective novels of his day—much as Lacan hystericized Freud, writer that he was.

According to Lacan and Cénac, psychoanalysts "work on the basis of a form of revelation whose truth conditions its efficacy" (Lacan 2006, p. 102). Analysts work with truth effects, that is, with the residues of unconscious desire, and with the understanding that truth, its uncovering, and its productions—both the symptomatic traces left by it on the body, in behavior, and in speech and the efficacy of its articulation—are located in close proximity. The criminal justice system is concerned with truth as well—"the truth of the crime, which is the facet that concerns the police, and the truth of the criminal, the anthropological facet" (102)—and so the question becomes what the analyst's distinctive position contributes to our "search for truth" (103): not so much in order to develop yet more theories of delinquency from the perspective of a certain theoretical apparatus, but to articulate the internal limits of psychoanalysis as defined against and with respect to this other truth-arena, and with the suggestion, I believe, that "search" and "truth" are in a relationship of mutual conditioning.

Much of the effort of the criminology paper is to underscore the place of the symbolic in the criminal scene, along with detours through the imaginary, identification, and aggressivity. There is no crime instinct, and it is psychoanalysis, in its dialectical understanding of the subject, that can show the way to what Lacan and Cénac call a "de-realization" of crime. In *Totem and Taboo* and the Oedipal story, crime creates law in mythic time, instituting by being outside of the logic of priority; as St. Paul says, law creates sin. The action of the law as it metes out punishments that require what the criminology paper calls "subjective assent" to have any significance produces "what we call 'responsibility'" in a given society (103). Thus guilt is an effect and affect of the symbolic, and though perhaps affects in general are, as Colette Soler writes, "determined solely by signifiers" (Soler, 2015 p. 5), guilt in particular may speak to the symbolic as such, to the fact or act of our assenting to the social link and our location in the symbolic network. We are guilty because we speak. To confess to a crime is to confess to one's enmeshment in the symbolic, to reaffirm one's responsibility in the social not so much because the criminal is outside of that enmeshment but because he has acted out within it. The crime was addressed to an Other. To speak one's guilt (before a judge, a policeman, a priest, what-have-you) is then a secondary address that affirms rather than disavows the site of responsibility in law and language, which is both the cause and the expiative of the crime. Confession is thus a speech act that puts the symbolic back where it belongs.

One can discuss the more or less explicitly Oedipal dynamics at work in these criminal scenes, as Lacan and Cénac do when they speak of soldiers who rape civilian women in the presence of an older male. In *Crime*

and Punishment, such interpretations are both available and vulgar, which may itself speak to Lacan's insight that Oedipus, more than a question of who wants to do what to whom, is a discursive effect. Raskolnikov in that novel is a perfect Freudian subject, a criminal from the sense of guilt, for whom the crime will account for the affect, locate it, vulgarize it. One could read his guilt, as it bears in some way on the missing father of the novel, much as Freud read Dostoevsky's response to his father's death in "Dostoevsky and Parricide"—that is, as related to early Oedipal wishes. But like all of Dostoevsky's work, this is a book about speech and its effects, and the Oedipal exists primarily on this register. What is demanded of Raskolnikov, who has murdered two women, is not doing hard time or even any kind of obvious social penance, but speech. He has to take responsibility for his act, and this means that he has to speak it in its specificity, including by saying the names of his victims. Most readers don't remember the name of the murdered pawnbroker because Raskolnikov rarely speaks it throughout the book, calling her instead, an old crone, a louse, etc.

Thus Raskolnikov needs not only to account for himself in language, but also to account *for* language and its effects. This is what the confession accomplishes. "Raskol" means "split" in Russian, but, according to Lacan, that is essentially what every name means. In implicitly asking Raskolnikov to speak his victims' names, the novel is demanding not that he suture his split—as I think naïve readings of the novel often have it—but that he register that he is not alone in this split state: that is, he must avow his own desire by way of that of the other precisely by speaking their mutually split existence within language, rather than acting out its pain (which he does when he splits his victims' heads in two with an axe). To do so, he uses the detective, Porfiry Petrovich, as a psychoanalyst, who makes himself available for this use—it is actually astounding how Dostoevsky writes psychoanalytic process into this text *avant la lettre*—by sitting in wait, never going to track anyone down, and speaking elliptically to Raskolnikov when he comes to visit, always having done so propelled by some mysterious force. Something of Porfiry Petrovich's positioning then allows Raskolnikov to hear himself anew, as is evident from their first meeting:

> "You seemed to be saying yesterday that you wished to ask me me… formally… about my acquaintance with this…murdered woman?" Raskolnikov tried to begin again. "Why did I put in that *seemed*" flashed in him like lightning. "And why am I so worried about having put in that *seemed*?" a second thought immediately flashed in him like lightning.
>
> And he suddenly felt that his insecurity, from the mere contact with Porfiry, from two words only, from two glances only, had bushed out to monstrous proportions in a moment…and that it was terribly dangerous—frayed nerves, mounting agitation. "It's bad! It's bad!…I'll betray myself again."
>
> "Yes, yes, yes! Don't worry! It will keep, it will keep, sir," Porfiry Petrovitch muttered, moving back and forth by the desk, but somehow aimlessly, as if darting now to the window, now to the bureau, then back to the desk, first avoiding Raskolnikov's suspicious eyes, then suddenly stopping dead and staring point-blank at him…
>
> "We'll have time, sir, we'll have time!…Do you smoke, by chance? Have you got your own? Here, sir, take a cigarette…" he continued, offering his visitor a cigarette. "You know, I'm receiving you here, but my apartment is right there, behind the partition…government quarters, sir, but just now I'm renting another for a while. They've been doing a bit of renovating here. It's almost ready now…a government apartment is a fine thing, eh? What do you think?"
>
> "Yes, a fine thing," Raskolnikov answered, looking at him almost mockingly.
>
> "A fine thing, a fine thing…" Porify Petrovich kept repeating, as if he had suddenly begun thinking of something quite different; "yes, a fine thing!" he all but shouted in the end, suddenly fixing his eyes on Raskolnikov and stopping two steps away from him. (Dostoevsky 1992, p. 333-4)

It is on the heels of several such sessions that Raskolnikov is able to produce his confession, as a response to the detective's provocations and punctuations. When it does appear—"*It was I who killed the official's old widow and her sister Lizaveta with an axe and robbed them*" (531)—the emphasis is on the name—its presence for one victim, and absence for the other—and on the shifter, "it was I." Raskolnikov takes responsibility precisely at the moment at which he is displaced, from subject to subject complement in the predicate; the splitting within the shifter is further given voice by what is unintentionally avowed in the enunciation, that is, that the murder hinged on a refusal of naming. But, it is only by speaking of and within this split—by speaking of it precisely by speaking within it—that something like responsibility is possible. In the text, the effect of this enunciation is a radical opening, as Raskolnikov is moved to a work camp in Siberia, where, among his fellow inmates, the glimmer of sociality becomes possible—the camp not so much a prison as a waystation to work and life. And it is perhaps the very speakerly nature of the text—a text that, like all of Dostoevsky's novels, might be described the way Lacan speaks of Freud's dream of Irma's injection, as one in which "the discourse of the multiple *ego* makes itself heard in a great cacophony" (Lacan 1991, p. 167-8)—that makes this opening possible.

Lacan and Cénac write that "the most characteristic form of expression in Western society is the assertion of one's innocence" (Lacan 1966, p. 115). At the same time, the difference between the subject of the statement and the subject of the enunciation may be at work in the paper's discussion of the truth of the crime (the object of criminology) versus the truth of the criminal (the object of anthropology or psychoanalysis). In *The Brothers Karamazov*, for one, someone who didn't commit parricide gets convicted of it anyway, because psychically—Oedipally, symbolically—he is as guilty as any speaking subject; the legal apparatus follows through on this psychic truth. Thus the factual accuracy of Raskolnikov's confession, in light of Dostoevsky's oeuvre, is coincidental, since in Dostoevsky's works the legal system attends to the subject of the enunciation over the subject of the statement, consistently featuring a legal apparatus that privileges unconscious truth over material fact and that in this way operates psychoanalytically rather than juridically. These are also disciplinary milieux in which material evidence has a tendency to disappear without a trace. Dostoevsky wrote within a period in Russian history in which Western juridical, political, and economic models were being imported, disseminated, and hotly debated, and he generally took the side of the Slavophiles, who claimed that these rationalist epistemologies had no business on Russian soil. His contribution to these debates were detective novels that aimed to hystericize or speechify Western disciplinary models, including the Western genre of the detective novel, which generally opposes the idea that material evidence might dissolve into thin air, like a spoken word.

The shifter is on display in *The Turn of the Screw* as well, though with different effect. This may be a result of the writerly nature of a text whose tightening up, in Lacan's terms, is evident even in the title. James thought Dostoevsky was a bad writer: he wrote loose baggy monsters, too messy and uncontrolled, too hysterical. Perhaps they were too close to speech, inhabited by multiple voices. *The Turn of the Screw* is a text about writing, a frame narrative whose story is transmitted in the form of a manuscript that has finally been released from the drawer, and whose content centers on letters, written by the headmaster of a school, about a mysterious crime committed by the boy who is sent home—to a house called Bly—as a result. It is speculated that he stole letters. The two ghosts in the text—seen only by the boy's governess, who deduces that they are the ghosts of previous Bly tenants, Miss Jessel and Peter Quint— are the product and signal of these traveling signifiers, where the removal of the master from the house lets loose their effects. These ghosts do not speak, but at one point, one of them is seen writing a letter.

Shoshana Felman (1977) writes that the story may be considered an ur-text of the relationship between psychoanalysis and literature, and of the potentials and pitfalls of psychoanalytic literary criticism: of the question of epistemological mastery that both fields evoke and, at their best but perhaps only then, put to question. The history of the criticism of "The Turn of the Screw" is riddled with arguments over whether the ghosts in the text are, so to speak, real, and in some kind of sexually-inflected commerce with the two children of Bly, or whether they are a product of the sick mind of the governess who has written the story down in first person, and who, in her new post, has taken the place of the master, in search of epistemological authority, especially over the horror and crimes of infantile sexuality. Much of her pursuit

takes place through reading.

What is produced in the criticism then are quasi-psychoanalytic readings of the ghosts as manifestations of the governess's hysteria and sexual repression that Felman calls "vulgar," which she defines as a reading that ignores the symbolic dimension, and that refuses to incorporate the impossibility of meaning, what won't be told. The story itself warns against such literal, vulgar readings as much as it ironically produces them. In this sense the text performs its content around sexuality as the place where the text fails to mean, which is where both the crime and the ghosts are located: sexuality as the disruption of meaning, and the aporia of both rhetoric and criminal interrogation. The story produces psychoanalytic readings that attempt to master the impossibilities of sexuality, the unconscious, and language that the text speaks to, and so literature comes to stand for that very disruption at the same time that, in the story, both reading and interpretation, in the hands of vulgar thinkers, may be complicit in shutting it down.

The interpretive violence that the story both documents and produces takes place around shifters, which are the locus of its epistemological problematics. In conversations at Bly, no one understands anyone else's pronouns. There are constant necessary clarifications of who is indexed by a "her" or a "they," and yet the effect is that the status of any indexical unit, as well as of anything capable of being indexed, is radically unstable—and it is this radical instability that is evoked by and bodied forth in the ghosts. If the referent of a shifter is context-dependent—on who is speaking, to whom, when, where, from what position in gender and sexuation—then the ghost effect is a disruption of all of those coordinates: time, place, gender, sexuation, personhood. Among other things the ghosts represent the impossibility of criminal confession in light of the unconscious. The final scene of the story features a criminal investigation that takes place around the shifter: the boy, Miles, with his governess, by now desperate to prove that the ghosts are real, and that the child sees them. She interrogates Miles about the event for which he was sent home, referenced in letters that refuse to speak the crime; at the very moment that Miles once again proves incapable of producing a definitive answer, a ghost appears to the governess, who screams and "presses [Miles] against me." The scene that follows is a circus of shifters:

> "Is she *here*?" Miles panted as he caught with his sealed eyes the direction of my words. Then as his strange "she" staggered me and, with a gasp, I echoed it, "Miss Jessel, Miss Jessel!" he with sudden fury gave me back. I seized, stupefied, his supposition… "It's not Miss Jessel! But it's at the window—straight before us. It's *there"*... "It's *he?"* I was so determined to have all my proof that I flashed into ice to challenge him. "Whom do you mean by 'he'?" "Peter Quint—you devil!" (James 2001, p. 113)

The governess gets her proof, but she is squeezing Miles so hard as she does that he dies. As Felman writes, "the act of reading, the attempt to grasp and hold the signified, goes hand in hand with the repression or obliteration of a signifier—a repression the purpose of which is to eliminate meaning's *division*" (Felman 1997, p. 166). An insistence on the closure of the split in the shifter—an insistence on the subject of the statement at the expense of the subject of the enunciation—kills, at the same time that the naming of names, under the force of this closure, has the opposite ethical effect that it does in Dostoevsky's text. The symbolic cannot be put back where it belongs in this confession because the governess, as a literal and vulgar reader—as a reader cum judge and jury—insists on a production of speech that precisely refuses the symbolic dimension: that is, she puts herself in the place of the missing master of the house, mistaking herself for the master signifier as the guarantor of meaning. This is the juridical mistake *par excellence*, yet it is also an ironic indictment from a master such as James, who may have been too firmly encamped in Anglo-American rationalism—and writing too early in the shift from realism to modernism in Britain to be influenced, as Virginia Woolf was, by the Russian novel's anti-rationalist stance—to offer an alternative to what he condemns. Or maybe it was a question of personal and writerly temperament.

In part, this difference may hinge on the question of writing as Lacan frames it in the *Ècrits*. It is not clear to me that Lacan would have wanted his letters not to be stolen, otherwise what would there be to talk about. Where James's text pursues throughout the problematics of reading and writing—reducing even spoken endeavors to these disciplines, and thus producing so-called psychoanalytic readings that betray

psychoanalytic listening—Dostoevsky's text carries out the reverse operation, infusing writing, reading, and social discipline itself with psychoanalytic revelation as a spoken procedure. Dostoevsky's ethic may be very close to Lacan's claim that his writing is somewhere between writing and speech, and it is perhaps here that the relationship between psychoanalysis and literature—or psychoanalysis and literature as a field—might extricate itself from the power dynamics that so often define it, with psychoanalytic readings that claim interpretive authority over literary texts that will always, criminally, exceed them. James's text traps the reader into performing those dynamics as a way of putting on stage the moment at which the psychoanalytic ethic goes awry, precisely by becoming too writerly—which also means, too material, and too caught up in residue as evidence. Dostoevsky's—much like psychoanalytic practice as a form of speaking that is also a kind of writing—may point the way to extricating us from them.

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