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# Ethics and Perversion

***Summary*:**

This paper develops a structural analogy between the desire of the analyst and the perverse position reflected in the concept of apathy, in relation to the Sadean phantasy. This analogy provides the necessary framework for a further differentiation between ethics and perversion. In order to shed more light on this hypothesis-which constitutes the axis of the author's thesis-it must be made clear that the analytical relation is not perverse; on the contrary, it should be defined as being opposed to the perverse desire. But such opposition can be understood only from the moment in which both concepts become intertwined.

1.
This work lays out a structural analogy between the desire of the analyst and the perverse position reflected in the concept of apathy, in relation to the Sadean phantasy. Such an analogy serves as the necessary framework for further differentiating the terms "ethics" and "perversion".
As Lacan pointed out, the Marquis de Sade is not just an author who-in providing a vast catalogue of perversions-advances Freud's work. Rather, the Sadean boudoir has the same value as that of the Academia, Lyceum or Stoa, essential sites in the history of Western philosophy: places meant for the creation and renewal of thought.
What's more, Sade modified the position of ethics, just as science did in the Academia, Lyceum or Stoa. Indeed, both sought to transform the whole of moral philosophy, if not all of philosophy up to that time, and establish a new practice with its own underlying theory.
Kant and Sade, in breaking with the rule of continuity and following one instead of rupture, made the subsequent development of Freudian work possible by bringing about the first significant change regarding Aristotelian ethics.
According to Aristotle, desire is not a part of ethics, which is essentially concerned with practical knowledge. There is a considerable gap between conceiving a teleological ethics-such as Aristotle's-and a non-teleological ethics, such as defended by Freud (1920) in "Beyond the Pleasure Principle".
For the Stagirite, desire may only be included in ethics if it is domesticated by means of a certain education. The virtuous man is one who obeys reason, and is thus able to dominate desire and achieve well-being, reaching the ultimate goal of ethics, which is happiness.
In this way, pleasure and happiness constitute the universal goal of the Supreme Good. Yet, even a brief comparison with Freudian ethics shows us that the situation regarding pleasure and the function of desire and enjoyment is far from clear. Even the idea of adaptive coherence cannot provide a direction and rationality for the encounter between pleasure and happiness.

2.
Kant's ethics requires the division between inclination and reason. For this philosopher, the object of desire and everything that turns around happiness cannot be made a moral imperative. The only possibility of including the object of desire and happiness within an ethical formulation is by means of certain maxims; yet, these do not provide the result Kant is interested in-viz. universalizability-because they are subjective.

If we follow Aristotle's ethics-where the achievement of happiness is essential and the Good is identical to well-being-we are unable to satisfy the criterion of universalizability since the object of well-being is not the same for all individuals. This becomes even more evident when the logic of "happiness in evil" is followed. Hence, the problem is not only a matter of the vast diversity of objects of well-being for each subject, but also that one that one may be good within Evil or be bad within the Good.
Kant's subversive ethics-based on Descartes' arguments-consists in the separation of the Good from well-being. Kantian ethics contains a sacrificial trait in that it is developed to the exclusion of all those objects considered "pathological", i.e., the objects of well-being. When once sacrifices the objects of well-being, one stands alone before the law, not before the contents of a law, but before its form.
According to Kant, an action cannot be considered ethical merely because it fulfills a command that conforms in terms of its content. In fact, it is subject to what the law demands. It's worth noting that the Kantian pretense of eliminating all objects of well-being from the domain of ethics renders the subject bound to a single object, one that's even more terrible: the voice of the Super-ego. When all the objects of well-being are sacrificed, the subject remains alone before the Super-ego's voice. It is no coincidence that Freud identifies the Super-ego with the categorical imperative.
Kant's separation between the Good and well-being is a fundamental turning point, in as far as the law, as the Good, is not confused with well-being. What's more, the subject is left with only the law as a categorical imperative, since there objects of well-being–objects which generate passions and also the "weakening compassion"–have been renounced.
Lacan identifies the Kantian categorical imperative with that of Sade's, as far as this demand calls for jouissance.
The key text of Sade, La Philosophie dans le boudoir, matches, completes and validates the basic work of Kant's reformulation of ethics, Critique of Practical Reason. In this text Sade opens the safe of Kant's postulates, where we can find the jewel, the hidden diamond.
Through the Sadean boudoir, subversion-once repressed in one way or another by a certain ideological need of stymieing the discourse on maxims written in moral philosophy in the time of Kant-becomes evident. Lacan (1966, p. 766), for his part, states:

Let's observe that this good is only supposed to be the Good because it proposes itself. As we just said, against and for any object to which it imposes its condition; for opposing itself to any of the uncertain goods which those objects may provide, in an equivalence of principle; for imposing itself as superior on account of its universal value. Therefore its weight only appears by excluding instinct or feeling […]

3.
The exclusion of pathological objects and anything that the subject is bound to suffer-given his interest in them-is the condition of ethics.
For Kant, this is not a matter of a counterweight but of an "anti-weight"; that is, it is not a matter of balancing the scale with another weight, but of subtracting weight.
How is this subtraction performed? If we read the end of Lacan's text quoted above, we find: "[T]he sight of Good makes those pleasures less respectable. Textual as well as suggestive." Pleasures become less respectable once we have a glimpse of the Good. The term "respectable" must be taken here in its original Latin sense (from respicere), meaning to look back, or to look at another direction. On the one hand, to look at the Good determines for those objects of pleasure that they will appear less respectable, and at the same time remain outside or behind. That is why it is possible to affirm that this statement of the law, Kant's concept of Good, is no more than a paradox. Let's consider this paradox: It takes place at the very moment in which the subject has no object in front of him, since he encounters a law that presents no phenomena but only a voice of conscience that-articulated as a maxim-proposes the order of a purely practical reason, or willpower.

## DELIMITING THE PROBLEM

4.
The concept of apathy, which occupies an important place in Sade's theory, makes its entrance following the

Kantian reformulation of ethics. Kant's ethics, as well as Sade's views, consolidate the value of universalizability as a fundamental criterion, in terms of the categorical imperative in one case, and the maxim of the right to jouissance, enjoyment, in the other. This necessarily implies-on the basis of the difference established between the Good and well-being-a criticism of the passions in the field of ethics and the appearance of the importance of apathy, especially in the work of Sade.
The question that constitutes the essential subject of this thesis is the following: Is the relation between the desire of the analyst and perversion-in particular, Sadean apathy-contingent or structural? The same question could be formulated in another way: Is it possible to evoke the relation of the Sadean executioner with his victim in the analytical context? In other words, what are the points of convergence and divergence between such positions?
The psychoanalyst can only fulfill his role as long as there is a subject who suffers and laments. In addition, unlike a physician, lawyer or priest-who also receive those in distress-the analyst does not pity the subject who suffers; he does not anesthetize suffering, nor does he redress injustice.
A comparison between Sade and Sacher Masoch can help us to think about a certain particularity: Why is it that Sade argued that the essential relied on necessity (of the Sadean executioner) to achieve the ideal of apathy?
Apathy constitutes one of the most important pillars of the Kantian system, since it is the only condition which assures the purity of jouissance, enjoyment, free of what is pathological in the Kantian sense of the term (1).

5.
Sade acts in accordance with the Kantian ideal of overcoming pathological objects. Apathy thus becomes the condition for achieving jouissance, free of what is pathological, not limited to the subject of well-being.
In this sense, Sadean ethics is close to the ethics of Spinoza, since both deal with an ethics of desire as essential to man-a phrase Lacan recalls several times. These ethics are defined by the tendency to increase the potential of being.
For Spinoza, ethical accomplishment consists in the maximum development of the active faculties. In his book on Spinoza, Deleuze (1990) argues that Spinoza's ethics is meant to lead to the end with all available resources. This phrase could be attributed to Sade, in the sense that a thing is defined as good due to the fact of its being desired. For Spinoza, any kind of joy or whatever produces it, and especially whatever satisfies a desire, is good.
Spinoza's ethics proposes turning passivity into activity. He discusses the transformation of the body's activity into the soul's activity. This movement is comparable to the askesis that leads to Sadean apathy, e.g., when Juliette must renounce her sensual voluptuousness in order to restrain the energy bound to surpass the limits of prejudice. If it becomes necessary to start by increasing the body's aptitude for being affected-in order to develop the spirit's aptitude-the libertine must await a point where, according to Sade, "the physical embraces the voluptuousness of the spirit." Juliette will learn to commit crimes in cold blood, and to illuminate her own senses with the flames of those crimes. She says: "My soul is impassive, and I challenge any feeling which attempts to soften it. I am the owner of the affections of that soul, of its desires, of its movements. Within myself, everything is under my head's command."
Sade justifies the existence of crime since, in his view, it is the act par excellence. Jouissance-which crowns crime and its execution-presents itself as being equivalent to what Spinoza called "beatitude". Being not only a Spinozist, but also a Kantian, Sade claims that crime is an emotion, devoid of sense.
Sade defines jouissance as the affection that accompanies activity. The term he employs is of interest to us since it can be used with the always active character of instinctive movement. It is in this sense that he says: "The more one is, the more one enjoys." Increasing activity means increasing the difference between the subject and object. The intensity of the sensation is a measure of the level of activity between jouissance and the victim's pain: the more jouissance on the part of one who performs the activity, the more pain within the one who suffers. This is why the being's maximum potential is crime.
The importance of apathy arises in the case of the executioner-since apathy is at the service of jouissance-whereas in the case of the victim, there should be no jouissance but only anguish.
The Kantian conception of willpower-defined as the willpower of jouissance within the Sadean phantasy-is

determined not by a subjective function, but by the object's function. This implies the inversion of the formula of the neurotic phantasy (where priority is given to the subject), with priority now given to the object a, that is to say, to the evidence of petrified jouissance.

6.

The Sadean maxim, as Lacan makes clear, states: "I have the right to enjoy your body, whoever can tell me, and that right I will execute with no limit to restrain me from the caprice of the demands I can make of it, at my own will." This maxim is, in fact, rather strange. It starts with: "I have the right to enjoy your body," but it continues with, "whoever can tell me," making it seem as if someone else is speaking.

There is a difference, clearly stated in the maxim, between the object of the enunciation and the subject of what is enunciated. The subject of the enunciation is "I have," whereas the subject of what is enunciated corresponds to "me" in the expression "to tell me."

This maxim implies anyone's right to jouissance of my body, a jouissance that anyone may have, and therefore not limited by my right. As a result, the logic of such a maxim is not identified with so-called man's rights, where reciprocity is always present.

The difference between this maxim and what is proposed in terms of reciprocity can be more clearly perceived if we appeal to the definition of marriage in Kant's Metaphysics of Morals: "The union of two persons of different sexes for lifelong possession of each other's sexual attributes". He mentions something similar in a phrase referring to sexual commerce: "A sexual commerce is the reciprocal use-which a human being makes-of other's sexual powers and organs". In both cases of marriage and sexual relations he alludes to reciprocity.

The Sadean maxim does not consider reciprocity. The French writer used to say that it is not possible to have access to the Republic without making an effort more to give up any property. The maxim of the right to jouissance is not limited by the one whose body is the object, and this means that the exercise of this right disregards all mercy and compassion.

For Sade, the maxim of the right to jouissance is the affirmation of a duty that excludes whatever motivation is foreign to what the final order, proper to such a maxim, implies. There is a remarkable overlap with regard to the Kantian categorical imperative: both ethics concern the rejection of the pathological and refer to the pure form of the law.

In this sense, Kant and Sade are the same: they reject the pathological and emphasize the formal statement of the law, the law's pure form. In the Sadean imperative one must recognize the character of universal law, since it has the virtue of simultaneously establishing the elimination of the pathological and the pure form of the law.

The Kantian subject is the author, the executioner and the victim of the law, because the imperative reveals within each of us a legal dimension.

In Sade's work, the characters generally perform three roles: the victim, the torturer, viz. the executioner, and often a third person who controls the scene, and represents and prescribes the law (e.g., when he says: "Do what you must do").

The characters in La Philosophie dans le Boudoir include: Madame de Saint Ange, who organizes, prescribes the law and controls the action; Dolmancé, who executes and teaches; and Eugenie, who is the victim. Taking the initials of Saint Ange, Dolmancé and Eugenie, the name SADE is formed

Such considerations show the outburst of the unity of the subject, represented by different characters, something like a tributary partition.

7.

The Sadean subject becomes the apathetic agent of the law, bound to satisfy, in the last instance, the Other's will for power. It is in this sense equivalent to the Kantian imperative: it also proceeds from the Other's will for power since-beyond the pleasure this desire seems to address-there is present the jouissance that demands the disappearance of pleasure.

If the agent effectively develops and performs "moral action", then he is the executioner of the law. The action is "moral" in the sense that it either accomplishes or is under the service of the law, which-in the Sadean case-is the law of immortality.

Sade essentially voids the idea of God. He declares himself an atheist, thereby annulling the Kantian postulate of immortality, and inaugurating in this way what Lacan will call the second death. This not only annihilates life, but also the possibility that this elimination can become the principle for a new life.
The command announced in the Sadean phantasy, equivalent to the Kantian categorical imperative, is meant to determine the will of jouissance by eliminating what is subjective. It is a matter of acting according to a principle that has only the form of the law. The object a is the form of the Law in the Sadean phantasy.
I want to quote another phrase in an attempt to establish this difference of places: "The one who remains hardened before the evil of others soon becomes impassive before his own."
The victim's suffering is one of the objectives of the torturer, although the latter does not want this suffering to be a point of jouissance for the victim. This is what is meant when Delvène tells Juliette:

The less sensitive one is, the less she is affected, and the more she approaches true independence. We are victims of no more than two things: of the other's or of our own discomforts. Let us start by hardening ourselves before the other's first discomforts, the second ones will not touch us, and nothing, from then on, will have the right to disturb our tranquility (de Sade 1962, p. 14).

The other must be affected by what the torturer carries out. One way is anguish, which does not mean, however, that the victim encounters jouissance. The ideal of the torturer-made possible through apathy-is dependent upon the condition that the other is not placed in his same position of jouissance.
Clairwill-Juliette's second governess-goes even further, teaching her how to turn whatever was once a source of discomfort into a source of pleasure.

If you had the courage to find pleasure in contemplating the evils of the other only for the satisfactory idea of not experiencing them yourself, such an idea would indeed secure voluptuousness; if you just could reach such a point, you would certainly have gained much more for the sake of your happiness, because you would have achieved the changing of one part of the spines of life into roses. (de Sade 1963, p. 272)

Sadean apathy performs the ideal of freedom and of a domain above all forms of suffering in order to sustain this ideal of activity, which fully develops the potential of being and acting, through a systematic conversion of passivity into activity, ending in the transmutation of suffering into jouissance, and leading to the last, ultimate goal, which consists in making of death itself the maximum voluptuousness.
This reference to the ideal of apathy appears also in Hannah Arendt's book, Eichmann in Jerusalem. Eichmann claimed that, ultimately, everything he did was under the command of a law that transcended him.

8.
A significant phrase appears in Justine that alludes to the statements of a chemist who finds himself at the edge of the crater of Etna and feels the lava of the volcano streaming under his feet. In that moment-accompanying his words with a gesture-he does something. It is a gesture of masturbation, and at the moment of ejaculation-when his sperm mixes with the lava streaming under his feet-he exclaims:

Come to see the spouts of my sperm springing in those of the pitch and sulfur with which our kind nature surrounds us. I believe myself being in hell discharging myself in its flames. This idea amuses me; actually, I am only here to satisfy it (de Sade 1962, p. 463-464).

The desire of the analyst is defined by Lacan as the desire of maximum difference, to the extent that it separates the Ideal from the object. The ethics of psychoanalysis consists in Freud's statement, "Where there It was, there I must become" (Wo es war, soll Ich werden). It is a desire produced in the analytical operation and implies the suspension of jouissance.
The analyst's desire reveals the proper structure of the desire itself, that is to say, its site-defined as a hiatus-since it is always placed in the interval between perception and desire, between demand and necessity, between enunciation and the enunciated.
Eric Porge notes:

For the “analyzand”, the desire of the analyst, which takes the place of the Other’s desire, still remains enigmatic, an x, as long as the analyst does not respond to the demand. If he does not respond to the demand, it is not in the name of whatever unknown virtue of frustration, nor an intense delight for riddles, but-effectively-for an issue of the desire’s structure itself, namely: language comes to drill the flesh of the being and because of its demand of articulation into signifiers, leads to run below a metonymical rest (1981, p. 212).

In their recent works, Jean Allouch and Moustapha Saphouan consider the subject of the analyst’s desire from equivalent perspectives when they stress the value of the analytical act. Nevertheless, they do not develop the problem of apathy, leaving open an interesting gap, which introduced the citations that give raise to this thesis.
The analyst’s desire calls into question the traditional ways of understanding the Freudian concepts of neutrality and abstinence. The critique of Sadean apathy may build a new way of understanding those terms.
The following hypothesis can now be made: The relation between the analyst’s desire and Sadean apathy-considered from its relation with the perverse nucleus of the phantasy-is not accidental but structural.
Another way of stating the same hypothesis is: The apprehension of the concept of the analyst’s desire must face-by way of force-the confrontation with the Sadean phantasy and the concept of apathy, a confrontation imposed by a structural analogy.
In order to shed light upon this hypothesis-as a constitutive element of the axis of the thesis-it is necessary to make clear that the analytical relation is not perverse. To the contrary, it should be defined as being opposed to the perverse desire. But such opposition can be understood only from the moment in which both concepts are intertwined.
The development of this hypothesis requires the treatment of different problems.

9.
Kant adheres to the Aristotelian criteria and says that there is a special category of universal judgments, which are the ethical judgments. These become a variation of universal judgments. The categorical imperative is a form of a universal statement that conceives of the idea of a whole, as in the case of “All men are mortal”.
By definition, the idea of “the whole” in Aristotelian and Kantian universal judgments makes it impossible to consider a singular existence.
Kant was once criticized for apparently having clean hands. The point is that Kant had no hands at all, and, if he had them, they would not be so clean, since, what the philosopher of Königsberg, as well as Aristotle, conceals with his thesis is that for the sake of the Good, the whole world could be killed in the attempt to preserve the universal.
Kant represents the culmination of the ethics that predicts the universal. Its dramatic conclusion took place in different moments, particularly in the Terror following the French Revolution, specifically, a political experience that despised existence in its attempt to establish the kingdom of the universal.
It is true that Enlightenment gave rise to certain elements in the French Revolution, even though its policy ultimately resulted in the terror. Terror was no more than the establishment of the universal, regardless of particular existences. To put it in practical political terms: anyone who did not fit into the new universal was beheaded. As part of the same movement of Terror, what was being displayed through the guillotine-initially limited to the enemies of the nation (the aristocrats, for example)-later became arbitrary.
This led to the discovery of horror: ultimately everyone was equal before death, and the universal could just as well do without anyone’s existence. This is what always happens in any mass movement that believes that there is no limit to the universal. One need only think of the Nazi regime Pol Pot genocide in Cambodia, where millions of human beings were exterminated in the name of the universal.
The ethics of Kant sacrifices the particularity of jouissance for the sake of the categorical imperative.
The Kantian imperative equals the Sadean operation, since the sadist also pretends to submit the whole world to the universal of his jouissance. This is the point at which both meet. Whereas Kant wanted to sacrifice all of existence to the rule of his law, Sade might as well have placed the whole world in the role of victim, in the name of the universal of his jouissance, that is to say, the maxim of the right to jouissance.

Kant and Sade, despite their differences, both sacrifice existence, in terms of singularity. This could be seen as the sadistic aspect of Kant, since his “clean hands” were somewhere hiding jouissance.

Translated from the Spanish by ***Laura Sujoluzky***

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## Notes:

1) This statement resembles what Lacan formulates in Seminar VII. The ideal of the trainer’s position–in many of the works performed in the I.P.A.–turns out to be equivalent to apathy and ascetism. Bion wrote that the analyst must function voided of memory or desire. This idea is the frame to analyze the relations bound to be settled between the ideal of apathy, in regard with Sade’s ethics, and the concepts presented by some classical authors, to put at issue the function of the analyst.