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Preface

“Before the Law, there stands a doorkeeper. A countryman comes, begging admittance to the Law. But the doorkeeper cannot admit him.”

Franz Kafka, *Vor dem Gesetz* (1912, p.211)

This is the opening of “*Before the Law*”, a short tale which originally belonged to a draft of Kafka’s “*The Trial*”. He decided to cut it off because it could work as an abstract of the novel itself. A sort of parable, we could say. The very meaning of the tale is the tragedy of the individual facing the law. The German language always uses capital letters for nouns, and that is why translation is sometimes difficult. How can we, for example, convey the difference between ‘law’ and ‘Law’, or between the Lacanian ‘other’ and ‘Other’? Each language has its own rules, but let us say that a sort of sacredness of the capital letter can state a hierarchy, including degrees and levels which must, at least, be three!

The countryman goes on to ask the guard to enter the Law, but the mighty guard tells him there is a sequence of halls, each with more and more powerful guards. “I am very powerful. Yet I am the least of all the doorkeepers. From hall to hall, door after door, each one is more powerful than the last. The third doorkeeper is already so terrible that even I cannot bear to look at him”[1]. Here we can understand the function of fear which surely deals with something unseen.

The closing of the tale: “how does it happen that for all these many years no one but myself has ever begged for admittance?”- The doorkeeper recognizes that the man has reached his end, and to let his failing senses catch the words roars in his ear: “No one else could ever be admitted here, since this gate was made only for you. I am now going to shut it”[2].

We can read this parable of the Law, both in small and capital letters. In small letters, we could see the law as regulations which can be taken for guaranteed, beyond dispute, a sort of ‘instructions for use’. Meanwhile there must be a guard and an adviser who looks after the citizen and upholds the law. Here we can recognize both the countryman and the doorkeeper!

But what can we say about the desire of the countryman who spent his life to get to the Law? Something idealized, and aimed for, and hard to get, and made public, and recognized. A sort of finishing line for a man who longs for acknowledgement? And this is the question we can ask if we deal with psycho-analysis.

There are two levels of interpretation: one is formal and bureaucratic, the other is theoretic. We have to settle a very difficult argument, as we have to cope with a great deal of regulations and statutes which have almost nothing to do with psychoanalysis, but which entail the management of the civil organization we belong to.

It is impossible to escape the impression that people commonly use false standards of measurement – that they seek power, success and wealth for themselves and admire them in others, and that they underestimate what is of true value in life. And yet, in making any general judgment of this sort, we are in danger of forgetting how variegated the human world and its mental life are (Freud, 1929/1930, p. 64).

In the opening of his *Civilization and its Discontents* Freud stresses several topics dealing with the Law: 1. false standards of measurement 2. underestimation of true value in life 3. variegated human world and mental life.

There are two standards of inquiry about civilization: a statistic/sociological one (which is necessarily a way to generalize data), and an analytic/psychological one (which is necessarily a way to specify the object). The intertwining of these points of view calls for a theoretical principle which should support a law. Otherwise we can make hypothesis, we can use postulates or we can define a field (or a universe of discourse), and that is a scientific path. The gap between the matter of facts and the matter of science is capital. Science has no need for a vectorial continuity as its research can leap from branch to branch: there is no need for science to build up a global view, there is no need for science to become saturated in order to avoid a vacuum. Science can choose its own criteria and standards as it is closely influenced by its own object. There is a way of looking at the object which is necessarily tied to he who can take a close look at it, and a theoretical point of view which can inquire into the way one can look at the object, so that the object may be seen. Society, on its part, needs to state rules, to keep present as verifiable, to check and make everything still: still life seems to keep anxiety away. Such a misleading omission of the passing of time helps the repetition and the standardization of artificial patterns which can be misconceived and misunderstood as if they were real objects. We could take this for a sort of disavowal (the Freudian *Verleugnung*) which is implied in a *Psychopathology of Everyday Life* revisited! The way Western Society often makes use of scientific suggestions is rather a re-statement of still reality. A horizontal way of reading the present which seems to be confirmed as an invariable continuous present: science is ideologically spent as a way of understanding what we used to misunderstand, so that we can better state what still reality is or does not stop being!

The individuality which makes a difference, the chances of becoming something/someone unexpected, the freedom of chance and interconnections of events and concepts are too difficult to be ideologically spread. This is why a simple and standard way of explaining things always finds a good amount of people who agree.

We can see how statistic enquiries are used to state rules: in Italy we used to mock the States in a paradoxical way: for polls, but for top management too, communication is strictly dependent on the highest meaningful number of common opinions which have really little to do with rationality or facts, but a lot to do with medias and media opinions. We can see a great example of Italian criticism in Umberto Eco's '*The Phenomenology of Mike Bongiorno*' published in Italy in 1961, over 50 years ago! Eco explained how quality is dismissed as an obstacle to quantity of agreement. This is a point in common between the media and the economy and, today, we need to realize just to what an extent media identification is working. How may patterns can we mistake for objects?

Each form of psychotherapy has drawn its inspiration from some observations of psychoanalysis, which was at first the only systematic way of taking care and looking after the suffering. The suffering subject soon became the oral witness of *her/his – her/him* self. Listening to the words and letting the words act was the way. But how many words, and what a long listening, and what a long working through the effects of words is the suffering subject in need of? And how can words spring from suffering and achieve a communicable meaning after a long whirl of uncommon ways of expression? Let's say: how can the suffering subject get to a '????? ??????????' - a common way of talking and understanding? That is to say, a way of being accepted and recognized, a way of coming out from the unthinkable. And how many structures and functions and strategies and creations did psychoanalysis meet through language? And how many affective and effective effects of words did psychoanalysis run into? We can consider language like a widow's cruse, or like a stock of "agency phenomena"!

Psychotherapies are somehow reducing the wide domain opened by a psychoanalytic practice to some simplified coordinates by using a traditional hypothetical-deductive method, instead of choosing a wider range of views, a polylogic way to give a place to the objects an analyzing subject is using during his path. It could be quite easy to understand the reasoning of each defined psychotherapy, and sometimes such a logic can work well to get some results in adaptation. But each individual has her/his instinct for self-preservation, which involves a certain amount of adaptation. And what kind of economy would be suitable for sharing life with other people?

If we incline towards the market economy we should apply a 'still life' logic in order to plan the chessboard moves which can make many functions work. If we try to apply a 'living' logic, we should accept an ineluctability of chance, of creativity and invention of new ideas. It is quite evident that today we have the new chance of a web logic. Will we ever be able to muddle along without a fully understandable method?

This issue of the EJP tries to give a view of the question of *Psychoanalysis and Law* in the Western world. Both historical and a theoretical remarks explain the different situations which are somehow suppressing the basis of psychoanalysis today. On the one hand we can notice a decay of some scientific fundamentals some psychoanalysts themselves have aborted, on the other we must take into account the regulations made by a bureaucracy that misrules psychoanalysis as a planned and scheduled psychotherapy. Something that is absolutely alien to the practice of psychoanalysis, which gives patients a chance to be active analysts working through their own path.

The British position on psychoanalysis seems to place more credit on psychoanalysts: they can be acknowledged as practicing psychoanalysts thanks to a training which is psychoanalysis itself. British psychoanalysts can be recognized by law if they belong to psychoanalytical associations. This means that the U.K. does not overlap with an acknowledgment of the authority of psychoanalysis, but rather takes note of it. There is a liberal attitude towards a liberal practice. But we cannot say that the USA and most of Europe are following the same way!

Freud spent his last year of life in London, Melanie Klein started a new era of infant psychoanalysis, Donald W. Winnicott specified transitional space and objects and wrote *Playing and Reality*, J. Bowlby stated the crucial importance of early relationships and attachment theory, Wilfred R. Bion was the first psychoanalyst who dealt with psychosis and tried to state a transition from unthinkable experience to the birth of thought. Why should we ignore such a tradition and such a way of doing research and devote ourselves to the acknowledgement of the techniques of psychotherapy as if we were in need of a license? Can psychoanalysis be compared with a driving test one should be mechanically trained for? We recognize there is a true need of psychotherapies, but should they not cooperate with psychoanalysis to save patients from being reduced to patterns and standards?

Sergio Contardi gives a very definite statement of one main difference between Psycho-analysis and Psychotherapy. His paper states that: "Psychoanalysis is above all a practice of listening and of taking care not so much of the pain of a subject, but rather of the very subject of a pain"... "Psycho-analysis is not a psychotherapy, because it is not a *technique* to apply: an analyst's "technique" is his style. All in all, psychoanalysis is an experience, not an experiment. It is an experience of discourse that takes place in a practice of the singular word".

In this issue we can also find a very detailed history of the psychoanalytic destiny. Mathias Couturier and Marie-Noël Godet wrote a very important paper about the French legal situation; they also state the need to declare some basic topics of psycho-analysis We can read a long and critical essay on *Analytical Act and Juridical Act* which refers to the US situation, for which Paola Mieli points out that "If democracy turns the will of the majority into the law to which we are all subjected, one cannot help but notice how radical the contrast is with the practice of psycho-analysis, a practice of singularity, uniqueness, of the unrepeatability of the subjective condition. Unconscious knowledge is not democratic: it can only be transmitted one to one – this is the challenge of the formation in psycho-analysis". Claus-Dieter Rath gives us a dramatic report of the official lack of psycho-analysis as an independent official discipline in Germany, where only

psychotherapies can be acknowledged as legal practices. Ettore Perrellatakes his cue from A. Sciacchitano's and B. Radice's new Italian translation of the Freudian *Die Frage der Laienanalyse* in order to state a necessary identity of psychoanalysis. Giovanni Sias gives us a look of the evolution and distortion of psycho-analysis starting from August 2nd 1938, in Paris, at the XVth International Congress of Psychoanalysis. And he tries to state some principles of psychoanalytic training, which is very different from the psychotherapeutic. Other papers deal with core principles of psycho-analysis and state some principles of the transmission of psycho-analysis and reminds us of the function of desire of the psycho-analyst as an indefeasible condition. André Michels gives us a sophisticated reading of the autonomic world of words as agency phenomena, as working text. Last but not least, we can read the very original way in which Jean-Jacques Blevis gives us a theoretic demonstration of the place of the analytical object. I personally agree with his own way of working through cultural production, such as films and literature, to let people know some of the ways psychoanalysis can be reached and recognized: "Only an act of creation can transmit this energy, and only the support of an unconscious transference makes it possible. There resides the energy that the artist, as well as the analysand, draw in order to find the resource of this act – that is one of the common points they have. This idea, in a strong and true sense of the word, holds up to this point where the act leads to a *gift of nothing*: the loss which a subject grants in the act is the only way his desire is really transmitted – and what comes away from it, as a trace or as an "object".

Bibliography:

Bion, W.R.(1992) *Cogitations*, by the Estate of W. Bion, by arrangement of M. Paterson & F. Bion (London: Karnac Books).

Bollas, C. (2007) *The Freudian Moment* (London: Karnac Books).

Damasio, A.R. (1999) *The Feeling of What Happens. Body and Emotion in the Making of Consciousness* (London: Vintage).

Deleuze, G. (2002) *L'île déserte et autres textes* (Paris: Les Éditions de Minuit).

Deleuze, G. & Guattari F. (1980) *Mille Plateaux* (Paris: Les Éditions de Minuit).

Edelman, G.M (1992) *Bright Air, Brilliant Fire . On the Matter of the Mind* (London: Penguin Books).

Eibl-Eibesfeld, I. (1988) *Der Mensch – das riskierte Wesen* (München: Piper Verlag).

Freud S.:

– (1923) *The Ego and the Id*, S.E. 19; GW 13.

- (1925) *Negation*, S.E. 19; GW 14
- (1926) *Inhibitions, Symptoms and Anxiety*, S.E. 20; GW 14.
- (1927) *Fetishism*, S.E. 21; GW 14.
- (1929/1930) *Civilization and its Discontents*, S.E. 21; GW 14.

Green V. (2003), ed., *Emotional Development in Psychoanalysis, Attachment Theory and Neuroscience. Creating Connections* (London and New York: Routledge).

Kafka F. (1912) *Ein Landarzt und andere Drucke zu Lebzeiten* (Frankfurt am Main: Fischer)

Kandel E.R. (2009) “The Biology of Memory: A Forty-Year Perspective”, *J Neurosci* 29: 12748-12756

Kennedy R. (2007) *The Many Voices of Psychoanalysis* (London and New York: Routledge).

Lacan J. :

- (1966) *Écrits* (Paris : Seuil).
- (2005) *Le Séminaire, livre XXIII, Le sinthome* (Paris: Seuil)

Medawar P.B. & Medawar J.S (1976) *The Life Science-Current Ideas of Biology* (London: Wildwood House).

Monod J. (1970) *Le Hasard et la Nécessité. Essai sur la philosophie naturelle de la biologie moderne* (Paris: Seuil)

Notes:

[1] “Von Saal zu Saal stehen aber Türhüter, einer mächtiger als der andere. Schon den Anblick der dritten kann nicht einmal ich mehr ertragen”, *ibidem* (p. 211).

[2] “Hier konnte niemand sonst Einlaß erhalten, denn dieser Eingang war nur für dich bestimmt. Ich gehe jetzt un schließe ihn” *ibidem* (p. 212)

Bio:

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