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# Perversion and the State: Lacan, de Sade, and Why “120 Days of Sodom” is Now French National Heritage

## Summary:

In this article I explore the psychoanalytical underpinnings of the recent purchase of the original manuscript of Marquis de Sade’s *120 Days of Sodom* by the French state from the perspective of Jacques Lacan’s concept of perversion. I argue that in declaring de Sade’s book national heritage, the French state has tried to empty the text of its transgressive characteristics and reduced it to a fetish object. By placing the textual artefact inside the National Library of France, where it remains inaccessible, it has installed this object at the centre of the State in an effort to prop itself up while at the same time trying to veil a void. While this case is spectacular, we can abstract from it a distinguishing characteristic of the 21st century: the installation of fetish objects in an increasingly deserted symbolic order as well as the reappearance of the Name-of-the-Father in the imaginary order where the State acts as if it was the progenitor. This article aims to demonstrate the usefulness of Lacan’s teaching on perversion for a critical psychoanalysis that is “in the world”.

## Introduction<sup>[1]</sup>

In July 2021, the French state purchased the original manuscript of Marquis de Sade’s *Les 120 journées de Sodome* (1904/1998) for over 4.5 million Euro, using the money of a former investment banker who was granted a tax break in return. In 2017, the State had already declared de Sade’s book a part of its national heritage (Fr. *patrimoine national*), thereby preventing the original manuscript from being sold at a private auction in Paris. Its export from France was also banned. In purchasing the book, the State effectively put an end to a feud within de Sade’s family that had lasted several decades and involved smuggling, fraud, the police, and the courts.

The original *120 Days of Sodom*, written on a scroll of 33 pages, is hard to read due to the small size of de Sade’s handwriting. He composed the text while imprisoned in the so-called “Liberty Tower” of the fortress Bastille where he served a sentence for his writing as well as his sexual scandals. The book tells the story of four libertines who engage in a series of torturous acts on a group of abducted young people. It is an excruciating read and has lent itself to comparisons with systematic State torture as it occurred in Abu Ghraib or in Guantánamo. Why was the French state eager to obtain this key publication on perversion?

The example of de Sade’s book being bought by the French state suggests an implicit relation between perversion and the State and, therefore, a more general link between psychoanalysis and politics. According to Sigmund Freud (1921), the unconscious can be put to use to interpret politics to produce truthful

statements about civilization as he laid out in his *Massenpsychologie und Ich-Analyse*.<sup>[2]</sup> He envisioned psychoanalysis to be widely practised in the world as a response to the ills of civilization. And while Jacques Lacan (1964/1998) has emphasized that the goal of his teaching was to train analysts (pp. 2, 209), he also said that psychoanalysis should “apply its principles to its own corporation,” that is, viewing analysts not only in relation to their analysands but also in regard to “their place in intellectual society, their relations with their peers, and their educational mission” (2006a, p. 200). Moreover, Lacan regarded the unconscious itself as politics because it concerns the discourse of an always divided Other.<sup>[3]</sup> Jacques-Alain Miller (2002) has argued that “[t]o say that ‘the unconscious is politics’ ... is an amplification, it is the transport of the unconscious outside the solipsist sphere, to place it within the City, to make it depend on ‘History’” (p. 12). Lacan’s teaching thus allows us to shed light on the relation between psychoanalysis and politics in the 21st century by taking the “method based on truth and the demystification of subjective camouflage” – Lacan’s (2006a, p. 200) definition of psychoanalysis – out of the clinic and into the world just as Sigmund Freud envisioned it.

Sherry Turkle’s *Psychoanalytical Politics: Freud’s French Revolution* (1978) is an earlier example of the conjunction of psychoanalysis and politics. More recent examples include Todd Mc Gowan’s *Enjoying What We Don’t Have: The Political Project of Psychoanalysis* (2013), Samo Tomšič and Andreja Zevnik’s *Jacques Lacan: Between Psychoanalysis and Politics* (2015), Sheldon George and Derek Hooks’ *Lacan and Race: Racism, Identity and Psychoanalytic Theory* (2022) and Duane Rousselle’s *Post-anarchism and Psychoanalysis* (2023).<sup>[4]</sup> But within this body of literature, perversion is only rarely directly addressed. Literature that deals explicitly with perversion such as Élisabeth Roudinesco’s *Our Dark Side: A History of Perversion* (2009), Stephanie Swales’ *Perversion: A Lacanian Psychoanalytic Approach to the Subject* (2012), *Perversion Now!* edited by Diana Caine and Colin Wright (2017), Dany Nobus’s *The Law of Desire: On Lacan’s ‘Kant with Sade’* (2017), and most recently *Lacan’s Cruelty: Perversion Beyond Philosophy, Culture and Clinic* (2022a) edited by Meera Lee increasingly recognizes the link between perversion and politics.

In this article I argue that there is much to gain from interrogating the teaching of Jacques Lacan on perversion in light of our contemporary political era. After introducing central aspects of the concept, I will put his findings to work in trying to make sense of the French state’s recent acquisition of de Sade’s manuscript *120 days of Sodom* as well as its lockdown policy during Covid-19 and its national campaign concerning sexuality.

## Lacan’s Teaching on Perversion

Lacan developed his teaching on perversion throughout his seminars. As with many of his other concepts, there is thus no single publication in which we could find a definition or a “theory” on perversion. Rather, we have to follow along as he develops different aspects of the concept, starting from perversion in infantile sexuality and the Oedipus complex in Seminars IV and V, to the Name-of-the-Father to, finally, *père-version* – a term he coined only at a later stage. In this article, I will deal with these different aspects when addressing recent political developments in France.

In Seminar IV, Lacan (1956/2020) introduced perversion in line with Freud as “something that ultimately can be conceived of, can be understood, and can be articulated solely in, by and through the process, the organisation and the articulation of the Oedipus complex” (p. 113), thus as something that “always bears some relation, even if only on the horizon, to the castration complex” (p. 243). As we have known since Freud, it is the duty of the father to intervene in the mother-child dyad in an effort to reorient a child’s desire away from a potentially incestuous relationship and towards the outside world where it is subjected to (literally “thrown under,” Lat. *subiaci*?) the rules of society. In the symbolic order, the paternal figure is substituted by that of the big Other as the father becomes “the father of the law.” This first “twist” in Lacan’s teaching on perversion thus occurs when moving from the Oedipal drama to the Name-of-the-Father which

specifies a subject's relation to the big Other. Lacan introduced this concept in Seminar III and developed it throughout his teaching. Father with a capital F is meant by Lacan not in the sense of progenitor, but as a master signifier situated in the symbolic order. However, the connection to castration and thus to an actual paternal figure, whom Lacan placed in the imaginary order, remains immanently present. From the perspective of the individual, we can, with Lacan, understand perversion as referring to a transgression addressed to the symbolic order (such as the State); as a demand to impose a limit on *jouissance* which the patriarchal father has failed to impose.<sup>[5]</sup>

Hélène Godefroy has argued in *Perversion since Freud?* (2017) that in former times, patients entered analysis “because of an ‘excess of castration’” (p. 84) through a patriarchal father who set strict limits and ruled with an iron fist. In contemporary times, however, patients “are anxious because they do not feel its [castration's] effects strongly enough” (ibid.). Acts of perversion are, contrary to what one might think, pleas to the big Other for intervention. A structurally perverse individual longs for a reassurance that the law of the Father is still functioning. The pervert “repeatedly stages a transgression that is paradoxically rule-bound in order to make the superego kernel of law appear on stage,” argues Colin Wright (2017, p. 225). The pervert's *jouissance* “is precarious because it depends on an echo that it sets off in the Other,” as Lacan elaborated (2006b, p. 651). But in capitalist postmodernity, where the State commands us to enjoy rather than imposes limits on *jouissance*, something crucial has changed: A pervert might find it harder and harder to detect a limit that is actually enforced. Moreover, it is worth scrutinizing perversion not only as an individual's structure but as a structural aspect of contemporary politics itself. When it is the Law that “give[s] the order, ‘*Jouis!*’ (‘Enjoy!’ ‘Come!’),” Lacan (2006c) reminds us, “the subject could only reply ‘*J’ouïs!*’ [‘I hear’], in which the *jouissance* would no longer be anything but understood [*sous-entendue*]” (p. 696). When *jouissance* becomes but an order given by the Father, it is emptied of the transgressive characteristics it possesses in the Real. In this case, perversion becomes a crucial aspect of capitalism, as Lacan (1972) has elaborated in his capitalist discourse (see also Swales, 2022; Vanheule, 2016). Gregg Lambert (2022) holds that “the right to *jouissance*” is not a modern phenomenon, but was already an aspect of French bourgeois society and that therefore Lacan rightly understood de Sade's texts as a critique of such bourgeois, moral feelings (see also Lee, 2022b, p. 9).

Finally, Lacan (2016) provides us with another “twist” on perversion when introducing the neologism *père-version*. For Lacan, *père-version* designated a turning towards the father (*version vers le père*) by means of which the father becomes “a symptom, or a *sinthome*” (p. 11). This “ex-istence” of the father as symptom/*sinthome* allows for a knotting of the three orders (imaginary, symbolic and real) as envisioned in the Borromean knot, but it can also lead to the exclusion (Lacan, 2006d, p. 483) or even the collapse “of the Name-of-the-Father from its position in the signifier” (p. 485). With various versions of knotting now possible, *père-version* retains a key aspect of perversion which Lacan (1991) already elaborated in Seminar I: “Perversion ... can only be sustained with a precarious status which, at every moment is contested, from within, for the subject. It is always fragile, at the mercy of an inversion, a subversion” (p. 221).

### **“The Place Where It is Kept Must Remain Secret...”**

The original manuscript of *120 Days of Sodom* is now hosted in a building of the National Library of France in Paris: the *Bibliothèque de l’Arsenal*, situated in the *arrondissement* Bastille. It is thus not far from where the fortress once stood in which Marquis de Sade was held prisoner. This might seem coincidental, but the overlaps between the field of perversion and crime and that of the State are not only spatial: In his article “What Does Sade Teach Us About the Body and the Law?” (2017) André Michels has claimed that “the law has its roots in a state of non-law (*non-droit*), namely the violence inherent in the state of nature (*status naturalis*)” (p. 208). In a way, law relies on the existence of crime in order to be able to assert a limit at all. And it is at the border where crime meets the law that de Sade situated his writing. In his own words, de Sade said that “I would like to find a crime whose effect continues indefinitely, even when I am no longer there, ... that even beyond my life, its effect would still persist” (de Sade, as cited in Michels, 2017, p. 216).

By transcending time and the person of the perpetrator, the effect of his crime would be to reveal that “the law itself is perverse and that those who pronounce it are necessarily compromised by it” (Michels, 2017, p. 219). Lacan has therefore consequently read de Sade’s text not only in regard to the theoretical relations it posits between crime and law but as a statement on ethics. He considered the de Sadean bedroom to be “of the same stature as [the] Academy, Lyceum, and Stoa. Here, as there, one paves the way for science by rectifying one’s ethical position” (Lacan, 2006b, p. 645). Slavoj Žižek (1998) has described de Sade as “a closet Kantian” who was interested in exploring (the will to) *jouissance* in relation to moral law. But the Kantian maxim which made this will dependent on the commandment of the Other only tells “a fine little tale told about the exploitation of one man by another, which is the definition of capitalism, as we know” (Lacan, 2006b, p. 656). Instead, Lacan argued, the de Sadean subject is fundamentally split, and what it hears as coming out of the Other’s mouth is its own desire: “Sade delegates a right to *jouissance* to everyone in his Republic” (ibid.), Lacan concluded, and considered de Sade’s maxim to be “more honest than Kant’s appeal to the voice within” (Lacan, 2006b, p. 650).

In turning de Sade’s manuscript into a national treasure, however, the French state has compromised de Sade’s putative intentions in two ways: First, one of de Sade’s motives in writing the book has been thwarted, namely that the effect of the crime shall persist beyond his life as a way to mark the State’s innate perverse character. The writings-as-a-crime are nowadays part of the “written heritage” (Fr. *écrit patrimoine*; from Lat. *pater*, father) of France. De Sade’s text might no longer be capable of transgressing the law as it is now being controlled by the Father. Second, by sketching the “long road” of de Sade’s text “from the shores of perversion medicine around 1900, then the detour through the ghetto of erotic literature of the 1950s, to the honors of the Pléiade and Gallimard editions today,” as the official press release of the *Bibliothèque nationale de France* (BnF, 2021a) put it, the State has aimed at rectifying a literary genre from perversion to honor.<sup>[6]</sup> This can be read as an effort to empty the manuscript of the “corrosive and transgressive power” (BnF, 2021a) it once possessed. Although declaring it de Sade’s “strongest” work and referring to it as “a capital text of criticism and imagination” (ibid.), the French state is treating it as an object it has domesticated. Seen from a different angle, however, one could argue that by “having it,” the State now imagines itself as *being* the phallus using de Sade’s literary text as a way to prop up the symbolic order.

In a video produced for the *Bibliothèque nationale de France* (2021b), de Sade’s original manuscript is handled exclusively by two women. The video begins with a close-up of a large key that is turned in the key hole of an antique closet. Then a woman’s hand can be seen opening the dark barred door as if opening the door of a prison cell. The voice-over tells the onlookers the following: “In the heart of the summer of 2021, it made its discreet return to our national heritage. The place where it is kept must remain secret.” The viewers then see the entire closet and how the woman carefully takes out an object. One now follows the woman from the darkness of the first room through the vastness of a castle-like chamber. She is wearing a corset skirt and a white blouse, her long blond hair braided in a pigtail down her back; a sight as if straight out of de Sade’s era. The object, the viewer now begins to realize, is sacred and secret at the same time. Fittingly, the French radio channel *France Culture* recently compared de Sade’s manuscript to the Bible of Gutenberg, saying “it has become, more than ever, a coveted object of worship [*un objet de culte convoité*]” (Renard, 2021). Then the corseted woman, together with a female companion, begin to carefully “undress” the manuscript by removing the text from its round container in which it had been placed. The voice-over explains:

After two centuries of incredible wandering, alternately hidden, lost, found, sold, stolen, and exported, the extraordinary object is waiting to deliver its last secrets. With a thousand precautions, the National Library of France reveals before the eye of our cameras its latest acquisition. (BnF, 2021b)

For the average viewer, however, the object does not deliver “its last secrets”. The moment of its unveiling is very brief before it is hidden away again. In any case, the onlookers are only allowed a doubly mediated gaze onto the manuscript via the screen and the camera in an effort to uphold an aura of secrecy and sacredness that is to surround it. It is as if the phallus is waved in front of everyone’s eyes while being simultaneously withheld. The manuscript is neither to be read nor to be admired directly. It is treated as a

textual artefact that possesses a thrilling sociohistorical trajectory but whose transgressive power is now captured behind closed doors.<sup>[7]</sup> By enshrining it into the *Bibliothèque de l’Arsenal*, the French state, against which it had originally been written, has devoured it — just as the French Revolution devoured its children. By first tracking the manuscript throughout Europe, then purchasing and finally locking it away, the French state aims to fulfil a desire to (re-)incorporate exactly that into its body politic what de Sade had rendered “‘extimate’ to the law” (Wright, 2017, p. 229). No longer *jouissance*’s executioner, the French state has propped itself up with an object it views as symbolizing all that which it has come to lack.

In 1963, when Lacan wrote *Kant with Sade* (2006b), he pronounced that his audience, members of the *Académie Française*, were annoyed by de Sade’s work (p. 657), which had been banned in France until 1957. In 2021, however, the French state is proud of its new possession. Whereas for Lacan “the moral law represent[s] desire in the case in which it is no longer the subject, but rather the object that is missing” (2006b, p. 659), the French state secured the long lost object in an effort to uphold moral law. But instead of having elevated this object to “the dignity of the Thing”—Lacan’s definition of sublimation (1959-1960/1997, p. 134) – the French state mistakes the Thing for an object. In Lacanian psychoanalysis, however, we know that “when *jouissance* petrifies in the object” (Lacan, 2006b, p. 652), it gets reduced to a fetish and all fetish objects can ever do is veil the void.

## The State in the Bedroom

Gustavo Dessal (2013) has specified that in our contemporary time the Name-of-the-Father has “left the stage”. Likewise, Miller (2013a) has spoken of our times as a “coming out of the father’s age”. Those who appeal to the symbolic order are thus increasingly speaking into a void. In its place we find, for example, de Sade’s manuscript. If psychoanalysis is willing to tease out the unconscious not only in the clinic, but also in the political arena, or when a psychoanalytically inclined anthropology dares to put Lacan’s teaching to work, then the French state’s handling of de Sade’s manuscript can be seen as paradigmatic for an era in which objects are overly abundant, but symbols are increasingly lacking the capacity for signification (Žižek, 1999). Seen this way, the introduction of a fetish object into the symbolic order is but an errant effort to cover over the fact that this order is losing “symbolic efficiency” (Žižek, 1997). I suggest that Lacan’s final rendering of perversion as *père-version* allows us to understand where the Name-of-the-Father has gone to. I hold that we are currently witnessing a “twisting” of those representing the Name-of-the-Father from the symbolic to the imaginary order, concretely: to the private sphere. State officials are misrecognizing their role as stand-ins for the symbolic order when they aim to intrude into the realm of the household where they behave as if they were our *actual* fathers, trying to partake in an Oedipal drama that is not theirs to stage.

It is with this hypothesis in mind that one can, for example, reconsider the impetus to and the impact of national lockdowns in relation to Covid-19: Officially, nationwide lockdowns were presented as necessary health-related measures, but by placing the populace under house arrest and speaking of citizens as naughty, unruly, or stubborn when they protested, state officials effectively treated citizens as their offspring. Moreover, the State tied an individual’s possibility to participate in public life to their vaccination document or, in French, their *passé sanitaire*. Only those deemed safe and healthy were allowed out in public, whereas all others, *ex negativo* declared unsafe and sick, had to stay inside. The effects of these policies led not only to an emptying of the public sphere for a significant duration of time but, more crucially, to a weakening of many people’s faith in the symbolic order per se. To give another example: Jacques-Alain Miller (2021) has recently observed that the “masters of the State” at the French Ministry of Health behave like “authoritarian pedagogues, sure of their rights, proud of their good intentions, busy reformatting us” (p. 5). Thus, he declared, they “penetrate into the most intimate sphere of people to re-educate and tamper with desire within the family itself.” Targeting the official slogan of the French Ministry of Health’s homepage (<https://questionsexualite.fr>), Miller exclaimed “and now, you push the impudence so far as to open a site allowing us to ‘know everything about sexuality!’” (ibid.). If one reads that website carefully, it becomes evident that the State’s understanding of sexuality seems to be devoid of all pleasure. One encounters only

rules and warnings: about catching diseases, about unwanted pregnancies, and of sexual violence. The task of the Ministry's homepage is not even to transmit knowledge about sexuality, one could argue, but to reinstate the State as patriarch who now aims to shape and control the most private areas of its citizens' lives.

## Conclusion

In this article I have sided with Miller, Dessal, and others in that I see the age of the Name-of-the-Father as coming to an end. This, however, does not equal the end of patriarchy. My argument resonates with the theme of the 2023 European Congress of Psychoanalysis PIPOL conference, which is devoted to the "Clinic and Critique of Patriarchy". In his argument to the conference, the Director of the Congress, Guy Poblome (2023), diagnoses both the decline of the symbolic order *and* the return of patriarchy. I have given an example of how such a return is possible: Following Lacan's teaching on perversion through several "twists" from the Oedipal drama in the imaginary order to the Name-of-the-Father in the symbolic order to the symbolic order's increasing instability as evidenced in the neologism of père-version, I have suggested that those who act as stand-ins of the French state have acquired the original manuscript of de Sade's *120 Days of Sodom* in an effort to prop the State up. In doing so, however, they have reduced the textual artefact to a mere fetish object, with which they try to cover a void in the symbolic order. But "the phallus itself is nothing but the site of lack it indicates in the subject," Lacan (2006e, p. 745) reminds us. At the same time, through its official health policies concerning lockdowns and sexuality, the State has not only confined people to their homes but also entered their bedrooms. When state officials begin to "place themselves outside the law" while relying "on the ferocity of the superego," as Guy Poblome (2023) argued, when, in other words, "the father's power can return via violence in a place beyond the symbolic" (*ibid.*), it seems as if Lacan's teaching on perversion have come full circle: Père-version re-returns to the Oedipal drama.

As individuals, perverts disavow the fact that the State can no longer effectively impose limits on other's jouissance. Perverts need to continue believing that the Name-of-the-Father is more than an effect of speech as they "take pleasure in submitting to the law" (Benvenuto, 2016, p. 98). However, in our contemporary civilization, the State has been castrated by the "anything goes" of capitalist hypermodernity and now acts like a perverse subject itself: resorting to fetish objects to cover over the void in the symbolic order while bullying its way into the private sphere. I thus read bureaucrats' recent reappearance in the imaginary order not as a sign of the State's power but as a sign of its weakness, a feeble way to demonstrate that "it" is still wielding the phallus. By deserting the symbolic order, however, the State might be disavowing its own sovereignty.<sup>[8]</sup>

Jacques-Alain Miller (2013b) has summarized Lacan's *œuvre* as follows: "[T]he whole development of his teaching ... goes in the direction of the dismantling, of the deconstruction of the paternal metaphor" (p. 9). How subjects will react towards the symbolic order being in decline remains an open question that psychoanalysis will have to answer by continuing to analyse both the singular individual *and* the world.

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## Notes:

[1] I thank Russell Grigg, my fellow LCA-Cartelisands Glenn Rutter, Joan Guenther, Fida Elian, and William MacNeil, the two anonymous reviewers as well as Felix Girke for their helpful comments and questions on earlier versions of this article.

[2] Other relevant works of Freud that discuss the role of politics in particular are *Das Unbehagen in der Kultur* (1930) and *Der Mann Moses und die monotheistische Religion* (1939).

[3] “L'inconscient, c'est la politique” (Lacan, unpublished; Sem. XIV, 10 May 1967; see also Laurent, 2015). Véronique Voruz has recently argued that the unconscious is politics because at the end of an analysis, a “de-Otherization” has taken place (Voruz, 2020, pp. 121-122).

[4] See also the new regular section *Race and the Signifier* of the *European Journal of Psychoanalysis* or literature emerging within the subfield of Lacanian Discourse Analysis such as Callum Neill's *Breaking the Text: An Introduction to Lacanian Discourse Analysis* (2013).

[5] In French, *le nom du père* can be heard as the name of the father as well as the ‘no’ of the father (*le non du père*).

[6] In this article, all translations from French into English were done by the author.

[7] See also Beyer (2016) for a legal anthropological example of law serving as a textual artefact in a more contemporary revolutionary context.

[8] I thank William MacNeil for encouraging me to think in this direction.

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