

The Violent Origin of the Law. The link between signifier and *jouissance*¹ in the criminal act.

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Abstract

The close link between law and violence has been amply demonstrated, a link confirmed by psychoanalysis. Indeed, symbolic order always implies *jouissance*, as does language with drive. In this article, we provide a state of the art on this issue by highlighting the specifics of the psychoanalytic approach through a clinical case of murder. More specifically, we demonstrate how the structural link between law and drive can turn into a crime based on imperative of *jouissance*.

Keywords: *law; violence; drive; crime; jouissance*

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¹ In this article, we use the French term “*jouissance*” drawn from Lacanian psychoanalysis. This term could translate into English as “enjoyment”. However, unlike the English “enjoyment” which has purely pleasurable connotations, the French term also has a darker meaning of suffering and violence. Another English translation could be “lust”, but it in turn has other meanings in the English language.

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Introduction

In the following contribution, we aim to demonstrate the structural link between violence and Law, using the anthropological conceptualisation that psychoanalysis offers.¹ One of the outcomes of this argument will be to show the hidden violent roots of the Law, both in the psychic dimension and in the social dimension.

In *Elements of the Philosophy of Right* Hegel (2012) argues that the principle of retribution in criminal law is merely the *Aufhebung* of “revenge” (Hegel, 2012, p. 252). Furthermore, authors such as Horkheimer and Adorno (2002) have pointed out that public law acts as a guarantee for the subject that they will not have to resort to demanding ‘satisfaction’ for a wrong suffered by committing a private crime: in effect through revenge (Aleo, 2016; Sciacca, 2018). The members of the Frankfurt School have linked the universalism of the Enlightenment of the function of law (conceived as rational and universal morality in each individual) and the violence linked to the deployment of material power unleashed by the industrial revolution; which would translate into the need to tame the natural element. This submission of the natural element would manifest itself, for example, in the rational control of individual action, that is, in the necessity for “economising pleasure”. In this regard, «law is vengeance which is capable of renunciation» (Horkheimer & Adorno, 2002, p. 262). The judicial body, the positive law, would therefore reside in the procrastination of immediate reaction, in the rational expectation of the satisfaction of a need, in the calculation of cost-benefit, in the

patience of the executor, and in the deferred application of the principle of revenge.

First, one must understand the ‘hidden side’ of the law as that inherently coercive aspect that enables law enforcement. Indeed, as Walter Benjamin (2021) asserted, there is a close relationship between law (the right) and violence, «the positing of law is the positing of power, and, in this respect, and act [*Akt*] of an immediate manifestation of violence» (Benjamin, 2021, p. 56). Moreover, the Italian philosopher Agamben states, «the law consists essentially in the production of a permitted violence, which is to say, in a justification of violence» (Agamben, 2018, p. 22).

At a sociological level, we could refer to several studies and experimental situations where subjects were put in the situation of intentional acting violently when following rules and clearly established norms (Zimbardo, 2008). In effect, this is violence as a socio-symbolic product.

The law in Psychoanalysis

In a psychoanalytically oriented approach, the “Law” is the symbolic dimension that offers a socially shared semantic and linguistic horizon. In psychoanalysis this horizon is termed ‘symbolic order’, and is the result of that set of attributions of meaning to the world that occurs during social interactions between subjects in a specific social context, as the tradition of symbolic interactionism in sociology teaches us (Mead, 1934). These attributions of meaning also have the function of producing reality itself (Berger & Luckmann, 1966). The symbolic order in psychoanalysis coincides

¹ The term “Law” in upper case will be used to evidence its symbolic and also phantasmatic dimension,

“law” in lower case will be applied when it is being used in a strictly public and social way.

with the social bond, and to some extent produces the cultural homogeneity, and values of a given community of people. The Law in psychoanalysis has a very specific place in the symbolic order, even if it does not entirely coincide with the latter. The symbolic Law can find social representation in legal institutions. However, the apparatus of legal institutions does not always coincide with the Law as a symbolic function.

It seems useful to us here, to refer to a very important distinction, also for psychoanalysis, that the biologist Von Uexküll (1934) makes between *Innenwelt* and *Umwelt*. In effect, it will allow us to better clarify what the difference is between the animal condition and the human condition. In the case of animals, the inner experience of the world (*Innenwelt*), deriving from the palette of instincts with which it is endowed, coincides in a corresponding relationship with the set of stimuli received from the external world with which it interacts (*Umwelt*). Things are different as far as the human being is concerned, the gap between the inner experience of the world and its material reality remains irreducible, since between these two aspects there occurs a radical separation, a symbolic break.

The psychoanalytic approach to subjectivity is one of an intrinsic relationship of the subject with the symbolic law; to the point that it could be said that the subject is produced by the effect of the symbolic law (Schroeder, 2016). This aspect can be identified as a crucial point of psychoanalytic theory: there is a structural relationship between Law and the subject. The understanding of subject is based on this relationship, whose origins go back to the Freudian theory of drives. In fact, this structural link consists in drawing a radical difference between the human and animal condition; the former being characterised by

drives, and not only by instincts. This is a structural link that transforms the organism into a body through the effect of language,

The real is, for example, an infant's body *before* it comes under the sway of the symbolic order, before it is subjected to toilet training and instructed in the ways of the world. In the course of socialization, the body is progressively written or overwritten with signifiers; pleasure is localized in certain zones, while other zones are neutralized by the word and coaxed into compliance with social, behavioural norms. Taking Freud's notion of polymorphous perversity to the extreme, we can view the infant's body as but one unbroken erogenous zone, there being no privileged zones, no areas in which pleasure is circumscribed at the outset (Fink, 1995, p.24).

The difference between drive and instinct lies precisely in the variability and versatility of the former, which is unlike the rigidity of the latter (Freud, 1905; 1915). Instincts, in fact, are behavioural patterns, they are rigid models of response to needs that are intended to enable environmental adaptation. To say then that the human being is endowed with drives, means that they are characterised by an existential condition of fundamental indeterminacy.

In his essay *The Ego and the Id*, Freud (1923) speaks of the condition of the child as *Hilflosigkeit*, thus indicating the situation of absolute helplessness in which the subject finds itself. Indeed, the child, being materially dependent on another subject, will have to learn to interact with their caregivers and with other subjects, and will thus have to resort to linguistic codes. The caregiver meets the infant's care needs, but in this relationship the child inevitably experiences the frustration of his or her own biological needs. Thus, the child learns that their own needs may not be

fully met, that their wishes are subject to the restrictions of the real world, and the rules of the Other (the Other's presence; or rather, their absence). The child builds a relationship with the world through the Other; and thus, through a relationship of need and satisfaction (or frustration) of the need for the Other. The infant's relationship to the world is not direct, but will always retain the symbolic imprint of the mediation of the Other. The original relationship between the child and the other (the caregiver) rests precisely on this fundamental indeterminacy of the drives in human beings. Thus, the real world is given to the subject only through the mediating relation of language. The subject then is introduced into the field of language by that fundamental relationship of dependence they have with others and, at the same time, they encounter for the first time something they can identify as a boundary. According to classical Freudian, and then Lacanian theory, it is from this fundamental experience of lack of satisfaction that a third dimension, the symbolic dimension where the Law will be inscribed, inserts itself.

If we view frustration as symbolically the first moment at which the Law is introduced, we can say that the human being is intrinsically bound to the Law; this in order that they may experience a level of social stability, and a partial sense of satisfaction in their daily life. This demonstrates how the Law is a substantial aspect of the human being, and that «nothing is more human than crime» (Miller, 2008, p. 25, our translation). Criminal behaviour is only possible within a symbolic horizon that logically allows for the transgression of established rules, as well as the possibility of overcoming what is already acquired; in this case, this should be understood as the possibility to accept or deny the Law. This is the Law as symbolic horizon of meaning, which

is a given experience of the world for speaking beings. Crime is only possible within social environments that are organised by institutions, customs, and codes that establish a Law (to which one can conform or not). By way of symbolic structures, it is possible to carry out an action and its opposite, to take into account a legal limit or to deny it. The opportunity for transgressing laws is open only to humankind, precisely because, thanks to language, it becomes possible to exceed and to deny, which is to say to transcend the concrete and the material (Cimatti, 2016, p. 46).

The Violence of the Law

From a psychoanalytic perspective, the hidden dimension of the Law can be interpreted as the intrinsic aspect of violence that has connotations of drives. In that perspective, the repressed side coincides with the roots of the drives that would be at the basis of the symbolic function of the Law. In his famous correspondence with Einstein, Freud (1932) asserts that the origin of law lies in the violence of the criminal act.

Violence could be broken by union, and the power of those who were united now represented law in contrast to the violence of the single individual. Thus we see that right is the might of a community. It is still violence, ready to be directed against any individual who resists it; it works by the same methods and follows the same purposes. The only real difference lies in the fact that what prevails is no longer the violence of an individual but that of a community. (Freud, 1932 p. 205).

In other words, Freud explains Law's function of social authority on the basis of the original element of immanent violence, which

over time has been forgotten, repressed and sublimated: «the contract, the union that allows the establishment of a social bond and the existence of a peaceful community, regulated by law, actually arises from power relations, and on a succession of violences that the law establishes and legitimises» (Ratier, 2015, p. 150, our translation). The law is none other than a formalisation at a symbolic level, with its consequent institutionalisation, of the limits placed on the satisfaction of drives resulting from civic life (Freud, 1929). The law corresponds to the formalising into institutions of the barter between happiness and security. The symbolic law would thereby ensure that each member can be sufficiently protected from the aggression of others. Legal institutions would be none other than the public representative of the intrapsychic symbolic boundaries of the group; that is, the Law behind which is hidden a violence imposed by the community upon itself (Assoun, 2004, p. 36). It would be that which would allow for a certain degree of security for each individual in their interactions with other members of the community.

In that perspective, the Freudian interpretation of totemism (Freud, 1913) highlights that the social bond is based on a fundamental crime, the murder by a group of brothers, of their father who was placed at the head of the primordial horde. According to this structure, there would be at the origin of society a monstrous, indelible crime; which thereafter always remains as a repressed element in civil institutions (Schäfers, 2021, p. 6). Parricide would therefore be in some way Law's, and all legal institutions', fantasy scene; crime is at the origin of society (Assoun, 2004). The psychoanalyst Diatkine (2023) demonstrates how violence is the founding element

of the symbolic law and how it establishes itself in the deepest dimension of the human being. It can then manifest itself in various ways, such as in public discourses that glorify crime, murder, and violence, as seen in religious terrorism.

The superego and the imperative of jouissance

In psychoanalysis, the superego is an intrapsychic authority, which represents at the internal level the external social Law. According to Freud, the superego is closely related to linguistic and auditory functions, and is experienced by the subject as a voice of moral conscience, or as an unconscious feeling of guilt (Freud, 1923, p. 48.; Fuentes, 2017; Campos, 2022). The voice of the superego, either unconscious or experienced consciously in cases of psychosis, can have distressing aspects. These are aspects that might push the subject to act, as a way of discharging the level of drive excitation. That, however, is quite a rare form of crime.

In most cases, especially with crimes committed by non-psychotic subjects, something similar happens; even if the voice of the superego, the imperative to enjoy, is more integrated into the personality of the subject. However, the injunction may nonetheless lead to an impulsive discharge, through violent action or crime. The superego, the inner and private Law, is thus distinguished by very strong element of drive (Freud, 1923, p. 512), that presents sadistic and destructive aspects.

Freud, in 1916, already spoke of “criminals from a sense of guilty”; explaining that there can be neurotic offenders who commit crimes in order to rid themselves of a feeling of unconscious guilt, in order to give it a form,

a consistency in reality, since the inner (fantasy) guilt, experienced for an unconscious, imagined crime, is far worse. Following the same interpretive line, psychoanalyst Melanie Klein (1952 a, b, c) explicitly asserted that criminals do not in fact have a moral deficit, on the contrary, they have a stronger moral sense than other people. In other words, in the criminal subject the superego would have much more pronounced sadistic aspects: «the superego dependence on the destructive part of the personality impels the individual to embrace non-life-affirming goals disguised by “moral” precepts» (De Masi, 2020, 737). The inner Law of the criminal has fierce fantasy aspects, which in themselves have nothing to do with positive laws of socially established and shared norms. Therefore, we can already see that the subjective relationship with the symbolic Law has fierce connotations, rather than what we could term the positive objective dimension of the social law (Ciarra, 2016).

Thus, one can describe the law, legal order, as a public dimension of the Law that has an appeasing function for the subject; while the Law internalised by the individual has the nature of fantasy, and can assume sadistic and cruel aspects that cause anguish to the subject. One could say then that there is an imaginary-symbolic dimension to the Law that grounds the social bond in a logic of recognition, and that underpins social life by giving rules for communal living (Alparone, 2019); and another symbolic-real dimension, where the authority of the Law is linked to *jouissance*. Feelings of guilt would be the result of that latter connection; being unconsciously linked to the desire for the death of the father, and more fundamentally to the symbolic death of the father, to the foundational crime at the origin of society.

In that sense, the superegoic anguish is such that it can push the subject to a passage to the act that can assume, on occasion, a criminal nature. Anxiety then pushes the subject to externalise the destructive drive elements within them. In this perspective, the superego is an inner Law; which is to say, an internalised symbol that orders *jouissance* in the form of a categorical imperative, bringing together Kant's moral and rational will, and Sade's will to enjoy (Lacan, 1966c; Žižek, 2004). At this point, it seems useful to refer to a clinical case in order to demonstrate this fundamental link between the symbolic dimension of the Law and *jouissance*.

The Case of S.A.

It has been said that in Freudian anthropology it is made explicit that it is precisely through crime, more specifically parricide, that the foundations of culture, symbolism, and language are laid. Furthermore, the father of psychoanalysis notes that it is not the absence or erosion of that parricide which gives rise to violence. On the contrary, those foundations are possible precisely because of the presence of that crime. Additionally, the symbolic order is not necessarily synonymous with harmony, peace, and well-being; on the contrary, it is intrinsically linked to *jouissance* (Zafiroopoulos, 2015). Is not madness, with all the sufferings that flow from it, after all specific to the human animal? Lacan for his part is extremely clear on this point, affirming that «man is in fact possessed by the discourse of the law and he punishes himself with it in the name of this symbolic debt which in his neurosis he keeps paying for more and more» (Lacan, 1955-56, p. 242).

On those grounds, it becomes difficult to argue that phenomena related to the field of

violence, such as the creation of organisations whose aim is to commit mass murders (Zafiroopoulos 2017), - think also of criminal or terrorist organisations (Alparone, 2022) - or individual criminal acts, are necessarily caused by a weakening of the symbolic order. On the contrary, we see evidence of the reverse:

From that point of view, we will say that what makes the law for Lacan is primarily language, and that the activity of this sovereign authority (language) presents itself both under the guise of peace, stemming from what Lévi-Strauss calls the symbolic function, which leads to recognition and symbolic identification; and, also in the guise of a body martyred by the passionate alliance of the symbolic with the living (Zafiroopoulos, 2015, p. 104, our translation).

The subject is not only tormented, afflicted, and tortured by language and its law, but in turn torments, afflicts, and tortures. In this regard, a case that made the headlines, and which is analysed by the criminologists Ceretti and Natali (Ceretti & Natali, 2022) will exemplify what we intend to demonstrate here.

In May 2009, S. A. killed her elder sister Y, and was committed to the forensic psychiatric hospital of Castiglione delle Stiviere for three years; she then went on to serve a prison sentence of a further twenty years. The murder was committed in Cirimido, in the province of Como. The events took place in the abandoned family home, which had been put up for sale in an attempt to recover money lost owing to the bankruptcy of a company founded by S. A. herself, and her brother X. For two days, between 11 and 13 May, S.A. isolated and drugged the victim with benzodiazepines, then went on to murder her, disposing of the body by fire. In the weeks that followed, during an argument between S.A. and her mother,

she too risked being strangled and burned. The mother was only saved because her daughter was controlled by the police, who intervene as soon as they realise the seriousness of the situation. This episode led to the immediate arrest of S. A. and, following further investigation, to the reconstruction of the offender's pattern of actions.

What is interesting in the reading of this case made by the two criminologists is the use of the concept of *violentization*. This is a theory proposed by the sociologist Lonnie Athens (1997), with which it is possible to analyse the processes by which a subject learns cultural and regulatory systems based on violence. The individual, who commits violent acts, is not then someone with a socialisation deficit, but rather «the one who, in the course of their social experiences, has internalised “other” normative models when compared with “civil” models, and who, supported by them, resolves “critical” situations by resorting to violence» (Ceretti & Natali, 2009, pp. 256-257). Using this approach, S. A.'s biography, which indicates a specific subjective positioning in relation to the Other and to the Law, becomes central.

From birth, S.A.'s life was marked by the signifier 'failure', which was present as a structure of signifiers in the experience that S.A. had of herself. The last of three children, younger than her brother by 14 years, and 13 years younger than her sister, her mother became pregnant with her at the age of 45. This was a pregnancy that was not only unexpected, but also unwanted throughout; S.A. was to hear her mother say, «I did everything I could to lose you. I was doing weights. I was taking the stairs. I was riding a motorcycle with your father... nothing... you had to be born!» (Ceretti & Natali, 2022, p. 82). Despite

all her efforts, S. A. was unable to attain success. Even when she brilliantly passed her high school diploma she received no recognition, no satisfaction. From the moment when, at little more than 20 years of age, S.A. and her brother create a company — the 2 A.S. Costruzioni s.r.l. — bankruptcy took on an almost real weight that would produce in her a constant fear of failure. The failure materialised only a few years after the company opened. The brother then placed the responsibility completely on his sister's shoulders, inviting her to «die in hell» (Ceretti & Natali, 2022, p. 138).

Failure is not the only signifier that marked S.A., with it is articulated that of “invisibility”. Overlooked by everyone, in her childhood memories her elder brother appears to be the only one to have given her attention, the only playmate she had; to the extent that the company name indicated both the “A” of their name and the “S” of their first names. The signifier “invisibility” began to gain in importance when S.A. was six years old, and was, at that time drawn to, and captivated by fire. A typical game she repeated as a child was to light matches on the balcony, and then throw them down. On a day when the Youth Games were held, the little S.A. noticed the presence of the parents of her comrades, but not that of her own. Back home, during the afternoon while playing her usual game with the matches, she found herself staring at the flame of one of them, bringing it closer to her hair. She told herself that if she were to burn, she would feel better, and not only herself, but the others. Yet fear took over, and even this match was thrown from the balcony, falling this time not on the floor but on the canopies, which caught fire. It is here that the two signifiers — failure for not having controlled the situation, for not having succeeded in her act, and failure

to put an end to invisibility — already manifest the link that has formed between them (Ceretti & Natali, 2022, pp. 118-119).

A.S.'s sister, Y, because of the affection she received from her father as well as her ability to say “no” to the family company, worked outside the family business. For this reason, after the liquidation of the company, S.A. invented a letter, signed by Y, and intended to be given to the brother and father. In this letter, Y would confess that the failure of the company was the result of the pressure she had exerted on her sister S.A. However, this plan was also doomed to failure, since the recipients of the letter would, inevitably, have turned to Y for an explanation. At that point S.A., while waiting to think of a solution to this hitch, decided to drug and lock-up her sister, in the house that was up for sale to clear the family finances. However, the victim managing to come out of her confusion, and starting to point at her sister, shouted at her that she was mentally unwell, and threatened to tell their parents what had been going on. It was at this moment that S.A. felt seen,

...[she] had seen. For once, I had not been invisible, she had looked at me. And she saw that I wasn't well. In that blink of an eye, I totally lost what control I thought I had, because, from there, everything became “automatic.” [...] At that point, I just wanted her to shut up. That's all I wanted; I wanted her to stop. So, at first, I put my hands around her neck. She managed to... with all the years of gymnastics she had done, even though she was slender, she was pretty strong. She managed to escape and went down to the small yard behind the house, where we kept all the equipment. I caught up with her, but she was still walking in front of me... I put my hands around her neck. This time I squeezed harder, so that shortly after, when I let her go, she had lost consciousness slightly. Falling to the ground, she bumped her head against a pallet of bricks that was still there from

the last construction works. That's when I panicked. I tried to shake her... but she didn't answer. Naturally, I thought I'd killed her. I looked around... There were two petrol cans [...] I took one, poured it over her. Then I lit a cigarette and threw it at her. She caught fire. (Ceretti & Natali, 2022, pp. 170-171, our translation).

Following the murder, S. A. experienced a sense of freedom and, on her return home, she had no recollection of what had happened. Affected by a classic phenomenon of dissociation (cleavage), it was only later that she remembered having killed her sister. The two signifiers, “failure” and “invisibility”, drawn from S.A.’s history, strongly conditioned her existence, and were intertwined with a real process of *violentization* towards women. According to the sociologist Lonnie Athens, this is a process that consists of four “stages”, or moments². As the offender recalls, it was normal for her to listen to her parents arguing and, often, to observe scenes where the father put his hands around the mother’s neck. The violence that took place on a daily basis in the family, towards a parent, towards a neighbour, hovered in the parental discourse, reaching the point of actual psychological abuse towards women. In this way, it presented itself as a relational and communicative model that was subjectivated by the patient (Vergatti et al., 2014, p. 373).

The violent heart of the law

Far from being a subject devoid of symbolism, the person who commits a criminal act has internalised the law adopted by the social contexts into which they have been socialised.

² The stages are: brutalization; belligerence or defiance; violent performance or violent clashes for domination; virulency (Ceretti & Natali, 2022, 2009).

The case of S. A. demonstrates how she was, to notice the signifiers used by Athens, brutalized by her own family. Indeed, *brutalization* is the inaugural phase of *violentization*, because it is from there that begins the socialisation into violence, as experienced or witnessed³. Furthermore, this perspective to understand the reproduction of violence recalls the concept of death drive and its development in psychoanalytic theory:

My idea is that human destructiveness does not derive from an original availability (the death instinct), but needs a long and complex development and is sometimes prompted by environmental destructiveness. [...]. The transformative process favouring the construction of an inhuman world takes place in a state of mind that is dissociated from the rest of the personality. In this psychic retreat destructiveness gives rise to a mental excitation that makes evil pleasurable and irresistible (De Masi, 2015, 457).

In the first instance, when the *horrification* is felt, that is to say that the subject becomes the witness of different scenes marked by violence - experiencing both fear and anger towards the one who causes suffering; the subject feel her own guilt because of her passivity and lack of courage which prevents her intervening. Briefly, without wanting to trivialise the analysis, we can say that society’s failings and the anger of S.A.’s brother, who invites her to «die in hell», allowed the two signifiers – “failure” and “invisibility” - to express themselves according to the type of law that organises the symbolic order for S.A., or more specifically for her family. In this perspective, accordingly to De Masi (2015), we could say, «it seems essential to assume the existence of

³ The first stage is characterized by three sub-phases, namely: submission to violence, horrification, and violent coaching.

an internal pathological organization that forms gradually and tends to conquer the mind», in such a way that the subject develops destructive mechanisms, directed against herself and the others (De Masi, 2015).

This law is no stranger to those who have not been subjected to *violentization*. The presentation of this case should not lead to the erroneous conclusion that there are simply subjects who belong to a violent symbolic order and others who do not. On the contrary, if we follow in the footsteps of Freudian anthropology, there would be a sort of synchronicity between law and violence, between Law and jouissance. The stability given by the law is therefore nothing other than a violent original expropriation, where law «circulates in a channelled and regulated way in the social bond, that is the function of the law» (Vanier A., 2016, p. 24, our translation).

Conclusions

It is possible to state that human reality is created only through the symbolic dimension, which is to say through language. Language of itself introduces the subject into the order of the Law, of the regulated social world. Which is to say, language of itself introduces the subject into a social world that is produced by the effect of signifiers, a linguistically constructed reality (Cimatti, 2017, pp. 272-273). In this sense, everything takes place as though humankind's desire to satisfy itself is mediated through the symbolic and linguistic dimension, and therefore through a renunciation of part of the same satisfaction that it seeks. In this fundamental loss of satisfaction that entry into society implies, we find the inherent gap between instinct and drive. Drives involve the indeterminacy of human beings, and therefore the possibility for them to put

into action violent behaviours that arise outside of the natural order proper to instincts. It is based on this dimension of 'beyond' that human beings need to give themselves rules, norms, institutions, and a law. The Law, as a symbolic body, is precisely the result of this necessary socialisation, and of the almost unlimited possibilities of action open to human beings. There is therefore a close connection between drive and Law.

In this regard, Di Ciaccia (2016) points out how, paradoxically, the violent passage to the act, as an expression of the urge of the drive, responds to an inner imperative that carries in it the same structure as Law. It is an absolute and total Law, to which it is impossible not to respond, «in other words, the imperative of the drive presents itself as a law, having the same characteristics as the moral law. From there, Lacan allows himself to supplement Kant with Sade» (Di Ciaccia, 2016, p. 51).

We have seen this aspect in the clinical case of S.A., where the passage to the act is the result of the urge to discharge the drive that expressed itself as an affect of hatred towards the sister; while also being linked to the signifiers of self-deprecation received from the parents, and the environment of domestic violence. This dimension constitutes the cruel superego, which haunts the subject with shame and guilt.

In our argument so far, we have tried to show, through the prism of psychoanalysis, how the Law finds its roots in violence. As an organisation of rules, regulations, and codes that govern a social order, it underpins the social bond and its symbolic value, inscribing the subject in the logic of violence. This leads us to an almost paradoxical conclusion: crime is at the origin of society, but it is logically possible only with the existence of the Law.

An example of the link between law and violence is that of the criminal superego, which, on the one hand, is the internal representative of the sense of boundaries and of the social law, but on the other hand, at the subjective and personal level, takes on fierce, cruel, and sadistic traits. These characteristics can turn back on the subject themselves, pushing them towards the criminal passage to the act. The superego is an internal phantasmatic law, and as such sadistic. It imposes the satisfaction of the injunction to enjoy, to the point of committing a criminal act.

The human being is marked by language, even in his libidinal economy, which answers more to drives than to instinctive needs. This makes it possible for there to be a Law, whose repressed dimension is intertwined with the individual dimension of drives. As soon as the crime (understood as passage to the act, triggering of violence) is conceivable only in this relation of adhesion of the subject to the symbolic order, what we have is an understanding of the human being as a subject whose experience of the world is mediated by language, by symbols. From there it ensures that criminal conduct is possible only in a meaningful experience of the world. Furthermore, the Law finds its symbolic authority in the dimension of violence, which is closely linked to what is termed the *jouissance* of the speaking being.

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