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Sadean Politics or a Tyranny of Jouissance**

One of the lessons to be drawn from Freud's *Civilization and Its Discontents* is undoubtedly that jouissance – because it implies pain and suffering – is something harmful to the subject. However, this inherent cruelty of jouissance becomes a problem for modern moral and political philosophy with Sade, for whom the right to jouissance is a fundamental human right and as such universal. While the right to jouissance is inconceivable outside the horizon of human rights discourse, it represents the ultimate limit of this discourse once Sade starts wondering whether jouissance, being particular by definition, presents an insurmountable obstacle to the universal law. And, indeed, there is nothing more absurd for Sade than the effort of prescribing universal laws. In concrete terms,

it is a terrible injustice to require that men of unlike character all be ruled by the same law: what is good for one is not at all good for another... Now, would it not be to carry your injustice beyond all limits were you to send the law to strike the man incapable of bowing to the law? Would your iniquity be any less here than in a case where you sought to force the blind to distinguish amongst colors?¹

In the light of the antinomy of the right to jouissance and law, what one might call Sadean ethics and a politics of jouissance emerges as the unthinkable of the philosophy of human rights. Indeed, if Sade still represents an unrivalled challenge for any ethical and political thought, this is because his project of emancipation driven by a subversive will to jouissance that arises from transgression – the violation of all societal norms and laws – ends up disorganizing thought itself. Thus, by postulating the right to jouissance as a law binding everyone, Sade confronts the subject with the choice between a duty to the unconditional

71

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¹ Marquis de Sade, *Yet Another Effort, Frenchmen, If You Would Become Republicans in Justine, Philosophy in the Bedroom, and Other Writings*, trans. Richard Seaver and Austryn Wainhouse, New York: Grove Press, 1990, p. 313.

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and one's pathological being, embodying in this manner the uncompromising, heroic will pushing the subject beyond the pleasure principle. Hence, if Sade continues to affect us, it may not be for what the reason we might think obvious (obscenity, provocation), if he can be considered, to borrow Hénaff's felicitous formulation, to be "the archivist of the future that belongs to us,"² this is because he elevates to an imperative valid for all that which remains radically foreign to everything human or, in Lacan's words, "that which is the most lacking in the relationship to the individual,"³ namely, an ultimately inhuman *jouissance* that inevitably divides the subject. Indeed, what Sade aims at is nothing less than liberating *jouissance* in the subject as that which is the most intimate to him/her, yet which the subject, being submitted to the demands of civilization, perceives as something radically alien.

In this respect, Sade's "despotism of the passions" in establishing the rule of *jouissance* offers one of the most radical attempts at finding a way out of the discontent in civilization that presents itself as an irreducible gap "between the satisfaction a *jouissance* affords in its original state and that which it gives in the indirect or even sublimated forms that civilization obliges it to assume."⁴ Sade's paradoxical solution to the problem of discontent, which consists in the liberation of the "the man of pleasure" from the constraints of civilization, its laws, norms, and prohibitions, in short, the emancipation of pleasure from the tyranny of civilization, is achieved by means of something that is even more tyrannical than civilization: *jouissance* or passion, to use Sade's own term. According to Sade, passion is transgressive in nature, because on its way to satisfaction passion knows no boundary and remains indifferent to the price to be paid by the subject:

72

no passion has a greater need of the widest horizon of liberty than has this, none, doubtless, is as despotic; here it is that man likes to command, to be obeyed, to surround himself with slaves compelled to satisfy him; well, whenever you withhold from man the secret means whereby he exhales the dose of despotism Nature instilled in the depths of his heart, he will seek other outlets for it, it will

² Marcel Hénaff, *Sade. The Invention of the Libertine Body*, trans. Xavier Callahan, Minneapolis, London: University of Minnesota Press, 1999, p. 290.

³ Jacques Lacan, *The Ethics of Psychoanalysis. 1959-1960. The Seminar of Jacques Lacan. Book VII*, trans. Dennis Porter, London: Tavistock/Routledge, 1992, p. 55.

⁴ *Ibid.*, p. 200.

be vented upon nearby objects; it will trouble the government. If you would avoid that danger, permit a free flight and rein to those tyrannical desires which, despite himself, torment man ceaselessly.⁵

Sade's promotion of jouissance's excessive character, ultimately, this elevation of the desire for evil for the sake of evil, to an autonomous, transcendental principle, while justified as a means for attaining human emancipation, presents a fundamental disharmony between the subject and an instance that requires absolute submission. Sade therefore emerges as a point of crystallization indicating that all solutions to the discontent in civilization provided by the Enlightenment are centred around this fundamental choice: *happiness or desire*. It should immediately be added, however, that the clear dividing line between happiness and desire was not traced by Sade but by his contemporary, Kant. Accepting the idea of happiness as a means for maximizing pleasure means, for Kant, accepting the will submitted to contingency; ultimately this would mean acknowledging that there is only the relativity of the ethics of pleasure, which, for Kant, is no ethics at all. Hence, the moral subject – in opposition to the subject of pleasure whose will is pathologically affected and therefore heedlessly chases one object after another – looks for a particular good that presents itself as superior to any uncertain good “owing to its universal value,”⁶ as Lacan puts it, and is therefore unaffected by changes in the subjective conditions of pleasure. As a result, only the will that is determined by the form of law is the will that knows what it really wants. Ultimately, only such a “determined” or resolute will, to paraphrase Lacan, is the will that wants itself and can therefore demand that the subject does not give up on his/her desire, and this irrespective of the fact that he/she must pay for this “fidelity” with his/her well-being and happiness.

Happiness, by contrast, requires the intervention of an instance that prevents the subject from wanting, in Rousseau's terms, beyond the possibilities of satisfaction. Happiness imposes moderation, restraint, in short, a “No more!”. These limitations are precisely what the will, cleansed of every pathological affection, disregards, because as a constant requirement of satisfaction it is situated beyond the pleasure principle. This is precisely where Sade comes in. What the

⁵ Sade, *Yet Another Effort, Frenchmen, If you Would Become Republicans*, p. 324.

⁶ Jacques Lacan, “Kant with Sade,” in *Écrits*, trans. B. Fink, New York, London: W.W. & Company, 2002, p. 646.

“pure“ Kant and Sade, the embodiment of debauchery, have in common is that the unconditional, characterized by its excessiveness, becomes the instrument of a radical change that can be inscribed in the structure of the “objective” world. Against the “ethics of happiness”, which is bounded by the pleasure principle, which prevents the subject from continuing to desire beyond the satisfaction of needs, Kant and Sade formulate as a criterion of morality a duty to an instance of the unconditional, indicating in this way that the sacrifice of the pathological is constitutive of the subject’s relation to duty, which both of them conceive of as a requirement for unconditional submission. Succinctly, the subject’s fundamental experience, for Kant and Sade, is the experience of a split that is caused by the emergence of a categorical commandment, in relation to which the subject is always “deficient”, wanting.

From the standpoint of the choice of the unconditional, this being for Kant and Sade a forced choice despite the fact that it drives the subject beyond the limits of the pleasure principle, the choice of happiness appears to be excluded from the outset. This is all the more surprising for Sade, who initially presents himself as “the man of pleasure.” Here we must take care to be very precise: What is meant by happiness in Sade is clearly formulated by one of his characters: “It is not in desire’s consumption that happiness consists, but in the desire itself.”⁷ Sade namely agrees with Kant that, in the experience of pleasure, only intensity counts and not the object that causes it. Hence, when Sade demonstrates that behind the search for pleasure there lurks the agency of an insatiable More!, he undertakes an operation similar to that of “cleansing” carried out by Kant in traditional ethics of the good: just as Kant’s raising of a sheer formal determination of the will to an ethical criterion resulted in the elimination of the pathological from the field of ethics, so from Sade’s commitment to pleasure it clearly follows that the liberation of pleasure inevitably leads to a liberation from pleasure.

74

Thus, oddly enough, Sade revolutionizes the domain of ethics by positing, in contrast to traditional ethics, which excludes from its realm *jouissance* that serves no purpose,⁸ this utterly useless *jouissance* as the constituent of the sub-

⁷ Marquis de Sade, *The 120 Days of Sodom and Other Writings* (rev. ed.), trans. Austryn Wainhouse and Richard Seaver, New York: Grove Press, 1987, pp. 361–362.

⁸ “*Jouissance* is what serves no purpose.” Jacques Lacan, *The Seminar of Jacques Lacan. On Feminine Sexuality. The Limits of Knowledge. Book XX. Encore 1972–1973*, New York & London: W.W. & Company, 1999, p. 3.

ject's existence, moreover, by elevating it to the status of a law valid for everyone. But how can jouissance, once driven out, be brought back? While it is true that the Sadean political-pedagogical project of the despotism of the passions implies the subject's liberation from the demands of civilization and traditional ethics, which urges the subject to renounce the satisfaction of the passions, the emancipation Sade is truly striving for is not a liberation from the Other, so that the subject could do whatever pleases him/her, but the liberation of jouissance, a liberation that imposes submission to an even more implacable command. The liberation of the subject of pleasure requires his/her submission to jouissance, that agency namely that subjugates more brutally than any command or prohibition of civilization. The Sadean position is more radical than we might think at first blush: it is not about the right to jouissance, but about the rights of jouissance, in other words, it is an extreme position where the subject must recognize in the imperative of jouissance his/her desire. One is tempted to say that, for Sade, jouissance is the law of desire.

The Antinomy of Jouissance and the Social Bond

Sade thus enters into ethics and politics as a promotor of rights, not of man, but of jouissance. But can there be something like an ethics of jouissance and, consequently, a politics of jouissance at all if ethics and politics are founded on a relationship with the Other, whereas jouissance, being solipsistic, autistic in nature, problematizes the very status of the Other? And conversely, if Sade's project of emancipation aims at the realization of the tyranny of jouissance precisely at the level of the *socius*, then one might ask: What is the social bond that is founded on something which appears to be incompatible with it?

Sade's despotism of the passions could best be described as a regime that maintains the greatest distance between law and jouissance, between what universalizes and what, as an absolute particularity, resists all universalization. But this very antinomy between law as the foundation of the social bond and jouissance as the agency of dissocialization is just what Sade's ethics and politics intends to sustain. It would appear then that Sade strives for the impossible: a paradoxical social bond that is not founded on the universality of law, but on that which is by definition the most particular, non-universalizable and therefore dissocializing: jouissance. With Sade, however, the postulation of the unconditional right to jouissance is integrated into a legal-political project. Jouissance is

imposed as an imperative for everyone, since, as Monique David-Ménard rightly points out, “in striving to satisfy his/her desires, everyone has the right to occupy the place of the unconditional.”⁹ But such a democratization of the right to *jouissance* necessarily requires a redefinition of the social order in such a way that *jouissance* is granted a “civil right” in the realm of politics.

This clearly follows from the fundamental maxim of Sade’s ethics and politics, as reconstructed by Lacan: “I have the right to enjoy your body,” anyone can say to me, “and I will exercise this right without any limit to the capriciousness of the exactions I may wish to satiate with your body.”¹⁰ The very formulation “anyone can say to me,” which is to say, the Other, opens up an unheard of possibility, that of bringing together politics and the drives, or, rather, freedom and *jouissance*, within the horizon of *universality*. The price to pay for the inscription of *jouissance* into the realm of universality is already indicated in Sade’s fantasy: sooner or later it will be the torturer’s turn to occupy the place of the victim. For the inherent egalitarianism of the right to *jouissance* prescribed by Sade’s maxim implies that everyone can use everyone as a temporary object of *jouissance*, but this also goes for the torturer. Thus the phrase that so frequently recurs in Sade’s text: “Do onto me that which I have done unto you.”¹¹

What is crucial here is that Sade’s promotion of *jouissance* reveals two blind spots of the Enlightenment ethics and politics. First, by linking freedom and *jouissance*, Sade exposes the unthinkable point of the philosophy of human rights, namely, that freedom, the main stake in ethics and politics, is not the freedom of the subject, but that of the Other. It is precisely this heterogeneity of the right to *jouissance*, a sort of a foreign body within the framework of human rights, that highlights the ultimate ambiguity of a freedom coupled with *jouissance* since freedom and *jouissance* are supposed to be incompatible. As Lacan justly remarks, “the discourse of the right to *jouissance* clearly posits the Other qua free – the Other’s freedom – as its enunciating subject.”¹² Hence, the enunciating subject of the imperative of *jouissance*: “I have the right to enjoy

76

⁹ Monique David-Ménard, *Les constructions de l’universel. Psychanalyse, philosophie*, Paris: PUF, 1997, p. 34.

¹⁰ Lacan, “Kant with Sade,” p. 648.

¹¹ Marquis de Sade, *Juliette* (rev. ed.), trans. Austryn Wainhouse, New York: Grove Press, 1988, p. 273.

¹² Lacan, “Kant with Sade,” p. 650.

your body ...” can only be “The Other qua free.”¹³ Second, by putting the will to jouissance, which, for Kant, is the incarnation of the pathological, in the place of the unconditional that causes the subject’s division, Sade succeeds in achieving what would be impossible for Kant: to elevate into the unconditional an instance of the sensible or pathological, an absolute particularity that is by definition resistant to universalization. Jouissance, termed a “particular absolute” or a “pathological absolute” by J.-A. Miller,¹⁴ is a paradoxical absolute as it cannot be situated within the framework of Kant’s ethics, since, for Kant, whatever belongs to the rank of the pathological, by being non-universalizable and therefore unable to attain the status of absoluteness, must be excluded. There is nevertheless, to follow Lacan, a certain affinity between Sade and Kant. For Kant, the exclusion of the pathological, that is, the indifference to everything that affects the body, is a criterion for the evaluation of the subject’s act. Sade’s despotism of the passions likewise requires the absolute separation of the subject of pleasure, the pathological subject, from the will, which is governed by the imperative of jouissance. However, in contrast to Kant, Sade proves that jouissance has its legitimate place in the ethics of the universal precisely to the extent that the indifference to the pathological, as imposed by universality, does not abolish the possibility of jouissance, but is rather its condition. Thus, the question of what the radical nature of Sade’s despotism of the passions as a reinvention of the social bond consists in, encompasses another, which is more decisive, namely: Can the notion of the social bond be found at all in Sade?

The closest to something like a political dissertation in Sade is the pamphlet *Yet Another Effort, If You Would Become Republicans* in which many commentators of Sade’s work, Lefort and Deleuze in particular, see the pinnacle of Sade’s irony. On the other hand, it is equally true that Sade’s work, as a whole, has to do with only one question: Which political regime would best realize the tyranny of jouissance? What is remarkable, at any rate, is that the contradictory nature of such an undertaking is already manifest in Sade’s work itself. On the one hand, Sade advocates the most brutal despotism, even slavery. On the other hand, however, he fervently defends the opposite of tyranny, the egalitarian republic. Hence the exaltation of domination, i.e., inequality in all possible forms, is coupled with the celebration of the anarchical liberation, the totally free circulation

¹³ *Ibid.*

¹⁴ Jacques-Alain Miller, *Extimité* (unpublished seminar), 14 December 1985.

of debauchery, irrespective of social status or gender. How are we to understand this inherent antagonism of Sade's thought: the coexistence of two, mutually exclusive political-ethical utopias: barbarian, non-egalitarian despotism, on the one hand, and political and sexual egalitarianism, on the other?

Generally speaking, Sade's commentators offered two solutions for the reconciliation of these two contradictory positions regarding the existence and nature of the social bond in Sade. According to the first solution – this being the dominant interpretation today – Sade is simply an apologist for the destruction of any social bond, since, as one of Sade's key characters clearly states, no bond "is sacred in view of people like ourselves."¹⁵ According to the second solution, which is more fragmentary and needs to be reconstructed, Sade's work, taken as a whole, is not to be read merely as a criticism of the existing social bond, rather, it should be seen as a staging of a new social bond grounded in *jouissance*. This contradiction, however, is only apparent as Sade's problematization of the social bond cannot be understood without knowing who the principal target of his critique is. It may be useful to recall that, for Sade, who unrelentingly defends the primacy of particular interests against the general interest, the real issue is the social contract posited as the foundation of the *socius*, because he considers it to be violence against the individual's basic egoism. The contract is a sham that "stinks of commerce: *I give onto you in order that I may obtain from you in exchange.*"¹⁶ Hence, contractualists themselves would have to admit that the contract is deceptive because – contrary to the fundamental assumption of the Enlightenment philosophers – the contract cannot secure even the satisfaction of egoistic interests; in a word, it cannot ensure what justifies it, namely egalitarian reciprocity since, by complying with laws out of their selfish interests, both the weak and the powerful reinforce the tyranny of laws. They are therefore complicit in allowing the law to oppress everyone.

78

It is precisely here that the crucial differences between Sade and the Enlightenment thinkers can be seen. Sade attacks, with particular viciousness, the dichotomy between nature, the universe of necessity, and society, the universe of rules. For Enlightenment political thought, the contract, in ensuring

¹⁵ Marquis de Sade, *The 120 Days of Sodomy and Other Writings*, trans. Austryn Wainhouse and Richard Seaver, New York: Grove Press 1987, p. 127.

¹⁶ Sade, *Juliette*, p. 144; emphasis in original.

reciprocity, provides a defence against the danger of capriciousness and violence, which is another way of saying that the law is what liberates us from all oppression. For Sade, by contrast, “the one great trouble is that human laws are the fruits of nothing but ignorance or prejudice.” Indeed, Sade asks, “do we detect [in nature] any law other than self-interest, that is, self-preservation?”¹⁷ What Sade’s critique of the contract seeks to put an end to is the grounding of the social bond *in nature* through the negation of every form of reciprocity and mutual recognition: “In the beginning, then was theft; ... for the inequality ... necessarily supposes a wrong done the weak by the strong, and there at once we have this wrong, that is to say, theft, established, authorized by Nature since she gives man that which must necessarily lead him thereto.”¹⁸ Nature, taken in its cruel innocence, is for Sade another name for the elimination of prohibitions. Hence, the point of the argument from nature, introduced in this way, is not to simply replace equality with inequality, virtue with vice. The point is rather to establish a zero degree of legality by emphasizing the rivalry between human laws and the sovereign law of nature brought into play by the very notion of the contract. If for Enlightenment philosophers laws originate in the general will of the subjects that enter into the contract, for Sade the very idea of law as being secondary to the contract is inconceivable. Indeed, law is law only if it is not derived from something that precedes it, succinctly, if it is identified with the voice of nature. Thus the primacy of the contract in relation to law inverts, according to Sade, the relationship primary–secondary entailing, as a consequence, the subordination of the supreme law to conventions, in short, to a mere semblance. The contract is therefore not illegitimate because it restricts inalienable natural rights – since there are no such rights, according to Sade – but because it usurps the place of the supreme law: the law of nature.

One issue of radical importance to Sade is that despite being wholly arbitrary and therefore not compulsory, law is no less oppressive, but it does it “perversely”, by disguising its oppression in equality. This is precisely where we find Sade’s irony: “I ask you now whether that law is truly just which orders the man who has nothing to respect another who has everything?”¹⁹ Law is tyrannical and “unnatural” or “denaturalized” because it usurps the individual’s

¹⁷ *Ibid.*, p. 888.

¹⁸ *Ibid.*, p. 114.

¹⁹ Sade, *Yet Another Effort*, p. 313.

passion, thereby preventing him/her from exercising his/her egoism. What is more, law is a bad substitute for personal revenge; it poorly serves justice because it postpones the reparation of a harm and injustice, thus causing the loss of libidinal energy. Sade therefore strives for a re-libidination of justice based on the principle of retaliation: "Do onto me everything I have done unto you."²⁰ To Sade, the difference between the oppression that is tolerable and acceptable, and the oppression that is criminal, is that the despotism of the passions allows the possibility to oppress my oppressor, while we are powerless against the oppression of the law. Law cannot be oppressed, it cannot be tortured and thus no *jouissance* can be extracted from it. From Sade's standpoint, my neighbour's passion is less threatening than the law's injustice because while I can take revenge in the case of a wrong inflicted on me by my neighbour, I cannot get even for a wrong inflicted on me by law. The wrongdoing by law cannot be stopped because there is never a moment when I can say "now it's my turn." It's always the law's turn, never mine.

Sade's criticism of law can thus be viewed as an attempt to "sodomize" the Enlightenment concept of justice based on a comparison with one's fellows, that is, on the specular relationship between fellowmen that originates in self-love. In this view, the Enlightenment idea of justice is from the outset contaminated by self-love: I recognize myself in another. By contrast, for Sade, for whom the fundamental attitude towards the other is based on *envy*, and not, as with Rousseau, on pity, the feeling that is reserved, according to Sade, for those who are destined to become victims, it is not a benevolent compassion that brings about justice. What keeps justice alive is, rather, an obscene competition with the other, where the other appears as an incomplete image of me. This also explains a specifically Sadean source of happiness that consists in what Veblen called "invidious comparison," a paradoxical envy that the libertine has to ascribe to the "downtrodden," "the luckless who must necessarily complete our unhappiness by the comparison they furnish between themselves and us."²¹ The whole point of comparison is that it arouses envy and thus the struggle for an object whose sheer possession gives its owner the position of an unattainable superiority, of someone who lacks nothing. A profound modification of the "invidious comparison" carried out by Sade consists more specifically in a perverse

80

²⁰ Sade, *Juliette*, p. 7.

²¹ *Ibid.*, p. 1161.

enjoyment of inequality, a cynical appraisal of the misery of the excluded, since Sadean libertines are happy only if others are not: “their hardships add a further poignancy to my joys, I would not be so happy if I did not know there was suffering nearby, and ‘tis from this advantageous comparison half the pleasure in life is born.”²²

But right away we must note that Sadean envy is not just a struggle for the possession of a particular good. Envy, according to Sade, is not about craving a particular thing in order to satisfy a need, but rather about craving what Lacan termed the unattainable object of desire beyond any concrete object. The object onto which the envious gaze falls undergoes a veritable transmutation: from a mere good that can be replaced by something else, it is elevated to the dignity of the irreplaceable, unique Thing, a “thing that is my neighbor’s Thing,”²³ that transforms this neighbour, as Lacan notes, into someone unique, “without a pair.” Strictly speaking, Sadean envy is nothing but a desire for the object as such. As J.-J. Goux rightly points out, “Sade, through the *form* of the universal substitute for value, is not enjoying this or that particular good. He is enjoying the general possibility of enjoyment, ... the virtual omnipotence conferred by the general equivalent.”²⁴ It is Sade’s merit to have elucidated the “irrationality” of envy: envy does not aim at the object itself, but, rather, at some unimaginable jouissance, which is supposed to be accessible only to the Other.²⁵ What the subject cannot tolerate in the neighbour is unbearable evidence of jouissance. The paradox of envy hence consists in its being aroused by a mere groundless assumption that the “other is held to enjoy a certain form of *jouissance* or superabundant vitality that the subject perceives as something that he cannot apprehend by means of even the elementary of affective movements.”²⁶ When one envies one’s fellowman “the possession of goods which would be of no use to the person that is envious of them,”²⁷ the only way out of this impasse is through hatred of the other and this is so precisely because the other is presented as “the

²² *Ibid.*, p. 965.

²³ Lacan, *The Ethics of Psychoanalysis*, p. 83.

²⁴ Jean-Joseph Goux, “Calcul des Jouissances,” in *Les Jouissances*, Paris: Seuil, 1978, p. 180.

²⁵ See Jacques Lacan, *The Four Fundamental Concepts of Psycho-Analysis*, trans. A. Sheridan, London, Penguin Books, 1979, pp. 115–116.

²⁶ Lacan, *The Ethics of Psychoanalysis*, p. 237.

²⁷ Lacan, *The Four Fundamental Concepts of Psycho-Analysis*, p. 116.

image of a completeness closed upon itself,”²⁸ an image of a complete satisfaction, thus forcing the subject to face his/her constitutive lack, revealing in this way something that threatens the subject at the very core of his/her being.

The Sadism of Pity or Rousseau with Sade

The articulation of *jouissance* and destruction, the key feature of Sadean fantasy, is the axis around which Sade’s “deconstruction” of Rousseauian pity is centred. What is crucial here is not merely Sade’s rejection *en bloc* of pity, “the dullest, most stupid, most futile of all the soul’s impulses,” “chilling to the desires,”²⁹ but the fact that it is possible to extract from his arguments for cruelty exercised against the other, an unacknowledged sadism of the Rousseauian ethics of compassion.

At first glance, Rousseau and Sade seem to be the true antipodes holding two mutually exclusive positions, at least this is how Sade himself perceives their relationship. Sade categorically rejects Rousseau’s fraternal filiation, insisting on human natural egoism and the natural tendency to oppress one’s fellowmen. What is the obvious truth for Rousseau, namely, that one should be merciful and compassionate to one’s fellowmen due to our fundamental similarity, is a real issue for Sade as one of his libertines clearly states: “does the material or moral similarity obtaining between two bodies entail the necessity that one of these bodies do good to the other?”³⁰ What is more, pity deprives man of one of his essential natural attributes: passions that only strive for satisfaction, no matter how high the price. Pity, by contrast, seeks to artificially repair the natural inequality and fundamental disparities. Sade accuses Rousseau of setting up a kind of a stand-in for law in *nature*. Pity, in this view, functions at the level of nature itself as a defence against passion and desire, namely that agency that – because it knows no natural barrier – is by definition excessive. As an effort to domesticate the passions, pity, for Sade, “far from being a virtue, becomes a real vice once it leads us to meddle with an inequality prescribed by Nature’s laws.”³¹ At another level, and more immediately, Sade exposes the repressed egoism of

82

²⁸ *Ibid.*

²⁹ Sade, *Juliette*, p. 888.

³⁰ *Ibid.*, p. 211.

³¹ *Ibid.*, p. 308.

Rousseauian pity, revealing in this way a paradoxical relationship to the other. On the one hand, it is undoubtedly true that pity for Rousseau necessarily involves the other, our fellowman, because it cannot even be aroused unless it “puts us in the place of him who suffers,”³² as Rousseau claims. But such a pity is inherently narcissistic, for Rousseau, because we feel the other’s suffering as *our own*; what is thus lost is exactly the suffering of *the other*: *we suffer in ourselves, not in the other*. That is why, at the very moment of compassion for the other, we must be indifferent to him/her, since we would only help the suffering other because – based on the principle of reciprocity – we expect that in a similar situation the other would help us.

Due to its narcissistic nature, pity is ambivalent: it requires both identification with the other *and* the necessity of keeping the suffering of the other at a certain distance because pity, as Rousseau conceives of it, is moral only if it remains within the limits of self-love. The economy of Rousseauian pity requires a certain non-identification with the Other: the Other should be kept at a distance, not, of course, in order to be recognized and respected in his/her otherness, but rather in order to prevent the pleasure that one experiences in pity from turning into a destructive jouissance. Rousseau himself is to a certain extent aware of the danger of the perversion of pity through its contamination with jouissance. Succinctly put, Rousseau wants the good of others, but only if this good, as Lacan notes, is “in the image of my own,”³³ in order to avoid exactly what is Sade’s true goal, namely, the evil desired by the subject and by his/her fellowman. In so doing, Rousseau systematically ignores the obverse side of the specular relationship between fellowmen, a relationship that involves a struggle to the death. Yet precisely this lethal aspect of the imaginary relationship is at the centre of Sade’s attention. He refuses the imposed compassion for the misfortune of the other because it erects an insurmountable barrier against the subject’s jouissance. Thus, when Sade insists, in opposition to Rousseau, that watching the misfortune of another is a source of pleasure, he allows us to see how Rousseau’s subject inexorably extorts some pleasure from the fantasmatic projection into the other’s misfortune. In this respect, it is by no means irrele-

³² Jean-Jacques Rousseau, *Discourse on the Origin of Inequality*, New York: Simon and Schuster, 1967, p. 201.

³³ Lacan, *The Ethics of Psychoanalysis*, p. 187.

vant that the Rousseauian concept of pity, for which it is necessary to keep the Other “at a respectful distance,” is based on the theory of a theatrical spectacle.

The pleasure to be experienced in such a theatrical staging is not, of course, to be confused with a cynical pleasure; it is not, as Rousseau himself warns, the pleasure of someone who, when watching a suffering fellowman, says: “You may perish for aught I care, nothing can hurt me.”³⁴ It is rather a paradoxical pleasure that springs from unpleasure, or, as Rousseau states, from the anxiety of someone who is compassionate towards the other, but cannot help him because he is condemned to the role of a spectator and thus to passivity. This is, of course, a subject who is, in fact, reduced to a gaze before which a terrible scene unfolds. This “frozen”, “immobilized” *jouissance* of the “paralyzed” spectator irrupts in all its atrocity in the example that Rousseau borrows from the famous B. Mandeville book *The Fable of the Bees, or Private Vices Public Benefits*. Rousseau himself uses this scene to illustrate a spontaneous emergence of pity through identification with the suffering other. It is

the pathetic picture of a man, who, *with his hands tied up*, is obliged to behold a beast of prey tear a child from the arms of his mother, and then with his teeth grind the tender limbs, and with his claws rend the throbbing entrails of the innocent victim. *What horrible emotions must not such a spectator experience at the sight of an event which does not personally concern him?* What anguish must he not suffer at his not being able to assist the fainting mother or the expiring infant?³⁵

A terrifying scene is a trap for the gaze and at the same time a feast for the eye. One might say that Rousseau, with the split between the eye and the gaze, stages while obscuring and repressing the division of the subject, which from the outset is safe, a split between the proclaimed pity and a silent, surreptitious *jouissance*. The paralysis of the witness that is reduced to the gaze alone only intensifies pity. But this subtle choreography of the staged scene serves merely to conceal that this is not just about a fantasmatic gaze of the victim him-/herself on his/her own issueless situation. For the gaze of the helpless, paralyzed witness is but a stand-in for another, absent, impossible gaze, namely the gaze

84

³⁴ Rousseau, *Discourse on the Origin of Inequality*, p. 202.

³⁵ *Ibid.*, pp. 201–2.

of the mother, who is just as helpless, paralyzed (fainted) witness. This envisaging of the (absent) mother's gaze only exacerbates the horror of the situation, thus allowing the irruption of cruelty and sadism in the scene. For what is at stake in the Rousseauian subtle *mise-en-scène* is a staging of the emergence not only of pity but also, unexpectedly, of jouissance. The organization of the appearance of pity according to the principles of the theatrical spectacle, by placing the subject of compassion in the role of a passive spectator, is meant to prevent the perversion of pity, the transformation from the narcissistic pleasure to enjoyment of the suffering of the other. Yet contrary to his original intention, Rousseau's specular pity surprisingly confronts us with cruelty and sadism as an unavoidable supplement of imaginary pity, since it is centred on the gaze of a witness who quietly "enjoys" a terrifying scene from a safe distance.

What we see at work here is a staging of the ambivalent relation of the gaze with jouissance, more precisely, a staging of the way in which the gaze tacitly disabuses the barrier that the pleasure principle erects to keep jouissance in check. Why else would one describe in the smallest details how the wild beast grinds "with his teeth ... the tender limbs, and with his claws /rends/ the throbbing entrails of the innocent," if not in order to situate it as a stand-in for the mother's absent gaze? The passivity of the external viewer re-doubles the mother's "passivity", not, however, to exonerate her – as a witness, the (fainted) mother cannot save her child either – but in order to lay blame on her, not of course for not saving her child, but for *not watching* what is happening to the child because, by fainting, she has "evacuated" herself from the scene. It lays blame on the mother for having "saved" herself, for having deprived us of the spectacle of her suffering, which is why her suffering must be represented by someone else, the witness. The unacknowledged sadism of pity is based on the fact that Rousseau and Sade, oddly enough, agree that both pity and jouissance can only be measured by the degree of violence that arouses us, as Sade bluntly states.

85

This also explains why the Rousseauian subject of pity, this eminently being the subject of pleasure, must repress the jouissance provoked by scenes of suffering. Rousseau's insistence on keeping the other at a distance in order to preserve the morality of pity should warn us that Rousseau must stop at a point before our pleasure in pity turns into enjoyment of the other's suffering. And conversely, the Sadean subject of jouissance must, in order to be able to sustain himself in the constant state of excitement, either seek ever new victims, or intensify their

suffering, ideally, by extending the torture of always the same victim beyond the limits of life – to eternity. The first one, i.e. the Rousseauian subject, is happy, but at the cost of the renouncement of *jouissance*, while the other sacrifices for the sake of *jouissance* not only the well-being of the other, but also his/her own happiness, since the pursuit of *jouissance* knows no rest, he has to constantly seek new sources of excitement; it is therefore structurally impossible for him to ever reach complete satisfaction.

Although in both Rousseau and Sade the demand for satisfaction constitutes the horizon of their respective ethics, it is precisely here that we can show a difference between them. According to Rousseau, the subject's satisfaction must be sought at the level of desire as a kind of denaturalized need or instinct. The socialized subject, for Rousseau, is no longer directly linked to nature and is therefore no longer able to unmistakably interpret what the voice of nature commands. Hence, despite the fact that needs or instincts can be considered to be the inscription of the voice of nature into man's flesh, this inscription remains, as Rousseau asserts, latent, waiting to be activated. What nature wants is no longer directly accessible to civilized man, but has to be supplemented in some way, in particular by imagination, which is an ambivalent supplement because it can lead the subject to the excessiveness of desire and thus to evil. The Rousseauian subject could then be considered to be the subject of desire, more precisely, the subject of a *nescient*, ignorant desire that is lost, and therefore unable to achieve its satisfaction.

Sade, by contrast, explores the subject's satisfaction at the level of the drives or, more precisely, at the level of the will to *jouissance*, which, unlike desire, does not hesitate, does not lose itself, but infallibly follows its pre-written programme. Thus, in opposition to the Rousseauian subject, who always runs the risk of falling into the excessiveness of desire by misinterpreting the voice of nature, the Sadean subject incarnates the sovereign "I know." There is a tenacity and determination in the working of the Sadean subject that is characterized by the certainty of someone who is in the possession of knowledge, as if he were directly connected to the real: the voice of nature. He knows what the voice of nature demands of him, and he devotedly obeys it. This also explains why the same experience, the suffering of the other, is linked in Rousseau to the identification with the other, whereas in Sade, on the contrary, it is linked to the disidentification with the other. While for Rousseau it is necessary, in order to

achieve one's own happiness, to experience pity, even if the latter is motivated utterly egoistically – the subject is merciful to the other, because he/she fears that such misfortune will befall him/her too – the scenes of the misfortune and suffering of the other are the source of happiness for the Sadean libertine: “It is a thousand times sweeter to say to oneself, casting an eye upon unhappy souls, *I am not such as they, and therefore I am their better*, than merely to say, *Joy is unto me, but my joy is mine amidst people who are just as happy as I*. It is others' hardships which cause us to experience our enjoyments to the full.”³⁶ Worse, it is necessary to artificially create an inequality, to force the other into powerlessness, in order to finally refuse him/her our mercy. Not only is the Sadean subject insensitive to the well-being of the other, he is fully dedicated to “doing evil.” Nothing could then be more remote from Sade than the Rousseauian principle of natural, benevolent reciprocity. But this harming of the other is not merely a perversion of the Rousseauian pity, based on identification with the victim. Pity, as one of the fundamental ethical virtues, is entirely foreign to the tormentor not only because the Sadean libertine takes on the role of a “merciless master,” insensitive to the victim's pleading, but because he is identified with cruelty as the opposite of pity. The sadist is exempted from the imaginary relationship with the other because he identifies with the insupportable jouissance obtained through torture, corporal and moral, mistreatment, and, finally, murder.

From an Other to the other

According to the most established interpretation, Sade, in contrast to Rousseau, who affirms the existence of the Other, albeit in the register of the imaginary, because the Other remains “in the image of my own,” totally disregards the Other. Indeed, the Sadean law of jouissance, a singular union of cruelty and lust, can only bring about an infinite separation and thus the ruin of the Other as such: “Assure yourself that you are absolute sovereign in a world grovelling at your feet, that yours is the supreme and unchallengeable right to change, mutilate, destroy, annihilate any and all the living beings you like.”³⁷ The solitude to which the will to jouissance condemns the Sadean tormentor clearly indicates that there is no room for an Other because the Sadean tormentor-master takes up all the room. The elimination of the Other is in fact another name for the

³⁶ Sade, *Juliette*, p. 552.

³⁷ *Ibid.*, p. 640.

elimination of anything that might impede jouissance. As for the victim, he/she poses no problem of otherness either: excluded from the symbolic, the victim is from the start reduced to the instrumental status of a mute appendix, a passive body plugged into the tormentor's body and destined to be enjoyed, tortured, exhausted, and finally thrown away after heavy use. For this reason, the ruin of law implied by the exclusion of the Other requires a recourse to nature. Sade's assumption is that no passion, however perverse, is unnatural. Rather, "'tis when we have achieved depravation, insensibility, that Nature begins to yield us the key to her secret workings, and... it cannot be pried away from her save through outrages."³⁸ By identifying passions with nature, passions are not only de-normed, released from the limits that every social and symbolic order imposes on them, but are also asserted as legitimate and attainable. As such, Sadean passions are therefore identified with instincts that – because they know no obstacle or negation – demand immediate gratification.

The rehabilitation of jouissance through its naturalization or through the "re-naturalization of cruelty", as Klossowski, one of the most perspicacious Sade's interpreters, proposes to sum up the core of Sade's programme, is accompanied by the liquidation of "the reality of the other whereby the very notion of the other is emptied of all content."³⁹ Sadean cruelty consists, however, in the following paradox: with the very gesture of destroying the other, my fellow, his/her reality is all the more asserted:

Nothing would seem more contradictory in Sade than this break with others when the result of the abolition of our duties toward others and their consequent exclusion from our sensibility is translated clearly and constantly by acts which, because of their violence, need the other – acts which by their very nature re-establish the reality of the other and of myself.⁴⁰

88

Yet Klossowski's interpretation, despite its doubtless perspicacity, is nonetheless ambiguous, as it allows two answers to the question of why the Other cannot be got rid of. The first answer highlights the failure of Sade's enterprise because Sade's tormentors cannot succeed in completely annihilating the Other,

³⁸ *Ibid.*, p. 710.

³⁹ Pierre Klossowski, *Sade mon prochain*, Paris: Seuil, 1971, p. 129.

⁴⁰ *Ibid.*, pp. 134–135.

who keeps returning behind their backs. The gist of the second answer is quite the opposite: the indestructibility of the Other is not a sign of a failure, but is, actually, constitutive of the Sadean ceaseless destruction. The relentlessness of destruction, which, according to Klossowski, leads to a generalized *a-patheia*, may well exclude every affective consideration of the Other, but at the same time it inevitably resuscitates the phantom of the Other. In view of this curious irreducibility of the Other, we must ask: *what Other are we actually dealing with in Sade?*

Determining the status of the Other in the economy of the Sadean jouissance is one of the most challenging tasks primarily because what characterizes the sadist subjective position is the complete absence of any addressing of the Other. The Sadean libertine demands nothing from the Other, nor does he expect the Other to repair the injustices that have been inflicted on him. In a radical sense, there is, at this level, no Other for the sadist. And, indeed, Sade's thesis on man's fundamental solitude might lead us to the conclusion that we are dealing here with a universe without the Other. The sadist's solitude is in fact a direct consequence of the Sadean main assumption, according to which the right to jouissance is absolute. It is a right that is imposed unconditionally, that is to say, beyond the limits of intersubjectivity. Thus, what characterizes the sadist, the master by definition, is "the delicious realization that nothing and no one else matters on earth."⁴¹ Since the sadist is guided only by the maxim: "I have the right to enjoy your body ...," the consent given to him by the victim is utterly irrelevant. Indeed, if the right to jouissance is absolute, then the sadist does not need the Other's consent in order to comply with the imperative of jouissance. At this level, another aspect of the will to jouissance emerges: its cynicism, as illustrated by a typically Sadean question: "And of what account can the lives of all that trash be... when our pleasures are at stake?"⁴² In this regard, there is, indeed, no Other for the Sadean will to jouissance.

A more detailed analysis of the Sadean mechanism for the production of jouissance reveals, however, that the status of the Other is actually more ambivalent and problematic than it appears at first. The sadist is namely someone who is wholly committed to recovering or resuscitating jouissance, not, of course,

⁴¹ Sade, *Juliette*, p. 965.

⁴² *Ibid.*, p. 999.

his own, but the jouissance of the Other. The sadist is identified here with the Other's will to enjoy, hence his decision to put himself actively into a state of passivity: to be the instrument of the jouissance of the Other. At this level, the Other is an indispensable presupposition for jouissance to be produced at all. The status of Sade's Other may well be initially problematic – defined as a lack of jouissance, this being a *conditio sine qua non* for the sadist to place himself in the service of this Other's jouissance, because if the Other were “whole”, complete, the sadist's “service” would not have been needed – the Other nevertheless looms over the Sadean universe. How else can we understand Sade's claim that he can “help” or, rather, serve nature, if not from the assumption that civilization has deprived nature of its ability to enjoy? The sadist, who does not deal with the whole Other, but with a barred, lacking Other, therefore sees his mission in restoring to the Other what it is lacking, namely, jouissance.

The sadist, therefore, knows that his *raison d'être* is to serve the Other's will to enjoy. Serving the will to jouissance implies *knowledge* of the Other's lack of jouissance. The sadist “knows” that the Other wants the restitution of jouissance, that remnant or supplement of jouissance that would heal the Other's lack. This jouissance, to which he is devoted, is therefore the jouissance of the Other. He “slaves” for it even when he forces the Other, his victim, into producing jouissance. This is because, for the sadist, wrenching from the Other the proof of jouissance equals the ontological proof, the proof of the Other's existence. In this respect, the sadist is not unlike God's knight for whom, as Lacan points out, the existence of God is not a given, but a matter of faith;⁴³ the sadist also finds his *raison d'être*: to prove that the Other exists, only if he is in some way “cata-pulted” into the lack of the Other.

90

For the sadist, the Other exists only through jouissance, which needs to be ensured. And even if the Other does not exist, the sadist knows what the Other wants: jouissance. Even the absence of the Other is therefore not an obstacle for the sadist because his aim is to make the Other exist as the one who enjoys. The Sadean endeavour has no objective other than to provide jouissance to the Other, in order for the latter to exist, since only if the Other exists can he/she enjoy. The conclusion to be drawn from the sadist's striving for the jouissance of the Other, for the production of jouissance in the body of the Other, regardless of

⁴³ Jacques Lacan, *D'un Autre à l'autre*, Paris: Seuil, 2006, pp. 253, 256.

what the Other wants, regardless of whether the Other even knows that he/she is lacking jouissance, is then, in Klossowski words, that the sadist does not experience jouissance in his own body, but *in the body of the Other*, or, rather, it is in the body of the Other that the sadist experiences the uncanny in his own body.⁴⁴

Hence the necessity for the sadist to split the agency of the Other: on the one hand, the Other is always already there as a “lust-object” to be (mis)treated in a variety of ways. But for this manhandling to be possible at all, the presence of the Other must be secured. The Other’s *Dasein*, being-there, is required, and if he/she does not give his/her consent to this (mis)treatment, as usually happens, then he/she should be put in chains, kept there in one way or another in order to give proof of his/her availability. The “lust-objects” must be summoned and ready to serve. However, the possibility of enjoying those “pleasure-machines”, as Sade calls them, depends on its inscription into existing relationships of power that could secure unrestricted access to those “lust-objects”⁴⁵ that law makes inaccessible. This is then the Other as the “object” of the sadist’s torture, the naive victim, to whom the sadist is completely indifferent, even if he cannot be indifferent to the sheer fact of the victim’s existence, to his/her availability. The Sadean libertine can hence state bluntly: “I have the inalienable right to employ force and any coercive means called for if... he [the fellow] dares for one instant withhold from me what I am fairly entitled to extract from him.”⁴⁶ Klossowski rightly draws our attention to the affinity between the sadist solipsistic jouissance and cruelty: postulated as the unconditional, jouissance becomes evil because it is indifferent to the price to be paid by the subject and the Other for its attainment. Indifference here coincides with inindifferentiation. Sade’s torturer aims at no one in particular, but only requires ever new, equally insignificant victims. No victim counts more than any other because no victim is capable, as J.-A. Miller remarks, of “making a hole in the Other.”⁴⁷ Even the victim’s death is insignificant. The only thing that ultimately counts for the Sadean libertine is how to ensure the ceaseless repetition of the sadist operation.

⁴⁴ Klossowski, *Sade mon prochain*, p. 47.

⁴⁵ Sade, *Juliette*, p. 744

⁴⁶ *Ibid.*, p. 64.

⁴⁷ Jacques-Alain Miller, 1, 2, 3, 4 (unpublished seminar), 12 December 1984.

But the sadist's indifference to his countless victims is revealed in a completely different light if the sadist himself is submitted to the imperative of *jouissance*. In effect, the Sadean tormentor cannot be indifferent to the imperative of *jouissance*, to this other Other, if we may say so, that agency for which the tormentor "slaves", that agency in relation to which he is desubjectivated, transformed into an object, making himself "the instrument of the Other's *jouissance*."⁴⁸ The sadist knows that by seeking *jouissance* he complies with the law of nature as his knowledge is primarily knowledge of the equivalence between the law of *jouissance* and the law of nature. Contrary to the libertine, who is distinguished by knowledge of *jouissance*, those who are designated to become the sadist's victims, "feeble-minded creatures" whose "insensibility" can only depress their tormentor,⁴⁹ are characterized by their ignorance, which is nothing but their not wanting to know anything about *jouissance*. Because the victim, unlike the Sadean libertine, does not hear the voice of nature and, consequently, does not know that by seeking *jouissance* he/she actually obeys nature's command. If denial of *jouissance* is what predestines someone for the status of a victim, this is because the victim is split between two kinds of ignorance: ignorance of the true nature of the laws that he/she respects, even though he/she ought not respect them because they are nothing but a make-believe, and ignorance of the Law he/she ought to respect, yet does not, because he/she does not know it, or knows it under the improper guise of a vice, i.e. as a violation of those laws that he/she actually obeys. As a result, nature, thwarted and repressed by virtues that stem from educational "prejudices", takes its revenge: unable to speak through the virtuous ignoramus, nature speaks against him/her, turning him/her into the sadist's victim.

92

It suffices to ask: Why does the Sadean victim so readily submit him-/herself to torture? And, in fact, we cannot find any scene in Sade where the victim puts up any resistance. The crucial point here is that the relationship between the torturer and the victim should not be assimilated to the master-slave relationship of the Hegelian type. There is no dialectical relationship in Sade: the victim is not a bearer of any knowledge; no teleology is involved here. Rather, the reason for the strange *passivity* of Sadean victims is their virtuousness, which, for Sade, is

⁴⁸ Jacques Lacan, "The Subversion of Subject and the Dialectics of Desire in the Freudian Unconscious" in *Écrits*, p. 697.

⁴⁹ Sade, *Juliette*, p. 147.

nothing but another name for the not-knowing of the equivalence between the law of nature and the will to jouissance. The suffering of the Sadean victim is therefore not a suffering of a useful work. On the contrary, it is useless in two respects: it serves nothing, because it is completely subordinated to the capriciousness of the tormentor's will; second, the suffering of the Sadean victim will not give rise to any knowledge as the tormentor already knows what there is to know and it is through recourse to the knowledge of what the voice of nature demands that the sadist usurps the right to be an executioner. It then follows that, if the Sadean victim endures suffering, this is because, even before becoming a sadist's victim, he/she had already become a victim of conventions, norms, rules, artefacts, in a word, a victim of a mere semblance. By contrast, for the sadist, the victim's body is libidinally invested because of its passivity, since what makes the sadist enjoy is not the victim's suffering as such, the torture inflicted on the victim's body, but the situating of a fellow as a victim.

Sade is perhaps one of the first thinkers to have shown that there is an *original connection between jouissance and knowledge*. The knowledge of jouissance divides the subject, but, in Sade, the two halves of this division are emancipated, autonomized: the victim and the sadist embody the subject's division as a division between knowledge and ignorance of jouissance. The convergence of the subject's division and the division of knowledge / not-knowledge allows us to understand why the sadist is not satisfied just with torturing his victims, why, in addition, he has to "educate" them. What the sadist wants to "teach" the victim is, ultimately, that he/she enjoys, whether he/she knows it or not. The Sadean enterprise therefore does not merely have ethical and political implications, but also pedagogical implications. A troublesome point for our understanding of an enterprise of this kind is this: Being already in the possession of knowledge about the law of nature, since the programme of the will to enjoy is always already mapped out for him, the Sadean pervert is in a radical way incorrigible and thus uneducable. And it seems that there is no place for any educating of the victims either. To the extent that only the suffering of the victims' bodies can yield satisfaction for the sadist, there is only merciless torture and the final elimination of these "lust-objects," as Sade calls them. What is remarkable, however, is that for Sade's tormentors themselves, the torture inflicted on the Other cannot be an end in itself, but serves instead as a means for the transmission of knowledge about which the victim does not want to know anything, which is why he/she needs to be reminded about it more or less roughly. Looking from

the sadist perspective, torture is, in a way, for the victim's own 'good' or benefit. There is, however, no complete overlap between knowledge and jouissance in Sade. It is not possible to say, for instance, that only the one who knows enjoys. The whole point of his pedagogy is rather to show that the victim who does not know that he/she enjoys and who does not want to know anything about jouissance, nevertheless enjoys.⁵⁰

Thus, to see even more clearly how knowledge and jouissance hinge on each other, we have to distinguish two kinds of jouissance in Sade: a discursive jouissance, the infamous *jouis-sens*, enjoyment in meaning, that is produced in the very preparations for obtaining jouissance, and most specifically in the detailed "reports", the testimony of this jouissance by libertines themselves.⁵¹ Sade's "or-

⁵⁰ Let us note in passing that this presupposed knowledge of jouissance applies to all perverts, not only to Sadean tormentors. For the pervert, any kind of knowledge is immediately concerned with the enjoyment of the irremediably mute body. Hence, the pervert knows how to obtain jouissance. He knows where to find it, namely, in the body, and he looks for that point where the body enjoys, while being indifferent to what the victim wants, even if he ends up forcing the victim into jouissance. Yet, as Lacan points out, nothing is more uncertain than the jouissance that the sadist strives to achieve. The sadist's subjective position is a paradoxical one: on the one hand, he is on the look out for the emergence of jouissance in the Other, albeit the latter is literally forced into enjoying. The sadist jouissance arises namely in the very split of the victim-subject, in the gap between the pathological subject and the subject of desire, a gap that appears when the sadist forces the victim to separate him-/herself from everything that constitutes him/her as the subject of pleasure and the subject of the symbolic (to respect a given word, the symbolic pact). On the other hand, the sadist operation signals that it is exactly that which is supposed to make jouissance possible that is its greatest obstacle. He wants to make the Other "whole", to heal him/her with jouissance, which the Other does not even know he is lacking or, worse, does not want. Hence, the sadist cannot restore jouissance to the Other otherwise than by disregarding what the Other wants, given that the economy of jouissance that forces the sadist to impose his voice upon the Other, thus rendering the latter mute, reveals in this way the impossibility of eliminating the voice in the production of jouissance. On the one hand, despite the fact that the Other does not want the jouissance imposed on him/her by the sadist, he/she nevertheless obeys. On the other hand, however, the sheer submission constitutes, for the sadist, proof that jouissance is obtained. In reality, however, the jouissance that the sadist works for is never ensured. But this lack of jouissance is not noticed by either the victim or the tormentor, being concealed, as Lacan notes, by the massive presence of the voice and the blinding presence of the sadist as a mere instrument of jouissance. Lacan, *D'Un Autre à l'autre*, pp. 258–259.

⁵¹ Here is how *The 120 Days of Sodom* presents the function of the report, considered to be a pleasure of the head, within the Sadean libidinal body: "after having immured themselves

gasm of the head,”⁵² a peculiar kind of “*jouis-sens*”, far from being foreign to the jouissance experienced in the body, being only “of the head” and discourse, is rather constitutive of it, precisely because the head, for Sade, is itself one of the bodily organs and functions as a material instrument within the libertine machine. However, the true jouissance at stake in Sade is not that discursive jouissance, important though it may be, but the jouissance of the body that has been postulated from the outset as being nondiscursive, a jouissance that is external to discourse, or outside discourse. It is precisely at this jouissance of the *mute* body that the sadist aims. The body’s silent jouissance testifies in return that there is something irreducible in jouissance that cannot be translated into the signifier. Disconnected from the signifier, immune to the requirements of normalization, this silent jouissance occurs as a kind of condensed remnant that does not dissolve in the signifier, as that which cannot be tamed, cannot be domesticated by discourse, and which, as such, has the status of the real. Perhaps the best proof of the real status of the mute jouissance is that it is non-localizable; it is a jouissance that is constantly displacing itself as it does not have its proper place; hence, it can be said to be either everywhere or nowhere. This also explains why the sadist discovers it in the most unexpected and impossible places, especially in places where the body suffers. The duality of discursive and silent jouissance, with the latter always maintaining primacy, clearly signals that Sade’s objective is not a thoughtless quest for the satisfaction of the drives, since jouissance produced merely by talking about jouissance, this *jouis-sens*, “enjoyment in meaning”, is used in Sade to signify that the symbolic itself is in the service of jouissance.

The primacy of the body’s mute jouissance therefore indicates that Sade is not blind to the antinomian relationship between jouissance and the subject. For Sade, there is an irreducible gap between the jouissance of the body that “knows” jouissance, but cannot speak about it, and the subject of the signifier, who could certainly say something about it, but cannot do this because it does not know anything about the jouissance of the body. Wholly in line with Lacan’s formula of the “cogito of jouissance,” when it comes to the experience of enjoyment, one

within everything that was best able to satisfy the senses through lust, ... the plan was to have described to them, in the greatest detail and in due order, every one of debauchery’s extravagances, all its divagations, all its ramifications, all its contingencies, all of what is termed in libertine language its passions.” Sade, *The 120 Days of Sodom*, p. 218.

⁵² Hénaff, *Sade. The Invention of the Libertine Body*, p. 97.

can say at best *se jouit*, “it enjoys itself,” never “I enjoy.” As Sade’s economy of jouissance clearly demonstrates, there is no time for the subject to experience its division since the subject disappears the moment jouissance occurs or, better perhaps, the subject is eliminated in advance. The proof that there is no subject of jouissance can be seen in the subjective position of the sadist, who is precisely not a subject, but an instrument of the will to jouissance: “the sadist himself occupies the place of the object, but without knowing it, to the benefit of another, for whose jouissance he exercises his action as sadistic pervert.”⁵³ It then follows that for the sadist, too, jouissance is incompatible with the status of the subject. In effect, when jouissance emerges, there is no (longer) anyone there to say something about it. This (self)deleting of the subject is particularly dramatic in the case of the sadist, where we see a speaking being reduced to a flesh-machine made for coming, a machine made of “a head and balls,” as Sade nicely sums it up, where the head itself is one of the organs in the service of coming, of intensifying and multiplying the modalities of enjoyment.

How then can the persistence, the insistence of the will to jouissance be explained if it cannot be grafted onto the subject or onto the Other? The subject, in Sade, as we have seen, is reduced to an object, an instrument of the will to jouissance, while the Other is at best a problematic assumption, since its existence must be ensured by the production of jouissance. A number of interpreters have already remarked that, in Sade, we are dealing with a variation of the same scenario, as all orgies resemble one another. How are we to understand the working of the subject to whom nothing can happen but this single repetitious adventure, indefinitely? What agency condemns the sadist to such a repetitive sameness? It is essential to emphasize here jouissance’s “first time” inscribing an indelible trace on the speaking body. To discover a particular mode of jouissance is, in effect, something unforgettable for the speaking body, something like a “once forever”. It is enough for the speaking body to experience it once, after which it can never forget it; from now on it can only search for new opportunities for the repetition of the same experience – hence the endless rerun of the same scenario. The indelibility of jouissance and, consequently, its capture in the mechanism of repetition point to its real status: for this jouissance remains impervious to all modification, domestication or re-education. The status of such a jouissance remains radically ex-sistent, and the same status is imposed

96

⁵³ Lacan, *The Four Fundamental Concepts of Psychoanalysis*, p. 185.

on the subject, since jouissance situates the subject outside the law, thereby transforming him/her literally into an out-law.

We can see now why the Sadean libertine is presented as the incarnation of the compulsion to repetition. To be sure, the Sadean tormentor wants to persevere in his being. Setting out from the Spinozean definition according to which “being is to persevere in its being,” there is no one who would be more faithful to the programme inscribed into his flesh than precisely the pervert – on condition, however, that the persevering in one’s being should be understood in terms of a fidelity to a particular mode of jouissance. Sade himself insists that the subject does not persevere in his/her being such as it is imposed by jouissance out of his/her selfish interests, but rather irrespective of his/her best interests. There is then something odd about the Sadean perseverance in being because we are faced here with a persevering in being that comes at the cost of sacrificing the very substance of this persevering. The satisfaction of jouissance undoubtedly requires the being, ultimately, a living body, but at the same time it extends beyond the limits of the capacity of a living organism. The fidelity to jouissance thus inevitably leads to an activity against the preserving of the living substance resulting, ultimately, in its destruction. The sadist, therefore, is someone who takes on the task of pursuing the satisfaction of the passions, even if he “drops dead” in the process. On this point, it could then be said that Sade’s passions mask behind their variety a single passion or drive, the death drive.

This jouissance, to which the subject is thus ready to sacrifice everything, even his/her living substance, may best be defined as a parasite on the living organism. One of the key lessons to be drawn from Sade is therefore that the jouissance that the subject is relentlessly chasing necessarily implies a non-adaptation. Jouissance, as a repetition of the demand for satisfaction, incarnates the function of a “More!” that knows no boundaries, not even those of the living organism. This is because, for Sade, the victim’s body, cut into pieces, annihilated, and thrown back into the inanimate, maintains its capacity to resist. Hence, this compulsion to repetition, inherent to the satisfaction of the passions, a compulsion that persists beyond life, even “beyond the bounds of eternity, if eternity has any,”⁵⁴ as Sade himself states, is what remains of the will to enjoy in the

⁵⁴ Sade, *The 120 Days of Sodom*, p. 217.

subject after the living organism is consumed and decomposed. Paradoxically, jouissance appears to be the only mode of immortality accessible to the subject.

Sade thus follows the Enlightenment vitalist materialism that sets out from the assumption of an eternal, indestructible life.⁵⁵ With Sade, however, the assumption of an immortal jouissance inevitably leads to the disjunction of life and body but with a twist. Life exceeds the body, as the latter is only a transient, ephemeral form of life. Sade is, in this respect, a Freudian *avant la lettre*, because, in Sade, the immortal jouissance is identified with the death drive, meaning that, subjectivated as a crime, it does not satisfy itself with murder, but wants, in addition, to accomplish a total annihilation, without remainder. Even before Freud, Sade thus shows that jouissance arises as a disruptive demand that threatens the living being by imposing on it a functioning that defies the conditions of life. In the same vein, Sade can put forward, in the infamous system of Pope Pius VI, the assumption that nature itself desires death and total destruction, a death that destroys not only the body, but also what is left of the victim's body that tortures have turned into an inorganic, formless muddle. The Sadean criminal thus wants to hit the Other not only at the level of the life of the individual body, he wants to hit the Other in the matter that subsists after the accomplishment of the first crime, he wants to eliminate the Other at the level of the material it is made of. Sade sets out from the assumption that "such dissolution serves nature's purpose, since it recomposes that which is destroyed." But nature can be even better served by a total destruction because it breaks with the eternal cycle of creation-destruction that enslaves nature itself: "Murder only takes the first life of the individual whom we strike down; we should also seek to take his second life, if we are to be even more useful to nature. For nature wants annihilation; it is beyond our capacity to achieve the scale of destruction it desires."⁵⁶

98

⁵⁵ In *D'Alembert's Dream*, Diderot already formulates the thesis of two lives, the thesis that is inverted in Sade, as we know: "Dead, I act and react in mass – the mass of my body, the animalcules that form me. Dead, I act and react in molecules." This means that after death, man is alive at the level of molecules. Quoted in Jacques-Alain Miller, "Lacanian Biology and the Event of the Body," trans. B. Fulk and J. Jauregui, *lacanian ink*, No. 18 (Spring 2001), p. 11. In a similar way, Sade explicitly affirms that there is no death, based on the materialist thesis that for matter, being in constant motion, a state of rest is impossible. And since matter never rests, bodies cannot die, they can only metamorphose.

⁵⁶ Marquis de Sade, *Nouvelle Justine, Oeuvres complètes*, Paris: Cercle du Livre Précieux, 1966–1967, Vol. 7, p. 212.

The truly great scoundrel, for Sade, is therefore not one who is satisfied in simply following nature's example, copying its "foul deeds," but one that goes beyond the mere modification of the forms of matter. The one who aspires to be the organ, the executioner of nature's laws, does not only strive to help nature attain its goals: through destruction, to provide nature with the material for its future creations, but aims more radically at the liberation of nature from the eternal cycle of destruction-creation that, instead of proving its creative potential, proves its impotence, its eternal return of the same. In short, a true Sadean hero strives to liberate nature from its need and/or will to create. This almost inconceivable idea is strikingly represented by the following wish:

I would like ... to find a crime which, even when I had left off doing it, would go on having perpetual effect, in such a way that ... I would be constantly the cause of a particular disorder, and that this disorder might broaden to the point where it brought about a corruption so universal or a disturbance so formal that even after my life was over I would survive in the everlasting continuation of my wickedness.⁵⁷

This paradoxical position makes it possible for the Sadean libertine to exonerate himself from the suffering that he causes: in tormenting the other, the perverse libertine fulfils the will of nature, since nature itself desires, seeks, evil. In Sade, the evil that permeates the will to jouissance is thus a destructive jouissance, inscribed in the very law of nature. The will to enjoyment coincides with the will to destruction, since nature can exercise its will only if it wrests itself from the "other" nature, that of laws and cycles, which restrains and limits its creative power. Nature, therefore, cannot "enjoy" otherwise than by wanting evil. Nevertheless, it is necessary to distinguish two types of nature's evil jouissance. The first being an evil that nature does *not want*, as it causes it almost unwillingly, unknowingly. This evil is brought about merely through the eternal cycle of creation-corruption-destruction. At this level, nature destroys because it simply needs the material for something new or, rather, something other, because at this level there is neither death nor a new creation; there are only new combinations from the elements of decomposition. From this involuntary, unknowing evil, which is entirely in tune with the tradition of materialist philosophy, an evil, which in truth is not one because nature cannot be held responsible for

⁵⁷ Sade, *Juliette*, p. 525.

the effects of its workings we suffer, it is necessary to distinguish another evil, the evil that nature actually *wants*. This is the evil at the level of the infamous second death, a total annihilation, which goes beyond the materialist tradition, since the second death is postulated as a condition for the *creatio ex nihilo*. At this level, nature knows what it is doing, indeed, it is identified with a malevolent God who wants evil and does evil.

To the question of this other instance of the Other that exercises its right to enjoy on both the victim and the tormentor, Sade answers: it is nature that manifests itself as an imperative voice that demands unconditional obedience. The voice of nature being imprinted, as it were, into the flesh itself, one is almost tempted to say that it is a demand of the flesh itself, with passions securing the transmission of the voice of nature. The passions are programmed in the body as a constant stimulus, which, unlike the needs, is not extinguished with its satisfaction. There is no stopping for the passions. For being excessive, transgressive, the sadist passion is nothing but the organ of the will to jouissance. As a constant demand for satisfaction, which must be fulfilled regardless of the cost, the passions, albeit they have their seat in the organism, are an agency of a counter-nature in the organism threatening their very material basis with annihilation.

It is important to remember that the sadist, in satisfying his passions, does not strive for his own jouissance, but sweats instead for nature's jouissance. From the outset, the sadist is submitted to the imperative: Enjoy! In this respect, the sadist's position is a paradoxical one: in relation to the victim, the sadist is positioned as the one who is in control, in short, as a master; in relation to jouissance, by contrast, he is situated as an instrument or the executor of the will of the Other. At best, we could say that the sadist, in relation to the victim, postures in the role of the Other, thereby concealing the split between the two figures of the Other, in relation to which he situates himself. Or, more exactly, the boundless power over the victim conceals that he, this all-powerful tormentor, is actually a slave of an Other, ultimately, a slave of jouissance itself, which is to be engendered in the victim's body.

100

From the outset the relationship between the subject and the Other is posited as an asymmetrical, inegalitarian relationship of domination and subordination. The perverse libertine is not the enunciating subject of jouissance's "categorical imperative" but rather the addressee of the commandment coming from the

Other, namely, nature. In this respect, the libertine applies the imperative of jouissance first to himself: he is the first to hear the commandment of jouissance and the first to submit himself to it. Consequently, in defying every submission to the law, to the existing institutions and authorities, the Sadean libertine does not require sovereignty and autonomy for himself. And, in fact, the idea of the subject's autonomy is, for Sade, a contractualist illusion since the autonomy of free negotiating individuals entering the contract implies the forgetting of the true sovereign: nature, whose command de-centres the subject, rendering him/her non-identical to him-/herself, depending on some heteronomous, extimate agency, namely, the will to jouissance.

With Sade's distinction between two kinds of laws: the sovereign law, this being the law of nature, and the laws-conventions imposed by society, an opposition is established between the Other of civilization and the Other of jouissance, this being a stand-in for the supreme law, a law that is inevitably in conflict with the laws of society. For Sade, the law of nature is a negation of the social law, as it commands what the legal-moral laws prohibit: the gratification of the passions. Hence, the Other that demands the sacrifice of jouissance, the reining in of the passions, must be defied. To this Other of society demanding that the subject refuse to satisfy the passions, the Sadean subject says No! But this Other is an improper, inauthentic Other, usurping the place of the true Other. To this "other" Other, which is nature as the embodiment of the will to jouissance, the subject cannot say No!; rather, he/she must submit to it. The position of the Sadean subject is thus characterized by a paradoxical coupling of rebellion and rejection, on the one hand, and submission and consent, on the other. Just as the subject's duty is to say No! to the demand imposing the sacrifice of jouissance, no less does he/she have the duty to give his/her consent to jouissance, since it is not possible, for Sade, to refuse to say Yes! to the will to enjoy.

101

This doubling of the agency of the Other should warn us that, with Sade, we are not dealing with a free, unbridled satisfaction of the libertine's passions, despite certain misleading formulations by Sade himself, but with the fulfilment of his duty to the Other. From this perspective, the Sadean subject shifts from the camp of the traditional Freudian superego, the one that prohibits jouissance, to the camp of the Lacanian superego, which commands jouissance; in contrast to the neurotic, who considers him-/herself to be lacking, always coming up short against the immensity of the superego's commandment, the libertine, identified

with the instrument of the imperative of *jouissance*, has no difficulty in fulfilling the commandment of *jouissance*. The paradox of the sadist position is thus one where unbridled *jouissance* is equated with the fulfilment of a duty to the Other. Duties, being always some manner of forcing, do not differ according to their mode, but rather according to their stakes. Both traditional and Sadean ethics are therefore ethics of duty. However, while traditional ethics requires that the subject renounce *jouissance*, Sadean ethics reminds the subject of his/her duties, not to the Other of civilization, but to *jouissance*. The subject of civilization is guilty, in Sade's eyes, of having renounced *jouissance*, and if he/she suffers, he/she suffers for having given up *jouissance*, for having disobeyed the will to *jouissance*, raised to the rank of a universal law.

The Institutionalization of the Right to *Jouissance*

Sade's despotism of the passions is based on the assumption that whereas the civil state represents a tyranny of laws over the passions commanding the sacrifice of *jouissance* and transforming, as a consequence, the enjoying body into a desert of *jouissance*, a reign of naked force, because this is the state that allows the satisfaction of the passions. According to today's most established interpretation, Sade's idea of the despotism of the passions, which is to be realized at the level of the *socius*, is self-defeating because the apology of the will to *jouissance* would annihilate the very possibility of the social bond. According to this interpretation, then, the whole point of Sade's criticism of the Enlightenment ethics and politics is to denounce the radical incompatibility of the social bond and *jouissance*: to the extent that *jouissance* isolates and separates, *jouissance* is the negation of the social bond. Hence, the despotism of the passions is to be taken literally: passions enslave, subjugate, demand total submission. *Jouissance* is inherently tyrannical: Enjoy! – regardless of the price you have to pay, or, better, regardless of the price the object of your enjoyment has to pay.

102

In this respect, Sade's claim that, when it comes to *jouissance*, everyone remains a "partner of his/her solitude," is judicious. Setting out from the *jouissance* of the One, Sade inevitably runs against the impossibility of securing access to the Other, against an impassable barrier that separates the One from the Other. Perhaps it could be said, then, that if the only true Other that the sadist has to deal with is ultimately the body, his own body and the body of the victim, this is because the body itself appears as a structural obstacle to reaching the Other.

As a result, the social bond that is founded on jouissance appears to be a contradiction in terms, since jouissance, as Sade conceives it, is the idiot's autistic jouissance, cutting off the subject from the social bond. In contrast to love, which is eminently a relationship to the Other, jouissance cannot even be thought of in terms of a relationship, but only in terms of substance, more exactly, the substance of jouissance that implies a certain autonomy of being.

It is true that the sadist cannot obtain jouissance otherwise than by seeking it in the body of the Other – in the victim's tortured body. The Other is here reduced to an object, a cog in the libidinal machine. Seen from the perspective of autistic jouissance, the Other, to borrow Klossowski's term, is a phantom rather than a substance. Jouissance is, moreover, indivisible. Nobody can take part in my jouissance. Indeed, jouissance excludes every consideration of the Other and knows no reciprocity. In Sade's eyes, to strive for the partner's jouissance means to be submitted to him/her, to become his/her slave. This is because, in jouissance, as Sade relentlessly repeats, everyone wants to be the master: "here it is that man likes to command, to be obeyed, to surround himself with slaves compelled to satisfy him."⁵⁸ This solitude, to which jouissance condemns the subject, is but another name for cynicism, a distinguishing trait of Sade's characters, as illustrated by this rhetorical question: "If we have the right to have their throats cut for our interest's sake, I see no reason why we cannot do the same for the sake of our delights."⁵⁹ It should be noted, however, that the cynicism of the Sadean tormentor is actually the cynicism of jouissance itself, since the subject can only function as an instrument of the solipsistic will to jouissance, ultimately a jouissance seeking satisfaction.

The Sadean libidinal economy is thus based on the antinomy of jouissance and the Other. The only jouissance that Sade knows of is the idiot's solitary jouissance, a jouissance that never relates to the Other, but only to the object. The Sadean jouissance is the jouissance of the One that, as such, dissocializes, thus rendering every relationship with the Other problematic. Jouissance, therefore, not only does not allow access to the Other, but rather breaks with the Other, because jouissance that seeks jouissance, ultimately, is only a relationship to oneself. What is a way out of this solipsism of jouissance? How can the Other be

⁵⁸ Sade, *Yet Another Effort*, p. 324.

⁵⁹ Sade, *Juliette*, p. 999.

“grafted” onto the autistic jouissance? How, then, can a social bond be established if the Other does not exist at the level of jouissance? To solve this quandary, Sade has to resort to the fantasy of the will to jouissance: the Other is the one who wants to enjoy and I have to work for this jouissance, I have to turn myself into an instrument of the Other’s will to jouissance, the will that demands immediate submission.

Sade’s ambition is therefore to justify jouissance even in that which is the least justifiable: the right to jouissance, which not only does not ensure the subject’s well-being nor the collective well-being, but functions as that which, by debasing all the traditionally recognized foundations of socialization to a mere semblance, a make-believe, or, as Sade himself says, an illusion, breaks up every community. Indeed, only one conclusion can be drawn from the antagonistic relationship between jouissance and the social bond: there is not and can be no such thing as a community of jouissance. It then follows that there can be no “politics of jouissance” either as it can only bring about the abolition of the social bond. But this interpretation – according to which jouissance and the social bond are in a radical sense incompatible, mutually exclusive – albeit in many respects certainly valid, nevertheless overlooks the fact that Sade must presuppose at least a *minimum of sociability* in order to stage the relationship of non-sociability, the violence of domination and slavery, that is required for the mere satisfaction of the passions.

This inevitable restitution of sociability is already inscribed in his pedagogical and political project. As a matter of fact, the entire society must be organized according to jouissance because the autistic jouissance, the jouissance of the One, cannot “satisfy” even the sadist himself; in a word, this jouissance, despite the attained satisfaction, is still deficient. For this autism of jouissance, as Sade shows very clearly, only exacerbates the demand for the social bond. Sade is perhaps one of the first theorists of jouissance to have shown that the only conceivable escape from absolute solitude is discourse because it is materialized in typical social bonds. How else are we to understand Sade’s unrelenting search for the most suitable political form that would realize the despotism of the passions, the despotism, to repeat once more, of the autistic jouissance at the political level?

As has already been noted, what constitutes Sade's profound originality is his having attempted to ground sociability solely in the will to jouissance. There are two interrelated issues here: firstly, Sade must demonstrate that jouissance and the social bond are not antinomial, and secondly, he must in addition show how a social bond that has its basis in jouissance, which is, by definition, inegalitarian, ensures social equality. Sade must, in short, solve the paradox of the conjunction of equality and inequality. This is only possible if the social relationship can be established outside of any reciprocity. Still, it would be a mistake to see in Sade a naïve advocate of a "return to nature". This is evident from Sade's radical reinterpretation of the relationship between the state of nature and the civil state. Sade does not conceive of the relationship between the state of nature and the civil state according to a contractual model, i.e. in terms of a mutual exclusion, where the establishment of the social order involves the inevitable removal of the natural order. Describing the prehistory of the civil state through the metaphor of bestiality is precisely the way in which the theoreticians of the social contract foreclose man's inherent violence, his "inhumanity", and relegate it to a mythical past that has never been present. In contrast to this, Sade places man's "bestiality" at the centre of his thinking about society. The true originality of Sade therefore consists in a vision of a society where the civil and natural states coexist.

How is such a coexistence possible? How can one defend the simultaneous existence of the constraining laws, the existence of a state oppression, on the one hand, and the freedom to act according to one's own will, according to one's passions, even the most cruel, inhuman, on the other? Two answers are possible here: just like the Enlightenment philosophers, Sade postulates that the state of nature is a state preceding the civil state, yet unlike the Enlightenment, the state of nature in Sade, even after the switch of paradigms, does not simply disappear, as no law can entirely eradicate passions that are considered to be a sort of stand-in for the state of nature within the civil state. According to the first answer, passions are then a materialized, condensed remnant of the state of nature and as such impermeable to civilization.

But another answer is also possible whereby the issue is no longer the replacement of one paradigm with another, while allowing the remnants of the state of nature to subsist in some kind of enclave within the civil state, but the actual cohabitation of the two states. Sade explicitly insists on the inseparability of these

two states: there is no state of nature without or outside of civilization; actually, it is only against the background of civilization, its “crimes” against human nature, that the will to enjoy finds its proper place. Sade somehow “knows” that a return to the state of nature is not possible, which is why he seeks to restore the state of nature *within the social order*. This is because nature is irrevocably insufficient, which means that nature needs some “help” in order for its will to be fulfilled. Sade hence strives for a civil state whose sole goal would be to provide the means for the maximal satisfaction of the passions. Consequently, the relationship between the state of nature and the civil state, as Sade conceives of it, cannot be one of an opposition or a dialectical *Aufhebung*, but rather a kind of a *perverse alliance*, where the state of nature, in order to subsist, must be grafted onto the civil state. In fact, what we see at work in Sade is the civil state as the continuation of the state of nature by other means, that is, by exploiting the already existing non-egalitarian social order. In seeking to realize the state of nature within the civil state, Sade’s politics of *jouissance* activates exactly those mechanisms that work towards the foreclosure of the state of nature from society. This means that nature, in Sade, is not simply outside society and precedes it; rather, it necessitates society and civilization as its pre-condition. Thus, Sade inverts the relation between “before” and “after”: nature is postulated as (logically) preceding society as an origin, yet an origin that is lost forever and therefore can only return in a “dissimulated” guise in reality, that is, in the civil state, for instance, through discontents in civilization, never as such.

There are, however, two crucial issues that call into question the possibility of the Sadean despotism of the passions in so far as the latter requires the institutionalization of the state of nature within the civil state: namely, the coexistence of equality and inequality, or the concept of equality that excludes reciprocity by promoting the universalization of the right to *jouissance*, that is, a universalization of that which, by being what is most particular to everyone, evades the universal law. One of the major difficulties in arriving at an understanding of such an endeavour is undoubtedly the convergence of freedom and duty, the right to enjoy assigned to everyone, and at the same time everyone’s equal unconditional submission to this right. It is sufficient to have a closer look at Sade’s fantasy of the right to *jouissance*, the right to use any part of the Other’s body to obtain *jouissance*, to realize how the unbridled satisfaction of the passions is far from free and anarchic. Indeed, nothing could be more alien to the sadist than the idea that he is the master because the Other does not exist. The paradox of

the sadist position, as has already been remarked, is that the inexistence of the Other is no obstacle for the sadist to be submitted to the will to jouissance. For the sadist, the will to enjoy persists, even though the Other does not exist. The sadist sees himself as one called on to restore the jouissance to the Other, and that, paradoxically, despite the fact that the Other does not exist. The autonomy of the individual is therefore excluded from the outset because the autonomous individual can either refuse to give his/her consent to the will to enjoy, or reject the role of the victim, which, for Sade, is unthinkable. Because the whole point of his fantasy is precisely that one cannot say No! to the will to jouissance, one can only say Yes! to it, if not willingly, then by force. And vice versa, for the sadist the victim's No! to the will to jouissance is proof that the victim cannot enjoy and that he/she should be taught how to enjoy. Hence, the sadist takes on this task of making the Other enjoy. For the realization of the Sadean enterprise it is therefore essential that there are mechanisms and institutions that render this possible – and that at the level of the whole society.

Once again, the general question of what constitutes the specifically Sadean libertine utopia of a radically different “elsewhere” must be raised. It certainly has to be admitted that the model for society or, rather, countersociety, cannot be an association of libertines, “the Sodality of the Friends of Crime,” as Sade himself calls it, a secret society within society that respects the regime in power. For the paradox of a society destined to the implementation of the generalized right to jouissance cannot be carried out in private clubs, through the installation of a subversive countersociety in the pockets of existing society, pockets of debauchery that may well exist within a given order. Sade is namely not interested in a relationship of domination at the level of “privacy”, which in no way threatens the existing social order or its institutions. For a countersociety established within the limits of a private club does not aspire to change the general structures of society but only to make use of them. What Sade aims at is rather the universalization of the will to jouissance at *the social level*, in short, a utopia of a world without rules, which explains the invocation of a natural state, a utopia that can only result in the collapse of all institutions of that order. The goal, for Sade, is nothing less than the realization of the law of jouissance at the level of the *socius*, that is to say, a radical transformation of the *socius*, and not just the search for shelters within the existing institutions, pockets that are more or less predetermined for harbouring the libidinal excesses that threaten the social body with dissolution.

The establishment of such a social and political-legal order in which *the excess becomes the law* thus necessitates a shift from the club to the state. For the realization of the despotism of the passions in the domain of politics requires the existence of society and its institutions, ultimately, the existence of the state's oppressive apparatuses whose function is to ensure that everyone, the victims in particular, complies with the Sadean principal maxim: "I have the right to enjoy your body...". The Sadean tormentor must have a legally warranted right to satisfy his passions, a certainty that he can impose on his victim the status of the object. Hence, if "there is no such thing as a valid refusal whereby one individual would deny his pleasure to another,"⁶⁰ this is because "the slightest refusal or recalcitrance will be instantly and arbitrarily punished by the injured party."⁶¹ Lacan is one of the first to have emphasized the union of universalization and forcing: "Such is the rule [I have the right to enjoy your body] to which everyone's will would be submitted, assuming a society were to forcibly implement the rule."⁶² For nothing is less questionable for a libertine than the conviction that the state itself guarantees to him the right to subordinate anyone to his whims. Or, as Sade himself states, "lust, being a product of those penchants [inspired by Nature], is not to be stifled or legislated against, but that it is, rather, a matter of arranging for the means whereby passion may be satisfied in peace."⁶³

One of the key stakes in Sade's project for the realization of the law of nature in society is therefore the replacement of the existing positive laws with institutions that require a minimum of laws.⁶⁴ In order to serve their purpose, that is, to ensure access to the *jouissance* for which the sadist "slaves", the *jouissance* of the body, these institutions must be primarily institutions of victimization. But precisely for that reason Sade is faced with the following problem: Which institutional form corresponds to the realization of the law of nature in society, that

⁶⁰ Sade, *Juliette*, p. 420.

⁶¹ Sade, *Yet Another Effort*, p. 317.

⁶² Lacan, "Kant with Sade," p. 648.

⁶³ Sade, *Yet Another Effort*, p. 313.

⁶⁴ Sade rejects laws because the system of rights and duties, as established by laws, limits the free satisfaction of the passions. As the embodiment of perpetual movement, institutions, for Sade, function as the operator of the articulation of political freedom and the passions. And to the extent that freedom for Sade is equated with permanent rebellion, only institutions can provide the material conditions for obtaining *jouissance* and models for action.

is, the law of jouissance, this being, for Sade, the highest and ultimately the only legitimate law? That Sade does not provide us with an unambiguous answer to this question is already evident from the fact that he offers three models for the institutionalization of the despotism of the passions: political despotism, “statist communism”, and a “libertine republic”. All three Sadean models for society have the same goal: to secure the rule of the passions through laws that impose a generalized corruption of the people and, therefore, a generalized libertinage.

At first sight, it would seem that political despotism alone is capable of organizing society according to the law of jouissance. The commandment: Enjoy! implies limitless power over the objects of jouissance and, because of its inherent inegalitarianism, it also facilitates the realization of political despotism. However, although debauchery, which is, as such, enslaving, appears to be a natural ally of the despotic power, we are dealing here with an instrumental, external, and thus parasitic relationship of the despotism of the passions to political despotism. Stated differently, If politics begins with the establishment of relations between free and equal individuals, despotism is confined to the private relationship between master and slave. It then follows that political despotism, although it is founded on the relationship of command-subordination, cannot be an appropriate realization of the despotism of the passions because political despotism is, strictly speaking, not politics.

Sade’s second model of the political regime transposing the despotism of the passions to society is what could be termed “statist communism”. In contrast to political despotism, the main stake in this regime is the equality of all. By shifting the focus from despotism to egalitarianism, a radical mutation occurs in the relationship between the passions and the law. Equality in this regime cannot be ensured in any other way than by the total transformation of human nature, ultimately by the complete eradication of the passions. The Sadean “communism of goods” and the absence of the oppressive class are possible only through the establishment of an all-powerful, totalitarian state that can function only by manipulating the satisfaction of the passions, ultimately by exploiting the will to jouissance. The ruse of the totalitarian state à la Sade consists in the abusing the passions for the realization of social egalitarianism. Here, the libidinal economy has been mobilized to attain the maximum of equality and the minimum of political despotism – but at the cost of the complete loss of libidinal freedom.

Yet neither “state egalitarianism”, which implements equality, but at the price of the eradication of the passions, nor political despotism, which preserves despotism but sacrifices equality, ensures the integral transposition of the passions into politics. The solution to the quandary of the despotism of the passions, the conjunction of equality and inequality, of freedom and submission, offered by the “republican” Sade requires a strict separation between the despotism of the passions, which complies with the law of nature, and political despotism. The advantage of the third solution – in which the despotism of the passions requires a republic, not a tyranny – can be seen in the fact that it is no longer founded on an external, instrumental relationship to the despotism of the passions, but rather on the relationship of a mutual conditioning. If political anarchy or a “libertine republic” alone provides, according to Sade, the framework in which every citizen is a tyrant, then the institutionalization of the right to *jouissance* is a pre-condition for the survival of the republic itself. Only on the condition that the republic complies with the principle ensuring “the perpetual immoral subversion of the established order”⁶⁵ can it be considered to be the political form that enables the uninterrupted circulation of the passions.

Sade rejects political despotism because the despot usurps the despotism of others. The tyrant appropriates for himself the libidinal charge inherent in doing evil, something that belongs, according to Sade, to all. The “republic of *jouissance*” would then be a model for collective participation in libertinism in a society that is thoroughly contaminated with debauchery, for an evil that would inundate the whole society. What is the basis of this short-circuiting republicanism, equality, and freedom, on the one hand, with the despotism of *jouissance*, on the other? What is important about Sade’s “libertine republic”, which does not exclude oppression, is its paradoxical character of being based on two mutually exclusive principles: on republican equality and freedom, and, at the same time, on the despotic law of nature, that is, on equality and inequality. Nevertheless, this does not mean that a community based on both principles is split between masters and slaves. On the contrary, Sade’s libertine republic is a paradoxical community of masters alone.

The crucial question then is obviously: How can the requirements of the despotism of *jouissance* be fulfilled in a community of masters? As we have seen, only

⁶⁵ Sade, *Yet Another Effort*, p. 313.

the law of nature can legitimize everyone's right to jouissance over everyone. Despotism, imposed on everyone by the law of nature, cannot, of course, be grounded in reciprocity, which is, for Sade, an illusion anyway, but in taking turns, in alternation, ultimately, in revenge, as follows from the famous formulation in the *Histoire de Juliette*: "Pray avail me of that part of your body which is capable of giving me a moment's satisfaction, and, if you are so inclined, amuse yourself with whatever part of mine may be agreeable to you."⁶⁶ For Sade, only the principle of retaliation can ensure both the exercise of freedom and equality for all and the despotism of the passions. The difficulty here is that Sade's politics of jouissance is confronted with two incompatible requirements: on the one hand, Sade defends absolute freedom for everyone, the right of everyone to enjoy, that is, the right to submit anyone to his/her pursuit of jouissance, but on the other, no less decisively, he demands the complete submission of everyone to the imperative of jouissance.

So how can freedom be articulated with the law of nature? Only if every free being can be submitted to the jouissance of another free being. Everyone has the same duty to be subjected to the supreme law of nature. The equality of all means equality before nature, which is an equality on the basis of complete indifference. For Sade, everyone is freed from the laws of the state, all the artefacts and conventions that impede the passions or domesticate the drives. But, at the same time, Sade equally insists that there is no freedom in relation to the supreme law, the law of nature. Man is not first free and then submitted to the law of nature; rather, it is the law of nature that enables the subject to liberate him-/herself from the rule of law. Hence, if the subject resists the law, this is not in the name of some inalienable natural right that constitutes his/her autonomy. Rather, the will to jouissance alone grants the subject the right to defy human laws, not, of course, in order to allow the subject to enforce his/her own will, but to implement the law of nature. From the very beginning, therefore, Sade clearly establishes an asymmetry between the imperative of jouissance and the subject. The subject is never the enunciator of the imperative of jouissance; he/she can only be its addressee and docile subordinate. The Other, this being for Sade nature and its law as an unconditional command, has already deprived the subject of the right to freely make use of him-/herself. Sade therefore does not acknowledge any natural, inalienable right, say, to make use of one's own body.

⁶⁶ Sade, *Juliette*, p. 108.

The law of nature has submitted to itself the subject from the outset – without the subject’s consent. That is why the exercise of the will to enjoy is not a right, but a duty.

The solution to this deadlock is only conceivable once we realize that the right to *jouissance* is the *jouissance’s right to satisfaction*. At the level of society, however, this implies the duty to *jouissance*, which has to be generalized and extended to the whole society. It is obvious therefore why *jouissance*, for Sade, is not something private, but *public*. Indeed, Sade demands nothing less than that the state and its apparatuses of repression impose *jouissance* as everyone’s obligation. Sade seeks to solve what at first glance appears to be an unsolvable problem: the coexistence of equality and inequality, or the cohabitation of the despotism of the passions, which excludes reciprocity, and the universalization of the right to *jouissance*, with the institutionalized *universal prostitution* in so far as the imperative of *jouissance* is indiscriminately indifferent to men and women, as it requires of both “the most absolute subordination.”

What, then, is equality as Sade conceives of it? According to Sade, men have the right – this right is granted to them by the law of nature, the law of passion – to establish such institutions and adopt such laws that force women to submit themselves to any man, regardless of their rank. But the same right is granted to women too, as Sade explicitly states, “I would have them accorded the enjoyment of all sexes and, as in the case of men, the enjoyment of all parts of the body; and under the special clause ... guaranteeing them a similar freedom to enjoy all they deem worthy of satisfying them.”⁶⁷ Not in the name of reciprocity, but in the name of the imperative of *jouissance*, which applies to both men and women. Equality is thus possible only at the level of the equality of the *jouissance’s* unconditional demand for satisfaction, which subjugates men and women equally. The Sadean universalized prostitution should then be viewed as an inevitable consequence of the law of *jouissance*, which dispossesses both men and women of their right to freely make use of their own bodies. By submitting their bodies to the imperative of passion, by confiscating their bodies, as it were, the law of Sadean nature prescribes the compulsory surrendering of one’s own body to anyone and to everyone, excluding them from any form of subjectivity. With the institution of the generalized *jus fruendi*, the right of use,

112

⁶⁷ Sade, *Yet Another Effort*, p. 321.

there is no possible recourse to the principle of *habeas corpus*. It then comes as no surprise that the principle: your body is yours alone, establishing the body itself as the ultimate property, has no place in the libertine universe because the Sadean body, instead of belonging to the subject of rights, a form that submits use to the order of rights, belongs to the passions or the drives that entail the elimination of subjectivity.

It then follows that the idea of a jouissance that would be mine, in a word, my exclusive “property, or “possession”, is, for Sade, simply inconceivable. Rather, jouissance and possession constitute, for him, an absolute contradiction. Only property can be exclusive, but not jouissance, because the body as the object of jouissance belongs to no one or, which amounts to the same, it belongs to anyone, hence, to everyone. All bodies are from the beginning anonymous and, as such, available. Hence, the best way to destroy the exclusive exchange in matters of jouissance is to make it total and indiscriminate. Following Sade, we thus inevitably stumble on the antinomy between the subject and the body. The Sadean communism of jouissance involves the working of a flesh-machine, where the group of multiple hands, mouths, and genitals constitutes a single body, a group-body, as it were, yet without the subject. The socialization of jouissance such as Sade proposes thus entails that both the victim and the sadist offer their bodies for the transformation that must bring about the institution of the despotism of the passions at the level of society. In the most radical sense, the body does not belong to the subject. There is then nothing that could be called “my body”. My body belongs to me as much as it belongs to anyone else, because the body, as such, is an object of the passions or the drives. One might say: I have the freedom to make use of the body of the other, but not my own body. Someone else is free to make use of my body.

If Sade is right to claim that he is not the owner of the Other’s body, this is because the relationship of ownership is eminently inegalitarian. Hence, the relationship between the victim and the torturer is not the relation of an owner to his/her own thing, but a relationship that implies the role reversal. “I have the right to enjoy your body,” anyone can say to me,” or “Pray avail me of that part of your body which is capable of giving me a moment’s satisfaction, and, if you are so inclined, amuse yourself with whatever part of mine may be agreeable to you,” in both cases we are dealing with a reversal of roles. The Sadean discourse

is a discourse of freedom that promises to enjoy the body of the Other, yet at the same time it acknowledges the Other's right to retaliate.

Discontent in Jouissance

Sade's despotism of the passions sets out from the assumption that the *socius* can be organized according to jouissance. What is this assumption based on? Civilization, which, for Sade, is nothing but a defence against jouissance, is to be blamed because the subject incarnates a lack of jouissance. Sade is convinced that if the subject were to be freed from the demands of civilization, the subject would re-discover his/her full disposition of the drives. Sade sees civilization as devastating, ravaging the body of jouissance, and believes that the removal of the obstacles of civilization would restore jouissance to the body. According to Sade, the only obstacle to jouissance, at the level of both the individual and the social body, is the social or state repression exercised through their institutions and laws. Sade believes that the removal of these artificial barriers would open the access to jouissance. In brief, he is convinced that it is possible to treat the symptoms of civilization by removing the repression of jouissance through the subversion of the laws of civilization. Ultimately, we could say that the Other, to whom jouissance should be restored, is the body itself, as it was the body that was initially robbed of jouissance. Sade, therefore, seeks to resuscitate in this mortified body the bit of jouissance that has survived the devastation brought about by civilization.

But, as we have seen, Sade's solution is not simply to replace the state of nature with the civil state; he rather seeks to resuscitate the remainder of jouissance within the civil state, using the arsenal of civilization itself (prohibitions, law, coercion, institutions, etc.). For despite all the emphasis on the primacy of nature with the passions, as the voice of nature engraved into our flesh, Sade knows, in a way anticipating Lacan, that the body, which is supposed to be enjoying, has nothing natural about it, rather it is a body that is moulded by civilization. This is not an enjoying body, but a body drained of jouissance, a body that is transformed into a desert of jouissance. From the logic of the Sadean argumentation it nevertheless follows that jouissance cannot be achieved by merely removing civilization; it would be more appropriate to say that the Sadean jouissance is paradoxical as it is indissolubly, one could say "perversely", linked to civilization. Hence, far from dealing with a natural jouissance, we are dealing instead

with a disenculturated jouissance⁶⁸ that is obtained through the violation of civilization's norms and prohibitions. Or, stated differently, civilization, according to Sade, may well be ruinous for the body, but precisely for that reason it enables a new kind of jouissance, a jouissance that springs from transgression.

Hence, Sade is not blind to the fact that the body, precisely as separated from jouissance, is capable of some other, supplementary, yet destructive jouissance. On the one hand, Sade undoubtedly knows that it is actually the signifier – as an agency designed to inflict harm on the body and its jouissance – a condition for another jouissance, an excessive and thus lethal jouissance. On the other hand, however, he still believes that the jouissance of the body is actually accessible; in a word, he does not realize that this supposedly primary jouissance, this imperative of nature is in itself an artefact, an illusion that allows the subject to defend him-/herself against the devastation in his/her body caused by the signifier. As a result, he does not see that, in a radical sense, there is no jouissance but in civilization.

Sade's ingenuity therefore consists in his revealing the body as a stake in a struggle between civilization and jouissance. From Sade's elaboration of the perverse jouissance, the dividing line is clearly drawn between the body of civilization – this being a unified, whole body, yet stripped of jouissance and therefore a dead body – and the body of the drives, which is alive yet fragmented by the partial drives that are fighting for it. Therefore, there can be no organic unity of the Sadean body; instead of with a unified, whole body, we are dealing with a cut-up body, characterized by the mechanical montage assembling parts of the bodies of both tormentors and victims into a single body-machine whose sole purpose is to manufacture enjoyment. The fragmentation of the body is actually already

⁶⁸ On this point we depart from Marie Jaanus's otherwise inspiring interpretations of Sade. According to Jaanus, "For Sade there was only a body of the instincts; for him there was no body of the drives. He understood the law of the pleasure principle and of discharge, but he knew nothing about the impossible and unobtainable psychic object of the drive. Instead he tried to realize and enact the various strata of sexuality within the confines of the flesh." As a result and taking coprophagy as a drastic example of the regression of the drive back into instinct, "Sade's pervert, rather than accepting the fundamental objectlessness of the drive, seeks to fill in the lack, uncovered in the erogenous zone of the mouth, with a real object." See, Marie Jaanus, "The Démontage of the Drive, in *Reading Seminars I and II*, Richard Feldstein, Bruce Fink, Marie Jaanus (eds.), Albany: SUNY Press 1996, pp. 135 and 124.

implied by Sade's principal maxim: I have the right to any part of your body, and the other has the equal right to take any part of my body. That the body in Sade is presented as a battlefield of the drives is also evident from the fact that the perverse libertine is not interested in the body as such, but rather in parts of the body, cutting up the victim's body in order to focus on those parts of the body that are to be enjoyed in torture (beautiful eyes, beautiful mouth, beautiful breasts, etc.). What this body – which could be termed the body of *jouissance*, because it is partitioned between the drives, each of them striving for its particular satisfaction – aims at is certainly not its self-preservation. If anyone then Sade convincingly shows that the enjoying body is a body split between self-preservation and self-destruction. In the perverse fragmentation of the body we can therefore see one of the most stunning effects of the paradox of *jouissance*: *jouissance* certainly clings to life, but to life that in a sense is literally beyond life, beyond the living body, because in striving for satisfaction, this body of *jouissance* passes over the barriers imposed by the self-preservation of the body-organism. For the opposition between self-preservation and self-destruction corresponds to the division of the body between the body of pleasure – which knows what needs to be done to preserve itself – and the body of *jouissance*, the libidinal body – a “derailed”, erratic body whose particular parts are emancipated and could therefore become organs of *jouissance* – which seeks satisfaction, regardless of the price paid by the organism. From this perspective, the main stake in the Sadean pedagogical-political project can be described as an attempt to teach the victim that he/she has two bodies, a body of pleasure and a body of *jouissance*. Hence, libertine orgies can be viewed as laboratory experiments where a victim sacrifices, for the sake of *jouissance*, his/her body of pleasure, that body which is only expected to respond to the will to *jouissance* with its presence.

116

One of the main conclusions to be drawn from Sade is undoubtedly that there is a *jouissance* of the body, but only as the *jouissance* of the fragmented body, ultimately, the *jouissance* of organs. Thus, as opposed to the Deleuzian and Guattarian “body without organs,” we should rather speak of organs without the body as a function of unification, where the scattered organs, not unlike *membra dijecta*, resist any kind of organic integration of imaginary unification. Sade's ultimate objective is therefore the realization of the despotism of the passions at the level of society, yet a society that is transformed into a single, gigantic “bedroom”, where an anonymous social body would become the stage

of the acephalic jouissance. In this light, it is not surprising that the only lesson that can actually be drawn from Sade is that jouissance is in and of itself evil. But Sade himself suppresses this lesson by assigning the will to jouissance to nature and, in so doing, he exonerates his sadist libertines, exculpates them for the wrong done to the victims' bodies. We could therefore agree with Monique David-Ménard when she detects in nature Sade's symptom.⁶⁹ If nature is a symptom, or, better perhaps, a protective screen conferring legitimacy on all the fantasies of transgression, it is because Sade, a great theorist and practitioner of jouissance, flees from the evil that is inherent in jouissance when he claims that evil and destructiveness are inscribed into eternal nature.

This is also the reason why Sade – despite the fact that he has extended the domain of traditional ethics to an until then inconceivable dimension beyond pleasure – remains, just like traditional ethics, blind to the dimension that Lacan calls the all-powerfulness of desire. It could in effect be said that Sade finds himself defeated by desire. Not, of course, like the subject of traditional ethics, who is protected against the omnipotence of desire by the prohibition that enables him/her to assign the enunciation of desire to the Other. Yet Sade cannot be said to have recognized either desire in “the unconscious that knows nothing about what supports its own enunciation.”⁷⁰ Sade is blind to the desire of the Other because his work, as Lacan judiciously remarks, “never presents us with a successful seduction ... in which the victim, even if she were in last gasp, would consent to her tormentor's intention, or even join his side in the fervor of her consent.”⁷¹ But he is equally blind to his own desire. For Sade, who in this respect follows Saint Paul, the omnipotence of desire is supported by prohibition or, rather, by the constant violation thereof. Sade namely places an equation between desire and transgression and one can say that the Sadean desire is a desire for transgression. At the same time, the Sadean subject is unwilling to assume this desire for transgression, this desire for destruction, in a word, this criminal desire, but attributes it instead to the Other, to nature. Ultimately, one might say that desire – faced with a more powerful rival, i.e. the unyielding will to jouissance – fades away in Sade.

⁶⁹ David-Ménard, *Les constructions de l'universel*, p. 64.

⁷⁰ Jacques Lacan, “Conférences à Bruxelles”, *Quarto*, No. 50, 1992, p. 12.

⁷¹ Lacan, “Kant with Sade”, p. 665.

In Sade's despotism of the passions we could then see something like an impetuous reconciliation between the subject and jouissance. Sade denounces the false figures of the Other, the semblances of the Other (the father, God, the law, the contract, etc.) for rendering the subject unhappy. And his aim is to attain a state where the subject will stop complaining about the insufficiency or inadequacy of his/her jouissance. For someone who takes seriously the right to jouissance, the jouissance's right to satisfaction, for someone who wants to confront this will to jouissance, such a complaint is meaningless in any case, since there is no one to whom one could complain, no fatherly figure that could accept the complaint and respond to it. Indeed, for someone who serves the will to jouissance, such a complaint is pointless for two reasons: not only is there no one to whom the complaint could be addressed, what is worse, there is no one who could complain, since the Sadean subject is nothing but an instrument of the will to jouissance. The instrumentalization of the sadist subject thus indicates that the reconciliation with jouissance leads to a radical mutation of the subject. When jouissance enters the stage, the subject fades away, dissolves in a "becoming it (ça)."⁷² The occurrence of jouissance is precisely the moment when there is no longer anyone who could say "I". And vice versa, the disappearance of the subject into "I have become it," or, more exactly, the subject's destitution is indeed the solution to the impasse, which consists in the impossibility of the subjectivation of jouissance. Hence, instead of the expected subjectivation of jouissance or the drive, we are dealing here with what Miller termed "the subject's destitution by the drive."⁷³

This radical antinomy between subjectivation and destitution explains why the Sadean subject cannot be the subject of the libertine operation, but can only be an object, an instrument of the Other. This would make it possible to see the cruelty, the mercilessness of the Sadean tormentor, in a different light. The sadist is not someone who becomes "I from it," an agency of the subjectivation of jouissance, but an "it that emerges from the I."⁷⁴ What is at stake in the instrumentalization of the sadist who lives and slaves for jouissance is indeed the destitution of the subject by jouissance. However, there is a disturbing, redundant surplus in the sadist's manner of serving the will of the Other that should remind us

118

⁷² Jacques-Alain Miller, "Donc, je suis ça", *La Cause Freudienne*, No. 27, p. 16.

⁷³ *Ibid.*

⁷⁴ *Ibid.*, p. 15.

that, even for the sadist, that is, for the subject who is driven – regarding jouissance – to the extreme limits of what is thinkable, that even for him a reconciliation with jouissance, his giving consent to being nothing but the jouissance’s plaything, is something insufferable, which is why he has to bring into play the Other’s will to jouissance.

Even for Sade, then, the encounter with jouissance as a demand that no longer asks anything from anyone, a demand that no longer needs the Other in order to persevere in its “More!”, is, in the final analysis, “impossible”, unbearable. Sade, in effect, renders visible the drives’ indifference to the object – because, for the drives, every object is “good”, suitable, since the object is, as such, irrelevant, because what the drives strive for is their satisfaction at any cost, rather than the object itself in its particularity. Thus, as J.-A. Miller points out, “satisfaction as object” is the “proper” object of the drives.⁷⁵ On the other hand, however, Sade is unable to entirely sustain the acephalic character of the drives, and must therefore exalt the will to jouissance through the Other, because, even in Sade, the will to jouissance is not acknowledged in and for itself, but is identified instead with the Supreme-Being-in-Evil. It is in and through the passions or the drives that nature lets the speaking body hear its true voice. It is precisely through this proof from nature that the body is submitted to the imperative of jouissance as nature itself is vice and cruelty incarnate.

In being devoted to serving the will of the Other, Sade went to the extreme consequences of his endeavour, and as a result found himself in the position of the victim of the will of the Other, as the subject divided by the Other’s will. While in his fantasy, Sade, in fact, put himself in the place of a tormentor, an object that seeks the division of the Other, but this division that has been transposed to the Other returns like a boomerang, following its structural inexorableness, hitting Sade himself, the imprisoned victim of the Other’s capricious will. This is only possible because the reversal of the roles tormentor-victim is inherent in the logic of the Sadean jouissance, which is why Sade, for Lacan, is an example of someone who “is not duped by his fantasy”⁷⁶: in wanting all his life to be the Other despite the Law, in the end he finds himself in the position of a victim. It could, then, be said that what grants consistency to both his work and his life is

⁷⁵ Jacques-Alain Miller, “On Perversion” in *Reading Seminars I and II*, p. 313.

⁷⁶ Lacan, “Kant with Sade,” p. 656.

exactly the position of the object *a*. Sade's fantasy as well as his thought – and ultimately his life itself – thus testify to the fact that there are two ways that allow the subject to occupy the place of the object: as a tormentor in the sadist orgy, identified with the instrument for the satisfaction of the will of the Other, or as a *scape goat*, one that serves as an instrument for the Other to come to his/her ultimate “Thou are That,” that is to say, to an incurable truth.