CHAPTER 2

Unwritten Laws, Aberrant Transmissions

In the last chapter, I considered Antigone's act, what claim the act of burial makes, what act the claim of defiance performs. Her act leads to her death, but the relationship between the act and her fatal conclusion is not precisely causal. She acts, she defies the law, knowing that death is the punishment, but what propels her action? And what propels her action toward death? It would be easier if we could say that Creon killed her, but Creon banishes her only to a living death, and it is within that tomb that she takes her life. It might be possible to say that she authors her own death, but what legacy of acts is being worked out through the instrument of her agency? Is her fatality a necessity? And if not, under what non-necessary conditions does her fatality come to appear as necessity?

She attempts to speak in the political sphere in the language of sovereignty that is the instrument of political power. Creon makes his proclamation and asks that his guards make sure that everyone knows his words. "These are the rules by which I make our city great" (190), and yet his enunciation is not enough. He must ask the guards to transmit his proclamation, and one of them balks: "Give this burden to some younger man to carry!" (216).

As the play begins, it turns out that Ismene has not heard the proclamation that Antigone reports "Creon has made to the whole city" (7), and so it appears that Creon's sovereign act of speech depends upon its reception and transmission by his subordinates for its power: it can fall on deaf or resistant ears and thus fail to bind those to whom it is addressed. What is clear, however, is that Creon *wants* his word to be known and honored by the entire polis. Similarly, Antigone does not shrink from the possibility of having her defiance known. When Ismene counsels her early in the play, "Tell no one of this act beforehand" (84), Antigone responds, "Ah, tell them all! I shall hate you far more if you remain silent, and do not proclaim this to all" (86–87). Like Creon, then, Antigone wants her speech act to be radically and comprehensively public, as public as the edict itself.

Although her defiance is heard, the price of her speech is death. Her language is not that of a survivable political agency. Her words, understood as deeds, are chiasmically related to the vernacular of sovereign power, speaking in and against it, delivering and defying imperatives at the same time, inhabiting the language of sovereignty at the very moment in which she opposes sovereign power and is excluded from its terms. What this suggests is that she cannot make her claim outside the language of the state, but neither can the claim she wants to make be fully assimilated by the state.[1]

But if her actions are not politically survivable ones, they reside no less unproblematically within the sphere of kinship. As if troubled by the very deformation of kinship that she performs and portends, critics of the play have responded with an idealization of kinship that denies the challenge that is being made against it. There are two forms of idealized kinship to be considered here: one she is said to support through representing its terms, another she is understood to support through constituting its limit. The first is Hegel's who has Antigone represent the laws of kinship, the household gods, a representation that leads to two strange conse-

quences: one, that her insistence, according to him, on representing those laws is precisely what constitutes a crime in another more public order of law, and two, that she who stands for this feminine domain of the household becomes unnameable within the text, that the very representation she is said to enact requires an effacement of her name in the text of *The Phenomenology of Spirit*. The second is Lacan's who establishes Antigone at the threshold of the symbolic, understood as the linguistic register in which kinship relations are instated and maintained; he understands her death as precipitated precisely by the symbolic insupportability of her desire. Although I take my distance from both of these consequential readings, I am also endeavoring to rework aspects of both positions in the account that I provide to these questions: Does Antigone's death signal a necessary lesson about the limits of cultural intelligibility, the limits of intelligible kinship, one that restores us to our proper sense of limit and constraint? Does Antigone's death signal the supersession of kinship by the state, the necessary subordination of the former to the latter? Or is her death precisely a limit that requires to be read as that operation of political power that forecloses what forms of kinship will be intelligible, what kinds of lives can be countenanced as living?

In Hegel, kinship is rigorously distinguished from the sphere of the state, though kinship is a precondition for the emergence and reproduction of the state apparatus. In Lacan, kinship, as a function of the symbolic, becomes rigorously dissociated from the sphere of the social, and yet it constitutes the structural field of intelligibility within which the social emerges. My reading of Antigone, in brief, will attempt to compel these distinctions into productive crisis. Antigone represents neither kinship nor its radical outside but becomes the occasion for a reading of a structurally constrained notion of kinship in terms of its social iterability, the aberrant temporality of the norm.

To recast positions of kinship as "symbolic" is precisely to posit them as preconditions of linguistic communicability and to sug-

gest that these "positions" bear an intractability that does not apply to contingent social norms. It is, however, not enough to trace the effects of social norms on the thinking of kinship, a move that would return the discourse on kinship to a sociologism devoid of psychic significance. Norms do not unilaterally act upon the psyche; rather, they become condensed as the figure of the law to which the psyche returns. The psychic relation to social norms can, under certain conditions, posit those norms as intractable, punitive, and eternal, but that figuration of norms already takes place within what Freud called "the culture of the death drive." In other words, the very description of the symbolic as intractable law takes place within a fantasy of law as insurpassable authority. In my view, Lacan at once analyzes and symptomizes this fantasy. I hope to suggest that the notion of the symbolic is limited by the description of its own transcendentalizing function, that it can acknowledge the contingency of its own structure only by disavowing the possibility of any substantial alteration in its field of operation. My suggestion will be that the relation between symbolic position and social norm needs to be rethought, and in my final chapter, I hope to show how one might reapproach the kinship-founding function of the incest taboo within psychoanalysis with a conception of a contingent social norm at work. Here I am less interested in what the taboo constrains than the forms of kinship to which it gives rise and how their legitimacy is established precisely as the normalized solutions to the oedipal crisis. The point, then, is not to unleash incest from its constraints but to ask what forms of normative kinship are understood to proceed as structural necessities from that taboo.

Antigone is only partially outside the law, and so one might conclude that neither the law of kinship nor the law of the state works effectively to order the individuals who are subject to these laws. But if her deviance is used to illustrate the inexorability of the law and its dialectical opposition, then her opposition works in the service of the law, shoring up its inevitability.

I propose to consider two such instances in which Antigone is understood to occupy a position anterior to the state and anterior to kinship in order to determine where she stands, how she acts, and in the name of what. The first set of instances is to be found in Hegel's discussion in *The Phenomenology of Spirit* and *The Philosophy of Right*, and the second, which I consider in the next chapter, is the seventh seminar of Jacques Lacan devoted to the topic of "The Ethics of Psychoanalysis."

Hegel approaches the status of Antigone in the chapter of the *Phenomenology* entitled "The Ethical Life," in a subsection called "Ethical Action: Human and Divine Knowledge, Guilt and Destiny" [Die Sittliche Handlung: Das Menschliche und Göttliche Wissen, die Schuld und das Schicksal].[2] In fact, she remains largely unnamed in this section, merely prefigured through most of the discussion. Hegel interrogates the place of guilt and crime in universal ethical life and insists that, within this sphere, when one acts criminally one does not act as an individual, for one becomes an individual only on the condition that one belongs to community. Ethical life is precisely a life structured by *Sittlichkeit*, where the norms of social intelligibility are historically and socially produced.[3] The self who acts, and acts against the law, "is only the unreal shadow," for "he [sic] exists merely as a universal self" (282). In other words, anyone who commits the deed that he does will be guilty; the individual, through crime, loses his individuality and becomes such an "anyone." Then, without advance warning, Hegel appears to introduce Antigone without naming her: he remarks that the one who commits a crime according to prevailing universal standards of *Sittlichkeit* is caught in the position of breaking human law in following divine law, and breaking divine law in following human law: "The deed has only carried out one law in contrast to the other" (283). Thus the one who acts according to the law, where the law is always *either* human *or* divine but *not both*, is always blind to the law that is disobeyed at that instant. This leads him to the figure of Oedipus

through the following route: "Actuality therefore holds concealed within it the other aspect which is alien to this knowledge [the resolve that knows what it does], and does not reveal the whole truth about itself to consciousness [Die Wirklichkeit hält daher die andere dem Wissen fremde Seite in sich verborgen, und zeigt sich dem Bewusstsein nicht, wie sie an und für sich ist]: the son does not recognize his father in the man who has wronged him and whom he slays, nor his mother in the queen whom he makes his wife" (283, 347).

Thus, Hegel explains that guilt becomes explicitly experienced in the doing of the deed, in the experience of the "breaking through" of one law *in and through* another, "seiz[ing] the doer in the act [Dem sittlichen Selbstbewusstsein stellt auf diese Weise eine lichtscheue Macht nach, welche erst, *wenn die tat geschehen, hervorbricht und es bei ihr ergreift*]" (283, 347, my emphasis). Still in reference to Oedipus, then, Hegel writes: "The doer cannot deny the crime or his guilt: the significance of the deed is that what was unmoved has been set in motion" and, in his word, "the unconscious" has been "linked together with the conscious [und hiermit das Unbewusste dem Bewussten, das Nichtseiende dem Sein zu verknüpfen]" (283, 347, my translation). This leads Hegel to talk about a "right" that is tacitly asserted in the commission of crime, a right that is not yet known except in and through the awareness of guilt.

Hegel underscores the link between guilt and entitlement, a claim to entitlement that is implicit in guilt, an entitlement, an access to a right that is necessarily and at the same time an abrogation of another law. Here he seems to be referring to Oedipus who unknowingly commits his crimes and is overcome with guilt in retrospect. Antigone does not appear to feel guilt, though she does assert her right, even as she acknowledges that the "law" that justifies her act is one that Creon can regard only as a sign of criminality. For Hegel, the unconscious, or what he describes as "nonexisting," emerges in the claim of entitlement, the act that

grounds itself in a law that counts as no law within the realm of law. There is no justification for the claim Antigone makes. The law she invokes is one that has only one possible instance of application and is not, within any ordinary sense, conceptualizable as law. What is this law beyond law, beyond conceptualization, which makes her act and her defense in speech appear as nothing other than a breaking of law, a law that emerges as the breaking of law? Is this one kind of law that offers grounds for breaking another kind of law, and can these grounds be enumerated, conceptualized, and transposed from context to context? Or is this a law that defies conceptualization and that stands as an epistemic scandal within the realm of law, a law that cannot be translated, that marks the very limit of legal conceptualization, a breakage in law performed, as it were, by a legality that remains uncontained by any and all positive and generalizable law? This is a legality of what does not exist and of what is unconscious, not a law *of* the unconscious but some form of demand that the unconscious necessarily makes on law, that which marks the limit and condition of law's generalizability.[4]

Hegel points to this moment, almost founders upon it, but is quick to contain its scandalous consequence. He distinguishes Oedipus from Antigone, establishing the excusability of his crime, the inexcusability of hers. He does this precisely by ridding her action of any unconscious motivation, and identifying her with a fully conscious act: "The ethical consciousness is more complete, its guilt more inexcusable, if it knows *beforehand* the law and the power which it opposes, if it takes them to be violence and wrong, to be ethical merely by accident, and, like Antigone, knowingly commits the crime [wissentlich . . . das Verbrechen begeht]." As if taking on the point of view of Creon who cannot get Antigone to perform a full enough confession for him, Hegel concludes this discussion with the claim that "The ethical consciousness must, on account of this actuality and on account of its deed, acknowledge its opposite as its own actuality, [and]

must acknowledge its guilt" (284, 348). The opposite of her action is the law that she defies, and Hegel bids Antigone to acknowledge the legitimacy of that law.

Antigone, of course, acknowledges her deed, but the verbal form of her acknowledgment only exacerbates the crime. She not only did it, but she had the nerve to *say* she did it. Thus Antigone cannot exemplify the ethical consciousness who suffers guilt; she is beyond guilt—she embraces her crime as she embraces her death, her tomb, her bridal chamber. At this point in his text, Hegel cites Antigone herself, as if her words support his point: "weil wir leiden, anerkennen wir, dass wir gefehlt,"[5] translated by Miller as "because we suffer we acknowledge we have erred" (284, 348). But consider the qualification of this remark that enters with Grene's translation: "If this proceeding is good in the gods' eyes/I shall know my sin, once I have suffered" (982–983).[6] And note the extraordinary suspension of the question of guilt and the implicit rebuke to Hegel that enters with the most reliable translation, that offered by Lloyd-Jones: "Well, if this is approved among the gods, I should forgive [syggignosko] them for what I have suffered, since I have done wrong; but if they are the wrongdoers, may they not suffer worse evils than those they are unjustly inflicting upon me!"

Here Antigone seems to know and to speak the wisdom that she cannot quite avow, for Antigone will not admit her guilt. This appears to be the first reason that Hegel gives for why she does not gain admission into the ethical law.[7] Antigone does not deny that she has done the deed, but this does not qualify as an admission of guilt for Hegel. Indeed, to admit guilt as Hegel and Creon would have her do would be to exercise public speech in precisely the way she is not permitted to do. One wonders whether women could ever suffer guilt in Hegel's sense, for the self-consciousness of the guilty and repentant person is of necessity mediated by the sphere of the state. In fact, to exercise that speech, in precisely the way that she does, is to commit a different kind of offense, the

one in which a prepolitical subject lays claim to a rageful agency within the public sphere. The public sphere, as I am calling it here, is called variably the community, government, and the state by Hegel; it only acquires its existence through *interfering* with the happiness of the family; thus, it creates for itself "an internal enemy—womankind in general. Womankind—the everlasting irony [in the life] of the community" (288, 352).

The introduction of womankind seems clearly to draw on the prior reference to Antigone, but it also, curiously, supplants that reference, in much the same way that Hegel alters her language to suit his ethical format. At first it appears that Hegel's claims about Antigone might well apply to the "*Weiblichkeit*" at hand:

> Womankind . . . changes by intrigue the universal end of the government into a private end, transforms its universal activity [allgemeine Tätigkeit] into a work of some particular individual, and perverts the universal property [verkehrt das allgemeine Eigentum] of the state into a possession and ornament for the Family [zu einem Besitz und Putz der Familie].
>
> *(288, 353)*

This sudden shift to the subject of womankind recalls Antigone but also clearly generalizes from her case in a way that effaces her name and her particularity. This "womankind" perverts the universal, making the state into possessions and ornaments for the family, decorating the family with the paraphernalia of the state, making banners and shawls out of the state apparatus. This perversion of universality has no political implications. Indeed, "womankind" does not act politically but constitutes a perversion and privatization of the political sphere, a sphere governed by universality.

Although earlier Hegel implies that Antigone's perversion of universality, despite its appearance of criminality, may actually be the eruption of a legality from another order, one that can only

appear as criminality from the point of view of universality, he sees no such unconscious eruption of entitlement in the perversion of universality that women generally perform. Indeed, at the very moment in Hegel's text where Antigone becomes *generalized* as femininity or womankind, the perversion in question loses its scandalous place in the political field, devaluing the political as private property and ornamentality. In other words, by supplanting Antigone with "womankind," Hegel performs the very generalization that Antigone resists, a generalization according to which Antigone can only be held criminal and that, consequentially, effaces her from Hegel's text.

The feminine figure who takes the place of Antigone and bears the residual trace of her crime thus ridicules the universal, transposes its operation, and devalues its meaning through the overvaluation of male youth, thus recalling Antigone's love for Polyneices.[8] This love cannot remain within the sphere of kinship, however, and must lead instead to its own sacrifice, a sacrifice of the son to the state for the purposes of waging war. It is not the incest taboo that interrupts the love that family members have for one another; rather, it is the action of the state engaged in war. The effort to pervert by feminine means the universality for which the state stands is thus crushed by a countermovement of the state, one that not only interferes with the happiness of the family but enlists the family in the service of its own militarization. The state receives its army from the family, and the family meets its dissolution in the state.

To the extent that we are now talking of a mother who sacrifices her son for war, we are no longer talking about Antigone. For Antigone is no mother and has no son. As one who appears to put family first, she is guilty of a crime against the state and, more particularly, of a criminal individualism. Acting thus in the name of the state, Hegel's writing moves to suppress Antigone and to offer a rationale for this suppression: "The community . . . can only maintain itself by suppressing this spirit of individualism."[9]

From this discussion of the hostility toward the individual and toward womankind as a representative of individuality, Hegel moves to a discussion of war, that is, a form of hostility necessary for the community's self-definition.[10] The woman earlier described as finding promise of pleasure and dignity in the male youth now finds that the youth enters war and that she is under a state obligation to send him. The community's necessary aggression against womankind (its internal enemy) appears to be transmuted into the community's aggression against its external enemy; the state intervenes in the family to wage war. The worth of the warring male youth is openly acknowledged, and in this way the community now loves him as she has loved him. This investment is taken over by the community as it applauds the sons who have gone to war, an investment that is understood to preserve and consolidate the state. If, earlier, she "perverted" the universal property of the state as "possession and property of the family," the state now reclaims the love of male youth, reestablishing itself as the source of all valuation and recognition. The state now substitutes itself for womankind, and that figure of woman is at once absorbed and jettisoned, presumed as the state's necessary presumption at the same time it is repudiated as part of its proper field of operation. Thus Hegel's text transmutes Antigone in such a way that her criminality loses the force of the alternative legality that it carries, after which she is translated once again into a maternal womankind that she never becomes. Finally, that doubly displaced figure is itself repudiated by a state apparatus that absorbs and repudiates her desire. Whoever she is, she is, quite obviously, left behind, left behind for war, left behind for the homosociality of state desire. Indeed, this is the last mention of her name in the text, a name that represented the conflict of one law by and through another that now, erased, is less resolved than cast aside. The universality of the ethical order does not contain her but only the trace of her doubly expropriated love.

Hegel returns to Antigone in *The Philosophy of Right* where he

makes clear that she is associated with a set of laws that are finally not compatible with public law.[11] "This law," he writes, "is there displayed as a law opposed to public law, to the law of the land."[12] Hegel also writes: "If we consider ethical life from the objective standpoint, we may say that we are ethical unselfconsciously" (259). Here Antigone is invested with an unconscious, when she affirms in the following passage the irrecoverability of the origins of law: "No one knows whence the laws come; they are everlasting" is the line (455) that Hegel cites. In the Lloyd-Jones translation, the line is augmented to emphasize the vital animation of the law; Antigone speaks to Creon: "Nor did I think your proclamations strong enough to have power to overrule, mortal as they were, the unwritten and unfailing ordinances of the gods. For these have life, not simply today and yesterday, but forever, and no one knows how long ago they were revealed" (450–456).

Hegel has clearly identified the law for which Antigone speaks as the unwritten law of the ancient gods, one that appears only by way of an active trace. Indeed, what kind of law would it be? A law for which no origin can be found, a law whose trace can take no form, whose authority is not directly communicable through written language. If it is communicable, this law would emerge through speech, but a speech that cannot be spoken from script and, so, certainly not the speech of a play, unless the play calls upon a legality, as it were, prior to its own scene of enunciation, unless the play commits a crime against this legality precisely by speaking it. Thus the figure of this other law calls into question the literalism of the play, *Antigone*: no words in this play will give us this law, no words in this play will recite the strictures of this law. How, then, will it be discerned?

This law, we are told, is in opposition to public law; as the unconscious of public law, it is that which public law cannot do without, which it must, in fact, oppose and retain with a certain necessary hostility. Thus Hegel cites Antigone's word, a citation that contains and expels her at once, in which she refers to the

unwritten and unfailing status of these laws. The laws of which she speaks are, strictly speaking, before writing, not yet registered or registerable at the level of writing. They are not fully knowable, but the state knows enough about them to oppose them violently. Although these laws are unwritten, she nevertheless speaks in their name, and so they emerge only in the form of catachresis that serves as the prior condition and limit to written codification. They are not radically autonomous, for they are already taken up by the written and public law as that which must be contained, subordinated, and opposed. And yet, this will be nearly impossible, if only because the catachrestic reference to the unwritten and unwritable law in the form of dramatic speech and, indeed, in the Sophoclean script attest to this non-codifiable and excessive condition of public law. The public law, however, as much as it opposes the nonpublic or nonpublishable condition of its own emergence, reproduces the very excess it seeks to contain.

Hegel attends to Antigone's act, but not to her speech, perhaps because that speech would be impossible were she to represent the unrepresentable law. If what she represents is precisely what remains unconscious within public law, then she exists for Hegel at the limit of the publicly knowable and codifiable. Although this is sometimes marked by Hegel as precisely *another* law, it is also acknowledged as a law that leaves only an incommunicable trace, an enigma of another possible order. If she "is" anything, she is the unconscious of the law, that which is presupposed by public reality but that cannot appear within its terms.

Hegel not only accepts her fatal disappearance from the public stage but helps to usher her off that stage and into her living tomb. He does not, for instance, account for how it is that she *does* appear, through what misappropriation of the public discourse her act becomes recognized as a public act. Does the unwritten law have the power to rewrite public law; is it the not yet written, or is it the never to be written that constitutes an invariable incommensurability between the two spheres?

Just as what appears criminal from the sovereign perspective of Creon and, indeed, from the universal perspective of Hegel can contain within it an unconscious demand, one that marks the limits of both sovereign and universal authority, so one might reapproach Antigone's "fatality" with the question of whether the limit for which she stands, a limit for which no standing, no translatable representation is possible, is not precisely the trace of an alternate legality that haunts the conscious, public sphere as its scandalous future.

One might expect that the turn to Lacan would usher in a more nuanced and promising consideration of the unconscious, but I would like to suggest that his reading also relocates Antigone's fatality in terms of the necessary limits of kinship. The law that mandates her unlivability is not one that might profitably be broken. And if Hegel comes to stand for the law of the state, Lacan deploys Antigone's apparent perversion to confirm an intractable law of kinship.

Lacan will take radical distance from Hegel, objecting to the opposition between human and divine law, concentrating instead on the internal conflict of a desire that can meet its limit only in death. Antigone, he writes, is at "the threshold" of the symbolic, but how are we to understand a threshold? It is not a transition, superseded and retained in the forward motion of Spirit. At once the outside, the entry, the limit without which the symbolic cannot be thought, it remains, nevertheless, unthinkable within the symbolic. At the threshold of the symbolic, Antigone appears as a figure who inaugurates its operation. But where precisely is this threshold and entry? The unwritten and unfailing laws to which Antigone refers, and that Hegel identifies as the law of the feminine, are *not* the same as the symbolic domain, and the symbolic is not quite the same as public law. Are these laws with no clear origin and of uncertain authorization something like a symbolic order, an alternative symbolic or imaginary in the Irigarayan

sense, one that constitutes the unconscious of public law, the unknowing feminine condition of its possibility?

Before I consider Lacan's answer to this question, I would like to take a moment to reconsider his version of the symbolic order and perhaps offer a set of revisions to the brief account I offered in the last chapter.

In Lacan's second seminar, he offers under the title of "The Symbolic Universe" a conversation with Jean Hyppolite and Octave Mannoni on the work of Lévi-Strauss, on the distinction between nature and symbol. Lacan clarifies the importance of the symbolic in the work of Lévi-Strauss and thereby clarifies his own indebtedness to Lévi-Strauss for the theorization of the symbolic order. The conversation begins with Lacan rehearsing Lévi-Strauss's point of view: kinship and the family cannot be derived from any naturalistic cause, and even the incest taboo is not biologically motivated.[13] From where, then, he asks, do the elementary structures of kinship emerge? At the close of *The Elementary Structures of Kinship*, the exchange of women is considered as the trafficking of a sign, the linguistic currency that facilitates a symbolic and communicative bond among men. The exchange of women is likened to the exchange of words, and this particular linguistic circuitry becomes the basis for rethinking kinship on the basis of linguistic structures, the totality of which is called the symbolic. Within that structuralist understanding of the symbolic, every sign invokes the totality of the symbolic order in which it functions. Kinship ceases to be thought in terms of blood relations or naturalized social arrangements but becomes the effect of a linguistic set of relations in which each term signifies only and always in relation to other terms.

Taking this moment to be salient, Lacan emphasizes that kinship appears no longer as a function of a naturalistic biology: "In the human order, we are dealing with the complete emergence of a new function, encompassing the whole order in its entirety

[à l'émergence totale englobant tout l'ordre humain dans sa totalité—d'une fonction nouvelle]" (29, 42). Although Lévi-Strauss's theorization of the symbolic is new, the symbolic function is always already there or, rather, has precisely such an effect, to establish itself *sub specie aeternitatis*. Indeed, Lacan writes of the symbolic in ways that suggest a convergence with Antigone's unwritten law whose origins are similarly inhuman and indiscernible: "The symbolic function is not new as a function, it has its beginnings elsewhere [amorces ailleurs] than in the human order, but they are only beginnings [il ne s'agit que d'amorces]. The human order is characterized by the fact that the symbolic function intervenes at every moment and at every stage [le degrés] of its existence" (29, 42).

Like Antigone's unwritten laws, the ones that, according to Hegel, appear as divine and subjective, governing the feminine structure of the family, these laws are not codifiable but are understood fundamentally as "tied to a circular process of the exchange of speech." "There is," Lacan writes in a later portion of the seminar, "a symbolic circuit external to the subject, tied to a certain group of supports, of human agents, in which the subject, the small circle which is called his destiny, is indeterminately included" (98).[14] These signs travel their circuitry, are spoken by subjects, but are not originated by the subjects who speak them. They arrive, as it were, as the "discourse of the other [which] is the discourse of the circuit in which I am integrated" (89). Lacan remarks of the symbolic in the essay "The Circuit": "I am one of its links [un des chaînons]. It is the discourse of my father, for instance, in so far as my father made mistakes which I am absolutely condemned to reproduce—that's what we call *the super-ego*" (89, 112).

Thus the circuitry of the symbolic is identified with the father's word echoing in the subject, dividing its temporality between an irrecoverable elsewhere and the time of its present utterance. Lacan understands this symbolic bequest as a demand and an obligation: "It is precisely my duty to transmit [the chain of dis-

course] in aberrant form to someone else [Je suis justement chargé de la transmettre dans sa forme aberrante à quelqu'un d'autre]" (89, 112).

Significantly, the subject is not identifiable with the symbolic, for the symbolic circuitry is always to some extent external to the subject. And yet there is no escape from the symbolic. This prompts Hyppolite to complain directly to Lacan: "The symbolic function is for you, if I understand it correctly, a transcendental function [une fonction de transcendance], in the sense that, quite simultaneously, we can neither remain in it, nor can we get out of it. What purpose does it serve? We cannot do without it, and yet we cannot inhabit it either" (38, 51). Lacan's reply is to affirm what he has already said and so to display the repetitive function of the law: "If the symbolic function functions, we are inside it. And I would even say—we are so far into it that we can't get out of it. [Je dirai plus—nous sommes tellement à l'intérieur que nous ne pouvons en sortir]" (31, 43).

And yet it will not be right to say that we are either fully "in" or "outside" this symbolic law: for Lacan, "the symbolic order is what is most elevated in man and what isn't in man, but elsewhere" (116). As a permanent elsewhere that is "in" man, the symbolic decenters the subject that it engenders. But what is the status of this elsewhere? An elsewhere to the human order, the symbolic is not, therefore, precisely divine. But let us consider as a qualification to this last disavowal Lévi-Strauss's own fear, reported by Lacan, that he might be ushering God out one door only to usher God in through another. Lacan emphasizes instead that the symbolic is universal and contingent at once, enforcing an appearance of its universality but having no mandate outside itself that might serve as a transcendental ground for its own functioning. Its function is to transcendentalize its claims, but this is not the same as saying that it has or maintains a transcendental ground. The effect of transcendentality is an effect of the claim itself.

Lacan writes, "This order constitutes a totality . . . [t]he symbolic order from the first takes on its universal character." And later: "As soon as the symbol arrives, there is a universe of symbols" (29). This is not to say that the symbolic is universal in the sense of being universally valid for all time, but only that, every time it appears, it appears as a universalizing function; it refers to the chain of signs through which it derives its own signifying power. Lacan remarks that symbolic agencies crosscut differences among societies as the structure of an unconscious radically irreducible to social life.[15] Similarly, Lacan will say that the Oedipus complex, a structure of the symbolic, is both universal and contingent precisely "because it is uniquely and purely symbolic": it represents what cannot be, strictly speaking, what has been alleviated from being in its status as a linguistic substitution for the ontologically given. It does not capture or display its object. This furtive and missing object nevertheless only becomes intelligible by appearing, displaced, within the substitutions that constitute symbolic terms. The symbolic might be understood as a certain kind of tomb that does not precisely extinguish that which nevertheless remains living and trapped within its terms, a site where Antigone, already half-dead within the intelligible, is bound not to survive. On this reading, the symbolic thus captures Antigone, and though she commits suicide in that tomb, there remains a question of whether or not she might signify in a way that exceeds the reach of the symbolic.

Although Lacan's theorization of the symbolic is meant to take the place of those accounts of kinship grounded in nature or theology, it continues to wield the force of universality. Its "contingency" describes the way in which it remains incommensurable with any subject who inhabits its terms, and the lack of any final transcendental ground for its operation. In no way, however, is the universalizing effect of its own operation called into question by the assertion of contingency here. Thus structures of kinship cast as symbolic continue to produce a universalizing effect.

How, under these conditions, does the very effect of universality become rendered as contingent, much less undermined, rewritten, and subject to transformation?

For the Oedipus complex to be universal by virtue of being symbolic, for Lacan, does *not* mean that the Oedipus complex has to be globally evidenced for it to be regarded as universal. The problem is not that the symbolic represents a false universal. Rather, where and when the Oedipus complex appears, it exercises the function of universalization: it *appears* as that which is everywhere true. In this sense, it is not a universal concretely realized or realizable; its failure at realization is precisely what sustains its status as a universal possibility. No exception can call this universality into question precisely because it does not rely on empirical instantiation to support its universalizing function (that function is radically unsupported and, hence, contingent in that restricted sense). Indeed, its particularization would be its ruination.

But does this understanding of universalization work to usher in God (or the gods) through another door? If the Oedipus complex is not universal in one way, but remains universal in another, does it finally matter which way it is universal if the effect is the same? Note that the sense in which the incest taboo is "contingent" is precisely that of "ungrounded"; but what follows from this ungroundedness? It does not follow that the taboo itself might appear as radically alterable or, indeed, eliminable; rather, to the extent that it does appear, it appears in a universal form. Thus this contingency, an ungroundedness that becomes the condition of a universalizing appearance, is radically distinct from a contingency that establishes the variability and limited cultural operation of any such rule or norm.

Lacan's approach to Antigone takes place within the question of ethics in *Seminar VII*.[16] He has been discussing the problem of the good, as a category central to ethics and commodification. "How is it that at the moment that everything is organized

around the power to do good, something completely enigmatic proposes itself to us and returns to us ceaselessly from our own action as its unknown consequence?" (F, 275, my translation). Hegel, he writes, "is nowhere weaker than he is in the sphere of poetics, and this is especially true of what he has to say about *Antigone*" (E, 249). He makes a mistake in the *Phenomenology* to claim that *Antigone* reveals a "clear opposition . . . between the discourse of the family and that of the state. But in my opinion things are much less clear" (236).

Championing Goethe's reading, Lacan insists that "Creon is [not] opposed to Antigone as one principle of the law, of discourse, to another. . . . Goethe shows that Creon is driven by his desire and manifestly deviates from the straight path . . . he rushes by himself to his own destruction [il court à sa perte]" (254, 297).

In a sense, Lacan's concern with the play is precisely with this rushing by oneself to one's own destruction, that fatal rushing that structures the action of Creon and Antigone alike. Thus Lacan resituates the problematic of *Antigone* as an internal difficulty of "the desire to do good," the desire to live in conformity with an ethical norm. Something invariably emerges in the very trajectory of desire that appears enigmatic or mysterious from the conscious point of view that is oriented toward the pursuit of the good: "In the irreducible margin as well as at the limit of his own good, the subject reveals himself to the never entirely resolved mystery of the nature of his desire [le sujet se révèle au mystère irrésolu de ce qu'est son désir]" (237, 278). Lacan refers Antigone to the notion of the beautiful, suggesting that the beautiful is not always compatible with the desire for the good, suggesting as well that it lures and fascinates us because of its enigmatic character. Antigone will emerge, then, for Lacan as a problem of beauty, fascination, and death as precisely what intervenes between the desire for the good, the desire to conform to the ethical norm, and thereby derails it, enigmatically, from its path. This is, then, not an opposition between one discourse or principle and another, between the fam-

ily and the community, but a conflict internal to and constitutive of the operation of desire and, in particular, ethical desire.

Lacan objects to Hegel's insistence that the play moves toward a "reconciliation" of two principles (249). Hegel thus reads the death drive out of desire. Lacan repeatedly makes the case that "it isn't simply the defense of the sacred rights of the dead and of the family," but it *is* about the trajectory of passion that winds its way toward self-destruction. But here he suggests that the thinking of fatal passion is finally separable from the constraints imposed by kinship. Is this separation possible, considering the specter of incestuous passion, and is any theorization of the symbolic or its inauguration finally separable from the question of kinship and the family? After all, we saw in *Seminar II* how the very notion of the symbolic is derived from his reading of Lévi-Strauss on the elementary structures of kinship and, in particular, on the figure of woman as a linguistic object of exchange. Indeed, Lacan reports that he has asked Lévi-Strauss to reread Antigone in order to confirm that the play is about the inception of culture itself (285).

Nevertheless, Antigone is approached by Lacan first as a fascinating image and then in relation to the problem of the death drive in masochism. In relation to this last, however, Lacan suggests that the unwritten and unfailing laws prior to all codification are those that mark the far side of a symbolic limit beyond which humans may not cross. Antigone appears at this limit or, indeed, as this limit, and most of Lacan's subsequent discussion focuses on the term *Atè*, understood as the limit of human existence that can be crossed only briefly within life.

Antigone is already in the service of death, dead while living, and so she appears to have crossed over in some way to a death that remains to be understood. Lacan takes her obstinacy to be a manifestation of this death drive, joining with the chorus in calling her "inhuman" (263) in relation to Ismene, and she is clearly not the only one to be "of" this prior and unwritten realm: Creon wants to promote the good of all as the law without limits (259), but in

the process of applying the law, exceeds the law, basing his authority as well in unwritten laws that seem to propel his own actions toward self-destruction. Teiresias as well is understood to speak precisely from this place that is not exactly "of" life: his voice is and is not his own, his words come from the gods, from the boy who describes the signs, from the words he receives from others, and yet he is the one who speaks. His authority also appears to come from some other place than the human. His speaking of the divine words establishes him as one for whom mimesis entails a splitting and a loss of autonomy; it links him to the kind of speaking that Creon performs in asserting his authority beyond its codifiable bounds. Not only does his speech come from a place other than human life, it also portends or produces—or, rather, relays a return to—another death, the second death that Lacan identifies as the cessation of all transformations, natural or historical.

Lacan clearly links Antigone to Sacher-Masoch and to Sade in this portion of the seminar: "Analysis shows clearly that the subject separates out a double of himself who is made inaccessible to destruction, so as to make it support what, borrowing a term from the realm of aesthetics, one cannot help calling the play of pain." Torture establishes indestructibility for both Antigone and Sade. The indestructible support becomes the occasion for the production of forms, and so the condition of aesthetics itself. In Lacan's terms, "The object [in the sadean fantasm] is no more than the power to support a form of suffering" (261) and thus becomes a form of persistence that survives efforts at its destruction. This persistence appears linked with what Lacan, in Spinozistic fashion, calls pure Being.

Lacan's discussion of Antigone in *Seminar VII* unfolds in metonymic ways, identifying at first the way in which the play forces a revision of Aristotle's theory of catharsis. Lacan suggests that *Antigone* does involve purgation—or expiation—but that it is not one that leads to the restoration of calm but rather to the continuation of irresolution. He asks more specifically about the

"image" of Antigone (248) in relation to this purgation without resolve and defines it as an image that purifies everything pertaining to the order of the imaginary (248). This same pivotal feature of Antigone leads metonymically to a consideration of "the second death," one that Lacan describes as nullifying the conditions of the first death, namely, the cycle of death and life. The second death is thus one for which there is no redemptive cycle, for which no birth follows: this will be Antigone's death but, according to her soliloquy, it will have been the death of every member of her family. Lacan further identifies this second death with "Being itself," borrowing the convention of capitalization from the Heideggerian lexicon. The image of Antigone, the image of irresolution, the irresolved image, is the position of Being itself.

Earlier on this same page, however, Lacan links this same image to "tragic action," one that he later claims articulates the position of Being as a limit. Significantly, this limit is also described in terms of a constitutive irresolution, namely, "being buried alive in a tomb." Later, he gives us other language with which to understand this irresolved image, that of motionless moving (252). This image is also said to "fascinate" and to exercise an effect on desire—an image that will turn out, at the end of "The Splendor of Antigone," to be constitutive of desire itself. In the theater we watch those who are buried alive in a tomb, we watch the dead move, we watch with fascination as the inanimate is animated.

It seems that the irresolvable coincidence of life and death in the image, the image that Antigone exemplifies without exhausting, is also what is meant by the "limit" and the "position of Being." This is a limit that is not precisely thinkable within life but that acts in life as the boundary over which the living cannot cross, a limit that constitutes and negates life simultaneously.

When Lacan claims that Antigone fascinates as an image, and that she is "beautiful" (260), he is calling attention to this simul-

taneous and irresolvable coincidence of life and death that she brings into relief for her audience. She is dying, but alive, and so signifies the limit that (final) death is. Lacan turns to Sade in this discussion in order to make clear that the null point, the "start[ing] again from zero," is what occasions the production and reproduction of forms; it is "a substratum that makes suffering bearable . . . the double of oneself" that provides the support for pain (261). Again, on the next page, Lacan makes this clear by delineating the conditions of endurance, describing the constitutive feature of this image as "the limit in which a being remains in a state of suffering" (262).

Thus, Lacan attempts to show that Antigone cannot finally be understood in light of the historical legacies from which she emerges but, rather, as asserting "a right that emerges in the ineffaceable character of what is" (279). And this leads him to the controversial conclusion that "that separation of being from the characteristics of the historical drama he has lived through, is precisely the limit or the *ex nihilo* to which Antigone is attached" (279). Here, again, one might well ask how the historical drama she has lived through returns her not only to this persistent ineffaceability of what is but the certain prospect of effaceability. By separating the historical drama she lives through from the metaphysical truth she exemplifies for us, Lacan fails to ask how certain kinds of lives, precisely by virtue of the historical drama that is theirs, are relegated to the limits of the ineffaceable.

Like other Sophoclean characters, those in *Antigone* are for Lacan, "at a limit that is not accounted for by their solitude relative to others" (272). They are not just separated from one another or, indeed, separated from one another through reference to the singularizing effect of finitude. There is something more: they are characters who find themselves "right away in a limit zone, find themselves between life and death" (272), conveyed by Lacan as one hyphenated word: "*entre-la-vie-et-la-mort*" (F, 317). Unlike Hegel, Lacan understands that the mandate under which

Antigone acts is importantly ambiguous, producing a claim whose status is not in any clear opposition to Creon's. She is, first of all, appealing to *both* the laws of the earth and the commandments of the gods (276), and her discourse, accordingly, vacillates between them. She attempts to distinguish herself from Creon, but are their desires so very different from one another? Similarly, the chorus seeks to dissociate itself from what Lacan calls "the desire of the other" but finds that this separation is finally impossible. Both Creon and Antigone at different moments claim that the gods are on their side: Creon grounds the laws of the city with reference to the decrees of the gods; Antigone cites the chthonic gods as her authority. Do they appeal to the same gods, and what kind of gods are they and what havoc have they wrought, if both Antigone and Creon understand themselves to be within the circuitry of their mandate?

For Lacan, to seek recourse to the gods is precisely to seek recourse beyond human life, to seek recourse to death and to instate that death within life; this recourse to what is beyond or before the symbolic leads to a self-destruction that literalizes the importation of death into life. It is as if the very invocation of that elsewhere precipitates desire in the direction of death, a second death, one that signifies the foreclosure of any further transformation. Antigone, in particular, "violates the limits of *Atè* through her desire" (277). If this is a limit that humans can cross only briefly or, more aptly, cannot cross for long,[17] it is one she has not only crossed but beyond which she has remained far too long. She has crossed the line, defying public law, citing a law from elsewhere, but this elsewhere is a death that is also solicited by that very citation. She acts, but acts according to a command of death, one that returns to her by destroying the continuing condition of possibility for her very act, her finally insupportable act.

Lacan writes: "The limit in question is one on which she establishes herself, a place where she feels herself to be unassailable, a place where it is impossible for a mortal being to go beyond the

laws. *These are no longer laws but a certain legality which is a consequence of the laws of the gods that are said to be . . . unwritten . . . an invocation of something that is, in effect, of the order of law, but which is not developed in any signifying chain or in anything else* [dans rien]" (278, 324, my emphasis). Thus she does not establish herself within the symbolic, and these unwritten and unwritable laws are not the same as the symbolic, that circuitry of exchange within which the subject finds herself. Although Lacan identifies this death-driven movement internal to desire as what finally takes her out of the symbolic, that condition for a supportable life, it is peculiar that what moves her across the barrier to the scene of death is precisely the curse of her father, the father's words, the very terms by which Lacan earlier *defines* the symbolic: "The discourse of my father, for instance, in so far as my father made mistakes which I am absolutely condemned to reproduce—that's what we call the *super-ego*." If the demand or duty imposed by the symbolic is "to transmit the chain of discourse in aberrant form to someone else" (*Seminar II*, 89), then Antigone transmits that chain but also, significantly, by obeying the curse upon her, stops the future operation of that chain.

Although she operates within the terms of the law when she makes her claim for justice, she also destroys the basis of justice in community by insisting that her brother is irreducible to any law that would render citizens interchangeable with one another. As she asserts his radical particularity, he comes to stand as a scandal, as the threat of ruination to the universality of law.

In a sense, Antigone refuses to allow her love for her brother to become assimilated to a symbolic order that requires the communicability of the sign. By remaining on the side of the incommunicable sign, the unwritten law, she refuses to submit her love to the chain of signification, that life of substitutability that language inaugurates. She stands, Lacan tells us, for "the ineffaceable character of what is" (279). But what *is*, under the rule of the symbolic, is precisely what is evacuated through the emergence of the

sign. The return to an ineffaceable ontology, prelinguistic, is thus associated in Lacan with a return to death and, indeed, with a death drive (referentiality here figured as death).

But consider that, *pace* Lacan, Antigone, in standing for Polyneices, and for her love of Polyneices, does not simply stand for the ineffaceable character of what is. First of all, it is the exposed body of her brother that she seeks to cover, if not to efface, by her burial of dust. Second, it seems that one reason that standing for her brother implicates her in a death in life is that it abrogates precisely the kinship relations that articulate the Lacanian symbolic, the intelligible conditions for life. She does not merely enter death by leaving the symbolic bonds of community to retrieve an impossible and pure ontology of the brother. What Lacan elides at this moment, manifesting his own blindness perhaps, is that she suffers a fatal condemnation by virtue of abrogating the incest taboo that articulates kinship and the symbolic. It is not that the pure content of the brother is irretrievable from behind the symbolic articulation of the brother but that the symbolic itself is limited by its constitutive interdictions.

Lacan casts the problem in terms of an inverse relation between the symbolic and a pure ontology: "Antigone's position represents the radical limit that affirms the unique value of his being without reference to any content, to whatever good or evil Polyneices may have done, or to whatever he may be subjected to."[18] But this analysis forgets that she is also committing a crime, not only defying the edict of the state but the crime of carrying her love for her brother too far. Who, then, separates Polyneices from "the historical drama he has lived through" but Lacan himself, generalizing the fatal effects of this interdiction as " the break that the very presence of language inaugurates in the life of man."

It seems here that what is forgotten, buried, or covered over is precisely Lacan's earlier linking of the symbolic to Lévi-Strauss and the question of whether or not that symbolic is a "totality" as Lévi-Strauss claimed and as Hyppolite feared. If, as Lacan claims,

Antigone represents a kind of thinking that counters the symbolic and, hence, counters life, perhaps it is precisely because the very terms of livability are established by a symbolic that is challenged by her kind of claim. And this claim does not take place outside the symbolic or, indeed, outside the public sphere, but within its terms and as an unanticipated appropriation and perversion of its own mandate.

The curse of the father is in fact how Lacan defines the symbolic, that obligation of the progeny to carry on in their own aberrant directions his very words. The words of the father, the inaugurating utterances of the symbolic curse connect his children in one stroke. These words become the circuit within which her desire takes form, and though she is entangled in these words, even hopelessly, they do not quite capture her. Do these words not condemn her to death, since Oedipus claims that it would have been better had his children not lived, or is it her escape from those words that lead her into the unlivability of a desire outside cultural intelligibility? If the symbolic is governed by the words of the father, and the symbolic is structured by a kinship that has assumed the form of linguistic structure, and Antigone's desire is insupportable within the symbolic, then why does Lacan maintain that it is some immanent feature of her desire that leads her inexorably toward death? Is it not precisely the limits of kinship that are registered as the insupportability of desire, which turns desire toward death?

Lacan acknowledges that there is a limit here, but this will be the limit of culture itself, a necessary limit beyond which death is necessary. He asserts that "life can only be approached, can only be lived or thought about, from the place of that limit where her life is already lost, where she is already on the other side" (280). But to what extent can this death-driven thought return to challenge the articulation of the symbolic and to alter the fatal interdictions by which it reproduces its own field of power? And what of her fate is in fact a social death, in the sense that Orlando Pat-

terson has used that term?[19] This seems a crucial question, for this position outside life as we know it is not necessarily a position outside life as it must be. It provides a perspective on the symbolic constraints under which livability is established, and the question becomes: Does it also provide a critical perspective by which the very terms of livability might be rewritten, or indeed, written for the first time.

Does she, as Lacan suggests, "push to the limit the realization of something that might be called the pure and simple desire of death as such" (282)? And is her desire merely to persist in criminality to the point of death? Is Lacan right that "Antigone chooses to be purely and simply the guardian of the being of the criminal as such" (283), or does this criminality assert an unconscious right, marking a legality prior to codification on which the symbolic in its hasty foreclosures must founder, establishing the question of whether there might be new grounds for communicability and for life?