TOWARDS A PSYCHOANALYTIC UNDERSTANDING OF RESPONSIBILITY*

Sérgio Eduardo Lima Prudente and Miriam Rosa Debieux

ABSTRACT: The aim of the article is to help pave the way for an understanding of responsibility within psychoanalysis. We start from a field of recognition amidst fellow human beings who have with the ability to empathize with others according to the maxim Do not do unto others what you would not want done to yourself. To that end, we devised a strategy aimed at: 1) modulating the superego as a political body that internalizes a law, 2) proposing a direction to constitute a theory of responsibility drawn from Jacques Lacan’s theory of logical time.

Keywords: responsibility, logical time, recognition, action.

RESUMO: O objetivo do artigo é construir um percurso de compreensão sobre a responsabilidade dentro a psicanálise. Para isto, partimos de um campo de reconhecimento entre semelhantes com capacidade de se colocar no lugar do outro nos termos da expressão popular: não faça ao outro o que não gostaria que fizesse a você. Com isso concebemos a estratégia de: 1) modular o supereu como uma instância política que internaliza uma lei; 2) propor uma direção para a constituição de uma teoria da responsabilidade a partir da teoria do tempo lógico de Jacques Lacan.

Palavras-chave: responsabilidade, tempo lógico, reconhecimento, ação.

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1. PRESENTATION
Responsibility is defined, according to the Houaiss Brazilian dictionary, as “an obligation to account for one’s own actions or those of others”. In law it means “a legal duty arising from the violation of certain rights, through the practice of an act contrary to law.” We leave this setting to try to discuss the fundamental nature of responsibility in the tension field between the universality of culture, the particularity of its practices and the singularity of the irreparable trait, or in the social and political field of human actions and motivations. By observing the meanings of the term responsibility, we note two key elements that have guided us in this text, namely “own actions” and “legal duty”. We thus start from both the dimension of the act as a choice of man, and an obligation or duty to follow a legal — and therefore binding — norm. Considering the contractual aspect, we chose to depart by citing one of the most distinguished social contract theorists, Thomas Hobbes. In Leviathan, he writes:

For the laws of nature, as justice, equity, modesty, mercy, and, in sum, doing to others as we would be done to, of themselves, without the terror of some power to cause them to be observed, are contrary to our natural passions, that carry us to partiality, pride, revenge, and the like (Hobbes, 1651/1999, p.141, emphasis added).

Among the contractualists, Hobbes stands out as a philosopher to which Freud is closest when he introduced a notion of civilization as a process of subordination of personal dispositions to a normatization of culture.

In Civilization and its Discontents (1939/1972, p.105), Freud shows the three sources of suffering that prevent the happiness of man, “the superior power of nature, the feebleness of our own bodies, and the inadequacy of the regulations which adjust the mutual relationships of human beings in the family, the state, and society.” Thus, Freud’s argument claims that man has a share of responsibility for his own misfortune; however, it is precisely in the field where such responsibility of man sits that his own human condition is born, that is, his civilizing process. When Freud speaks of an adjustment of the human being to the family, the state or society, an aspect immediately comes to the foreground, i.e., the tension field between the universal of the culture and language, and the particular in the field of human actions. In other words, the tensions between the universal condition of belonging to civilization; the particular, albeit universalizing, forms of the social norms and of the state; and the singularity of individual dispositions in the field of human actions articulated with the polis.

At this point, we return to Civilization and its discontents (1930/1972, p.115-116) to observe how a power characterized by brute individual force becomes universalized as it is replaced by the power of a community. This process generates the
first requisite of civilization, which is, according to Freud, that of “justice”, i.e.,
the guarantee of law. As for its assurance, the law does not guarantee an ethical
value, much less man’s liberty. On the contrary, Freud warns that the freedom
of the individual is not an attribute of civilization.

As alerted by Freud (1930/1972, p. 166-167), an ethical value, therefore, does
not rely on the law, but on the impression left by great leaders — a process simi-
lar to that of the subject’s superego, but at a level he called as cultural superego.
Interestingly, the understanding that both Hobbes and Freud have about the so-
cial contract between man (and his animal passions) and the State (civilization,
community, and humanization) can be summarized in the principle expressed
by Hobbes just above: “Do unto others what we want them to do to us.” Popularly, this
maxim can also be heard as: “Do not do to others what you would not want
done to you” — a version that has the same effect but in a denial tone.

In either version we highlight two essential fields for the discussion of
responsibility: the law as a limit (superegoic order) and the placing of oneself in
another’s place as a measure of the action (which can or could be performed by
others to one). At the point where we are, responsibility remains the order of
an intersubjective exercise, either as recognition of otherness as similar to the
self or as a threatening censor. In sustaining an agreement to contain excesses,
this aspect guarantees the social bond, as we can see in the primal crime of the
primal horde — incest and parricide prohibition.

Responsibility is thus directly linked to an action that complies with or ques-
tions the law. In either case, in line with a Freudian reading, guilt resembles the
ground on which the primordial transgression (parricide and incest) and the
subsequent obedience to the law will develop.

By linking crime to guilt, Freud establishes a necessary connection between
both, which makes it necessary for us to explore this path. From Rat Man (1909)
to Civilization and its Discontents (1930), guilt accompanies Freud’s formulations as
some elementary index of neurosis. In Civilization, Freud stresses the “sense of
guilt as the most important problem in the development of civilization” (Freud,
1930/1972, p.158), passes through its various phases since its constitution, and
then reaches the unconscious sense of guilt. Still in the 1930 text, he proposes a
relation between guilt and anguish, stating that “the sense of guilt is at bottom
nothing else but a topographical variety of anxiety” (Freud, 1930/1972, p.159).

In The Ego and the Id (1923/2004), the feeling of guilt is engendered by the
action that the superego imposes on the “I”, thus forming the moral conscience.
This relation that generates the feeling of guilt is itself a constituent of a subject,
i.e., for Freud, guilt is a necessary component of man’s subjectivity. Here again
we see the relation between guilt and anguish when Freud puts them side by
side, “the super-ego torments the sinful ego with the same feeling of anxiety
and is on the watch for opportunities of getting it punished by the external world” (Freud, 1930, p.149), which comes from identification with the paternal prototype. In this sense, the sense of guilt is inextricably related to the superego, which places the manifestations of moral consciousness as stemming from the Oedipus complex.

That is why Freud uses, in his way, Kant’s categorical imperative to illustrate the Oedipus complex, saying, “The super-ego — consciousness in action in it — may then become harsh, cruel and inexorable against the ego which is its charge.” The Kantian categorical is thus the direct heir of the Oedipus complex (Freud, 1924/2004, p. 208-9). The interesting feature of this reference to Kant by Freud is that he uses a transcendental category — the categorical imperative — internalized in the subject. This shows that the materiality of the law is assimilated in such a way that it becomes a kind of ‘transcendental’ instance in the unconscious.

Guilt thus assumes an unconscious character; or rather, guilt integrates what we understand as the character dispositions that are part of the unconscious life as a fundamental aspect of psychic reality. There are two derivations of this Freudian articulation depicting the legal and the psychiatric discourses as antagonistic. In the first one, we find a foundation for crime when we are guided by Freud’s words, according to which the unconscious guilt feeling does not result from the commission of a crime; guilt is in fact the driver for the commission of a criminal act. That is, crime is a response of unconscious guilt or an excessive moral obedience to the anguish it generates. In the second result, we have the (dis) obedience to the categorical imperative of the superego, which engenders a disjunction between the moral and ethical dimensions of the law and disarticulates the subject’s singular and ethical dimension from the particular dimension of obeying the social law. In other words, there may be no guilt without responsibility in the singular, or social responsibility without its singular counterpart.

It is Lacan who operates the disjunction between responsibility and guilt in A Theoretical Introduction to the Functions of. Psychoanalysis in Criminology:

Every society, lastly, manifests the relationship between crime and law by punishments whose infliction, regardless of the form it takes, requires subjective assent […] this subjective assent is necessary to the very signification of punishment. The beliefs by which this punishment is explained in the individual, as well as the institutions

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1 The use of the word ‘transcendental’, as we do here is problematic insofar as it differs from its philosophical aprioristic and superhuman identity as we can understand in Kant. However, we have taken a poetic license for the way we use it, inspired in the way Lacan uses it when speaking of the ego ideal in Subversion of the subject and dialectic of desire (1960/1998, p.823).
by which the punishment is inflicted in the group, allow us to define in any given society what we call “responsibility” in our society. (Lacan, 1950-1998: 128-129)

According to the line of thinking adopted by Lacan in this text, punishment defines responsibility, i.e., the relationship between crime and law requires accepting this law as truth. We have then the field of the law determining forms of punishment in response to infringements, i.e., to what contradicts universality. Hence, responsibility takes on a universal character as a conveyed aspect belonging to culture.

Thus we can see that responsibility is related to the ways in which the subject chooses to respond to the law; however, we should pay attention to what Lacan refers to as subjective assent.

2. SUBJECTIVE ASSENT AND RESPONSIBILITY IN THE LOGICAL TIME

What do we understand by subjective assent? To what does the subject assent? First and foremost, the word assent has a semantic field that revolves around the sense of an acceptance of the truth, but also of an ‘entering into agreement’. What truth does the subject accept? To what do they agree?

We have mentioned earlier in this text the tension relation between law’s universality (culture, language), the particular dimension of praxis, and the singularity of the trait. Freud repeatedly stressed how man waives the direct satisfaction of drives by diverting them to more socially acceptable destinations, as typically exemplified by the case of sublimation, for example. The superego inherits this order from culture, but it operates as moral sensor of the subject in the fashion of a moral imperative. It translates and reduces the laws of language and culture into social rules while maintaining the attribution of universal, without the subject’s consideration, thereby ideologizing and imaginarizing some aspects of society.

Therefore, considering that it is to the civilizing order and not to the norms of a given society that the subject assents in order to constitute itself as such, or considering it is with this order that he enters agreement, we will outline a short path to subjective assent. Our aim is to propose a direction for the constitution of a theory of responsibility based on Lacan’s theory of logical time.

In his mirror stage essay, Lacan (1949/1998) highlights three aspects of the child in the mirror towards his “jubilant assumption”: 1) the perception of an image, that is, something outside, external, separated as another; 2) control of the inanity of that image through reflected gestures, with no sense of self or other, of “this virtual complex with the reality that it reduplicates, namely, with the child’s own body and the persons and even things around him.” (LACAN,
1949/1998, p.97); and 3) the libidinal investment of the self-image (a flutter of jubilant activity that supports a position to rescue an instantaneous aspect of the image) from the transformation in the subject when he assumes an image of itself or, in the words of Lacan, “the symbolic matrix in which the I is precipitated in a primordial form, before objectified in the dialectic of identification with the other, and before language restores to it, in the universal, its function as subject “(p. 97).

There is in this a premature recognition of the human form that is indistinguishable from another one — transitivism: a [...] “child who beats another child says that he himself was beaten; a child who sees another one fall, cries. Similarly, it is by identifying with the other that he experiences the whole range of bearing and display reactions “(LACAN, 1948/1998, p. 116). The step forward is recognition, where the ability to recognize other forms based on the primal form is reached.

The Urbild, which is a unit comparable to the ego, is constituted at a specific moment in the subject’s history, from which the ego begins to take up its functions. In other words the human ego is constituted on the foundation of the imaginary relationship. The function of the ego, Freud writes, should have eine neue psychische... Gestalt. In the development of the psychic organism, some thing new appears whose function it is to give shape to narcissism. Surely this marks the imaginary origin of the function of the ego-function? (LACAN, 1954-1955/1979, p. 136-137)

It is this form that, when crystallized, will mark the subject’s inner conflictive tension in its relation to the other. What will be determined at this point is the awakening of a desire for the object of desire of the other. It is out of this aggressive competition that the I-other-object triad will arise. The child then stands as particular in a constitutive movement in which the universal — of the language — assumes its condition of subject. It is thus immersed in an order that will guide instinctual destinations. Let us heed the word order because we often speak of it as order of culture or ordering, or even without using those exact words, of the superego’s order.

In acquiring a foundational outline of its subjectivity, the subject identifies itself in a symbolic order. This process occurs in the immersion of the subject in culture, in the symbolic world of signifiers that will represent it as a subject for another signifier. Hence, the subject is structured from a certain position in the Oedipus complex². We refer here to a subject that starts to speak, using the language — the signifiers of the culture belonging to the symbolic order and passed on by symbolic systems, such as the family, and religious, legal and

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² Repression (Verdrängung), denial (Verwehung), denegation (Verleugnung).
education institutions —, which structures “the unconscious that part of the concrete discourse, in so far as it is transindividual, that is not at the disposal of the subject in re-establishing continuity of his conscious discourse” (LACAN, 1953/1998, p.260).

Hence, the subject’s transindividual reality (LACAN, 1953/1998, p.259) lies in that it: 1) speaks to check its functions as an individual; 2) speaks in a field that is the speech that puts it in the field of reality (transindividual), and 3) operates in a historicity that is a real truth.

Here we come to what we can understand as the logical time, the time for comprehending. It is the moment when the subject can recognize itself as Other (for itself and for the Other), the moment symbolically integrating the other’s image. We now reach a fundamental point: what is marked here is that the subject no longer identifies itself only by image capture, passing to a relationship — with what there is of most logical in that word — with alterity pervaded by senses supported by signifiers. In effect, the organic lack of the shattered body is now also conceived as a significant lack of which the subject suffers. Now the subject is a speech, a speaker, and, as a result, has its condition to itself in question. This development is the questioning of its own existence in the passage of an epo to its epoché.

The subject as an object that identifies itself with the desire of the Other’s desire places it also as an object in a transitivity. The subject thus will always be at the mercy of the other’s response, the response that will answer the Che voui?, expecting the recognition of the Other to be... a desiring subject.

The mirror image subjectifies itself via an “I” that can be recognized by the other. In this recognition an image is implied as different from the others, but like the others because the “I” is a function that differs in the language as a particularity that is not without the universal — language. That is the reason why the mirror stage text subtitle is “Formative of the function of the ‘I’.

We suggest we read the constitutional process of the ‘I’ so far described based on the logical times. In the first one, the instant of the gaze, the prisoner

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3 Epos: a reference to the times of a person’s origin, archaic or foreign language which, made by tragic actors, whose discourse in indirect, isolated between quotes from the main narrative, i.e., speaks of a reality as external to oneself. Epoché: refers to the narrowing of the discourse in an intersubjectivity composed by the Other, speaks of a reality in which one is implicated.

4 The word function is especially important for the understanding we want. In mathematics it establishes the relationship between two sets, being all the elements of the first set individually associated with an element of the second set. In grammar, function refers to each element of the sentence that plays a role stemming from its relationship with the other elements of the sentence. In both cases, the function determines places and positions within a relationship, and marks the value or the sense that a unit takes in relation to the other ones and to the whole (of the set or phrase).
recognizes himself as a “white disc” through a kind of instant, impersonal and transitive judgement, i.e., the moment he sees the other disks in black, he recognizes himself as white. This conclusion could have been reached by any of the other prisoners. It is the first step of the mirror stage, where the child perceives the image as exterior, as externality and difference.

Moving ahead, in the second instant of the logical time, the time for comprehending, we have: “Were I a black, the two whites I see would waste no time realizing they are whites” (LACAN, 1945/1998, p 205).

When prisoner A sees a white disk and a black one, if the prisoner with the white one is not out it is because he cannot see a black disc in A. Therefore, the lack of reaction gives the other the certitude that it is white, i.e., the position of A as a subject depends upon the other, of the reflectivity, of the passage by the other. We have another type of subject: the transitive and reciprocal subject, a particular subject.

This is where I would place responsibility at the inter-subjective level. The subject in the second stage of the logical time, at the time for comprehending, is the subject of the subjective assent proposed by the legal responsibility. This subject recognizes that the law is not made by or for itself, i.e., it is the law that says, “Do not do to others what you would not like done to you”, where an epoché is produced, a biographical sense that situates it in the world in relation to otherness. This assent already supposes a subject of the unconscious, but still superimposed on the defense of denial. Where can we find this subject in denial?

We suggest we start with the difference between the popular saying “Do not do to others what you would not have done to you” and the Hobbesian maximum: “Do to others what you would like them do to you.”

Do what you would have them do to yourself is a law that determines the action by deleting the subject. Here reigns the will of the enunciator (agent) of the law and the desubjectivation of the one who receives the message (Patient). The positivity of the law as imposed (the case of Hobbes’s precept) does not annul the wicked challenge of the law and exonerates the subject.

Do not do to others what you would not like have done to yourself is an ambivalent determination of a law that opens to a positive / negative dimension of an action. In proposing the “do not do”, its correlative “do” of the Hobbesian precept imposes itself as something hidden. It is the Verneinung that reveals the desire and the jouissance. In this case, there is the possibility of responsibilization (intersubjective and unconscious) which arises as a negative aspect seized in the suspension (Aufheben) of the obvious repression in the Verneinung.

The Verneinung is an unconscious recourse which, in the neurotic subject, frees him from taking a position opposing his desire. This omission of a position present in the desire makes use of a kind of objective purity present in the field
of reason (as in the example of the kantian pure reason), which usually gives consistency to either a truth — in the case of science or of a de-subjectivated hypothesis that evades the target to hit another one, of the classic example of the type “I dreamed about a woman who looked like my mother, but it was not my mother, it was another woman.”

In the Verneinung procedure, the subject exposes his division in contrast to the subject of science. Here are two interesting things: 1) a sense of responsibility before a cause / effect — in the subject of science, as a reduction of the subject to his infringement or irresponsible act. This concept eliminates, for example, temporal elements. 2) the way by which there is the possibility of subscribing the subject in a transformation (subjective assent) to the detriment of the pursuit of objective purity of the transgressive act to which the subject is reduced.

Hence, we can say that, in the first aspect, we have an unaccountability of the subject because there is always a deviation or a malaise — genetic, sociological, moral or spiritual — determining it. Its response to the act is at once eliminated because there is an a priori response to its actions, as a meta-language of truth that overlaps.

Lacan repeatedly insists that there is no metalanguage. One of those moments is in Science and Truth (1966/1998). By saying that there is no truth about truth (where he locates a logical-positivist discourse), Lacan points to the truth of the unconscious. Due to the primal repression, the latter manifests itself in rhetoric, whose meaning is to be interpreted. That is, we can understand truth, according to Lacan, as a function on which true discourses operate within a language structure. In the clinic, the neurotic subject wants to know the truth about his suffering. To that end, he formulates theories and explanations based on various discourses (scientific, religious, moral, etc.). All of these true discourses operate having an unconscious enunciation as a substrate. What we notice is a way of attributing causes to effects given and interpreted, such as: something was harmful to me; something caused such an effect on me.

Lacan’s clinical proposal is to reverse this relationship that puts the subject as an effect, placing it as the cause. The cause / effect relationship that operates is that of a response — the symptom — to the real. That is, the subject is the effect of the Real caused by a cut in the signifying chain.

Hence, speaking of responsibility is also speaking of its cause; it is assuming its own causality. In this sense, we can speak of a responsibility for one’s own desire, of not giving in to one’s desire — in the case of Antigone, or, as Lacan formulates later, the only responsibility that the subject can have is sexual (LACAN, 1975-1976, p. 62).

At this point, I propose to tackle the third logical time, of the anticipated assertion (of a cause).
It must be said that, so far, in the logical time, we are still talking about a recognition logic in which the desire is the Other’s desire. This places two dimensions to this subject, the synchronic and diachronic, insofar as we have a historicity of desire and its special feature in the history of desired desires — see Freud’s formulation of the legacy of the narcissist parent.

Let us remember that the third time “is the moment of concluding the time for comprehending. Otherwise this time would lose its meaning.” (LACAN, 1945-1998, p. 206).

According to Fink (1998, p.88), “yet in associating the end of analysis with the prisoners’ moment of concluding (Seminar XX), Lacan suggests a final moment of subjectification that can be forced to occur through a propitious combination of logical conditions and / or analytic conditions”. According to this author, this subjectivation of the cause occurs in a particular logical time, albeit chronologically incalculable, namely, the time for concluding.

In the third time, prisoner A observes the other two with white discs. As they did not leave, he concludes that they see a black disk and a white disk. However, A now assumes he is black. This erroneous observation mobilizes A’s haste to leave so that B and C do not precede him in recognizing themselves for what they are. This fear engenders an assertion about himself, where A completes a logical move through an assertive judgment. A dimension of haste is then inaugurated based on error, which mobilizes the action of a subject who sees himself late, i.e., “I get out before they get do it first.” However, prisoners B and C also begin to leave, and when they see each other they interrupt their departure. The first scansion is when A leaves and interrupts because at the moment he notes that B and C have also suspended their motion and stopped. At this time, there is a division of A in the form of a doubt that engenders the second certainty, which no longer concerns the scansion of the movement. Now A can come out and say he is white because when he left the others came together and also stopped, just as he did. What we see here is the moment when A could recognize the recognition that the others were making and, at the same time, separate himself from them. All this occurs even though “its evidence is revealed in a subjective penumbra” (LACAN, 1945/1998, p. 206).

Erik Porge (1994) highlights the aspect of haste in the third time, when the act of concluding can occur. Therefore, because there is no guarantee a priori of this act, o we can only take consequences afterwards. In the precipitation to a conclusion, when the act occurs, “it is a function of the moment of this journey, which takes a while, that something takes on sense, manifests an effect of sense, that is, changes sense” (PORGE 1994 , p. 89).

What comes next, in the dimension of the truth of the act, is something reached even before its verification. That is, it is in the space between the truth
and the anticipated certainty that there is a temporal dimension of haste. That's why Porge directs us to "take time as a logical event, which by itself engenders a certainty. [...] Certainty is connected to a logic of action; further, it is anticipated by this action, act of concluding. “(PORGE, 1994, p. 84).

This is the time to conclude that he is white; in fact, if he lets himself be preceded in this conclusion by his counterparts, he can no longer recognize that he is not black. “Having surpassed the time for comprehending the time for concluding, it is the moment of concluding the time for comprehending.” (LACAN, 1945-1998, p. 206).

We finally reach the point where the three dimensions mentioned in our first paragraph arise articulated to the subject’s response, namely the universal dimension (in the form of recognition), the particular (in the form of recognition of the recognition), and the singular one, the moment when there is the separation from this logic:

But to what sort of relation does such a logical form respond? To a form of objectification engendered by the logical form in its movement, namely the reference of an “I” to the common measure of reciprocal subjects, or otherwise stated, of others as such, that is, insofar as they as others for one another (LACAN, 1945-1998, p. 211).

Vorsatz (2013, p.173) points out that the time to conclude does not characterize a natural and necessary consequence of those acts that precede it. These are logically, not chronologically, prior. According to this author, in the dimension of the act there is anticipation towards the knowledge of understanding, of judgment. Thus we are talking about an act that does not occur through the orientation, assessment of the thought, but an act that is reason itself.

Therefore, the time of concluding, that of anticipated certainty, is the moment when there is a singularity of the subject whereby he is responsible for an action in which he in fact places himself as such. It is an act of freedom that passes by the Other, that dispenses with this Other, and that operates in the separation from this Other.

If we now revisit the term subjective assent, we can better understand what Lacan referred to when he separated responsibility from guilt. Let us have in mind that to consent is to agree, generally to a decision. In this case, to which decision would one be in agreement? — To the decision about the very act given at the separation from the other. That is, an act / decision which, despite being in the field of the Other, does not occur in relation to its recognition.

Based on Newman’s Grammar of Assent, Lacan introduced the issue of assent. In Science and truth (1966/1998) he cites this grammar to refer to assent as a leftover outside the field of structure. That which we can we learn from this is an assent to what is a remainder the field of a desire which, being in the field
of recognition and alienation, is a desire of the Other’s desire. In the dialectic of desire there is something left over, which returns as a remainder and as the object cause of desire, or more, of the jouissance, and mobilizes this subject in the metonymy of desire and in the field of the jouissance. This is a notion of desire as lack that Lacan incorporates the Hegelian reading of Kojève, circumscribing the desiring subject in a historicity that produces a negated desire driven by the rest. This, in turn, is what is missing for the seizure of the object and of oneself as the object of desire — a rest that will later return as a concept of jouissance.

By saying that there is an impossibility to apprehend this subject, we point to the erosion of the imaginary part of a mechanistic conception of personality. The transgressive act motivated by “excesses” (loss of personality) or by calculating a judgment (an allegedly “ethical” crime, such as the one committed by Raskolnikov5, for example) does not imply a difference where the loss of humanity stands as a measure.

We understand assent here as an act in which the subject is responsible for a “forced choice”6 separating himself from it. Taking up the dimension of haste in the prisoners’ dilemma, we observe a force to the act of assertion — a force whose characteristic is the anguish that moves the act of leaving. Therefore, assent, as proposed here, does not operate according to the Other’s field, but according to the field of the jouissance, in the cut which, through the signifying operation, transforms the remainder of the desire — the real of the jouissance that repeats itself. It is within this field that we can think of a sense of responsibility that is not alienated to the field of recognition and of the legal positivism of law.

Perhaps Antigone is the paradigm of responsibility in Lacan’s work. If we follow the reading of Safatle (2003), we can approximate the act of Antigone to an act of freedom beyond the law — displaying purity of desire — , in the words of Lacan (1959-1960). Her hubris — the sin of excess — engenders an act that calls into question all the impositions to which she was submitted. If, on the

5 [...] fresh young lives thrown away for want of help and by thousands, on every side! A hundred thousand good deeds could be done and helped, on that old woman’s money which will be buried in a monastery! Hundreds, thousands perhaps, might be set on the right path; dozens of families saved from destitution, from ruin, from vice, from the Lock hospitals — and all with her money. Kill her, take her money and with the help of it devote oneself to the service of humanity and the good of all. What do you think, would not one tiny crime be wiped out by thousands of good deeds? For one life thousands would be saved from corruption and decay. One death, and a hundred lives in exchange — it’s simple arithmetic! Besides, what value has the life of that sickly, stupid, ill-natured old woman in the balance of existence! No more than the life of a louse, of a black-beetle, less in fact because the old woman is doing harm. DOSTOVSKI, F. M. Crime and Punishment. São Paulo: Editora 34, 2001, p.80. Crime and Punishment 127 of 967 http://www.planetpdf.com/planetpdf/pdfs/free_ebooks/Crime_and_Punishment_NT.pdf

6 Expression used by Lacan referring to the choice about the subject’s structure in Seminar 11.
one hand, we have the law of the polis, on the other we have the parental law, which follows and determines funeral rites linked to the gods. Before this, Antigone does an act and effectuates her singularity in a field where there is no knowledge, but there is her truth. She places herself as a difference through an act of exception driven by excessive hubris.

In his Seminar XX, *Encore*, Lacan takes up the juridical term of usufruct. In this sense, he stresses that the legal field, in recognizing the *jouissance*, tries to speak of its true and rule it — a role whose legitimacy has its place. However, when we take the psychoanalytic position, we look at the dimension of the act where its truth is *not-all*, at the point where the subject is a response to what is lacking and to what exceeds the symbolic, and to what he can assent regarding an action, considering the impossibility of apprehending the object.

As already noted above, this key to understanding assent puts the subject as cause (*Science and Truth*), but also places the transgressor’s act as related to the encounter with object α. Sill in Seminar XX Lacan tells us:

If there is something in my Écrits that shows that my fine orientation, since it is of that fine orientation that I try to convince you, is not such a recent development, it is the fact that right after the war, where nothing obviously seemed to promise a pretty future, I wrote “Logical Time and the Assertion of Anticipated Certainty.” One can quite easily read therein — if one writes and not only if one has a good ear — that it is already little α that thetizes the function of hast. In that article, I highlighted the fact that something like intersubjectivity can lead to a salutary solution. But what warrants a closer look is what each of the subjects sustains, not insofar as he is one among others, but insofar as he is, in relation to the two others, what is at stake in their thinking. Each intervenes in this ternary only as the objet α that he is in the gaze of the others. (LACAN, 1972-1973/1985, p.67)

Objet α is the immeasurable property of the object, which makes it always a leftover and the cause of desire. Lacan completes this idea by saying that in the prisoners’ dilemma “there are three, but in reality, there are two plus α” (LACAN, 1998, p.49). It is between the two that object α appears as haste, which from the cut of anguish, precipitates as subject in an act. That becomes the subjective destitution that suspends/exceeds (*Aufhebung*) the alienation of desire.

It is important to note that the issue of responsibility appears in Lacan’s early works. In his thesis, in his texts on criminology, and in the final decade of his teaching we find elements that refer — such as the act — to responsibility, and later his conceptualization of this term.

Thus, from a notion of responsibility in connection with the analyst’s act to a shift to the act as a search for punishment, in psychoanalysis, we can look
with appropriate glasses at another dimension, that of subjective assent. In the context of criminology Lacan already spoke of “truth emerging from the act, committing it to the criminal’s responsibility through a logical assumption which should lead him to accept a just punishment” (LACAN, 1966/2003, p. 128).

3. MOMENT OF CONCLUDING

What we have attempted to stress here follows the same proposal that psychoanalysis strives to mark as different — that of a too human dimension — from that which is commonly seen as inhuman. In other words, that if there is an ethical/moral relationship uniting responsibility and the human character, that does not mean that this character is lost in irresponsibility. In that which escapes what is recognized as a human, as a measure of the other through oneself or others, in the scientific, moral and legal savoirs, it is also a remainder that constitutes us, moves us and makes us human and as humans.

We have sought in this article point out two dimensions of responsibility. The first regards the field of knowledge; here we included its consequences in the form of semblances that constitute, for example, legal, medical or moral knowledge. We suggest that responsibility as understood in these dimensions is located in the subjectivity level of the “time for comprehending” of the logical time proposed in Lacan’s work. The second points to the responsibility in the act that includes the subject’s trait in the universal, i.e. an assertion of an anticipated certitude where what is at stake is the dimension of truth and not that of knowledge. We note that this notion of responsibility is given in the “moment of concluding”, in a logical time which, as such, cannot be taken in a chronological order.

It is precisely at this point that we refer to a singular dimension of responsibility, that is, one that takes into account the mark of lack of an object, of that elusive leftover which, articulated to the universal of language, presents us with a real from which we attempt to defend ourselves with the semblances of knowledge. Therefore, in following Lacan’s path to subjective assent, we point to a responsibility that takes into account, above all, the divided subject.
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Miriam Rosa Debieux
debieux@terra.com.br

Sérgio Eduardo Lima Prudente
sergio_prudente@yahoo.com.br
English version by Lucy Moraes Rosa Petroucic
Universidade de São Paulo (USP), Escola de Comunicação e Artes, São Paulo/SP, Brasil. Director of company "Habilitação em Realizações Linguísticas Qualificadas Ltda".