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ABSTRACT
This article analyzes the first edition of Freud’s (1905b) “Three Essays on the Theory of Sexuality” and more particularly the status of the perversions as it appears in that book, demonstrating how this seminal text contains a radical critique of a “psychiatric style of reasoning” (Davidson, 2001a) that turns the perversions into a separate identity fundamentally different from other identities. Freud’s insights are then confronted with the Lacanian idea of a “perverse structure.” It is argued that Lacan’s theories on perversion remain deeply influenced by the French psychiatric tradition on the topic (Dupré, 1925) and that they imply a return to the “psychiatric style of reasoning” that Freud tried to overcome. Finally, I formulate some suggestions with regard to a re-thinking of sexuality in psychoanalytic metapsychology.

Introduction
From its inception psychoanalysis has presented and understood itself as a liberating theory and practice. Freud and his pupils considered psychoanalysis, both in its theoretical and practical aspects, an enterprise that could free us from all kinds of oppressive cultural norms, particularly with regard to sexuality. Psychoanalysis was thought to be a threat to bourgeois sexual culture. Along the same lines Lacan introduced the apocryphal story that while on their way to the United States in 1909, Freud told Jung that they were bringing the plague to the New World (Roudinesco, 2014, p. 194). Clearly, Lacan also saw psychoanalysis as a revolutionary movement with regard to the psychiatric and cultural establishment. Contemporary psychoanalysts frequently repeat this pretense.

It is hard to deny that Freudian psychoanalysis in many respects had a liberating potential and that psychoanalysis did contribute to profound changes in our cultural and moral landscape. Freud was, for example, one of the first to de-pathologize homosexuality, and his ideas on (infantile) sexuality and on sexual education testify to an attitude that was at odds with the fundamental tendencies of his time. As is well known, the problem of the perversions plays a crucial role in this context. Nineteenth-century psychiatry and sexology considered the sexual perversions exclusively as specific diagnostic entities that fit certain patients and not others. Perversion was understood as a psychopathology alongside hysteria, neurasthenia, and multiple personality (Davidson, 2001a). For Freud, however, the perversions, like the other pathologies that are central to his thought (i.e., hysteria, obsessional neurosis, and paranoia), have an anthropological value. According to Freud, the different psychopathological categories inform us about the fundamental tendencies and problematics that constitute human existence as such. This means, more concretely, that with regard to our sexual existence the perversions show in a magnified way the building blocks that make up the sexuality of every one of us. Freudian psychoanalysis is a patho-analysis (Van Haute and Geyskens, 2012). It takes psychopathology as a starting point for its anthropology and in doing so deconstructs the problematic opposition between “normality” and pathology. According to Davidson this implies a radical critique of what he calls “a psychiatric style of reasoning” (Davidson, 2001a, pp. 68–69).
Nevertheless, Freud himself would turn away from the liberating potential of his own metapsychology. Indeed, the reference to the Oedipus and castration complex introduced a more normalizing tendency to his theories (Van Haute and Geyskens, 2012; Van Haute, 2014). This reference contradicts the pathoanalytic approach that at the same time remains present in many of Freud’s writings. Whatever the case may be, the normalizing tendencies gained the upper hand in many post-Freudian writings and in psychoanalytic practice. They are still dominant in many psychoanalytic quarters today (Tort, 2005, pp. 423–434).

Freud (and with him many of his followers) seems to betray the radical and liberating aspects of his own theory. As a result, psychoanalysis risks becoming a normalizing theory. It is impossible to develop this problematic in all of its aspects and in relation to all the different psychoanalytic traditions within the context of just one article. Hence, I limit myself in this article to the problem of the status of the so-called perversions in the Freudian-Lacanian tradition. Indeed, the reference to the problem of the perversions plays a foundational role in this tradition. Freud’s reflections on the pathoanalytic approach to human existence allows for a radical critique of the very idea of the perversions as a legitimate psychopathological category. What is put into question is the very legitimacy of differential diagnosis with regard to the perversions. I discuss this approach in the first edition of the “Three Essays on the Theory of Sexuality.” This first edition differs on crucial points from the later editions we are familiar with and that were published in the Standard Edition and in the “Gesammelte Werke.” It is particularly interesting and important for our discussion because it doesn’t contain some of the normalizing concepts and theories (e.g., the developmental perspective and the Oedipus complex) that were only introduced in the later editions.

My argument is that references to a perverse structure that is popular in some Lacanian circles seem to break with this pathoanalytic approach. It re-introduces the very idea of a differential “identity” Freud deconstructed. In doing so its adherents risk falling into all kinds of social and moral prejudices that are subsequently presented as laws that structure sexuality (and society) as such and that transcend history and the socio-cultural environments in which they occur. In this way social and moral prejudices tend to be immunized from critique and in the process they acquire an ideological status. I first discuss the Freudian approach to perversion and then contrast this approach to Lacanian orthodoxy and more particularly the idea of a perverse structure. In my conclusion I return to the historical and cultural context that might explain at least partially Lacan’s problematic account of the perversions.

The pervert, my neighbor? The genesis of the sexual perversions and the Freudian revolution

We all know the traditional list of perversions that was described in great detail by Krafft-Ebing and other sexologists at the end of the 19th century: homosexuality, fetishism, sadomasochism, voyeurism, and exhibitionism (Krafft-Ebing, 1965). Foucault, Davidson, and others have shown in the most

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1In more recent times Jean Laplanche has no doubt been very attentive to this thematic (see, e.g., Laplanche, 2007). His theory of a generalized seduction implies a ferocious critique of the developmental approach to psychoanalysis, the Oedipus complex, and Lacan’s primacy of the phallus. In this way Laplanche tries to free psychoanalysis from its normalizing tendencies (Laplanche, 2007).

2In what follows I do not discuss the relation between homosexuality and psychoanalysis. This relation is and remains in many ways very ambiguous and complicated (Dean and Lane, 2001). It is all too obvious that many psychoanalysts still defend highly problematic positions on the topic. The recent debates in France among psychoanalysts on same-sex marriage, for example, testify to this extremely conservative attitude. Analyzing the different positions and ideas on this issue would lead us too far astray. For an overview see Roudinesco (2002).

3And more generally of differential diagnosis as such. When psycho-pathology informs us about who we are and shows the fundamental tendencies and problematics that are operative in all of us, it becomes very difficult to think of the different pathologies as independent “identities” that can be clearly distinguished from one another, let alone from an alleged “normality.”

4This first edition is in fact hard to find. There is no English translation of it available at present.
convincing way that these perversions were not so much described for the first time in the second half of the 19th century but were instead literally created in that period (Foucault, 1976; Davidson, 2001a). These authors maintain that there were no perversions (and also no homo- or heterosexuality) before the second half of the 19th century. They obviously do not mean that there was no perverse behavior before this period (or that prior to this people would not have been interested in sex for that matter). They claim, on the contrary, that these acts and activities were only from then on considered the expression of a specific type of individual, a specific kind of subjective identity that shows itself, for example, in particular character traits that are the result of a specific psychosexual history and development (Foucault, 1976; Davidson, 2001a, p. 22ff.). Making reference to Ian Hacking one could say that it is only from the second half of the 19th century onward that perversion becomes a “possibility of personhood” (Hacking, 2002, p. 107). Davidson links this possibility to the development of a “psychiatric style of reasoning” that determines its presuppositions. In this “style of reasoning,” psychological explanations centered on the very notion of personality play an important role (Davidson, 2001a, p. 63). From a historical perspective the psychiatric style of reasoning replaces an anatomo-pathological style of reasoning. In this latter style, deviant behavior is consistently linked to anatomical changes or to lesions in the neurological substratum. Hence, for instance, serious attempts were made to link homosexuality to changes in the male organ (Davidson, 2001a, p. 6). It was thought, for instance—the hypothesis turned out to be incorrect—that homosexuals would have a penis in the shape of a corkscrew. There is insufficient space to discuss the whole history of 19th-century sexology in all its juicy details, but it is all too clear that it is the absence of organic lesions (e.g., in the case of homosexuality) that forced sexologists and psychiatrists to determine the perversions (but also, e.g., hysteria) as functional diseases. Or, more precisely, it is only at the very moment that sexuality is defined as a function that like other functions can be disturbed without there being a specific organic cause or neurological lesion that the perversions can be described as a separate category or class of phenomena that intrinsically belong together (Davidson, 2001a). Only when sexuality is seen as a (reproductive) function—and this is exactly the definition that Krafft-Ebing (1965) uses in the beginning of Psychopathia Sexualis—can the different perversions be categorized under one label as the different disorders of this function. Only from this point on does a “pervasive (psychological) identity” that is essentially different from other “identities” become possible.

All of these developments belong to the context in which Freud articulates his insights on human sexuality and its role in psychopathology. I limit my discussion of Freud to the first edition of the “Three Essays” (Freud, 1905a,b),6 which is fundamentally different from the later editions that were published in 1910, 1915, 1920, and 1924. In this first edition there is, for instance, no reference to the Oedipus and the castration complexes. In this first version the idea of a progressive psychic development is also almost completely absent. These theories were only introduced in the later editions (Van Haute, 2014). It is already clear from this that the first edition of the “Three Essays” differs in many respects from what is often assumed to be characteristic of Freudian theory (Van Haute and Westerink, 2016). But one thing does not change in the subsequent editions of the text: Freud’s starting point. As is well known, the first part of the text discusses the “sexual aberrations,” that is, the different perversions as they had been defined (mainly) by Krafft-Ebing (1965). It is with these “aberrations” that Freud begins (Freud, 1905a, p. 1ff., 1905b, p. 135ff.). The importance of this gesture should be immediately evident. The sexologists at the end of the 19th and beginning of the 20th century took the supposedly normal (reproductive) functioning of sexuality as their starting point. From there it became possible to define the perversions as deviations of this function. Freud, on the other hand, calls the very idea of sexuality as a reproductive function a “poetic fable” (Freud, 1905a, p. 2, 1905b, p. 136), and he literally turns the argumentation of his fellow sexologists upside

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6For a critical assessment of this historical account of sexuality and perversion, see Mazaleigue (2014).

5I only thematize the first edition. I quote from both the German 1905 edition (Freud, 1905a) and the 1924 edition that one finds in the Standard Edition (Freud, 1905b).
down: to understand sexuality we should start not from a supposedly “normal” function but from what we consider “deviations” of this function. Indeed, according to Freud, these deviations—the classical “perversions”—show us the constitutive elements of sexuality as such. This means, more concretely, that the different perversions reveal the building blocks of human sexuality in an isolated and magnified way. Sadism confronts us, for instance, with an instinct for mastery that belongs to sexuality as such and that otherwise might pass unnoticed (Freud, 1905a).

It is hard to overestimate the consequences of this patho-analytic turn. Indeed, Freud connects this insight immediately with the idea that sexuality has no object that is ascribed to it by nature (and, furthermore, that the drives only tend toward pleasure; Freud, 1905a, p. 10, 1905b, pp. 147–148). The starting point of the sexologists is therefore nothing but a chimera. Bearing in mind what was said before regarding Foucault and Davidson, all of this implies that from the outset Freud rejects the very conditions for the existence of the perversions as a separate identity, a separate “possibility of personhood.” If sexuality cannot be understood as a natural function, if sexuality can, moreover, only be understood from the perspective of its so-called deviations, then it inevitably becomes impossible to classify a group of people as “perverts,” which, from a psychological point of view, would be to make a fundamental distinction between a group who escape “perversion” and another who do not. Davidson concludes from this that Freud breaks away from the psychiatric style of reasoning as it was defined earlier in this article (Davidson, 2001a, p. 71).

The different perversions inform us about the different building blocks of sexuality. What Freud learns from them is that sexuality is constructed out of partial drives (oral, anal …) that find their locus in the corresponding erogenous zones. These partial drives only pursue pleasure and are fundamentally autoerotic—this means that they do not aim at an object or, more precisely, that their relation to any and every object has no essential meaning. It is exclusively the capacity of the object to provide pleasure that is at stake here (Freud, 1905a, p. 37, 1905b, p. 181). The different erogenous zones—and this is absolutely crucial—are not situated in a chronological (or teleological) sequence. There is one passage in the 1905 edition of the “Three Essays” that seems to contradict this idea. This is where Freud writes with respect to infantile genital masturbation, from which hardly anyone escapes, that it is in line with “Nature’s purpose” (“die Absicht der Natur”) to prepare the genital zone for the determining role it will have to play in later life (Freud, 1905a, p. 42). When confronted in 1912 by a member of the famous Wednesday evening meetings with the fact that this would introduce a teleological motive to his texts and that nothing prepared for such a motive, Freud immediately gave in and changed his text accordingly (Freud, 1905b, p. 188). From the edition of 1915 onward, the reference to “Nature’s purpose” is left out. Sexuality has no natural object and, even more radically, there cannot be a primacy of the genital zone that is grounded in the nature of sexuality either. Freud is much more radical than many of our contemporary psychoanalysts: he not only maintains that we all have perverse fantasies but also, and this is more fundamental, he deconstructs the essential presuppositions that would allow us to identify a separate category of so-called sexual perverts.

This is what Freud says in 1905. Or, rather, this is what Freud says in the first two chapters of the 1905 edition of the “Three Essays.” In the third chapter entitled “Transformations of Puberty” Freud seems to defend a completely different position. Here, for instance, Freud writes the following:

Writers on the subject … have asserted that the necessary precondition of a whole number of perverse fixations lies in an innate weakness of the sexual instinct. In this form the view seems to me untenable. It makes sense, however, if what is meant is a constitutional weakness of one particular factor in the sexual instinct, namely the

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Starting with the 1915 edition the passage reads as follows: “It is scarcely possible to avoid the conclusion that the foundations for the future primacy over sexual activity exercised by this erogenous zone are established by early infantile masturbation, which scarcely a single individual escapes” (Freud, 1905d, p. 188).

One finds this interpretation of Freud’s theories in texts of the most well-informed and intelligent psychoanalysts. See, for example, Florence (2005).

The introduction of a developmental approach together with the introduction of the Oedipus complex in later versions fundamentally changes Freud’s perspective and introduces a normalizing approach. It is beyond the scope of this article to develop an account of these changes. For a more detailed account see Van Haute (2014) and Van Haute and Westerink (2016).
genital zone—a zone which takes over the function of combining the separate sexual activities for the purposes of reproduction. For if the genital zone is weak, this combination, which is required to take place in puberty, is bound to fail, and the strongest of other components of sexuality will continue its activity as a perversion [Freud 1905a, p. 75, 1905b, p. 237].

How can we reconcile this statement with what Freud has already claimed in the first two chapters of the book under consideration? From a historical point of view it is patently obvious that the sexologists to whom Freud is referring said exactly the same thing as what Freud himself is proposing, namely, that perversion must be linked to a weakness of the genital zone (Davidson, 2001a, p. 89). But this quotation implies a teleological and functional view of sexuality, which was precisely the view that Freud sought to reject in the first two chapters of the book. Davidson is therefore quite justified in stating that in light of his own argumentation Freud could only have said the following:

For if the genital zone is weak, this combination which often takes place at puberty [instead of “which is required to take place in puberty”… this indeed implies a functional/teleological interpretation] will fail, and the strongest of the other components of sexuality will continue its activity [instead of “will continue its activity as a perversion”… the latter implies that there exists a “pervert identity” that can be described as such] [Davidson, 2001a, p. 89].

The perverse structure

Let us now turn to Lacan and his followers in order to consider the way in which they rethink the status of the sexual perversions. My aim here is neither to analyze the totality of Lacan’s texts nor to give a detailed account of everything Lacan wrote on the perversions, which, in fact, was not that much. Rather I limit myself to the idea of a perverse structure, which is very popular in many Lacanian circles and which is supposed to be essentially different from the neurotic and psychotic structures (Fink, 1997; Verhaeghe, 2001, 2004; Swales, 2012; Bonny and Maleval, 2015). According to Verhaeghe, the theory of the different structures of the subject is generally accepted in contemporary Lacanian theory (Verhaeghe, 2001, p. 77). Although this idea is undoubtedly based on some of Lacan’s most fundamental assumptions, it would nevertheless be unjust to reduce his thinking on this topic to the idea that perversion, or the perverse structure as it is often called, is essentially different from the other two structures just mentioned. Lacan cannot be reduced to the textbook versions of his thinking. Hence, in his famous text Kant with Sade Lacan tries to understand the basic characteristics of human desire as such from the perspective of sadism and, more particularly, the work of Sade himself (Lacan, 1966). Lacan here defends a patho-analytic approach that makes it impossible to reduce “sadism” to a specific perversion next to other perversions. Sadism is in this text not exclusively interpreted “next and in opposition to” the other positions. On the contrary, the work of Sade shows, according to Lacan, the impasses of Kant’s philosophy and in doing so it allows for the discovery of some fundamental aspects of human desire. There is no place here to give a detailed reading of this difficult text, but it is clear that in it Lacan seems to follow a patho-analytic approach. This approach characterizes, as we already know, Freud’s early texts and it goes against the idea of pathological “identities” that are essentially different from other pathological “identities.” Lacan’s thinking on (the status of) the different structures is, in other words, much less univocal than is sometimes suggested.

But what does this theory of the subjective structures about which there seems to be a general agreement entail? In order to get a clearer idea of this theory, it is worthwhile focusing a little more on Verhaeghe and the way in which he thematizes the perversions in his well-known book on differential diagnosis in psychoanalysis (Verhaeghe, 2004). Indeed, Verhaeghe’s account of the perversions makes explicit a paradigm that could be said to underlie a number of other Lacanian publications on the same topic (Dor, 1987; Miller, 1996; Fink, 1997; Feher, 2003; Lebrun, 2007). Like these other authors,

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10The whole problem of the perversions consists in conceiving how the child in relation to the mother, a relation constituted in analysis not by his vital dependence on her, but by his dependence on her love, that is to say, by the desire of her desire, identifies himself with the imaginary object of this desire in as far as the mother herself symbolizes it in the phallus” (Lacan, 1977, pp. 197–198).
Verhaeghe refers in his introduction to the chapter on the perversions to Freud’s “Three Essays.” He mentions Freud’s insight that human sexuality is essentially polymorph perverse and that the predisposition to perversion is present in all of us. He then concludes as follows: “Consequently, according to Freudian theory, the distinction between perverse traits and the perverse structure is not easy to make” (Verhaeghe, 2004, p. 403). It is immediately clear that this citation contradicts Freud’s patho-analytic perspective that I explained earlier in this article. This citation can indeed be rendered as follows: “Of course, we all have more or less perverse tendencies, and perverse fantasies are quite common … but these are irrelevant with regard to an essentially neurotic, psychotic, or perverse structure; the real ‘perversion’ is situated elsewhere.” It is worth recalling that the distinction between perverse traits and perversion proper in some ways resonates with a similar distinction that can be found in the work of Krafft-Ebing and other psychiatrists of the 19th century. Krafft-Ebing (1965) calls perverse transgressions in the context of nonsexual pathologies “perversities” in otherwise “healthy” people (Perversitäten). The latter are vices that have to be judged from a moral or a juridical point of view. Perversitäten are licentious acts committed by people who could do otherwise but who prefer forbidden pleasures to that which the law considers “normal” or “good.” As a point of principle, these “perverse acts” are judged immoral and they often warrant punishment. They have to be strictly distinguished from perversion (Perversion) as a disease that “overrules” the free will and that concerns the whole personality—hence from perversion as a “possibility of personhood.” It is worth noting that just like contemporary Lacanian authors, Krafft-Ebing considers “perversion” not only as a distinct type of identity but also as an incurable one at that. Once a pervert, always a pervert!

Rather than reaching a conclusion too hastily, it is worthwhile asking what characterizes the perverse structure according to the authors under consideration. Essentially Lacan and his followers link perversion to a specific type of relation to (the Other of) the law. Perversion is fundamentally identified with a specific relation to the Law of language that introduces lack (or as Lacan puts it, castration) and in doing so makes desire possible. This law is also the law of the father that forbids the mother to take the child as an object that might allow her to overcome her own lack in enjoyment (“jouissance”). Hence, it comes as no surprise that one seeks the origin of the perverse structure in the relation to the first Other—in principle the mother. The perverse subject, so we are indeed told, is stuck in a relation to the first Other in which he is reduced to a phallic object thereby (fantasmatically) allowing her to overcome her lack. In other words, the child is here nothing but the imaginary phallus of the Other (Lacan, 1977, pp. 197–198). The father (i.e., the law that he represents) is at the same time reduced to a spectator without any power or importance. Hence, castration is both denied (in the mother who is supposed to be able to overcome lack in the relation with her child) and recognized (in the powerless father). Lacan here generalizes the defense mechanism that according to Freud characterizes fetishism in such a way that it now applies to all the perversions. This defense mechanism is disavowal (Freud, 1927). This mechanism implies that the subject takes a double stance: it both acknowledges and denies castration (Verhaeghe, 2004, p. 411).

This situation confronts the child with a paradox that is, according to our authors, at the basis of the perverse structure and explains its logic. The little child is on the one hand the object that makes the enjoyment of the Other possible, but on the other hand this state of affairs excludes the development of a separate identity. Indeed, as long as the “infans” remains nothing but the object that fills the lack of the Other, it cannot develop a desire of its own. The child tries to overcome this paradoxical situation by turning itself—actively—into the instrument of the enjoyment of the Other. He is at the service of the enjoyment of the Other in the possibility of which he continues to firmly believe. The enjoyment of the Other is the goal of all his hard work. This would explain, for instance, why perverse subjects so often claim that the victims of their acts “also enjoy it” or “asked for it themselves” (Verhaeghe, 2004, p. 425).

11Perversion of the sexual instinct … is not to be confounded with perversity in the sexual act; since the latter may be induced by conditions other than psychopathological. The concrete perverse act, monstrous as it may be, is clinically not decisive. In order to differentiate between disease (perversion) and vice (perversity), one must investigate the whole personality of the individual and the original motive leading to the perverse act. Therein will be found the key to the diagnosis” (Krafft-Ebing, 1965, p. 53).

12For what follows see, for example, Verhaeghe (2004, pp. 397–427) and Swales (2012).
The perverse subject, so much is clear, identifies with the object that allows him to overcome lack once and for all. This also implies that the perverse subject does not accept the law of castration and lack. But the enjoyment of the Other would inevitably imply his own disappearance as a desiring subject. There is no desiring subject outside of lack and castration. Hence, the possibility of the enjoyment of the Other provokes anxiety. This anxiety forces the subject to limit enjoyment and hence to introduce a law after all (the masochist, e.g., submits himself to the Other and turns himself into the object of his enjoyment, but at the same time he makes sure not to lose control of the situation and sets a limit). But this law can only be the law of the perverse subject itself because it belongs to the very structure of perversion to challenge the law of the Other (of the father, who introduces castration). The consequences of this challenge are that the Other is either reduced to a powerless spectator or systematically ridiculed. One can think here of the writings of Sade, who “teaches” the passive Other (those who read his books) about what “real enjoyment” is and how it radically differs from our petty (“neurotic”) pleasures. One sees the difference between the perverse and the neurotic position. In the latter case castration is acknowledged and the child accepts that neither he nor the father can satisfy the desire of the mother. Here the central question with regard to sexuality becomes, Am I doing well? We are far away here from Sade’s writings (Verhaeghe, 2004, p. 436).

Although hardly complete, this description must suffice to indicate what is at stake here. In the first place, Lacan is no longer concerned with the types of sexual behavior (fetishistic, sadist) that can be linked to a specific identity. These types of behavior can occur in every structure. Lacan is, on the contrary, much more interested in a structural relation to the law (of the Other). This is what the idea of a perverse structure is about. The notion of a perverse structure implies that this relation characterizes a specific group of people in a consistent and invariable way. Hence, we are talking of a kind of identity or psychological profile (the “pervert”) that no longer threatens human sexuality but human society as such (Dean, 2008). The law that the pervert refuses (the law of the father, of castration … sexual difference) is indeed supposed to be the law that founds human society. This law (“no”) of the father (that separates us from the first Other) inherently refers to the interdiction of incest or to the obligation of exogamy (and hence to the law of sexual difference) that, according to Lacan, founds human society. As a consequence the perverse subject doesn’t question this or that specific law. On the contrary, it actively subverts the order of legality as such. This probably explains, second, why the qualification “pervert” is consistently and enthusiastically applied outside the strictly sexual sphere while the classical sexual perversions at the same time (usually with the exception of homosexuality) continue to be used as the paradigms of perversion. Indeed, the law that the perverse subject refuses (or denies) is in the last instance structurally linked to (the law of) sexual difference (Feher, 2003). In this way the classical sexual perversions continue to play a pivotal role in the context I discuss here. Third, these perversions are—just as in the past—both implicitly and explicitly qualified in a negative way. We find this negative qualification both in the clinical context and in theoretical writings. Verhaeghe, for instance, writes that the perversions are close to psychopathy, and he describes perverse subjects as “potential perpetrators.” Verhaeghe indeed writes that we find a generalized clinical picture of the perverse structure in forensic practice (Verhaeghe, 2004, p. 405ff.). This should not come as a surprise given that perversion is defined in the first place in terms of a defying relation to the law.

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13This is why Lacan calls the perversion a “père-version.”
14Stephanie Swales writes in this respect: “The perverse subject is he who has undergone alienation but disavowed castration, suffering from excessive jouissance and a core belief that the law and social norms are fraudulent at worse and weak at best” (Swales, 2012, p. xii).
15The attitude of many Lacanian psychoanalysts with regard to homosexuality remains quite ambiguous. For a more detailed account of this problematic see Roudinesco (2002) and Tort (2005).
16The fine line between victim and perpetrator is often transgressed … “ (Verhaeghe, 2004, p. 429).
17For example, Verhaeghe writes, “In the conventional world, the law will apparently be followed, that is to say the pervert acts on the assumption that others will follow the conventional rules and he or she will make full use of this knowledge” (Verhaeghe, 2004, p. 412). In a footnote to this passage he adds, “The association with the old psychopathy is quite clear.”
This negative attitude toward “the pervert” runs through the work of other Lacanian authors who appear to exhibit no sympathy whatsoever for the kind of people they call “perverts.” Thus, for instance, Feher writes that nobody “in his right mind” would call himself “a pervert” (Feher, 2004, p. 191). She not only claims that nobody sympathizes with perverts but also that “the strange world of perverse logic” (Feher, 2003, p. 205) should only be mistrusted and that queer theory, which is its cultural representative, should be therefore rejected (Feher, 2003, pp. 203–204). This negative attitude hardly comes as a surprise when we realize that the perversions were first defined as a direct threat to the very existence of human society. Insofar as the traditional perversions continue to have a paradigmatic value within the so-called perverse structure, their negative qualification (and the rejection that this implies) remains intact (or is re-instated). We are confronted here with an ambiguity that is hard to resolve: on the one hand the problem of perversion cannot be limited to that of the “sexual aberrations” while on the other hand the latter continues to be its most preferred paradigm. In this way the classical sexual perversions continue to participate in the negative reputation that accompanies perversions and that Freud (but also Krafft-Ebing) wanted to overcome. We are far removed here from Freud’s initial intuitions.

I suggested earlier that Lacanian theorists tend to reintroduce the idea of a “perverse identity.” In doing so I obviously wanted to indicate that the way in which these theorists thematize “subjective positions” might signal a regressive shift back to the psychiatric style of reasoning that Freud, at least initially, rejected for the reasons already outlined. One could of course object that 19th-century sexology took its starting point in an allegedly “normal” sexual function and that Lacan and the Lacanians of whom I speak do not accept a “normal” position or structure next to a perverse or neurotic one. But things might be more complicated than they seem. The three structures that are distinguished in Lacanian theory are evidently not at the same level. Put in a brutal way, we could say that there exists a neurotic next to a psychotic position and then there are “potential perpetrators.” The perverse structure is time and again evaluated in a negative way in relation to the two other structures. But that is not at all—at the same time the neurotic position or structure tends to be described as the “normal” one. There are many examples that illustrate this tendency. Verhaeghe speaks of a “normal-neurotic context” (Verhaeghe, 2004, p. 335), and he further calls the psychoanalyst “normal-neurotic” (Verhaeghe, 2002, p. 352). In this way Verhaeghe implicitly turns the neurotic structure or position into the standard for a “better way of living.” Along similar lines, Fink writes of a perverse patient that there is “little hope” (sic!) that he will ever become neurotic. Citing Freud’s essay “The Splitting of the Ego” (Freud, 1940), the same author adds the term “neurotic” between brackets after “normal” to a quote where Freud speaks of the “normal consequences of castration anxiety” (Fink, 1997, p. 197). Thus, despite appearances, these Lacanian authors—in a much more systematic way then Lacan himself—clearly betray Freudian patho-analysis. Perversion no longer informs us about sexuality as such but is reduced to a particular (pathological) structure next to other structures. This specific structure does not in principle have anything to teach us about human desire as such.

**Conclusion**

The Freudian deconstruction of “normality” turned perversion into a universal human condition. Specifically, it made it impossible to present perversion as a separate (psychological) identity. From a Freudian perspective one could say that because everybody is “perverse,” nobody can be a pervert in the sense of an identity that is essentially different from other identities. The perverse subject, in

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19 Judith Feher clearly has no idea about what “informal fallacies” are.

20 We should indeed remember that classical sexology tried to get rid of these negative qualifications by claiming that the perversions were mental diseases and escaped our free will. The consequence of this is that pervert subjects deserve our help and attention, not rejection.

21 Stephanie Swales, whom I already quoted (see footnote 14), is a perfect example of this. On the one hand she defines the perverse subject as somebody for whom the law is fraudulent while at the same time—and under the same “heading”—giving a very detailed account of the different sexual perversions (Swales, 2012).
other words, is not just an “other” with whom I have nothing in common. Of course, this does not mean that for Freud in sexualibus “anything goes.” On the contrary, Freud links the different partial drives in his “Three Essays” to “reaction-formations”—basically shame and disgust (but he also mentions guilt, for example)—that put limits to our innate perverse tendencies (Freud, 1905a, p. 35, 1905b, p. 151ff.). These “reaction-formations” are the starting point for the development of cultural prohibitions and obligations with regard to sexuality. Hence, for Freud there is no sexuality without limits and without conflict. But the laws we make with regard to it cannot, without great difficulty, be linked to a supposed “nature” of sexuality. They are essentially historical and contingent and hence subject to criticism and debate (Van Haute and Westerink, 2016).

From this Freudian point of view, thinking in terms of psychopathological positions threatens to be inevitably anachronistic. Perversions become once again identities—indeed, identities of a despicable nature—that are essentially different from other “identities.” The fact that the (universal) “perverse traits” are no longer rejected as morally bad and inadmissible is no real consolation because it is now the pathological state itself that is systematically judged in a negative way or that tends to be qualified as intrinsically “bad” or “evil.” This is at least paradoxical. The history of 19th-century psychiatry and sexology can in a certain way be summarized as a permanent (and largely unsuccessful?) attempt to separate psychiatric scientific thinking from moral and religious prejudices on the basis of which we consider different kinds of sexual practices “bad” or “morally wrong.” This is precisely the reason Kraft-Ebing, for instance, separates “perversities” that are morally reprehensible from “perversions” that are mental illnesses. Freud still goes one step further by “deconstructing” the very idea of “perversion” as a separate identity and by turning it into a universal human disposition. In the Lacanian tradition these two aspects risk becoming conflated once again. What characterizes the perversions is precisely a structurally twisted and defiant relation to the law that founds human society. And once perversion is characterized as the systematic undermining of the laws of society as such, one should not find it too surprising that the perversions quite often evoke a (violent) moral rejection.

The Lacanian perversion—the idea of a “perverse structure”—seems to participate in a universe that is not exactly the same as the one that determines Freud’s ideas on perversion. We are used to think of Lacan and Lacanian theory in terms of a “return to Freud.” But can we properly understand this theory—especially with regard to the perversions—without taking the French psychiatric tradition into account in which Lacan was educated as a psychiatrist? Or, more concretely, isn’t Lacan with regard to the perversions a pupil of Ernest Dupré rather than a pupil of Krafft-Ebing (and consequently of Freud)? Dupré influenced in a hegemonic fashion French psychiatry with regard to the problem of the perversions until at least 1960 (Lantéri-Laura, 2012, pp. 129–137; Mazaleigue, 2014). Dupré belongs to the generation of de Clérambault—whom Lacan called his “master in psychiatry”—whose influence on Lacanian thinking also remains insufficiently studied. As I don’t have enough space here to give a detailed account of the relation between Lacan (the idea of a perverse structure) and Dupré I limit myself to formulating the outlines of a hypothesis.

In spite of the important differences that separate Lacan and Dupré, there are some troubling similarities that deserve our attention. It is true that Dupré desexualizes the perversions even more than Lacan does. In his work the sexual perversions no longer function as a paradigm of perversion in general. They are nothing but one species among others (perversions of the instinct of conservation and of the instinct of association [Dupré, 1925]). Dupré furthermore postulates an innate perverse constitution that in the end is nothing else than a tendency to inflict harm and do wrong (or to prefer what is bad over what is good [Dupré, 1925, p. 419; Lantéri-Laura, 2012, p. 133). Obviously a (perverse) structure cannot be identified to a constitution in the biologist sense of the word as in the work of Dupré. But one can wonder whether the former isn’t its reversed mirror image. Of course, the perverse structure isn’t

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22Lacan’s theory of the perversions should in this respect be re-contextualized from the perspective of the history of psychiatric thinking on the topic. For more on this problem, see Mazaleigue (2014, p. 290).

23“Perverse traits” that occur in neurotic and psychotic structures are no longer seen as intrinsically problematic or morally “wrong” as in Krafft-Ebing (1965). It may not be unfair to say that for the Lacanian authors under consideration they are nothing but “sexual frivolities” that do not deserve further attention.
innate in the same way as Dupré’s biological constitution is. But its genesis goes so far back that it tends to transcend historical time (Lantéri-Laura, 2012, p. 167). This explains its immutable and undeclinable (uncurable) character that it shares with a biological constitution. On top of that, the perverse structure is explicitly linked—as is the perverse constitution, although for different reasons—to psychopathia and hence to the problem of evil. It follows from this that the perverse structure essentially transcends sexuality, even if at the same time it cannot be understood as separate from it in Lacan, for the reasons I explained before. Although this hypothesis is still tentative, Lantéri-Laura’s conclusion certainly no longer comes as a surprise: “The notion of a perverse structure … (assures), 40 years after Dupré, exactly the same role as that of constitution, and also in order to re-install a neo-moralism” (Lantéri-Laura, 2012, p. 185, my translation).

However, we cannot understand this regressive movement by simply referring to the historical background of Lacanian thinking. There are in my opinion at least two more elements that need mentioning here. First of all—and despite appearances—the Lacanian authors under discussion reject the patho-analytic perspective that I have argued is intrinsically linked to a deconstruction of perverse identity. A second reason might be even more interesting, at least from a philosophical point of view. Partly as a consequence of Lacan’s work, it has become customary to think about sexuality from the perspective of sexual difference. But is it possible to think about sexuality in this way without being at the same time (and for the same reason) heteronormative? This would mean disqualifying or subordinating “positions” in which sexual difference is denied to positions in which it is supposed not to be. In the first edition of the “Three Essays,” Freud does not thematize sexuality from the perspective of sexual difference so much as from the perspective of nonfunctional bodily pleasures. The perversions are thought to be strange ways of procuring oneself bodily pleasures, but there is no intrinsic principle that allows one to subordinate one form of pleasure to another form of pleasure. In Lacan, on the contrary, what characterizes the perverse subject is not so much the bodily pleasures the subject is looking for but the twisted and transgressive way in which the subject relates to the law. Lacan does not define perverse enjoyment in terms of bodily pleasures but, for instance, in terms of the anxiety it provokes in the Other (Lacan, 2004).

It is the thematization of sexuality in terms of bodily pleasures, together with the patho-analytic perspective, that makes a deconstruction of perversion as a separate identity both possible and necessary. In this way my journey through the problematic of the perversions ends (at least provisionally) where it started: with Foucault. Indeed, it does not require too much imagination to discover Foucault’s “corps des plaisirs” in Freud’s sexual pleasures (Davidson, 2001b). Perhaps for the moment we should therefore conclude that if psychoanalysis is to remain true to Freud’s most important insights then it will be a Foucauldian enterprise.

Notes on contributor

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References


24“La notion de structure perverse … (assure), quarante ans après E. Dupré, exactement le même office que celle de constitution, et aussi pour restituer un néo-moralisme.”

25For a discussion of this problem see Butler (1999).

26The idea that the perverse enjoyment is intrinsically linked to provoking anxiety in the Other (Lacan, 2004) illustrates the same problematic. See also Mazaleigue (2014, p. 290).


