First Institution of Society and Second-Order Institutions

KOINONIA

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Our topic today is: Is there a theory of the institution? My answer is: Certainly not. There is not, and cannot be, a *theory* of the institution, for theory is *theoria*: the gaze [*regard*] that puts us face to face with something and inspects it. We cannot put ourselves face to face with the institution and then inspect it, since the means one would use to do so form a part of the institution. How could I talk about the institution in a language that professes to be rigorous, formalized, or formalizable to an indefinite degree, and so on, when this language itself is an institution, perhaps the first and most important of institutions? We are speaking {English} here. I am speaking to you in {English} since I have learned {English}, though it happens that my mother tongue is Greek. Neither my {English} nor my Greek, however, is in any way natural.

Since people here at the conference seem to be enjoying the jokes the speakers have been making, let us say that I was born in China (I am not even saying that I would be Chinese, but simply born in China). If that were the case, I would be condemned all my life not to know the difference between elections and erections, since *l* and *r* are not distinct phonemes in Chinese. Yet it is not just a matter of phonetics. All Greco-Western philosophy and thought, and the theory or theories we construct, owe much to certain grammatical rules characteristic of Indo-European languages—and in particular to that much talked-about verb *einai*, "to be." Many languages, very beautiful ones and completely appropriate to the societies to which they belong, do not include the verb "to be." And if the peoples who speak these languages undertook to constitute a fundamental philosophy, they would not call it "ontology." Thus, I can *elucidate* my relation to language, but I cannot abstract myself from it and "look at" [*regarder*] it , nor can I "construct" it from the outside.

I cannot make a "theory" out of the institution, for I am on the inside. Indeed, not even this statement goes far enough. Abstracting, for a moment, from a limit point —a point I try to approach with the patient on the couch, or by myself with the aid, perhaps, of a dream—abstracting from this limit point, which is situated almost at infinity, I am a walking fragment of the institution of society, as we all are such walking fragments, each one complementary to the others. Talking bipeds, one might say. Bipeds, for this reminds us of our biological nature, or, rather, our leaning on [*étayage*] our biology. And talking, for that certainly reminds us once again of this leaning on, these biological underpinnings of ours, since to be able to speak one must have vocal cords, and so forth, a central nervous system organized in a certain fashion—but one must also have language as social institution. This is not the time or the place to enter into the interminable discussion that began in Greece in the fifth century B.C.E. concerning the "natural"— *phusei*—or conventional/ instituted— *nom*«—character of language, which was taken up again a few decades ago, first with structural *First Institution Of Society* . . . 155 linguistic s, then with Chomsky's views and the search for universals or invariant structures extending across the different languages people speak.

One thing is certain. An enormous part, the most important part, of language, the part that concerns the *significations* it conveys—its semantics—does not correspond in a univocal manner to the central nervous system of *homo sapiens* since, if it did, all languages would be strictly isomorphic, and one would be able to pass from one to another by means of uniform,

rule-governed transformations with neither loss nor gain. Now, we know there is no exact or "perfect" translation, strictly speaking, of a text into any tongue other than its original (besides the trivial case in which the text in question is merely a series of mathematical symbols). As Roman Jakobson said, "genuine" translation is always poetic re-creation.

There is therefore a deep-seated dependence, in respect to language, between what I think and what I say. And this is only one example of the prevalence, indeed the penetration through and through, in each one of us, of what is instituted in our native society.

Can one then say, as has just been said, that theory is "calling the institution into question"? First, we must once again eliminate from this discussion the term *theory*, in its commonly accepted sense. Next, we must note that "calling the institution into question" through reflection upon it or the attempt to elucidate the institution occurs only by way of an exception in the history of humanity, and only in one line of societies: the European or Greco-Western. There is no ethnocentrism in this—and still less any privilege, political or otherwise, that would thus be conferred upon us; it is just an acknowledgment that "calling the institution into question" implies an enormous historical *rupture*—and that, as far as we know, this rupture has not occurred among the Nambikwara or the Bamileke.

We encounter this rupture only twice in the history of humanity: in ancient Greece for the first time, then in Western Europe beginning at the end of the High Middle Ages. This rupture implies that these same individuals who have been fabricated by society, who are its walking fragments, have been able to change themselves essentially; they have been able to cre ate for themselves the means to challenge and to call into question the institutions they have inherited, the institutions of the society that had raised them—which obviously goes hand in hand with an essential change in the entire instituted social field. And this is expressed both by the birth of a public political space and by the creation of free inquiry, of unlimited interrogation. The possibility of having a thought about the institution, of elucidating it, exists only from the moment when—in deeds as well as in discourse —the institution is called into question. This is the birth of democracy and philosophy, which go hand in hand.

People stand up and say, "The representations of the tribe are false." They try to think the world and man in the world in a different way. And people stand up and say, "The established power is unjust, the instituted laws are unjust, we must instaurate other ones." These two positions are profoundly interrelated [*solidaires*]. What does it mean that the established power is unjust? Who gives you the right to say that? And do you want simply to put another, equally unjust power in its place, or are you claiming to instaurate a just power? But what is a just power—what is justice? On the other hand, you are destroying the tribes representations, you are trying to put something else in their place, therefore you are claiming that this other thing is true—and thus that you know what *First Institution Of Society* . . . 157 is true; but, What is truth? We see already that although the institution is a fundamental fact of humanitys history, and indeed one of the two elements that hominize man—the other being the radical imagination—one cannot talk in the same way about all institutions in history, for in a predemocratic and prephilo sophic society the possibility of challenging and questioning the institution quite simply does not exist.

Individuals do not know that the gods of the tribe are institutions. They do not know it, and they cannot know it.

To be brief, I take one of the clearest and most well-known cases: for the Hebrews, the Law is not a law of the tribe; it has been formulated by the Lord Himself and given by Him in person. How could you call this Law in question? How could you mean that Gods Law is unjust, when Justice is *defined* as the will of God? How could you say that God does not exist, when God provides His own selfdefinition: *Egõ eimi ho õn*, I am (the one who) is, I am being (I avoid here the quarrel over the proper translation of the original Hebrew text). What do you mean by *God does not exist* when, in the language of the tribe, that would mean *being does not exist*? In the overwhelming majority of societies—the ones I call heteronomous—on the one hand, the institution asserts on its own that it is not the work of man; on the other hand, the individuals belonging to these societies are raised, trained, and fabricated in such a way that they are, so to speak, resorbed by the institution of society. No one can assert ideas or express a will or desire opposed to the instituted order, and this is so not because they would be subject to sanctions but because each person is, anthropologically speaking, fabricated this way; everyone has internalized the institution of society to such an extent that one does not have at ones disposal the psychical and mental means to challenge this institution. And what changes—with ancient Greece, on the one hand, and postmedieval Europe, on the other—is that the institution of society renders possible the creation of individuals who no longer see therein anything untouchable but succeed rather in calling the institution into question, be it in words, be it in deeds, be it through both at once. We thus come to the first rough historical sketch of what I call the project of social autonomy and of individual autonomy.

But what does "autonomy" signify? *Autos*: oneself; *nomos*: law. The person who gives herself her own laws is autonomous. (Not, *The person who does whatever comes into her head*, but rather, *The person who gives herself* laws.) N ow, that is immensely difficult. For an individual, to give oneself ones own law, within the fields in which this is possible, requires the ability to hold ones own in the face of all conventions, beliefs, fashion, learned people who maintain absurd idea s, the media, the silence of the public, and so forth. And for a society, to give itself its own law means to accept at bottom the idea that it is creating its own institution and that it creates that institution without being able to invoke any extrasocia l foundation, any norm of norms, any measure of its measures. This therefore boils down to saying that such a society should itself decide what is just and unjust—and this is the question with which true politics deals (we are obviously not talking here ab out the politics of the politicians who occupy the stage today).

Society cannot exist without institution, without law—and it must decide itself what is law without recourse (except illusorily) to an extrasocial source or foundation. Both aspects are the re in the ancient Greek word *nomos*: *nomos* is that which is particular to each society or to each ethnic group; it is its institution/convention, that which is opposed to the "natural" (and immutable) order of things, to *phusis*; and at the same time *nomos* is law, that without which human beings cannot exist as human beings, since there is no city, no *polis*, without laws, and there are no human beings outside the *polis*, the city, the political collectivity/community. When Aristotle says that outside the *polis* man cannot be but a savage beast or a god, [1] he knows and he says that the human being is humanized only in and through the *polis*— an idea, moreover, that returns again and again among the ancient Greek poets, historians, and philosophers.

There are therefore these two sides to *nomos*, to the law: it is, each time, the institution/convention of some particular society; and it is, at the same time, the transhistorical requisite for there to be society—that is to say, whatever the content of its particular *nomos*, no society can exist without a *nomos*. Without this double understanding (that we cannot exist

without *nomos*, but also that this *nomos* is *our* institution, *our* work), there can be no democracy. For, of course, democracy does not signify simply "human rights" or *habeas corpus*. That is only a *derivative* (which does not mean minor or secondary) aspect of democracy. Democracy signifies the power of the people; in other words, it means that the people make their own laws—and to make them they must be convinced, as a matter of fact, that the laws are the making of human beings. But at the same time this implies that no extrasocial standard for their laws exists—and this is the tragic dimension of democracy, for it is also its dimension of radical freedom: democracy is the regime of *self-limitation*.

Let us return to this very idea of institution. The term, indeed, is polysemous, and this polysemy creates a feeling of malaise, for, as has been said, "all is institution."

Surely, we should distinguish the levels at which we situate ourselves when we speak of institution. To begin with, we do not mean, of course, the social security system or mental health clinics. We mean first and foremost language, religion, power; we mean what the individual is in a given society. We even intend here man and woman, who clearly are institutions, too: the noninstituted facets of man and woman are their biological underpinnings, their leaning on— *Anlehnung*, to borrow Freud's term—the existence of a sexed, anatomicophysiological bodily constitution. But being-a-man and being-a-woman are defined one way in our society, were defined another way in ancient Greece , and are defined otherwise in some African or Amerindian tribe.

The same goes for being-a-child. Childhood as such quite obviously has a biological dimension; and being-a-child is an institution that has a transhistorical form in the sense that every society must give some kind of instituted status to children. At the same time, however, this institution is profoundly *historical*; what being-a-child signifies concretely in each particular society changes the total institution of that society: being-a-child is one thing for the child under the *Ancien Régime* and another for children today with their electronic games, television sets, and all that these gadgets presuppose and entail. Let us note in passing that this signification {of childhood} today seems in danger of dissolving, for no one seems to know any longer what a child is supposed to do and not do.

Similarly, people seem to know less and less in what sense and under what form men are men and women are women. The radical—and fully justified—questioning of the traditional status of women has both left completely up in the air the social (and psychical) signification of being-a-woman *and*, thereby and ipso facto, called back into question the social and psychical status of being-aman, since these are but two inseparable [*solidaires*] poles of signification. What are the behaviors, signs, and emblems of virility and femininity today? Does being-a-woman mean, as it did in my grandmothers time, having fourteen successful pregnancies, or does it mean measuring twenty-four inches around your hips? Here I insert a parenthesis relating to a question that was raised a few moments ago: How do institutions die? Someone said: The birth of institutions raises an easily answered question; what is difficult to comprehend is the disappearance of institutions. Hearing this, I smiled to myself, for to say that the birth of language, of philosophy, and so on raises an easily answered question is quite a surprising statement. What is interesting is that the speaker took a position opposite to the one traditionally taken in philosophy. In the traditional philosophical view, as well as in popular preconceptions, what goes without saying and demands almost no explanation is that things end, become corrupt, die, pass away. What is scandalous is creation; therefore, creation does not exist, except as a divine act accomplished once and for all at the beginning of time.

The idea that the history of humanity might be a continuous creation—which is obvious—is strictly unthinkable within inherited thought.

By way of contrast, the fact that institutions and regimes may disappear seems to raise for people nothing but soluble problems. But in truth the two questions, the two enigmas, are perfectly symmetrical. The death of forms raises a problem that is just as formidable as is their emergence. How does it happen that "at a given moment," as one says, in ancient Greece the idea of the *polis* (what I call the social imaginary signification *polis*), the city as community/collectivity of citizens responsible for their laws, their acts, their fate, and everything else that goes along with this signification, emerges? All functionalist, economic, "historical-materialist," and even psychoanalytic "explanations" are just plain impotent (and in truth appear absurd) in the face of this very emergence.

But they are also impotent before the fact that, starting from "another moment," that which had held the *polis* together disintegrated, decayed, and disappeared.

How does it happen that, once again, at the end of the Middle Ages, in the interstices of the feudal world, communities that wanted to be self-governed collectivities were reconstituted—new cities or bourgeois communes, in which a protobourgeoisie (long before any idea or real existence of capitalism!) created the first seeds [*germes*] of modern democratic and emancipatory movements? And how is it that today most of the imaginary significations that were holding this society together seem to be vanishing, without anything else being put in their place? There is no way to get around these two questions, and no theory gives us an "answer" to them.

The institution of the overwhelming majority of known societies has been heteronomous, in the sense specified above. In two historical societies, of which ours is one, the *seeds* of autonomy have been created. These seeds are still alive and are represented in certain aspects of formal institutions, but above all they are embodied in the individuals fabricated by these societies—you, me, and others—to the extent that these individuals are still capable —at least one hopes—of standing up and saying, *This law is unjust*, or, *The institution of society must be changed*. If there is a genuine politics today, it is one that tries to preserve and to foster these seeds of autonomy. And if psychoanalytic practice has a political meaning, it is solely to the extent that it tries, as far as it possibly can, to render the individual autonomous, that is to say, lucid concerning her desire and concerning reality, and responsible for her acts: holding herself accountable for what she does.

As I said above, the mark of mans hominization is, on the one hand, the institution. Why is there the institution? An enormous question—and at the same time absurd: Why is there something rather than nothing? But we must raise it to show the absurdity of a stupid and superannuated discourse that is still a stupid discourse even if it is held by Nobel Prize winners in Economics.

This discourse posits that society is made up of an assemblage or combination of "individuals." But where do we get these "individuals"? Do they grow wild [*poussent dans la nature*]? The individual is a fabrication of society; and what I know as a psychoanalyst is that what is not social in the "individual" would not only be incapable of "composing" a society but is radically and violently asocial. What is not social in the "individual," what is in the depths of the human psyche, is assuredly not what has been called *desire* over these last few years. When one speaks of *desire*, one always means something that can, in one way or

another, at least become articulated—thus presupposing that a series of *separations* has already been carried out. The core of the psyche, however, is a psychical *monad* characterized by the pure or radical imagination, which is completely undifferentiated at the outset. The emergence of the human species as a living species is characterized by the appearance of this congenital malignant growth—this psychical cancer, if you will—that is, the imagination developed out of all proportion, the imagination gone "mad," the imagination that has broken with all "functional" subservience. This leads to the human trait, unique among all living species, whereby organ pleasure is replaced by representational pleasure. (Even for the socialized and fully developed human individual, the prevalence of representational pleasure over organ pleasure is manifest and overwhelming; otherwise, no one would be capable of going off and getting killed in a war, phantasying would not be an essential prerequisite to sexual pleasure, and so forth).

There is, therefore, defunctionalization of representation and defunctionalization of pleasure; for a human being, pleasure is no longer simply, as it is for the animal, a sign indicating what is to be sought and what is to be avoided but has become an end in itself, even when it is against the preservation of the individual and/or the species. Man is therefore not simply, as Hegel said, a sick animal; man is a mad animal, an animal radically unfit for life. Man survives only by creating society, social imaginary significations and the institutions that convey and embody these significations. Society—the institution —is there not only to "contain the violence" of the individual human being, as Hobbes believed and as the Sophists of the fifth century B.C.E. had already said; nor is it even there just to "repress ones drives," as Freud thought. Society is there to hominize this little wailing monster that comes into the world, making it fit for life.

To do this, it must inflict a rupture in the psychical monad; it must impose upon it something that, from start to finish and in its very depths, the psyche rejects: the recognition that "omnipotence of thought" exists only on the level of phantasy, that outside the self there are other human beings, that the world is organized in a certain way (the work, each time, of the institution of society), that the obtainment of "real" pleasure must be instrumented through a series of mediations, themselves "real" in character and in themselves, most of the time, rather disagreeable, and so on.

Thus, the institution of society must each time insert into the "real" and collective life of society, by means of a radical violence inflicted upon the psychical monad, this egocentric being that brings everything back to itself and is capable of living almost indefinitely in the pure pleasure of representation. Doing this, the institution destroys that which, at the beginning, was meaningful for the psyche and gave meaning to it (self-closure, the pure pleasure of "solipsistic" representation)—and in compensation, so to speak, it furnishes the psyche with another source of meaning: the social imaginary signification. In becoming socialized—in becoming a social individual—the psyche internalizes these significations and "learns" that the true "meaning of life" is to be found elsewhere: in the fact that one has the esteem of the clan or the hope of being able to rest one day with Abraham in the bosom of God; or that one is *kalos kagathos* and attends to ones *kleos* and *kudos* or is a saint; or that one accumulates wealth or develops the forces of production or "builds socialism," and so on. We see here again the human species capacity to substitute representational pleasure for organ pleasure; representation is here the subjective side of the social imaginary significations conveyed by the institution.

The institution therefore furnishes, from then on, "meaning" to socialized individuals. But it also furnishes them with the means to make this meaning exist for themselves, and it does so by restoring at the social level an instrumental or functional logic that no doubt existed, in another manner, on the animal level but that has been fractured in man by the unfettered development of the imagination. Once instrumented in and through this logic, the radical imagination of a singular human being can henceforth become a source of creation on the collective and "real" level. A phantasm remains a phantasm for a singular psyche, but an artist, a poet, a musician, a painter does not produce phantasms; he or she creates works.

What his or her imagination engenders acquires a "real"—that is to say, social-historical—existence by utilizing an innumerable quantity of means and elements—and, to begin with, language—that the artist could never have created "all by himself." [2] These are some of the elements that define what I call the *first institution* of society; the first institution is the fact that society itself *creates itself* as society and creates itself each time by giving itself institutions animated by social imaginary significations specific to that society: specific to Egyptian society at the time of the Pharaohs, to Hebrew society, to {ancient} Greek society, to French or American society today, and so on. And this first institution is articulated and instrumented through *secondorder* (which in no way means "secondary") *institutions*.

Such second-order institutions may be divided into two categories. There are those that are, in the abstract and in their form, *transhistorical*. Among these, for example, are: *language* (each tongue is different, but there is no society without language); *the individual* (the type of individual {a society fabricates} is, concretely speaking, different in each society, but there is no society that fails to institute any *type* of individual whatsoever); *the family* (the specific organization and "content" of the family are other each time the family is instituted, but no society can fail to assure the reproduction and socialization of the next generation, and the institution charged with accomplishing this task is the family, whatever its form—baby factories in Aldous Huxleys *Brave New World* are families in this sense). And there are second-order institutions that are *specific* to given societies and play an absolutely essential role therein, in the sense that what is of vital importance for the institution of the society under consideration (its social imaginary significations) is conveyed essentially by its specific institutions.

Let us take two clear examples. The Greek *polis* is a specific second-order institution, without which the ancient Greek world is impossible and inconceivable. The capitalist *business enterprise* is also such a specific second order institution. There is no capitalism without the business enterprise—and there really is not what we intend here by business enterprise in the societies that preceded capitalism: this institution that conveys a signification, this set [*ensemble*] of arrangements and rules that brings together [*met ensemble*] a large number of people, compels them to use certain tools and machines, supervises their labor and organizes it hierarchically, and has as its end limitless self-enlargement. This institution and its signification are a creation of capitalism, and it is only through this creation that capitalism can exist. When woven together, these second-order institutions—those that are transhistorical and those that are specific to the society under consideration—provide each time the concrete texture of that society.

Let me end with two remarks concerning practice, since all of you, like myself, work with certain ultimate facts pertaining to social reality and since I presume that for you, as for me, not everything is at it should be or as we would like it to be, despite the fact that polls claim to show that 80 percent or more of the French people are, or report themselves to be, "happy."

The first remark concerns the essential inseparableness, the enormous interdependence among various institutions, of all different orders, within a given society. For a few years one has had a tendency to forget this interconnectedness of institutions, or one avoids talking about it, usually with the excuse that we must not consider society as a whole or the totality of society, because we would risk sliding toward totalitarianism. This is obviously absurd; a society *is* an extremely complex totality, and its different "parts" hold together in a thousand ways. It is by no means sure, for example, that with the dislocation of the traditional significations and roles of man and woman in contemporary Western society, the rest of the system will be able simply to continue to function as if nothing had happened. This even shows the incoherency of all policies that seriously profess to be "reformist" and nothing but "reformist"; for, such a politics boils down to a desire to modify a few pieces in a system without worrying about—and without even being conscious of—the effects these modifications will have on the remainder of society.

The second remark concerns a danger that is the reverse of the first one, its symmetrical opposite. This would be to tell oneself, having taken precisely this preceding remark into account, that nothing can be done—or else that ones work can consist only in aiming immediately at a radical transformation of society. As it turns out, however, a radical transformation of society, if such is possible—and I deeply believe it is—will be possible only as the work of individuals who will their autonomy, on the scale of society as well as on the individual level. Consequently, to work for preserving and enlarging the possibilities of autonomy and autonomous action, as well as to work for aiding in the formation of individuals who aspire to autonomy and for increasing their number, is already to do political work, a work whose effects are more important and more lasting than certain kinds of sterile and superficial agitation.

[1]Aristotle *Politics* 1253a29 —T/E

[2]Readers interested in how these ideas may be defended and developed are invited to refer to my books: *IIS*; part 1, "Psyche," of *CL*; and two *WIF* texts: "The Imaginary: Creation in the Social-Historical Domain" (1984) and "Institution of Society and Religion" (1982).