

# The Argentinean Exception Proves the Rule

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**Abstract:** Given the huge popularity of psychoanalysis in Argentina, one can wonder whether it has replaced politics. Could psychoanalysis have come to inhabit a space where politics is reduced to its cultural aspect? Or has it substituted religion? Rejecting these two theses, I argue that psychoanalysis is important because of its foundational link to the Law. To show this, I will discuss two recent Argentine films: *La Fuga* (The Escape, 2001, Eduardo Mignona) and *El secreto de sus ojos* (The Secrets of their Eyes, 2009, Juan Jose Campanella). They will allow me to explore the complex rapport of Argentinean society with the Law as I suggest that psychoanalysis' popularity is due to it being a symptom of the Law's void.

**Keywords:** Psychoanalysis in Argentina, politics, state terror, state of exception, Law

When one thinks of Argentina, psychoanalysis comes to mind as a national symbol as representative as soccer, tango, the disappeared, and the Madres de Plaza de Mayo. One remarkable feature of Argentina is that this system created by Freud managed to develop and flourish under conditions of severely restricted political freedom. Psychoanalysis had an early but limited reception in the beginning of the twentieth century, but later became a serious profession that experienced exponential growth after 1955 as part of a rapid cultural modernization.

By the 1960s, a psychoanalytic culture had been solidly established in Argentina. Psychoanalysis was a common language across social classes that appeared in magazines and television shows.<sup>1</sup> In the clinical practice, psychoanalysis was increasingly seen as a tool for social change, and Freud was read along with Marx. Psychoanalysis was not only practiced in private offices but also in public hospitals as part of the program for *salud mental* (mental health) that put into action a socially progressive psychoanalytic practice. Some psychoanalysts saw patients in shantytowns while also maintaining their private practices. In the late 1960s and early 1970s, Lacanian thought took over the thriving psychoanalytic field, and Freud was now read by way of Althusser and Lacan. Argentines considered psychoanalysis as a political praxis against oppression, as legitimized by the Left.

During the 1976-1983 military dictatorship responsible for the secret arrest and murder of thousands of "*desaparecidos*" (disappeared people), Lacanism prospered despite the violence of the regime. The junta closed the National Congress, imposed censorship, banned trade unions, and brought state and municipal government under military control. A bloody campaign against suspected dissidents was initiated

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<sup>1</sup> Plotkin 2001, p. 71

and hundreds of clandestine detention camps set up, where 30,000 thousand people were jailed and tortured.

During those brutal years, many psychoanalysts who had been engaged in radical political activism moved away from their militancy to focus on the emerging Lacanian movement. Some critics, like Hugo Vezzetti, claim that this development separated the practice from any political involvement:<sup>2</sup> “Lacanian psychoanalysis substituted for political militancy rather than complemented it.”<sup>3</sup> Whether or not this is the case, it is true that under a repressive regime of state-sponsored terror, Lacanian psychoanalysis was disseminated and popularized at unprecedented levels.

Besides being a center for psychoanalysis, it is also a great center for Lacanism: today there are more Lacanians in Buenos Aires than in Paris. The expansion of psychoanalysis during repressive political systems may seem paradoxical. Elisabeth Roudinesco,<sup>4</sup> among others, has argued that psychoanalysis cannot flourish under authoritarian conditions. The case of Argentina would offer an example of a place where psychoanalysis experienced great expansion under an oppressive military regime, though this evolution was not without contradictions and paradoxes.

The military dictatorship that began in 1976 was one of the most brutal regimes in Latin America, and it disapproved of this revolutionary, Marxist psychoanalysis. Psychoanalysts became one of the main targets for state persecution. For the military junta, Marx provided ideology to the “subversives” and psychoanalysis was seen as its cultural strategy.<sup>5</sup> In an infamous 1977 speech, Admiral Emilio Massera, the junta orator, denounced Sigmund Freud, Karl Marx, and Albert Einstein as the greatest enemies of Western civilization. Military ideologues believed that psychoanalysis could destroy the Christian concept of the family.

Lacanian psychoanalysis, which had started in the mid 1960s, however, continued to be disseminated in discrete networks of *grupos de estudio*, small, private reading groups where Freud and Lacan continued to be taught. As Mariano Plotkin and Joy Damousi<sup>6</sup> observe, psychoanalysts were persecuted for their political activism, and not for their adherence to psychoanalysis itself. In fact, the dictators, in the name of the “Christian West” wanted to eliminate the Freudianism and Marxism that “corrupted” and “degenerated” society—one general

2 See Plotkin 2002, Vezzetti 2016.

3 Plotkin 2002, p. 210.

4 Roudinesco 1994.

5 Finchelstein 2014, p.147

6 Damousi and Plotkin 2012, p. xxiv

called Marx and Freud “intellectual criminals.” But so ingrained was psychoanalysis in everyday life that they could eradicate it. In a sort of Pyrrhic victory, the armed forces appropriated discourse generated by the meteoric expansion of psychoanalytic culture and used its social legitimacy for propaganda purposes. For example, in 1997 as part of one speech to apologize for the crimes committed by the army during the so-called Dirty War, a general and former army chief of staff talked about the “collective unconscious” and advised the population to “work through mourning.”<sup>7</sup>

This highly politicized situation sharply contrasts with a democratic society like that of the United States where psychoanalysis became what Lacan calls an “orthopedics of the unconscious.” Far from exploring its potential as a liberating process, in the United States psychoanalysis has mostly developed as a practice for the well-to-do, a narrow and very lucrative<sup>8</sup> medical sub-specialty<sup>9</sup> completely divorced from politics and seemingly impermeable to the pressures of history.

Perhaps this was a consequence of Americans reading Freud along with Pavlov and not Marx. In the United States, psychoanalysis was separated from politics—it was a science, and as such, supposedly neutral. Peter Gay, reflecting the American attitude, suggests that Freud was apolitical, “Freud became a liberal because a liberal world view was congenial to him and because, as the saying goes, it was good for the Jews”<sup>10</sup> but that his liberal position was far from revolutionary, as “Freud was a man of the center.”<sup>11</sup> Gay’s comment seems to echo Phillip Rieff’s<sup>12</sup> assessment of Freud decades earlier as a “conservative” whose only radical theory concerned the area of sexuality.

Even though one may claim that the radical political potential of the Freudian spirit was lost in translation, in the United States, the capacity of Freud to elicit unrest remains undiminished. The antagonism and controversy elicited by an infamous U.S. Library of Congress exhibit in his honor is a prime example of his contentiousness.

Early in the planning stage, Freud’s exhibit raised a heated controversy among opposing intellectual groups. As a result, it was postponed for a few years, finally opening in Washington D.C. in October of 1998, under the title: “Sigmund Freud: Conflict and Culture.” The show traveled internationally, from the United States

7 General Martín Balza quoted in Plotkin 1997, p. 45 and Plotkin 2001, pp. 226-7.

8 Hale, 1995.

9Turkle 1992

10 Quoted in Damousi and Plotkin 2012; see Gay 1989, p. 17

11 Gay 1989, p. 387

12 Rieff 1989.

to Brazil and Austria, closing in Israel in September of 2002. To erase the initial uneasiness and aroused passions, the exhibition became a compromise formation—flaunting its culturalist ideology, it exhibited the very symptom of what American culture represses and magnifies in the Americanization of the unconscious.

The Library of Congress exhibit contained various objects, such as fragments of film, cartoons, and TV shows, each one supporting the only claim the organizers could safely make: Freud has been and will continue to be part of American culture, even though many disagree with his ideas. The exhibit effectively reduced Freud to a cultural phenomenon; he became an idol, comparable to Andy Warhol or John F. Kennedy. However, conflict crept back into the items exhibited, subtly and silently, at least through displays of quotes from followers and detractors. Their comments, spread over the walls, appeared to have been chosen for their timidity rather than for brash condemnations or lavish praise.

In this context, it was a surprise to discover in the exhibit Lacan's famous last phrase, from the 1980 Caracas conference, a little more than a year before his death: "*C'est à vous d'être lacanien, moi je suis freudien*" ("It is up to you to be Lacanian, I myself am Freudian.") The quote might even be apocryphal. Diana Rabinovich, the organizer of that conference, swears that she never heard Lacan say that famous phrase and could not find it in the recordings of the event.<sup>13</sup> Among the exhibit's misfires and parapraxes, one reads after Lacan's quote, ominously: "no date." In the eternal present of a symptomatic suspension, Lacan's presence was acknowledged but left outside history.

The exhibit appears as a symptomatic compromise formation and therefore must provide the keys to its own solution, as a symptom does during a psychoanalytic treatment. Any solution must be found in "culture" and in the possibilities of transformation within psychoanalysis itself. Whether brought about by Lacan or by an internal logical evolution, this was a way of suggesting that psychoanalysis reflects and challenges its own cultural environment. The evolution of psychoanalysis in the United States, as Dagmar Herzog shows<sup>14</sup>, is quite removed from Freud's initial project. As Elisabeth Danto amply documents, Freud was not only a political man--he was an activist. The depolitization of psychoanalysis in the United States has been amply documented by historians such as

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13 Personal communication

14 Herzog, 2017.

Nathan Hale<sup>15</sup>, Russell Jacoby<sup>16</sup>, and Philip Cushman<sup>17</sup>. Eli Zaretsky's<sup>18</sup> fascinating exploration reframes this general attitude as the political conformity of American psychoanalysis.

Not just in Argentina, but in the rest of the Americas, psychoanalysis had a very different development that it did in the United States. It was considered eminently political. Psychoanalysts were often radicalized and the psychoanalytic discourse as a whole was embraced by left-wing intellectuals as a tool for social transformation. In many Latin American countries, psychoanalytic clinical work is practiced with populations of all social strata, including those located in the socio-economic margins.

In the 21<sup>st</sup> century, psychoanalysis continues to be extremely popular in Argentina, the world capital of psychoanalysis. Just as a point of comparison, there are five times more psychologists in Argentina than in the United States, yet for a population ten times smaller; the number of psychologists in France in 2011 was 40,000, and for psychoanalysts, 6,000. In Argentina to say psychologist means to say psychoanalyst, and more often than not, Lacanian. In the city of Buenos Aires alone there are 25,000 psychoanalysts, that is, one psychoanalyst every 200 people. Alejandro Dafgal has studied this phenomenon, showing that Lacan is more alive in Argentina than in France<sup>19</sup>. Dafgal analyzes the "Argentine exception" -- a term to which I will return, but in another sense.

The proliferation of psychoanalysis in Argentina is so remarkable that it deserves some discussion. In the country of tango, in 2009, 32% of the population had consulted a psychoanalyst, whereas this figure was only 26% in 2006. Unlike the USA, nobody is ashamed to have been in analysis. In fact, rather than carrying a stigma, it is a matter of pride, as people mention it in their CVs. Most psychoanalysts are concentrated in the main city, Buenos Aires, which has a large neighborhood mainly populated by analysts and analysands that is called, with less irony than affection, "Villa Freud."

In Argentina, psychoanalysis is everywhere: politicians, hairdressers, and taxi drivers have all been on the couch. A confirmation of this visibility was given in 2012 by President Cristina Fernández de Kirchner who, with her chief of staff, personally received at the Casa Rosada (the presidential house), the daughter and son-in-law of Lacan who were in Buenos Aires participating in the congress of the World Association of Psychoanalysis.

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15 Hale 1995.

16 Jacoby 1983.

17 Cushman 1995.

18 Zaretsky 2005 and 2015

19 Dafgal 2009

Cartoons in newspapers represent an intellectual as someone carrying Lacan's *Écrits* under the arm. A woman may be approached at a bar by dropping the famous Lacanian dictum "woman does not exist" followed by some complimentary comment about the purported mysteries of feminine sexuality. Any comments referring to hysteria are taken as a praise, since hysteria is commonly considered as a mode of social link that puts desire in motion. There is even a neologism "histeriquear" (to hysterize) which means "to flirt". Lacan is not far from Freud in terms of popularity. Recently, to broaden its readership, *La Nación*, one of the main newspapers, came up with a very successful marketing plan. Every Friday, during twenty-six weeks, they offered a gift with the newspaper copy--a volume of the complete works of Freud.

The introduction of psychoanalysis into universities, specially the University of Buenos Aires, played an important role in the expansion of psychoanalytic culture in Argentina. Since the 1960s, psychoanalysis was taught in psychology programs at various universities, and the career-based education of psychologists was transformed into an academic one rooted in psychoanalysis. In my personal experience at the University of Buenos Aires, I experienced firsthand the prevalence of Lacan in psychology programs. I graduated as a psychologist after obtaining the equivalent of a Master's degree in psychology from the University of Buenos Aires in 1988. My five years as a graduate student were almost exclusively spent on Lacanian psychoanalysis. Even in courses with strictly psychological subjects like statistics or projective techniques, texts by Lacan were included. This felt like a sort of disclaimer to justify the deviation from pure psychoanalysis imposed by the demands of a program that was supposed to be in psychology.

How do we account for this phenomenon? The strong Freudian tradition dating back to the beginning of the twentieth century does not fully explain the level of popularity and cultural presence that psychoanalysis enjoys. It is true that in Argentina, Freudian thought developed independently of the medical field and took an early independent role in culture.<sup>20</sup> Mariano Plotkin has put forward the thesis that psychoanalysis has replaced politics, thus reducing politics to culture. Indeed, the 1976-1983 dictatorship did not stop the development of Lacanian psychoanalysis. Nevertheless, a large majority of the students who were tortured and killed as "desaparecidos" were from the university of psychology. The dictatorship eradicated most Freudo-Marxists and openly leftist psychoanalysts—they were either killed or were forced to go on exile. What is curious is that in the vacuum produced by state terror and persecution, the Lacanian movement managed to progress almost exponentially.

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20 For a history of psychoanalysis in Argentina, see Balán 1991, Vezzetti 1996, García 1978 and 2005, and Plotkin 2002.

Let us note that Lacanian thought started to develop in Argentina in the mid 1960s, in the context of a strong psychoanalytic movement, described by Elisabeth Roudinesco as very pluralist, and never aligned with one doctrine in particular. Its eclectic spirit allowed for its inscription in a wide social and political frame—be it Marxist, socialist or reformist. Whereas Lacan had already been mentioned in 1936 in an article by Argentine psychiatrist Emilio Pizarro Crespo, it was only thirty years later that Lacan was truly introduced. This happened in 1964 thanks to Oscar Massotta, a young autodidact philosopher and art critic with a Sartrean orientation whose intellectual influence was undeniable.<sup>21</sup>

Argentina was not indifferent to the French events of the spring of 1968 and the local reverberations of student revolts affected the very structure of the IPA institutions and radically transformed the training by opening psychoanalysis to social issues. By the 1970s, Latin America was already the most powerful Freudian continent in the world, its numbers rivaling the United States' American Psychoanalytic Association (APSA). Perhaps as a response, around this time the International Psychoanalytic Association divided the world in a very bizarre manner:

- 1) North of the Mexican frontier
- 2) South of the Mexican frontier
- 3) The rest of the world.

Jacques Derrida would denounce this geopolitical division in a text of 1981<sup>22</sup> in an opening address to and propose a fourth zone, the Latin America of psychoanalysis in which psychoanalysis could coexist with torture and other human rights violations.

At the IPA congress in New York in 1979, the Australian IPA psychoanalysts denounced repressive Argentinean practices: the disappearances, torture, and murders committed during the dictatorship. They compiled a list of psychoanalysts and family members who were among the "desaparecidos." But as Roudinesco notes, the North American IPA section was more conservative. The then-president of the IPA, Edward Joseph, expressed doubts, saying that this report was based on mere "rumors". Some argued that the IPA timid response was not because they were just separating psychoanalysis from politics; they simply wanted to protect their colleagues from further violence. It is possible that they did not want the Argentinean government to see psychoanalysts as activists, thus, as potential "subversive" agents (terrorists) and targets for state terror.

How has Lacanian thought managed to survive and flourish in such an unfavorable context? Did Lacanism owe its survival to the esoteric aspect of its formulations, with its mathematics, its formulas, and its

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21 Massotta 1969.

22The original publication in French dates of 1981; see the English version Derrida 1991.



opaque jargon? State terrorism, however, censored the teaching of geography and history in schools, as well as modern mathematics, which included set theory. The idea was that modern mathematics were not axiomatic, and therefore stimulated critical thinking.

Let us not forget that Lacan was a prominent counter-culture figure, a so-called intellectual hero who played an active role in the events of May '68 in France but kept a healthy dose of skepticism facing the student revolts. Lacan was politically active, but his influence cannot simply be reduced to politics.

The importance of the psychoanalytic Lacanian movement in Latin America was not ignored by Lacan. In 1980 he traveled to Venezuela to meet hundreds of Latin American followers, whom he named "LacanoAmericans." Unlike the French psychoanalysts, nobody among the LacanoAmericans had been attending his popular seminars in person; they were readers of Lacan. The Caracas seminar was Lacan's last public appearance before his death in 1981.

With the return of democracy to Argentina in 1983, psychoanalysis, and Lacanism in particular, expanded even more. Freud and Lacan became the reference to everyone who wanted to get involved in clinical practice. Currently there are over 100 Lacanian psychoanalytic groups and associations in Argentina.

Lacan's provocative thesis that "[t]he unconscious is structured like a language" means that the psychoanalytic subject is immersed in a universe ruled by desire and determined by a social order ushered in by language acquisition. If the formation of symptoms results from the unique structure of the subject's individual and cultural history, Lacanian psychoanalysis is then concerned with what meaning is betrayed by signs that stem from social structure. In other words, by making symptoms readable, psychoanalysis deciphers the message of symptoms both at a subjective and societal level. It offers an integration of the social and psychological realms.

Against Plotkin's thesis that psychoanalysis has replaced politics, I would like to suggest that Lacanian psychoanalysis developed in a symptomatic way in Argentina because it managed to integrate the social by rendering the unconscious political. This is what makes psychoanalysis so popular and pertinent in Latin America and it is exactly the opposite of what happened in the United States where the psychoanalytic practice, conceived as medical, was neutral and apolitical, and finally dissociated itself from the social context.

As we have seen, in Argentina Lacan had a strong impact, mirrored in other Latin American countries, such as Brazil, Chile, Mexico, Colombia, Ecuador, Venezuela, and Peru. This dissemination was due in part to the fact that many Argentinian psychoanalysts were forced into exile. As with the case of Nestor Braunstein and Diana Rabinovich among others, the exiled psychoanalysts developed psychoanalysis

in the countries where they settled. But above all, the dissemination of psychoanalysis in precarious democracies is due to the fact that Lacanian psychoanalysis puts the Law at the heart of psychoanalytic practice.

One of the most complex legacies of colonialism is a twisted relationship to the Law. This feature is expressed, for instance, in the systematic extermination of indigenous peoples - especially in Argentina where a "desert campaign" was conceived as a crusade under the slogan of "civilization or barbarism," which translated into a genocide of the native population, combined with the local idea of the "*viveza criolla*" (native wit or cunning, the art of being resourceful at the expense of another person.) All these elements are condensed in a very particular relationship to the Law. We could even speak of a deficiency of the Law. In Argentina, everyone cuts corners and bribes without remorse. Those who pay their taxes are universally regarded as stupid (because everyone knows that tax contributions will end up in the pockets of corrupt politicians, and everyone feels justified in breaking the broken law).

In this context, Lacanian psychoanalysis, without becoming a religious discourse as was the case of the psychoanalysis of the IPA, and as we see in the United States, offers a space of speech in which the subject is confronted with the Law. State violence and rampant corruption in Latin America expose the precariousness of the Law. During the cure, each analysand renounces the tyranny of jouissance to choose the law of desire. Two recent films will allow me to explore the complex relationship that the Argentinean subject has with the Law, suggesting that the popularity of psychoanalysis in Argentina is a symptom of a void of the Law.

I will rapidly discuss two recent Argentine films: *La Fuga* (2001, Eduardo Mignona) and *El secreto de sus ojos* (2009, Juan Jose Campanella). *La Fuga* (The Escape) is set in 1928, on a spring day when seven inmates escape from a Buenos Aires national prison. They dig a tunnel, but their calculations fail and they come out on the other side of the street inside a coal and timber shop run by a couple of elderly Spaniards. In shock, seeing seven prisoners suddenly popping up from the ground, the old woman has a heart attack and dies. The prisoners flee. Through flashbacks, the film follows each runaway's story, explaining why they were jailed. They all have different ethical codes: the narrator, Laureano Irala is a sentimental crook; there is a Spanish anarchist; a professional poker player and con; a loving gay couple of kidnappers who murdered one of their victims; a bookie who killed his wife's lover; a mournful airplane pilot falsely accused of being an anarchist.

The film is based on a novel *La Fuga* (1999) written by the film's director. In the novel version one can see quite clearly that all seven prisoners face a completely corrupt police force and a flawed justice system. Violence is justified in the eyes of the police to enforce order,

by all means. In the film, we perceive the injustice of the state forces-- the police assassinate the whole family of the pilot suspected of being an anarchist. His wife and children are violently gunned down with machine guns, whereas he survives by chance, his only wrongdoing being unknowingly transporting in his plane an anarchist who later set off a bomb.

To gain some historical context, let us recall that this is the great era of anarchism in the United States with the death sentence of Sacco and Vanzetti in 1927. Anarchism was also present in Argentina, where a military coup in 1930 had put Jose Felix Uriburu at the head of the government. Uriburu was a neo-fascist, and his government led to persecution of "subversives." There were more than 2,000 illegal executions of communists and anarchists in the years following his arrival to power. Subsequently, in Argentina between 1930 and 1983, whenever a democratic government was elected, it was almost immediately overthrown by a military coup. During six decades, no Argentine democratic government completed its term—all were interrupted by violent military coups.

*The Escape* thus takes place at a precise moment in Argentine history where we see the decomposition of democracy, an evolution that announces the later arrival of the repression of the so-called Dirty War of the 1976-1983. All escapees appear apolitical. The only real anarchist in the group of prisoners is the Spaniard Camilo Vallejo, who eventually learns the plight of the pilot, Tomás Opitti. After escaping, Vallejo takes part in another attack but he chooses to die crying out "Long live anarchy" and lies with his body over the exploding bomb rather than wounding or killing the innocent people who surround him.

This paradoxical exercise in justice and righteousness, brings me to the second film, *El secreto de sus ojos* (The Secret in their Eyes), which, like the first film, won the 2010 Goya Prize for Best Foreign Language Film in Spanish. It was also awarded an Oscar for Best Foreign Language Film. This film by Juan José Campanella (who directed several US television shows including *Law and Order*) was the second Argentinean film to win an Oscar after *The Official History*, a film also dealing with state repression and its long-term consequences. The film deals with the impunity of the most recent military dictatorship. It tells the story of a retired court employee, Benjamín Espósito, and is set in Buenos Aires in 1999. Espósito decides to write a novel about an unresolved homicide he had investigated twenty-five years earlier and that still haunts him: the brutal rape and murder in June of 1974 of Liliana Coloto, a young, beautiful, newly-married woman.

In preparation for writing the book, he meets with his superior at the time, judge Irene Menéndez Hastings, to discuss the investigation he conducted in 1974 and 1975 with his assistant and close friend, Pablo Sandoval. Both men were moved by the love that the widower of the victim, Ricardo Morales, expressed to them. They shared the determination to find the culprit and promised to Morales that they were going to obtain a life

sentence for the criminal. Fighting the corruption of a superior, Espósito and Sandoval refused to end the investigation when the case is closed, and disobeying orders, they continue working on the case. They dismissed the false confessions extracted by beating of two innocent workers who happened to be near the couple's apartment.

In the flashback to the original investigation, we see that Espósito discovered a clue to find the assassin by looking at photographs from the victim, the beautiful Liliana Coloto. They often showed a man named Isidoro Gómez, who is seen looking at her intently. Espósito speculates that the key to the case is in "the secret of his eyes." Gómez was secretly in love with the victim. After a few plot twists, Sandoval and Espósito orchestrate the capture of Gómez, who finally confesses to the crime.

But a just year later, the killer is seen by chance on television by the widower. He is one of the plain-clothes security guards of the then-president, Isabel Perón. In June of 1973 Juan D. Peron returned from exile to Argentina and to power, and named his third wife, Maria Estela, known as Isabelita, vice-president. He died soon after in July of 1974 and Isabel Peron became the first female President in the hemisphere. During the presidency she would sign the creation of the triple A, (Argentine Anticommunist Alliance) an organization dedicated to the killing of leftist militants and sympathizers. During those tumultuous years, Gómez had been recruited for his "talents"; he had been illegally released from prison to join Isabel's para-military repressive forces.

As the writing of the novel progresses, Espósito continues trying to put together the pieces of the puzzle. He eventually finds the widower Ricardo Morales, who is now a middle age man living alone in a secluded rural area. Acting on a hunch, Espósito discovers that Morales has built a prison in his house and that he has kept all those years his wife's murderer as his prisoner in a makeshift cell.

This is the plot twist of the film -- the revelation that the killer has been punished in a paradoxical manner. The heartbroken husband of the assassinated woman had kidnapped the killer. Morales had taken it upon himself to ensure that Gómez would be serving a sentence "for life" (which should have been served had Gómez not been released from prison to serve as a henchman to Isabel Peron's special forces). Espósito discovers that this mournful man has dedicated his life to exacting his revenge, but has also become a prisoner of his own retaliation plan. It is clear that Morales (whose last name means morals!) is taking justice in his own hands, an action which is of course, against the law.

What bothers me fundamentally in this film is the supposedly happy ending depicting the villain being punished. It disturbs me because it comes back to the idea that you have to take the law into your own hands when the law fails. This logic evokes the arguments used by the repressive state forces during the dark 1976-1983 years against anyone supposed to be left-wing—the so-called "subversives." The military government argued

that "subversives" did not deserve a fair trial, they had to be kidnapped, tortured and killed because the country was experiencing an exceptional situation. The course of law was suspended and during the so-called "Dirty War" other rules, those of war were followed. Because of this state of affairs, everything was permitted. There was state of exception in course (*estado de sitio*), the constitutional rights and laws they supported were suspended.

This calls up the concept of "state of emergency" developed by Carl Schmitt in 1922 and revisited by Giorgio Agamben in *The State of Exception* in 2002. This is a concept between politics and law, and refers to the moment when the sovereign has the right to suspend the laws in the name of the public good. The state of exception supposedly protects rights, but has the paradoxical effect of transforming democracies in authoritarian regimes. With the detention of the Guantanamo prisoners, we saw that the law suspended constitutional rights. In fact, the state of exception exposes a space of void in the law.

It is void in the law as revealed by in the state of expectation that I see the link between the two films, because we can see how in the name of protecting the law, the law itself is consumed. In *The Secrets in their Eyes*, the assassin Isidoro Gómez, who was initially sent to prison, is secretly released to become a torturer and killer working for the state repression. He finds himself in the private prison that the widower Morales built for him in the remote countryside. Morales' punishment is to keep Gómez alive but never talk to him—he dehumanizes him.

The void in the law not only leaves Morales and Gómez at a loss. Espósito is forced to leave Buenos Aires after the investigation, and must hide in a remote province in the north of the country, protected by the connections of the Judge Irene who belongs to the powerful, bourgeois, and almost feudal Meléndez Hastings family. His zealous investigation caused the assassination of his partner Sandoval, who was mistaken for Espósito by his killers; having interfered with the para-military forces, Espósito had written his death sentence. Hiding for two decades in the anonymity of the distant inland provinces, he managed to avoid getting killed.

As the film ends, Espósito does not seem to be planning to report Morales to the police. Morales had committed a crime in his revenge; he is responsible for kidnapping a man for twenty-four years. One guesses that Espósito will never press charges, probably having only limited confidence in the legal institutions of his country. Yet this discovery frees him from his fear and he finally becomes aware that he is in love with Judge Irene and seems ready to act according to his desire, choosing the Law of desire instead of the jouissance of inaction.

Irene, in a previous scene, had told Espósito that as a judge, she does not practice "Justice" but only "justice". This passage of the film confirms my intuition concerning the state of exception as dependent on

a void in the Law. Justice with capital letters cannot be exercised because the Law does not exist in Argentina. Even when the laws seem restored, they are not fully exercised or trusted, and democracy has failed to fully revive justice. Here is what I think explains the prevalence of psychoanalysis as a symptom of this state of affairs. In a country where there is no trust in the law, psychoanalysis insistently recalls that there is something like the Law. Unlike in *The Escape*, the fugitive is not a prisoner, but justice itself.

Admittedly, according to Derrida, the Law does not directly correspond to the concept of Justice, and, certainly, psychoanalysis uses the concept of Law in a specific sense that revolves around the phallus and castration, as an inexorable destiny that marks the subject. One could say that in Argentina, all subjects position themselves according to a logic that corresponds to the left side of Lacan's table of formulas of sexuation. They do so not to be subjected to the Law of castration, which marks the masculine desire, but positioned as the mythical father of the primal horde, which would not have been castrated.

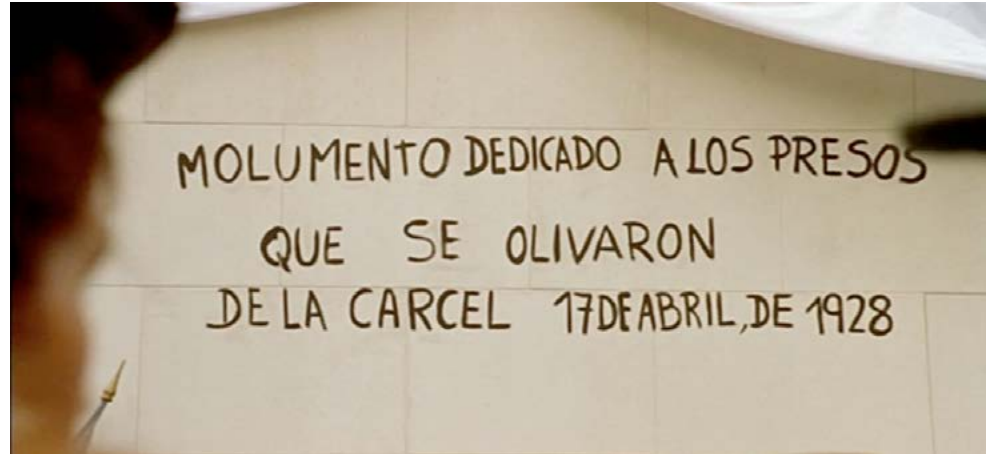
This exception, which should retain its mythical character to bring the symbolic Law to the scheme, is nevertheless experienced as a reality where the access to forbidden jouissance is possible. I will not develop this idea here, but only point out that in the sexuation graph, we also find the formula on the right-hand side that gives access to feminine jouissance and indicates an inevitable inscription of the Law, with no exceptions. Let us recall that Lacan proposes that the analyst's function in the treatment is to incarnate the object *a*, that lost object that insofar as it is unattainable, causes desire. This special psychical object commemorates loss but is not the end point of desire: it is its primal mover. From that position, the analyst functions a representative of the inconsistency and failure of the big Other, and as such grants the analysand a space to separate from this inexistent guarantee.

That is why I would like to conclude by quoting the last scene of the film *La Fuga*. We are at the official inauguration of the iconic obelisk, the symbol of Buenos Aires still standing today at the intersection of Avenues 9 de Julio and Corrientes.





The unveiling ceremony was in 23 May 1936, presided by Agustín Pedro Justo, the far-right president elected following a huge electoral fraud. In the film, when they remove the sheet that covered the monument, we discover a graffiti. The words are written by hand, in capital letters: MOLUMENTO DEDICADO A LOS PRESOS QUE OLIVARON DE LA CARCEL 17 DE ABRIL DE 1928 (MOLUMENT DEDICATED TO THE PRISONERS WHO HAVE ESCAPED THE PRISON, APRIL 17, 1928).



Two of the fugitive prisoners are seen attending this ceremony. When the graffiti is unveiled, they look at each other and laugh. Then, they look around and imagine that all the other runaway inmates, even those who are dead, are present at the ceremony and they join in the laughter. The shared laughter challenges the official power. Their mirth is in stark contrast with the forced seriousness that the dignitaries are trying to maintain during the ceremony. We know that in the mythology of *porteños*, the obelisk represents an official phallus. Through the bursts of laughter, we verify that the phallus is only revealed in a comedic context. In Argentina too, history repeats itself, first as a tragedy, then as a phallic joke: in 2005, a gigantic pink condom covered the obelisk for five days as part of a campaign for HIV prevention.

[https://commons.wikimedia.org/wiki/File:Condom\\_on\\_Obelisk,\\_Buenos\\_Aires.jpg](https://commons.wikimedia.org/wiki/File:Condom_on_Obelisk,_Buenos_Aires.jpg)

But the laughter that the phallus almost always evokes, in this case reveals a hidden story. This is a story marked by spelling errors ("Molument"), written as a graffiti hastily scrawled on the official monuments. Its misspellings both subvert and allegorize the letter of the Law according to an unconscious logic that calls inevitably for psychoanalytic interpretation.

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