



**Alma Jeftić**

**Between Madness and  
Pleasure within European Borders**

**II part**

**From Primordial Division to Transgression**

According to the primordial division law is associated with the perversion of law. Freud did not conceive desire as a natural fact that will eventually, with the emergence of culture, become organized by the prohibitions. He actually showed that the origin is strongly and strictly mythical. One of the two aspects of the father is the one that represents a limiting function of castration, while the other is Primordial father, the mythical figure who, before he was killed, had all the women and stood somewhere outside the law. His pleasure has no limit, and he finds it in the despotic punishment.

*"Raising a murdered father at the level of God from whom originates tribe was far more serious attempt of atonement, than the previous contract with totem ... But it seems certain that the relationship with father is not restricted only to the religious field, since it included the other side of human life that depended on the removal of the father-social organization. By the establishment of father-gods, society, deprived of his father, gradually transformed the patriarchal order. The family was the resurrection of the former Pri-horde and it returned to his father a big part of its earlier rights. Now there is a father again, but the social achievements of the fraternal clan had not yet dropped a factual difference between the new father of the family and omnipotent father of horde that was large enough to ensure the survival of religious needs, the preservation of unsatisfied desire for his father." (Freud, 1973.)*

The relationship between law and violence that was described by Freud, was further developed by **Foucault** in his notion of power as a relationship that has no form of justice and the law, but is more productive. The form of law that limits the pleasure will always produce a curve in which is "stolen" pleasure, a place where we can locate the real pleasure that is "lost" (Sheperdson, 1995.).

The power is the structural relationship of forces, such as law which, far from being a protection, becomes a force that produces its own violation. The law is always associated with violence, as well as the prison in the same failure of its goals and reforms, reveals that at the second level there is just an apparatus sentenced to crime production. At the place of the disappearance of the body destroyed by public torture appears a body of the prisoner who is also the holder of the "violent" nature, petty criminal soul which is created by a penalty apparatus.

It is true that the prison again and almost inevitably leads to justice those who have been entrusted to his reformation. However, it produces offenders in another sense, so that in a system whose elements are law and transgression it introduces bodiless reality of delinquency, through which are all these elements mutually connected and, for a century and a half, caught in the same trap. Therefore, the transgression is revenge of prison over justice (Foucault, 1997). A similar situation is also in medicine. A sick man is without a doubt unable for work and is hospitalized when he becomes a double burden for society. Assistance that is provided only applies to him while his family is exposed to poverty and misery. The hospital, which creates illness by using the closed space of acting, produces the diseases in the social space in which it is located. Chain of one disease that causes the other can be broken only when someone withdraws from creating a different, separate place for the sick, who in the ambiguous and awkward manner results in the protection and maintenance, but also in the production of disease (Foucault, 1994.).

Crime is not born at the margins, as a result of the expulsion and exclusion from society, but through continuous involvement in it, through persistent surveillance, and increasingly stronger disciplinary coercion. The prison allows a society to create transgression on the ground of small and tinny illegal actions, as well as to specialize in organized crime. That is the journey from a primordial division to the madness of transgression on European margins.

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