

## The Père-version of the Political in the Case of Denis Lortie

And I should not like to forget to give a  
thought to Denis Lortie; he knows the  
meaning of my commentary [...]

Pierre Legendre: *Le crime du caporal  
Lortie,  
Prologue*<sup>1</sup>

Faced with the hypostatized Meaning of  
the Other, analysts maintain their  
interpretation by negating the intriguing  
power wielded by this Other, Father, or  
Law. [...] Psychoanalysis [...] is “post-  
Catholic” [...].

Julia Kristeva, ‘Reading the Bible’<sup>2</sup>

Is not the king's name twenty thousand  
names?  
Arm, arm, my name! a puny subject  
strikes  
At thy great glory.

William Shakespeare, *King Richard The  
Second*<sup>3</sup>

### 1. Knowing your enemy

Corporal Denis Lortie’s deadly attack on the government and the National Assembly of Quebec became known outside of Canada mainly because of a monograph by French legal historian and psychoanalyst Pierre Legendre (born 1930). On May 8, 1984 a heavily armed Lortie stormed Quebec’s Parliament Building (ill. 1) in a kind of misguided killing spree.

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<sup>1</sup> Legendre, Pierre: *Le crime du caporal Lortie. Traité sur le père*, Paris: Flammarion, 2000, p. 17: “Je ne saurais non plus manquer d’adresser une pensée à Denis Lortie; il connaît le sens de mon commentaire, [...]” – If not otherwise indicated, all translations from French and German are by Kevin Kennedy, who translated the original German manuscript of this text into English (W.B.).

<sup>2</sup> in: Kristeva, Julia: *New Maladies of the Soul*, Trans. Ross Guberman, New York: Columbia University Press, 1995, pp. 124-125.

<sup>3</sup> Shakespeare, William: *King Richard The Second*, Act III, Scene 2, in: *The Complete Works of William Shakespeare*, Ware: Wordsworth Editions, 1996, p. 373.



Ill. 1: The Parliament Building in the city of Quebec, Canada.

There he killed three government employees and wounded at least eight others before making his way to the Assembly Chamber, the so-called Blue Chamber (ill. 2), which, to his great surprise, was almost completely empty.



Ill. 2: The Blue Chamber of the Parliament Building in the city of Quebec, Canada.

Slightly perplexed he sat down in the President's chair, where he was engaged in a conversation by the National Assembly's Sergeant-at-Arms René Jalbert, a former soldier, who, after several anxious hours, and a joint visit to Jalbert's office in the same building, persuaded him to give up.



Ill. 3: Denis Lortie, armed with a submachine gun, sits in the President's chair in the Blue Chamber at the Quebec National Assembly.

Legendre's monographic account of Lortie's case first appeared in 1989 (in French) under the title *Le crime du caporal Lortie. Traité sur le Père*.<sup>4</sup> In 2000 an updated version was published<sup>5</sup>, which, apart from a brief but highly significant foreword and a few minor additions, left the original text unaltered. This updated edition is the main reference for the following considerations. It seems that for his book Legendre had exclusive access to the non-public statement of appeal (“*mémoire en appel*”<sup>6</sup>) from Lortie's trial as well as to the statements of Lortie's lawyer during the appeal hearing, Jacques Larochelle<sup>7</sup>. His book therefore remains, at least until a potential publication of the case records, an important source for the facts in Lortie's case, and not only regarding their interpretation.

Yet the following deconstructive critique of Legendre's text will show that his analysis and explanation misinterpret and thus pervert the actual meaning of Lortie's case. Legendre distorts the incestuous abuse<sup>8</sup>, which, according to the evidence, Denis had been subjected to by his natural father as a child and which, along with the physical abuse that accompanied it, constitutes the key motive in Lortie's case. To be sure, Legendre's *Traité sur le Père* (treatise on the father) correctly identifies this motive, when he writes that Lortie's “genealogical crime” actually “killed the one, who, in the real life of his family orchestrated the transgression of all taboos and non-differentiation”<sup>9</sup>, namely his father. Of course Lortie did not attack him directly but rather what he identified with him, the provincial government and its Prime Minister at the time: “The government of Quebec had my father's face.”<sup>10</sup> Denis, as Legendre correctly argues, had been the victim of a “despotic”<sup>11</sup>, extremely violent and incestuous father, who, in his family, occupied the position of the mythic father of Freud's primal horde.

Yet, as the following will attempt to show, Legendre is wrong when he simultaneously claims that Lortie, “by wanting to kill the government of Quebec”, attempted “a reinstatement of the Father [*la restauration du Père*]”, i.e., of a metaphysically elevated father, who is at the origin of both subjectivity and society.<sup>12</sup> With this assertion and its subsequent mythologizing explication, Legendre in fact repeats the perversion of the

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<sup>4</sup> Legendre, Pierre: *Leçons VIII. Le crime du caporal Lortie. Traité sur le Père*. Fayard, 1989. There is, as yet, no English translation of the text. For an English translation of some of Legendre's essays see Goodrich, Peter ed.: *Law and the Unconscious: A Legendre Reader*. New York: Macmillan, 1997. For a general reception of Legendre's work in English see Goodrich, Peter, Lior Barshack and Schütz, Anton eds.: *Law, Text, Terror*. Routledge-Cavendish, 2006.

<sup>5</sup> Legendre: *Le crime*, see fn 1.

<sup>6</sup> *Ibid.*, p. 16f.

<sup>7</sup> *Ibid.*, p. 19.

<sup>8</sup> *Ibid.*, p. 111.

<sup>9</sup> *Ibid.*, p. 10.

<sup>10</sup> *Ibid.*, p. 74 and p. 74f. fn2. Legendre quotes this phrase from an article in the newspaper *Le Devoir* from 13 January 1987, p. 2.

<sup>11</sup> *Ibid.*, p. 10.

<sup>12</sup> *Ibid.*, p. 175: “En définitive, on peut dire: voulant tuer le gouvernement du Québec – „le gouvernement du Québec avait le visage de mon père“ –, l'accusé cherchait la restauration du Père; il tuait celui qui mettait en scène, dans la vie concrète de sa famille, la transgression de tous les tabous et l'indifférenciation. A travers cette tragédie, Lortie voulait se fonder pour vivre, au prix de la vie de ses malheureuses victimes et de sa propre vie. Voilà la vérité de ce crime généalogique.”

case on the level of interpretation. He thereby redoubles it, adding insult to injury, even if he ultimately attempts to distance himself from the perverse belief in a total paternal Other, an Other which the later Lacan, as is well known, abandons.<sup>13</sup> Perversion, according to Lacan, is really a “père-version”<sup>14</sup>, a twisting of the father, which implies a structurally imaginary turn toward the father. In the case of Denis Lortie and its interpretation one must therefore speak of a double père-version, a double distortion. It is thus only in a cruelly ironic sense that Legendre’s analysis vindicates his statement (used as an epigraph above) that Lortie would know “the meaning [sens] of my commentary”<sup>15</sup>, as Legendre in fact once more inflicts or imposes this *sens* on him.

The actual reason for Legendre’s interpretive père-version is his pre-modern conception of political theology, which he also advocates on many other occasions. It leads him, in both editions of his ‘treatise on the Father’, to neglect crucial familial facts and thus the political dimension of the unconscious. In this respect, the omission of the (auto-)biographical report of Denis Lortie’s ex-wife in the new edition of Legendre’s commentary seems almost symptomatic. This oversight prevents his politico-theologically inspired ‘treatise’ from the necessary critical appraisal of the family (in-law)’s background, which, as the following will show, is deeply interwoven with the political background.

## 2. The flaw in Legendre’s treatise on the (murder of the) father

What sources actually exist in the case of Denis Lortie? Apart from Legendre’s ‘treatise on the Father’, there are contemporaneous newspaper articles<sup>16</sup> (see ill. 4) and, above all, news reports<sup>17</sup>, which, shortly after the deed and also later, covered the case in detail and which also showed original footage from the CCTV camera that had recorded Denis’ actions in the Assembly Hall of the Parliament Building (the Blue Chamber).

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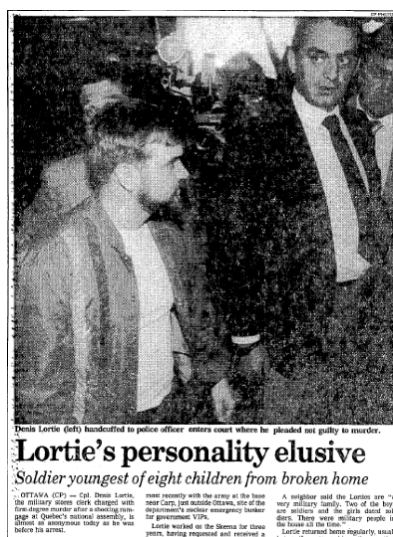
<sup>13</sup> Ibid., p. 209.

<sup>14</sup> Lacan, Jacques: *Le séminaire livre XXIII: Le sinthome*, Bregenz: Lacan-Archive, p. 96.

<sup>15</sup> Legendre: *Le crime* (see footnote 1), p. 17.

<sup>16</sup> See, for instance, several editions of the *Winnipeg Free Press* from the days following Lortie’s crime: <http://newspaperarchive.com/winnipeg-free-press/1984-05-10/page-87/>

<sup>17</sup> See, for example: Denis Lortie « fusillade au Parlement de Québec », SRC, 8 mai 1984, minutes 14:07 to 20:27, in a clip of 26:00 minutes: <http://youtu.be/NTu1HaKkIT4?t=14m7s>



Ill. 4: Extract from an article, which appeared in the *Winnipeg Free Press* on Thursday 10 May 1994. Denis Lortie can be seen in the foreground on the left.

In 1996 there finally appeared the already mentioned (auto-)biographical account of Denis' ex-wife, Lise Levesque, under the title: *J'étais la femme du tueur. Le récit de Lise Levesque, épouse du caporal Denis Lortie*,<sup>18</sup> which may be translated as: 'I was the Killer's Wife. The Account of Lise Levesque, Wife of Corporal Denis Lortie'. The account describes Lortie's attack from Lise's perspective, against the background of her family life with Denis and their two young children, a son and a younger daughter (whose names most certainly have been changed in the account). This account, written by the Canadian journalist Dominique Fournier, is a particularly important source, even if one gets the impression that in certain passages Fournier mainly follows the testimony of Denis Lortie's ex-wife while tacitly bolstering it with facts from the public reports in others. In any case, Levesque's testimony, like all revised personal testimonials, has to be read from a historico-critical perspective. Many aspects of Denis Lortie's case therefore remain vague and the obligatory reconstruction of its "critically reflected [...] narrative dimension"<sup>19</sup> remains an art of the probable. At least the basic chronology of external events in Levesque's account is congruent with the evidence of Legendre's 'treatise'. In many instances, however, the account is more comprehensive and more detailed and thus demands a fundamental reevaluation of Lortie's case. The crucial flaw in Legendre's text is the fact that he almost completely ignores this autobiographical account of the killer's or rather of the 'man slaughterer's' wife. The sole exception is the following fleeting remark in the preface to the new edition from March 2000:

"One word about this new edition. I have left the text in its original state, except for a few short bibliographical additions, which are indicated by

<sup>18</sup> Fournier, Dominique: *J'étais la femme du tueur. Le récit de Lise Levesque, épouse du caporal Denis Lortie*, Québec: Éditions des nations, 1996.

<sup>19</sup> Schmidt-Degenhard, Michael: "Die Paranoiafrage – problemgeschichtliche und psychopathologische Überlegungen", in: Lammel, Matthias (et al, eds.): *Wahn und Schizophrenie. Psychopathologie und forensische Relevanz*, Berlin: MWV, 2011, 33-46, p. 34.

square brackets. The work therefore does not extend beyond the scope of the trial and its outcome: neither the polemics in connection with Denis Lortie's release on probation in 1995, nor the account of his ex-wife, published in 1996, would contribute anything to these developments.”<sup>20</sup>

Despite this flaw, Legendre's book on Lortie deserves credit for having recognized the (in the broadest sense) anthropological dimension of Lortie's crime, and for having interpreted it as a symbolic patricide, as a “parricide of the republic”<sup>21</sup>, as Legendre puts it. Or, more specifically, a patricide of the republic, because “the general term *parricide* refers to the killing of a parent and may be divided into *matricide* (killing of the mother) and *patricide* (killing of the father). Such crimes are rare and account for about 2-3% of all homicides (Baxter et al. 2001; Bumby 1994), in Canada possibly even up to 6% (Millaud et al 1996). Up to 60% of all parricides are committed by psychotic children and 20-34% of all homicides committed by *psychotics* are directed at a parent.”<sup>22</sup> According to Legendre, this symbolic<sup>23</sup> patricide was directed not only at Lortie's violent father, but mainly at the a priori function of fatherhood which founds both subjectivity and society.

In his review of the first German translation of Legendre's Lortie monograph Andreas Cremonini writes: “The killing of the father is not merely the killing of a person. Due to the place that the father occupies in the succession of generations, it is also a crime against a structure – against the genealogical structure of filiation, to be more precise, whose continued existence is guaranteed by the law. Thus, in the figure of the father two dimensions of the law overlap: the general politico-institutional dimension, the law in the sense of the juridical apparatus, and the particular Oedipal-subjective dimension, which interprets the law according to the father's prohibition. Both dimensions exhibit structural similarities in that they

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<sup>20</sup> Legendre: Le crime (see fn 1), p. 12: “*Un mot sur cette nouvelle édition. J'ai laissé le texte en l'état, sauf brève addition bibliographique indiquée entre crochets. L'ouvrage ne déborde donc pas le cadre du procès et de son issue, ni les polémiques autour de la libération conditionnelle de Denis Lortie en 1995 (1), ni le récit de son ex-épouse publié en 1996 n'ajouteraient à ces développements (2).*”

<sup>21</sup> Ibid, p. 89.

<sup>22</sup> Nedopil, Norbert/ Müller, Jürgen (et al.): Forensische Psychiatrie, 4<sup>th</sup> edition, Stuttgart: Thieme, 2012, p. 318. – The relatively high percentage of parricidal murders in Canada, indicated here, is not corroborated by later studies conducted by the authors cited in Nedopil et al.: “*Parricide is a rare event. In general, North American and European statistics indicate that parricide accounts for less than 4% of all resolved homicides [...]*”; “*in Canada, parricide represented 3.7% of all homicides during the period from 1991 to 1997*” (Marleau, J., et al: A comparison of parricide and attempted parricide: a study of 39 psychotic adults, in: International Journal of Law and Psychiatry, Vol. 26, No. 3, 2003, 269-279, p. 269). Cf. Marleau, J. u.a.: Comparison of Factors Associated with Parricide in Adults and Adolescents, in: Journal of Family Violence, Vol. 21, No. 5, 2006, 321-326, p. 321: Parricide “*varies from 2 to 4% in Canada*” according to one of the cited studies from 2001. – Cf. Prüter, Christian: Zusammenhang zwischen Wahninhalt und Gewalt - gibt es stereotype Delikte bei Wahnkranken?, in: Lammel, Matthias (et al, eds.): Wahn und Schizophrenie. Psychopathologie und forensische Relevanz, Berlin: MWV, 2011, 101-112, p. 103: there is a “heightened risk for violent crime with schizophrenic patients”, where the violence is often connected to the delusional content.

<sup>23</sup> Cf. Lacan, Jacques: A Theoretical Introduction to the Functions of Psychoanalysis in Criminology, in: Écrits, Trans. Bruce Fink, New York: W.W. Norton & Company, 2002, p. 108: “The structures of society are symbolic; individuals, insofar as they are normal, use them in real behaviours; insofar as they are mentally ill [*psychopathe*], they express them by symbolic behaviours.”

embody a speaking-in-the-name-of, a speaking that invokes an unavailable entity (god, the law, justice etc.), which Legendre calls the ‘absolute reference’.<sup>24</sup> Before Legendre, and following the work of Claude Lévi-Strauss, Jacques Lacan was instrumental in demonstrating that the special structural function of fatherhood is in fact a symbolic function.<sup>25</sup> It is symbolic mainly because of its enforcement of the prohibition on incest, which is at the origin of subjectivity and society, through linguistic symbols. Lacan’s term for this symbolic function, as is well known, is *Nom-du-Père* (Name-of-the-Father), which, on the hand, refers to the surname as a regular element in a patriarchal social structure, and through which the subject is inscribed in the latter, and, on the other hand, to the homonymous French expression *Non-du-Père* (No-of-the-Father), namely the interdiction of incest by a patriarchal authority. In the final analysis, the agents of socialization (parents, teachers, educators, priests, psychologists, etc.) invoke the mere symbol, the mere signifier ‘father’ as the pillar of subjectivity and society. They speak in his name – this is the third aspect of Lacan’s term Name-of-the-Father. According to Lacan and Legendre, who capitalizes this father signifier (*Père*), all three aspects apply to patriarchal monotheistic societies, such as the predominantly Roman-Catholic and Francophone Canadian province of Quebec.

### 3. Legendre’s Political Theology

Up to this point there can be no significant objections to Legendre’s argument. However, instead of analysing and deconstructing the institution of fatherhood itself, he elevates it<sup>26</sup> by uncritically adopting concepts of fatherhood and filiation from the Romano-Christian jurisprudential tradition – complete with their Old Testament roots – and virtually employs them as anthropological absolutes, including the contingent and archaic manner in which fatherhood is enacted and celebrated in the Roman-Catholic variant of the clerical papacy. This is also evident in a film Legendre made in 1996, *La fabrique de l’homme occidental*, in which he also shows the original CCTV footage of Lortie’s attack.<sup>27</sup> In Lortie’s case this politico-theological regrounding is disastrous, as it ultimately leads Legendre to defend and reinforce the religiously (fundamentalistically) perverted, that is to say, all-embracing (*kata holon* in ancient Greek) form

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<sup>24</sup> Cremonini, Andreas: Im Namen des Gesetzes. Pierre Legendres ‘Abhandlung über den Vater’, in: Neue Zürcher Zeitung, 15./16.8.1998.

<sup>25</sup> Cf. Legendre: *Le crime* (see fn 1), p. 151.

<sup>26</sup> See also Schulte, Martin: *Das Gesetz des Unbewussten im Rechtsdiskurs: Grundlinien einer psychoanalytischen Rechtstheorie nach Freud und Lacan*, Berlin: Duncker & Humblot, 2010, p. 77: “[...] Although psychoanalysis facilitates statements about the origin and effects of paternalistic structures within the (constitutional) state, it does not propagate them. Beyond his analysis, Legendre establishes the institutional staging of a paternal image as the basis of the constitutional state and thus emerges as a conservative therapist of Western civil society.”

<sup>27</sup> *La Fabrique de l’homme occidental*, de Gérald Caillat, Pierre Legendre et Pierre-Olivier Bardet, Arte, 1996, 80 min [DVD version: 2008]

of fatherhood against which Denis' supposed „*passage à l'acte*“<sup>28</sup> was in fact directed. And, as will become clear, Legendre thereby reverses or 'twists' the Name-of-the-Father, *Nom-du-père*. Despite his initially illuminating approach to Lortie's crime, Legendre thus misses its actual significance. In reality Lortie's attack was not aimed at the patrifocal premise of Western subjectivity and intersubjectivity, but rather at Quebec's political Catholicism and its perverted politico-theological conception of fatherhood, as Denis must have seen it embodied in the person of the Prime Minister and his cabinet. It seems that Denis thereby wanted to strike out at the totalitarian law of socialisation which had made possible his own violent father.<sup>29</sup>

Thus, in contrast to Legendre's limited politico-theological conception of fatherhood, Lortie's case needs to be linked to the familial and political context, glaringly absent from Legendre's analysis. Here is an initial example from the account of Lortie's ex-wife: shortly before the attack Lortie recorded three cassette tapes as a confession and as a legacy and sent them to the military chaplain of the Valcartier military base<sup>30</sup>, the radio host André Arthur and to his wife respectively. In the first tape he insists that he is a member of the Catholic religion only for political reasons, unlike his wife, who is Catholic by baptism but who, according to her own account, is “Christian evangelical”<sup>31</sup> and therefore precisely “not Catholic”<sup>32</sup>. Denis Lortie: “I am married with two children. I would like you to help my wife, who is called Lise Levesque Lortie [sic]. She was baptised a Catholic, like myself and our two children. But I know, my wife, she is a Christian [*chrétienne*]. I myself am a Catholic for purely political reasons, the same as my children...”<sup>33</sup> Now Legendre's case study simply ignores this political, or religio-political dimension, which will become even clearer in the following. Regarding this first example, Legendre simply dissolves its political dimension by subsuming it within an enforced choice between barbarity and (Christian) religion. He in fact compares Lortie's crime to the Sack of Rome, i.e. to the looting of Rome and the Papal States by mercenaries on 6 May 1527<sup>34</sup>. At the same time he propagates judges (such as himself) as the new high priests<sup>35</sup> of a “third element within communication” or as a “third social element”, in other words, as the aforementioned “founding or

<sup>28</sup> Legendre: *Le crime* (see fn 1), p. 113.

<sup>29</sup> One already encounters a critique of such a deficient principle of “allness” in Hegel's *Lectures on the Philosophy of Religion*, where, as “something ideal”, it remains at the level of the finite. (Hegel, G.W.F.: *Lectures on the Philosophy of Religion*, Trans. Peter C. Hodgson, Oxford: Oxford University Press, 2006, p. 261). The later Lacan develops this critique as part of his theory of subjectivity, when he grounds logical statements about “allness” within a contradictory exception. (see Bergande, Wolfram: *Die Logik des Unbewussten in der Kunst*, Wien: Turia & Kant, 2007, p. 101ff.).

<sup>30</sup> Fournier: *J'étais la femme* (See fn 18), p. 133.

<sup>31</sup> *Ibid.*

<sup>32</sup> *Ibid.*

<sup>33</sup> *Ibid.*: “*Je suis marié, avec deux enfants. J'aimerais que vous aidiez ma femme qui s'appelle Lise Levesque Lortie. Elle est baptisée catholique, moi aussi, mes enfants aussi. Mais je sais que mon épouse, elle, est chrétienne. Moi, je suis rien que de religion catholique à cause de la politique, mes enfants aussi...*”.

<sup>34</sup> Legendre: *Le crime* (see fn 1), p. 153.

<sup>35</sup> See Kantorowicz, Ernst H.: *The King's Two Bodies: A Study in Mediaeval Political Theology*. Princeton, Princeton University Press, 1997, p. 137ff.



absolute reference”, which, as a “unifying principle”, should “hold together” “secularized nations” in their innermost core.<sup>36</sup> According to Legendre, it is they who are also the experts to judge Lortie’s crime: “Lortie’s unreason and the looting of, from his point of view, the representatives of the Father (*Père*) constitute a litmus test for judges in their function as mediating interpreters of the discourse of Reference (*Référence*), which is of interest to all of us”.<sup>37</sup>

Unfortunately Legendre does not think his comparison with the Sack of Rome through to the end and fails to reflect on the problematic nature of the power-political role of the Renaissance Papacy or, more generally, on the historical malevolence of a politicised religiosity which would certainly be warranted not only in this particular case. Consequently Legendre can portray someone like Marc Lépine (a killer of women, who invoked Lortie’s attack as a reference for his own acts in 1989) only as a misguided and barbaric copycat killer, who was supposedly encouraged by the media’s populist reporting on Lortie’s attack.<sup>38</sup> The fact that both Lépine and Lortie were victims/perpetrators of a monotheistic-patriarchal religion of law, in Lépine’s case of the totalitarian ideology of Islam, is something that Legendre apparently does not want to acknowledge. In fact, Lépine’s crime is completely unrelated to Lortie’s on the level of mere imitation, as Legendre wants us to believe. A more compelling historical parallel to Lortie can be found in the case of the unknown 62-year-old assassin, who, in the night of 4 September 2012, shot a man and injured another at the election party of the Francophone and incidentally traditionalistic and separatist *Parti Québécois*. In the process the man was said to have been shouting (in French): ‘The Anglophones are waking up’, apparently aimed at the French-speaking members of the *Parti Québécois*. After nine years in the opposition, the party, whose members were also the target of Lortie’s attack, had returned to power under its leader Pauline Marois.

#### **4. The family context in Denis Lortie’s case: ‘My name will be everywhere’**

To be sure, in the new edition of his book Legendre does acknowledge a certain significance of the political, and in particular of the religious context, reflected in the family background of Lortie’s attack:

“In the case of Denis Lortie, which in Canada has become the Lortie affair, there certainly is a historico-sociological aspect: a tradition of latent incestuousness in family relationships, which in Canada has long been exploited/ depoliticised [*expolitée* [sic]] by a wild Catholicism, the repository of a successfully masked perversity that explains the libertarian

<sup>36</sup> Legendre: *Le crime* (see fn. 1). – See also Legendre’s schematic illustration, *ibid.*, p. 68.

<sup>37</sup> *Ibid.*, p. 154.

<sup>38</sup> *Ibid.*, p. 11.

radicalism of the post-sixties era, when the lid of the cooking pot, in which the old social hypocrisy had been simmering, exploded. But the essential is elsewhere, on the side of the genealogical status of the murder, immanent in the logic of representation.”<sup>39</sup>

As with his cursory comparison with the Sack of Rome, Legendre again truncates Lortie’s attack, not only regarding its political dimension, but also in terms of its family context, which directly feeds into the political. He thereby distorts it. Forced into the triangular, patrifocal nuclear family, all those aspects that Deleuze and Guattari identified as the political and historical dimension of the schizophrenic psychotic’s delusion are lost.<sup>40</sup> If, and to what extent, Lortie was schizophrenic, psychotic or paranoid at the time of the crime still remains to be established.

According to Fournier/Levesque, Denis Lortie’s father repeatedly abused his eight children sexually and physically, including – even if slightly less frequently – his youngest son, Joseph Laurent Paul Denis, born on May 10, 1959<sup>41</sup> in Quebec, but him already at the age of eight months<sup>42</sup>. In his intention to develop “a new machine” designed specifically to “beat children”<sup>43</sup>, he resembles the notorious father of presiding judge Daniel Paul Schreber. Lortie’s father sometimes “beat his children unconscious”.<sup>44</sup> He also beat his wife<sup>45</sup> and fathered a child with one of his daughters. According to Fournier/Levesque, his daughters even plotted to kill him. But things turned out differently. One of them finally went to the police<sup>46</sup> and in 1969 he was sentenced to three years in prison. Upon his release he did not return to his family. After the divorce Denis’ mother re-adopted her maiden name, a name Lise Levesque’s report does not mention.<sup>47</sup>

It is not entirely clear whether the young Denis had been sexually abused by his father, although there is much to support this claim. He himself may have claimed this to a psychiatrist – yet never in court<sup>48</sup>. To his wife, however, he seems to have always denied it.<sup>49</sup> Fournier/Levesque state that

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<sup>39</sup> Ibid., p. 10: “Certes, il y a, dans le cas de Denis Lortie devenu au Canada l’affaire Lortie, le versant historico-sociologique: une tradition d’incestuosité latente dans les rapports familiaux longtemps exploitée [sic] en Québec par un catholicisme féroce, porteur d’une perversité efficacement masquée, qui explique le radicalisme libertaire quand a sauté, après les années 1960, le couvercle de la marmite où mijotait la vieille hypocrisie sociale. Mais l’essentiel ici est ailleurs, du côté du statut généalogique du meurtre, pris dans la logique de la représentation.” If the expression “exploitée” in this quote is not merely a neologism, but a case of inverted letters (instead of *exploitée*), then this would constitute a meaningful slip of the tongue: Quebec Catholicism has depoliticized the family, i.e. it has removed it from the political sphere.

<sup>40</sup> Gilles Deleuze und Felix Guattari: *Anti-Oedipus*, Minneapolis: University of Minnesota Press, , 2000, p. 274.

<sup>41</sup> See Fournier: *J’étais la femme* (See fn 18), p. 56.

<sup>42</sup> Ibid., p. 63.

<sup>43</sup> Ibid., p. 62.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid., p. 63.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid., p. 192.

<sup>49</sup> Ibid., p. 188.

at the time of the birth of his second child, a daughter, on December 7, 1983, about half a year before the attack, Denis was afraid of himself becoming an “incestuous father”<sup>50</sup>. According to Fournier’s or Levesque’s account, Denis Lortie, at least temporarily, passed on his father’s violence to his own children, in particular to his son, whom he occasionally looked after. Lise once confronted the imprisoned Denis about this, asking him: “Did you lay hands on him? – Yes, he answered, lowering his head, but don’t ask me what I did, I can’t remember. What I can tell you is that I did not spare him. I was no longer seeing clearly!”<sup>51</sup> According to the statement of one of the court consultants, Dr. Tremblay, relayed in Fournier and Levesque’s account, Denis beat his son shortly before his attack, on 27 April 1983, because the latter had vomited in his bed.<sup>52</sup> Although Legendre briefly acknowledges this disastrous family background and its political rootedness (quoted above), he is adamant that, in the final analysis, Lortie’s attack was aimed at the social representation of the paternal function and thereby at the genealogical logic of filiation, in other words, at the transference of the paternal function to the following generation.



Ill. 5: René Lévesque (front, left) at an election campaign in Montreal in 1973.

In principle one would have to agree with Legendre here, because, as Freud shows in *Group Psychology and the Analysis of the Ego*, the topical structures of the individual psyche, the mass psyche and the group psyche are isomorphic. However, Legendre’s interpretation ignores precisely the Name-of-the-Father, *Nom-du-Père*, which is the linchpin of both structures in the case of Denis Lortie. This Name-of-the-Father, in Lortie’s case, is: Lévesque. Lortie’s trial reveals that the appearance of Quebec’s then Prime Minister, René Lévesque (ill. 5), on the *Téléjournal* of Canadian Television on May 4, a few days before the attack, was one of the main catalysts for his attack<sup>53</sup>.

<sup>50</sup> Ibid., p. 106.

<sup>51</sup> Ibid., p. 195: “Lui as-tu fait quelque chose? – Oui, m’a-t-il répondu en baissant la tête, mais demande moi pas quoi, je m’en souviens pas. Ce que j’peux te dire, c’est que je l’ai pas manqué. J’en voyais pus [sic] clair!”

<sup>52</sup> Fournier 193.

<sup>53</sup> Ibid., p. 127f. – Legendre: Le crime (see fn. 1), p. 115.

The other one – to complete the picture – took place a day before, on May 3. It was a quarrel about an only partially granted request for leave with a superior *Sergent* named Chénier – a name which was overdetermined because of the so-called Chénier cell, a notorious group of separatist terrorists in Quebec. According to Legendre, who quotes the protocol of Lortie’s interrogation from the statement of appeal, Lortie hallucinated during the incident and, instead of Chénier’s face, saw the “face of my father”<sup>54</sup>. Fournier/Levesque, referring to one of the three expert reports from the first trial against Lortie in 1985, explain the incident thus: Lortie was surprised to suddenly hear Chénier speak French, as until that point he had always been under the impression that Chénier was “Anglophone” – and this against the background that “even the Francophones had always spoken English with him”<sup>55</sup>. Lortie apparently saw in this a degradation of the “Francophones and the French language”<sup>56</sup>. Yet this is not really convincing as an explanation for the fact that Denis was “terribly furious” and “outraged”<sup>57</sup>. If all the colleagues spoke English with each other on a regular basis, then Lortie must have surely expected that some of them would at some point reveal themselves to be Francophone?

But let us return to René Lévesque. During this period he is not only the Prime Minister of Quebec but, as the charismatic leader of the separatist *Parti Québécois*, also a role model for many Catholic Francophones, most probably even a sort of father figure. Against this background it is more than astonishing that Legendre does not once mention Lévesque’s name in his book. The only time he refers to René Lévesque it is as the “Prime Minister”<sup>58</sup>. For his readers the latter therefore remains anonymous. His name: ‘Lévesque’, is not listed in the index<sup>59</sup>, nor is the (maiden) name of Lortie’s wife: ‘Levesque’. Legendre does not seem to attach any importance to these names, which are phonetically identical. Only towards the end of his preface for the new edition does he mention the autobiographical account of Lortie’s “ex-wife”<sup>60</sup> at all, which allegedly would not contribute anything to the case, the trial or its outcome. And only in the last footnote, i.e. not in the main text, and apparently for the sole reason of having to provide the bibliographical reference for her account and thus the title of Fournier’s book, does he mention her full name: Lise Levesque<sup>61</sup>. If one ignores the only difference between the two names, the missing acute or sharp accent, the *accent aigu*, in Lise’s maiden name, then Lortie’s attack was obviously directed at both the political father figure of his time as well as at his father-in-law and the latter’s family (including Lise). How could Legendre, whose interpretation is indeed based on the – symbolic – patricide and thus, according to Lacan, on the murder of the Name-of-the-Father, overlook the reference to the name of Lortie’s father-in-law, which is

<sup>54</sup> Legendre: *Le crime* (see fn 1), p. 114.

<sup>55</sup> Fournier: *J’étais la femme* (see fn 18), p. 193.

<sup>56</sup> *Ibid.*

<sup>57</sup> *Ibid.*, p. 127.

<sup>58</sup> Legendre: *Le crime* (see fn. 1), p. 115.

<sup>59</sup> *Ibid.*, S. 213ff.

<sup>60</sup> *Ibid.*, S. 12.

<sup>61</sup> *Ibid.*, S. 12, fn 2.

phonetically identical to the name of the Prime Minister, the main representative of the government of Quebec, so to speak its face? Was it – symptomatically – because, as Martin Stingelin has poignantly remarked, Legendre, as a result of his own name: *le gendre* (which literally means son-in-law) was himself in the symbolic position of the son-in-law? And maybe also because his personal logic of filiation failed as he was in vain asking for the hand of the daughter of his intellectual father Lacan?<sup>62</sup> Did he want to keep quiet the political dimension of the case? Or does Legendre merely marginalise a later source, the account of Lortie’s ex-wife, which could have potentially interfered with his, at times, highly apodictic argumentation?

In any case, Legendre could have learned some significant aspects from Lise Levesque’s account: that the prime minister René Levesque was indeed her father’s “second cousin” and that “the two had met several times during their childhood” – and that Denis, for precisely this reason, once showed himself to be highly discontented towards Lise, both because “Quebec’s Prime Minister bore the name Lévesque”<sup>63</sup> and because of the family ties between the Prime Minister and Lise’s family: “Although these ties with the Prime Minister were extremely loose, they seemed to bother my husband Lortie no less.”<sup>64</sup> In contrast to his brother’s family, Lise’s father’s family had abandoned in an earlier generation the “*accent aigu*”<sup>65</sup>, the acute or sharp accent also present in the Prime Minister’s surname. The explanation offered by Lise’s account sounds like a typical romance novel or a family myth which possibly conceals something. It invites speculation regarding a potential marital infidelity between two related couples of the Lévesque family. Lise says:

“I am thus a born Levesque. Levesque, not Lévesque. Without the accent, please. My father already told me that there was a time when Levesque and Lévesque were one and the same family. When everyone was still called Lévesque, two brothers, after they were married, had the brilliant idea to give their children the same first names. As the two families were large in numbers, they soon found themselves with many pairs of children, who had the same first and last names. There was evidently no question of changing all these first names. Thus one of the two fathers Lévesque found a solution for all this confusion they had created: to give up his *accent aigu*! It is from him that my father is descended... unfortunately, because not a single day goes by without us being confused with the Lévesques. We therefore have not really made that much progress with the double first names of the original brothers!”<sup>66</sup>

<sup>62</sup> In an oral statement from October 26, 2012 at the workshop “*Im Spiegelkabinett der Paranoia*“, part of the post-graduate programme *Mediale Historiographien* at Bauhaus-University Weimar, Germany.

<sup>63</sup> Fournier: J’étais la femme (see fn 18), S. 84.

<sup>64</sup> Ibid.

<sup>65</sup> Ibid., S. 45.

<sup>66</sup> Ibid., p. 45f.: “*Je suis donc née Levesque. Levesque, pas Lévesque. Sans accent s’il vous plaît. Mon père m’a déjà expliqué qu’il fut un temps où Levesque et Lévesque ne formaient qu’une seule et même famille. Alors qu’ils se nommaient encore tous „Lévesque“, deux frères, une fois mariés, eurent la brillante idée de baptiser leurs enfants avec les mêmes prénoms. Les deux familles étant nombreuses, elles se sont vite retrouvées avec plusieurs paires d’enfants portant [S. 46] nom et prénom semblables. Pas question, évidemment, de changer tous ces prénoms-là. Alors, l’un des deux pères Lévesque trouva*

Lise's assessment may be correct. In any case, in this 'single trait' (Freud), represented by the (missing) *accent aigu* on the 'e', the political and familial contexts of Denis' crime converge. They converge into an extended family [levék], which Denis had married into, and in which everyone, in particular all the fathers, could potentially be confounded, at least as long as one adhered to the audible. It is therefore not implausible that Lortie, who had already taken offence at the smallest connection between his wife and the Prime Minister, René Lévesque, had somehow found himself in a negatively transferred filial (in-law) relation with the latter. This could furthermore account for Denis' rage at the already discussed incident with *Sergent Chénier*. As Fournier/Levesque also mention in this context, the reason Denis had given Chénier in his request for leave was to "settle his divorce"<sup>67</sup>. Did Denis, through his looming attack, intend to pull out of the extended family [levék]? And did he get so enraged because he encountered resistance from someone who suddenly turned out to be Francophone? This remains pure speculation.



Ill. 6: Lise and Denis Lortie on their wedding day December 27, 1980.

Lise also mentions how, about two years after their marriage on December 27, 1980, and about a year after the birth of their son, who was born on December 10, 1981, she and Denis, during a trip to *Point Pleasant Park* in Halifax, walked past a pyramidal memorial site for the victims of the so-called Halifax Explosion, which occurred on December 6, 1917. This is certainly a reference to the *Halifax Memorial (Sailors Memorial)* (ill. 7), on which the name Levesque in fact appears twice.<sup>68</sup>

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*au moins une solution à toute la confusion qu'ils avaient causée: renoncer à son accent aigu! C'est de lui que mon père descend...malheureusement, puisqu'il ne se passe presque pas une journée sans que nous soyons confondus à nouveau avec des Lévesque. Nous ne sommes donc pas beaucoup plus avancés qu'avec les doubles prénoms des deux frères d'origine!"*

<sup>67</sup> Ibid.

<sup>68</sup> Regarding the *Halifax Memorial* see: <http://www.cwgc.org/find-a-cemetery/cemetery/400620/Halifax%20Memorial> as well as <http://www.pointpleasantpark.ca/en/home/education/dykt/halifaxmemorial.aspx>. The name Levesque



Ill. 7: The Halifax Memorial in Point Pleasant Park in Halifax, Canada.

On this occasion Denis complained that, unlike “Levesque”<sup>69</sup>, the name Lortie would not appear on the memorial. Lise recalls how he subsequently announced that he would make a name for himself: “You will see, one day there will be a memorial with the name Lortie on it’, he asserted, as if he could foresee that he himself would be the hero, whose name would be engraved on the site. My parents and I found this envy childish and unnecessary.”<sup>70</sup> Now the name Levesque that Denis had seen on the memorial at *Point Pleasant Park* was not only overdetermined for him because of his wife and in-laws’ name and the phonetically identical name of the Prime Minister of Québec, as shown above, a distant relative of his wife, but also because of its French etymology which refers to *l’évêque*, the ‘bishop’, which in turn derives from the ancient Greek *episkopos*, the clerical overseer or presider, who ‘haunts’ or ‘visits’ (ancient Greek *episkeptomai*). It is certainly possible, if not likely, that the hidden etymology of the word *l’évêque* (deriving from the ancient Greek *skopein* or *skeptomai*, meaning ‘to examine’, ‘to inspect’, ‘to eye something’, ‘to glance around’, ‘to spy out’), along with the religious or clerical connotation of the name Levesque, facilitated Denis’ projection of a panoptical and persecuting authority onto the Prime Minister Lévesque.

Denis’ escalating motive to make a name for himself (“One day I will do something. I won’t tell you what, but you will remember it. My name will be everywhere”<sup>71</sup>, as Denis once told Lise’s parents, brother, brother-in-law and some guests) first appears in the episode at *Point Pleasant Park* and pervades Lise Levesque’s entire account. At first, for the duration of his attack, Denis Lortie divests himself of his own name: “For you I’m Mr. D.” he tells radio host André Arthur’s assistant at the reception of the radio station CJRP, whom he gives an envelope, containing one of his three audio tapes.<sup>72</sup> According to Fournier/Levesque, the envelope did bear the name

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can be found on two memorial plaques: “LEVESQUE R.” on plaque no. 18 (<http://www.pointpleasantpark.ca/site-ppp/media/pointpleasantpark/HM%20Panel%2018.jpg>) and “LEVESQUE C.” on plaque no. 21 (<http://www.pointpleasantpark.ca/site-ppp/media/pointpleasantpark/HM%20Panel%2021.jpg>).

<sup>69</sup> Fournier: *J’étais la femme* (see fn 18), p. 84.

<sup>70</sup> Ibid.

<sup>71</sup> Ibid., p. 109.

<sup>72</sup> Ibid., p. 13.

“D. Lortie”, next to the inscription “Do not open before 10 a.m.”, a social security number, the syntagma “The life of a man” and “a few indecipherable scribbles”<sup>73</sup>. Yet on the tape itself one can hear Denis addressing André Arthur and, at one point, in a French-English hybrid language, demanding a kind of namelessness: “And tell the world not to give me a surname, a *nickname*: “the lunatic”, *whatever* it is!”<sup>74</sup> And later on, sitting on the President’s chair in the Blue Chamber, René Jalbert next to him (ill. 8), he tells a sergeant who has just arrived at the scene and who asks him to identify himself: “My name is Mr. D.”<sup>75</sup>



Ill. 8: The armed Denis Lortie (right) next to the President’s chair at the National Assembly; on the left, René Jalbert.

When Jalbert later convinces Lortie to leave the Blue Chamber in order to continue the discussion in his office and Denis allows the secretary to have a cup of coffee, he adds: “Should you encounter any guards on your way, tell them that Denis permits you to pass.”<sup>76</sup> Finally, after his detention, Lise mentions several calls from a “Denis without a surname”, who, judging by his voice, could have been Denis.<sup>77</sup> In his third audiotape, addressed to Lise, he had nonetheless expressed his wish that their son keep the surname Lortie – however one might interpret this.<sup>78</sup>

## 5. The political context: from *Point Pleasant Park* to a *point très important*

Denis’ wish to make a (new) name (of-the-father) for himself is closely connected to his personal language problem, which directly feeds into the language problems of Quebec and into the political background of Denis’ deed which in turn, as already indicated, is linked with the missing *accent aigu* of the name [levek] and with Denis’ family-in-law. What is this

<sup>73</sup> Ibid.

<sup>74</sup> Ibid., p. 139: “*Et dis au monde qu’ils me donnent pas de surnom, de „nickname“: „le fou“, whatever ce que c’est!*”

<sup>75</sup> Ibid., p. 33.

<sup>76</sup> Ibid., p. 38.

<sup>77</sup> Ibid., p. 180f.

<sup>78</sup> Ibid., p. 143.



problem? Although Denis is bilingual<sup>79</sup> (he speaks his native language French as well as English), his English is poor and he sometimes struggles to make himself understood when speaking to Anglophones. Even in his mother tongue, according to Lise, he has “certain pronunciation difficulties”<sup>80</sup>, his speech is often “intermittent and hesitant”<sup>81</sup> and it requires “great [...] effort”<sup>82</sup> for him to speak French properly, as, for instance, in his three testamentary audio tapes. One could argue that Denis never, not even in his native language, lost his ‘sharp accent’, in contrast to his wife Lise, who, according to her own admission, initially does not speak any and then later “only very little English”.<sup>83</sup> Furthermore, several months before the attack, Denis receives a new removable denture<sup>84</sup>, which is uncomfortable to wear, so that he takes it out during meals, and which, as Lise says, “certainly didn’t help in making himself better understood”<sup>85</sup>. Incidentally it can also be seen in the video footage from the Blue Chamber. At one point Denis removes it from his mouth and throws it away (and then seems to leave it there).<sup>86</sup>

As it appears, Denis passes his own language problems on to his son. The latter stops speaking,<sup>87</sup> probably as a result of his father’s violence towards him, which probably also accounts for the fact that Denis’ daughter begins to regurgitate or vomit after eating<sup>88</sup>. A doctor is consulted and arranges for the son to see a “speech therapist”<sup>89</sup>. This appointment takes place in April 1984 and produces a psychosomatic diagnosis: “This child is under too much pressure”<sup>90</sup>, the speech therapist finds. It is certainly not without significance for the interpretation of Lortie’s case that the next appointment with the speech therapist is on “May 8”<sup>91</sup>, the day on which Lortie carries out his attack. Denis’ pronunciation remains flawed even when he makes an effort to speak correctly, as in the recording from the first audiotape, addressed to the military chaplain at the army basis Valcartier, “Padre Arseneault”<sup>92</sup>. This is most noticeable when he protests against the attempt to put any “speechologues [*spéchologues*]”<sup>93</sup> on him and his case, as he expresses it in his idiosyncratic mix of English and French. “As always he stumbles over the words that are difficult to pronounce; he hesitates and stammers a little”, says Lise in retrospect about this recording.<sup>94</sup>

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<sup>79</sup> Ibid., p. 69.

<sup>80</sup> Ibid., p. 137.

<sup>81</sup> Ibid., p. 69.

<sup>82</sup> Ibid., p. 137.

<sup>83</sup> Ibid., p. 67.

<sup>84</sup> Ibid., p. 102.

<sup>85</sup> See minute 14:27 in: Denis Lortie « fusillade au Parlement de Québec », SRC, 8 May 1984: <http://youtu.be/NTu1HaKkIT4?t=14m27s>

<sup>86</sup> Fournier: J’étais la femme (See fn 18), p. 115.

<sup>87</sup> Ibid., p. 114.

<sup>88</sup> Ibid., p. 115.

<sup>89</sup> Ibid.

<sup>90</sup> Ibid.

<sup>91</sup> Ibid., p. 124.

<sup>92</sup> Ibid., p. 132.

<sup>93</sup> Ebd., p. 134.

<sup>94</sup> Ibid.

Denis' personal language problem is directly linked to the problematic bilingualism of Quebec or even Canada as a whole. This becomes particularly clear in Fournier/Levesque's account, when Lise relates and comments on Denis' opinion on Quebec's situation and the local language problem. Denis expresses this opinion in the second audiotape he recorded, addressed to the radio host André Arthur.

“For about thirty minutes Denis speaks about the political situation in Quebec and about the party in power, the *Parti Québécois*, which tries to protect the French language and to isolate the Quebecois by promoting the separation of Quebec from the rest of Canada. He says that he has discovered that in the rest of the country people think the Quebecois are stupid. He thinks the French language is in danger and it needs protecting, although one should not prevent the Quebecois from learning English. One therefore has to destroy the *P.Q.*, because this party seriously harmed the people of Quebec. [Denis Lortie:] *‘I could have also... tackled something more powerful... like the liberal party in Ottawa... but for me that is not a point [ce n'est point un] ... a very important point [un point très important] ... because my language is in Quebec.’* For Denis the problems of the Francophones, who are, amongst other things, despised in the armed forces, are caused by the *Parti Québécois* and are unrelated to the politics of the federal government. In order to solve the problem one has to bring order to the parliament of Quebec, nowhere else.”<sup>95</sup>

Now, is it a very important point, *un point très important*, or not at all a very important point, *ce n'est point un...point très important*, who or what Denis Lortie attacks? The separatist, Catholic-Francophone *Parti Québécois* along with its leader and Prime Minister René Lévesque or the moderate, federal Liberal Party of Canada? The ambiguity in his statement seems to indicate the importance of this question. Maybe it also demonstrates the fact that, for Denis, it cannot really be a question as ‘his language is in Quebec’: it concerns the French language and for Denis the closest target is the *Parti Québécois*. According to Fournier/Levesque's plausible interpretation, Denis sees in the separatism of the *Parti Québécois* the danger of isolation, the shutting off of Quebec's Catholic-Francophone minority from Canada's Anglophone majority. Legendre cites a somewhat cryptic statement made by Lortie which could be used to support this interpretation: “I want to destroy something that wants to destroy the language. I want to put language on the side where one will have the French language.”<sup>96</sup> If here one understands the word ‘language’ to mean symbolic order, in which the Name-of-the-Father asserts itself, and ‘French language’, in contrast, as one of many languages and as Denis' mother tongue in which the Name-of-the-Father is unheard of (both outrageous and, like the *accent aigu* in [levék], inaudible), then Denis, in this phrase, is saying nothing more than that Francophones like him lack language qua symbolic order, qua social law, and that it is this that constitutes the discrimination, promoted by the isolationist separatism of René Lévesque

<sup>95</sup> Ibid, p. 136f.

<sup>96</sup> Legendre: Le crime (see fn 1), p. 115.

and precisely not by federal players such as the Liberal Party, even if the latter may have an Anglophone bias. As Denis himself is Francophone and at least formally a Catholic, his attack on the government of René Levesque only seems to make sense in the context of this (or a similar) interpretation. After all, at the time of the attack Levesque was possibly the most influential political representative of Quebecois' separatism, which in the sixties and seventies had also acquired a terrorist dimension. A prime example for this terrorism is the already mentioned Chénier cell of the *Front du libération du Québec* (the Quebec Liberation Front). In 1970 they kidnapped and murdered Pierre Laporte, Deputy Prime Minister and Minister of Labour of the province of Quebec; incidentally one member of the Chénier cell was a certain Bertrand Lortie, from a family of seven.

Against this political backdrop, brushed aside by Legendre, it once more becomes clear that Legendre's interpretation père-versely twists the case of Denis Lortie. This is because, contrary to Legendre's suggestion, Denis does not simply mistake – to use Lacan's diction – the imaginary for the symbolic father. He does not merely project “his father's violence”, i.e., “the terroristic figure of the father” onto the “idea of the Father [*Père*] as such”<sup>97</sup>, so that the only way to “escape” the “identification with the terrorist father” would be to “succumb” to it in a psychotic *passage à l'acte*<sup>98</sup>. Instead Denis must have known quite clearly who he was attacking, namely a representative of the essentially totalitarian and terrorist idea of patriarchy as an ‘absolute reference’ à la Legendre, in which the political and the familial are intertwined and which had furthermore made possible his own violent father.

Legendre may affirm that no one could ever occupy this position of absolute reference<sup>99</sup>. He nonetheless wants to institute a sort of crypto-Catholic caste of high priests, made up of judges, who would assure “*ex officio*”<sup>100</sup> that the belief in the idea of an absolute reference and its laws is passed on and “not perverted”<sup>101</sup>. According to Lacan, however, it is precisely the belief in an absolute reference, in a self-identical big Other that constitutes perversion, *père-version*. The later Lacan argues that a big Other does not exist, still less as someone one could, or even would have to believe in<sup>102</sup>, be it

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<sup>97</sup> Ibid., p. 174.

<sup>98</sup> Cf. *ibid.*: Lortie “*passé à l'acte*”.

<sup>99</sup> Ibid., p. 177.

<sup>100</sup> Ibid., p. 178.

<sup>101</sup> Ibid., p. 195.

<sup>102</sup> See, by comparison, Stingelin, who considers such a belief necessary: “From this perspective the case Lortie shows us: Even within the chastened premises of the Enlightenment, which is aware of the fictionality of this third party, who, as a supreme entity, guarantees the validity of the law and admonishes to self-restraint, one still has to believe in him, lest every foundation be swept away.” (Stingelin, Martin: “König Ödipus, Professor Kant, Richter Adam, Doktor Freud und Korporal Lortie. Zur juristischen Architektur menschlicher Innenräume”, in: Unterthurner, Gerhard; Kadi, Ulrike (eds.): *sinn macht unbewusstes unbewusstes macht sinn*, Würzburg: Königshausen & Neumann, 2005, 136-155, p. 145.) Nonetheless, for Stingelin “...the ‘constitution’ of man is not an anthropological but a political question...” (*ibid.*, p. 150).

privately or within a mental (or religious) institution.<sup>103</sup> The ~~Other~~ (“A<sup>104</sup>”), who is demonstratively crossed out by the later Lacan, is a name for the always already posited symbolic order, and only emerges as a performative effect within the speech acts of subjects. The pervert, in contrast, is characterized by Lacan as a “defender of the belief”<sup>105</sup> that “the Other exists”<sup>106</sup>, especially in the form of the “belief in the Father”<sup>107</sup>, as propagated by Legendre. This is why Legendre’s belief turns him into, what Lacan calls, “a unique helper of God”<sup>108</sup>. Legendre is certainly not wrong when he argues that a father owes his son “a limit”, i.e., the prohibition on incest and the concurrent inscription within the symbolic order; but only because, in principle, everyone owes this boundary to everyone else. In reality, however, it cannot be drawn. The ~~Other~~ is not another subject, which exists independently from the subject and would be able to vouch for it. This ~~Other~~, however it might be construed, does not have an ontological consistency beyond the speech acts of subjects who, by dialectically speculating on its existence, performatively generate it. This important factor is precisely what disappears in the belief in an existing Other.

Neither is Legendre wrong when he claims that this principle generates an empirically verifiable, trans-generational nexus of patriarchal-filial guilt, extending well into modern societies. But today it seems far more appropriate to either challenge this frequently perverted nexus with Nietzsche or to dissolve it with Freud, instead of shrouding or fetishizing it within an anti-Enlightenment, pseudo-secular and completely apolitical ritualistic backdrop.<sup>109</sup> Anyway, catholically subjectivized individuals are not really predestined for the preservation and implementation of the legal

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<sup>103</sup> Lacan, Jacques: Le Séminaire livre S XIX: ...ou pire/Le savoir du psychanalyste (1971-72), Bregenz: Lacan-Archive, Seminar from May 8, 1972, p. 63.

<sup>104</sup> Ibid.

<sup>105</sup> Lacan, Jacques: Le séminaire livre XVI: D’un autre à l’Autre (1968-69), Bregenz: Lacan-Archive, Seminar from May 26, 1969, p. 210.

<sup>106</sup> Ibid.

<sup>107</sup> Legendre: Le crime (see Fn. 1), p. 177, p. 194.

<sup>108</sup> Lacan: Le séminaire livre XVI (see fn. 105), Seminar from May 26, 1969, p. 210.

<sup>109</sup> For a critical reading of Legendre’s Lortie interpretation see Schulte: Das Gesetz (see fn 26), p. 46ff., p. 53, which establishes a close proximity between Legendre’s legal philosophy and conservative ideology. – For a supportive and appreciative reading see Pornschlegel, Clemens/ Thüring, Hubert: “Warum Gesetze? Zur Fragestellung Pierre Legendres“, Postface, in: Legendre, Pierre: Das Verbrechen des Gefreiten

Lortie. Abhandlung über den Vater. Lektionen VIII, Freiburg i. Br.: Rombach, 1998, p. 169-204. The authors admit that one could criticize Legendre’s interpretation for its “essentialist and symbolic anthropologism” (ibid., p. 192), but also emphasize that the latter “only ever appears in Legendre’s argument due to its historical emergence and effectiveness as a necessary *anthropological fiction* of man” (ibid.): “to deny this means to continue the suppression of that history, which Legendre carefully attempts to bring to bear on the actuality of Lortie’s case in order to make it visible: the historical suppression of this long-winded [p. 193] and (thus) inconspicuous work on the subjectivizing text [...]”. (Ibid., p. 192f.) Yet Legendre’s supposedly traditionalistic fiction in the case of Lortie (fatherhood as absolute reference) remains what Freud criticized as an illusion, a permanent transference onto a supposedly absolute Other, and precisely because Legendre himself suppresses crucial parts of the ‘subjectivizing’ text of Lortie’s case. This criticism does not apply, it is true, to Legendre’s valid objection – explicated by Pornschlegel and Thüring – against a postmodern, utilitarian reduction of jurisdiction.

and philosophical “idea of a genealogical justice”<sup>110</sup> or of an “art of what is good and just between the generations”<sup>111</sup>, which is supposed to emerge from this context. This is evident in the many acts of child abuse, especially towards young boys, by officials of the Catholic Church, also in Canada. Taking up Nietzsche’s *Genealogy of Morals* (§ 5) one would have to address the question as to why an inflicted pain for punitive measures may count as the equivalent of a guilt, be it between father and son or between anyone else; and, with Freud’s *Civilization and its Discontents* and *A Child is Being Beaten*, to establish the economico-libidinal reward, which accompanies the regressive, père-verse identification with a punishing paternal entity.

## 6. Through the diving mask: the immense inflatedness of the political

Had Denis lost his subjectivizing identification with the socializing paternal authority when he attacked the National Assembly of Quebec? Was he, like a “maniac”, “no longer, or only to a very limited extent, capable of adopting an intersubjective perspective, which would have helped him relativize his position”<sup>112</sup>? Was his action a psychotic *passage-à-l’acte*, as Legendre suggests? Did he suffer from paranoia? His culpability, in light of the fact that he killed three and wounded several others, depends on his mental state at the time of the crime. In this respect Fournier/Levesque mention three psychiatric reports, drawn up for the first trial against Lortie in January 1985:

“Three psychiatrists were called as witnesses for the defence: the doctors Pierre Mailloux, Louis Roy and Guy Tremblay. According to the first, Denis suffered from paranoid delusions, according to the second, from a psychotic delusion and according to the third, from schizophrenia. His delusion was directed at the government of Quebec. When they were cross-examined by the Crown, they nonetheless admitted that Denis, on May 8, and despite his mental state, had been able to orient himself with ease in space and time, that he performed numerous normal actions and that he knew that what he was doing was illegal.”<sup>113</sup>

The reports therefore do not add up to a coherent picture. Amongst other things, it seems problematic to speak of paranoid symptoms, especially

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<sup>110</sup> Legendre: *Le crime* (see fn. 1), p. 178.

<sup>111</sup> *Ibid.*

<sup>112</sup> Schmidt-Degenhardt, Michael: “Die Paranoiafrage – problemgeschichtliche und psychopathologische Überlegungen“, in: Lammel, Matthias (et al. eds.): *Wahn und Schizophrenie. Psychopathologie und forensische Relevanz*, Berlin: MWV, 2011, 33-46, p. 44. See also Unterthurner, Gerhard; Kadi, Ulrike (eds.): *Wahn. Philosophische, psychoanalytische und kulturwissenschaftliche Perspektiven*, Wien-Berlin: Turia & Kant, 2012.

<sup>113</sup> Fournier: *J’étais la femme* (see fn 18), p. 187.

when the normal personality structure, as in Lacan<sup>114</sup>, is understood to be structurally paranoid<sup>115</sup>. Fournier/Levesque mention that Denis, like every “average *Québécois*”<sup>116</sup>, liked to “rail against the MPs and ministers”<sup>117</sup>. Yet this does not amount to a paranoid persecution complex. The fact that he once told his father-in-law, while watching a TV report about a shooting at a foreign military parade: “Do you see this? In Quebec the same could happen!”<sup>118</sup> seems to be within the bounds of reason. In the second of his two testimonial tapes, addressed to the radio host André Arthur, with the demand to play it back live at the beginning of his attack at 10 a.m., he explicitly complains about the inflated ‘buffoonery’ of the political establishment of Quebec and in particular of the *Parti Québécois*: “What offends me the most, [...], is someone, who crushes us like the *Parti Québécois*... I will kill them all, kill everything on my way... in the parliament. Those are people, who have influence in politics... My personal opinion is that politics is a real buffoonery! ... I think it is a complete group of buffoons.”<sup>119</sup> But as Denis here explicitly speaks of his personal opinion, a logical doubt concerning his statement is not completely out of the question, which means that it probably does not qualify as a (paranoid) delusion, because in the latter, according to Ferenczi, every form of doubt has to be excluded.<sup>120</sup> The Freudian term ‘*Unglauben*’ (disbelief) of the paranoid, adopted by Lacan, also does not quite seem to fit Denis’ statements, nor the case as a whole. If Denis Lortie really was a paranoid, then probably not in a traditional psychopathological sense, but rather in the sense of a structural paranoia of the normal personality (Lacan) or in the sense of Salvador Dalí’s ‘critical paranoia’.

Nor does his case history appear as a prime example for a specifically media-historiographic analysis.<sup>121</sup> Although Lortie collapses when he sees himself for the first time in the recordings of the CCTV camera at the National Assembly<sup>122</sup>, it remains doubtful whether it really is the visual medium which enables him to adopt a new perspective, and not rather, or as much, the juridical *dispositif* of the trial that he finds himself in. Denis’ wish that the radio host Arthur play the recorded tape at the exact moment of his attack (which Arthur did not do) is also significant; and with better source material one would also have to ask why Lortie did not write to his wife or the military chaplain instead of speaking. Maybe, just a few days before the attack, it was down to the rapidity of the audio medium? Or maybe it was due to the materiality of the signifier, which, in his case, is only discernible in the written *accent aigu* of the name [levék] but not in spoken language?

<sup>114</sup> Lacan, Jacques: Le Séminaire XXIII: Le Sinthome, Bregenz: Lacan-Archive, Seminar from 16.12.1975, p. 45.

<sup>115</sup> For a fundamental analysis of the concept of paranoia see: Schmidt-Degenhardt: “Die Paranoiafrage“ (see fn 112).

<sup>116</sup> Fournier: J’étais la femme (See fn 18), p. 99.

<sup>117</sup> Ibid.

<sup>118</sup> Ibid.

<sup>119</sup> Ibid., p. 137.

<sup>120</sup> Ferenczi, Sándor: Glaube, Unglaube und Überzeugung, in: Balint, Michael (ed.): Schriften zur Psychoanalyse I, Gießen: Psychosozial-Verlag, 2004, 135-147, p. 136.

<sup>121</sup> See also Vismann, Cornelia: Medien der Rechtsprechung. Fischer: Frankfurt a. M., 2011. (I am indebted to Rupert Gaderer for bringing this work to my attention).

<sup>122</sup> Legendre: Le crime (see fn. 1), p. 124ff.

Yet beyond this, the idea that the specific mediality of, say, his audiotapes alone, in the sense of an emphatic media theory, would play a part in constructing their content, is not apparent.

As far as Denis' mental state at the time of the crime is concerned, it emerges from both case reconstructions, Legendre's and Fournier/Levesque's, that Denis, at least immediately prior to and during the attack, was subject to psychotic episodes. Thus, as indicated above, he had hallucinated and seen his father's face in his superior, *Sergent Chénier*, a week before his deed. And the third doctor, Tremblay, did in fact diagnose Denis with a schizophrenic "psychosis"<sup>123</sup>. According to Legendre, Denis himself, looking back on 8 May, describes his sense of reality as something that could certainly have been a psychotic symptom, namely as a pure vision, precisely at that moment when he fired a few distracting shots in front of Quebec's Citadel and then made his way to the Parliament Building: "It is like putting on a diver's mask and it is nothing but vision [*rien que la vision*]; I can do nothing but see [*rien que voir*]." <sup>124</sup> Denis' description is reminiscent of the hallucinatory-wishful "it shows" <sup>125</sup> from Lacan's phenomenology of dreams in his Seminar XI as well as of Freud's 'Postscript' to the Schreber case from the Third International Psychoanalytic Congress in Weimar and the "delusory prerogative of being able to look into the sun without being dazzled"<sup>126</sup> (and thus to survive the "trial of origin"<sup>127</sup> by the mythic father and escape his threat of castration).

Against this background, it appears as rather dubious that for Legendre in the case of Lortie a "murderous *passage à l'acte* in a delusional context" does not prove the "psychotic structure of its originator", because "a psychotic episode [...] is not a fully valid psychosis".<sup>128</sup> And in any case, as hastens to add Legendre, "Lortie's psychotic episode and his murderous attack [...] have not destroyed his ability to enter the symbolisation of his crime, on the condition, of course, that the person, as is right, is accompanied on his path to work out his guiltiness, and, based on this and thanks to therapeutic care, to represent to himself his own place in relation to his father and his children."<sup>129</sup> That is why Denis is a case for the "clinical function of the law"<sup>130</sup> as postulated by Legendre, by means of whose sovereign application "the judge [...] separates [...] the assassin [...] from his crime"<sup>131</sup> and thereby opens up a perspective of life for him under the law of absolute reference: "From this perspective the office of judge can be based on the defence of the principle of fatherhood, which, in this case, is a principle of Reason. This is the ultimate horizon of jurisdiction."<sup>132</sup>

<sup>123</sup> Fournier: *J'étais la femme* (see fn. 18), p. 193.

<sup>124</sup> Legendre: *Le crime* (see fn. 1), p. 106.

<sup>125</sup> Lacan, Jacques: *Les quatre concepts fondamentaux de la psychanalyse*, essais points. Seuil, Paris, 1994, p. 88.

<sup>126</sup> Freud, Sigmund: 'Postscript' in *The Schreber Case*: Penguin, 2002, Trans. Andrew Webber, p. 68.

<sup>127</sup> *Ibid.*, p. 68.

<sup>128</sup> Legendre: *Le crime* (see fn. 1), p. 188.

<sup>129</sup> *Ibid.*, p. 198.

<sup>130</sup> *Ibid.*, p. 196.

<sup>131</sup> *Ibid.*, p. 198.

<sup>132</sup> *Ibid.*

Irritatingly Legendre elsewhere acknowledges Denis' temporary psychotic episodes as a (however undefined) "state of derangement [*démence*]"<sup>133</sup>. Thus, according to Legendre's subsequent casuistry, "it is finally a question of knowing how [...], on the basis of a murder charge, it is legally conceivable to arrive at a sentence- in conformity with the murderer's state of mental derangement at the time of the crime."<sup>134</sup>

How on earth, one could ironically ask with Wolfgang Schild, is it possible to pronounce an innocent person guilty? Schild for one rejects both Legendre's clinical function of the law and his condemnation of Lortie, simply because Denis' crime was committed "in a state of unreason and non-accountability".<sup>135</sup> It is indeed not clear how Lortie's *later* ability to symbolise his deed could account for his culpability *at the time of the crime*. Freudian 'afterwardsness' is as inapplicable here as the 'unrealization' of the crime by a psychoanalytically informed criminology, as it is sketched by the early Lacan following Hegel's penal theory. Finally, if Lortie were guilty, the political dimension of his attack would have to be assessed. Yet it is precisely this dimension that Legendre ignores when he forces Lortie to choose between a re-subjectivizing submission under patriarchal law, understood as an absolute reference, on the one hand, and the radical expulsion from the symbolic order on the other. What else then is Legendre's clinical function of the law but a coercive and punitive treatment, a form of moral-political terrorism or indeed a 'perversion of the law', which he himself indeed disavows towards the end of his Lortie monograph?<sup>136</sup>

Still, it is not because of this subjectivity-constituting (or -dissolving) obligation to choose that Legendre's judgement of Lortie's case is perverted (even though he does not really give him a choice), but because this enforced choice posits, under threat of punishment and against his better judgement, that the existing order be transcendental, that is to say, that it be an order *one cannot not believe in*. As a result of this exclusive choice between two dichotomous extremes a third aspect is ignored: the irreducible and genuinely political dimension of the unconscious, the dimension in which the subject (of the unconscious: \$) has to be able to relate to the dominant order and its representatives. Denis' attack is aimed at its exposure. In other words, Denis, through his apparently non-psychotic or at least not entirely psychotic disbelief in the dominant order, proves that, in so far as the order is identified as transcendental, *it is possible not to believe in it*. Denis had to experience the impossibility of this belief first hand and thus arrived at the necessity of disbelief.

A judgement like Legendre's, which demands a confession, would turn Denis (the revolutionary – despite himself – against an incestuous politico-

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<sup>133</sup> Ibid., p. 199.

<sup>134</sup> Ibid.

<sup>135</sup> Schild, Wolfgang: Das schuldlose Verbrechen des Denis Lortie, in: Britz, Guido (ed.): Grundfragen staatlichen Strafens: Festschrift für Heinz Müller-Dietz zum 70. Geburtstag, München: Beck, 2001, 737-759, in particular: p. 756ff., p. 759.

<sup>136</sup> Cf. Legendre: Le crime (see fn. 1), p. 200.



theological social order and its violent, archaic paternal imago) back into a *son-in-law*, a law that takes itself to be absolute, back into Denis the son-in-law, Denis *le gendre*; in other words, precisely into that against which Denis the *outlaw* had set out when he wanted to make a new Name-of-the-Father for himself. Only by rendering anonymous the name [levək], the Name-of-the-Father-in-Law, in which for Denis the unconscious political dimension is condensed and materialised, is Legendre able to institute himself and his peers as high priests of a therefore nameless absolute reference. No doubt, Denis will have understood this perfidious twist in Legendre's commentary, too. In the “*bouffée*[s<sup>137</sup>] *délirante*[s]”<sup>138</sup>, the psychotic episodes which led Denis to take violent measures against the buffoonery, the immense inflatedness of the political establishment, the real violence of the archaic paternal imago, which is concealed therein, and which Legendre disavows, turns against itself. It is thus not “the Political as a whole [*tout le Politique*]” that “is revealed”<sup>139</sup> in the case of Denis Lortie, as Legendre thinks, because the political, too, is not something that could be written in capital letters, something absolute, complete. What is revealed in this case is the père-verted, disavowed political dimension of the unconscious.

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Ill. 8: (see ill. 3)

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<sup>137</sup> Fr. *bouffée* – ‘gust of wind’; Fr. *bouffer* – ‘puff up’, ‘to bag sth.’; *faire bouffer* – ‘to make a big deal of sth.’; *bouffe* – ‘funny’.

<sup>138</sup> Cf. Legendre: *Le crime* (see fn. 1), p. 198.

<sup>139</sup> *Ibid.*, p. 200.