The Rules of the Game

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In working with a group of autistic children, one of the clinical difficulties we encounter is their obliviousness to the usual social rules in which the social bond is manifested, rules that make possible the interactions, the relations between us. Thus the setting up of such a group necessitates some preliminary rules to attempt to provide a certain structure to the group. This is not a question of teaching children a number of rules as so many so-called social skills, but of providing a framework that might allow the group to function.

But which rules, and how many? In any case, as the group starts to function, we note that the participants start to create their own rules. It is perhaps these latter rules that afford the possibility, for each one of these boys, of an encounter with desire. Hence I would like to take up these questionings regarding rules, not simply in their pragmatic aspects, but also as something that is central to the possibilities that the group might offer for each one.

Games, play and rules

In the first instance, what is it that the fact of having rules promotes in such a group? In one sense the answer to this question is quite simple and answered by the actions of the group itself: the rules promote the possibility of play, the possibility of engaging in games through the definition of the limits of what is possible. And in such an 'unstructured' group, a group where the structure of rules allows the possibility of the freedom to play within it, there is no doubt that it is through play that the work of the group occurs.

In the book *Games (play) and men* by Roger Caillois, I was struck by the following definition of play, or the game, that Caillois cites from

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the author Huizinga, as being quite close to what occurs in our group. Huizinga proposes that:

> From the perspective of form, one can thus, briefly describe the game (play) as a free action, experienced as *fictitious* and **situated outside of everyday life**, nevertheless able to completely absorb the player; an action stripped of any material interest and of any usefulness; which takes place in a time and in a space expressly circumscribed, which develops with order according to given **rules** and incites [in life] group relations that are willingly shrouded in mystery or accentuating, by disguise, the strangeness of these relations in regard to customary life[1].

Here perhaps there is a difference of the rules that are given through the game or play, from the rules that we, as the instigators of the group, introduce. Or rather these rules that are pre-set, promote the possibility of play, which generates its own rules in the game.

Caillois proposes, from his study, that one of the essential qualities of games is that they are ruled, or regulated, or in his words they are:

> … submitted to conventions that suspend ordinary **laws** and momentarily install a new **legislation**, which is the only one that counts[2].

Another quality upon which he elaborates is fictitiousness, that is, that the field of play, the scene of action, is separate to and different from that of everyday life.

A differentiation of the activities of our group occurs according to two dimensions of rules and fictitiousness: from the game of *Uno* with its rigid rules in which the group attempts to come together as One (and even the cheating occurs in reference to the rules), to the fantasy play of dress-ups and other less overtly regulated play.

For Caillois, play and games have a socialising function. He proposes that:

> By means of the game, man finds himself in a position in which he can bring an end to monotony, to determinism, to the blindness and the brutality of nature. He learns how to construct an order, to conceptualise an economy, to establish an equity[3].

Each boy who participates in our group remains alone, outside of the currency of social relations, effectively outside of culture. Hence if there is a function of the group, it is to bring them into culture, into the realm of the social bond. Thus, in play, in the game, we encounter a symbolic activity co-extensive with that necessary for the existence of a social order.

To enter into the social order involves relinquishing something, giving something up. The imagined gratification, the enjoyment of doing whatever one likes when one likes, has to give way to allowing others to take a turn, even accepting that another could win a structured game such as *Uno*, in exchange for the fun of the game in which something of desire might be in play. Caillois indeed proposes that:

> Nothing moreover better demonstrates the civilising role of the game than the brakes that it customarily opposes to natural greed. … The decision, even unjust, of the arbiter, is approved on principle[4].

The arbiter, of course, often takes the impersonal form of the rules of the game.

Caillois privileges two forms of game, that of *agôn* or games of competition, and *alea*, (the Latin word for the game of dice) or games of chance, in the establishment of a social order. Both of these types of games are ones where rules predominate but they are differentiated by the question of the will. In competition, the competitor relies on nothing but his or her own resources, his or her own will to win. In games of chance there is a prior acceptance of the verdict of destiny, a submission to the will of the Other.

But this notion of *alea* or chance also includes the lot that one is born with: birth constitutes a universal lottery ticket that assigns to each one a sum of gifts and privileges. Such gifts and privileges are both constitutional and social: in the social relation it is a question of taking stock of the fact that this is one's lot, in order to see what one can do with it in the arena of life.

The nature of the rule

At first glance, this question of the will, or of desire, appears to oppose itself to the rule. What will is there if it is only to be submitted to a rule or set of rules? But in the workings of the group its very participants start to make rules. Thus in a game of fighting, of throwing things at each other, one of the boys yells "just pillows!" in a condensed articulation of a rule. This serves of course to promote the game: not all is possible, the game cannot continue if someone gets hurt, the enjoyment of doing whatever one likes must be curtailed if there is to be a game in which something of the will is in play. The other boys follow the rule, at least initially, and instead of an all-out brawl, a pillow fight is effected and further rules make this a little more sophisticated (three hits and you're dead!).

This relation of the will to the rule was elaborated by Emmanuel Kant in his *Groundwork of the Metaphysics of Morals*. Here he develops the notion of the Categorical Imperative, an imperative that might determine how one ought to act, given the limitations of human reason. It is the first and the third formulations of the Categorical Imperative that are most pertinent to our discussion here. They read as follows:

> Act only in accordance with that **maxim** through which you can at the same time **will** that it become a universal **law** [5].

And:

> Act only so that the **will** could regard itself as at the same time giving universal **law** through its **maxim**[6].

Here we find a differentiation between the **maxim** or **rule**, pertaining to *practical reason* or *empirical experience*; and the **law**, pertaining to *pure reason*, or the beyond of empirical experience. That is, there are two levels, that of the rule which is given in experience, and that of the law, which is given *à priori* in Kant's terminology (not temporally but logically).

The other important element here is the notion of the subject as a law-maker, and to be a subject in this sense is precisely to be a law-maker. This is precisely what can be made possible in the group when the children are brought into this social context. Well before Kant, it was Aristotle who introduced the concept that each man can be a legislator:

> … [each man] can do … better if he makes himself capable of legislating[7].

How, though, in reference to the group, can we think about this differentiation between the rule and the law that Kant makes? Kant himself, in his opening proposition to the *Critique of Pure Reason* puts forward that:

> … although all our cognition commences with experience, yet it does not on that account all arise from experience[8].

And:

> … such universal cognitions, which at the same time have the character of inner necessity, must be clear and certain for themselves, independently of experience; hence one calls them *a priori* cognitions; whereas that which is merely borrowed from experience is, as it is put, cognised only *a posteriori*, or empirically[9].

Here Kant distinguishes between the field of experience, the empirical or evidence-based, from that which lies beyond experience and is in fact the precondition for the apprehension of experience. Thus if we limit ourselves to what is only apprehendable by experience, in this instance **the rule**, then we cannot even begin to perceive what might underwrite the rule, that is, something of **law**.

Psychoanalysis and law

It is here that the theory of psychoanalysis, a discourse in which there is a distinction between the rule and the law, can be of service to us. Lacan, in his re-reading of Freud, notes that in Freud there are two great myths, that of Oedipus and that of Totem and Taboo.

The myth of Oedipus pertains to an experience of the order of the *empirical*, that of the experience of the subject in psychoanalysis. It is also a myth that had its own existence: Freud merely took it up, in Sophocles' version, and used it. It is in this myth that there is the elaboration of a rule, a rule that has a symbolic content, that of the prohibition of incest.

However this myth is also underwritten by the myth of *Totem and Taboo* that Freud elaborated later on, that of the murder of the father of the primal horde. This is a myth that did not exist prior to Freud; Freud had to invent this myth, a myth that was later taken up by ethnologists, anthropologists, semiologists, and so on. That is, this is not an empirical myth, but an invention of *pure reason*, to use Kant's term, through a logical necessity.

Here we can distinguish this myth concerning totemism, which founds law, for psychoanalysis the law of desire, from that of the rule of taboo articulated in the myth of Oedipus. Freud articulates this in the following way:

> The difference is related to the fact that taboos still exist among us. Though expressed in a negative form and directed towards another subject-matter, they do not differ in their psychological nature from Kant's 'categorical imperative' … Totemism, on the contrary, is something alien to our contemporary feelings …[10]

Freud further comments that:

> The two taboos of totemism with which human morality has its beginning are not on a par psychologically. The first of them, the **law** protecting the totem animal, is founded wholly on emotional motives: the father had actually been

> eliminated, and in no real sense could the deed be undone. But the second **rule**, the prohibition of incest has a powerful practical basis as well[11].

The father of the primal horde is the one who has all the women, the one who can do whatever he likes, and who prevents the sons from satisfying their sexual drives.

This primal father, the one who is the exception from the rule of castration, nonetheless survives in many ways in the members of the group in the form of being "invulnerable", "nothing can hurt me", "I'm superman"; the group mascot is called "Superteddy"; there is mocking of the vulnerability of the other members of the group, or as one of the boys put it, to justify his destruction of towers that had been built by members of the group: "towers are like rules, they are meant to be broken".

Society or culture is established through the banding together of the brothers to murder the father: through this is established a pact for the distribution of enjoyment, previously solely in the hands of the father.

The father of the primal horde then is a necessary **exception**, a logical exception that establishes **law**, which effects the regulation, with its reference to the **rule**, of enjoyment. Thus the exception is necessary in order to have a universal law. Here we can say, not that the exception proves the rule, but rather that it is the exception that makes the rule, through making law.

Our group attempts to bypass the logical necessity of the exception by effecting an exception in an imaginary and unproductive way, through the making of a scapegoat, for instance.

Arising from the Oedipus myth is the prohibition of incest. But Oedipus committed two crimes: the first was the murder of his father that led to the possibility of the incest with his mother. That is, the question of the prohibition of incest is also logically underpinned by that of the murder of the father in the Oedipus myth.

Hence Oedipus' murder of his father is the very point of articulation of the two myths.

The myth of the father of the primal horde is thus necessary for there to be law, it has the quality of inner necessity to which Kant refers. This law, for psychoanalysis, is the law of desire. Law here is pure *form* without stipulating any content. The *content* then arises in the rule, the rule of the prohibition of incest that is a corollary of the Oedipus myth.

The murder of the primal father not only establishes law but also establishes desire: for the father of the primal horde there is no desire, only enjoyment, there is nothing left to be desired. Lack is necessary for desire to exist. Desire can only exist when there is something left to be desired, when the subject is left wanting.

Law and the group

Freud, in *Group Psychology and the Analysis of the Ego* (1921), proposes that it is the group that reactivates the figure of the primal father:

> Thus the group appears to us as a revival of the primal horde … the psychology of groups is the oldest human psychology[12].

How is law activated in our group if it is not already established? Is it something that can be taught?

To return to our questions from the beginning, from the above it can be proposed that the rule and the law are two faces of the same coin, the empirical face and the face of that which lies beyond the empirical. Thus what can be produced in the group is precisely the rule: "*just* pillows", an attempt to impose a rule through empirical experience with its allusion to *just*ice.

Nonetheless, for there to be a rule, it must be underpinned by law, a law that has an instance in our pre-set rules (that is, regardless of their content, the fact that there *are* rules) that are co-extensive with our desire to establish the group. The very fact that there *is* a group that

we desire to promote, denotes this group as an instance of law that grounds the group as a social institution in which enjoyment is regulated, in that not all is possible.

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[1] Caillois, R. *Les Jeux et les Hommes*. Paris: Gallimard, 1967, pp. 32-33.
[2] Ibid. p. 43.
[3] Ibid. p. 126.
[4] Ibid. pp. 106-107.
[5] Kant, E. Groundwork of The Metaphysics of Morals. In: Gregor, M. (Ed.) *The Cambridge Edition of the Works of Immanuel Kant: Practical Philosophy*. Cambridge, Cambridge University Press, 1996, p. 73..
[6] Ibid. p. 84.
[7] Aristotle. *Nichomachian Ethics*, 1180a33-34.
[8] Kant, E. *Critique of Pure Reason*. Cambridge: Cambridge University Press, 1998, p. 136.
[9] Ibid. p. 127.
[10] Freud, S. *Totem and Taboo* (1913). In: SE XIII, p. xiv.
[11] Ibid. p. 144.
[12] Freud, S. *Group Psychology and the Analysis of the Ego* (1921). In: SE XVIII, p. 123.