

# HOME IS WHERE THE LAW IS: A HUMBUG READING OF *THE WIZARD OF OZ*

MARIA ARISTODEMOU\*

## I. THE UNCONSCIOUS IS OUT THERE

Why would a lawyer study *The Wizard of Oz*,<sup>1</sup> or a fairy tale, or indeed any cultural object at all? My premise in this Article is that literary, no less than legal, texts proclaim, the rules and customs that make up the social order, whether we are aware of them or not, like them or not, suffer them, tolerate them, or enjoy them. In Jacques Lacan's famous aphorism, the unconscious is not only a law but is also a law that is "out there,"<sup>2</sup> manifested in our society's cultural products, our aesthetic choices and preferences, high or low, subtle or banal, sublime or insipid, or at times, as in the case of *The Wizard of Oz*, all at once.

The fact that our cultural products are gently and invisibly inscribed on our subjectivities, makes culture, as Slavoj Žižek has been arguing for over two decades, the central ideological battlefield today. Culture, as he insists, and as we can agree, is not opposed to, but intertwined with, the economy.<sup>3</sup> It is even more so entwined in a cultural text that has been appropriated, accurately or not, by Hollywood through a phenomenally successful and well-known product like *The Wizard of Oz*.<sup>4</sup>

How does a cultural product like *The Wizard of Oz*, in all its varied and wonderful manifestations, serve the central ideology? A Lacanian analysis would suggest that since society, like individual identity, is never whole, never full, culture generally—and popular culture in particular—serve to cover society's systemic gaps. As Žižek puts it, culture creates a public space around society's emptiness and enables us to think that there is such a thing as a "shared symbolic order;" in short, successful cultural products like *The Wizard of Oz* film perform the function of ideological fantasies, concealing the fact that "society does not exist."<sup>5</sup>

---

\* Maria Aristodemou is Senior Lecturer at the School of Law, Birkbeck College, University of London.

<sup>1</sup> L. FRANK BAUM, *THE WIZARD OF OZ* (Penguin Books 2008) (1900).

<sup>2</sup> See JACQUES LACAN, *ÉCRITS* 102–22 (Bruce Fink trans., W.W. Norton & Co. 2006) (1970).

<sup>3</sup> Slavoj Žižek writes about this in several books, see especially SLAVOJ ŽIŽEK, *ENJOY YOUR SYMPTOM! JACQUES LACAN IN HOLLYWOOD AND OUT* (2d ed. 1992); SLAVOJ ŽIŽEK, *EVERYTHING YOU ALWAYS WANTED TO KNOW ABOUT LACAN: BUT WERE AFRAID TO ASK HITCHCOCK* (Slavoj Žižek ed., 1993); SLAVOJ ŽIŽEK, *LOOKING AWRY: AN INTRODUCTION TO JACQUES LACAN THROUGH POPULAR CULTURE* (1991); SLAVOJ ŽIŽEK, *THE SUBLIME OBJECT OF IDEOLOGY* (1989) [hereinafter ŽIŽEK, *THE SUBLIME OBJECT*].

<sup>4</sup> *THE WIZARD OF OZ* (Metro-Goldwyn-Mayer 1939).

<sup>5</sup> ŽIŽEK, *THE SUBLIME OBJECT*, *supra* note 3, at 127.

In particular, *The Wizard of Oz* owes its enduring success to the fact that it taps into and depicts an ineluctable cultural nerve; that is, like all good tales, it has a lot to say about lack, and about our varied, and invariably tragicomic, attempts to fill it. Like all good stories, it fools us into thinking that lack, whether in the system or in the human subject, may somehow be filled or at least tolerated and endured. The fact that lack is endemic to human subjectivity, and that no human being, or social order is ever whole, is gently and conveniently passed over in Dorothy's triumphant return to a home that was neither whole nor very homely in the first place.

My argument in this Article is that the desire to get home in L. Frank Baum's tale is sublimated; in other words, the object "home" is raised to the dignity of the sublime object of desire. The ideological message of Baum's tale, or at least of its Hollywood appropriation, is to fool us into thinking that (a) there is a shared symbolic order, (b) in this shared society we all want to get home, and most importantly, (c) in the Hollywood appropriation of the tale, the home everyone wants to get back to is the symbolic order of prohibitions of (unlimited) enjoyment.

In short, Dorothy had dreamt of a place over the rainbow, which, in Lacanian terminology, is a place where unlimited enjoyment was possible and attainable. The genius of Hollywood is to let us know, gently and seductively of course, that that cannot be allowed to happen, at least not after we have left the cinema. Dorothy must be brought down to earth, to the realm of prohibitions and structures, which she tried to escape from in the first place. In other words, she has to abandon pleasure in favor of reality and swap unlimited enjoyment in a land beyond the rainbow for limited jouissance within the confines of the law of her society.

## II. THE HOLE IN REALITY AND IN THE SUBJECT

So what is missing from the symbolic order that fantasies, such as *The Wizard of Oz*, help to conceal? What is missing is precisely what is depicted literally in the film: the hole in the house during the tornado, which yawns on to the super-real and supposedly can carry us "over the rainbow."<sup>6</sup> Of course, we are not normally able to see or represent this. Western epistemology has long drawn a neat and clear, if not unsurpassable, line connecting our capacity to see or perceive outside phenomena or ourselves to the claim that seeing or perceiving such phenomena establishes knowledge of those phenomena, and a line from such knowledge to the existence or being of such phenomena; to see is to know, and to know is to be, and conversely, to not see is not to know and therefore not to be. René Descartes's shorthand is "I think, therefore I am."<sup>7</sup> Or in the Bishop of Berkeley's famous aphorism, *esse is percipi*.<sup>7</sup>

Psychoanalysis, however, warns us that the line connecting seeing, knowing, and being, is all very well except for the unfortunate detail that it bypasses truth. For Lacan, the Enlightenment produced a rupture between

---

<sup>6</sup> THE WIZARD OF OZ, *supra* note 4.

<sup>7</sup> 2 GEORGE BERKELEY, *A Treatise Concerning the Principles of Human Knowledge*, in THE WORKS OF GEORGE BERKELEY (T. Jessop and A. Luce eds., Thomas Nelson 1949) (1710).

knowledge and truth, a rupture that he frames as a rupture between knowledge and the Real (réel).<sup>8</sup> Our obsession with knowledge, with what we can see and know, (apart from being perhaps a masculine obsession) is a defense against the Real, the truth of what we do not dare to know. And as we see later, what modern science and knowledge do not dare to know is the secret of feminine enjoyment or, as Dorothy would put it, of *jouissance*, “over the rainbow.”

The rupture between knowledge and truth gave rise, Lacan suggests, to the discourse of psychoanalysis.<sup>9</sup> Psychoanalysis claims that the kernel of our being is not the bits we can see and know and speak but precisely the bits we can neither see, nor speak, that is, the missing bits. The subject is not the one who sees, and therefore thinks, but precisely that part of the subject that does not see and therefore cannot think: as Lacan responds to Descartes, “The subject is not the one who thinks. . . . It is precisely to the extent that the guy is willing not to think anymore that we will perhaps learn a little bit more about it . . . .”<sup>10</sup>

This is, of course, where the Scarecrow goes wrong. He foolishly believes that “[b]rains are the only things worth having in this world, no matter whether one is a crow or a man.”<sup>11</sup> In other words, he shares the prejudice of an alleged connection between thinking and knowledge. For psychoanalysis, however, thinking not only does not help us to know, but actually prevents us from knowing: it prevents us from knowing the truth of the Real. Baum, in the book, has an intimation of this—if you have brains, he suggests, you choose to live in dreary and grey places like Kansas.<sup>12</sup> Or we could add, England.

What is it that the subject cannot see or speak and which, for psychoanalysis, constitutes the kernel of her being? What cannot be seen by the subject is the gaze, that is, the spot or standpoint from which the subject sees but is invisible to the subject herself. However wide and unimpeded our field of vision is, there is one point that no amount of effort or science will enable us to see: this point remains a blind spot for the subject, and it is what Dorothy and her friends go in search of. And sure enough, as we see later, they find, or think they find, an all-seeing eye: “The eyes winked three times, and then they turned up to the ceiling and down to the floor and rolled around so queerly that they seemed to see every part of the room.”<sup>13</sup>

If the tale alerts us to the hole in reality, and the super-wizard’s ability to fill and fulfill it, it also alerts us to the hole in each of the characters and, by implication, in each of us. What are the cause and the source of these characters’ tragedy, and indeed all our tragedy? What is it that we have lost and are endlessly searching after? Quite simply, their problem is that they

<sup>8</sup> See JACQUES LACAN, *Beyond “The Reality Principle,”* in *ÉCRITS*, *supra* note 2, at 58–74.

<sup>9</sup> See JACQUES LACAN, *Science and Truth*, in *ÉCRITS*, *supra* note 2, at 726–45.

<sup>10</sup> 20 JACQUES LACAN, *To Jakobson*, in *THE SEMINAR OF JACQUES LACAN ON FEMININE SEXUALITY: THE LIMITS OF LOVE AND KNOWLEDGE ENCORE 1972–1973*, at 21–22 (Jacques-Alain Miller ed., Bruce Fink trans., W.W. Norton & Co. 1998) (1975).

<sup>11</sup> BAUM, *supra* note 1, at 30.

<sup>12</sup> *Id.* at 27.

<sup>13</sup> *Id.* at 89.

talk. According to Lacan we are split, castrated, and traumatized as soon as we start to talk.<sup>14</sup> As soon as the human subject joins the linguistic community, she becomes alienated from the truth, both of her own being, as well as that of her listeners. Signifiers, that is, the names of things, take the place of the things themselves, but signifiers—words—as we all know, are never accurate representations of the things they replace. Hence Lacan's famous aphorism, following G.W.F. Hegel, that “the word is the murder of the thing.”<sup>15</sup>

As the loss inflicted by language can never be recuperated by the speaking being, something else—Lacan calls it the “little object a”<sup>16</sup>—becomes the place where lack is projected and through which it is simultaneously disavowed. The little object becomes glamorized into the sublime object that would cure all wounds and solve every problem. For the Lion, courage becomes such an object; for the Scarecrow, it is brains; while for the Woodman, it is, of course, the heart. The only non-castrated character in the land of Oz is Toto; his ponderings and meanderings in the tale have one goal only: to satisfy his needs, irrespective of the woes and toils of the pathetic speaking beings surrounding him. No wonder then that at the start of the film Toto unthinkingly and silently helps himself to Professor Marvel's sizzling sausage.<sup>17</sup>

### III. WHAT MAKES THE WO/MAN?

If all speaking beings are castrated by language, the question remains: Does language inscribe all of us in the same fashion? And what, if anything, can we do about it, once we have been stamped by it? To address this question, we have to look at what Sigmund Freud referred to as the “bedrock” of sexual difference.<sup>18</sup> For Lacan, as for Freud, sexual difference is the Real, which cannot be traced back to anything else. Contrary to Freud, however, Lacan believes anatomy is not destiny: maleness does not make the man or femaleness the woman. This is because, unlike animals

<sup>14</sup> The view of language as a castrating agent is developed throughout Lacan's work. JACQUES LACAN, *The Function and Field of Speech and Language in Psychoanalysis*, in *ÉCRITS*, *supra* note 2, at 197. See also 11 JACQUES LACAN, *Of the Network of Signifiers*, in *THE FOUR FUNDAMENTAL CONCEPTS OF PSYCHOANALYSIS* 43 (Jacques-Alain Miller ed., Alan Sheridan trans., Vintage 1998) (1973) (“Last time I spoke to you about the concept of the unconscious, whose true function is precisely that of being in profound, initial, inaugural, relation with the function of the concept of the *Unbegriff*—or *Begriff* of the original *Un*, namely, the cut. I saw a profound link between this cut and the function as such of the subject, of the subject in its constituent relation to the signifier itself.”).

<sup>15</sup> “[T]he symbol first manifests itself as the killing of the thing, and this death results in the endless perpetuation of the subject's desire.” JACQUES LACAN, *The Function and Field of Speech and Language in Psychoanalysis*, in *ÉCRITS*, *supra* note 2, at 262. I discuss this theme in more detail in my article *Does the Letter of the Law Always Arrive At Its Destination? A Study in Feminine Psychology*, 22 *LAW & LITERATURE* 394–417 (2010).

<sup>16</sup> Lacan develops the concept of the “object petit a” throughout his teachings, from his seminar on *Transference 1960–61*, to the seminar on *Anxiety 1962–63*, to *The Four Fundamental Concepts of Psychoanalysis 1964*, and extensively in *The Object in Psychoanalysis 1965–66*. See JACQUES LACAN, *The Line and Light*, in *THE FOUR FUNDAMENTAL CONCEPTS OF PSYCHOANALYSIS*, *supra* note 14, at 103 (“The *object a* is something from which the subject, in order to constitute itself, has separated itself off as organ. This serves as a symbol of the lack, that is to say, of the phallus, not as such, but in so far as it is lacking.”).

<sup>17</sup> *THE WIZARD OF OZ*, *supra* note 4.

<sup>18</sup> See 23 SIGMUND FREUD, *Moses and Monotheism: An Outline of Psycho-Analysis and Other Works*, in *THE STANDARD EDITION OF THE COMPLETE PSYCHOLOGICAL WORKS OF SIGMUND FREUD* 252 (James Strachey trans., The Hogarth Press 1964).

such as Toto, the sexed speaking being has to work at meeting the standards required by their sex; we are always and forever striving, as it were, to become a man or a woman.

How do we learn? The answer, again, is that we learn from the Other. As Lacan summarizes it, “[i]n the psyche, there is nothing by which the subject may situate himself as a male or female being. . . . [T]he human being has always to learn from scratch from the Other what he has to do, as man or as woman.”<sup>19</sup> These negotiations, or in psychoanalytic terms, identifications, are necessary because something extra is needed over and above anatomy to make us men or women. In other words, it is all about pretending: each sex puts on an act, playing the part of a woman or “play[ing] the part of [a] man.”<sup>20</sup>

Do our Ozian characters manage? The characters’ itinerary through Oz is a series of efforts to live up to their symbolic mandate, in other words, to become, or at least to perform the part of a man. Unfortunately, the Scarecrow, despite the farmer’s hopes that the Scarecrow not only “look just like a man”<sup>21</sup> but he also “is a man,”<sup>22</sup> is unable to perform the “manly” function of scaring off crows. Another excuse, or lack, must be blamed for this failure, so the Scarecrow declares that he needs “brains . . . so that [he] may become as much a man as any other.”<sup>23</sup> If only it were that simple.

Does the phallus help with these performances? Somewhat, but not significantly. The phallus, after all, is a “paper tiger,” an impostor used to cover up lack; as Lacan insists, the phallus is “the signifier for which there is no signified” and which is simply structurally necessary to close off the system.<sup>24</sup> As the phallus is not a substance, and does not mean anything in itself, what function does it serve? By closing off the system, Lacan suggests, the phallus props up the man, even if the man does not know what to do with it.<sup>25</sup> With such a generic function, it is no wonder that the phallus can take a variety of forms, some of which of course are careers, power, and very often, money. In *The Wizard of Oz*, the phallus takes the form of brains, heart, and courage. As we saw, for the Scarecrow, brains make the man; for the Woodman, the heart makes the man; and for the Lion, courage makes the man.<sup>26</sup> Unfortunately, they are all wrong.

In fact, since none of the men have the phallus—the brains, heart, and courage—and since in the land of Oz, as so often everywhere, “all the men were much too stupid and ugly,”<sup>27</sup> Dorothy is the phallus, or “It” for them. Despite her protests that she is just “an innocent, harmless little girl,”<sup>28</sup> Baum does not let her have the last word on how supposedly vulnerable she

<sup>19</sup> JACQUES LACAN, *The Subject and the Other: Alienation*, in *THE FOUR FUNDAMENTAL CONCEPTS OF PSYCHOANALYSIS*, *supra* note 14, at 204.

<sup>20</sup> 20 JACQUES LACAN, *Encore 1972–1973*, in *THE SEMINAR OF JACQUES LACAN ON FEMININE SEXUALITY: THE LIMITS OF LOVE AND KNOWLEDGE ENCORE 1972–1973*, *supra* note 10, at 85.

<sup>21</sup> BAUM, *supra* note 1, at 29.

<sup>22</sup> *Id.*

<sup>23</sup> *Id.* at 92.

<sup>24</sup> See 20 JACQUES LACAN, *A Love Letter*, in *THE SEMINAR OF JACQUES LACAN ON FEMININE SEXUALITY: THE LIMITS OF LOVE AND KNOWLEDGE ENCORE 1972–1973*, *supra* note 10, at 80.

<sup>25</sup> *Id.*

<sup>26</sup> See generally BAUM, *supra* note 1.

<sup>27</sup> BAUM, *supra* note 1, at 124–26.

<sup>28</sup> *Id.* at 9.

is. Instead he tells us that “Dorothy did not feel nearly so bad as you might think a little girl would who had been suddenly whisked away from her own country and set down in the midst of a strange land.”<sup>29</sup> Dorothy is therefore the first and main man in the book. Other men in *The Wizard of Oz* appear to be Princess Gayelette,<sup>30</sup> the witches whose phallic signifiers take the convenient form of magic wands or broomsticks, and Toto, who has never suffered the castration of language because he does not speak. As Toto never lost the phallus, he wastes no time worrying about it, and in that sense his ability to escape both from the joyless Mrs. Gulch in the film, and from the Wicked Witch in *The Wizard of Oz*, come naturally.

#### IV. THE HYSTERIC AND HER MASTER

As the phallus, in all its varied and desperate forms, is not sufficient to make the man, or the woman, the characters in *Oz*, as in many fairy tales, are gender-challenged, if not gender-confused. In other words, they are indeterminate as to whether they are men or women, remaining fixed in a world with no sexual difference. This is symptomatic not just of fairy tale characters but especially of hysterics who cannot abide lack.<sup>31</sup> Hysterics’ refusal to abide lack or, in psychoanalytic parlance, to deal with castration, is not, however, suffered in isolation. Hysterics, like neurotics generally, prefer to blame someone else for that lack. In the process of blaming another, they end up constructing a belief in a powerful master who has something to give. Once this belief is constructed, hysterics like many of us, are insatiable in their demands of the Other to make up for their lack.<sup>32</sup>

At the heart of hysterics’ complaints and their constant demands of the Other is again the belief that they have lost an object, and the Other has the power to help them find it. If all neurotics are in search of a lost object, however, hysterics are often in search of an object someone else has lost; in other words, if another’s desire arises from loss, then the hysteric promptly identifies with the other person and starts pining for the loss herself or himself. The hysteric’s desire, therefore, is often a desire for an unsatisfied desire, that is, a desire for a lack. Or, in Žižek’s words, “the unsatisfied desire converts into a *desire for unsatisfaction*.”<sup>33</sup>

In *The Wizard of Oz*, as the characters’ itinerary proceeds from a loss, each subsequent addition to the group identifies with the earlier character’s loss and remembers that they are also suffering from a loss. When Dorothy loses her home, Scarecrow identifies with her loss and remembers he has lost the brains he already has, Lion remembers he wants to regain the courage he never lost, and the Woodman wants to be reunited with the girl

---

<sup>29</sup> *Id.* at 18–19.

<sup>30</sup> *Id.* at 124.

<sup>31</sup> See 3 JACQUES LACAN, *The Hysteric’s Question*, in *THE PSYCHOSES: THE SEMINAR OF JACQUES LACAN 1955–56*, at 161–82 (Jacques-Alain Miller ed., Russell Grigg trans., 1993) (Lacan discussing the hysteric’s primary question as being “am I a man or a woman?”).

<sup>32</sup> Lacan discusses the nature of hysterical discourse and in particular the demands she makes of a so-called master in 17 JACQUES LACAN, *The Master and the Hysteric*, in *THE OTHER SIDE OF PSYCHOANALYSIS: THE SEMINAR OF JACQUES LACAN 29–38* (Jacques-Alain Miller ed., Russell Grigg trans., W.W.Norton & Co 2008).

<sup>33</sup> SLAVOJ ŽIŽEK, *FOR THEY KNOW NOT WHAT THEY DO* 144 (2008).

he was never with in the first place.<sup>34</sup> The Woodman in particular is the perfect example of a hysterical subject who treasures loss as the sublime object. “While I was in love I was the happiest man on earth,” he proclaims.<sup>35</sup> Of course, he never had the girl, so what he lost is the loss, the lack of having the girl. He is not pining for the girl but for the lack of a girl. Therefore the loss he has suffered, and that he is reluctant to relinquish, is the loss of a lack.

Why does the Woodman persist in pining over the loss of a loss? Because, in short, this enhances his vanity; being in love enables the Woodman to believe that he is worthy of being loved, and being worthy of being loved means that he is loveable. As Lacan says, when in love we love, first and foremost, ourselves, and to prove that those selves are loveable, we claim, or pretend, that we love the other; so the three words “I love you” is shorthand for “please love me.”<sup>36</sup> Lacan illustrates this with the discourse of courtly love where an imaginary obstacle is inserted preventing the consummation of love between the lady and her knight. By inserting himself in the position of the lover, with the girl’s evil aunt preventing the union between him and his beloved, the Woodman sustains his vanity by implying that he is in fact loveable.<sup>37</sup> In fact, if the Woodman and his girl had ever developed a romance, the relationship would probably have been just as ordinary and banal as any other relationship.

If, as I am suggesting, our characters exhibit the hallmarks of good hysterical patients, what would have satisfied their desire for an unsatisfied desire? Lacan’s famous response, made to his students of 1968, is that they want a Master; more precisely, “[w]hat the hysteric wants. . . [is a] master she can reign over.”<sup>38</sup> On the one hand, the hysteric stimulates the master to produce knowledge by forever resisting, challenging, and seeking the Master’s knowledge. The Master’s knowledge, however, invariably does not come up to her exacting standards: as far as the hysteric is concerned, the Master is never “masterful” enough.

What is a Master? Lacan’s insights on the nature of the Master owe everything to Hegel, who first devalued the Master and turned him into a great dupe. For Hegel, progress passes not by way of the Master but by way of the vanquished slave.<sup>39</sup> Baum, I suggest, shares this view of the Master as a figurehead who means nothing in himself but who is structurally necessary to close off the system. The Master, in other words, is always an impostor, but the place he occupies, that is, the place of the lack in the structure, can never be abolished.

---

<sup>34</sup> BAUM, *supra* note 1, at 41.

<sup>35</sup> *Id.* at 40–41.

<sup>36</sup> See LACAN, *supra* note 19, at 253–54 (claiming that “[t]o love is, essentially, to wish to be loved.”).

<sup>37</sup> BAUM, *supra* note 1, at 39.

<sup>38</sup> LACAN, *supra* note 32, at 129.

<sup>39</sup> See ALEXANDER KOJÈVE, INTRODUCTION TO THE READING OF HEGEL: LECTURES ON THE PHENOMENOLOGY OF SPIRIT 52 (Allan Bloom ed., James H. Nichols Jr. trans., 1969) (“Therefore, the historical process, the historical becoming of the human being, is the product of the working Slave and not of the warlike Master.”).

The Wizard of Oz is ideal for filling the empty place in the preexisting structure; in particular, his ability to take any form he wishes suits the gullible hysteric perfectly:

Oz is a great Wizard, and can take on any form he wishes. So that some say he looks like a bird; and some say he looks like an elephant; and some say he looks like a cat. To others he appears as a beautiful fairy, or a brownie, or in any form that pleases him. But who the real Oz is, when he is in his own form, no living person can tell.<sup>40</sup>

In short, Oz has no essence in himself but is the empty place where we, and our characters, pour our fantasies into. To ascribe the role of the Master to this empty vessel is bound to lead to tears both for the Master and for the hysteric. As Hegel first suggested, and as Lacan elaborates, “It is not natural for man to bear the weight of the highest signifiers all alone. And the place he comes to occupy when he dons it may be equally apt to become the symbol of the most enormous imbecility.”<sup>41</sup> Or, as Žižek adds in case we missed the point, the Master is a cuckold, a dupe, an impotent weakling: “[T]here is unavoidably something inherently *asinine* involved in the position of a Master: a Master’s main role is to *state the obvious*.”<sup>42</sup> Which is exactly, of course, what Oz proceeds to do.

## V. OZ DOES NOT EXIST

Why did *The Wizard of Oz* characters, like so many characters before and after them, and like so many of us, come to believe in the existence of a Master called Oz? It seems as if, in order to understand our own world, and ourselves, the characters in *The Wizard of Oz* have to presuppose someone who does know everything, and sees everything. The assumption we make is that there is a preexisting gaze, a kind of staring at us by the outside world. The hypothesis of an all-seeing Being with a Platonic perspective aids the mystification and sublimation of the Other and supports the subject and her never-ending quest for unity and oneness. That is why it is so hard to let go of the fantasy of the Master; to let go of the fantasy that the Other can complete us would involve acknowledging the lack not only in the Other, but also in ourselves.

Making the Other support our silly fantasies, however, entails the mutilation and annihilation of the Other. In the same way that Lacan insisted, the woman, as a support for man’s fantasies of wholeness and oneness, “does not exist,”<sup>43</sup> so the wizard, as a support for our characters’ hopes for completeness, also does not exist. The wizard’s gaze, the all-seeing eye, which sees from the place from which it is seen, does not exist. What does exist, as the real Oz readily admits, is a “humbug.”

<sup>40</sup> BAUM, *supra* note 1, at 76.

<sup>41</sup> LACAN, *supra* note 2, at 27–28.

<sup>42</sup> SLAVOJ ŽIŽEK & F.W.J. VON SCHELLING, *THE ABYSS OF FREEDOM/AGES OF THE WORLD* 70 (Judith Norman trans., Univ. of Mich. Press 1997).

<sup>43</sup> 20 JACQUES LACAN, *On Jouissance*, in *THE SEMINAR OF JACQUES LACAN ON FEMININE SEXUALITY: THE LIMITS OF LOVE AND KNOWLEDGE ENCORE 1972–1973*, *supra* note 10, at 7.



Oz therefore demotes himself from the dignity of the Master by admitting that he is a humbug. What place does he arrogate to himself or, rather, do the others transfer onto him? Pretty quickly, as we see, our characters recover from the shock of Oz not being their Master and turn him into their analyst. As the empty place cannot go away, as the Master or the Wizard does not exist to fill it, the new hope is that the analyst will. So no sooner do our characters stop addressing their demands to Oz the Wizard than they start addressing them to Oz the analyst.

Any good analyst, however, knows that his or her ethical position at this point is not to return the gaze, not to offer recognition that lovers offer because that would be to persist in the patients' self-deceptions by covering up their lack. The lack has to remain exposed, leading of course to the subjective destitution of the subject. What the subjects need to get from the analyst, and what they do get from Oz, is their own message backwards. Unfortunately, there is no such thing as a free analysis and like all subjects, our patients have to pay the price for their analysis; in other words, the price for their desire. Dorothy tries to avoid paying her debt, but Oz, like any good analyst, does not let her get away with it, telling her: "You have no right to expect me to send you back to Kansas unless you do something for me in return. In this country everyone must pay for everything he gets."<sup>44</sup> When our characters do pay their symbolic debt, they become heroes because not only did they not give up on their desire but also paid the price for it.<sup>45</sup>

## VI. NOWHERE OVER THE RAINBOW, OR, AT HOME WITH THE LAW

Any good analysis, like any good journey, should help the subject find his or her singular relationship to the law. At the beginning of *The Wizard of Oz*, Dorothy, as a growing woman, is trying to work out her place in the symbolic order; her itinerary through Oz is aimed at working out her own pattern within, and relationship to the law. In the film version, Mrs. Gulch takes the role of the punitive voice of the law, prohibiting Dorothy from having (too much) enjoyment.<sup>46</sup> Auntie Em tries to protest against Mrs. Gulch, but Uncle Henry does not appear to be up to his symbolic mandate at asserting the law or protecting Dorothy from its potentially draconian measures; his feeble response to the threat of having Toto taken away is a rather unconvincing "[o]f course we won't, will we Em."<sup>47</sup> Frustrated with the adults' confusion as to the place and ambit of the law in her home, Dorothy is left to her own devices and free to fantasize about a jouissance beyond the symbolic order, in other words, beyond the reality principle.

What does it mean to seek freedom outside the law, to look for enjoyment over the rainbow? Is there such full, unmediated, and absolute satisfaction outside the law? In his late seminar *Encore*, Lacan speaks of

<sup>44</sup> BAUM, *supra* note 1, at 89–90.

<sup>45</sup> See 7 JACQUES LACAN, *THE ETHICS OF PSYCHOANALYSIS 1959–1960: THE SEMINAR OF JACQUES LACAN 321* (Jacques-Alain Miller ed., Dennis Porter trans., W.W. Norton & Co. 1992) (1986).

<sup>46</sup> THE WIZARD OF OZ, *supra* note 4.

<sup>47</sup> *Id.*

“another jouissance,” a jouissance beyond the symbolic, beyond the pittance allowed by language, a jouissance that he terms feminine jouissance and associates with women and mystics.<sup>48</sup> Phallic jouissance, as Lacan readily admits, is “jouissance of the idiot;”<sup>49</sup> rather than reaching out to the other, phallic enjoyment turns back on itself.

Woman’s “other” jouissance, on the other hand, has the capacity to transgress borders and go beyond the symbolic: “A man is nothing but a signifier. . . . [While] there is always something in [a woman] that escapes discourse,” concedes Lacan.<sup>50</sup> Unlike phallic jouissance, which is tied up to utility and arguably to capitalism, the hysteric’s jouissance has the potential to exceed our obsession with production and consumption. So while man is possessed by and obeys the signifier, woman has the potential, at least, of escaping its grasp. The hope is that woman can threaten, and hopefully enjoy, jouissance beyond the reality principle.

It may be that Dorothy’s and Lacan’s belief in this “other” jouissance enjoyed by mystics is just that, mystical: the hope that there must be something more to what we get, to what we enjoy. The search for another jouissance, whether it exists or not however, is priceless: hysterics like Dorothy are to be celebrated for their insistence on and search for an alternative knowledge and an alternative truth beyond what the Master provides.

Unfortunately, neither the book, nor its Hollywood appropriation, maintains this celebration. Instead, the symbolic order is reasserted and unlimited jouissance is tamed and converted to desire within the confines of the law. Law, as Baum sees it, is not the agent of prohibition, preventing access to, and attainment of, our innermost and deeply held desires, but actually the defense from what we do not dare to want. Access to unbridled jouissance, Lacan insists, would be too painful and unbearable for the subject, so law acts as a limit, shielding the subject from the horror of limitless enjoyment.<sup>51</sup>

In *The Wizard of Oz*, the implication is that if law functions to protect the subject from limitless jouissance, then women like Dorothy enjoy one of the raw jouissances it guards against, such as “over the rainbow.” The message from *The Wizard of Oz*, or at least from its Hollywood appropriation, is that a strong father is needed to protect the subject from unrestrained enjoyment—hence the search for Oz. Of course, as we know, and as our characters find, the strong father does not exist, and our

<sup>48</sup> 20 JACQUES LACAN, *God and Woman’s Jouissance*, in THE SEMINAR OF JACQUES LACAN ON FEMININE SEXUALITY: THE LIMITS OF LOVE AND KNOWLEDGE ENCORE 1972–1973, *supra* note 10, at 64–77.

<sup>49</sup> 20 JACQUES LACAN, *A Love Letter*, in THE SEMINAR OF JACQUES LACAN ON FEMININE SEXUALITY: THE LIMITS OF LOVE AND KNOWLEDGE ENCORE 1972–1973, *supra* note 10, at 81.

<sup>50</sup> 20 JACQUES LACAN, *The Function of the Written*, in THE SEMINAR OF JACQUES LACAN ON FEMININE SEXUALITY: THE LIMITS OF LOVE AND KNOWLEDGE ENCORE 1972–1973, *supra* note 10, at 33.

<sup>51</sup> See JACQUES LACAN, *The Function and Field of Speech and Language in Psychoanalysis*, in ÉCRITS, *supra* note 2, at 324 (“Castration means that jouissance must be refused, so that it can be reached on the inverted ladder of the law of desire.”). Žižek returns to this theme throughout his work. Law, he reminds us, is the limit the subject imposes on himself to avoid suicidal immersion in the “Thing.” See SLAVOJ ŽIŽEK, THE PLAGUE OF FANTASIES, 238–39 (1997). I explore this theme in more detail in my article *Does the Letter of the Law Always Arrive At Its Destination? A Study in Feminine Psychology*, 22 LAW & LITERATURE 394–417 (2010).

characters, like all of us, have to make do with a humbug who fulfils no other function than to state the obvious.

All neurotic patients choose their symptoms to retribute their dissatisfaction, and it is no different for our characters in this book. But because this is a fairy tale, unlike real patients, our characters—the men at least—do not have to give up their symptoms. The boys get phallic signifiers—kingdoms: the Tin Woodman becomes King of the Winkies, Yellow Land of the West;<sup>52</sup> the Cowardly Lion becomes King of Beasts;<sup>53</sup> while the Scarecrow becomes King of Emerald City.<sup>54</sup> This is Baum's concession to the fact that the boys are silly enough to want these empty signifiers.

The women in *The Wizard of Oz*, on the other hand, know better. The good news for them is that they already know, or, in Dorothy's case, have learned, that the phallus is a semblance, a veil which covers nothingness, while the men persist in the delusion that there is a signified behind the signifier. The bad news for Dorothy and everyone who occasionally dreams of a jouissance over the rainbow is that we are never really satisfied and invariably less satisfied with the jouissance we get this side of the rainbow. Our dissatisfaction, however, is priceless: our incessant demands to and challenges to the Master, whether the Master be Freud, Lacan, or Oz, expose him to be a mere humbug.

---

<sup>52</sup> BAUM, *supra* note 1, at 184.

<sup>53</sup> *Id.* at 172–75.

<sup>54</sup> *Id.* at 184.

