

When the ‘Law’ no longer suffices: *Dexter*

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What are the hidden underpinnings of what may broadly be described as ‘vigilante’ stories, such as those in popular television series or films? What leads one to suspect that there are such out-of-sight presuppositions on which they are predicated, is their lasting appeal, which may be framed in terms of the tension between the ‘law’ and the (moral) ‘Law’, or alternatively, between the ‘law’ and ‘violent justice’. This suspicion is pursued via an examination of the popular, multi-season American television series, *Dexter*. It is argued that in such films one witnesses the valorization of clearly unlawful acts of murder, which are justified, intra-cinematically, with reference to the inability of the ‘law’, or law-enforcing agencies, to combat a certain kind of crime. In *Dexter* there is an implicit distinction between the ‘law’ and the ‘Law’, as well as between the ‘law’ and ‘justice’, albeit violently enacted. These narrative nuances are explored in terms of the idea of the complex interbraiding of what are usually seen as mutually exclusive concepts, such as crime and law-abiding activities, and by drawing on the work of Derrida regarding justice, as well as Lacan and Kant on the Law. In particular, it is argued, in the light of what is thematized in this television series, the universalist claims (regarding the ‘categorical imperative’) of Kant’s moral philosophy is there replaced with what one might term the ‘quasi-universalist’ imperative, characterized by complexity. Bauman, Žižek and Kearney further allow one to probe the relationship between these vigilante killings and the ‘monstrous other’.

Key words: categorical imperative, complexity, *Dexter*, justice, law, moral Law, quasi-universalist, universalist, vigilante.

Wanneer die ‘wet’ nie meer voldoende is nie: *Dexter*.

Wat is die versteekte voorveronderstellings van wat bekend staan as ‘vigilante’-verhale, soos dié wat in populêre films en televisiereekse voorkom? Die gewildheid van sodanige verhale laat ‘n mens vermoed dat daar wel onuitgesproke aannames ‘agter’ die narratiewe verskuil is, en dat hulle aan die hand van die spanning tussen die ‘wet’ en die (morele) ‘Wet’, of die ‘wet’ en ‘gewelddadige geregtigheid’ geformuleer kan word. Hierdie vermoede word langs die weg van ‘n interpretasie van die gewilde, multi-seisoen Amerikaanse televisiereeks, *Dexter*, ondersoek. In *Dexter*, asook in soortgelyke verhale word ‘onwettige’ of immorele handeling soos moord implisiet verheerlik in die lig van die onvermoë van die ‘wet’, oftewel die polisie, om ‘n bepaalde sort misdaad effektief te bekamp. Bowendien is daar in *Dexter* ‘n implisiete onderskeid tussen die ‘wet’ en die ‘Wet’, sowel as tussen eersgenoemde en ‘geregtigheid’, ofskoon laasgenoemde met geweld ‘afgedwing’ word. Hierdie narratiewe nuanses word in terme van die idee van ‘n komplekse verweefdheid van (gewoonweg) wedersyds-uitsluitende begrippe geartikuleer, insluitend misdaad en wetsgehoorsame handeling, en deur Derrida se werk oor geregtigheid, asook Lacan en Kant se werk oor die (morele) Wet te benut. Meer spesifiek word aangevoer dat, in die lig van die tematisering van vigilante-handeling in die televisiereeks, die universalistiese ‘kategorieëse imperatief’ van Kant daar met ‘n (komplekse) ‘kwasi-universalistiese’ imperatief vervang word. Bauman, Žižek en Kearney se werk help ‘n mens verder om die verhouding tussen vigilante-handeling en die ‘monsteragtige ander’ te verstaan.

Sleutelwoorde: *Dexter*, geregtigheid, kategorieëse imperatief, kompleksiteit, kwasi-universalisties, morele Wet, universalisties, vigilante, wet.

‘Vigilante’ stories seem to have lasting appeal, judging by the popularity of the American television series, *Dexter*, which is scheduled to start its seventh season in September 2012.¹ The film, *Hard Candy* – although not as sustained a thematization of what one may call ‘vigilante killing’ as *Dexter*, appears to me to confirm the allure of narratives of this kind,² and one could add *The Brave One* and many more, such as *Righteous Kill* and *Death Wish*, which also had a sequel, *Death Wish II*.³

No doubt the popularity of such films (including television series) derives to a large extent from people's sense of, and need for, 'justice', when the vigilante story in question concerns a kind of 'people's justice' in the face of criminals literally getting away with murder. And in the case of television or cinema, the enactment of such narratives instantiate the gratifying experience of 'seeing justice done', where there is no doubt that the criminals targeted, and disposed of, by the vigilante figure, 'deserve' what they get, in a pre-modern 'eye for an eye'⁴ sense, which does not sit well with law and law-enforcement in the contemporary world. In fact, the film titled *Eye for an Eye*⁵ concerns the revenge that a mother visits upon the man who raped and killed her daughter, after interrupting a mobile phone conversation between them, while the mother is listening, helpless and distraught, to what is happening to her daughter. In cases such as these, the audience (unsurprisingly) identifies with the wronged person who is out to get revenge, and when it is achieved, viewers feel vicariously gratified by the enactment of 'vigilante justice'. But is this kind of vicarious satisfaction all there is to it, or would a philosophical investigation into this phenomenon perhaps yield far more than meets the eye? Questions concerning the 'law', 'justice', and by implication the 'moral Law' offer themselves as a framework for such an investigation.

This paper sets out to argue that the popularity of the 'vigilante' television series, *Dexter* (as well as of comparable vigilante films) is underpinned by a moral stance that – given the frequent powerlessness of the 'law' to prevent and successfully prosecute criminal deeds such as homicide in social reality⁶ – exempts some instances of vigilantism from the generally accepted moral principle which forbids the killing of other human beings. In a nutshell, the argument states that the universality claimed for the moral Law in the form of Kant's categorical imperative – that the principle guiding one's moral actions should be universally valid for all rational (human) beings – does not function when the murderous actions of the eponymous hero of *Dexter* are judged. Instead, it may be demonstrated that such universality has, by implication (given the narrative's implications and the series' popularity), been supplanted by what may be called 'quasi-universality' – a mode of justification which combines universality and particularity in a specific manner, and which allows for consequences to be interwoven with duty, regardless of the counter-intuitive status of such a claim. In addition to articulating the 'quasi-universalist' status of the moral imperative underpinning *Dexter* and its enthusiastic reception by audiences, it is argued that the thought of both Jacques Lacan and of Jacques Derrida lends itself to understanding the transgressive, criminal behaviour of Dexter, and the sense in which 'justice' (in relation to the law) may be said to be served by his vigilantism. Finally, with the help of Žižek and Kearney, the question is raised whether it may not be more appropriate to see Dexter's actions as monstrous, and what this implies regarding the moral Law. The paper is not motivated by the desire to validate vigilante actions like those thematized in *Dexter*, but to understand their ethical implications.

The 'law' and the 'moral Law'

There is a crucial difference between statutory 'law' and the moral 'Law', between 'positive laws' (such as those governing Black Economic Empowerment in South Africa) and what putatively underpins such particular, culture-specific laws, namely the universally valid moral Law, which may be used as a touchstone for the former regarding their justifiability. Another way to put this is to say that what is legal and what is moral are often two different things. One formulation of such distinctness comes from Kant (1959: 46):

...suppose that there were something the existence of which in itself had absolute worth, something which, as an end in itself, could be a ground of definite laws. In it and only in it could lie the ground of a possible categorical imperative, i.e., of a practical law.

To be sure, anyone who has read Kant's moral philosophy will know that 'definite laws' here could either denote what I called 'positive laws' earlier, or the kind of 'laws' which are themselves universal because they are the maxims or general principles (on the basis of which one wills to act, and acts) that can be regarded as expressions of a universal Law, valid for all rational beings. In Kant's words, which involve the nexus of will, action, (moral) 'law' and universality (Kant 1959: 55, 59-60):

That will is absolutely good which...is a will whose maxim, when made a universal law, can never conflict with itself. Thus this principle is also its supreme law: Always act according to that maxim whose universality as a law you can at the same time will. This is the only condition under which a will can never come into conflict with itself, and such an imperative is categorical.⁷

'Universalizability' of a specific principle or maxim – not to tell a lie, or make false promises, or to resist the inclination to homicide or suicide, no matter the degree of suffering one is subject to (Kant 1959: 47-48) – is therefore required for it to be regarded as a universal 'law'. The same would be true of what was referred to in the earlier excerpt (Kant 1959: 46) as 'definite laws', which would include all those 'positive laws' found in every country and brought into being by the constitutional powers of its legislative body. Such 'positive laws' have to be formulated in accordance with a country's Constitution, which, in turn, may be regarded as the set of fundamental principles that governs social life in that country. These would include the explicit statement of certain 'rights', such as the right to life, the right to own property, freedom of expression and freedom of movement. In the case of at least some countries' constitutions, the first of these – the 'right to life' may be omitted because it is regarded as being fundamental, that is, universal, for all human societies (and hence a correlative law against homicide need not be specified either). Against this background, the actions of Dexter Morgan (Michael C. Hall), and of all the other vigilante figures, such as Hayley (Ellen Page) in *Hard Candy*, are cast in an interesting light, especially because the society in which they live is implicated in the moral status of their actions.

Why? To return to the Kantian moral Law, embodied in the universalist categorical imperative, my argument here is that in the *Dexter*-series (as well as in other vigilante films), one witnesses narratives which point implicitly to a re-evaluation of such a universalist imperative. The implication of such a re-evaluation is, I believe, that questions of morality in extant societies – characterized by high population-density, multi-cultural populations, emancipation from the authority of traditional institutions, and rapid technological development – are too complex to be justifiably addressed by imperatives of the (Kantian) form: 'Act in such a way that the maxim of your action can function as a universal law for all people at all times'.⁸ In light of what was said before, this would therefore include the imperative, not to kill other people; that is, if you kill, the universalization of the motive of your action would be contradictory because it would entail, in principle, the eradication of the human race. The eponymous Dexter's actions are aimed at ridding society of the (supposedly) otherwise virtually ineradicable scourge of serial or compulsive killers (not brought to book by law agencies), like himself, except that he differs from other killers by 'channeling' his murderous urges according to his foster father Harry's 'law' of only killing serial killers. Formulated in these terms, it may appear that his actions would pass muster, in as far as some may argue precisely that all people should, *universally*, act in a similar manner. The question would be how such a stance could be justified, and the answer irresistibly draws one's attention to the aims or intended consequences of Dexter's actions.⁹

From universality to ‘quasi-universality’

On reflection, therefore, it seems that it is in a rather different format that Dexter’s deliberate actions may be understood as being implicitly tempered or ‘regulated’, namely: ‘Never do anything to others if it cannot be universalized regarding its life-preserving, life-promoting effects’. Stated in this way, it introduces what appears to be a consequentialist element into a (deontological) universalist formulation, with the result that the imperative assumes what may be called a ‘quasi-universalist’ form, given that the focus is on two things simultaneously, namely the *universalist* obligation, to avoid actions whose consequences cannot be justified across the board, as well as these *particular* consequences themselves, which are (or ought to be), by implication, effects that would without exception be beneficial to humanity. The merit of such a quasi-universalist formulation is that it draws attention to the partial scope of the actions involved, which is restricted to ‘others’ whose very existence poses an otherwise irremediable threat to humanity – a threat not adequately counteracted or removed by existing agencies of law-enforcement, including the police and the ‘justice’-system.

According to Michel Foucault’s (1972: 215-237) understanding of the mechanisms governing the production of discourse(s), disciplines such as the humanities, because they have spatio-temporally *specific* human life as their field of investigation, are what one may call ‘quasi-universalist’, instead of universalist in their epistemic status. That is, they have ‘universal’ validity regarding human actions or behaviour, but such ‘universality’ is always particularized in terms of historical time and space, and is hence no more than ‘quasi-universality’.¹⁰ This insight can be applied here, too. That is to say, analogously, that Dexter’s actions can be interpreted as being implicitly legitimized on ‘quasi-universalist’ ethical grounds as indicated. They cannot be justified in universalist terms (‘It is all right to kill a human being’), but it appears that one could do so in quasi-universalist terms: ‘It is universally justifiable to kill particular individuals, namely those who murder other people indiscriminately, and whose killing existing agencies of the law have proven (for various reasons) unable to prevent’. This, I believe, is the (quasi-universalist) principle, or intuition, underpinning vigilante-narratives such as *Dexter* and other, similar films, some of which I have referred to, and would explain their popularity.

It may be objected that one person – Dexter, or any other vigilante agent – cannot justifiably decide the fate of others on his or her own, because this would be arbitrary. In the case of Dexter the ‘vigilante’-killer goes to considerable lengths to verify the murderer-status of the identified killer-victim before performing the ‘execution’. There are several instances where Dexter refrains from following through with an execution when uncertainty about the relevant person’s murderer-status obtrudes on his intentions. This is parallel to the duty, on the part of police and justice departments, to ascertain the likely guilt of a murder-accused as thoroughly as possible before proceeding with a formal indictment.¹¹

Again, conventionally speaking, taking the law into one’s own hands is regarded as unacceptable, due to the absence of due process of law. To this one might respond that human fallibility would function there, no less than in the case of Dexter. The actions of the latter may therefore be justified on the basis of the quasi-universalist imperative, that if the conventionally sanctioned agencies of law-enforcement fail to protect human lives, ‘vigilante law’ may step into the breach, as it were, in the interest of protecting potential future victims. This is implied by the enthusiasm with which audiences tune in to *Dexter* on a regular basis.

A further implication is that the *Dexter*-series demonstrates the moral Law, as formulated by Kant, to have been implicitly ‘rethought’, so that its universalist character would not stand in

the way of the implied quasi-universalist justification of ‘criminality’ or flouting the law (in the interest of humanity). Unlike the first version of the Categorical Imperative (‘Act in such a way that you can consistently will that the maxim of your actions may function as a *universal* law for all people anywhere and at any time’), the imperative presupposed by audiences’ implicit support of the fictional Dexter’s actions could be formulated, in quasi-universalist form: ‘Always act in such a way that the maxim of your action can be a *universal* rule for all human beings, *except* with regard to *particular* cases of individuals who repeatedly commit murder’. Differently put, given the implied support of the public for such vigilante killings – as thematized in *Dexter* (where the ‘Bay Harbor Butcher’, whose victims’ remains have been uncovered, is perceived as ‘only killing bad people’, and therefore cheered on by the public) – it could perhaps read, in negative terms: ‘Never transgress the moral Law *except* in those instances where transgressing it better protects its sanctity’. These are paradoxical formulations, to be sure, but it appears to me that the popularity of a series such as *Dexter* suggests that, as revisions of the categorical imperative, they are implicitly deemed necessary in the face of the social and moral complexities of contemporary social life,¹² so penetratingly uncovered by Zygmunt Bauman (2008).

Complexifying morality: Lacan

Such complexities are accommodated in the poststructuralist thought of both Jacques Lacan and Jacques Derrida. For Lacan, there is a crucial difference between conventional morality and authentic ethical action, which sometimes must appear transgressive, even ‘criminal’.¹³ This clearly applies to Dexter, but again one may intuitively react dismissively to the suggestion that his actions are ethically justifiable, especially when recognizing their ‘criminal’ character. In his discussion of Sophocles’s *Antigone*, Lacan (1997: 257-283) makes it clear that her act of transgressing the law upheld by the king and the community (hence, a conventional law) is indeed a criminal act, but nevertheless he sees it as a ‘criminal good’ (Lacan 1997: 240), and stresses her importance as a ‘turning point’ in the field of ethics (Lacan 1997: 243).

Why? Antigone invited her own sentence to death by her uncle, Creon, the king, by burying her slain brother, Polynices, against the king’s order, or state-law, in the name of the chthonic (ethical) laws of the family (Hegel 1966: VI A, 466-482). In other words, her tragic commitment to the well-being, beyond death, of her slain brother (who required a proper burial, lest he be mutilated by scavengers and be condemned to a restless shade-existence) brought her into conflict with the law, but the strength of her ‘desire’ to cross the limit beyond which humans cannot dwell, namely *Até* (Lacan 1997: 262-263) was strong enough to allow her to persevere in her ‘criminal’, but ethical actions. In fact, Lacan (1997: 282) avers, one perceives in her ‘the pure and simple desire of death as such’.¹⁴ Given that Lacan (1997: 314) exhorts the subject to act ‘in conformity with the desire that is in you’, to which he opposes ‘traditional ethics’, it would appear that Antigone was an exemplary ethical subject. Could this possibly cast light on the ethical status of Dexter’s vigilante executions?

Lacan’s (1997: 78) observation about the ethical significance of the Marquis de Sade’s *Philosophy in the Boudoir*, namely, that its argument constitutes a kind of Kantian anti-morality, is particularly relevant here. In fact, de Sade extols the obverse of all the moral imperatives contained in the Decalogue as virtues, in such a way that a Sadean alternative to the Kantian categorical imperative might read: ‘Let us take as the universal maxim of our conduct the right to enjoy any other person whatsoever as the instrument of our pleasure’ (Lacan 1997: 79).

Does Dexter belong in the ‘criminal’ ethical company of Antigone? Yes and No. Yes, in so far as his actions are undoubtedly criminal in conventional terms, and no, because his desire

is not, like Antigone's, for death as a way to satisfy the moral imperative binding him to the fraternal other. Nevertheless, Dexter's actions are the outcome of 'having taken up his desire' in a different sense: he is motivated by the Freudian death drive, one manifestation of which is conservative – to 'return' to a previous state – and another is aggression towards others. At several junctures in the series he intimates to viewers, in his conversational voice-over, that – like the youth who eventually commits suicide when he fails to deal as 'creatively' with his lust-to-kill as Dexter does – he urgently wants to kill, and also that he finds no meaning in life. This corresponds to Antigone's desire to cross the limit instantiated by *Até*, because '[h]er life is not worth living' (Lacan 1997: 263). But while he does not seek to hasten his own death in the face of such meaninglessness, he does inflict death upon others in accordance with his foster-father's (Harry's) self-preserving imperative, to kill only those who pose a clear and demonstrable threat to society. Not that such killing is motivated by a sense of duty towards others; the only sense in which 'duty' seems to motivate Dexter is his sense of obligation to Harry, his foster-father (although there are arguably perceivable signs of such a feeling of duty, or responsibility, where his sister, Debra, and his girlfriend, Rita, together with her two children, are concerned). The audience is left in no doubt that he enjoys killing and needs it on a regular basis; but his killing is selective in accordance with the quasi-universalist 'ethical' criterion of someone being a threat to the very existence of society.¹⁵ In Sadean terms one might say that the quasi-universalist maxim governing Dexter's conduct is that he takes *some* people (not all, universally) – serial killers – as the instruments of his own idiosyncratic, or perhaps more accurately, his perverse, pleasure.

Complexifying justice: Derrida

Turning to Derrida's notion of an 'impossible justice', it is worth noting that he, too, distinguishes between 'justice' and 'the law' (Derrida 1997: 16-17):

But justice is not the law. Justice is what gives us the impulse, the drive, or the movement to improve the law...justice is not reducible to the law, to a given system of legal structures...A judge, if he wants to be just, cannot content himself with applying the law. He has to reinvent the law each time. If he wants to be responsible, to make a decision, he has not simply to apply the law, as a coded program, to a given case, but to reinvent in a singular situation a new just relationship...

This is almost certain to seem counterintuitive. How could the law be 'reinvented' every time a judge gives a verdict? As John Caputo (1997: 136-137) reminds us, however, every 'case' is different, and constitutes a singularity in space-time, so that a judge's judgement is (or should be) a way of negotiating the difference between a 'blind and universal law and the singularity of the situation before us'. Anyone who doubts this, merely has to consider that Rosa Parks's revolutionary civil rights action in Montgomery, Alabama (and many comparable actions by political activists in South Africa under apartheid law before 1994), may have been in contravention of an existing law on black Americans' use of public transport, but when these laws are scrutinized in the unforgiving light cast upon them by the question of whether they were 'just', the answer has to be that they were not, and therefore had to be revised, and changed (Caputo 1997: 130).

As every magistrate, judge or jury knows, in a court of law the decision involved in reaching a verdict cannot be postponed indefinitely; it is as subject to the constraints of time as all other human practices and activities. In Caputo's words, '...justice does not wait; it is demanded here, now, in the singular situation. Justice cannot wait for all the facts to come in, which they never do' (Caputo 1997: 138). 'All the facts' would include every conceivable (and

perhaps inconceivable) bit of information pertaining to the culpability of an accused, even those that may be found by a court to be irrelevant on closer inspection, but not before they have been scrutinized, as well as evidence from potential witnesses who have either not come forward voluntarily (perhaps because they were unaware of the consequences of what they witnessed) or not been summoned as witnesses by either the prosecution or the defence.

This is what ‘undecidability’ means for Derrida: not what is so often imputed to him, namely ‘indecision’ (‘the inability to act’) or moral weakness, but the very ‘condition of possibility of acting and deciding’ (Caputo 1997: 137). In other words, making a ‘decision’ presupposes ‘undecidability’, which means that decisions do not occur ‘automatically’, in a predetermined manner, for human beings. Deciding what to do when moral or juridical action is required is precisely the opposite of complete, algorithmic calculability and programmability. This may be possible for computers, but not for human beings, who cannot escape choices and decisions of moral and ethical import in situations where no pre-programmed reaction is available. It is because we are not programmed in advance to ‘know’ what to do in every situation demanding such a decision, that we *have* to decide, and in this sense decisions are predicated on ‘undecidability’. Caputo hastens to point out that it does not mean the same as ‘decisionistic’, either (Caputo 1997: 137), which implies voluntaristic and subjectivistic arbitrariness of decision-making (‘I can do whatever I like’). Such arbitrariness would therefore lack the responsibility involved in weighing carefully all the evidence as well as the requirements of (existing) law before making the unavoidable decision. Caputo formulates Derrida’s position on justice and the law succinctly where he says: ‘For justice and the law are not supposed to be opposites but to interweave: laws ought to be just, otherwise they are monsters; and justice requires the force of law, otherwise it is a wimp’ (Caputo 1997: 136).

It seems to me that these considerations cast light on Dexter’s moral and ethical status before the ‘law’ prohibiting murder. Derrida’s notion of the law as that which has to be mediated by an ‘impossible’ justice – impossible in the sense that it cannot ever be instantiated once and for all, but can at best ‘happen’ in the negotiation of the tension between ‘law’ and justice in concrete, singular cases – seems to apply to Dexter’s vigilante executions in so far as Dexter treats every ‘case’ as a singular instance of transgressing the proscription of murder (which is forbidden by law in every extant society), and one that therefore has to be considered uniquely on its own merits. This explains why he painstakingly investigates the suspect before deciding in favour of an ‘execution’. In short, the ‘justice’ that Dexter inadvertently promotes (inadvertently, because there is scant evidence that he terminates individuals’ lives out of a concern for justice; he merely needs to kill, but refrains from doing so randomly) – to free society from individuals who kill *indiscriminately* – is enacting a ‘law’ or ‘rule’ formulated by his foster father, Harry, namely to kill only those who (unlike him) inflict death upon innocents. Moreover, as in the case of a judge’s judgement which has to be delivered, even if one can never be sure that ‘all the evidence’ pertaining to the case has been adduced, Dexter – who is also subject to ‘undecidability’ – makes the decision in the light of evidence which could, however persuasive, conceivably be incomplete, essentially because it is subject to (his) human finitude and fallibility, but which decision nevertheless ‘cannot’ be indefinitely postponed. He is indeed mistaken about the guilt of his victims in at least two instances.

Admittedly – and I realize that this is a possible weakness in my argument – Dexter’s decision is spurred on by his irresistible need to kill. However, he himself acknowledges this compulsion, but nevertheless resists it because of his voluntary submission to ‘Harry’s law/rule’. It is notable in this regard that, even after his discovery that Harry has lied to him about several things (including the identity of his biological father), and he has reflected on

the need to continue honouring Harry's injunction concerning his own compulsive inclination to kill, he still follows this 'rule'. This is apparent when (subsequent to his misgivings about Harry's integrity), his serial-killer brother Rudi offers Dexter the presumed pleasure of killing an unconscious and tied-up Debra (his stepsister), which Dexter refuses, eventually executing his brother instead, because (as he explains to Rudi) he has to be 'put down' to prevent his indiscriminate and remorseless murdering spree. One might say that, in exemplary Kantian fashion, Dexter puts 'duty' (in the quasi-universalist sense discussed earlier) first regarding his lethal brother (although he pays for this through feelings of guilt after committing the deed). As far as Debra is concerned, he never displays the inclination to dispatch her from this world, even when offered the chance by Rudi – something which, together with the pangs of guilt for killing Rudi, emphasizes that Dexter is no psychopath (sociopath), characterized by the complete absence of remorse for destructive actions.¹⁶ If psychopaths are recognizable by the absence of a feeling of guilt for their deeds, then Dexter does not fall into that category; in several cases he expresses regret about killing someone (his brother, Rudi, Miguel's brother and the 'erotic photographer'). And if psychopaths seem oblivious of a sense of 'duty', then he displays an altogether singular disposition, displaying an awareness of a kind of (quasi-universally configured) 'duty', combined with a need to kill, albeit in a selective fashion.

It is worth noting, in passing, that – as a perceptive critic has pointed out – the 'law' of selective homicide imposed on Dexter by Harry is motivated by Harry's concern for his foster son: while society is likely to be tolerant, even supportive (as it turns out) of the Bay Harbor Butcher's 'executions' of criminal types, directing his murderous urges at 'model citizens' would be met with resolute attempts to bring him to book. Dexter's actions are therefore arguably the outcome of a compromise between an urgent need to kill and selectively focused self-restraint in the interest of self-preservation.¹⁷ Are his actions then still susceptible to moral evaluation, or is it merely a matter of someone with an irresistible urge to kill who disciplines himself for the sake of personal survival? It seems to me that Dexter is no different from other people when it comes to the operation of what Freud (2006: 358) called the self-preservative instinct, common to all living beings but that the moral status of his actions in relation to extant society is no less significant because of this, specifically from the perspective of intra-cinematic (those who applaud the Bay Harbor Butcher) as well as extra-cinematic society (the millions of viewers who applaud, and identify with Dexter). Whatever his motivation, the narrative presents him as someone whose vigilante actions meet with broad social approval. This, together with the large audiences drawn by the series, suggests that his admittedly ego-centred, but rule-governed homicides invite assessment in ethical terms, because his serial killer status conspicuously conflicts with the categorical imperative.

Hence, while I grant that it may seem to be stretching things by describing Dexter as negotiating the tension between 'justice' and 'the law' (against homicide), his actions serve to highlight that tension. True, one sometimes gets the impression of complete indifference to the moral Law on Dexter's part (when, in voice-over, he reflects aloud about not understanding other people's emotions and moral sentiments) and, as pointed out above, his adherence to Harry's rule for channeling his murderous impulses is, primarily, pragmatically motivated by the need to survive. But – given the question of the *raison d'être* for creating the series, as well as its demonstrable popularity – there is more to it, which invites an interpretation in the quasi-universalist manner described earlier. One might say that, paradoxically, Dexter's selective homicidal actions amount to the effective *enforcement* of the law against homicide, in the absence of such successful enforcement by (what is ironically known as 'law-enforcement agencies', namely) the police and the judicial system.

To modify Caputo's formulation somewhat, the television series in question appears to imply that without the 'monstrous' actions of individuals such as the fictional Dexter, both justice and the law would be 'wimps'. Perhaps this points in the direction of the 'true' location, or 'ground' of what I have labeled the 'quasi-universalist imperative', which interweaves universality and particularity. In a society where the 'law' sometimes seems powerless to safeguard citizens against the proliferation of dangers and crimes threatening their security, if not their very lives, *Dexter* suggests an implicit revision of Kant's categorical imperative, the putative universal validity of which is incapable of accommodating the vigilante actions of a Dexter.¹⁸

Whether one agrees with this or not, it is arguably a 'belief' that underpins the series as well as its reception, and is discernible in relevant scene-sequences such as the one where Dexter, after the inadvertent discovery of his victims' remains in weighted-down plastic bags on the sea-floor off Miami, imagines himself to be surrounded by a crowd cheering him on, with celebratory balloons bearing his name floating aloft. This scene corresponds to indications in the media that, in the face of this grisly discovery – attributed to what is soon dubbed the 'Bay Harbor Butcher' – and followed by the news that the remains are those of individuals who were not exactly law-abiding citizens, numerous signs indicate that the public appears to approve of the vigilante's handiwork.

The ethical, the monstrous, and the 'other'

One might argue, of course, that the very attempt to justify Dexter's actions morally in such quasi-universalist terms is itself philosophically perverse, and that one should recognize him for what he is, namely a monstrosity whose actions cannot ever be construed as being 'ethical' in any conceivable sense. On the contrary, one might rather perceive in him the epitome of what Zygmunt Bauman describes as the tendency, in postmodernity, to turn away from an ethics oriented to the ethical primacy of the other, and instead obey the egoistic imperative of acting primarily in one's own self-interest (Bauman 2008: Chapter 1). Accordingly, Dexter could easily be seen as acting in the selfish pursuit of his own perverse pleasure in inflicting death on others. This would not sit well with his 'selective' executions, however – if *only* self-interest in the pragmatic sense which serves self-preservation was at stake, it is highly unlikely that, on several occasions when he intimates to the audience the growing urgency to kill, he would have been able to restrain himself. I believe one can safely reject the possibility that Dexter is just another self-centered postmodern subject, intent on self-gratification and edification, as characterized by Bauman.¹⁹ Rather, it appears that Dexter is ambiguously positioned between self-gratification, pragmatic selectivity and obedience to a self-imposed, regulating 'ethical' principle of sorts – and if not the latter, then at least a *modus operandi* that betrays a tacit, underlying, quasi-universalist principle which justifies his actions in the eyes of viewers.

One of the most illuminating perspectives on the vigilante killings of Dexter, and one related to the notion of monstrosity, is encountered in the work of Slavoj Žižek, where he clarifies the meaning of 'the other' in Jacques Lacan's work.²⁰ What he argues here in Lacanian vein marks, as far as I can judge, the basis for what one may call the intuitive awareness, on the part of the *Dexter*-viewing public, that the narrative of the series is underpinned by something that requires a rethinking of what the law means in relation to the moral Law. At the outset this was articulated as a quasi-universalist twist to the Kantian categorical imperative, but Žižek enables one to put a different complexion on it.

In contrast to what he refers to as Levinas's 'ethical domestication of the neighbour' by making 'the other' the source of our awareness of ethical responsibility, Žižek recalls Freud's and Lacan's insistence on the impenetrability of the other. He does so in the context of explaining the meaning of Lacan's enigmatic statement, 'Man's desire is the Other's desire', firstly as an indication that one's desire is 'predetermined by the big Other, the symbolic space within which I dwell' – which is to say that even subversive or transgressive desires and actions presuppose social norms embedded in the symbolic order of language or culture. In the second place, Žižek argues, Lacan's assertion also means that one desires only to the extent that one has the experience of '...the Other itself as desiring, as the site of an unfathomable desire, as if an opaque desire is emanating from him or her.' Paradoxically, according to both Freud and Lacan this 'abyssal dimension' of human beings was first expressed in the Judaic exhortation, 'to love your neighbour as yourself'²¹ – a profoundly problematical imperative that, according to Lacan, hides the fact that the neighbour is not merely my 'mirror-image' to whom I can attribute everything that I experience; underneath this mask 'there always lurks the unfathomable abyss of radical Otherness, of one about whom I finally know nothing'. Hence the divine law in Judaism that 'regulates relations between people' – it is the counterbalance to the neighbour as potential monster. Here Žižek reminds one of the paradigmatic instance of this in Stephen King's *The Shining*, where the father – quite an ordinary man – increasingly metamorphoses into a destructive monster who ends up killing everyone in his family.

One could add other examples, such as some of David Lynch's ostensibly everyday characters who turn out to be as sinister as they appear 'normal', and – obviously – the character of apparently likeable Dexter. Part of the voyeuristic enjoyment audiences experience while watching *Dexter* no doubt comes from the familiar 'privileged knowledge' of the reader or viewer, namely that they are in on the perpetrator's monstrous secret, knowing that while he appears to be quite ordinary to those around him, he is a proverbial Mr. Hyde – the exception being Sergeant Doakes, who suspects that Dexter is hiding some deep, dark secret from early on, but cannot prove it. (Until it is too late to save himself – this time not from Dexter, who cannot bring himself as far as killing Doakes, but from another compulsive killer, Lila, who disposes of Doakes to protect Dexter, her love object).

The point is that *Dexter* makes explicit what Žižek says about the neighbour as unfathomable other, namely that he or she may not be what they seem to be, that is, that their desire is impenetrable. This, I would suggest, goes a long way towards explaining the popularity of the television series: being confronted by the 'truth' concerning an ordinary-looking character, namely that he (or she) is capable of bumping off others at the drop of a hat provides a mirror for the self, or selves comprising the audience. Add to this the fact that Dexter is depicted as someone who – again in exemplary Lacanian fashion (Lacan 1997: 314) – has 'taken up his desire' in no uncertain terms, and one has a recipe for audience-identification in a double sense. First there is the well-known way in which one identifies with a character or protagonist in a novel or film²², which is no exception in the case of Dexter. But secondly one may discern here an identification, on the part of viewers, with someone who has taken the bold step of carrying out what many, in the light of Žižek's account of Lacan's notion of 'desire being the other's desire', are bound to desire. What they desire, albeit unconsciously, is the license to do exactly what Dexter does with impunity, namely to gain satisfaction in killing – not just anyone, but those who represent precisely the monstrous in the other that people fear.²³ (This is regardless of the fact that Dexter, too, represents an 'other' whose monstrous side reveals itself conspicuously and repeatedly, albeit selectively. Given his vigilante status, however, viewers are likely to condone this.) Seen in this light, it is not only the imaginary intra-cinematic crowd that cheers

and applauds Dexter's deeds; the real crowd of *Dexter*- (and Dexter-) fans would do exactly the same, because they gain vicarious pleasure through his murderous actions. This, I believe, is one of the most significant reasons – albeit mostly at the level of the unconscious – why the *Dexter*-series has already seen a number of seasons, and why other instances of such 'vigilante' narratives find an affirmative reception among audiences.

Richard Kearney's work on 'strangers, gods and monsters' – three powerful liminal forces in relation to human self-understanding – confirms the perspective on Dexter's ethical status gained from Žižek (Kearney 2003: 95-96). Kearney discusses 'the monstrous sublime' in Žižek's work, which is situated in the latter's reading of Kant on the relation between the good or the moral Law and the monstrous. Both of these belong properly to what Kant called the noumenal realm (of the thing-in-itself), and Žižek speculates that, being noumenal – and therefore not accessible to human cognition, as the phenomenal realm is – they are virtually indistinguishable. As Kearney puts it: 'In other words, in the highest instance of noumenal experience – contact with the Law – the human subject finds itself obliterated in a sort of Kafkaesque confusion of sublime proportions. For what it encounters here is nothing other than the 'unconscious' of the Good: that is, the monstrous' (Kearney 2003: 96).

Conclusion

Could one not read in this description a reflection of Dexter's position? Having 'taken up his desire', namely, to kill, he subjects himself to the 'good', or the 'law' (albeit partly out of prudence), as held up to him by Harry, which allows him to kill, as long as it is done according to strict criteria. Dexter may therefore possibly be described as being all the more monstrous because he carries out his work as the angel of death in the name of a (the?) 'law' – he may be said to be 'in contact' with a 'law' masquerading as 'the (moral) Law', and because he takes this as legitimizing his (selective) executions of serial killers, the monstrosity of his actions appears all the more clearly.²⁴ This suggestion does not vitiate, as far as I can judge, the claim comprising the main thrust of this paper, however, that the narrative as well as the audience-popularity of the series is implicitly underpinned by a 'quasi-universalist' modification of Kant's (universalist) categorical imperative.*

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Notes

- 1 *Showtime* 2006-2012. Different episodes of *Dexter* directed by various directors. For detailed information confirming the series' popularity and critical acclaim, see http://en.wikipedia.org/wiki/Dexter_%28TV_series%29 (accessed 29 May 2012.)
- 2 *Hard Candy*. Slade, D. (Dir.) USA: Vulcan and Launchpad Productions, 2005. For detailed information on *Hard Candy* and its popular reception, see http://en.wikipedia.org/wiki/Hard_Candy_%28film%29 (accessed 29 May 2012).
- 3 *The Brave One*. Jordan, N. (director) USA: Warner Brothers, 2007; *Righteous Kill*. Avnet, J. (Dir.) USA: Millennium Films, 2008; *Death Wish*. Winner, M. (Dir.) USA: Paramount Pictures, 1974; *Death Wish II*. Winner, M. (Dir.) USA: Cannon Films, 1982.

- 4 Rodriguez offers a lucid explanation of the law of ‘An eye for an eye’, encountered in several passages in the Old Testament, in the context of the significance of recent archaeological discoveries. Fundamentally, according to his reading, it amounts to a ‘law of equivalence’. See Rodriguez 1998.
- 5 Schlesinger, J. (Dir.) 1996. *Eye for an Eye*. USA: Paramount Pictures.
- 6 Although some reports indicate that crime rates have dropped steadily in the United States since the 1990s, it is also the case that others show some cities to be experiencing an increase in crime, despite an overall decline. Moreover, some reports actually indicate a tremendous upsurge in serious crime, while others indicate a gap between actual crime and the perception of crime on the part of most Americans. It is especially the latter perception, I would argue, that accounts for the popularity of *Dexter* and comparable vigilante stories. See in this regard: Crime in America (for sites accessed 29-5-2012). As for South Africa, where *Dexter* is very popular, the ubiquity and the sheer violence of crime since the advent of democracy in 1994 are astonishing, and puzzling, calling for understanding and explanation. For one such an explanatory attempt in Lacanian psychoanalytic terms, see Olivier 2012.
- 7 Kant points out that willing and acting in this manner, that is, in accordance with the universalizability of a maxim or principle of moral action, is at the same time the ‘principle of autonomy’, and that if the ‘law’ determining the will is sought in anything else, for instance, in an ‘object’ or ‘interest’ which motivates the will through its relation to it in terms of desire (the attractiveness of a bribe, for example), the will becomes heteronomous, that is, subject to something *other* than its own universalistic legislative power, which only allows ‘hypothetical imperatives’ instead of a ‘categorical imperative’. An example of the former provided by Kant here is: ‘I should do something for the reason that I will something else. The moral, and therewith categorical, imperative, on the other hand, says I should act this or that way even though I will nothing else. For example, the former says I should not lie if I wish to keep my reputation. The latter says I should not lie even though it would not cause me the least injury.’
- 8 Zygmunt Bauman maps this astonishing complexity in terms of the ‘flows’ of globalized cultures and the impossibility of grasping the accompanying dynamics and emerging ethical imperatives by way of traditional ethical principles and hierarchies of authority. See Bauman 2008, Chapter One.
- 9 It is not difficult to see Dexter as a *noir*-detective hero, comparatively alienated from mainstream, corrupt society and therefore not feeling constrained to work within the law to uphold the law. Some might argue, however, that *noir*-detective figures are usually depicted as working in the ‘margins’ of the law, while Dexter’s actions are beyond the pale, as it were, and makes him imponderable in *noir*-terms.
- 10 For an elaboration on the ‘quasi-universality’ of the humanities, see Olivier 2010: 15-24.
- 11 One encounters a kind of test case in *Dexter* (Season 1) where the only person in the Miami Dade Police Department to guess or intuit Dexter’s ‘murderer’-status accurately is Sergeant James Doakes, who is unable to find corroborating evidence to this effect until late in the series, when he catches Dexter red-handed with material evidence. If Dexter had been out to kill indiscriminately, just for the thrill of it, he would have done so once he had turned the tables on Doakes, but instead he held him captive with the intention of framing him conclusively for the ‘Bay Harbor Butcher’s’ murders. The fact that pyromaniac killer Lila West subsequently conveniently disposed of Doakes makes no difference to Dexter refraining from doing so himself, constrained as he is by ‘Harry’s law’. This instance also shows, I believe, that Dexter is not *only* motivated by the need for self-preservation in his choice of victim, because Doakes was already suspect number one in the hunt for the Bay Harbor Butcher, and his death (and disappearance) at Dexter’s hand would not have endangered the latter any more than was already the case. Admittedly, Dexter’s plan to frame Doakes conclusively, instead of killing him, was as much motivated by his sense of self-preservation as by any possible sense of guilt at the thought.
- 12 Anyone who would object to these formulations, would presumably also object to the justification of killing in the form of the death penalty, as well as to the killing of another person in self-defence, let alone so-called ‘just(-ifiable) war’. These are complex moral issues where, in my judgement, one is repeatedly confronted by a tension or conflict between deontological and

- consequentialist considerations, and where resorting to an interbraiding of these ethical principles may also, as suggested here regarding Dexter's 'criminal' actions, lead to new insights.
- 13 If this seems counter-intuitive, recall that there have been many instances in history where convention-transgressive, criminal(-ized) actions can easily, in retrospect, be recognized as ethically justifiable. In South Africa under apartheid legislation it was a crime to invite or accept black people into certain social spaces (except as 'workers'), but many whites did exactly that, on pain of being prosecuted. Similarly, under war-conditions, it has usually been forbidden under martial law for occupied nations to give shelter to the occupier's enemies, and yet many people have done that, despite the danger they faced. Such actions are clearly ethical, in accordance with Lacan's insight.
- 14 What Lacan is talking about here is the Freudian 'death drive', which is paradoxically intertwined with Eros or the life-drive in the sense that each presupposes the other – there is no life without prior inanimate existence (organic life came after inorganic matter), and there is no death without prior living organisms, so that Freud can point out that the purpose of all life is, in fact, death. And because Antigone desires death, it makes her the embodiment of the death drive, which can therefore be seen as having ethical significance. See Freud 1968: 1-64.
- 15 One might add here that Dexter could therefore be understood as someone who, having 'taken up his desire' (to kill), has subjected this desire to an (quasi-universalist) ethical imperative which prohibits him from killing at will. In this sense he has 'sacrificed his desire' in its unadulterated guise. This does not conclusively answer the difficult question, however, whether Dexter is an 'exemplary ethical subject' in Antigone's sense; it merely clarifies, I believe, what is implicit to the *Dexter*-narrative, and to its popularity among television audiences. Elsewhere I have elaborated on the ethical significance of such 'sacrifice of one's desire' in Lacanian terms. See Olivier 2009a: 53-89.
- 16 It is well-known that so-called psychopaths are recognizable by various behavioural traits, including the apparent absence of an active conscience or a sense of remorse. It is a difficult question, whether psychopaths are the outcome of 'nature' or 'nurture', but it seems to me that a psychopathic (or sociopathic) disposition is rooted in the former, which would locate the 'source' of psychopathy in the Lacanian 'real', as instantiated in the pre-symbolic human body. A striking demonstration of the difficulty involved in trying to account for this kind of behaviour is encountered in Schumacher's *8mm*, where Nicolas Cage's *noir* detective, Tom Welles, comes face to face with 'Machine', who killed the young woman whose disappearance the detective is investigating. 'Machine' tells him that he was not abused by his parents as a child, but that his murderous actions derived from merely 'enjoying' them. In general terms one is here confronted by the enigma of a certain 'causality', psychic and/or physical (one does not know which). I am convinced, however, that it has to do with what Lacan calls the 'real', which he connects with the order of the *tuché*, or the kind of impenetrable 'causality' that operates where things evidently 'don't work' according to the causality or 'laws' governing phenomenal reality, or the order of the *automaton*. The *tuché* operates precisely where things 'go inexplicably wrong', without any assignable cause. This, it seems to me, is what one has to deal with in cases of true psychopathy, as well as those other, perhaps more intriguing cases (like Dexter), where the precise 'causality' impelling the agent seems completely inscrutable. Cf. in this regard Lacan 1981: 52-64; Cornwell 2002: 26-29, Olivier 2009b: 1-31; and Schumacher 1999. I am indebted to Dan Shaw – who has confronted it in the domain of horror film – for reminding me of the pertinence of this problematic issue for the present essay.
- 17 Nevertheless, Dexter does not flaunt the identities of those he has 'executed' in the hope of being lionized by grateful citizens, although he fantasizes about it; he treats his deeds, and his victims, as something to be hidden from view because he knows that murder is forbidden.
- 18 Dan Shaw has drawn my attention to the oft-expressed belief that '...the vigilante is a greater threat to society than the common murderer, as he is assaulting the very legal system on which our security is based, threatening to plunge us back into the Hobbesian war of all against all'. Ironically, this seems to me to offer some kind of confirmation of my interpretation of *Dexter*: the series represents precisely a quasi-universalist (fictional, fantasized) response to the threat of the *bellum omnium contra omnes* that social agents fear, in the absence of effective

- law enforcement. The character of Dexter embodies society's fantasy of justifiably enforcing the law (or order, at least) where the police and the courts are seen as failing to do so.
- 19 This is not to reject the illuminating power of Bauman's (2008: Chapter 1) interpretation of the complex field of current social developments and concerns, which he persuasively describes as a 'reversal' of the relations between the pleasure and reality principles as conceived by Freud: 'It is now the "reality principle" that has been forced to go on the defense; it is daily compelled to retreat, self-limit, and compromise in the face of renewed assaults by the "pleasure principle"'. This insight was articulated earlier by Slavoj Žižek in an essay entitled (borrowing from Marcuse) 'The deadlock of "repressive desublimation"', where he argued that, in the contemporary world one witnesses the strange reversal of the superego's erstwhile function of *prohibition* (of certain enjoyments) to that of issuing the social command to 'Enjoy!' – an uncharacteristic superego-role in classical Freudian terms. See Žižek 1995: 7-28. For an elaboration on this issue in relation to contemporary culture, see Olivier 1998: 126-141.
- 20 See Žižek 2007: chapter 3.
- 21 See Bauman's illuminating elaboration on the meaning of this dictum in the globalized consumerist world in 2008: Chapters One and Three.
- 22 It does not always yield the pleasure one has learned to anticipate when one identifies with a protagonist in this way, as demonstrated in Anthony Minghella's film, *The Talented Mr Ripley* (1999), where the gradual transmutation of Ripley from a 'poor boy trying to make it in a rich man's world' into an unscrupulous identity-thief and cold-blooded killer causes the viewer considerable discomfort in the end. In this regard, see also Olivier 2009: 407-419.
- 23 Dan Shaw has also reminded me that this identification on the part of viewers may be expressed in Freudian terms as providing the (welcome) occasion for 'catharsis of our Thanatos drive'. At the same time, Dan went on to suggest, 'Dexter's murder of those who deserve it allows us to take more pleasure in his executions, as their justifiability help circumvent the censorship of the superego'. I agree, and if one tends to react at gut-level with shock or revulsion to this suggestion, one should recall that Freud characterized the death drive or Thanatos as having two sides, namely a conservative side (which impels the organism to return to a former state) and an aggressive side, bent on destruction of what is perceived as threatening the organism. See Freud 1968.
- 24 One could therefore subsume Dexter under the aegis of what Derrida calls a 'beast' in *The beast and the sovereign*, where he advances several reasons, based on his reading of certain texts concerning these concepts, why 'beasts' and 'sovereigns' have often been exempted from the criteria for moral judgment that people are customarily subjected to. These would take me too far from my present concerns to be pursued at length here, however. See Derrida 2009.

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