Guilty Subjects:

The problem of guilt in law, literature, and psychoanalysis

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Course Description: Literary works from ancient tragedy to the modern novel thematize guilt in various ways. Freud places it at the center of his practice and his theory of mind. While law seems reliant mainly upon a formal attribution of guilt in order to determine who is liable to punishment, we might also suggest it relies upon ‘guilty subjects’ for its operation. With all of these different deployments of the concept, we might agree it is a central one; yet how to define it remains a substantial question. Is the prominence of guilt in modern Western culture a vestige of a now-lost religious world? Is it, as Nietzsche suggests, an effect of “the most profound change man ever experienced…when he finally found himself enclosed within the wall of society and of peace?” Freud seems to concur when he argues that guilt must be understood as a kind of internal self-division where aggressivity is turned against the self. Is guilt a pointless self-punishment, meant to discipline us? Or does it continue to have an important relation to the ethical?

This seminar proposes to explore guilt as a conceptual link between the three broad disciplinary arenas of our title, with some help from philosophers and film as well. Our exploration is divided—mainly for heuristic purposes—into four rubrics. The first, “Truth and Trials,” uses Kafka’s mysterious horror story of Josef K. to begin our inquiry into the strange vicissitudes of the concept of guilt. Josef K, an ordinary bureaucrat, is arrested—but what are the charges? What is he allegedly guilty of? Is he guilty of anything? How can he defend himself? In the second section of the course, we’ll focus on some key texts to explore the way in which psychoanalysis has developed the idea of guilt. We’ll then both elaborate on and contest the psychoanalytic understanding by turning to the project and practice of “speaking guilt:” confession. In our final section, it seems only appropriate that we should turn our attention to expiation, forgiveness and redemption.
**Required Texts:**

Kafka, Franz, *The Trial.*

Nietzsche, Friedrich, *The Genealogy of Morality*

Freud, Sigmund. *Civilization and Its Discontents*

Foucault, *Discipline and Punish*

Brooks, Peter, *Troubling Confessions: Speaking Guilt in Law and Literature*

Arendt, Hannah, *Eichmann in Jerusalem*

Coetzee, J. M. *Disgrace*

Krog, Antje, *Country of My Skull*

Anon, *A Woman From Berlin*

Sebald, W.G., *The Natural History of Destruction*

All of these items are available through the NYU Bookstore. Additional materials, both required and supplemental, to be made available via Blackboard
Required Writing:

You will write two substantial papers of 10-12 pages in length and weekly brief informal response papers, in which you will develop and address questions provoked by your readings. For your longer papers, you will be given a selection of possible topics; you can also develop your own topic in consultation with me. As you go along and as you write your short response papers, keep track of the ideas, questions, texts that are of especial interest to you, that seem to connect most vividly with your own interests and your proposed concentration. Some of the best paper ideas come quite organically out of these reflections.

Short responses will generally be due on Mondays. Please make sure that you bring yours to class in some form, in order to incorporate your ideas and thoughts into class discussion. Your response writing is simply that: it is not a quest for the most brilliant insights or the ‘right’ answer. You will find, as we go along, that there are often many ‘right’ answers to the questions we seek to pose in this course—or most frequently, that there are no ‘right’ answers.

Other Important Requirements:

Attendance and participation are necessary. Repeated absences will affect your grade negatively. This course is a seminar and therefore your preparedness and participation are essential. You must be on time; lateness not only affects your class performance but distracts everyone else. Just as in the movie theatre and at Carnegie Hall, please turn off your phones and electronic devices during class.

An important note on academic integrity:

As a Gallatin student you belong to an interdisciplinary community of artists and scholars who value honest and open intellectual inquiry. This relationship depends on mutual respect, responsibility, and integrity. Failure to uphold these values will be subject to severe sanction, which may include dismissal from the University. Examples of behaviors that compromise the academic integrity of the Gallatin School include plagiarism, illicit collaboration, doubling or recycling coursework, and cheating. Please consult the Gallatin Bulletin or Gallatin website [www.gallatin.nyu.edu/academics/policies/policy/integrity.html] for a full description of the academic integrity policy.
Class Schedule

Please note: this schedule may be somewhat elastic, changing with class interests and contingencies.

September 7: First class. Introductions.

Guilt: All too familiar or strangely opaque?

Part One: Trials and Truths

September 12: Kafka, *The Trial*

September 14: Kafka, cont’d.

September 19: Kafka; fr. Foucault, *Discipline and Punish*

September 21: Nietzsche, *The Genealogy of Morality*

Supplemental readings from St. Paul and Augustine on blackboard site

September 26: Nietzsche, cont’d.

Part Two: Enjoying the superego

September 28: Freud, fr. *Totem and Taboo*

October 3: film: *Mystic River*; Freud, *Civilization and Its Discontents*

October 5: Freud, C and D continued.

October 10: No class


October 17: Zizek, “Superego By Default;” Critchley, “We still have a great deal to learn about the superego,” fr. *Ininitely Demanding*

Part Three: The confessing animal

October 19: film: *I confess!* (Hitchcock, 1953); Brooks, *Troubling Confessions*

*First Formal Paper Due*

October 24: Brewer v. Williams [legal case]

October 26: Brewer v. Williams, cont’d. Brooks, Troubling Confessions

October 31: A woman from Berlin

November 2: A Woman From Berlin;

November 7: Seebald, fr. A Natural History of Destruction

**Part Four: Revenge, Redemption and Forgiveness**

November 9: Minow, fr. Between Vengeance and Forgiveness

November 14: Arendt, Eichmann in Jerusalem

November 16: Arendt, cont’d.

November 21: Coetzee, Disgrace

November 23: TBA

November 28: Coetzee, cont’d.

November 30: Krog, Country of My Skull

December 5: Krog, cont’d.

December 7: Derrida, “On forgiveness”

December 12: Derrida, “On Forgiveness”

December 14: Final class.

December 16 by 6pm: All final papers due.