Guilty Subjects:
The problem of guilt in law, literature, and psychoanalysis

Fall 2013
IDSEM-UG 1504

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Course Description: Literary works from ancient tragedy to the modern novel thematize guilt in various ways. While the ancient Greeks were probably not as guilty as we might think they were, Freud borrows from them when he places guilt 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:


All of these items are available through the NYU Bookstore. Additional materials, both required and supplemental, to be made available via NYU Classes. Please consult this site regularly.

Learning Goals: Through a careful examination of the various ways in which a concept is deployed in a variety of different disciplines, as well as in different historical and geographical locations, students will improve and build upon their critical and analytical skills, while developing their grasp of some a central term in the history of thought, examining in particular its fate in twentieth- and twenty-first century literature, philosophy and politics.

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. You should bring these to class and be prepared to share them in discussion. 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. 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 we find ourselves complicating the very notion of "right" answers.

General Requirements:

- Attendance and participation are REQUIRED. More than three unexcused absences will affect your grade negatively. More than five can cause you to fail. Absences for the observance of religious holidays are not included in this policy; please do alert me, however, if you must miss class for religious observance.
- 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 3: First class. Introductions.

Guilt: All too familiar or strangely opaque?

Part One: Guilt on Trial

September 8: Kafka, *The Trial*, chapters 1-3, pages 1-73

September 10: Kafka, cont’d, chapters 4-6, pages 74-112

September 15: Kafka, cont’d., chapters 7-10, 113-230

September 17: Nietzsche, *The Genealogy of Morality*, 1-23

• Supplemental readings from St. Paul and Augustine on Classes site

September 22: Nietzsche, cont’d, 23-45

September 24: Nietzsche, cont’d.

Part Two: Enjoying the superego

September 29: Freud, *Civilization and Its Discontents*, 1-25

October 1: Film: Hanneke, *Caché (Hidden)* (2005)

October 6: Freud, *Civilization and Its Discontents*, 26-75


October 13: Fall Break
October 15: Zizek, "Superego by Default"

**Part Three: The confessing animal**


October 22: Film: *I confess!* (Hitchcock, 1953)

[October 23, 6 pm: special event. **Albert Gallatin Lecture with Professor Austin Sarat** on "doing justice and the future of capital punishment." It is part of your class work to attend this event]

**Midterm Paper Due**


November 3: Krog, *Country of My Skull, 3-130*

November 5: Krog, *Country of My Skull, 131-174*

  * supplementary readings tba

November 10: Krog, 175-258

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

November 12: Krog, 259-385; Minow, fr. *Between Vengeance and Forgiveness, 9-28;* Trouillot, "Abortive Rituals"

November 17: Arendt, *Eichmann in Jerusalem, 1-83*

November 19: Arendt, *Eichmann in Jerusalem, 84-161*

November 24: Arendt, 206-285

November 26: Video: Eichmann trial documentary

December 1: Coetzee, *Disgrace, 1-106*

December 3: Coetzee, *Disgrace, 107-213*
December 8: Derrida, "On Forgiveness"

December 10: Last Class: Summing up, discussion of final papers, etc.

December 12: final papers due