

Professor Adam Sitze
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Office Hours: Friday, 11:30AM-3:30PM

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LJST 212: Psychoanalysis and Law

Although psychoanalysis is not usually considered a part of the discipline of jurisprudence, its theories allow for comprehensive answers to the fundamental questions of jurisprudence, and its lexicon permits us to refer with clarity and precision to realities of juridical experience about which disciplinary jurisprudence remains silent. Psychoanalysis interprets law within a field defined by the vicissitudes and impasses of unconscious desire, giving us a way to speak about the pathologies that are constitutive of law's normal operation, and this amounts, in effect if not in name, to a jurisprudence as compelling as it is unorthodox. At the same time, however, psychoanalysis also has been constrained, at key points in its history, by some of the very juridical forms and forces it seeks to analyze and to question, sometimes even to the point where those forms and forces have reappeared, internalized, within its own most basic theories and practices. If psychoanalysis allows for a comprehensive theory of law, so too then can law serve as an exemplary point of departure for the rethinking of psychoanalysis itself. The purpose of this course will be to pursue this twofold inquiry. After tracing the way that law emerges as a question within the thinking of Sigmund Freud, and considering the ways in which certain juridical problems and events are prior to and generative of Freud's thought, we then will explore the various ways in which post-Freudian thinkers have not only applied but also rethought Freudian psychoanalysis in their own studies of law.

Required Texts (available for purchase at Amherst Books)/also (on Reserve at the Frost Library)

Judith Butler, *Antigone's Claim*

Sigmund Freud, *The Schreber Case*

Sigmund Freud, *Totem and Taboo*

Sigmund Freud, *Beyond the Pleasure Principle*

Sigmund Freud, *The Ego and the Id*

Sigmund Freud, *Group Psychology and the Ego*

Sigmund Freud, *The Question of Lay Analysis*

Sigmund Freud, *Civilization and its Discontents*

Sigmund Freud, *Moses and Monotheism*

Melanie Klein, *Love, Guilt, and Reparation*

Jacques Lacan, *The Seminar of Jacques Lacan, Book VII: The Ethics of Psychoanalysis*

Elisabeth Roudinesco, *Why Psychoanalysis?*

Course Reader (available in Room 208 of Clark House) after Feb. 3. M-F 8:30am – 3:30pm.

Recommended Text (on reserve in Frost Library)

Jean Laplanche and Jean-Bertrand Pontalis, *The Language of Psychoanalysis*

Course Requirements

- (a) 3 Short Essays (maximum 5 pages, excluding footnotes) (60% of grade)
- (b) 1 Long Essay (maximum 20 pages, excluding footnotes) (30% of grade)
- (c) Close Reading and Active Participation in Class (10% of grade)
- (d) Compliance with Amherst College Honor Code

Reading Key: *m* = multilith course reader; *e* – e reserve; *b* = book

Week One

Monday, January 23:	Introduction	
Wednesday, January 25:	Alexandre Kojève, "In Place of an Introduction"	e/m

Week Two

Monday, January 30:	Elisabeth Roudinesco, <i>Why Psychoanalysis?</i>	b
Wednesday, February 1:	Jerome Frank, "The Basic Myth," "A Partial Explanation," "Legal Realism," and "Appendix VIII"	e/m

Week Three

Monday, February 6:	Sigmund Freud, <i>The Schreber Case</i> (1911)	b
Wednesday, February 8:	Sigmund Freud, <i>Totem and Taboo</i> (1913)	b

Week Four

Monday, February 13:	Sigmund Freud, "Remembering, Repeating, and Working Through" (1914); "Mourning and Melancholia" (1917); "The Uncanny" (1919)	m
Wednesday, February 15:	Sigmund Freud, <i>Beyond the Pleasure Principle</i> (1920)	b

Week Five

Monday, February 20:	Sigmund Freud, <i>Group Psychology and the Analysis of the Ego</i> (1921); <i>The Ego and the Id</i> (1923)	b
Wednesday, February 22:	Étienne Balibar, "The Invention of the Superego"	m

Week Six

Monday, February 27:	Sigmund Freud, "The Resistances to Psychoanalysis" (1924); "The Economic Problem of Masochism" (1925) (m); <i>The Question of Lay Analysis</i> (1926)	b
Wednesday, February 29:	(1) Robert Wallerstein, "The Development in Europe," "The Confrontation from America and the 1938 Rule," and "The Identity of Psychoanalysis"	m
	(2) Ona Nierenberg, "The Lay and the Law"	m

Week Seven

Monday, March 5:	Sigmund Freud, <i>Civilization and its Discontents</i> (1930); "Why War?" (1932)	m
Wednesday, March 7:	(1) José Brunner, "Freud and the Rule of Law" (2) Pierre Legendre, "The Other Dimension of Law" (3) Anton Schütz, "Pierre Legendre's Critique of Rational Law- Giving"	m m m
Friday, March 9:	Short Essay #1 Due	

Week Eight

Monday, March 12:	Sigmund Freud, <i>Moses and Monotheism</i> (1938)	b
Wednesday, March 14:	(1) Bonnie Honig, "The Foreigner as Founder" (2) Eric Santner, "Freud's 'Moses' and the Ethics of Nomotropic Desire"	m e

Week Nine

Monday, March 26:	Melanie Klein, "The Psychological Principles of Infant Analysis" (1926); "Criminal Tendencies in Normal Children" (1927); "Early Stages of the Oedipus Conflict" (1928)	b
Wednesday, March 28:	Klein, "The Importance of Symbol Formation in the Development of the Ego" (1930); "A Contribution to the Theory of Intellectual Inhibition" (1931)	b

Week Ten

Monday, April 2:	Klein, "Weaning" (1936); "Love, Guilt and Reparation" (1937); "Mourning and its Relation to Manic-Depressive States" (1940)	b
Wednesday, April 4:	Klein, "A Study of Envy and Gratitude" (1956); "Some Reflections on the Oresteia" (1963)	m
Friday, April 6:	Short Essay #2 Due	

Week Eleven

Monday, April 9:	(1) Jacques Lacan, "The Signification of the Phallus" (1958) (2) Louis Althusser, "Freud and Lacan" (3) Charles Shephardson, "The Intimate Alterity of the Real"	m m m
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Wednesday, April 11: Véronique Voruz, "The Logic of the Exception" e

Week Twelve

Monday, April 16: (1) Lacan, *The Ethics of Psychoanalysis*, Chapters I, II, IV-VI b
(2) Slavoj Žižek, "Much Ado About a Thing." m

Wednesday, April 18: (1) Lacan, "Kant with Sade" (1963) m
(2) Žižek, "Kant with (or against) Sade" m

Week Thirteen

Monday, April 23: (1) Lacan, *Ethics*, Chapters XIII-XXIV b
(2) Shepardson, "The Atrocity of Desire" m

Wednesday, April 25: (1) Slavoj Žižek, "Why Does the Law Need an Obscene Supplement?" and "You May" e/m
(2) Jodi Dean, "Žižek on Law" e

Friday, April 27: **Short Essay #3 Due**

Week Fourteen

Monday, April 30: Judith Butler, *Antigone's Claim*, Chapters 1-2 b

Wednesday, May 2: Butler, *Antigone's Claim*, Chapter 3 b

Sunday, May 13: **Long Essay Due**