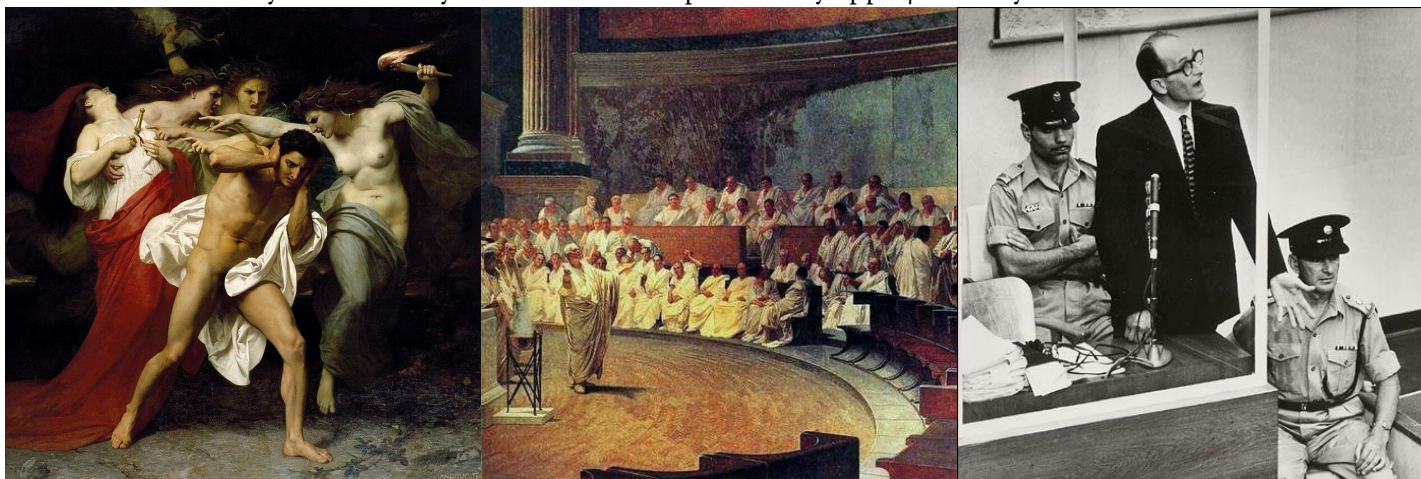


HUMS 295a/PLSC307a/JDST 223a: Trials of Uncertainty

Norma Thompson, Senior Lecturer in the Humanities | MW 2:30-3:45 p.m

Office Hours: Mondays and Tuesdays 11:00 a.m.-12:00 p.m. and by appt. | Whitney Humanities Center #102



COURSE DESCRIPTION:

Is the demise of the trial at hand? Or might the trial retain its place as cultural achievement, the epitome of humanistic inquiry, where all is brought to bear on a crucial matter in an uncertain context? In this seminar we will trace three distinct pathways of “trials” and “uncertainty”:

- (1.) The real-life legal conundrums suggested by the Nuremberg and Eichmann trials;
- (2.) The intellectual history of the idea of the trial and its connection to the liberal arts;
- (3.) The possibilities for truthful storytelling in modern and contemporary trials.

We will inquire into issues of meaning of the trial, its impartiality, and challenges to its endurance. The role of character, doubt, and diagnosis will be explored in Aeschylus, Plato, Aristotle, Cicero, Jane Austen and Kafka, as well as in the Salem witch trials and in 20th century trials. There will be opportunities to write on recommended films and documentaries. Depending on student interest, other areas of study for the final essay may include the visual, musical and dramatic arts.

COURSE REQUIREMENTS:

Each student is responsible for helping to facilitate discussion in one seminar. As part of this assignment, students will make available to the class an outline of one page of their assigned reading. “Outline” is meant to be understood loosely: the expectation is not for a summary but rather for a set of markers of or questions about what seems most significant in the reading, for purposes of a good seminar discussion. (A sample outline will be provided during Week 1.) This assignment will count as part of seminar participation, which is 20% of the grade.

There are three assigned papers, the first (5 pages = 20% of the grade) due on Monday, September 30, 2019; the second (5 pages = 20% of the grade) on Monday, November 18, 2019, and the final essay (8-10 pages = 40% of the grade) on Wednesday, December 18, 2019. The first two essays will be on a choice of assigned topics; in the final essay, students may address any trial they wish.

See the final page of the syllabus for more information regarding writing goals, expectations, and policies. This seminar is designated WR.

BOOKS TO BUY: (These specific editions/translations required in hard copy) - Prices from Barnes & Noble

- Abby Mann, *Judgment at Nuremberg: A Play* (New Directions): \$15.95
- Aeschylus, *Oresteia*, Any translation/edition will be suitable for class discussion
 - Recommended: Oxford World's Classics, trans. Christopher Collard: \$11.39
- Annette Wieviorka, *The Era of the Witness*, trans. Jared Stark (Cornell University Press): \$21.50
- Cicero, *Murder Trials*, trans. Michael Grant (Penguin): \$19.00
- Franz Kafka, *The Trial*, trans. Breon Mitchell (Schocken Books): \$14.95
- Hannah Arendt, *Eichmann in Jerusalem* (Penguin): \$16.00
- Jane Austen, *Emma*, (Oxford World's Classics, eds. James Kinsley, et al.): \$7.95
- Michael R. Marrus, *The Nuremberg War Crimes Trial 1945-46: A Documentary History*, 2nd edition (Bedford/St. Martin's): \$22.65 - **Please DO NOT PURCHASE the 1st edition!**
- Plato, *The Trial and Death of Socrates*, trans. G.M.A. Grube, rev. John M. Cooper, 3rd edition (Hackett): \$7.50
- Richard Francis, *Judge Sewall's Apology: The Salem Witch Trials and the Formation of an American Conscience* (HarperCollins): \$11.39

OPTIONAL PURCHASE (Selections will be available on Bass E-Reserve):

- Aristotle, *The Art of Rhetoric*, trans. Robert C. Bartlett (University of Chicago)

SCHEDULE OF CLASSES:

Unit 1: Introduction to Course: Nuremberg and Eichmann Trials as Case Studies

a) Documents vs. Eyewitness Testimony

Week 1

Aug. 28 (Wednesday): Michael R. Marrus, *The Nuremberg War Crimes Trial 1945-46: A Documentary History*, 2nd edition: pp. 1-80

Aug. 30 (Friday, b/c Labor Day): Michael R. Marrus, *The Nuremberg War Crimes Trial 1945-46: A Documentary History*, 2nd edition: pp. 106-121; 124-139; 157-162; 177-186; 209-223; 238-257

Week 2

Sept. 2: NO CLASS - Labor Day

Sept. 4: Abby Mann, *Judgment at Nuremberg: A Play*

***Highly recommended film: *Judgment at Nuremberg (1961)*; Director Stanley Kramer, Screenplay by Abby Mann

Week 3

Sept. 9: Annette Wieviorka, *Era of the Witness: Introduction*; pp. 66-107

Sept. 11: Annette Wieviorka, *Era of the Witness*: pp. 107-144

b) Challenges to the Language of Morality

Week 4

Sept. 16: Hannah Arendt, *Eichmann in Jerusalem*: pp. 3-35; 48-55; 62-69; 77-91

Sept. 18: Hannah Arendt, *Eichmann in Jerusalem*: pp. 105-150; 247-298

***Highly recommended viewing: <https://www.yadvashem.org/holocaust/eichmann-trial.html>

Week 5

Sept. 23: Primo Levi, *The Drowned and the Saved*, Preface and pp. 19-53 [e-reserve]

Sept. 25: Lawrence Langer, *Holocaust Testimonies: The Ruins of Memory*, pp. 9-57 [e-reserve]

Essay #1 due in class, Monday, September 30, 2019

Unit 2: The Trial and the Tradition of Liberal Arts in the West

a) Eliciting Standards for the Courtroom

Week 6

Sept. 30: Aristotle, *Rhetoric*, pp. 5-21; 46-71 (1.1-1.3; 1.10-1.15) [e-reserve]

Oct. 2: Aristotle, *Rhetoric*, pp. 76-82; 108-149; 179-189 (2.1-2.2; 2.12-2.24; 3.10-11) [e-reserve]

Week 7

Oct. 7: Aeschylus, *Eumenides*

Oct. 9: Plato, *The Apology of Socrates*

Week 8

Oct. 14: Cicero, *Murder Trials*: pp. 113-183

Oct. 16: NO CLASS - October Recess

Week 9

Oct. 21: Cicero, *Murder Trials*: pp. 183-253

Oct. 23: Richard Francis, *Judge Sewall's Apology*, pp. 86-169

Week 10

Oct. 28: Richard Francis, *Judge Sewall's Apology*, tbd

***Highly recommended film: *The Witch* (2015); Director Robert Eggers

b) Trials of Character and Trials of Identity

Week 10 cont.

Oct. 30: Jane Austen, *Emma*: pp.3-112

Week 11

Nov. 4: Jane Austen, *Emma*: pp. 112-221

Nov. 6: Jane Austen, *Emma*: pp. 222-331

Week 12

Nov. 11: Jane Austen, *Emma*: pp. 331-440

Unit 3: Possibilities for Truthful Storytelling in the Modern and Contemporary Trial

a) Kafka's Nightmare: The End of the Story

Week 12 cont.

Nov. 13: Franz Kafka, *The Trial*: pp. 3-79

Essay #2 due in class Monday, November 18, 2019

Week 13

Nov. 18: Franz Kafka, *The Trial*: pp. 80-165

Nov. 20: Franz Kafka, *The Trial*: pp. 166-231

b) The Decline of the Humanities & The Trial

Week 14

Dec. 2: Robert P. Burns, *The Death of the Trial*: pp. 8-31, 112-135 [e-reserve]

Dec. 4: Hannah Arendt, "Personal Responsibility Under Dictatorship" or Christoph Menke, Nick Walker, "At the Brink of Law: Hannah Arendt's Revision of the Judgment on Eichmann" [e-reserve]

Final Essay due Wednesday, December 18, 2019

Highly Recommended texts for final essay:

- Jeffrey Toobin, *The Run of His Life: The People v. O. J. Simpson* and/or TV series based on the book: *The People v. O. J. Simpson* (2016)
- Reginald Rose, *Twelve Angry Men* and/or the Sidney Lumet film (1957)
- Robert Traver, *Anatomy of a Murder*, and/or the Otto Preminger film (1959)
- Podcasts: *Serial*, *In the Dark*
- Video Testimony from Fortunoff Video Archive for Holocaust Testimonies

HUMS 295 Essays: Goals, Expectations, Policies

Please avail yourselves of the excellent resources provided by the The Yale Center for Teaching and Learning (CTL): <https://poorvucenter.yale.edu/>

Plagiarism

Plagiarism will not be tolerated in this seminar. We will discuss integrity in writing and in research – and specifically, how to avoid unintentional plagiarism. Please review Yale’s Academic Integrity Policy. CTL elaborates on using sources well and avoiding plagiarism: <https://poorvucenter.yale.edu/writing/using-sources>

Writing Assignments for HUMS 295

1. Essay #1 due September 30, 2019
First Drafts accepted through midnight September 23, 2019
2. Essay #2 due November 18, 2019
First Drafts accepted through midnight November 11, 2019
3. Essay #3 due December 18, 2019
First Drafts accepted through midnight December 14, 2019

Writing Goals

- Become comfortable with carving out your own position in the thesis. Find your voice!
- Understand the distinction between description and analysis.
- Compose a logic chain before you begin writing, and “correct” it as you proceed.
- Cite the text accurately and fairly. Be judicious!
- Support your assertions with text.
- Anticipate objections to your thesis.
- Discover the rewards of editing.