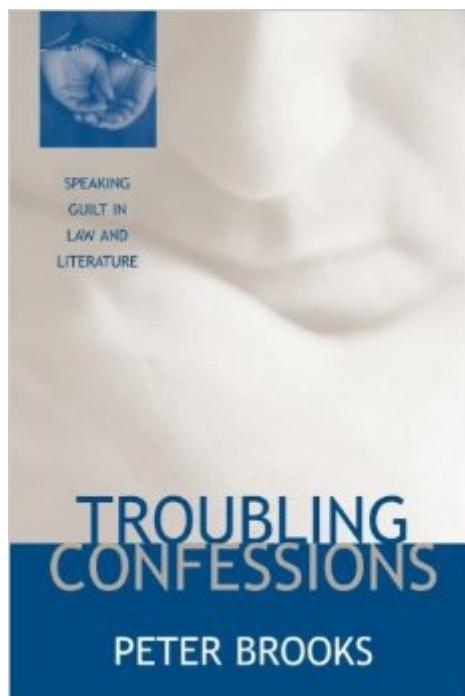


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# Troubling Confessions: Speaking Guilt In Law And Literature



## Synopsis

The constant call to admit guilt amounts almost to a tyranny of confession today. We demand tell-all tales in the public dramas of the courtroom, the talk shows, and in print, as well as in the more private spaces of the confessional and the psychoanalyst's office. Yet we are also deeply uneasy with the concept: how can we tell whether a confession is true? What if it has been coerced? In *Troubling Confessions*, Peter Brooks juxtaposes cases from law and literature to explore the kinds of truth we associate with confessions, and why we both rely on them and regard them with suspicion. For centuries the law has considered confession to be "the queen of proofs," yet it has also seen a need to regulate confessions and the circumstances under which they are made, as evidenced in the continuing debate over the *Miranda* decision. Western culture has made confessional speech a prime measure of authenticity, seeing it as an expression of selfhood that bears witness to personal truth. Yet the urge to confess may be motivated by inextricable layers of shame, guilt, self-loathing, the desire to propitiate figures of authority. Literature has often understood the problematic nature of confession better than the law, as Brooks demonstrates in perceptive readings of legal cases set against works by Rousseau, Dostoevsky, Joyce, and Camus, among others. Mitya in *The Brothers Karamazov* captures the trouble with confessional speech eloquently when he offers his confession with the anguished plea: this is a confession; handle with care. By questioning the truths of confession, Peter Brooks challenges us to reconsider how we demand confessions and what we do with them.

## Book Information

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## Customer Reviews

Those with an interest in law and literature have awaited this book, and for them there should be no disappointment. From a variety of perspectives, Brooks reflects on the extraordinary value that Western culture places on the act of confession, and the equally extraordinary problems that Western culture has assessing individual confessions. We want confessions, yet we are equally suspicious of them. Brooks' method for examining this cultural ambiguity is to juxtapose literary and legal traditions of confession (the religious tradition also receives significant attention). By juxtaposing these traditions, Brooks argues that we can better see the demands that are made of confession in Western culture, as well as the demands that confession, in turn, makes of us as members of social communities and as individuals. His interdisciplinary moves are skillful, his historical and legal glossings are accessible, and his readings of literary texts (and films) are smart. The chapters can be read individually, allowing the reader to jump around at will. Chapter 1 looks at how the Supreme Court has tried to address the problem of confession, primarily through *Miranda*. Chapter 2 looks at the relationship between the confessor to the confessant in various contexts -- law, literature, religion, psychoanalysis. Chapter 3 looks at the problem of the voluntary vs. the coerced confession with a close reading of *Culombe v. Connecticut*. Chapter 4 discusses how the religious tradition of confession affects modern understanding of identity and selfhood. Chapter 5 addresses the law's difficulty addressing psychoanalytic concepts of truth, identity, guilt, and victimhood. Finally, Chapter 6 sums things up by looking at what motivates or compels an confession at all.

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