

A black and white photograph of a lit cigarette in a glass ashtray. The cigarette is positioned at the bottom center, with a thin trail of smoke rising from it. The smoke billows upwards and to the left, creating a soft, ethereal atmosphere. The ashtray is a clear, faceted glass dish, partially filled with ash. The background is dark and out of focus, with some faint, blurry shapes that suggest a dimly lit interior. The overall mood is contemplative and somber.

Translated by  
CAROL BROWN JANEWAY

# guilt

FERDINAND VON SCHIRACH

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## About the Book

This devastating dossier of savage stories takes us to the crimes that never reach the newspapers: small-town atrocities where the mundane lurches into the macabre and ordinary people find themselves at the heart of horrific crimes, all the more compelling on account of their truth.

Opening with an attack on a waitress by a band of musicians in a beer tent, we are led through the rituals of the Illuminati by a violent schoolboy sect, and invited to look into a briefcase full of photographs of mutilated corpses. There is the saga of a bungled drug heist involving a stolen car and a dog full of laxatives; the jealous husband who almost bludgeons his wife's lover to death; and the final chilling story of an eccentric madman who cleverly turns the tables on his own defence lawyer ...

Ferdinand von Schirach enacts this very same reversal on us: to read his disturbing accounts, told in cool, exacting prose, is to lose one's innocence and come to the frightening conclusion that, in some cases, guilty parties can be exonerated and perpetrators are often indictable by their guilt long before they are by the law.

## About the Author

Ferdinand von Schirach was born in Munich in 1964 and is one of Germany's most prominent defence lawyers. His first collection of stories, *Verbrechen (Crime)*, became an instant bestseller in Germany when it was launched in 2009 and was published in over thirty territories around the world.

Carol Brown Janeway's translations include Bernhard Schlink's *The Reader*, Jan Philipp Reemtsa's *In the Cellar*, Hans-Ulrich Treichel's *Lost*, Zvi Kolitz's *Yosl Rakover Talks to God*, Benjamin Lebert's *Crazy*, Sándor Márai's *Embers*, Yasmina Reza's *Desolation*, Margriet de Moor's *The Storm*, and Daniel Kehlmann's *Fame* and *Measuring the World*.

Also by Ferdinand von Schirach

*Crime*

# GUILT

Ferdinand von Schirach

*Translated from the German by  
Carol Brown Janeway*

Chatto & Windus  
LONDON

Things are as they are.

—*Aristotle*

# Funfair

THE FIRST OF August was too hot, even for the time of year. The little town was celebrating its six-hundredth anniversary, the air smelled of candied almonds and fairy floss, and greasy smoke rose from the grills to settle in people's hair. There were all the stands you usually find at annual fairs: a carousel had been put up, you could go on the dodgems or shoot an air gun. The older people spoke of 'the Emperor's weather' and the 'dog days' and wore brightly coloured pants and open shirts.

They were respectable men with respectable jobs: insurance salesman, car dealer, master carpenter. You would have no cause to find fault with them. Almost all of them were married, they had children, they paid their taxes, their credit was good and they watched the news on television every evening. They were perfectly normal men, and nobody would have believed that something like this could happen.

They played in a brass band. Nothing exciting, no big events, Queen of the Grape Harvest, annual rifle club outing, firemen's picnic. They had once played for the President of the Republic, out in his garden, with cold beer and sausages afterwards. The photo now hung in their meeting hall, the head of state himself was nowhere to be seen, but someone had stuck the newspaper article up next to it to prove it was all real.



They sat on the stage with their wigs and their fake beards. Their wives were made up with white powder and rouge. The mayor had said that everything was to look dignified today 'in honour of the town'. But things didn't look dignified. They were sweating in front of the black curtain and they'd had too much to drink. Their shirts were sticking to their bodies, the air smelled of sweat and alcohol and there were empty glasses between their feet. They played nonetheless. And if they hit false notes it didn't matter because the audience had drunk too much as well. In the pauses between the pieces they played there was applause, and more beer. When they took a break, a radio announcer acted as DJ. The wooden floor in front of the curtain was giving off clouds of dust because people were dancing despite the heat, so the musicians went back behind the curtain to drink.

The girl was seventeen and still had to ask permission at home if she wanted to stay the night at her boyfriend's. In a year she would sit her final exams, then she would be off to study medicine in Berlin or Munich. She was looking forward to it. She was pretty, with blue eyes and an open face, and she laughed as she served the drinks. The tips were good; she wanted to travel across Europe with her boyfriend during the summer holiday.

It was so hot that she was only wearing a T-shirt with her jeans, and sunglasses, and a green hairband. One of the musicians came out in front of the curtain, waved at her and pointed to the glass in his hand. She crossed the dance floor and climbed the four steps up to the stage, balancing a tray that was too heavy for her small hands. She thought the man looked funny with his wig and his white cheeks. He smiled, she remembered that; he smiled and his teeth looked yellow against the white of his face. He pushed the curtain aside, letting her in to where the other men were sitting on two benches, all of them thirsty. For a moment her white T-shirt gleamed with an odd, bright flash in the

sun; her boyfriend always liked it when she wore it. Then she slipped. She fell backwards, it didn't hurt, but the beer spilled all over her. Her T-shirt became transparent; she wasn't wearing a bra. She felt embarrassed, so she laughed, and then she looked at the men, who had suddenly gone silent and were staring at her. The first man reached out a hand towards her, and it all began. The curtain was closed again, the loudspeakers were blaring a Michael Jackson song, and the rhythm on the dance floor became the rhythm of the men, and later nobody could explain anything.

The police came too late. They didn't believe the man who'd called from the public phone booth. He'd said he was one of the band but didn't give his name. The policeman who took the call told his colleagues, but they thought it was a joke. Only the youngest of them thought he should maybe take a look, and went across the street to the fairground.

It was dark and dank under the stage. She was lying there naked in the mud, wet with semen, wet with urine, wet with blood. She couldn't speak, and she didn't move. She had two broken ribs, a broken left arm and a broken nose; splinters from the glasses and the beer bottles had gashed her back and arms. When the men had finished, they had lifted one of the boards and thrown her under the stage. They had urinated on her as she lay down there. Then they had gone out front again. They were playing a polka as the policemen pulled the girl out of the muck.

'Defence is war, a war for the rights of the accused.' The sentence appeared in the little book with the red plastic cover that I always carried around with me back then. It was the *Defence Lawyer's Pocket Reference*. I had just sat my second set of exams and had been admitted to the bar a

few weeks earlier. I believed in that sentence. I thought I knew what it meant.

A friend I had studied with called up to ask me if I'd like to work with him on a pre-trial hearing; they needed two more lawyers. Of course I wanted to; it was a big case, the papers were full of it, and I thought this was going to be my new life.

In a trial, no one has to prove his innocence. No one has to defend himself, only the prosecutor has to provide proof. And that was also our strategy: all of them were simply to keep silent. We didn't have to do anything more than that.

DNA analysis had only recently been admitted at trial. The police had secured the girl's clothing at the hospital and stuffed it into a blue garbage bag. They put it in the boot of their patrol car, to be delivered to the pathologist. They thought they were doing everything right. The car stood in the sun for hour after hour, and the heat caused fungi and bacteria to grow under the plastic wrapping; they altered the traces of DNA so that they could no longer be analysed.

The doctors saved the girl, but destroyed the last of the evidence. As she lay on the operating table, her skin was washed. The traces the perpetrators had left in her vagina, in her rectum and on her body were rinsed away; nobody was thinking of anything except her emergency care. Much later the police and the forensic pathologist from the state capital tried to locate the waste from the operating room. At some point they gave up; at 3 a.m. they sat in the hospital cafeteria in front of pale brown cups of filtered coffee; they were tired, and had no explanations. A nurse told them they ought to go home.

The young woman couldn't name her attackers; she couldn't tell one from another; under the makeup and the wigs they all looked alike. At the line-up she didn't want to look, and when she did manage to overcome her revulsion she couldn't identify any of them. Nobody knew which of

the men had called the police, but it was clear that it had been one of them. Which meant that any one of them could have been the caller. Eight of them were guilty, but each of them could also be the one innocent party.

He was gaunt. Angular face, gold-framed glasses, prominent chin. At that time, smoking was still permitted in the visiting rooms in prisons; he smoked one cigarette after the other. As he was talking, spittle built up in the corners of his mouth and he wiped it away with a handkerchief. He had already been detained for ten days when I saw him for the first time. The situation was as new for me as it was for him; I gave him a too-elaborate explanation of his rights and the relationship between lawyer and client, too much textbook knowledge; it was a form of insecurity. He talked about his wife and his two children, about his work, and finally about the fair. He said it had been too hot that day and they'd drunk too much. He didn't know why it had happened. That was all he said—it had been too hot. I never asked him if he'd joined in, I didn't want to know.

The lawyers were staying in the hotel on the town's market square. In the bar we discussed the file. There were photos of the young woman, of her maltreated body, of her swollen face. I had never seen anything like this. Her statements were confused, they gave us no clear picture, and on every page of the file you could read fury, the fury of the police, the fury of the public prosecutor, the fury of the doctors. None of it did any good.

In the middle of the night, the phone rang in my room. All I could hear was the caller's breathing; he didn't say a word. He hadn't dialled a wrong number. I listened to him until he hung up. It took a long time.

The court was on the same square as the hotel, a classical building with a small flight of steps in front, a celebration of the might of the law. The town was famous for its wine