Fall 2017

**CORE-UA 400-040 (8131)(4 Cr.): Texts & Ideas: Justice and Injustice in Biblical Narrative and Western Thought**

Professor Joseph H.H. Weiler
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New York, NY 10012
Office Hours: by appointment—please contact: weilersoffice@mercury.law.nyu.edu

Lecture:
Mondays & Wednesdays .......... 11:00 a.m. – 12:15 p.m........ NYU School of Law, Vanderbilt Hall Room 210, 40 Washington Square South.

Recitations:
§1: Fridays ......................... 8:00 a.m. – 9:15 a.m......... location: 7E12 124  
§2: Fridays ......................... 9:30 a.m. – 10:45 a.m....... location: 7E12 124  
§3: Fridays ......................... 11:00 a.m. – 12:15 p.m..... location: 7E12 124  
§4: Fridays ......................... 12:30 p.m. – 1:45 p.m....... location: 194 Mercer 206  
§5: Fridays ......................... 2:00 p.m. – 3:15 p.m......... location: 194 Mercer 210  
§6: Fridays ......................... 3:30 p.m. – 4:45 p.m......... location: 194 Mercer 206

Adjunct Instructors:
Juan Carlos Aguirre (§§ 1, 2, 3)  Melissa Swain (§§ 4, 5, 6)
juan.carlos@nyu.edu            melissa.swain@nyu.edu
Office Hours: By appointment.  Office Hours: By appointment.

**Course Description**
The course is taught at the Law School and, appropriately, will have as its central theme the issue of justice and injustice and other normative concerns. Each week pairs a core reading from the Hebrew Bible or the New Testament with another work in the Western tradition to explore a broad range of complex normative issues. Often God will be “on trial”: Was the Deluge Genocide? Is Abraham guilty of Child Abuse and Attempted Murder? Was Jesus Guilty as charged? Was Socrates? The themes are all of relevance to contemporary issues: communal responsibility vs. individual autonomy, ecological crisis, ethics vs. religion, freedom of speech and thought, genocide, rule of law and civil disobedience, the Other, punishment and retribution, religious intolerance, sanctity of human life, sex and gender, value and virtue. Taught in Law School style—rigorous but academically and intellectually rewarding, the course will be of particular interest to pre-law students and others concerned with issues of justice. No previous knowledge of Hebrew or Greek is needed.

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1 The Full Title: *Facing Justice and Injustice: From the Binding of Isaac to the Trials of Jesus and Socrates: Justice and Injustice in Biblical and Classical Narratives as Refracted in Western Thought.*
Learning Objectives (Based on the Core curriculum)
As one of the first courses in the Foundations of Contemporary Culture, Texts & Ideas serves as an introduction to the study of the liberal arts. The course has a number of complementary goals.

- To give students a common experience reading major influential texts in the humanistic tradition (literature and philosophy);
- To help students understand the historical context and development of the major ideas that shape the contemporary world;
- To help students reflect on the development of ideas over time;
- To help students understand the variety of forms of intellectual inquiry;
- To teach students to engage with primary texts;
- To encourage reflection on the central role of humanistic study in the liberal arts, and the role of humanistic learning in society at large.

In addition to these goals, the present course is designed to teach students how to think, question, differentiate, internalize, and communicate complex issues of normativity in general and of justice and injustice in particular. This means that not only the “substance” or “content” of what they learn will be of special concern to this course, but also the “method” or “process” of how they digest and integrate that substance. As well, the course will emphasize the significance of understanding, and clarifying, the complexity of each and every problem, and not only the importance of offering, or trying to offer, a clever solution to it.

Please note that the student’s relationship to this course is like the athlete’s relationship to their trainer (rather than like a customer’s relationship to a provider of goods or services). In other words, it is a professional relationship, and the end result is essentially commensurate with the amount of time, effort, and “intellectual sweat” spent and dedicated according to the instruction of the course.

Approach to Biblical and Western Literature
We will apply a “textualist” (rather than p’shatist or originalist) approach to the text. This means that every normative discussion we undertake will be consistent and coherent with the text, while it is not exclusively limited to the author’s or complier’s intent. To reiterate: our primary concern is to identify, illuminate, resolve, or complexify—and ultimately to attain a deeper understanding of—the normative issues embodied in each text. We will thus consider historical, literary, or cultural aspects of the text insofar as they are germane to our normative discussion.

Organization
In this class, there will be two weekly lectures and a weekly recitation section. In contrast to typical classes in primary or secondary school, college classes usually meet less frequently, ask students to synthesize information from a variety of sources, and require them to recognize independently what they need to know in order to understand the complexity of an idea—and expect them to take the initiative to learn it. As with any course, students will get the most out of this course if they come to class fully prepared.
Students are thus expected to do more than skim the reading. They should highlight passages of particular importance to them and make notes about questions they have or points in the text that they feel bear further exploration. During the lecture and recitation, students are encouraged to ask questions both about the readings and about the lectures themselves. Most importantly, after each class students should review their notes and re-read the texts discussed.

Because the lecture brings everyone together, it is perhaps the best occasion to give students general information, to demonstrate its relevance to the interpretation of the works they are studying, and to discuss broad themes common amongst them. By contrast, the small size of the recitation makes it ideal for specific discussion of the texts and for personal attention to the development of students’ intellectual skills. The homework assignments and papers are intended to build students’ interpretative skills and to provide a basis for discussion. Above all, please note that both the lecture and the recitation still provide only a guide. It remains for students to continue to grapple with the material outside of class—in conversations with friends, in moments of quiet contemplation, in re-reading the texts, and in writing essays. Students are encouraged to study together; they must, however, write their own papers.

“Panelists” and “Note-takers”: the course (esp. the lecture) will be taught in the Socratic Method. Students who have written a paper for a given lecture session will act as “panelists” for that session. In each session (lecture as well as recitation), we will have designated “note-takers,” whose notes will later be uploaded to NYU Classes. This way, the rest of the class will be exempt from taking notes and allowed to focus on and participate in the discussion.

Requirements
Class preparation, attendance, and participation are essential for the success of the course and hence obligatory. Students are thus expected to complete the section assignments, to come prepared to discuss readings, to attend all lectures and meetings of their recitation section, and to participate actively and appropriately in class.

Students are required to write 3 short analytical papers assigned by the instructors. In these assignments, progression in both quantity and quality is expected. That is, as the course progresses, students will be expected to write slightly longer papers (800 words; 1,600 words) to integrate the knowledge already acquired and the texts already read in the course. Their notes as well as their performance as panelists will also be graded. There will be a take-home final examination at the end of the semester in which students will utilize the analytic and comparative sensibilities developed throughout the course. All works will be graded as submitted, with no opportunity for revision, and credit will be deducted for poor grammar and spelling (for the list of criteria for paper grades, see below).

In determining students’ grades, we will weigh their completion of the course requirements as follows:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Weight</th>
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<tbody>
<tr>
<td>Class participation (including attendance), homework, &amp; quizzes.....</td>
<td>30%</td>
</tr>
<tr>
<td>Note-taking..........................................................</td>
<td>10%</td>
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<tr>
<td>Panelist..............................................................</td>
<td>10%</td>
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<tr>
<td>Analytical Papers (5%, 10%, 15%).................</td>
<td>30%</td>
</tr>
<tr>
<td>Final Exam..........................................................</td>
<td>20%</td>
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Please note that every assignment must be completed in order for you to receive a passing grade for the class. A failing grade may be assigned to any student with three unexcused absences from lecture and/or recitation. An attendance roster will be circulated at the
beginning of each meeting. So please arrive in class early enough to sign the roster as it circulates or you will be recorded as absent. No one will be allowed to sign the attendance roster at the end of class. Finally, if you must leave the lecture ends, first discuss your circumstances with, and seek permission from, your adjunct instructor, or your name will be struck from the attendance roster for that day.

Incompletes will be considered only in cases of documented medical emergency or other, comparably grave circumstances. In the event that students are for good reason unable to attend class, they are expected to contact their adjunct instructor in advance (or as soon as is practicable) by telephone or e-mail.

**Adjunct Instructors**
Adjunct instructors (also called “preceptors”) are your primary contact for all questions concerning course policy and content. If you have questions of any sort, please direct them to your adjunct instructor before approaching Professor Weiler. Your adjunct instructor will also grade all of your written and oral work, lead recitation discussions, and determine your final grade for the course.

**NYU Classes**
Announcements and supplementary study materials will frequently be posted on NYU Classes. Please check NYU Classes at least once before attending each session (lecture as well as recitation). Additionally, important announcements will occasionally be emailed to you though the NYU Class’s email server. Please check your registrar-issued “nyu.edu” email account to receive such notices.

**A Note on Classroom Decorum**
As a matter of courtesy to the instructors and your classmates:

* Please bring with you a hardcopy of all the reading materials relevant to the session you attend.

* Please arrive in class promptly, and, apart for emergencies, please remain in the classroom for the duration of the lecture or recitation.

* Please be sure to turn off all cell phones, pagers, and electric devices at the beginning of class.

* Please refrain from eating during the lecture or recitation (we will digest one thing at a time).

* Please note that use of laptop computers is permitted only to the designated note-takers of each session (lecture as well as recitation) and to those for whom accommodations have been made.

**Academic Integrity and Other Issues**
The system of this course relies on trust and self-reporting: academic integrity is a “must” and such conducts as cheating or plagiarism will not be tolerated. Remember, the course is about "justice and injustice." On academic integrity and other issues, see:
https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/academic-integrity-for-students-at-nyu.html
LECTURE—A TENTATIVE SCHEDULE

Part 1: Justice and Normativity (or: Justice and the Human Condition)
W 9/6: Introduction.................................................................Recitations begin this week.
M 9/11: Adam and Eve: An Exercise in Normative Analysis
W 9/13: Adam and Eve (Kant)
M 9/18: Adam and Eve: Moral Agency and Bounded Liberty (Perelman)
W 9/20: The Flood Narrative: Theories of Punishment (esp. Collective, Retributionist)
M 9/25: The Flood Narrative
W 9/27: Binding of Isaac: Abraham’s Obedience and Affective Indifference
M 10/2: Binding of Isaac: Categorical Imperative (Kierkegaard)
W 10/4: Matriarchs (Genesis 12-38): Love, Family, and Deception: Problem of Priority
M 10/9: Recess—no class meetings
W 10/11: Matriarchs: Liberalism and Elitist Realism (Taylor, Mill, Douglass, Engels, Ortega)

Part 2: Justice and Law (or: Law, Legality, and Trial)
M 10/16: Trial of Jesus: “Jesus’ Enemies” and “The Civilized Reflex of ‘Will to Legality’”
W 10/18: Trial of Jesus: “Was There A Trial?” Due Process and Procedural Legality
“Freedom of Conscience,” and “Civil Disobedience”
W 11/1: Socrates and Jesus: Meaningful Death and Meaning of Life—Civilization on Trial
M 11/6: Kafka: Josef K.
W 11/8: A Reflection on the Proceduralization of Justice through Law (Film: Rashomon): Jesus,
Socrates, and Josef K.

Part 3: Justice and Virtue (or: Law and Meta-Law or Beyond Law)
(Film: Clockwork Orange)
W 11/15: The Stranger: A Miscarriage of Individualism?
M 11/20: Medea—Virtue
W 11/22: Recess—no class meetings
M 11/27: Medea—Revenge (Passover: 2nd Day)
W 12/6: Maimonides and Bentham: Utility of Utilitarianism?
M 12/11: Maimonides and Kant: “Autonomy and Heteronomy” Once Again—This Time, The
Imperative Internalized
W 12/13: Connecting the Dots—A Review of the Course..................Recitations end this week.
M 12/18: Final Examination
Criteria for Paper Grades (based on the Core curriculum)

‘A’ — a clear thesis with appropriate support from data; demonstrated mastery of theoretical methods; a conclusion that represents a substantial advance; excellent execution overall, with very few corrections needed.

‘B’ — a thesis with appropriate support, but which fails to capture some of the complexity of the ideas under consideration; a good mastery of most theoretical points, but with some details absent; an adequate conclusion; good execution requiring some revision.

‘C’ — a satisfactory statement of a problem or idea but not clearly a statement of the thesis and only marginally supported by evidence; a satisfactory familiarity with major theoretical points; a weak or missing conclusion; merely satisfactory execution.

‘D’ — less than satisfactory but passing.

‘F’ — failure to meet the minimum requirements of the assignment. Sometimes otherwise satisfactory work will receive an ‘F’ because it does not answer to the assigned topic.

Note that some papers may merit the same grade for different reasons; for example, an unsophisticated idea with excellent presentation and a complex idea with mediocre presentation may both warrant a ‘B-.’

Paper Submission

Individual adjunct instructors will determine whether papers are to be submitted electronically or in hardcopy. Papers should be double-spaced with one-inch margins; pages should be numbered and, if submitted in hardcopy, stapled. A separate title page is not necessary, but the first page should include your name, your preceptor’s name, the date, and the title of the essay.