Texts and Ideas: Justice and Injustice in Biblical and Classical Narratives as Refracted in Western Thought

Lectures:
CORE-UA 400-091
Professor Joseph H.H. Weiler
Fall 2019
New York University School of Law
M/W 8:00am-9:15am
40 Washington Square South
Vanderbilt, Room 210
Office Hours: by appointment (please contact: weilersoffice@mercury.law.nyu.edu)

Recitation Sections:
§1: Thursday............................... 8:00 a.m. – 9:15 a.m........ Location: Silver_508
§2: Thursday............................... 9:30 a.m. – 10:45 a.m....... Location: 194M_210
§3: Thursday............................... 11:00 a.m. – 12:15 p.m..... Location: 45W4_B01
§4: Thursday............................... 9:30 a.m. – 10:45 a.m....... Location: MEYR_261
§5: Thursday............................... 11:00 a.m. – 12:15 p.m....... Location: 25W4_C-3
§6: Thursday............................... 12:30 p.m. – 1:45 p.m.......... Location: SILV_507

Instructors’ Contact Information:
Stephanie Crooks, PhD (§§ 1, 2, 3) smc729@nyu.edu M/W 4pm-5pm or by appointment
Office: 19 University Place, Room B06
Alex Weisberg, PhD (§§ 4, 5, 6) amw666@nyu.edu Office hours by appointment

Drs. Crooks and Weisberg are your primary contact for all questions concerning course policy and content. If you have questions of any sort, please direct them to your assigned instructor before approaching Professor Weiler. Your instructor will also grade all of your written and oral work, lead recitation discussions, and determine your final grade for the course.

Course Overview

About this Course
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.

**A Note about the Content of this Course**
Almost everyone in this course will have a connection with one of the religious traditions discussed over the semester. Students may, at times, have strong feelings about many of the topics we discuss. This is a good thing; We expect that students will participate in class discussions with civility and respect toward others’ viewpoints. In addition, you will undoubtedly feel that the course does not cover specific topics that you feel should be covered. This is to be expected. We encourage you to bring this perspective to larger class discussions and also your recitations. Please also note that we will be using a “textualist” (rather than originalist) approach to the texts that we read. 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 complicate—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.

**What is NYU’s Core Curriculum?**
The goal of the Core curriculum is to provide all undergraduates at NYU with a foundational academic experience in the Liberal Arts. Liberal Arts refers to a longstanding commitment in universities to offer courses that teach students the skills needed for excelling in any aspect of professional life. Courses in literature, science, mathematics, or history, for example, don’t only provide students with information in these areas of study. The foundational goal of these courses is to provide students with advanced skills in critical analysis. This means the ability to examine evidence and draw sound conclusions. Courses are designed to build students’ critical, analytic, and communication skills, hone the imagination, and promote creative thinking. These skills are not just the foundation of a liberal arts course; they are the foundation for success in all aspects of academic and professional life.

**Who Should Take this Class?**
Many of your peers in this class will be majors in the College of Arts and Science (e.g., English, History, Economics). Other students will come from other schools and disciplines such as Education, Business, or Real Estate Management. The Core Curriculum is designed for ALL of these diverse students. Everyone will benefit from the skills learned in a Core course and hopefully apply these skills successfully into their unique course of study and professional goals. We are hopeful that this course will spark an interest in the academic study of religion, law, and much more.

**Course Expectations**

**Participation and Attendance (30%)** Attendance is required at all lectures and recitations. You are expected to come to lectures and recitations on time and having completed all the assigned readings for the relevant unit by your Thursday recitation. Successful work in this course requires active participation in the lectures and recitations. This means that you not only attend
lecture, but that you complete all assessments in a timely fashion, that you bring your texts to class, that you are ready to ask questions, and that you contribute to our class’ community. If you must miss a class due to illness or for religious reasons, please let your instructor (either Dr. Crooks or Dr. Weisberg) know before class and contact a fellow student to find out what you missed.

“Notetaking” (10%)
This course (especially the lecture) will be taught in the Socratic Method. In each session (lecture as well as recitation), we will have designated “note-takers.” Note-takers are responsible for that day’s class. After typing-up their notes, note-takers must send their documents to Dr. Crooks (smc729@nyu.edu) so that they may be uploaded to NYU Classes in the folder “Class Notes” and the rest of the class may access them. Please note that you are only responsible for one day of notes, which will be assigned to you on the schedule also available on NYU Classes on the “Overview” page. Students not assigned to take notes may not take notes on their computers or otherwise. This may seem an unusual request for a class. However, not having to take notes allows students to focus on and to participate more fully in each class discussion.

Writing Assignments (40%)
A brief description of the assignments and their methods are described here. More detailed directions will be handed out in class.
➢ Three Short Essays Assignments worth 10%, 15%, and 15%, respectively: There will be a series of 3 short essays (either 1–2 pages or 3-4 pages double-spaced) assigned throughout the semester. The essays will ask you to analyze a particular question or primary source. The primary source material will draw from assigned readings and new material.
➢ Some of writing assignments will have mandatory periodic “peer-review” days in the recitation. These will be scheduled for the recitation day immediately preceding the due date. Students will be expected to come to recitation that week with a draft of their paper to share with other students. Other recitation meetings will also be devoted to discussing many practical aspects of writing a university-level paper.
➢ Papers should be double-spaced in Times New Roman with one-inch margins and pages should be numbered and stapled. A separate title page is not necessary, but the first page should include your name, your teaching fellow’s name, the date, and the title of the essay.

Final Take-Home Exam (20%)
➢ This assessment will be due in the final recitation (Thursday, December 12)

Classroom Policies and Useful Resources

Classroom Decorum and Use of Laptops
Be sure to arrive in class on time. If you are late, you will be asked to leave the lecture, and you will receive no attendance credit for that day. You should also stay in the lecture until Professor Weiler or the instructor has indicated that the lecture/recitation is over. Unless there is an emergency, there is no reason to leave class early. Do not use your cellphone or other electronic
devices during classes. This is discourteous to your instructors and to your fellow students. As previously stated, laptops are only permitted to that day’s note-takers and for the exclusive purpose of taking notes unless you have appropriate documentation from the Moses Center.

**Late Work**
The writing assignments are due on the date indicated by your instructors. E-mail submissions will not be accepted. If you have a justifiable reason for requiring an extension, you must make arrangements with your instructor well before the due date. All late work will be dropped one third of a letter grade per late day (an “A” paper due on Tuesday that is turned in on Wednesday will be given an “A-.”) Assignments over a week late will not be accepted and will be given a 0 grade.

**Grading**
Final course grades will be assigned according to the following scale: 100-95=A, 94-90=A-, 89-87=B+, 86-83=B, 82-80=B-, 79-77=C+, 76-73=C, 72-70=C-, 69-60=D, 59-0=F. (S/N: S=70%).

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-.’

**Academic Integrity and Plagiarism**
All student work is expected to be the original research of each student. Students should therefore familiarize themselves with NYU’s honor code (http://cas.nyu.edu/page/honorcode) and expectation of Academic Integrity (http://cas.nyu.edu/page/academicintegrity). We will spend some time in recitation discussing proper ways to draw upon secondary scholarship and how to forge your own independent thinking in dialogue with earlier scholarship.
Any student who is found to have committed plagiarism will receive an automatic zero on the assignment. Further cases of plagiarism will be reported to the department Director of Undergraduate Studies and subject to further disciplinary action.

Students with Disabilities
The **Henry & Lucy Moses Center** for Students with Disabilities (31 West 4th Street) facilitates equal access to the programs and activities of the College and NYU. Matters relating to students who visit the Center are strictly confidential. Services cover a wide range of disabling conditions. In addition to working with students who have mobility, visual, and hearing impairments, the Center assists a significant number of students with learning disabilities and many others with chronic impairments, such as diabetes, cancer, HIV infection, psychiatric illness, head trauma, and seizure disorders. The Moses Center is staffed by a group of specialists who have a wealth of experience in helping students obtain necessary academic adjustments and accommodations based upon individual needs. In order to receive services from the Center, students must provide appropriate documentation.

Helpful Campus Resources
**University Learning Center** (ULC) Any NYU student is eligible to receive academic support through the University Learning Center. Conveniently located: Academic Resource Center (ARC)18 Washington Place (lower level); University Hall (UHall) 110 East 14th Street, UHall Commons (lower level). The ULC provides individual and group review sessions for specific courses as well as Academic Skills Workshops, absolutely free of charge. Late hours are available. Learn more at [www.nyu.edu/ulc](http://www.nyu.edu/ulc).

**The Writing Center** (411 Lafayette, 998-8866) is a part of NYU’s Expository Writing Program, College of Arts and Science. It is a place where one-on-one teaching and learning occur, where work always focuses on writing. [http://www.nyu.edu/cas/ewp/html/writing_center.html](http://www.nyu.edu/cas/ewp/html/writing_center.html) Writing Center consultants are studying for or already hold advanced degrees. Many are published writers. They receive significant training in the teaching of writing, and they teach writing courses for undergraduates across the University. At the Writing Center, students work with consultants in private one-on-one sessions to become better writers and thinkers. Students work with consultants at every stage of the writing process and on any piece of writing except for exams. Schedule an Appointment Online: [https://nyu.mywconline.com](https://nyu.mywconline.com)

Textbooks and Readings
No textbooks have not been ordered at the Bookstore. All of the books listed below are available from online booksellers, and often at a cheaper cost.

- *The New Oxford Annotated Bible* OR *The Harper Collins Study Bible*
- Albert Camus, *The Plague* and *The Stranger* (no preferred version)
- All other readings will be posted on NYU Classes

**Strategies for Preparing for Class**
The best strategy for this course is, of course, to READ the texts, and to do so in time for the lectures and recitations in which they will be discussed. You will get little out of the lectures, and
even less out of the precepts, if you come to them unprepared. Reading the texts for each unit in advance will allow you to come to each lecture and recitation prepared to talk, listen, think, and to ask and answer questions.

**Schedule of Lectures and Readings:**

*Please note that this schedule may change at the discretion of the instructors. It is your responsibility to regularly check the syllabus for updates.*

**Part 1: Justice and Normativity OR Justice and the Human Condition**

Sept. 4: Adam and Eve, An Exercise in Normative Analysis

➢ Read: *Genesis* 1-3

Sept. 9: Cain and Abel

➢ Review: *Genesis* 1-3 (Think about where we left off in lecture, namely “Did the punishment fit the crime?”)

➢ Read: *Genesis* 4

Sept. 11: The Flood Narrative, Theories in Punishment

➢ Read: *Genesis* 6-9

Sept. 16 (Guest Lecture) & 18: The Tower of Babel and Sodom and Gomorrah, Theories of Justice


➢ Read: *Genesis* 11:1-9

➢ Read: *Genesis* 21-23

Sept. 23: The Binding of Isaac, Abraham’s Obedience and Affective Indifference

➢ Review: *Genesis* 21-23

Sept. 25: The Binding of Isaac, ctd; Matriarchs, Family, and Deception

➢ Review: *Genesis* 21-23

➢ Read: *Genesis* 12-23 (Focus your reading on the conjugal relationship between Sarah and Abraham)

Sept. 30 (Guest Lecture): Matriarchs, Family, and Deception, ctd.

➢ Read: *Genesis* 12:1-3

➢ Read: "The Apocalypse of Abraham," chapter 8, and *Genesis* Rabbah 38:11 (excerpts uploaded to Classes Site)

➢ Be ready to discuss the following questions:

(1) Why is Abram [i.e., Abraham] singled out in *Genesis* 12:1-3? What has he done to merit this status?
(2) Why might those excerpts have augmented the Abraham story in such a way as to make the reason for his chosenness unambiguous? What is the normative intuition that underlies those text? To what normative problem are they responding?

(3) In Deuteronomy 7:6-8, to what sort of relationship is the special status of the people Israel likened? Or put differently: Upon what does the chosenness of Israel rest?

Oct. 2: Matriarchs, Family, and Deception, ct’d
➢ Read: *Genesis* 24-38

**ESSAY 1 DUE 10/03 IN SECTION**

*Part 2: Justice and Law OR Law, Legality, and Trial*

Oct. 7: Trial of Jesus
➢ Read the passages from the Gospels and answer the questions:

- Matthew 5:17–26: Some critics have pointed out that Jesus is inconsistent in this passage? Do you agree or disagree? Be ready to present your view in class.
- Mark 2:23–3:6: What was the disagreement between Jesus and the Pharisees about? Why did the Pharisees seek to “destroy” Jesus?
- John 11:45–57: Why did the authorities seek to kill Jesus?

➢ Read the trial scene in the four gospels (Matthew 26:57–27:2; Mark 14:53–15:1; Luke 22:54–23:1; John 18:12–28) and note the similarities and differences between them. To do this reading, please use the document under the resources on Classes, titled “Jesus_before_the_Sanhedrin_in_the_Four_Gospel.”

➢ Be ready to answer the following questions:

- How do you account for the discrepancies among those passages in the four gospels?
- Do you see some consistencies in those discrepancies?

➢ Read and study “The Trial of Jesus before the Sanhedrin—the Procedural Aspect” under the resources tab on Classes.

➢ Be ready to discuss in class the following questions:

- Based on the description of court procedures in early Jewish law (Mishnah), were Jesus’ procedural rights preserved during his trial before the Sanhedrin, according to the Gospels?
- How do the Gospels portray the unfairness of the trial through problems in procedure?
Oct. 9 (Guest Lecture): The Trial of Jesus
➢ Consider whether the biblical laws on blasphemy in Exodus 22:28 (22:27 in Heb); Leviticus 24:10-23; Numbers 15:30-31 can be the basis for the accusation against Jesus. Consider also the online version of Jewish Encyclopedia //www.jewishencyclopedia.com/ under the entry “Blasphemy.”
➢ Read Mark 11:15-18 (Jesus cleansing the Temple); Mark 2:1-12 (Jesus healing a Paralytic); Mark 2:23-3:6; John 9 (Jesus the “Lord of the Sabbath”)
➢ Be ready to answer the reading questions (refer to Prof. Jindo’s email sent 10/7)

Oct. 14: FALL RECESS, NO LECTURE

Oct. 15 (Guest Lecture): The Trial of Jesus, ct’d
**Tuesday, Oct. 15 follows a Monday schedule!**
➢ Please refer to Prof. Jindo’s email (sent 10/10) for the readings and questions.

Oct. 16 (Guest Lecture): Trial of Socrates
➢ Read: Plato, The Apology of Socrates

Oct. 21 (Guest Lecture): Socrates and Jesus, Meaningful Death and Meaning of Life – Civilization on Trial
➢ Review: Prof. Jindo’s email (sent 10/10) and Plato’s The Apology of Socrates

Oct. 23: Medea
➢ Read: Euripides’ Medea (please read the entire play for Oct. 23).

Oct. 28: Medea, ct’d
➢ Review: Euripides’ Medea
➢ Be ready to discuss Jason’s profile and motives as well as the chorus’ role in the tragedy.

ESSAY II DUE 10/31 IN SECTION

Oct. 30:
➢ Watch: Avengers Endgame
➢ Be ready to discuss the normative issues in the film

Part 3: Justice and Virtue OR Law and Meta-Law

Nov. 4: The Stranger, a Miscarriage of Individualism?
➢ Read: Albert Camus, *The Stranger* (Please read the entire novel for this class; note that this novel will NOT be posted to NYU Classes. You must bring a copy of the book to class.)


➢ Read: Albert Camus, *The Plague* (Please read the entire novel by Nov. 6; note that this novel will NOT be posted to NYU Classes. You must bring a copy of the book to class.)

Nov. 18: Case Reading

Nov. 20: Case Reading

**ESSAY III DUE 11/21 IN SECTION**

Nov. 25: Virtue, *Nichomachean Ethics* and *After Virtue* (Virtue, Life, and Happiness)

Nov. 27: THANKSGIVING RECESS, NO CLASS

Dec. 2: Virtue, *Nichomachean Ethics* (Virtue and Social Structure)

Dec. 4: Maimonides and Bentham, Utility of Utilitarianism?

Dec. 9: Maimonides and Kant: “Autonomy and Heteronomy” Once Again—This Time, The Imperative Internalized

Dec. 11: Connecting the Dots, A Review of the Course

**Final Take-Home Exam due in Recitation 12/12.**