Spring 2011

V55.0400 (4 Cr.): Texts & Ideas: **Justice and Injustice in Biblical Narrative and Western Thought**

Professor Joseph H.H. Weiler  
New York University School of Law  
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New York, NY 10012  
Office Hours: by appointment—please contact: weilersoffice@exchange.law.nyu.edu

Lecture:  
Tuesdays & Thursdays .......... 12:30 p.m. – 1:45 p.m........ NYU School of Law, Vanderbilt  
Hall Room 206, 40 Washington Square South.

Recitations:  
§1: Fridays ................................. 9:30 a.m. – 10:45 a.m..... location: Tisch LC 13  
§2: Fridays ................................. 11:00 a.m. – 12:15 p.m..... location: Tisch LC 7  
§3: Fridays ................................. 11:00 a.m. – 12:15 p.m..... location: Tisch LC 13  
§4: Fridays ................................. 12:30 p.m. – 1:45 p.m....... location: 25W4 C-11

Adjunct Instructors:  
Job Jindo (§§ 1, 2)  
jojindo@nyu.edu  
(212)998-6566  
Office Hours: By appointment.  
Muisi Krosi (§§ 3, 4)  
krosi.muisi@gmail.com  
(612)382-8018  
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 MAP 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 his/her 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 compiler’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 Blackboard. 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 an in-class final examination at the end of the semester in which students will be asked to analyze unseen material with 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’ grade, 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>40%</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>20%</td>
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<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.

Blackboard (CourseWeb)
Announcements and supplementary study materials will frequently be posted on Blackboard.
Please check Blackboard at least once before attending each session (lecture as well as
recitation). Additionally, important announcements will occasionally be emailed to you though
Blackboard’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).

Academic Integrity and Other Issues
The system of this course relies on trust and self-reporting: academic integrity is a “must”
and such conduct as cheating or plagiarism will not be tolerated. Remember, the course is
about “justice and injustice.” On academic integrity and other issues, see:
http://cas.nyu.edu/object/bulletin0810.ug.academicpolicies
LECTURE—A TENTATIVE SCHEDULE

Part 1: Justice and Normativity (or: Justice and the Human Condition)

T 1/25: Introduction

Th 1/27: Adam and Eve: An Exercise in Normative Analysis

T 2/1: Adam and Eve (Kant)

Th 2/3: Adam and Eve: Moral Agency and Bounded Liberty (Perelman)

T 2/8: the Flood Narrative: Theories of Punishment (esp. Collective, Retributionist)

Th 2/10: the Flood Narrative

T 2/15: Binding of Isaac: Abraham’s Obedience and Affective Indifference

Th 2/17: Binding of Isaac: Categorical Imperative (Kierkegaard)

T 2/22: Legislative Monday

Th 2/24: Matriarchs (Genesis 12-38): Love, Family, and Deception: Problem of Priority

T 3/1: Matriarchs: Liberalism and Elitist Realism (Taylor, Mill, Douglass, Engels, Ortega)

Part 2: Justice and Law (or: Law, Legality, and Trial)

Th 3/3: Trial of Jesus: “Jesus’ Enemies” and “The Civilized Reflex of ‘Will to Legality’”

T 3/8: Trial of Jesus: “Was There A Trial?” Due Process and Procedural Legality


[3/14–20: Spring Break]


T 3/29: Socrates and Jesus: Meaningful Death and Meaning of Life—Civilization on Trial

Th 4/1: Kafka: Josef K.

T 4/5: 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)

Th 4/7: The Plague: Pre-Modernity vs. Modernity: “Burden of Fate” vs. “Burden of Choice” (Film: Clockwork Orange)

T 4/12: The Stranger: A Miscarriage of Individualism?

Th 4/14: Medea—Virtue

T 4/19: Medea—Revenge (Passover: 2nd Day)


Th 4/28: Maimonides and Bentham: Utility of Utilitarianism?

T 5/3: Maimonides and Kant: “Autonomy and Heteronomy” Once Again—This Time, The Imperative Internalized

Th 5/5: Connecting the Dots—A Review of the Course................Recitations end this week.

Th 5/12: Final Examination: 12:00pm–1:50pm
Criteria for Paper Grades (based on the MAP 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.
Statement on Academic Integrity
Morse Academic Plan, College of Arts and Science

As a student at New York University, you have been admitted to a community of scholars who value free and open inquiry. Our work depends on honest assessment of ideas and their sources; and we expect you, as a member of our community, likewise to maintain the highest integrity in your academic work. Because of the central importance of these values to our intellectual life together, those who fail to maintain them will be subject to severe sanction, which may include dismissal from the University.

Plagiarism consists in presenting ideas and words without acknowledging their source and is an offense against academic integrity. Any of the following acts constitutes a crime of plagiarism.

- Using a phrase, sentence, or passage from another person's work without quotation marks and attribution of the source.
- Paraphrasing words or ideas from another's work without attribution.
- Reporting as your own research or knowledge any data or facts gathered or reported by another person.
- Submitting in your own name papers or reports completed by another.
- Submitting your own original work toward requirements in more than one class without the prior permission of the instructors.

Other offenses against academic integrity include the following.

- Collaborating with other students on assignments without the express permission of the instructor.
- Giving your work to another student to submit as his or her own.
- Copying answers from other students during examinations.
- Using notes or other sources to answer exam questions without the instructor's permission.
- Secretly creating library or reference materials.
- Submitting as your own work a paper or results of research that you have purchased from a commercial firm or another person.

Particular emphasis is placed on the use of papers and other materials to be found on the World-Wide Web, whether purchased or freely available. In addition to having access to the same search engines as students, faculty also have at their disposal a number of special websites devoted to detecting plagiarism from the web.

Plagiarism and other cases of academic fraud are matters of fact, not intention. It is therefore crucial that you be diligent in assuring the integrity of your work.

- Use quotation marks to set off words that are not your own.
- Learn to use proper forms of attribution for source materials.
- Do your own original work in each class, without collaboration, unless otherwise instructed.
- Don't use published sources, the work of others, or material from the web without attribution.
- For further information, consult the Bulletin of the College of Arts and Science, the CAS Academic Handbook, and the Student's Guide to NYU.

revised 11/2005
Academic Guidelines for Students
Morse Academic Plan, College of Arts and Science

To help foster common academic expectations among students and instructors, the following guidelines for MAP courses are offered to students. While these represent minimum expectations across the curriculum, individual faculty members may set additional course requirements. Students should therefore consult the course syllabus for details of policies in each class.

Attendance
Inasmuch as students have voluntarily sought admission to the University, they are expected to attend all class meetings, including all lectures and all meetings of associated recitation, workshop, or laboratory sections. Students may be excused for documented medical or personal emergency and will receive reasonable accommodation for the observance of religious holidays. In these cases, they should contact their instructors in advance or, in cases of emergency, as soon as is practicable. Students are responsible for making up any material or assignments they miss.

Classroom Decorum
The classroom is a space for free and open inquiry and for the critical evaluation of ideas, and it should be free of personal prejudice. Students and instructors alike have an obligation to all members of the class to create an educational atmosphere of mutual trust and respect in which differences of opinion can be subjected to deliberate and reasonable examination without animus.

As a matter of courtesy to their fellow students and instructors, students should arrive at class promptly, prepared and ready to participate. Students are reminded particularly to shut off all cellular telephones and pagers and, except in cases of emergency, to remain in the classroom for the duration of the lecture or section meeting. If it is necessary to leave or enter a room once class has begun, students should do so quietly and with as little disruption as possible. Under University policy, disruptive classroom behavior may be subject to faculty review and disciplinary sanction.

Completion of Assignments
Students are expected to submit course work on time and to retain copies of their work until a final grade has been received for the course. Instructors are not obliged to accept late work and may assign a failing or reduced grade to such assignments.

Students who encounter sudden and incapacitating illness or an other comparably grave circumstance that prevents them from completing the final examination or assignment in a course may request a temporary mark of Incomplete from the course instructor. To receive an Incomplete, students must have completed all other requirements for the course, including satisfactory attendance, and there must be a strong likelihood they will pass the course when all work is completed.

Questions and Concerns
Up-to-date course information is available on the MAP website: www.nyu.edu/cas/map. Questions, concerns, comments, and feedback may be directed to the following members of the MAP staff, located in 903 Silver Center, 212-998-8119. Complaints will remain confidential.

Director: Prof. Joy Connolly morse.plan@nyu.edu
Associate Director for the FCC: Prof. Vincent Renzi map.fcc@nyu.edu
Associate Director for the FSI: Prof. Trace Jordan map.fsi@nyu.edu
Department Administrator: Ms Janet Lebeda morse.plan@nyu.edu

revised 1/2010
Why MAP?
A Guide for Students

What is the MAP?
The Morse Academic Plan is the group of core courses that every student must complete in order to earn a degree from the College of Arts and Science. It represents the considered judgment of the faculty about what every College graduate should know as a part of his or her liberal arts education. In other undergraduate divisions at NYU, faculty of those schools have adopted parts of the MAP to provide a core experience in the liberal arts for their students as well. Because it is shared by students across different schools, majors, and programs, the MAP is also sometimes called the general education curriculum.

What's "liberal" about the liberal arts?
"Liberal" comes from the Latin word liber, meaning "free." In ancient Greece and Rome, liberal education was the pursuit of free men, that is, those with the means and leisure to be able to devote themselves to learning, rather than to labor.

Today when we speak of "liberal education," we mean an education in the "liberal arts," an education for men and women that frees intellectual capacities and the imagination through the study of human endeavor on a broad scale, from music, art, and philosophy, to encounters with nature and with cultures of other times and places.

What are the "liberal arts"?
Sometimes also called the "arts and sciences" or "liberal arts and sciences," in the medieval university curriculum they were seven in number: grammar, logic, rhetoric, arithmetic, geometry, astronomy, and music.

Today, the liberal arts encompass all the disciplines of the humanities and social sciences, mathematics, and the natural sciences—all those areas of inquiry that are pursued for the sake of expanding human knowledge, rather than as training for a particular profession.

(over)
What’s the practical value of liberal education?

*Education in the liberal arts builds your critical, analytic, and communications skills,* giving you the preparation you need to flourish in the world of work and to become a productive member of society.

More than this, however, *education in the liberal arts is preparation for life as a responsible, actively engaged citizen,* equipping you with the open-mindedness and soundness of judgment necessary to reason, act, and lead. Indeed, this University—and the whole enterprise of higher education in the United States—was founded on the belief that college graduates have a special opportunity and responsibility to contribute to the common good.

What are the faculty’s specific goals for the MAP?

In designing the MAP, the faculty sought to ensure that students would expand their capacity to communicate effectively, by *improving their writing and gaining proficiency in a foreign language.* This is why every undergraduate must complete *Writing the Essay* or its equivalent, and why the University maintains extensive opportunities for language study both in New York and at the global sites, as well as the non-credit Speaking Freely program.

The faculty also wanted to provide every student with opportunities to build his or her *quantitative skills* and to study *the natural sciences.* These studies give you the knowledge you need to be an independent-minded citizen in a world increasingly shaped by science and technology, where urgent questions of policy require prudent, well-informed judgments. We aim, too, to foster your appreciation of mathematics and the sciences as liberal pursuits.

We likewise believe that students should gain knowledge of *the social sciences,* which study how humans communicate, organize their communities, worship, use language, and engage in trade and diplomacy. Because *the fine and performing arts* connect us in unexpected ways, give pleasure, and reveal new perspectives on the world, the MAP also includes courses in *Expressive Culture.*

Finally, *students should come to think of themselves as citizens of a larger world by gaining the ability to comprehend how people remote from themselves understand, experience, and imagine their lives.* They should also come to know themselves better by engaging critically with the significant ideas that have shaped contemporary culture. For these reasons, all students in the MAP complete a course in *Cultures and Contexts* and a course in *Texts and Ideas.*

Does all this mean that you will take a few courses outside your main interests and comfort zone? That is our intention: Stretching the mind and rethinking old assumptions and beliefs are important preparation for your future. The MAP represents our commitment as a faculty to assuring you an undergraduate education that will equip you for success in your later careers and prepare you for a life of thinking critically and creatively about who you are, who you want to be, and how to better the world we live in.

September, 2010