

King's University College
at the University of Western Ontario
Fall Term 2012
Tuesdays 9:30am-12:30pm

3170F – An Eye for an Eye: Crime and Punishment in the Bible

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Office Hours: Tuesdays 1:00-3:00pm
Office Location: FB002A

COURSE DESCRIPTION

What influence does biblical and pre-biblical legal thought have on our thinking about crime and punishment today?

This course explores ancient, religious structures of crime and punishment including vengeance / blood-feud; the death penalty; trial procedure and rules of evidence; divine retribution; and remedies for miscarriages of justice.

I would like to point out that due to the Jewish holidays occurring on several Tuesdays this Fall (and this being a Jewish Studies class), several of our early class meetings will be conducted online via webCT (see class schedule for details). If this upsets you in any way, or you would like more in-person discussion and clarification of class materials, I will be happy to meet with you during office hours or by appointment.

COURSE OBJECTIVES:

- To understand ideas of crime and punishment in the context of the Hebrew Bible.
- To compare ancient ideas with contemporary ones.
- To evaluate different modes of crime and punishment and critically appraise criminal and penal models from different societies and different eras.

TEXTS

- 1) HarperCollins Study Bible
- 2) Coursepack available at bookstore
- 3) Supplementary Readings on WebCT

Class Format

Goals

Information, or ideas? Are we cramming more things into our brain, or are we rewiring our brain in different ways? I think we should aim for the highest level learning we can achieve. Here is a commonly accepted (Bloom's) taxonomy of learning:

1. Knowledge:
 - Recall data or information
 - Verbs: describe, identify, recall, arrange, define, duplicate, label, list, memorize, name, order, recognize, reproduce state.
2. Comprehension:
 - Understand the meaning of a problem, be able to translate into own words.

- Verbs: comprehend, give example, classify, describe, discuss, explain, express, identify, indicate, locate, recognize, report, restate, review, select, translate,
3. Application:
- Use a concept in a new situation
 - Verbs: apply, change, construct, compute, choose, demonstrate, dramatize, employ, illustrate, interpret, operate, practice, schedule, sketch, solve, use, write.
4. Analysis:
- Can split concepts into parts and understands the structure
 - Verbs: analyze, break down, relate, appraise, calculate, categorize, compare, contrast, criticize, differentiate, discriminate, distinguish, examine, experiment, question, make inferences, find evidence, test.
5. Synthesis:
- Produce something from different elements (e.g a report).
 - Verbs: summarize, arrange, combine, categorize, assemble, collect, compose, construct, create, design, develop, formulate, manage, organize, plan, prepare, propose, set up, write.
6. Evaluation:
- Make judgments, justify a solution, etc.
 - Verbs: appraise, interpret, argue, assess, attach, compare, defend, estimate, judge, predict, rate, core, select, support, value, evaluate, prove, deduce.

Do we all want to get stuck at #1? I very much hope not. Unfortunately, #1 is all we can achieve if we're passive. Have you ever had the experience of thinking you understood something, only when you try to explain it to someone else you get a bit lost? As soon as we are forced to be active, like explaining an issue to someone else, we actually start heading towards a higher level of learning.

I see the classroom as your lab to experiment with **active** learning practices. During our class sessions, I will give you the opportunity to summarise, to explain, to interpret, to apply, to express and to compare. In other words, you will be asked to (1) lead discussions (2) participate in discussions (3) present on material you select yourself (4) write short sentences or paragraphs and (5) ask questions. I don't expect everyone to do all of those activities every week, but you can aim to do at least one of them each week (with the exception of some off-weeks; we all have those!).

Practice

Each session will be divided roughly in half. The first half of each session will consist of *student-led discussion*. 7-8 people will be "on-call" each session; two people will present on a topic of their choosing in consultation with me (see below, "presentations"). Everyone else is expected to participate in discussion and listen attentively to his or her fellow classmates. ***Laptops will be switched off during this discussion period.*** There's nothing worse than trying to talk to someone who is hiding behind a screen. I would much rather you listen and engage during this

section than take notes. At the end of each discussion, we will have a 'wrap-up' session during which you can take notes in which we'll sum up the important points from the readings.

After a break, I will lecture for the remainder of our class session. While lectures are more passive than discussions, I still welcome questions and comments at any time. Moreover, I will frequently ask *you* questions during the lecture session, and I expect you to be prepared and alert enough to answer them.

EVALUATION

Participation/Professionalism: 10%

- Participation (5%) – different students participate in different ways. Making comments, asking questions and even listening attentively are all forms of participation. Participation marks are lost by being *routinely* disengaged from class discussions and lectures. Participation marks are also lost if you are absent (for unexcused reasons) or unprepared on a day you are “on call.”
- Professionalism (5%) – see below.

Mid-Term Exam: 20%

- Length: 1-hour
- Short- and Medium-length answer format; no essays.
- Will cover lectures and readings.
- *If there is a valid medical or other reason mid-term exam cannot be taken when administered, documentation must be provided to the appropriate Faculty Dean's Office. Students who receive medical or other accommodation will take a make-up exam. Students who do not receive a medical or other accommodation and miss the mid-term exam will receive a 0 as a mid-term exam mark. The Policy on Accommodation for Medical Illness can be found at: http://www.uwo.ca/univsec/handbook/appeals/accommodation_medical.pdf. The required Student Medical Certificate can be found at: http://www.kings.uwo.ca/pt5/assets/File/SMC_Revised_March_2011.pdf.*

Discussion Presentation: 15%

- A 10-15 minute presentation in which you choose, in consultation with me, a modern legal/political/ social issue; story/novel/film/television episode/video game; or news item/current event that relates to the biblical topic studied. You will present in a group of 2 or 3, depending on enrollment in the course.
- Evaluation: *everyone in the group will get the same grade, unless members of the group approach me **before the presentation** to let me know that one (or more) members have not been pulling their weight. That case will be dealt with as a special circumstance.*

Grading Rubric:

A	Topic chosen is explained in depth ; a significant connection is drawn to previous week's lecture; presentation is delivered well ; demonstrates thorough understanding of chosen topic.
B	Topic chosen is explained well enough for people to follow, if a bit superficially; a basic or simple connection is drawn to previous week's lecture; presentation is delivered satisfactorily ; demonstrates basic understanding of chosen

	topic.
C	Explanation of topic leaves audience confused or lacking understanding; little to no connection drawn to previous week's lecture; presentation may be disorganized ; demonstrates little to no understanding of chosen topic.
D	Topic chosen is barely explained at all or read from book/article; no connection drawn to previous week's lecture; presentation may not be delivered at all understandably ; demonstrates no understanding of chosen topic.
F	Presentation not given; presenter(s) are absent; video shown in lieu of presentation; presentation entirely irrelevant to course.

- *If there is a valid medical or other reason why an assigned presentation cannot be delivered, documentation will need to be provided to the appropriate Faculty Dean's office. If accommodation is given, students will be able to turn in a written précis of their presentation for a mark; if accommodation is not received, students will receive a 0 as their presentation grade. See policy above.*

Essay: 25%

- Approximate length: 10 pages, double spaced
- Topic: comparative paper on one element of biblical criminology / penology and a similar phenomenon today.
- You are allowed—and even encouraged—to write your essay on the same topic as your in-class presentation.
- Due December 8, 5:00pm. For every day that it is late, you lose 3 percentage points. *5:01pm December 8 = one day late.* Get it in on time!
- *If there is a valid medical or other reason the essay cannot be turned in on time, documentation must be provided to the appropriate Faculty Dean's Office. Students who receive medical or other accommodation will get extended time to finish the essay; students will be marked "Incomplete" until an essay is turned in and graded. See policy above.*

Final Exam: 30%

- Length: 2 hours.
- Based on lectures and readings—readings only from mid-term and onward; lectures from entire course.
- *If there is a valid medical or other reason final exam cannot be taken when administered, documentation must be provided to the appropriate Faculty Dean's Office. Students who receive medical or other accommodation will take a make-up exam. Students who do not receive a medical or other accommodation and miss the final exam will receive a 0 as a final exam mark. See policy above.*

*Finally: What Do I Mean by "Professionalism"?

We all have different modes and personas based on the situations we're in: one mode with friends, another with family, another with our hairdresser, another with our employers, and so on. My understanding of university education is that we're in a *professional* relationship with one another, which means:

- You are an adult and responsible for the consequences of your own actions.
- You are expected to conduct yourselves with some degree of comfortable formality in the classroom and in meetings and correspondence with me.
- We are all responsible for contributing towards a comfortable and dynamic classroom environment.

Let's look at each of these items separately:

- *You are an adult and responsible for the consequences of your own actions.*

This means that:

- I will not take **attendance**, but I will give you the option of signing in to class so that there's 'objective proof' you were there.
- There will be **NO extensions or make-up work** unless you have a valid medical, family or other kind of emergency verified by the Academic Counsellor and/or if you let me know well in advance about conflicts with other classes, extracurricular activities, etc.
- You accept that **you earn your grades** and do not expect me to raise them for any reason other than a genuine error (for example: I missed a question on an exam; two pages of your essay were stuck together; my math was wrong in calculating percentages). At the same time, I will be happy to *explain* to you, in office hours or in a meeting, why you earned the grade you did.
- *You are expected to conduct yourselves with some degree of comfortable formality in the classroom and in meetings and correspondence with me.*

This means that:

- Your **attitude** should reflect the fact that you are taking this class by choice; that no one is compelling you to be here. If you don't like the class you are free to drop it, I won't take it personally!
- **Netiquette** is important. Emails to me should always start "Dear Dr. Halberstam" and end with your signature (= your name, not your dancing emoticon or animated gif). Don't try to contact me on facebook or my personal email accounts unless I have specifically directed you there! You can use the messaging system on WebCT, or my professional email: chaya.halberstam@uwo.ca
- *We are all responsible for contributing towards a comfortable and dynamic classroom environment.*
 - First and foremost: comfortable. A hostile classroom is like a hostile work environment: it makes you dread having to be there. I will *never* intentionally **belittle or offend** anyone in the classroom, and I expect you to hold yourselves to the same standards. Laughing with friends while someone else is talking—even if you're laughing about something entirely unrelated—can make people feel self-conscious as they suspect you might be laughing at them. Just don't. Be attentive, or stare at the wall. Either one will work!
 - Dynamic. I don't think teaching = a one-woman show. What's the point? Why don't I just post my lectures, let you read them at home and come in and take the exams? The main advantage classroom teaching has over on-line learning is the formation of a group dynamic. I truly believe that two people are far more creative and innovative than one, 3 more than 2, etc. I would like to foster an environment in which we can all build off one another's ideas. That means **active engagement** with what's going on, rather than passive absorption. See "Class Format" for further details.

Schedule of Classes

Wk	Date	Topic	Reading	Assignments
1	Sept 11	Introduction: The Blood-Feud and the Origins of Crime and Punishment	<i>no reading</i>	
2	Sept 18	Rosh Hashannah— NO CLASS		
3	Sept 25	<i>Discussion: Controlling Vengeance Then and Now</i>	Gluckman, "Peace in the Feud" [Coursepack]	On Call: Presenters: 1. 2.
		What is Crime? Biblical Law Collections	- "Covenant Code": Exodus 21-23:33 - "Deuteronomic Code": Deuteronomy 15-25 - "Priestly Code": Leviticus 18-20	
4	Oct 2	NO CLASS-Sukkot <i>Online discussion</i> <i>Discussion: What Differentiates Crime and Sin? Law and Morals?</i>	M. Greenberg, "Some Postulates of Biblical Criminal Law" [Coursepack]	
		What is Crime? Early Crime Stories	- Adam and Eve: Genesis 2:4-3:24 - Cain and Abel: Genesis 4:1-16 - Sodom and Gomorrah: Genesis 19:1-23 - Moses' Early Years: Exodus 2:11-15 - The Blasphemer: Leviticus 24:10-23 - Gatherer of Sticks: Numbers 15:32-36	

			- King David: 2 Samuel 11	
5	Oct 9	<p>NO CLASS-Simchat Torah</p> <p><i>Online discussion</i></p> <p><i>Discussion: What Can we Learn about Crime from Stories about Wrongdoing?</i></p>	<p>The Joseph Story: Genesis 37, 39-45</p> <p>AND D. Daube, "Law in the Narratives" [Coursepack]</p>	
		<p>Elements of a Crime: Case Study: Homicide</p>	<p>MURDER VS. JUSTIFIABLE HOMICIDE VS. NEGLIGENCE HOMICIDE:</p> <ul style="list-style-type: none"> - Exodus 21:12-14 - Numbers 35:9-34 - Deuteronomy 19:1-13 - Exodus 22:1-2 - Exodus 21: 20-21 - Exodus 21:28-32 - Numbers 25:1-18 - Genesis 34 	
6	Oct 16	<p><i>Discussion: How justifiable is justifiable homicide?</i></p>	<p>J. J. Collins, "The Zeal of Phinehas: The Bible and the Legitimation of Violence" [Coursepack]</p>	<p>On Call:</p> <p>Presenters:</p> <ol style="list-style-type: none"> 1. 2.
		<p>Principles of Punishment: <i>Lex Talionis</i></p>	<p>BIBLE: Leviticus 24:17-21; Exodus 21:22-25; Deuteronomy 19:16-21</p> <p>MESOPOTAMIA: "Lex Talionis in the Ancient Near East" [WebCT]</p>	
7	Oct 23	<p><i>Discussion: What is More Just? Retribution or Compensation?</i></p>	<p>Miller, "The Compensation Principle" [Coursepack]</p>	<p>On Call:</p> <p>Presenters:</p> <ol style="list-style-type: none"> 1. 2.
		<p>Principles of Punishment: Rehabilitation and</p>	<p>REHABILITATION</p> <ul style="list-style-type: none"> - Numbers 12:1-16 - Numbers 21:4-9 	

		Deterrence	<ul style="list-style-type: none"> - Deuteronomy 4:25-31 - 1 Kings 8:31-34 - Psalms 78:32-38 - Jeremiah 31:16-19 - Daniel 12:8-10 - Job 11:13-16 <p>DETERRENCE</p> <ul style="list-style-type: none"> - Deuteronomy 13:6-11, 17:12-13, 21:18-21, 27:24 - Leviticus 26:14-33 	
8	Oct 30	Mid-Term Exam (1 hour)	No Reading	
		Principles of Punishment: Covenant and Collective Punishment	<p>COVENANT</p> <ul style="list-style-type: none"> - Exodus 20:1-21; 24 - Deuteronomy 11 AND 27:11-28:36 <p>COLLECTIVE PUNISHMENT</p> <p>Exodus 20:4-6</p> <ul style="list-style-type: none"> - Amos 1-4 - Lamentations 1-2 - Joshua 7 	
9	Nov 6	<i>Discussion: Understanding Collective Punishment, Then and Now</i>	Lau, "Ancient Israelite Identity" [Coursepack]	<p>On Call:</p> <p>Presenters:</p> <ol style="list-style-type: none"> 1. 2.
		Punishment in Nature; Questioning Collective and Natural Punishment	<p>PUNISHMENT IN NATURE</p> <ul style="list-style-type: none"> - Leviticus 18:24-28 - 1 Kings 8:32; Prov 26:27 - Psalms 1, 37:1-15, 128 <p>QUESTIONING COLLECTIVE/NATURAL PUNISHMENT</p> <ul style="list-style-type: none"> - Deut 24:16 - Jeremiah 31:29-30 - Ezekiel 18:1-4, 14-20 - Ezekiel 3:18-20 - Genesis 18:16-33 - Ecclesiastes 	

10	Nov 13	<i>Discussion: Questioning Divine or Natural Punishment</i>	NO READING; Screening: Woody Allen, "Crimes and Misdemeanors"	
		Procedure: Tribunal; Witnesses/Evidence; Ordeal; Lots	<ul style="list-style-type: none"> - Genesis 38 - Deuteronomy 19:15-21; 22: 13-21 - Exodus 18:13-27 - Deuteronomy 17:2-13 - 1 Kings 21 - Numbers 5:11-31 - Joshua 7 	
11	Nov 20	<i>Discussion: Judicial Ordeals, Then and Now</i>	Whitman, "The Decline of the Judicial Ordeal: From God as Witness to Man as Witness" [Coursepack]	<p>On Call:</p> <p>Presenters:</p> <ol style="list-style-type: none"> 1. 2.
		Alternatives to Punishment: Sanctuary, Mercy, Pardon	<p>SANCTUARY</p> <ul style="list-style-type: none"> - Exodus 21:13-14 - 1 Kings 2:36-38 - Deuteronomy 19:1-13 - Numbers 35:9-35 - Joshua 20:1-9 <p>MERCY/PARDON</p> <ul style="list-style-type: none"> - Exodus 32:17-35 - Numbers 14:11-23 - Book of Jonah - Jeremiah 33:1-9 	
12	Nov 27	<i>Discussion: Sanctuary for 'Criminals,' Then and Now</i>	Shoemaker, "The Foundations of Sanctuary Law in Late Antiquity" [Coursepack]	<p>On Call:</p> <p>Presenters:</p> <ol style="list-style-type: none"> 1. 2.
		Conclusions: The Afterlife of Crime and Punishment in the Bible	<ul style="list-style-type: none"> - Daniel 10-12; - 1 Enoch 22; - Luke 16:19-25; 12:47; 23:39-43; - Matthew 25:31-46; 18:23-35; 	

			- Romans 2:5-11; 12:19-21; - 2 Thessalonians 1:5-11; - Mishnah Makkot 10:1	
13	Dec 4	Essay Workshop / Review for Final Exam	No Reading	

Submission Guidelines

Papers must be submitted on the specified date unless otherwise authorized. Papers will be submitted to Turnitin.com on WebCT.

Papers received after a deadline will be penalized 3 percentage points per day.

Policy on the Use of Laptops

“King’s University College at The University of Western Ontario acknowledges the integration of new technologies and learning methods into the curriculum. The use of laptop computers can contribute to student engagement and effective learning. At the same time, King’s recognizes that instructors and students share jointly the responsibility to establish and maintain a respectful classroom environment conducive to learning.

The use of laptops by students during lectures, seminars, labs, etc., shall be for matters related to the course at hand only. Students found to be using laptops for purposes not directly related to the class may be subject to sanctions under the Student Code of Conduct. See

http://www.kings.uwo.ca/pt5/assets/File/code_of_conduct_2003.pdf. Inappropriate use of laptops during lectures, seminars, labs, etc., creates a significant disruption. As a consequence, instructors may choose to limit the use of electronic devices in these settings. In addition, in order to provide a safe classroom environment, students are strongly advised to operate laptops with batteries rather than power cords.”

Statement on Academic Offences:

King’s is committed to Academic Integrity.

Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site:

http://www.uwo.ca/univsec/handbook/appeals/scholastic_discipline_undergrad.pdf

PLAGIARISM AND CHEATING ARE SERIOUS SCHOLASTIC OFFENCES

All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (<http://www.turnitin.com>).

Computer-marked multiple-choice tests and/or exams may be subject to submission for similarity review by software that will check for unusual coincidences in answer patterns that may indicate cheating.

Additional Information:

Support Services

Students who are in emotional/mental health distress should refer to Mental Health@Western:

<http://www.uwo.ca/uwocom/mentalhealth/> for a complete list of options about how to obtain help.

Information about Counselling and Student Development Services at King’s is available at

<http://www.kings.uwo.ca/current-students/student-services/>

for emotional/mental health assistance see specifically: <http://www.kings.uwo.ca/current-students/student->

[services/personal-counselling/](#)

The web site for Academic Services at King's University College is

<http://www.kings.uwo.ca/academics/academic-deans-office>

Tests/Examinations

Students are responsible for seeking accommodation with appropriate documentation, **prior** to writing tests/examinations, if they are of the view that their performance may be affected by extenuating circumstances.

Faculty Office Hours: Faculty office hours can be found on the King's website at:

<http://www.kings.uwo.ca/files/file/OfficeHours.pdf>, and are also posted on the bulletin board across from the Faculty Secretaries' Office on the 2nd floor of Dante Lenardon Hall.

Unless otherwise noted by your Professor, the following policy is in effect:

Use of Electronic Devices:

You are not allowed to have a cell phone, or any other electronic device, with you during tests or examinations.