

SYLLABUS: PENTATEUCHAL LEGAL CODES

Hebrew Studies 644

Spring, 2012

T, 8:50-9:40; R 8:50-9:40 & 9:55-10:45

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Office hours: T, 9:45-10:35 & R, 10:50-11:40

1. Course description

The legal codes of the Pentateuch stand within narratives and must be considered in that setting. At the same time, they reflect social mores and, in some cases, offer a vision of an ideal Israelite society. To the degree that they reflect (or imitate) case law, we will analyze their structure and purposes in comparison to other ancient Near Eastern law codes. In the measure that that they focus on the cult, we will view them with reference to the roles of temples, priests, and worshipers in the ancient Near East.

Alongside these synchronic approaches, we will consider how these legal codes reflect development in social and cultic structures in ancient Israel. Of particular interest will be Deuteronomy's recasting of laws from the Covenant Code (Exodus 20:23-23:33) and the relationship of both to the Holiness Code (Leviticus 19-26).

2. Course objectives

We will study representative texts from the Pentateuch's primary legal codes: the Covenant Code (Exodus 20:23-23:33); the Holiness Code (Leviticus 17-26); and the Deuteronomic Code (Deuteronomy 12-26). We will make use of the growing body of scholarship on the development and function of ancient Near Eastern legal materials, especially as a tool for comprehending the Pentateuch's legal codes. The key questions are how these codes reflect or seek to shape society, and how their inclusion within narratives has affected their own shape and use.

A competent grasp of course material will be evidenced in the ability to use scholarship on ancient Near Eastern legal codes and Pentateuchal narratives (the subject of HS 643) to elucidate the functions of these codes. The ability to write about selected passages on the midterm and the final exam, along with a research paper probing a topic in this field, will attest the student's grasp of the course material.

3. Readings in the Hebrew Text

- a. In class: We will read, translate and discuss selected passages from Exod 20:22-23:33; Lev 17-19; Deut 5:6-21; 12:1-20:9; 22:13-24:22 (For instructions on preparing for class, see part 9, below.)
- b. Translation for exams (regardless of how much we cover in class)
Mid-term exam: Exod 20:1-23:33; Lev 17-26

Final exam: Deut 5; 12-26

(See point 5 for information on the exams.)

4. Each student will write a research paper (15-18 pp., double-spaced, with appropriate documentation of primary and secondary sources) on a topic in study of the legal codes. While this paper is not as broad as a seminar paper, I expect the same attention to bibliography, argumentation, and writing that you would invest in a seminar paper. Papers will be due Tuesday, May 1, at class time (one grade level will be deducted for each day a paper is late).
 - a. Evidence of Evolution in Israel's Legal Codes
(for this paper, you should select examples from *one* of the codes)
 - b. Property Laws in Israel and Mesopotamia
 - c. The Administration of Justice in Israel
 - d. Israelite Laws Affecting Marriage and Family
 - e. Reflections of the Legal Codes as Components of the Narratives
 - f. Rationales of Legal Justification in Israel and the Ancient Near East
5. There will be two exams: 1) Midterm, Thursday, March 15: be prepared to discuss any passages studied in class, translate any verses from Exod 20:1-23:33 and Lev 17-26, and write an essay on a question about the readings discussed in the first half of the term; 2) Final: be prepared to discuss any passages studied in class, to translate any verses from Deut 5; 12-26, and write an essay on a question about the readings discussed in the second half of the term.

Each exam will comprise three units. First, you will be required to translate verses from two passages studied in class and provide philological notes, including analysis of the LXX's translation and comments on the role of the passage within the larger legal code (50%). Second, you will be asked to translate two passages from the larger swaths of texts specified in "3.b," above (25%). Third, you will write an essay critiquing a statement about a topic from the secondary readings (25%).
6. Your final grade will be a composite of your grades on the paper (20%), class participation (10%) and the two exams (35% each). (Class participation would also be a decisive factor in adjudicating borderline grades.)
7. Required readings (to be assigned at relevant points):

Levinson, Bernard. *Deuteronomy and the Hermeneutics of Legal Innovation*. Oxford and New York: Oxford University Press, 2002 (paperback edition; available also by print on demand).

_____. "The Case for Revision and Interpolation within the Biblical Legal Corpora." In *Theory and Method in Biblical and Cuneiform Law*, edited by Bernard M. Levinson, 15-36. Sheffield: Sheffield Academic Press, 1994. Reprint, Sheffield Phoenix Press, 2006.

- _____. "The Right Chorale." In *The Right Chorale: Studies in Biblical Law and Interpretation*, Bernhard M. Levinson, 7-39. Tübingen: Mohr Siebeck, 2008. Reprint, Eisenbrauns, 2011.
- Milgrom, Jacob. *Leviticus*. Continental Commentaries. Minneapolis: Fortress Press, 2004.
- _____. "The Holiness Source (H)." In *Leviticus: A Book of Ritual and Ethics*, 175-333. Minneapolis: Fortress Press, 2004.
- Patrick, Dale. "Who Is the Evolutionist?" In *Theory and Method in Biblical and Cuneiform Law*, edited by Bernard M. Levinson, 152-59. Sheffield: Sheffield Academic Press, 1994. Reprint, Sheffield Phoenix Press, 2006.
- Stackert, Jeffrey. "The Urbanization of Asylum." In *Rewriting the Torah: Literary Revision in Deuteronomy and the Holiness Legislation*, Jeffrey Stackert, 31-112. Tübingen: Mohr Siebeck, 2007.
- Westerbrook, Raymond. "What Is the Covenant Code?" In *Theory and Method in Biblical and Cuneiform Law*, edited by Bernard M. Levinson, 15-36. Sheffield: Sheffield Academic Press, 1994. Reprint, Sheffield Phoenix Press, 2006.
- Wright, David P. *Inventing God's Law: How the Covenant Code of the Bible Used and Revised the Laws of Hammurabi*. Oxford and New York: Oxford University Press, 2009.

8. Office hours: I will be available the hour following class each day and by appointment. Please feel free to approach me with any problem, concern or question you have. If these hours conflict with your schedule, contact me for an appointment, either in person or at rltroxel@wisc.edu

9. CLASS ASSIGNMENTS

Daily assignments comprise blocks of verses for discussion in class. You are expected to have worked through the verses consulting the Old Greek, the Samaritan Pentateuch, the appropriate commentary, and any secondary readings assigned for the day. Be prepared to read verses aloud in Hebrew, translate, and highlight significant problems, along with your proposed solutions.