

# LAW & ORDER

IN ANCIENT ISRAEL



# Objectives

- Resources
- Define the meaning of 'Torah'
- Explain the judicial system in ancient Israel
- Understand how to apply Torah to our lives today



Letter to Dr. Laura



What is 'Torah'?



# Common Misconceptions of Torah

- Law vs. Grace
- OT teaches salvation through keeping the Law
- 3 Separate types: moral, civil, and religious
- Law was to make the Jews stand out in their environment
- Only for the Jews
- Oppressive of woman, promoted slavery
- 613 Commandments
- Nobody can keep the Torah (1 Jn 5:1-5)



# Torah

- Torah - Law? Instructions? Guidance? YES!
- Literary genre
- Ancient Near Eastern law codes
- Torah as a Suzerain-Vassal treaty
  - Covenant renewals
- Based on 'Imitatio Dei' (Lev 19:2)
- Allowed God to dwell among them (Exod 29:45)



# Law Codes of the ANE

- Law codes were NOT comprehensive and systematic.
- Provide exemplary decisions, models of sound judgment
- Many law codes found



# Law Codes of the ANE

- Laws of Ur-Namma 2100BC
- Laws of Lipit-Ishtar 1900BC
- Laws of Eshnunna 1800BC
- Laws of Hammurabi 1750BC
- Middle Assyrian Laws 1400BC
- Hittite Laws 1600-1200BC



# Torah vs. ANE Law Codes

- Universal application of law - no class protection
- Retribution limited to the offender
- No maiming except in Lex Talionis cases
- Offender's dignity is preserved
- ANE source claimed to be from the king
- Lack of emphasis on crimes of theft



# Types of Laws

- Apodeictic vs. Casuistic
- Criminal law
  - Offenses against superior
  - Offenses calling for revenge
  - Offenses requiring compensations
- Family law
- Cultic law
- Compassionate law



# Problematic Laws

- “Purchase of women”
  - Purchase price = esteem for bride
  - Dowry protects woman’s legal status (CH 138, 142, 143)
- Slavery
  - ANE slavery ≠ Greco-Roman or modern slavery.
  - Exod 21.2-6, 21.26-27, Deut 15.12-18



# Problematic Laws

- Lex Talionis
  - Code of Hammurabi 196-205
  - Exod 21:22-25, Lev 24:10-23, Deut 19:15-21
  - Exod 21:26-27 – recompense to slaves
  - All systems suffer abuse
  - Emphasis not on inflicting injury, but limiting injury and containing blood-revenge (Gen 4.23)



# Administration of Justice

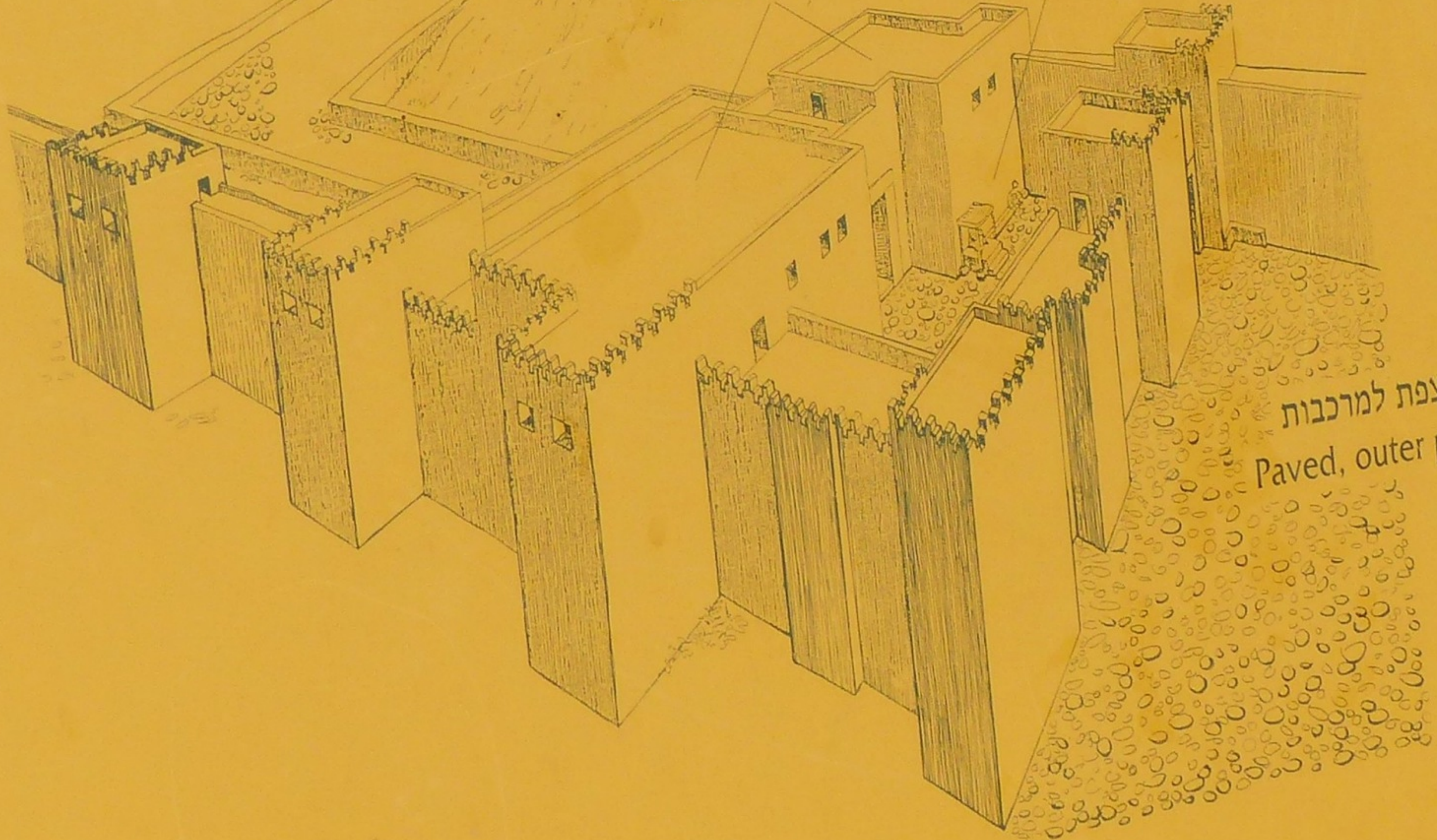
- Family administration
- Local court
- Temple court
- King's court





חדר משמר  
Gate chamber

אפיריון, מושב המלך או השופט  
Canopied structure for a king or a judge



רחבת כניסה מרוצפת למרכבות  
Paved, outer piazza for chariots















# Understanding the Court System

- No public prosecutor - initiated by a dispute
- Arbitration similitude
  - Pre-trial quarrel (riv) in legal language
- Other party known as 'enemy' or 'accuser' (Hebrew: satan, see Psa 109:6)
- Evidence is also known as 'witness'
- Judges - land-owning elders vs. all citizens



# Understanding the Court System

- Requirement of witnesses - Deuteronomy 19:15-19, Exodus 23:1-3
  - What is gossip and slander?
- Duty of the judge - Deuteronomy 25:1, Exodus 23:6-8
  - Protection of the rights of the disadvantaged
- Law codes were never cited in judgments



# Hue and Cry

## Protection for the Oppressed

- A person in acute need could raise a cry and legally oblige anyone within hearing to come to his/her immediate assistance.
- Marí text: "When an oppressed man or woman cries out to you, rise up and do him justice"



# Exodus 22:21-24

You shall not wrong or oppress a resident alien, for you were aliens in the land of Egypt. You shall not abuse any widow or orphan. **If you do abuse them, when they cry out to me, I will surely heed their cry; my wrath will burn, and I will kill you** with the sword, and your wives shall become widows and your children orphans.



# Petition to the King

- Hoshia-na, petition to the king
  - 2 Sam 14.4
  - 2 Kgs 6.26, 8:1-6
  - Luke 18:1-8



# Crying Out in Scripture

- Gen 4:10\*
- Ex 2:23\*
- Ex 14:10\*
- Jdg 3:9\*, 15, 4:3, 6:6, 7:21
- 1 Kings 17:17-20
- Job 19:7\*
- Psa 88:1
- Prov 21:13\*
- Jonah 1:2\*
- Sirach 35:14-24\*
- Mark 10:46-52\*
- Mark 15:33-37\* (cf Jn 12:27-33)
- Acts 7:60
- James 5:1-6\*\*\*
- Rev 6:10\*



Letter of the Law

vs.

Heart of the Law



# Function of the Trial

- Designed to establish:
  - Reconciliation
  - Restoration
  - Shalom
- Outcomes:
  - Punishment (fines, servitude, flogging, death)
  - Compensation to victim



# Judgment in the NT

- 1 Cor 5:9-13\*\*
- 1 Cor 6:1-11
- Matt 5:38-44
- Luke 6:37-38 (cf Psa 7:8)
- Luke 18:1-8
- John 7:24\*\*
- Romans 2:12-15\*\*
- 2 Thess 1:5-8
- Heb 4:12\*\*



# Why Should We Keep Torah?

Deuteronomy 6:20 - 25

1 John 4:19 - 21

Acts 6:10 - 7:60

Psalm 19:7-14



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