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Hebrew Law in Biblical Times

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Ze'ev W. Falk. *Hebrew Law in Biblical Times:
An Introduction*

Provo, Utah and Winona Lake, Indiana:
Brigham Young University Press and Eisenbrauns, 2001.

Reviewed By Robert D. Hunt

Having been out of print for far too long, the second edition of Ze'ev Falk's book is most welcome and continues to add to both biblical and legal scholarship. Organized by such topics as "Administration of Justice," and "The Family," this book allows the student and scholar to use it only as a reference or to peruse through it cover to cover. As the subtitle states, this book is only an introduction to Hebrew law, but it provides a solid foundation for further study into Hebrew law as a whole or specific issues. Falk has provided extensive footnotes as well to aid in further study.

The most prominent feature of Falk's book is perhaps his presentation of Hebrew law from his spiritual interest. His linguistic, historical, and legal abilities are not diminished by this presentation rather they are enhanced by it. Using the biblical text as his starting point, Falk draws in law codes from around the ancient Near East to augment the discussion. He maintains that Hebrew law developed independently of its neighbors but not in a vacuum. Thus the similarity of the Hebrew law code with its contemporary law codes (such as those of Babylon and Assyria) is due to their similar circumstances and societies.

Falk begins his discussion with a look at the source material. One of the positive things about his book is the sources he uses.

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To be sure, talmudic and other rabbinic sources are helpful in looking at biblical law, but in many cases they are used anachronistically and hence distort biblical law. Falk, although he uses these later sources to buoy up his research does not rely on them and typically gives them as a supplementary point. This methodology makes for a valuable reconstruction of biblical law as it was viewed by the ancient Israelites.

When looking at his sources, Falk makes the valuable observation that for ancient Israel (and for many ancient societies for that matter) the law was indistinguishable from religion. "Justice is administered in the name of God and quite often the court of official body convenes in the sanctuary or on the occasion of a religious ceremony" (5). Violation of the secular laws is synonymous with violation of God's law. This helps explain the importance the ancient Israelites placed in their laws and their enforcement. It also elucidates the king's role in his kingdom. Contrary to most other contemporaneous societies, the king was not the lawgiver but rather had his role as the upholder and defender of the law that Israel's true king, God, had given.

Falk's analysis of the tribal environment in which Hebrew law arose also proves invaluable. Just as Hebrew law did not develop within a vacuum, so the Mosaic code did not develop independent of its tribal predecessors. Although the Mosaic code changes or differs from them, Abraham, Isaac, Jacob and their contemporaries contributed to Hebrew law and its traditional interpretation. As the tribes evolved into a nation and a state, so too did the law code require evolution. Using multiple sources and examples, Falk highlights this evolution and discusses its relevance to interpreting Hebrew law today.

Law governs the way people interact with others and projects the values of its society. One of the strengths of Hebrew Law is Falk's discussion of how the law affected the people living under it. His discussion varies from business to family issues such as divorce. His discussion on marriage proves most informative when

reading the biblical text. Clearly, marriage laws illuminate the intricacies of Isaac and Jacob's marriages, but also elucidate the prophetic typology of the Lord as the bridegroom and Israel as the bride. Understanding how the ancient Israelites performed and viewed their marriage covenants adds further insights to some of the prophetic passages that use the nuptial and marital laws as a basis for their condemnation of Israel (see for example Jeremiah 3:1 and Ezekiel 16:8–63).

Throughout his work, Falk spends a significant amount of time discussing the different terms used for the legal ideas of Hebrew law. Beginning with "Terms of Law," Falk alternates between listing the terms with their definitions and weaving the terms in his narrative. This proves most helpful and is one of the highlights of his book. Most valuable is the seamless manner in which he does this so as to be beneficial to both the Hebraist and non-Hebraist. In this way, the book again proves valuable to a vast audience from different scholarly levels.

Law during biblical times played a most central role in daily life. Inextricably connected to the religious and spiritual life of ancient Israel, an understanding of Hebrew law seems vital to an understanding of the biblical text. Gaining such an understanding can at times seem a most daunting task. However, using Falk's book as a foundation upon which to build helps bring the task into a more manageable sphere. The organization, helpful terminology, and the many lucid examples make his book a must for those with any interest in the Bible.