**Course Description**

This course looks at the world’s earliest known law: the law of ancient Sumer, Babylon, Egypt, and other ancient Near Eastern societies. The course goes on to examine the relationship between these legal systems and the legal texts of ancient Israel and Judah found in the Hebrew Bible, as well as other issues related to the study of biblical law. Finally, the course considers the legacy of ancient Near Eastern law and its impact on the development of modern legal institutions and systems.

**Course Objectives**

- To obtain an understanding of ancient Near Eastern legal systems and the societies within which they developed (assessed by means of the short papers and the midterm exam).

- To develop the ability to analyze ancient legal texts, identify their salient features, and summarize the most important issues at stake (assessed by means of the short papers, the research project, and the final exam).

- To understand and critique the various theories that attempt to explain the relationship between the legal texts of the Hebrew Bible and those from ancient Near Eastern societies other than Israel and Judah (assessed by means of the research project and class participation with the “problems” [see course schedule below] that students are to comment on in class).

- To appreciate the problems and issues common to both ancient and modern legal systems, as well as the heritage that modern systems find in the ancient Near East (assessed by means of the short papers and the final exam).

**Requirements, Assignments, and Grading**

Students will have the opportunity to earn a total of 250 points in the course. Points can be earned in the three different areas listed below.

1) **In-class performance** (75 points)

   Students are expected to attend class on time, to do the assigned reading, to bring to class written comments and questions on the reading, to make interesting and valuable contributions to whole-class discussions, to participate cooperatively in small-group discussions, and to demonstrate through their participation critical engagement with course material. Grades assigned for in-class performance will be largely subjective, based on the professor’s overall impression of a student’s efforts. In-class performance grades will be figured out of a total of 50 points. Students should expect pop quizzes on any day that reading is due. A student’s lowest quiz grade will be dropped. If a student is absent for a quiz, that is the grade that will be dropped. No make-up quizzes will be allowed except in extraordinary circumstances. Quiz grades will be based on a total of 25 points.
2) **Writing Assignments (100 points)**

   Students will write two short papers (approximately 3-4 pages each) during weeks 2 through 5 of the semester (students may choose which two weeks they will not submit a paper). Each paper is due on the Wednesday of the week when it is assigned, and each is worth 20 points. The topics for each paper will be explained in class. Each paper must be typed, submitted on standard 8½ by 11 paper, and printed in a readable font style and size. E-mail submissions will not be accepted. These short papers will be graded by means of the following criteria. (1) **Critical Comprehension**: Does the paper demonstrate a satisfactory understanding of the material under discussion and critical analysis of key aspects of that material? (2) **Coherence**: Does the paper have clearly stated main points with logical supporting arguments? (3) **Originality**: Does the paper reflect the student’s own analysis of the material and willingness to think beyond the assigned reading? (4) **Mechanics**: Does the paper use correct grammar and a writing style appropriate to academic work?

   Students will also do a research project on a topic of their choice. They will present the initial findings in class and then submit a 10-12 page research paper by the end of the semester. All of the work toward this project will count for 60 points. The paper will be graded by means of the same criteria used for the short papers due in the first part of the semester. Further details regarding the project and the paper will be distributed later. All late writing assignments will be discounted by 2 points per calendar day.

3) **Midterm and Final Exams (75 points)**

   The midterm exam will focus on content from the readings and class lectures. The final exam will focus on a student’s ability to synthesize a range of information by analyzing legal texts not previously studied and by comparing ancient and modern law. The midterm exam will be worth 25 points, and the final exam will be worth 50 points.

**Grading Scale**

A student’s final course grade will be assigned based on the grading scale below. I will reserve the right—if I deem it appropriate—to figure the grades on a “curved” scale. Typically, this will occur only if it is beneficial to student grades.

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<th>Grade</th>
<th>94-99</th>
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If a student does all of the assigned work in an adequate and average manner, that student will typically receive a grade in the C-range. Grades in the B-range are given for very good work. Grades in the A-range are for excellent or outstanding work. Grades in the D-range are for below average or poor work. More detailed descriptions of each range are below.

- **A** excellent comprehension of material, insightful analysis, creative synthesis of material, frequent and highly valuable contributions in class, clarity in spoken communication, no issues with mechanics in written communication
- **B** very good comprehension of material, solid analysis, good synthesis of material, frequent and valuable contributions in class, clarity in spoken communication, no major issues with mechanics in written communication
C adequate comprehension of material, some acceptable analysis, early stages of synthesis of material, some interesting and valuable contributions in class, clarity in spoken communication, few significant issues with mechanics in written communication

D difficulty in comprehension of material, little analysis, very little synthesis, infrequent contributions in class, some difficulty with clarity in spoken communication, significant problems with mechanics in written communication

Students with Disabilities
For those who have a documented learning, physical, or psychological disability and who are requesting reasonable academic adjustments, you are encouraged to contact Services for Students with Disabilities (Room 113, Science Center, 610-660-1774 or 610-660-1620) early in the semester. If you suspect that you have an undiagnosed disability (learning, physical, psychological), please contact Services for Students with Disabilities to discuss this concern. It is also important to discuss instructional needs and accommodations with your professor early in the semester. All requests for extended-time testing must be discussed with your professor at a minimum of one week prior to the date of each exam.

Academic Honesty Policy
It is expected that students’ work in this course will be conducted in keeping with the highest degree of academic honesty. Acts of dishonesty such as (but not limited to) cheating, unauthorized collaboration, and plagiarism will not be tolerated. The “Academic Honesty Policy” of Saint Joseph’s University will be enforced. The text of the full policy can be found in the Student Handbook.

Important Note
Changes to the syllabus, important announcements, and other information will be sent to students via e-mail. These communications will go to students’ SJU e-mail accounts. Other e-mail accounts will not be used. Students may send e-mail messages from other accounts but should check their SJU accounts on a regular basis in order to be sure they are not missing important communications regarding this course.

Course Schedule
Unless otherwise noted, all readings and assignments will be due on the Wednesday of the week for which they are assigned.

Week 1 / Jan 16 – Jan 19
Topic: Introduction to the Course / The Region and History of the Ancient Near East (ANE)

Week 2 / Jan 22 – Jan 26
Topic: Legal Sources from the Ancient Near East / Modern Judicial Procedure
Assignments:
• (for Monday) Print and read through the “Historical Overview” notes from the course website
• Read Laws of Eshnunna (LE) in Roth
• Read Exodus 20-23
• Work on Problem #1: A number of scholars believe that there is a definite relationship between the laws about goring oxen in LE (§§53-55) and the laws on the same topic in the Laws of Hammurabi (§§250-252; p. 128 in Roth). LH was written about 50 years after LE. Some scholars believe that the LH laws were established in order to revise what was written in LE. Does this seem likely to you? Are the two texts different in significant ways? How can we begin to understand the relationship between these two sets of laws? Please have written comments (e.g., notes to yourself, talking points) prepared to share with the class.
Week 3 / Jan 29 – Feb 2

**Topic:** The Nature of Legal Sources from the ANE / Trial Procedure in the ANE

**Assignments:**
- Read Laws of Hammurabi (LH) in Roth—the “prologue” and §§1-141 (the first half of LH)
- Re-read Exodus 20-23
- Work on Problem #2: Does the text from Exodus 20, commonly known as the Ten Commandments, seem to be more of a religious document or a legal document? If some of the commandments appear to be religious in nature and some more legal in nature, how might that be explained? What would be the purpose of combining the two types of commandments? In addition, what might be the relationship between this text and the laws that come in Exodus 21-23? Have written comments prepared.

Week 4 / Feb 5 – Feb 9

**Topic:** Slavery in the ANE / Covenant Code vs. Hammurabi

**Assignments:**
- Read M. Dandamaev, “Slavery,” in *Anchor Bible Dictionary* vol. 6:58-65
- Read Laws of Hammurabi (LH) in Roth—§§142-282 (the second half) and the “epilogue”
- Read Deuteronomy 5, 12-18
- Work on Problem #3: Many of the laws in Exodus 21-23 (the so-called Covenant Code) bear some similarity to laws in LH. Some scholars, like David P. Wright, argue that the authors of the Covenant Code borrowed much of their content directly from a written copy of LH that they had access to. Read his article carefully. Do his arguments seem convincing? Is there another explanation for this phenomenon besides direct literary dependence? Have written comments prepared.

Week 5 / Feb 12 – Feb 16

**Topic:** Family Law in the ANE / Deuteronomic Law

**Assignments:**
- Read Middle Assyrian Laws (MAL) in Roth
- Read Deuteronomy 19-25 and Ruth 1-4
- Work on Problem #4: What is the relationship between the law of levirate marriage in Deuteronomy 25 and what is described in Ruth 4? Do they contradict each other? If so, how are they in tension? If not, how can some of the apparent discrepancies be explained? What are Westbrook’s arguments on this point and what theories does he attempt to refute? Have written comments prepared.
Week 6 / Feb 19 – Feb 23  
**Topic:** Crimes and Torts in the ANE / Review for Midterm Exam  
**Assignments:**  

Week 7 / Feb 26 – March 2  
**Midterm Exam on Monday**  
**Topic:** Midterm Exam / Topic for Research Project  
**Assignments:**  
- Study for the midterm exam; it will cover material from both assigned readings and class lectures and will consist of a short answer and an essay section  
- Have two or three possible topics for your research project in mind

Week 8 / March 5 – March 9  
**SPRING VACATION**

Week 9 / March 12 – March 16  
**Topic:** Supra-Rational Procedures / Law in Job  
**Assignments:**  
- Read Job 1-10, 19, 27-34, 42  
- Work on Problem #5: Chapter 31 of the book of Job has often been considered to be Job’s oath of innocence. If Job is indeed on trial in the book, then what we know about the standard use of judicial oaths in the ANE would indicate that the trial should come immediately to an end, since the defendant—in this case, Job—has taken an oath. Moreover, he should win the case. But the trial does not seem to end. Why does it continue, and why does Job still seem to be in jeopardy of losing? Have written comments prepared.

Week 10 / March 19 – March 23  
**Topic:** Passage-Specific Issues in Biblical Law  
**Assignments:**  
- Read Genesis 38 / re-read Deuteronomy 22:13-21  
- Work on Problem #6: Consider carefully Wilson’s interpretation of what happens in Genesis 38. Do you find his conclusions convincing? Does Judah have the legal authority that Wilson describes simply because he is the head of household? Or is there another reason for his decision-making authority in this case? Have written comments prepared.  
- Work on Problem #7: Deuteronomy 22:13-21 has been called the “slandered bride passage.” Some scholars have said that it contradicts the law on false accusation in Deuteronomy 19:16-21. How would this be so? Consider, for instance, how the husband in the slandered bride passage is punished. Is there a way to explain the relationship between the two passages besides positing a contradiction? How would Willis’ arguments affect your answer to this question? Have written comments prepared.

Week 11 / March 26 – March 30  
**First set of in-class presentations on research project**

Week 12 / April 2 – April 5  
**Second set of in-class presentations on research project**
Week 13 / April 10 – April 13

Topic: Law and Ideology

Assignments:
- Work on Problem #8: Bennett argues that the passages in the book of Deuteronomy that address the plight of the widow, orphan, and foreigner (Deut 14:22-29; 16:9-15; 24:17-22; and 26:12-15) do nothing to assist these disadvantaged persons. Rather, the biblical texts exacerbate the problems and function to bolster the economic and social position of the religious elite. Do you find his arguments convincing? Is there another way to explain the motivation for these laws in Deuteronomy? Is there an identifiable ideology at work in these texts? Have written comments prepared.

Week 14 April 16 – April 20

Topic: To be announced

Assignments: Work on research papers

Week 15 / April 23 – April 27

Research papers due on Monday

Topic: Law and Story / Review for Final Exam

Assignments:
- Read 2 Samuel 11-12
- Work on Problem #9: Within the larger story of David and Bathsheba (in 2 Samuel 11-12), a smaller story is told in 2 Sam 12:1-4. This smaller story is supposed to provide analogues for several of the events in the larger story. But scholars have had difficulty explaining how this is so? How do you think the smaller story relates to the larger story? Does the fact that both are “stories” have an impact on how we read (or should read) them? Have written comments prepared.

Final Exam Monday, April 30, 4:15 p.m. in BE 215