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Insights

A WINDOW ON THE ANCIENT WORLD VOLUME 21 | 2001

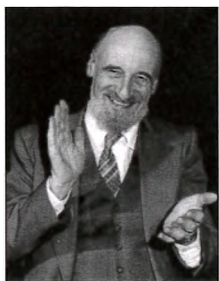
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FARMS Publishes New Edition of *Hebrew Law*

FARMS has prepared a new edition of *Hebrew Law in Biblical Times*, by Ze'ev W. Falk. First published in 1964 in Jerusalem, this introduction to ancient Israelite law has been used by professors and students of ancient law since that time, though it has been out of print for a number of years. This second edition of the book, edited by John W. Welch and published under the BYU Press imprint with the prestigious academic publisher Eisenbrauns, brings back into print a valuable resource for professors, students, and anyone interested in the ancient laws of the Hebrews.

Hebrew Law is organized as a conceptual introduction to ancient law forms and practices. Falk, who passed away in 1998 and was on the law faculty at the Hebrew University of Jerusalem for almost four decades, examines ancient legal sources, social



Ze'ev W. Falk

institutions, judicial procedure, crime and punishment, property and contracts, personal rights and status, family relationships from betrothal to inheritance, and other topics. This thematic arrangement allows the book to be used as a reference for selective readers or as a comprehensive introduction to Hebrew law for the serious student.

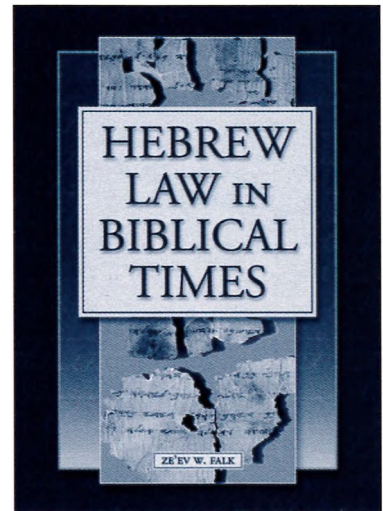
The first two chapters form the basis for the rest of the book. Chapter 1 reviews the ancient sources that can give insights into Israelite law. Although the primary source for Falk's information is the Bible, he also uses many other ancient Hebrew sources as well as sources from the cultures that surrounded Israel. Falk continues in chapter 2 by examining how the Hebrew society changed from small, patriarchal

kinship groups to a nation governed by judges and eventually kings. He also shows how the legal codes and practices developed through these changes and how the bureaucracy and the religious leadership of Israel evolved.

The remainder of the book explores the evolution of different aspects of the Hebrew legal codes. For example, during the patriarchal age, the tribal chief or a council of chiefs administered justice. As the tribal culture grew into a more unified nation, however, judges were appointed to administer the law. Another example is the punishments affixed to crimes. In the early days of Hebrew law, many crimes had punishments based upon the principle "life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot" (Deuteronomy 19:21). As the society evolved, however, a payment of a fine could be substituted for most punishments.

Although Falk gives many insights into the historical and sociological aspects of Hebrew law, his primary interests in this book are religious and spiritual. He emphasizes that Israel's laws were part of a divine covenant revealed by the hand of God. This focus is evident in the book's sections on law and religion, divine judgment, and faith, oaths, and covenants.

Hebrew Law remains a useful source of information on ancient law. This new edition preserves the original text of the book, with only minor changes to improve clarity, such as expanding and updating



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COURTESY OF ALLEN J. CHRISTENSON

Ancient altars, like this one at Teotihuacan, in Mexico, were conceived as artificial sacred mountains. The altar before the temple of Solomon was similarly stepped.

A Place of Deliverance: Altars in the Hebrew Bible and Book of Mormon


Altars have always played an important role in religious practice and belief. In the Hebrew Bible (Old Testament) the verb from which the noun *altar* derives (*zbh*, “to sacrifice”) demonstrates the primary function of altars as places for offering sacrifice. Altars also served as places of asylum. In ancient Israel a person accused of committing a serious offense could flee to an altar to avoid immediate death. The Old Testament refers to this tradition in the so-called Covenant Code of Exodus:

He that smiteth a man, so that he die, shall be surely put to death. And if a man lie not in wait,¹ but God deliver him into his hand; then I will appoint

thee a place whither he shall flee. But if a man come presumptuously upon his neighbour, to slay him with guile; thou shalt take him from mine altar, that he may die. (Exodus 21:12–14)

Later variants of this statute make clear that the places of refuge were cities appointed for that purpose (compare Deuteronomy 19:1–7; Numbers 35:9–28; Joshua 20). In a city of refuge an accused person could find housing, food, and employment—none of which could be had at the altar. The original place of asylum, however, was the altar of God. The Exodus passage quoted above supports this view, as do the accounts in 1 Kings 1:50–51 and 2:28, which relate that Solomon’s enemies

Adonijah and Joab fled to the tabernacle and “caught hold on the horns of the altar” in hopes of deliverance, albeit with different results.

This information proves significant for an understanding of altars in Nephite society, which as an heir to the customs of ancient Israel reflected many of the traditions preserved in the Hebrew Bible. One of the four references to altars in the Book of Mormon establishes a direct correlation between that record and the Old Testament. Alma 15:17 notes that after Alma established the church at Sidom, the people “began to humble themselves before God,² and began to assemble themselves together at their sanctuaries to worship God *before the altar*, watching and praying continually, *that they might be delivered from Satan, and from death, and from destruction.*” This verse invokes Israelite custom by identifying the altar as a location of deliverance, a subtlety that provides further evidence that the Book of Mormon clearly reflects the traditions of antiquity. 

By David Bokovoy

Notes

1. The key for interpreting this casuistic law is the phrase *lie not in wait*, meaning that the accused committed the crime unintentionally.
2. The words *before God* are equivalent to the Hebrew phrase *lipne YHWH* and suggest a temple context as the original *Sitz im Leben*, or “setting in life.”

Towers in the Book of Mormon

In Book of Mormon usage, the word *tower* relates to the “great tower” that was built, according to Genesis 11, in the land of Shinar, or Mesopotamia (see Ether 1:3, 5, 33), and is commonly referred to as “the tower of Babel.” It was a giant platform with stepped, sloping sides, called in the Babylonian (Akkadian) language *ziggurratu* and commonly rendered as *ziggurat*. These structures were thought of as artificial mountains where deity could dwell and appear to mortals in sacred privacy.


It may seem strange to modern readers that bulky earthen platforms could be termed “towers” by Book of Mormon scribes. Yet when the Spanish invaders saw the Mesoamerican temple platforms, they immediately called them *torres* (“towers”), so height, not shape, must have been the main criterion. The towers that King Noah erected by the temple and on a nearby hill are described as being “very high” and “great” (Mosiah 11:12, 13).

Among Book of Mormon peoples, these towers served different purposes. King Benjamin’s tower enabled many of the people to hear his farewell address (see Mosiah 2:7) and to more effectively participate in his son Mosiah’s coronation and the covenant-renewal ceremony associated with it (see Stephen D. Ricks, “Kingship, Coronation, and Covenant in Mosiah 1–6,” in *King Benjamin’s Speech*, ed. John W. Welch and Stephen D. Ricks [Provo, Utah: FARMS, 1998], 233–75).

Towers built and controlled by families or kin groups were used as places of personal worship, as


shown by Nephi₂’s praying from the top of his own tower (see Helaman 7:10–11). The equivalence of such towers to mountains and the Old World ziggurats is clear: Nephi₁ and the brother of Jared ascended mountains to pray (see 1 Nephi 17:7; Alma 31:13; Ether 3:1; 4:1), anticipating the later practice among Book of Mormon peoples of worshipping in sanctuaries built for that purpose (see Alma 15:17; 31:12–18).

In addition to affording strategic views of potential enemy attack (see Mosiah 11:12–13), towers among both Nephites and Lamanites were marks of an influential community. They served as rallying points for local governments (see Alma 48:1), and like European cathedrals, they asserted the renown and political power of the community. Accordingly, when Captain Moroni subdued the king-men, who had defied the authority of the Nephite government, the defeated survivors of the movement were “compelled to hoist the title [flag] of liberty upon their towers, and in their cities” as a sign of submission (see Alma 51: 7–8, 13, 17, 20). Any settlement deserving to be labeled a city would have had a tower, and larger cities might have had many. The ability of a ruler to muster manpower and organize resources to construct a tower—the bigger the better—communicated his administrative ability, power, and glory.

—Adapted from John L. Sorenson, *An Ancient American Setting for the Book of Mormon* (Salt Lake City: Deseret Book and FARMS, 1985), 171–74; and *Mormon’s Map* (Provo: FARMS, 2000), 99–101. 


Faith and Reason

On 8 November 2000 Raphael Jospe, senior lecturer on Jewish Philosophy at the Open University of Israel and adjunct professor of Jewish studies and Hebrew at the Jerusalem Center for Near Eastern Studies, spoke on reconciling faith and reason. Faith, which begins with a conclusion that may be reinforced and verified through study, and reason, which begins with study that leads to a conclusion, can be reconciled by either a rationalist or a nonrationalist approach, Jospe said.

In the rationalist view, all revelation from God is rational in content and eventually will be shown to be consistent with reason. In the nonrationalist view, God’s revelation conveys truth that may be nonrational (i.e., beyond the range of human understanding) and thus fundamentally different from the truth that reason can discover. Jospe argued that because divine revelation is based on higher truths, we should not always expect it to be amenable to verification through human reason. He said that faith is valid on its own terms as long as it does not contradict reason. 

Hebrew Law continued from page 1

references, changing footnotes to chapter endnotes, and adding a map that shows the locations mentioned in the text. Welch has also included at the end of the book the addenda to *Hebrew Law* that Falk published in the Jewish law yearbook *Diné Israel* in 1977, a complete bibliography of Falk's works, and a citation index. In preparing this volume, Welch hoped not only to make an important book available again but to honor the memory of Ze'ev W. Falk, who spent his life advancing the field of biblical scholarship.

To purchase this book, see the enclosed order form or visit the catalog section of the FARMS Web site. 

UPCOMING EVENTS

- 23 February** FARMS Annual Banquet, Provo Marriott Hotel, reception at 6:30 P.M., dinner served at 7:00 P.M., featuring special guest speaker Elder Bruce C. Hafen of the First Quorum of the Seventy. (See the enclosed order form for ticket information.)
- 24 February** "Hebrew Law in the Book of Mormon," a conference at BYU's Tanner Building, room 151, 9:00 A.M.—4:00 P.M. (lunch break from 12:00—1:00 P.M.), featuring lectures by John W. Welch, Noel B. Reynolds, Stephen D. Ricks, Donald W. Parry, and others on such topics as homicide and refuge, Deuteronomic influences, legal speech, and justice and the poor. Sponsored by FARMS. Admission is free.

NEW PUBLICATIONS

Videotapes on 1999 Book of Abraham Conference.

In the fall of 1999, FARMS sponsored a conference titled "The Book of Abraham: Astronomy, Papyrus, and Covenant." Because of considerable interest in the subject, FARMS has begun videotaping most of the lectures presented at that event. One videotape containing two lectures—"Facsimile 3 and the Book of the Dead 125," by John Gee, assistant research professor at FARMS; and "'And I See the Stars': The Book of Abraham and Ancient Geocentric Astronomy," by Daniel C. Peterson, BYU associate professor of Arabic and Islamic studies—is now available from FARMS (see the order form). Videotapes of additional lectures from the conference will be announced as they become available.

The Newsletter of the Foundation for Ancient Research & Mormon Studies (FARMS) at Brigham Young University

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The Foundation for Ancient Research and Mormon Studies (FARMS) encourages and supports research about the Book of Mormon: Another Testament of Jesus Christ and other ancient scriptures. It also works to preserve ancient religious documents.

FARMS is a nonprofit educational foundation at Brigham Young University. Its main research interests include ancient history, language, literature, culture, geography, politics, and law relevant to the scriptures. Although such subjects are of secondary importance when compared with the spiritual and eternal messages of the scriptures, solid research and academic perspectives alone can supply certain kinds of useful information, even if only tentatively, concerning many significant and interesting questions about the scriptures.

The Foundation works to make interim and final reports about this research available widely, promptly, and economically. These publications are peer reviewed to ensure scholarly standards are met. The proceeds from the sale of these publications, including most royalties, are used to support further research and publications on the scriptures. As a service to teachers and students of the scriptures, research results are distributed in both scholarly and popular formats.

It is hoped that this information will help all interested people to "come unto Christ" (Jacob 1:7) and to understand and take more seriously these ancient witnesses of the atonement of Jesus Christ, the Son of God.

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