8. FURTHER ASPECTS OF BIBLICAL AND ORIENTAL STUDIES

Much could be added to the preceding sections, and more work is being done in still other fields, with striking and valuable results. Law and topography are two such fields.

I. ANCIENT LAW IN THE BIBLICAL WORLD

Law has benefited from the discovery of several ancient collections of laws since the recovery of Hammurapi’s stela in 1901-2.1 Renewed interest in biblical law was stimulated by Alt’s study in 1934, in which he emphasized the distinction in formulation as between ‘casuistic’ or case law (‘If a man...’) and ‘apodictic’ law (‘Thou shalt/shalt not...’),2 classing the former as Canaanite and the latter as more particularly Israelite. Unfortunately, the distinction has been over-emphasized, and apodictic formulations are not unique to Israel, as is clearly shown by the mixture of ‘casuistic’ and ‘apodictic’ forms in the treaty-covenants and laws of the Ancient Near East.3

A much more fruitful approach to Ancient Oriental and biblical law has been opened up by Greenberg.4 As noted above (p. 134), he pointed out that ‘discrepancies’ occur within Hammurapi’s laws that are just as severe as anything in the Pentateuch that has tempted Old Testament scholars into literarycritical schemes of unilinear development between ‘codes’. The presence of such ‘difficulties’, deliberately included within a single law-collection such as Hammurapi’s, is a signal warning that merely to arrange the offending laws in a unilinear scheme is not a proper solution at all - particularly as it ‘leads to a disregard of [valid legal] distinctions’ (Greenberg, pp. 7-8) And comparison of biblical and extra-biblical laws has too often ignored the cultural backgrounds of both. Hence, one must work out the proper legal distinctions that exist within a given series of usages current with a people (be they Babylon-

ians or Hebrews), and one must observe and apply the differences in the values that are basic to each culture (whether Hebrew, Babylonian or other). These two principles are brilliantly worked out and illustrated by Greenberg, using examples from the realm of criminal law. On the second principle, the underlying contrast in values between the Babylonian and Hebrew outlook emerges clearly: the latter sets a supreme value on human life in a religious context, while the former sets most store on the sanctity of property. For illustration of the other principle, the reader must refer to Greenberg’s study;

[p.149]

at several points the supposed ‘early-late’ distinctions of the unilinear kind simply fall away as meaningless. Not only the subject-matter and the form of biblical laws but also the linguistic usage can be so old that it is only fully explicable in terms of external data (especially cuneiform) from the first half of the second millennium BC. As already mentioned above (p. 129), this has been shown by Speiser for some difficult expressions in Leviticus. This can apply both to individual words and verses (e.g., Lv. 19:20, 21; 27:12) and to connected passages (e.g., Lv. 5:15 ff.; 25:35-54). Furthermore, it is probably misleading to use the word ‘code’ both of the Near Eastern law-collections and of the biblical laws, and so this term (with overtones of ‘Code Napoleon’) should be dropped in favour of more neutral terms such as ‘law-collections’, ‘laws’, or (legal) usage.

II. THE TOPOGRAPHY OF BIBLE LANDS

Topography has always been a concern of biblical and Near Eastern studies since the pioneer days of Edward Robinson,

[p.150]
and not least in studies by Alt and Noth between the two world wars. More recently, a
great deal of valuable work has been done by scholars in Israel; for example, surveys
and excavations in Philistia, the Negeb and Arabah, Carmel and environs, and
studies in the historical topography of Eastern Palestine and Aramaean inroads.

12 Numerous studies in ZDPV, Palästina-Jahrbuch, etc.; some of Alt’s are in KS, I-III.
13 E.g., J. Naveh, IEJ 8 (1958), pp. 87-100, 165-170, and B. Mazar, IEJ 10 (1960), pp. 65-77; cf. also H.