Almost all our information about law in ancient Israel comes from the Bible itself; practical documents would have been written on perishable material and have long since disintegrated. Two documents survive, written on ostraca because of the difficult situation in which they were composed. Most of the overtly legal material is in the Pentateuch (Torah), with occasional mention in narratives, prophets, psalms, and proverbs. Much legal information can also be gleaned from narratives, both the Pentateuchal narratives in which the legal sections are embedded and the historical narratives.¹

1.1 Pentateuch

1.1.1 Essential Prescriptions

1.1.1.1 The Ten Commandments²

The most famous set of instructions in the Bible and perhaps all of Western literature is the Ten Commandments, recorded in Exodus 20:2–17 and Deuteronomy 5:6–21.³ These commandments are absolute imperatives whose regulations appear often in the Pentateuch, with the exception of the tenth commandment (“Thou shalt not covet”). The commandments are in the second person masculine singular, they contain no penalties, and are presented as the conditions for being part of the community established at Sinai. Scholars believe that the original form of the commandments was very terse and has been expanded with explanatory phrases: these are notably different

² Weinfeld, “The Decalogue . . .”
³ See Segal, ed., The Ten Commandments . . .
for the Sabbath in the Exodus version, which relates the Sabbath to creation, and the Deuteronomic, which stresses rest and relates it to redemption from Egypt. The original formulation may be very old, and commandments are alluded to by Hosea (Hos. 4:2) and Jeremiah (Jer. 7:9), and two Psalms (Ps. 50:7, 18–19; Ps. 81:9–10).

1.1.1.2 Levitical Commands
Leviticus 19:1–18 are the basic outlines of being “Holy” established by the Holiness code. They include provisions of the Ten Commandments (19:3–4, 11–12) together with ritual requirements, such as eating the communion sacrifice in two days and burning the rest (5–8), and social rules, such as gleaning (9–10), paying wages on the day earned (13), not exploiting the blind and deaf (14), not perverting justice (15), not standing by at injury (16), and not bearing vengeance (18). Most of the provisions are in the form of commands, but one participial case is included.4

1.1.1.3 Deuteronomic Curses
Deuteronomy also contains a list of communal curses (Deut. 27:15–26) upon those who perform a select group of misdeeds, which must have been considered fundamentally wrong. They contain rules of the Ten Commandments: cursing those who make images, dishonor parents, commit adultery or murder. They also include those who remove boundary stones; take advantage of the blind; pervert justice; sleep with a father’s wife, daughter-in-law, sister, or beast; or take a bribe to kill the innocent. They conclude with a blanket curse of those who do not uphold the law.

1.1.2 Legal Collections
The Pentateuch contains three distinct legal corpora: the Book of the Covenant (Exod. 20:22–23:19), the laws of Leviticus-Numbers 11, and the Deuteronomic laws (Deut. 12–26).5 These collections have a long antecedent tradition in the ancient Near East, a tradition that goes back to the southern Mesopotamian law “codes” from Sumer and Babylon. Like those collections, the biblical ones are not “codes” in the sense of legislation but rather represent the jurisprudence of

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4 See Carmichael, “Laws of Leviticus 19.” Carmichael suggests that the laws are composed with the Joseph story in mind.

5 A detailed outline of each collection can be found in Patrick, Old Testament Law.