Contents

		nowledgements VII reviations IX		
	Intr	oduction 1		
	1	Legal Obligation and the Ancient Near Eastern Law 'Codes' 1		
	2	Interpretation as the Key to Identifying Legal Obligation 6		
	3	Legal Theory and the Problem of Conceptual Anachronism 7		
	4	Overview of Chapters 10		
		DADE 1		
T	haar	PART 1		
1	neor	y and Method		
1	Identifying Legal Obligation in Interpretive Sources 15			
_	1	Legal Obligation and the Nature of Law's Authority 15		
	2	The Rule of Law and Legal Interpretation 26		
	3	Sabbath Interpretation as a Test Case 39		
	4	Conclusion 47		
	т			
2	History of Research and the Need for a Legal-Theoretical Approach 49			
	1	Arguments for the Non-Binding Character of Ancient Near Eastern		
		Law 50		
	2	History of Scholarship and Conflicting Assumptions about Law 55		
	3	Conclusion 75		
3	Authority and Problem of Interpretation 76			
Ü	1	Defining Interpretation, Authority, and Scripture 76		
	2	Authority and the Problem of Interpretation 79		
	3	Authority Transfer and the Limits of Interpretation in Modern		
	5	Law 82		
	4	Authority and Interpretation in Ancient Israel and Early Judaism 85		
	5	Interpretive Methods and Motives 94		
	6	Conclusion 97		

VI CONTENTS

PART 2 Textual Analysis

4	Legal Interpretation in the Temple Scroll's <i>Yom Kippur</i> Law	10

- 1 An Overview of the Temple Scroll 101
- 2 The Text of Temple Scroll 25:10-27:10 108
- Threats to the Rule of Law Addressed in Temple Scroll's Interpretive Rewriting 115
- 4 Conclusion 129

5 Legal Innovation in the Samaritan Pentateuch's Covenant Code 130

- The Provenance of the Samaritan Pentateuch's Legal Innovations 131
- 2 Correcting Threats to the Rule of Law in the Samaritan Pentateuch 134
- 3 Further Considerations 142
- 4 Conclusion 147

6 Legal Rewriting in the Qumran Penal Codes 148

- 1 The Literary Relationship among the Rule Texts and the Problem of Their Genre 149
- 2 Interpretive Rewriting in the Penal Codes 156
- 3 The Genre of the Penal Codes and Historical Reconstruction 168
- 4 Conclusion 173

7 The Authority of the Torah in the Ezra-Nehemiah Legal Narratives 174

- 1 Preliminary Issue: Ezra's Torah and Pentateuchal Law 175
- 2 Community Response as Reflecting a Binding Attitude toward Law 177
- 3 The Authority of the Torah versus Torah Experts in Yehud 181
- 4 Conclusion 200

Conclusion 202

- 1 Summary of Theory and Method 202
- 2 Summary of Textual Analysis 204
- 3 Between Authority and Interpretation in Ancient Law 206
- 4 Mapping the Emergence of Legal Obligation in Early Judaism 208
- 5 Looking Ahead 212

Bibliography 215 Index of Ancient Sources 242 Index of Modern Authors 248