



## *Syllabus*

# ***JEWISH LAW ANCIENT AND MIDDLE AGES LAW - 62465***

*Last update 25-02-2014*

*HU Credits:* 2

*Responsible Department:* Faculty of Law

*Academic year:* 2

*Semester:* 2nd Semester

*Teaching Languages:* Hebrew

*Campus:* Mt. Scopus

*Course/Module Coordinator:* Hila Ben-Eliyahu

*Coordinator Email:* [hila.beneliyahu@mail.huji.ac.il](mailto:hila.beneliyahu@mail.huji.ac.il)

*Coordinator Office Hours:* By appointment

*Teaching Staff:*  
Hila Ben Eliyahu

*Course/Module description:*  
*The course will provide primary tools for Comparative Law research of Jewish law*

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and ancient legal systems such as Ancient Near East law, Persian law, Roman law, Canon law, and Islamic law.

Course/Module aims:

1. Basic familiarity with the method of comparative law.
2. Familiarity with the basic principles and sources of ancient legal systems.
3. Exploring the fruit of the study comparing Jewish law and ancient legal systems.

Learning outcomes - On successful completion of this module, students should be able to:

1. Identify the appropriate legal system to compare with the texts of Jewish law from different periods and places.
2. Describe the structure of the relevant ancient legal system
3. examine the sources of the relevant ancient legal system
4. Use of the secondary literature about ancient legal systems for purposes of Jewish law research

Attendance requirements(%):  
100%

Teaching arrangement and method of instruction: The course will be built from guest lectures by experts for ancient legal systems.  
Reading materials will be provided before each lecture and the students will submit summaries of reading materials.

Course/Module Content:

Introductions to:  
Comparative Law  
Near Eastern Law  
Persian Law  
Greek Papyri, Egypt  
Roman Law  
Canon Law  
Islamic Law

Required Reading:

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אנציקלופדיה מקראית, כרך חמישי, עמ' 588-614 □ המשפט במזרח הקדמון  
 אנציקלופדיה מקראית, כרך חמישי, עמ' 614-637  
 יעקב אלמן, "שיבות בבל ובתי דין פרסיים בתקופה האמוראית והבתר-אמוראית" ישיבות ובתי מדרשות  
 (תשסז) 31-55  
 ראובן ירון, משפט רומי (אקדמון תשל"ב) 31-10, 46-54  
 Wolfgang Kunkel, AN INTRODUCTION TO ROMAN LEGAL AND CONSTITUTIONAL  
 HISTORY (Oxford : Clarendon Press, 1966) 92-116  
 גדעון ליבזון, "משפט משוה יהודי-מוסלמי □ תולדות המחקר ובעיותיו" פעמים 62 (תשנ"ה) 42  
 משה זילברג, כך דרכו של תלמוד (מהדורה שניה; ירושלים תשמ"ד) 66-96  
 Shaye J. D. Cohen THE BEGINNINGS OF JEWISHNESS: BOUNDARIES, VARIETIES,  
 UNCERTAINTIES (1999) 263-307  
 Pennington, Kenneth. 2007. "The Growth of Church Law." In THE CAMBRIDGE  
 HISTORY OF CHRISTIANITY: CONSTANTINE TO C. 600, edited by Augustine Casiday  
 and Frederick W. Norris, 386-402.  
 Caroline Humfress, □Patristic Sources□ in Johnston, D., ed., THE CAMBRIDGE  
 COMPANION TO ROMAN LAW (Cambridge: Cambridge University Press, 2013) (Draft)  
 Hoeflich, Michael H, and Jasonne M Grabher. 2008. "The Establishment of Normative  
 Legal Texts: The Beginnings of the *Ius commune*." In THE HISTORY OF MEDIEVAL  
 CANON LAW IN THE CLASSICAL PERIOD, 1140-1234: FROM GRATIAN TO THE  
 DECRETALS OF POPE GREGORY IX, edited by Wilfried Hartmann and Kenneth  
 Pennington, 1-21.  
 Nelson, Janet L. 2008. "Law and Its Applications." In CAMBRIDGE HISTORY OF  
 CHRISTIANITY: EARLY MEDIEVAL CHRISTIANITIES, C. 600 - C. 1100, edited by  
 Thomas F. X. Noble and Julia M. H. Smith, 299-326

### Additional Reading Material:

#### Course/Module evaluation:

End of year written/oral examination 0 %  
 Presentation 0 %  
 Participation in Tutorials 20 %  
 Project work 40 %  
 Assignments 40 %  
 Reports 0 %  
 Research project 0 %  
 Quizzes 0 %  
 Other 0 %

### Additional information:

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*Full attendance is mandatory*