



The Hebrew University of Jerusalem

Syllabus

JEWISH LAW ANCIENT AND MIDDLE AGES LAW - 62465

Last update 25-02-2014

HU Credits: 2

Degree/Cycle: 1st degree (Bachelor) and 2nd degree (Master)

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

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 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:

- אנציקלופדיה מקראית, כרך חמישי, עמ' 588-614 - המשפט במזרח הקדמון
אנציקלופדיה מקראית, כרך חמישי, עמ' 614-637
יעקב אלמן, "ישיבות בבל ובתי דין פרסיים בתקופה האמוראית והבתר-אמוראית" ישיבות ובתי מדרשות
31-55 (תשסז)
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 משה 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:
Full attendance is mandatory