

Dr. Elaine Phillips, Old Testament Literature, Session 12, Civil and Social Torah Resources from NotebookLM

1) Abstract, 2) Audio podcast, 3) Briefing Document, 4) Study Guide, and 5) FAQs

1. Abstract of Phillips, Old Testament Literature, Session 12, Civil and Social Torah, Biblicalelearning.org, BeL

Dr. Phillips' lecture explores social and civil Torah within the Old Testament. The discussion compares and contrasts Israelite law with the Code of Hammurabi, examining similarities in themes like "measure for measure" punishment, and differences in social stratification and penalties. The lecture analyzes various aspects of Israelite society, including justice administration, gender differences, and the treatment of slaves and foreigners. It introduces a "redemptive movement hermeneutic" suggesting that Torah laws, while culturally contextualized, represent steps towards a more ideal ethical standard. The lecture further covers topics such as the obligations of the king, provisions for warfare, and economic issues such as tithing and gleaning. Ultimately, the lecture emphasizes the interconnectedness of moral, civil, and ritual aspects within the Torah.

**2. 27 - minute Audio Podcast Created on the basis of
Dr. Phillips, Old Testament Literature, Session 12 – Double
click icon to play in Windows media player or go to the
Biblicalelearning.org [BeL] Site and click the audio podcast link
there (Old Testament → OT Introduction → OT Lit).**



**Phillips_OTLit_Sessi
on12.mp3**

3. Briefing Document: Phillips, Old Testament Literature, Session 12, Civil and Social Torah

Okay, here's a briefing document summarizing the key themes and ideas from the provided excerpts of Dr. Elaine Phillips' Old Testament Literature Lecture 12, focusing on social and civil Torah:

Briefing Document: Dr. Elaine Phillips, Old Testament Literature, Lecture 12 - Torah, Civil and Social

Date: November 8, 2024

Source: Excerpts from "ElainePhillips_OTL_EN_Lecture12.pdf"

Overview:

This lecture explores the concept of "social, civil Torah," focusing on its function in structuring societal conduct and administering justice in ancient Israel. It contrasts Israelite law with other Ancient Near Eastern (ANE) legal codes, specifically the Code of Hammurabi, highlighting similarities and differences in principles and application. The lecture also addresses challenging aspects of the Torah, including slavery and the death penalty, and introduces the concept of "redemptive movement hermeneutics" as a way to understand the development of ethical principles within the biblical text.

Key Themes and Ideas:

- **Definition of Social, Civil Torah:** Dr. Phillips defines social, civil Torah as designed "to structure societal conduct... [and] provide for the proper administration of justice." This is distinguished from ritual/ceremonial Torah and Torah designed to set up moral guidelines to curb the excesses of the individual's will.
- **Comparison with the Code of Hammurabi:** The lecture uses the Code of Hammurabi as a point of comparison to highlight both similarities and differences in legal principles.
- **Similarities:** Both codes share the "measure for measure" principle of justice (eye for eye, tooth for tooth), as well as similar concerns for issues like striking a pregnant woman and damaging property. Phillips notes, "You do have the same kinds of sequencing going through. So, the issues that have to do with striking people, kidnapping people, and damage to property are going to all be there."
- **Differences:** The Code of Hammurabi exhibits a more rigid social stratification, with punishments varying greatly based on social class (aristocracy, citizens,

commoners, slaves). The biblical text, while also reflecting some social distinctions, generally shows less disparity in punishment. One striking difference mentioned is that in Hammurabi's code, the daughter of a person can be put to death in retribution for the crime of her father.

- **Social Stratification and Gender Differences:** The lecture acknowledges the presence of social stratification (free persons vs. slaves) and gender differences in both the Code of Hammurabi and the biblical text. Phillips points out the economic vulnerability of women in ancient Israelite society, stating, "If a woman was not under the protection of her father, her brother, or her husband, she was destined to starve." This dependence influenced women's legal and social standing.
- **Theocracy and Divine Authority:** In the Israelite social structure described in the Torah, God is the ultimate authority. "It's a theocracy, isn't it? It's a theocracy, which means that God is the ultimate ruler," says Phillips. This is contrasted with modern democracies, which she quotes someone as defining as "rule by the mob."
- **Balanced Justice and Due Process:** The Torah emphasizes balanced justice (measure for measure) to prevent excessive vengeance. It also establishes a system of judges and requires two or more agreeing witnesses to impose a punishment, particularly the death penalty. Phillips states, "Justice has to be balanced. In fact, that measure-for-measure principle comes up three times...so we're supposed to get the idea, hey, you know, this idea of balanced justice, which is so contrary to our vengeful human nature."
- **Care for the Disadvantaged:** The Torah demonstrates a strong concern for the vulnerable members of society, particularly "widows, aliens, orphans." There is an emphasis on treating aliens graciously, remembering that the Israelites themselves were once aliens in Egypt. The Torah requires aliens to be supported, "not enslave them."
- **Challenging Issues: Slavery and the Death Penalty:** The lecture acknowledges that certain aspects of the Torah, such as the acceptance of slavery and the frequent use of the death penalty, can be morally challenging from a modern perspective.
- **Redemptive Movement Hermeneutic:** Phillips introduces William Webb's "redemptive movement hermeneutic" as a framework for understanding how ethical principles in the Torah evolve over time.

- The model posits a spectrum from the original cultural context (X), through the specific articulation of laws in the Israelite context (Y), toward an ultimate ethical ideal (Z).
- The Torah's laws (Y) represent an advancement beyond the wider cultural norms of the time (X), and the New Testament further progresses towards the ideal (Z).
- Phillips clarifies that "the things that we read in the Torah are not static reflections of an all-time principle...They're frozen in time because that's when the words were said, and they're reflecting something of the bigger cultural picture."
- She uses slavery as an example. While slavery still existed, the Torah emphasized masters' responsibility for their slaves' welfare, marking a step forward.
- She cautions that contemporary society may not always reflect a better ethic than the biblical text (e.g., abortion).
- **Principles vs. Specific Applications:** When applying the Torah today, it's important to discern the underlying principles and apply them appropriately to contemporary contexts. Phillips suggests that "the best way to think about this...is to say that in all of this material, we have principles." She uses the example of building parapets around houses to illustrate the principle of preserving life.
- **Obligations of the King and Humanitarianism in Warfare:** The lecture touches on the limitations placed on the king in Deuteronomy 17, including restrictions on acquiring horses, wives, and wealth. There are also humanitarian provisions for warfare (Deuteronomy 20), such as allowing newly married or fearful soldiers to return home.
- **Economic Justice and Social Safety Nets:** The lecture covers economic issues within the Torah, including the importance of fair wages, regulations on debt and lending, and inheritance rights. There was a system of tithing, gleaning, and cancellation of debts every seventh year to prevent a permanent underclass from forming. Phillips comments, "That kept a permanent underclass from forming, which is extremely significant."

Quotes:

- "Righteousness and justice are the foundation of your throne." (Psalm 89:14, cited at the beginning)

- "Civil social Torah...is to structure societal conduct...[and] provide for the proper administration of justice."
- "You do have the same kinds of sequencing going through. So, the issues that have to do with striking people, kidnapping people, and damage to property are going to all be there."
- "If a woman was not under the protection of her father, her brother, or her husband, she was destined to starve."
- "It's a theocracy, isn't it? It's a theocracy, which means that God is the ultimate ruler."
- "Justice has to be balanced. In fact, that measure-for-measure principle comes up three times...so we're supposed to get the idea, hey, you know, this idea of balanced justice, which is so contrary to our vengeful human nature."
- "The things that we read in the Torah are not static reflections of an all-time principle...They're frozen in time because that's when the words were said, and they're reflecting something of the bigger cultural picture."
- "the best way to think about this...is to say that in all of this material, we have principles."
- "That kept a permanent underclass from forming, which is extremely significant."

Conclusion:

Dr. Phillips' lecture provides a framework for understanding the complex social and civil laws of the Old Testament. By comparing and contrasting the Torah with other ANE legal codes and by introducing the concept of redemptive movement hermeneutics, the lecture encourages a nuanced and thoughtful approach to interpreting these ancient texts and applying their underlying principles to contemporary ethical issues.

4. Study Guide: Phillips, Old Testament Literature, Session 12, Civil and Social Torah

Old Testament Law: Civil and Social Torah

Key Terms

- **Hesed:** A Hebrew term referring to loving-kindness, mercy, and steadfast love, often associated with God's covenantal relationship with Israel.
- **Emunah:** A Hebrew term referring to faithfulness, trustworthiness, and reliability, particularly in the context of God's promises and Israel's response.
- **Torah:** Generally, the first five books of the Hebrew Bible (Genesis, Exodus, Leviticus, Numbers, and Deuteronomy); more broadly, Jewish law and instruction.
- **Civil Torah:** Laws pertaining to the structuring of societal conduct and the administration of justice within a community.
- **Social Torah:** Moral guidelines designed to curb excesses of individual will within a community.
- **Ritual (Ceremonial) Torah:** Laws that create an environment for approach to a holy God, often concerning sacrifices, festivals, and purity.
- **Code of Hammurabi:** An ancient Babylonian legal code, dating to the 18th or 17th century BC, containing 282 laws covering a wide range of social and economic issues.
- **Measure for Measure:** A principle of justice emphasizing that the punishment should be proportionate to the crime committed.
- **Theocracy:** A system of government in which God is recognized as the supreme ruler, and religious leaders govern in accordance with divine law.
- **City of Refuge:** A designated city in ancient Israel to which a person who accidentally committed manslaughter could flee and find protection from the avenger of blood.
- **Redemptive Movement Hermeneutic:** A method of interpreting biblical texts that recognizes that laws and practices reflect a progression from an original cultural context towards an ultimate ethical ideal.

- **Shalem Y'shalem:** A Hebrew phrase meaning "he will surely pay," used in the context of restitution for theft or damages.
- **Beit Ab:** Hebrew for "father's house," referring to the extended family or clan structure in ancient Israelite society.
- **Urim and Thummim:** Objects used by the High Priest in ancient Israel for divination or decision-making in difficult cases before the Lord.
- **Aliens:** Foreigners living among the Israelites.
- **Parapet:** A low protective wall along the edge of a roof, balcony, or bridge.
- **Gleaning:** The practice of allowing the poor to gather the leftover crops from fields after the harvest.

Short Answer Quiz

1. **What is the purpose of Civil and Social Torah?** Civil and Social Torah is designed to structure societal conduct and provide for the proper administration of justice. It aims to create a framework for communities to function and resolve disputes fairly.
2. **Briefly compare and contrast the Code of Hammurabi with the laws in Exodus 21.** Both share the theme of "measure for measure" punishment. However, the Code of Hammurabi reflects social stratification more explicitly, with punishments varying based on social class, while Exodus 21 exhibits less class-based variation.
3. **Explain the principle of "measure for measure" as it applies to justice in the Old Testament.** "Measure for measure" means that the punishment for a crime should be proportionate to the offense. This principle aimed to prevent excessive vengeance and ensure balanced justice.
4. **What was the role of the City of Refuge, and for whom was it intended?** The City of Refuge was a place where someone who had accidentally committed manslaughter could flee for protection from the avenger of blood. It provided a sanctuary for those who had unintentionally caused a death.
5. **Describe the "redemptive movement hermeneutic" and how it can help us interpret challenging aspects of Old Testament law.** The "redemptive movement hermeneutic" views Old Testament laws as part of a progression from an ancient cultural context toward an ultimate ethical ideal. It helps us understand that

these laws are not static but reflect a movement toward greater justice and compassion.

6. **Why was there a concern in the Torah for widows, aliens, and orphans?** These groups were considered vulnerable and lacked social and economic support. The Torah emphasized care for them because they were destitute and had no means of support for themselves, therefore were easily taken advantage of.
7. **Explain the significance of Deuteronomy 17 concerning the responsibilities of the king.** Deuteronomy 17 outlines the limitations and responsibilities of the king, emphasizing that he should not accumulate wealth, horses, or wives, and that he should read and follow the law. It was meant to keep the king humble and ensure he ruled in accordance with God's law.
8. **How did the practice of tithing benefit the disadvantaged in ancient Israel?** Tithing provided a means to support the worship structure and care for the disenfranchised, especially the Levites, aliens, orphans, and widows. At the end of every three years, tithes were stored in towns to support the disenfranchised.
9. **What was the purpose of gleaning in the fields?** Gleaning was a practice where farmers left some of their harvest for the poor to gather. It was essentially "workfare," allowing the poor to sustain themselves through their own labor by gathering leftovers from fields, grape orchards, and olive orchards.
10. **Briefly describe how civil and moral Torah are related.** Civil Torah implements the moral standards laid out in the moral Torah. All laws are interconnected and designed to uphold the well-being of the community and its relationship with God.

Answer Key

1. Civil and Social Torah is designed to structure societal conduct and provide for the proper administration of justice. It aims to create a framework for communities to function and resolve disputes fairly.
2. Both share the theme of "measure for measure" punishment. However, the Code of Hammurabi reflects social stratification more explicitly, with punishments varying based on social class, while Exodus 21 exhibits less class-based variation.
3. "Measure for measure" means that the punishment for a crime should be proportionate to the offense. This principle aimed to prevent excessive vengeance and ensure balanced justice.

4. The City of Refuge was a place where someone who had accidentally committed manslaughter could flee for protection from the avenger of blood. It provided a sanctuary for those who had unintentionally caused a death.
5. The "redemptive movement hermeneutic" views Old Testament laws as part of a progression from an ancient cultural context toward an ultimate ethical ideal. It helps us understand that these laws are not static but reflect a movement toward greater justice and compassion.
6. These groups were considered vulnerable and lacked social and economic support. The Torah emphasized care for them because they were destitute and had no means of support for themselves, therefore were easily taken advantage of.
7. Deuteronomy 17 outlines the limitations and responsibilities of the king, emphasizing that he should not accumulate wealth, horses, or wives, and that he should read and follow the law. It was meant to keep the king humble and ensure he ruled in accordance with God's law.
8. Tithing provided a means to support the worship structure and care for the disenfranchised, especially the Levites, aliens, orphans, and widows. At the end of every three years, tithes were stored in towns to support the disenfranchised.
9. Gleaning was a practice where farmers left some of their harvest for the poor to gather. It was essentially "workfare," allowing the poor to sustain themselves through their own labor by gathering leftovers from fields, grape orchards, and olive orchards.
10. Civil Torah implements the moral standards laid out in the moral Torah. All laws are interconnected and designed to uphold the well-being of the community and its relationship with God.

Essay Questions

1. Compare and contrast the concept of justice as presented in the Code of Hammurabi and the Old Testament laws of Exodus and Deuteronomy. In what ways are they similar, and where do their approaches diverge? How do these differences reflect the distinct cultural and religious contexts in which they were developed?
2. Discuss the "redemptive movement hermeneutic" as a tool for interpreting challenging aspects of Old Testament law. How does this approach help reconcile

potentially problematic laws and practices with contemporary ethical standards? Provide specific examples from the lecture to support your argument.

3. Explore the theme of social justice within the Old Testament laws, focusing on the provisions made for vulnerable populations such as widows, aliens, and orphans. How do these laws reflect a concern for the marginalized, and what underlying principles can be derived from these examples?
4. Analyze the role and responsibilities of the king as outlined in Deuteronomy 17. How did these stipulations serve to limit the king's power and ensure that he remained accountable to God's law? What does this passage reveal about the relationship between religious authority and political leadership in ancient Israel?
5. Examine the relationship between moral, civil, and ritual aspects of Torah. Using examples from the lecture, demonstrate how these three categories are interconnected and how they work together to form a comprehensive legal and ethical framework for ancient Israelite society.

5. FAQs on Phillips, Old Testament Literature, Session 12, Civil and Social Torah, Biblicalelearning.org (BeL)

Old Testament Social & Civil Torah: An FAQ

- **What is "social, civil Torah," and how does it differ from other types of Torah?**
- Social, civil Torah focuses on structuring societal conduct and providing for the proper administration of justice. It outlines how communities should function and resolve disputes. This contrasts with moral Torah (which sets moral guidelines) and ritual/ceremonial Torah (which relates to approaching God and establishing holiness). The distinctions, while helpful for analysis, are not inflexible, and these categories often intersect.
- **How does the Code of Hammurabi compare to the social and civil laws found in Exodus?**
- Both the Code of Hammurabi and the laws in Exodus exhibit some similar themes such as "measure for measure" punishment (eye for eye, tooth for tooth), and similar treatment for striking a pregnant woman. However, differences exist in social stratification, and the harshness and types of punishment levied with Hammurabi spelling out payments for damages. The Code of Hammurabi also shows instances of punishing different individuals than the offender (e.g., the offender's daughter for the death of another woman), while Exodus emphasizes individual accountability. The presence of a more evident court system is also seen within Exodus.
- **What is the concept of "measure for measure" punishment, and how does it apply in the Torah?**
- "Measure for measure" is the principle of balanced justice, ensuring that punishment is proportionate to the crime and prevents excessive vengeance. It's found in Exodus, Leviticus, and Deuteronomy, and it aims to limit overreactions. Jesus later addressed the principle during the Sermon on the Mount, advocating for a complete reversal of it in the face of personal interactions.
- **What cross-cultural principles of justice can be identified within social and civil Torah?**
- Key principles include balanced justice, where punishments must be proportionate to the offense, and the requirement of two or more agreeing

witnesses to impose a punishment, especially the death penalty. Care for the disadvantaged (widows, aliens, and orphans) is also emphasized, alongside concern for human dignity during punishment (e.g., limiting lashes).

- **What is the "redemptive movement hermeneutic," and how does it help us interpret challenging aspects of social and civil Torah, like slavery?**
- The redemptive movement hermeneutic, as proposed by William Webb, suggests that the laws in the Torah are not static but represent a movement from a wider cultural context toward an ultimate ethical ideal. It allows us to see laws (regarding slavery, for example) as steps forward within their time, emphasizing concerns for slaves' welfare and provisions for their freedom, while recognizing that the ideal is the abolition of slavery altogether.
- **What are some key differences between the ancient Israelite government (as reflected in the Torah) and modern Western governments?**
- Significant differences include the prevalence of the death penalty in the Torah, the theocratic nature of Israelite society (God as the ultimate authority), and the agrarian social structure. Modern societies often rely on prison systems, constitutions with a positive thrust of rights, and are urbanized, industrialized democracies. There is also a shift in social and economic structures for women.
- **What obligations did the kings of Israel have according to the Torah, and what was expected of them in relation to the law?**
- Kings were instructed not to acquire great numbers of horses, many wives, or excessive amounts of silver and gold, to avoid being led astray. They were to write a personal scroll of the law, read it daily, and follow its teachings to remain humble and just. Additionally, the king was not the central figure heading into war.
- **How did social and civil Torah address economic justice and care for the vulnerable in Israelite society?**
- Economic justice was addressed through regulations regarding fair wages, debt, lending money, and inheritance rights (double portion to the firstborn). The vulnerable were cared for through tithing (a portion of which was specifically for them), gleaning (leaving part of the harvest for the poor to gather), and the cancellation of debts and freeing of slaves every seventh year (Sabbatical year), which prevented a permanent underclass.