## THE JEWISH LAW ANNIAL

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# **The Jewish Law Annual Volume One**

**Berachyahu Lifshitz** 

#### The Jewish Law Annual Volume One:

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University of Law The Institute of Jewish Law, 2003-12-08 The volume contains ten articles including a penetrating analysis of the application of Jewish price fraud law to the workings of the present day marketplace Diverse in their scope and focus the articles address legal historical textual comparative and conceptual questions. The volume concludes with a survey of recent literature on biblical and Jewish law and a chronicle section which discusses recent Israeli and American court cases involving issues where Jewish law is of particular relevance thereby making the Annual a journal of record Annual (Vol 10) Bernard S Jackson, 2022-02-22 First Published in 1992 This collection of papers is Volume ten from The Jewish Law Institute Split onto three parts it covers the area of Parent and Child including amongst others offences punishable by death child custody Parents and Children under Moslem Law Physical Violence and Herod's Domestic Court Part two entitled Chronicle has examples of cases and Part three includes a survey of recent literature **Jewish Law Annual** (Vol 7) Bernard S Jackson, 2021-12-17 First Published in 1988 The Annual is published under the auspices of The Institute of Jewish Law Boston University School of Law in conjunction with the Oxford Centre for Postgraduate Hebrew Studies and the International Association of Jewish Lawyers and Jurists This volume concludes the symposium on the philosophy of Jewish law which started in Volume 6 It concludes with a response by the late Julius Stone to most of the preceding articles This edition looks at natural law and Judaism Halakhah and the Covenant Jewish attitudes towards the taking of human life mortality and a study of Solomon Freehof Jewish Law Annual (Vol 6) Bertrand Jackson, 2016-12-05 First Published in 1987 This is Volume six of the annual published under the auspices of the Institute of Jewish Law of the Boston University School of Law The symposium on the Philosophy of Jewish Law which forms the main content of both this and the next issue represents a major contribution to an area of investigation which has attracted increasing interest in recent years The Jewish Law Annual Volume 14 The Institute of Jewish Law, Boston University of Law, 2003-12-08 The volume contains ten articles including a penetrating analysis of the application of Jewish price fraud law to the workings of the present day marketplace Diverse in their scope and focus the articles address legal historical textual comparative and conceptual questions The volume concludes with a survey of recent literature on biblical and Jewish law and a chronicle section which discusses recent Israeli and American court cases involving issues where Jewish law is of particular relevance thereby making the Annual a journal of record The Jewish Law Annual Volume 19 Berachyahu Lifshitz, Hanina Ben-Menahem, 2013-07-04 Volume 19 of The Jewish Law Annual is a festschrift in honor of Professor Neil S Hecht It contains thirteen articles ten in English and three in Hebrew Several articles are jurisprudential in nature focusing on analysis of halakhic institutions and concepts Elisha Ancselovits discusses the concept of the prosbul asking whether it is correct to construe it as a legal fiction as several scholars have asserted He takes issue with this characterization of the prosbul and with other scholarly readings of Tannaitic law in general The concepts of dignity and shame are addressed in two very different articles one by Nahum Rakover and the other by Hanina Ben Menahem The former discusses halakhic sources

pertaining to the dignity inherent in human existence and the importance of nurturing it The latter presents a fascinating survey of actual legal practices that contravened this haklakhic norm Attestations of these practices are adduced not only from halakhic and semi halakhic documents but also from literary historical and ethnographic sources Three articles tackle topical issues of considerable contemporary interest Bernard S Jackson comments on legal issues relating to the concept of conversion arising from the story of the biblical heroine Ruth and compares that concept to the notion of conversion invoked by a recent English court decision on eligibility for admission to denominational schools An article by Dov I Frimer explores the much agonized over question of halakhic remedies for the wife whose husband refuses to grant her a get bill of divorce precluding her remarriage Frimer's focus is the feasibility of inducing the husband to grant the get through monetary pressure specifically by awarding the chained wife compensatory tort damages Tort remedies are also discussed in the third topical article by Ronnie Warburg on negligent misrepresentation by investment advisors Two papers focus on theory of law Shai Wozner explores the decision rules conduct rules dichotomy in the Jewish law context clarifying how analysis of which category a given law falls under enhances our understanding of the law s intent Daniel Sinclair explores the doctrine of normative transparency in the writings of Maimonides the Hatam Sofer and R Abraham Isaac Kook demonstrating that although transparency was universally endorsed as an ideal some rabbinical authorities were willing to forego transparency where maintenance of the halakhic system itself was imperiled An article by Alfredo M Rabello reviews the primary and secondary literature on end of life issues and contextualizes the much discussed talmudic passage bAvoda Zara 18a And an article by Chaim Saiman offers a critical survey of the main approaches to conceptualizing and teaching Jewish law in American universities it also makes suggestions for new and perhaps more illuminating pedagogic direction In the Hebrew section an intriguing article by Berachyahu Lifshitz presents a comparison of Persian and talmudic law on the status of promises and the role of the divine in their enforcement Yuval Sinai discusses the halakhic law of evidence particularly the well known two witnesses requirement and departures from it The volume closes with a historical article by Elimelech Westreich on the official rabbinical court in nineteenth century Jerusalem It focuses on the rabbinical figures who served on the court the communities for whom it adjudicated and its role in the broader geopolitical and sociocultural context

Jewish Law Annual (Vol 11) Bernard S. Jackson, 2022-02-22 First published in 2004 This collection of papers is Volume eleven of the The Jewish Law Institute Split onto two parts it covers topics such as The Rabbinic Law on Entry and Seizure the Problem of Priority in Civil Law Analogical Argument in Early Jewish law amongst others Part two entitled Chronicle has examples of cases The Jewish Law Annual Volume 22 Benjamin Porat, David C. Flatto, 2023-12-11 Volume 22 of The Jewish Law Annual adds to the growing list of articles on Jewish law that have been published in volumes 1 21 of this series providing English speaking readers with scholarly articles presenting jurisprudential historical textual and comparative analysis of issues in Jewish law This volume features articles on rabbinic criminal law tort law jurisprudence and judicial

practice Jewish Law Annual Volume 20 Berachyahu Lifshitz, 2013-10-01 Volume 20 of The Jewish Law Annual features six detailed studies The first three articles consider questions which fall under the rubric of halakhic methodology The final three articles address substantive questions regarding privacy cohabitation and medical triage All three methodological articles discuss creative interpretation of legal sources Two Cohen and Gilat consider the positive and forward thinking aspects of such halakhic creativity. The third Radzyner examines tendentious invocation of new halakhic arguments to advance an extraneous interest Cohen explores positive creativity and surveys the innovative midrashic exegeses of R Meir Simha Hakohen of Dvinsk demonstrating his willingness to base rulings intended for implementation on such exegesis Gilat examines exegetical creativity as to the laws of capital offenses Midrashic argumentation enables the rabbinical authorities to set aside the literal sense of the harsh biblical laws and implement more suitable penological policies. On the other hand Radzyner's article on tendentious innovation focuses on a situation where novel arguments were advanced in the context of a power struggle namely Israeli rabbinical court efforts to preserve jurisdiction Two articles discuss contemporary dilemmas Spira Wainberg consider the hypothetical scenario of triage of an HIV vaccine analyzing both the talmudic sources for resolving issues related to allocating scarce resources and recent responsa Warburg discusses the status of civil marriage and cohabitation vis vis payment of spousal maintenance can rabbinical courts order such payment Schreiber's article addresses the question of whether privacy is a core value in talmudic law does it indeed uphold a right to privacy as recent scholars have claimed The volume concludes with a review of Yuval Sinai's Application of Jewish Law in the Israeli Courts Hebrew The Jewish Law Annual Volume 17 Berachyahu Lifshitz, 2008-04-09 Volume 17 of The Jewish Law Annual adds to the growing list of articles on Jewish law that have been published in volumes 1 16 of this series providing English speaking readers with scholarly articles presenting jurisprudential historical textual and comparative analysis of issues in Jewish law The volume contains seven articles diverse in their scope and focus Two articles are devoted to the halakhic thought of Rabbi A I Kook two treat classic legal questions breach of a promise to marry and the legal capacity of minors two examine aspects of the judicial process one exploring talmudic analyses of the biblical requirement that courts be established in every town and the other post talmudic views on judicial authority in cases suspected of fraudulent claims Another article addresses the fascinating question of the epistemic pedagogic worldviews of the rival Tannaitic legal academics the House of Hillel and the House of Shammai The volume concludes with a section on Israeli legislation that adduces or is informed by Jewish law and two reviews of a much discussed recent book on a topic of considerable contemporary interest the agunah problem

Rabbinic Authority, Volume 1 A. Yehuda Warburg, 2014-10-01 Introducing English speaking readers to the parameters and scope of rabbinic authority in general and the workings of the institution of the beit din the Jewish court of law in particular this book presents 10 rulings in cases of Jewish civil law that the author handed down as a member of a beit din panel These decisions touch on matters pertaining to employment termination tenure rights and severance pay rabbinic

contracts issues in the not for profit boardroom real estate brokerage commission drafting a halakhic will a revocable living trust agreement the division of marital assets upon divorce spousal abuse and a father's duty to support his estranged children Accompanying these presentations is an examination of the notion of rabbinic authority the business judgment rule and an agunah s ability to recover for the infliction of emotional stress

The Jewish Law Annual Volume 16 Berachyahu Lifshitz,2006-09-27 Volume 16 of The Jewish Law Annual adds to the growing list of articles on Jewish Law that have been published in volumes 1 15 of this series providing English speaking readers with scholarly material meeting the highest academic standards The volume contains seven articles diverse in their scope and focus encompassing legal historic textual comparitive and conceptual analysis as well as a chronicle of cases of interest and a survey of recent literature Three of the articles one of which explores references to Genesis in western canon law make up a special section on the book of Genesis The other topics covered are suicide as an act of atonement in Jewish law early interpretations of the Bible and Talmud as reflecting medieval legal realia Ashkenazic codifiers in Spain and authority custom and innovation in the seventeenth century Italian halakhic encyclopedia Pahad Yitzhak

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