

Contrasts In American And Jewish Law

Catharina Rachik, Georges Tamer

Contrasts In American And Jewish Law:

Contrasts in American and Jewish Law Daniel Pollack, 2001 American law and the American legal system are rights based whereas Jewish law and the halakhic system are duty based This distinction goes to the heart of the two legal systems the basis on which each is founded how they conceptualize human nature and the social order and how they function The American legal system is a human construction forged in a secular society The halakhic system while honed and clarified over the centuries by human decisors is ultimately grounded in a text revealed by God In consequence the two legal systems approach problems quite differently This is explained and illustrated in this volume by discussions of such compelling social issues as euthanasia medical treatment without consent search and seizure in schools procreation rights of prisoners liability for environmental damage termination of parental rights due to mental incapacity and the capacity of the mentally retarded to give informed consent Contrasting Ideals and Ends in the American and French Revolutions Miguel A. Faria, Ir., 2024-11-26 This book describes momentous events in the American and French Revolutions The American revolutionaries were nationalist patriots who wanted independence from Great Britain and to create a new nation based on the principles of classical liberalism and Natural Rights theory Their goal was the attainment of life liberty and the pursuit of happiness inherent in the God given or Nature derived rights of free men They did not seek to overturn the basic institutions of society as eventually the French revolutionists did when they destroyed churches desecrated tombs and even renamed the months of the year creating a new revolutionary calendar The French revolutionists adopted the revolutionary slogan Libert galit Fraternit but they did not grasp the fact that the leveling of society was incompatible with liberty And regarding fraternity they did not mean the brotherhood of all men because the nobility and common citizens who did not hold the purest aims of Jacobin ideology were exterminated Jewish Law and American Law, Volume 1 Samuel J. Levine, 2021-02-16 This volume contributes to the growing field of comparative Jewish and American law presenting twenty six essays characterized by a number of distinct features The essays will appeal to legal scholars and at the same time will be accessible and of interest to a more general audience of intellectually curious readers These contributions are faithful to Jewish law on its own terms while applying comparative methods to offer fresh perspectives on complex issues in the Jewish legal system Through careful comparative analysis the essays also turn to Jewish law to provide insights into substantive and conceptual areas of the American legal system particularly areas of American law that are complex controversial and unsettled The Concept of Human Rights in Judaism, Christianity and Islam Catharina Rachik, Georges Tamer, 2022-12-05 The second volume of the series Key Concepts in Interreligious Discourses points out the roots of the concept of human rights in Judaism Christianity and Islam It shows how far the universal validity of human rights opposes in some crucial points with religious traditions The volume demonstrates that new perspectives are introduced to the general discussion about human rights when related to religious traditions Especially the interreligious viewpoint proves that a new kind of debate about human rights and its

history is necessary Between the Laws of God and Man Reuven Travis, 2024-09-30 How does one navigate living religiously in a secular world Where life is governed not just by the laws of faith but by the laws of the state as well what does doing the right thing actually mean When people think about the interplay between religious and secular law certain meta issues arise such as how does one weigh what is legal which secular law demands versus what is right that is the moral code which religion expects its followers to adhere to Such questions inevitably lead one to ponder the purpose of law as well as its underlying expectations This book tackles such questions from the perspective of a Jewish educator who has lived his life according to two distinct and sometimes conflicting legal systems halakha Jewish law and the United States Code U S legal code With this as a starting point Between the Laws of God and Man explores key core elements of Jewish and secular law to determine commonalities divergences and implications for each An Introduction to Jewish Law François-Xavier Licari, 2019-03-28 This is the first book to present a systematic and synthetic introduction to Jewish law **Biomedical Ethical Issues and Jewish Law** Fred Rosner, 2007 The Jewish Law Annual Volume 15 Berachyahu Lifshitz, 2004-07-31 Volume 15 of The Jewish Law Annual adds to the growing list of articles on Jewish law that have been published in volumes 1 14 of this series providing English speaking readers with scholarly material meeting the highest academic standards The volume contains six articles diverse in their scope and focus encompassing legal historical textual comparative and conceptual analysis as well as a survey of recent literature and a chronicle of cases of interest Among the topics covered are lying in rabbinical court proceedings unjust enrichment can a witness serve as judge in the same case Caro s Shulham Arukh v Maimonides Mishne Torah in the Yemenite community the New Jersey eruv wards

Environmental Law and Contrasting Ideas of Nature Keith H. Hirokawa,2014-07-17 This book examines how nature is constructed through law building on the constructivist concept that nature is a self perpetuating self reinforcing social creation Handbook of the Sociology of Religion Michele Dillon,2003-08-18 Table of contents Louis Marshall and the Rise of Jewish Ethnicity in America Matthew Silver,2013-02-21 A milestone in modern Jewish history and American ethnic history the sweeping influence of Louis Marshall's career through the 1920s is unprecedented A tireless advocate for and leader of an array of notable American Jewish organizations and institutions Marshall also spearheaded civil rights campaigns for other ethnic groups blazing the trail for the NAACP Native American groups and environmental protection causes in the early twentieth century No comprehensive biography has been published that does justice to Marshall's richly diverse life as an impassioned defender of Jewish communal interests and as a prominent attorney who reportedly argued more cases before the Supreme Court than any other attorney of his era Silver eloquently fills that gap tracing Marshall's career in detail to reveal how Jewish subgroups of Eastern European immigrants and established Central European elites interacted in New York City and elsewhere to fuse distinctive communal perspectives on specific Jewish issues and broad American affairs Through the chronicle of Marshall's life Silver sheds light on immigration policies Jewish organizational and

social history environmental activism and minority politics during World War I and he bears witness to the rise of American Jewish ethnicity in pre Holocaust America **Index to Jewish Periodicals** ,2002 An author and subject index to selected and American Anglo Jewish journals of general and scholarly interests The Jewish Law Annual Volume 19 Berachvahu 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 and Religion Stephen M. Feldman, 2000-09 Few issues arouse as much passionate debate as the relationship between church and state Political parties and coalitions have long jockeyed for position in the battle to either keep the two separate or to unify them in one nation indivisible from God While the battle has been raging in the political arena figures from academia the media and myriad other vantage points have commented on the context and constitutionality of laws governing religious expression In Law and Religion Stephen M Feldman brings together the many perspectives that have shaped policy on this important national issue In giving voice to the political left and right as well as to cultural philosophical sociological and historical perspectives the book serves as an even handed treatment of an issue all too often clouded by biases Contributors ranging from Stanley Fish to Richard John Neuhaus explore issues extending from religious morality and religious freedom to fundamentalism the separation of church and state religion and public schooling and liberal political theory Comprehensive in scope Law and Religion will stand as an important reference for anyone seeking to further understand this complex and highly emotional topic Race, Ethnicity, Nationality and the Law András L. Pap, 2025-09-05 This book provides a complex insight into how law as a distinct tool and technology conceptualizes and operationalizes race ethnicity and nationality The focus of the comparative project by bringing examples from five continents and scores of jurisdictions as well as showcases for hybrid intersectional groups is specifically the morphology and dynamics of legal categorization Separate discussions concentrate on conceptualizing groupness and membership as well as agency and contestation The book shows that although identity politics has dominated recent decades ethno racial self identification is not the only operationalizing model legal regimes apply especially with the recent boost in artificial intelligence AI and bio genetic research Examples for the re biologization of ethno racial conceptualization are brought from a wide range of legal regimes including citizenship anti discrimination asylum and Indigenous law The work provides a journey through the administrative political construction and contestation of ethno racial classifications with particular attention paid to the concepts of free choice of identity covering and fraud as well as the arbitrariness the historical path dependence and the role of merit in conceptualization While the starting point of the book is to capture ethnicity as a category of law it shows how legal conceptualization and operationalization are intertwined with categories of analysis and experience The methodology applied is comparative constitutional and international law but the research will have wider interdisciplinary appeal offering a novel perspective for a broad audience in social sciences and humanities <u>Judaism and Christianity Rabbi Stuart</u> Federow, 2012-10 Many people focus on the similarities between Judaism and Christianity but the religions are quite different and it s not just because one accepts Jesus as the messiah and the other does not The rise of Christians calling themselves messianic Jews the successes of Christian missionaries Jews ingratiating themselves to Evangelical Christians because of

their support for the State of Israel the overuse of the term Judeo Christian and the increasing use of Jewish rituals in Christian churches blur the lines between Judaism and Christianity Develop a better understanding of the irreconcilable differences between Judaism and Christianity and where the two faiths hold mutually exclusive beliefs You ll learn how Their views differ regarding God humanity the devil faith versus the law the Messiah and more Both faiths read the same Biblical verses but understand them so differently and Missionary Christians use this blurring of the lines between the two faiths and other techniques to convert Jews to Christianity Real interfaith dialogue begins when those engaging in it not only speak of how they are similar but also where they differ Real understanding begins when the topics discussed are in areas of disagreement Judaism and Christianity A Contrastwill help you understand the Jewish view of these disagreements The Oxford Handbook of Jewish Law Oxford Handbooks, 2025-10-29 Jewish law known as halakhah is a unique legal system that developed over two millennia across multiple continents and in innumerable different contexts With contributions from an interdisciplinary cast of authors The Oxford Handbook of Jewish Law offers readers an in depth understanding of this rich The Threshold of Dissent Marjorie Feld, 2024-05-07 The Threshold of Dissent A History of and enduring legal tradition American Jewish Critics of Zionism reveals the deep and deeply contested century long history of anti Zionist and non Zionist American Jews who drew on the intellectual currents of the Reform movement the Yiddish left anti colonialism and Jewish feminism to voice profound concerns over mainstream Jewish leaders insistence on unqualified support for Jewish nationalism Zionism and Israel **Love Your Neighbor and Yourself** Elliot N. Dorff, 2006-02-15 In this topically relevant book on modern ethical issues Dorff focuses on personal ethics Judaism's distinctive way of understanding human nature our role in life and what we should strive to be both as individuals and as members of a community Dorff addresses specific moral issues that affect our personal lives privacy particularly at work as it is affected by the Internet and other modern technologies sex in and outside of marriage family matters such as adoption surrogate motherhood stepfamilies divorce parenting and family violence homosexuality justice mercy and forgiveness and charitable acts and social action

American Jewry and the Oslo Years N. Rubin,2012-10-15 The Oslo Process of September 1993 to January 2001 ultimately brought about a permanent break in American Judaism's traditional wall to wall support for any Israeli government Drawing on extensive new sources Rubin analyzes what this meant for the American and Israeli Jewish communities critical constituencies in past and future negotiations

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