Syllabus

SOCIAL RIGHTS IN JEWISH LAW - 62473

Last update 15-05-2013

HU Credits: 2

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

Responsible Department: Faculty of Law

Academic year: 2

Semester: 1st Semester

Teaching Languages: Hebrew

Campus: Mt. Scopus

Course/Module Coordinator: Benjamin Porat

Coordinator Email: benny.porat@mail.huji.ac.il

Coordinator Office Hours: by appointment

Teaching Staff:
Dr. Benny Porat
Course/Module description:
Under the framework of social rights law, the law defends the rights of those weaker sectors against property owners. This course aims to trace the various socio-economic conceptions of Jewish law, as reflected in the field of social rights law.

Course/Module aims:
Exploring key issues of social rights in Jewish law, while comparing them to parallel modern socio-economic theories.

Learning outcomes - On successful completion of this module, students should be able to:
By the end of the course students are expected to:
Identify special approaches of Jewish law in the field of social rights
Apply fundamental ideas of Jewish law to current legal dilemmas of social rights
Compare various doctrines of social rights in Jewish law with modern law doctrines
Remember major research literature on social rights in Jewish law
Properly analyze primary texts of Jewish law

Attendance requirements(%):
none

Teaching arrangement and method of instruction: Lectures, final exam

Course/Module Content:
1. Introduction
2. Six Biblical Distributive Principles I
3. Six Biblical Distributive Principles II
4. Language and Social Justice
5. From Biblical Mechanisms to the Laws of Charity
6. Charity as a Tax System
7. The Poor
8. The Individual and the Public
9. The Theology of Charity
10. Unjust Enrichment as a Distributive Mechanism
11. The Right for Education
12. Tax Law and Distributive Justice
13. The Disabled
Required Reading:

- The Hebrew Social Contract and Capitalism and Socialism: The Rabbis, from "Mukhama, Year 78".
- I. Twersky, Some Aspects of the Jewish Attitude toward the Welfare State, 5 Tradition (1963) 137-158.

Additional Reading Material:

1. At the same time and also in Israel, a book on economics (orics), on the social and economic thought, edited by Eliezer Ornstein, Jerusalem, 1979.
11. רכינו עוז, מדידת עוני בברשהיה והודיה, תחומין כז (תשס”ז), 371-378.
12. שביד אליעזר, הפילוסופיה של התנ”ך, כו”ב trem תרבות ישראל, פרק ב: חוקה Marlins האולימו
(1999, ירושלים, חסידים), 199.
13. שגיא אבי, שיח החמלה והלכות צדקה, אתגר השיבה אל המסורת (תל אביב, תשס”ג), 479.
14. Berman Joshua, Created Equal: How the Bible Broke with Ancient Politial
Thought, Ch. 3 Egalitarianism and Assets: God the Economist, 81-108.
15. Chalmer Seth, Ma’alot Tsedaqah and Ordine Caritatis: Orders of Charitable
Priority in Maimonides and Aquinas, 47 JOURNAL OF ECUMENICAL STUDIES, 167,
178 (2012).
16. Chodorow Adam S., Biblical Tax System and the Case for Progressive Taxation,
17. Chodorow Adam S., Agricultural Tithing and (Flat) Tax Complexity 68 U. Pitt. L.
18. Chodorow Adam S., Maaser Kesafim and the Development of Tax Law, 8 Fla.
19. Englard Izhak, Corrective Justice and Distributive Justice (Oxford, 2009), Ch. 5
21. Goodman L, The Individual and the Community in the Normative Traditions of
Judaism, Autonomy and Judaism: The Individual and the Community in Jewish
Philosophical Thought, D. Frank (ed.), Albany 1992, 69
22. Levine A’aron, Jewish Social Welfare and the Economy, Shma, 16/303,
23. Levine A’aron, Equity in Taxation as Discussed in Rabbinic Literature, xvi
Intercom, Association of Orthodox Jewish Scientists (1976), 7-28.
24. Lifshitz Joseph Isaac, Welfare, Property and Charity in Jewish Thought, 44
Redistribution, in The Hebrew Republic: Jewish Sources and the Transformation of
European Political Thought, Ch. 2 (2011)
27. Novick Tzvi, Charity and Reciprocity: Structures of Benevolence in Rabbinic
Literature, 105 HARVARD THEOLOGICAL REVIEW, 33 (2012).
28. Rosenberg Jacob and Avi Weiss, Land Concentration, Efficiency, Slavery, and
the Jubilee, in The Oxford Handbook of Judaism and Economics (Aaron Levine ed.,
2010)
29. Schwartz Seth, WERE JEWS A MEDITERRANEAN SOCIETY? RECIPROCITY AND
SOLIDARITY IN ANCIENT JUDAISM (Princeton, 2010) Ch. 1 Reciprocity and
Solidarity, 1-20
31. Walzer Michael, Spheres of Justice: A Defense of Pluralism and Equality (New
York, 1983), 64-94.
32. Twersky Isadore, Some Aspects of the Jewish Attitude Toward the Welfare
State, 5 Tradition (1963)
Course/Module evaluation:
End of year written/oral examination 100 %
Presentation 0 %
Participation in Tutorials 0 %
Project work 0 %
Assignments 0 %
Reports 0 %
Research project 0 %
Quizzes 0 %
Other 0 %

Additional information: