

Course Name and Number:

Contemporary Issues in Jewish Law- Rabbi. A. Kahn

02-367-80/81

02-368-80/81

**Type of course:**Lecture

**Year of Studies:** 2015-2016 **Semester:** Fall & Spring **Hours/credits**: 2

**Course Description:**

In this course contemporary applications of Halacha - the Jewish legal system - will be studied. Biblical and Talmudic texts will be studied, alongside modern Rabbinic responsa, in an attempt to understand the legal and philosophic underpinnings of contemporary Halachic applications. Topics will be analyzed from both legal and moral perspectives. The first semester will focus on "life and death" issues, with an emphasis on medical ethics. The second semester will focus on general ethical issues.

Students will be asked to familiarize themselves with both primary and secondary sources. There will be an examination at the conclusion of each semester

**Detailed Lesson plan:**

1. **Two people in a Desert with one cup of water:** Bava Metzhia 62a, משנת חיי שעה שמחה לייזרזון 153
2. **Triage:** Fred Rosner "The Rationing of Medical Care” The Journal of Halacha and Contemporary Society, Volume 6, pg. 21, קול צופיך 235 (Ransoming captives) Barry Freundel “Health care and Tikkun olam” in Tikkun Olam 309-337
3. **Priorities in Treatment:** [Weinberger in Emek Halacha 109-117]
4. **Transplants:** Bleich J. David *"Contemporary Halakhic Problems" volume 1*, chapter 16 page 372. Volume 4 page 316 "Of Cerebral, Respiratory, and Cardiac Death" Reuven Fink "Halachic Aspects of Organ Transplantation" The Journal of Halacha and Contemporary Society, Volume 5, page 45, Fred Rosner, Moshe Tendler "Determining the Time of Death" The Journal of Halacha and Contemporary Society, Volume 17, page 14. Herschel Shachter "Determining the Time of Death" The Journal of Halacha and Contemporary Society, Volume 17, pg. 32, Aharon Soloveichik "Determining the Time of Death" The Journal of Halacha and Contemporary Society, Volume 17, page 41. קול צופיך 374-397, "משנת חיי שעה" שמחה לייזרזון
5. **Autopsies/ Experimentation:** Bleich J. David *"Contemporary Halakhic Problems" volume 1* Chapter 5 pg93ff, "Delayed burial" page 197, Cannibalism page 179\*, Alfred Cohen "Animal Experimentation" The Journal of Halacha and Contemporary Society, Volume 11, pg.19
6. **The Obligation to Heal:** Lamm, Weinberger in Emek Halacha11-34, Bleich J. David *"Contemporary Halakhic Problems" volume 4* pg. 203 "Experimental Procedures" Norman Lamm "Is it a Mitzvah to Administer Medical Therapy?" The Journal of Halacha and Contemporary Society, Volume 8 page 5
7. **Visiting the Sick:** Fred Rosner "Rabbi Moshe Feinstein`s Influence on Medical Halacha" The Journal of Halacha and Contemporary Society, Volume 20, page 47 (64-65)
8. **Smoking, Drugs and Danger** "Smoking and Damage to Health in the Halacha" M. Slae. Fred Rosner "Cigarette Smoking and Jewish Law" The Journal of Halacha and Contemporary Society, Volume 4 pg.33 Herring B “Jewish Ethics and Halakha For Our Time” Ktav 1984 221-241
9. **Suicide:** Zilberstein in Emek Halacha, Herring B “Jewish Ethics and Halakha For Our Time” Ktav 1984 67-90. קול צופיך 216
10. **Euthanasia:**  Fred Friedman "The Chronic Vegetative Patient: Torah Perspective" The Journal of Halacha and Contemporary Society, Volume 26 pg. 88, Zev Schostak "Ethical Guidelines for the Treatment of the Dying Elderly" The Journal of Halacha and Contemporary Society, Volume 3 page 72, Jeff Ifrah "The Living Will" The Journal of Halacha and Contemporary Society, Volume 24, page 121, Herring B “Jewish Ethics and Halakha For Our Time” Ktav 1984 67-90, קול צופיך 330
11. **Abortion:** Bleich J. David *"Contemporary Halakhic Problems" volume 1* chapter 15, page 325; Feldman, Marital Relations Birth Control and Abortion in Jewish Law”, Avraham Steinberg, "Induced Abortion in Jewish Law. The Journal of Halacha and Contemporary Society, Volume 1 page 29; Herring B “Jewish Ethics and Halakha For Our Time” Ktav 1984 25-46, קול צופיך 342
12. **Self Defense:** Techumin 10:62
13. **Truth and Falsehood:** Bleich J. David *"Contemporary Halakhic Problems" volume 2;* page 108 "Cheating". Chapter 3 "Professional secrecy". Chapter 5 "Privacy of personal Correspondence"; Alfred Cohen "on Maintaining a Professional Confidence" The Journal of Halacha and Contemporary Society, Volume 7, pg. 73. Herring B “Jewish Ethics and Halakha For Our Time” Ktav 1984 47-66
14. **Love your Neighbor** The Dimension of Jewish Ethics Newman, Y. Amital “Rebuking a Fellow Jew: Theory and Practice” Schachter, Jacob J. Editor “Jewish Tradition and the Non-Traditional Jew” Aronson 1992. 119-138 N. Lamm “Loving and Hating Jew as Halachik Categories” Schachter, Jacob J. Editor “Jewish Tradition and the Non-Traditional Jew” Aronson 1992. 138-176 N. Rabinovitch “All Jews are Responsible for One Another” Schachter, Jacob J. Editor “Jewish Tradition and the Non-Traditional Jew” Aronson 1992. 176-204
15. **Can One lose the Status of “Jew”?** Rambam Laws of Teshuva Chapter 4, Mamrim chapter 3, Chazon Ish Yoreh Dayeh 2:16
16. **Status of Non- Observant Jews**: קול צופיך 321, Techumin 9:156. Bleich J. David *"Contemporary Halakhic Problems" volume 4,* page 92 "Extending Sabbath Invitations to the Non-Observant; David Friedman "The Status of Non-Halachic Marriages" The Journal of Halacha and Contemporary Society, Volume 8 page 118; Moshe Weinberger "Attitudes and Methods in Jewish Outreach" The Journal of Halacha and Contemporary Society, Volume 20, page 77; Moshe Weinberger "The Baal Teshuva and the Jewish Community: Re-entry Problems The Journal of Halacha and Contemporary Society, Volume 12, page 69. Jewish Tradition and the Non- Traditional Jew pages 3-115
17. **Status of Non-Jews** [קול צופיך "Jewish view of Christians and Moslems 315-320,492,] Aviner Techumin 8:368 8:337, Bleich J. David *"Contemporary Halakhic Problems" volume 1* " Teaching Torah to non-Jews pg. 311; Shlomo Borenstein "Teaching Torah to non-Jews" The Journal of Halacha and Contemporary Society, Volume 26 page 58. Bleich J. David "The Prohibition against Intermarriage" The Journal of Halacha and Contemporary Society, Volume 1 page 5. Tikkun Olam 103-144
18. **The Ethical Dilemma of Esther** Responsa Shvut Yaakov Volume 2 117, Responsa Binyan Zion 154, Responsa Nodah Biyihuda First Edition 161
19. **Honoring, Caring for Wicked Parents** Bleich J. David *"Contemporary Halakhic Problems" volume 1,* "Aliya against Parental Objections"; Shmuel Singer "The Challenge of Honoring Parents in Contemporary Social Conditions” The Journal of Halacha and Contemporary Society, Volume 14, page 85. Herring B “Jewish Ethics and Halakha For Our Time” Ktav 1984 197-220, Warhaftig Alon Shvut

**Course requirements**

Attendance to frontal lecture,

preparation, and mastery of basic texts.

There will be a final administered after each semester.

**Grade Components: Number grade.**

Final – 70%

Attendance – 30%

#### Bibliography:

Contemporary Halakhic Problems Bleich J. David

Volumes 1-5 Ktav 1983

“Exclusivness and Tolerance” *Studies in Jewish Gentile Relations in Medieval and Modrn Times* -- Katz, Jacob Oxford University Press 1961

“Jewish Ethics and Halakha For Our Time” -- Herring B. Ktav 1984

“Jewish Tradition and the Non-Traditional Jew” -- Schachter, Jacob J. Editor Aronson 1992

“Marital Relations Birth Control and Abortion in Jewish Law” -- Feldman, David M. Schocken Books 1974

Tikkun Olam: Social Responsibility in Jewish Thought and Law -- Shatz, Waxman, & Diament editors Jason Aronson 1997

The Dimension of Jewish Ethics Newman J Council of Young Israel Rabbis 1987

The Jewish Encyclopedia of Moral and Ethical Issues Amsel, Norman Aronson 1994

The Journal of Halacha and Contemporary Society

תחומין 1-20(English translation: "Crossroads" volumes 1-3)

חיי שעה שמחה לייזרזון

קול צופיך יהודה גרשוני, מוריה תש"ם

קדושת החיים וחירוף הנפש עורכים י. גפני א. רביצקי מרכז שזר תשנ"ג