

Jewish Law Guide

This guide deals with Jewish law, the religious law of the Jewish people. It does not deal with Israeli law, as that law is the secular law for the State of Israel. Many of the original primary sources are in Hebrew. However, we have tried to find translations of all of these sources.

Primary Sources

The Torah – written in Hebrew, it comprises the First Five Books of Moses (Genesis, Exodus, Leviticus, Numbers, Deuteronomy). It is regarded by Jews around the world to be the primary document of Judaism. It contains not only a listing of laws and commandments, but also a historical description of the beginnings of Judaism.

The Talmud – combining both the Gemara (the Oral Law) and the Mishnah (Rabbinical interpretations of the Gemara). This document touches on many undefined laws in the Torah and gives rabbinical interpretations of these laws.

The Midrash - compilations of laws corresponding to the Written Law of the Torah. Here below are some English translations of the Midrash:

A rabbinic anthology, ed. and trans. by Claude Joseph Goldsmid Montefiore and Herbert Lowe (Philadelphia: Jewish Publication Society of America, 1960).

2. Case law

Many cases on Jewish law have been looked at in the secular courts, especially in the United States. Traditionally, though, in Jewish law, a Beth Din has been used to handle judicial matters.

Beth Din (House of Judgment) – In Jewish Law, rabbinical courts are used to decide personal and communal matters. From family disputes to corporate business practices, the Beth Din uses not only rabbis learned in Jewish law, but also traditional legal experts on its judicial panels. In Canada, there are Beth Dins, however, in Quebec and Ontario their decisions would not be enforced by the courts. On the other hand, in the U.S., Israel and Britain the Beth Din in those countries use practices that are consistent with secular arbitration, and their rulings are enforceable in the secular court system. See below for various websites of Beth Din.

The other “case law” that many may not think of, are the *Responsas*. These are writings of rabbis in response to legal disputes. An example is listed below:

Abelson, Kassel and David J. Fine, eds. *Responsa 1991-2000 – The committee on jewish law and standards of the Conservative movement*. New York: /The Rabbinical Assembly, 2002.

Secondary Sources

Secondary sources include treatises and articles. They not only give a general overview of the law, but also provide citations to legislation and case law.

1. Books

- a. Sinclair, Daniel B. *Jewish Biomedical Law: legal and extra-legal dimensions*. Oxford: Oxford University Press, 2003. Law Library – Call No. KBM 3098 S56 2003
- b. Marx, Tzipi C. *Disability in Jewish Law*. London; New York: Routledge, 2002. Law Library – Call No. BM 540 H35 M37 2002
- c. Isaacs, Ronald H. *Everybody's Guide to Jewish Law*. Northvale, N.J.: Jason Aronson, c2000.
- d. Epstein, Isidore and Judah Jacob Sloki. *The Babylonian Talmud: translated into English with notes, glossary and indices under the editorship of I. Epstein*. (London: Soncino Press, [1961]).

To find more books:

Search the [Osgoode law library catalogue](#): use keyword searches with words like “Jewish and law”. You could also use in the subject field, the words “Jewish law”.

You may also want to try the catalogue at Yeshiva University in New York. This is a university devoted to the study of Jewish life and law. Check the law library of Yeshiva University for books dealing with Jewish law.

2. Journals

Many articles on Jewish law can be found in regular academic journals. However, there are journals that deal specifically with Jewish law. Some of these are listed below:

- a. [Jewish Studies, an Internet Journal](#) – published only online and in full text, has articles on many aspects of Jewish religious life, including Jewish law
- b. *Jewish Law Annual* Law Library Call No. X 381 J37

c. *Jewish Law Report* Law Library Call No. Per J15 1995

York Libraries also subscribes to a service entitled [Index to Jewish Periodicals](#). This is a service that indexes articles from more than 160 journals devoted to Jewish affairs. Coverage goes back as far as 1988.

3. Internet

[Jewish law](#) – this website, designed by Jewish legal professionals, provides an index of Jewish legal articles, Jewish case law by subject matter, and commentary on Jewish legal issues.

[Come and hear](#) – this website, brings together the entire Talmud in its English-translated form. Also has a glossary as well as extensive footnotes describing the meaning of the passages in the Talmud.

[Beth-Din.org](#) – This website has information on the Beth Din of California. The site provides information on the structure of the Beth Din, and the services that it offers, including divorce and conversion.

[Beth Din of America](#) – As with Beth-Din.org, this website has information dealing with the Beth Din, the difference being that this one is out of New York. As well, this Beth Din deals not only with Jewish religious matters, but also with secular financial matters as well.

[Jewish Virtual Library](#) – an online library featuring many different aspects of Jewish Law, Life and Culture. Among its most interesting features is an English translation – verse by verse – of the Torah.

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