

**General Bibliography
And
Booklist**

For

Halakhic Literature Courses

Offered by

**Prof. Passamaneck
HUC - JIR
Los Angeles Campus**

Bibliography and Booklist for Halakhic Literature

(Supersedes Syllabus Lists)

The courses of Prof. Passamaneck

Creation of a book list for halakhic literature is really a forlorn hope. The subject covers a vast area, from the ancient world to the present day, and involves every shade of internal sectarian difference in Judaism for 2000 years. Yet the attempt is worthwhile even if the result proves rather less than comprehensive.

First, I shall present a listing of the relevant texts for the “codes” course, This is just a very basic list divided into general works and works on Reform Jewish Practice. Additional material is also noted.

Then, I shall present a list for the advanced electives in halakhic literature on the Los Angeles campus. This list will key to the previous list. Some works are useful in more than one course.

Finally, there is a series of general works and resources for study and research in halakhic subjects. This section will necessarily be limited since the topic is enormous.

Further, this book list in all its parts will concentrate on English language materials or those that can be used with Hebrew skills expected of second year students. The literature in Hebrew and to a lesser extent in German and other European languages, constitutes a library in itself.

The student should always bear in mind that materials on Jewish law that issue from a particular movement will in many, if not most, cases represent the particular point of view of that movement. This bias may be subtle or overt but it is there. The material should not be considered a genuinely dispassionate presentation. Moreover, most of the scholarship in Jewish law comes from men and women with a rather traditional orientation. Although their adherence to scholarly canons of accuracy and logical analysis, etc. generally overcome personal biases, on occasion they do emerge. This does not necessarily impugn the scholarship, but one still should take such matters into account.

I. RAB 412, 413, TRADITIONAL OPTIONS FOR THE MODERN RABBI (CODES)

This is an introductory course. The works mentioned, however, may be relevant beyond its specific requirements.

There are two areas regularly covered in the course, a third may be added, time permitting. The two areas are death, burial and mourning; and personal status and marriage.

A. General works

1. Solomon Freehof, *The Responsa Literature*, Philadelphia; Jewish Publication Society: Philadelphia, 1955
2. H. Goldwurm, *The Rishonim*, 2nd edition Brooklyn N.Y. Mesorah Publications (articles) 2001
3. N. Hecht et al. *An Introduction to the History and Sources of Jewish Law*, Oxford Clarendon Press 1966
4. Aaron Kirschenbaum, *An Introduction to Jewish Law*, Herzliah, Interdisciplinary Center, 2005. The Kirschenbaum book is a quick overview of Jewish law which also presents a section on the Jewish “moral agenda.”
5. S. Passamaneck, *A Handbook of Post Talmudic Halakhic Literature*, Mimeograph © HUC - LA, 1965.
6. M. Zemer, *Evolving Halakah*, Jewish Lights, 1999

B. Reform Jewish Practice

1. Central Conference of American Rabbis (CCAR), various works
 - a. *Sha'are Mitzvah*
 - b. *Tadrikh L'Shabbat*
 - c. *The Rabbi's Manual*
 - d. *American Reform Responsa (several works)*
2. Solomon Freehof, (in order of publication)
 - a. *Reform Responsa*
 - b. *Recent Reform Responsa*
 - c. *Current Reform Responsa*
 - d. *Modern Reform Responsa*
 - e. *Contemporary Reform Responsa*
 - f. *Reform Responsa for Our Time*

These works were all issued by the Hebrew Union College Press and are out of print. They are available in public libraries and many Rabbis have them among their personal books. The course syllabus notes them as: RR; RRR; CURR; MRR; CONR; FOT.

Note: Many of Freehof's responsa are included in the CCAR publication, above, B, I, d.

3. Norman Lamm, *The Jewish way of Death*.

4. J. D. Schwartz, *Responsa of the Central Conference of American Rabbis 1890 - 1950*. UAHC, 1954.
 5. M. Washofsky, *Jewish Living*, UAHC Press, 2001
 6. M. Washofsky and G. Plaut, *Teshuvot for the Nineties*, CCAR, 1997, especially the introduction
- C. Works on Conservative Jewish Practice appear in the various publications of the Rabbinical Assembly of America the United Synagogue and the Law Committee of the Rabbinical assembly as well as individual authors, e.g., Elliott Dorff.

II. RAB 404, 405; RAMBAM ON REPENTANCE

- A. The general works by Goldwurm and Hecht, et al. noted in IA.
- B. Menahem Elon, *Jewish Law: History, Sources, Principles*, 4 vols. (tr. B. Auerbach and M.J. Sykes.) Philadelphia, Jewish Publications Society of America, 1994 vol 3, chapters 34 - 36 inclusive.
- C. Isadore Twersky, *Rabad of Posquieres*, Cambridge, Harvard University Press, 1962.
- D. There are myriad works on the philosophical work of Moses Maimonides and the student should browse and through the catalog chose three to see what is said about Repentance; and then repeat the process with three more works. This is an opportunity for the student to become familiar with the processes of individual research on a specific topic in classic Jewish philosophy and theology.

III. RAB 510, 511, INTERGENERATIONAL RESPECT

- A. The works noted in IA above particularly Goldwurm and Hecht, *et al.*
- B. Required reading
 1. G.J. Blidstein, *Honor Thy Father and Thy Mother*, New York, Ktav, 1973
 2. Z. Fendel. *Lights of the Exile: Early Acharonim*. New York, NY: Hashkafah Publications, 2001 and Z. Fendel vol. 2 *Later Acharonim*, New York, NY: Hashkafah Publications, 2001
 3. S. Giandes *Coming Home*, New York, Helacorte Press, 1976.
 4. M. Goldberger, *Laws of Kibbud Av V'aim*, New York, Staten Island, 1987

5. E. Grollman, *Caring for your Aging Parents*, Boston, Beacon Press, 1978
6. B.G. Simos, *Intergenerational Relations of Middle Aged Adults with Their Aging Parents*, USC thesis, 1969
7. W. Jacob and M. Zemer, eds., *Aging and the Aged*, Pittsburgh, Rodef Shalom Press, 1998. In IB 2, 5, 6 will also be helpful.

C. A review of the material in IB, 2, 5 and 6 will also be helpful.

IV. JS 506, 507 WORKING WITH RESPONSA (VERY ADVANCED)

- A. The works noted above in IA 1, 2, 3; and II B 2.
- B. Z Fendel, *Masters of the Mesorah : Early Reshonium*, New York, Hashkafa, 2000 and the comparison volume on Late Resbonium.
- C. The specific subject matter of this course changes each time it is offered. Secondary readings will therefore be assigned according to the subject matter under notice, e.g., maritime law.

V. JS 634 (CAPITAL PUNISHMENTS THIS COURSE HAS NOT BEEN ISSUED A RAB 500 SERIES NUMBER)

- A. The works noted in I A 1, 2, 3; 4. IIB as relevant; III B2; IV B.
- B. Secondary works
 1. J. Bazak and S.M. Passamaneck, *Jewish Law and Jewish Life*, New York, UAHK, 1977, book 8.
 2. G. J. Blidstein, *Capital Punishment: The Classic Jewish Discussion in Contemporary Jewish Ethics*, ed. M.M. Keller, New York, Hebrew Publishing Co. 1978.
 3. E. Erez, 'Thou Shalt Not Execute: Hebrew Law Perspective on Capital Punishment,' *Criminology* 19 (1981)
 4. W. Jacob and M. Zemer, eds., *Crime and Punishment in Jewish Law*, New York, Berghan Books, 1999.
 5. J. Kazis, "Judaism and the Death Penalty" see no. 2 this list; this article also appears in that volume.
 6. M. Meiselman, "Capital Punishment in Jewish Law" *Gesher* 8 (1961).

7. S. M. Passamaneck, "R Judah b. Asher on Capital Penalties", *Jewish Law Association Studies VII* (1994).
 8. E. Quint, *A Restatement of Rabbinic Civil Law*, vol. 1, Northvale, N.J. Jason Arpmtpm. 1990. chapter 2.
 9. E. Quint and N. Hecht, *Jewish Jurisprudence*, vol.1, Chur, London, New York Harwood Academic Publishers, 1980, pp. 34-37.
 10. F. Rennie, *The Search for Criminal Man: A conceptual History of the Dangerous Offender*. Lexington MA Health and Co.1978.
- C. Capital Punishment is of course an emotionally charged moral issue in the contemporary world. There is therefore a great number of books and articles on the subject that discuss the moral and ethical aspects of the matter.

Of particular interest to HUC students are the papers and pronouncements of the Central Conference of American Rabbis and the Union for Reform Judaism (particularly the Religious Action Center) on capital punishment. The publications of organizations like "Rabbis for Human Rights" and "B'tselem" may also be useful. The student is however cautioned that these organizations have espoused definite views on the matter and emphasize those views to the exclusion of other possible points of view regarding capital punishment. This material is easily available on line.

VI. THERE ARE FOUR TOOLS THAT THE STUDENT OF HALAKHIC LITERATURE WILL FIND MOST USEFUL, ALTHOUGH EACH HAS ITS WEAKNESSES.

- A. P.H. Weisbard and D Schonberg *The Jewish Law Bibliography of Sources*, Littleton Co, Rothmans, 1989. The work is easy to use but it stops in the late 1980's.
- B. Nahum Rakover, *Multi-Language Bibliography on Jewish Law*, (Jerusalem, Jewish Legal Heritage Society, 1990) and Rakover's *Otzar Hamishpat* (Jerusalem, Harry Fischel Institute, 1975; part II of this work appeared in 1990 published by the Jewish Legal Heritage Society. Again, these works appeared years ago and much has been written and published in the field of Jewish law since. They are however very thorough and well organized.
- C. Alexander Guttman prepared a lengthy bibliography of works on Talmud and related subjects. This is a very good guide to secondary resources, particularly those in German from the earlier decades of the 20th century. It is obviously out of date as far as the present day, but it is more than a historical curiosity: It is most worthwhile for the earlier Wissenschaft scholarship in Talmud.

D. By far the most useful modern tool is the Bar Ilan Responsa Project, which makes accessible online 2000 years of primary rabbinic sources at the touch of a finger. This is a source of riches quite beyond compare in Jewish history. The problem is, however, that the researcher must know exactly what he or she is looking for and must be able to express the matter in rabbinic Hebrew. That is, one may look for an idea or concept, but in order to find it one must know how that idea or concept is phrased in the Talmud or its related literature. For instance, a use of the modern Hebrew term *zechuyot*, meaning “rights”, will yield no results if one is looking for “rights” in the Lockean sense. It simply is not used in that manner. That said, the Bar Ilan Project is a magnificent research engine that is a pleasure to use.