SYLLABUS

This Syllabus is more a guide to the subjects we will study and the order of that study than a fixed schedule. It is not possible to accurately gauge the time we will need on any topic as it varies greatly with the level of class participation. Parts of some subjects may not be discussed in class.

To the extent possible, based on your personal interest(s) and time commitments, your are urged to read the additional materials that have been placed on Reserve and/or that are easily available on the web (including HeinOnline, many with links on the “Course Materials” page on the law school library web site ) as set forth at the conclusion of this Syllabus.

I. Assignments:

Week and Date                  Assignment

1. Jan. 11, 13                 Introductory lectures;
                              Overview discussion of:
                              Talmud (aspects of torts) at p. 28
                              Responsum Zemah Zedek (voting rights) at 47 - 53

2. Jan. 18, 20                 Conclude overview.
                              Environmental Law/ecology: 210 - 28
                              (some supplemental materials will be presented)

3. Jan. 25, 27                 War: Text 229-41
                              Broyde: Fighting the War and Peace etc. (hand-out)
                              Text 241 – 59 (Preemptive War) and, if time permits
                              Kasher: Irregular Wars [Justice, Spring 2010, Supplemental
                              Materials]

4. Feb. 1                      Research Approaches - Amy Burchfield or Laura Ray of
                              our Library Staff

                              Feb. 3                      Stem Cell Research and Genetic Engineering:
                              Text 398- 414

5. Feb 8, 10                   Cloning: Text 415 – 440
                              Aspects of Physicians Obligation: Text 561-69 and/or
                              Medical Resource Allocation: Text 441-55
6. Feb. 15, 17  
Abortion: Text 474 – 509  
Birth Control: Text 351(a) - 365

7. Feb. 22  
No class. Monday schedule.

Feb. 24  
Artificial Insemination/Surrogate Motherhood:
Text 366 -97

8. March 1, 3  
Divorce and the Agunah: Text 289 – 94  
[Supplemental Materials]

9. March 8, 10  
Complete Divorce and Agunah Homosexuality: Text 593 – 629

10. March 15, 17  
No Classes – Spring Break

11. March 22, 24  
Homosexuality: From Supplemental Materials  
Broyde: Bullets That Kill on the Rebound;  
Angel et. al. Where the Bullets Really Go;  
Statement of Principlesnya;  
Press Release and NY Times: Papers presented by Rabbinical Assembly Committee;  
Rabbis Dorff et. al. Homosexuality, Human Dignity & Halakah: A Combined Responsum for the Committee on Jewish Law and Standards.

DRAFT PAPERS DUE NO LATER THAN MARCH 15  
(Slightly earlier than previously indicated due to increase in class size)

12. March 29, 31  
Euthanasia and Related Issues:  
Text 510 - 60

13. April 5, 7  
Euthanasia (con’t): from Supplemental Materials  
Bleich: The Quinlan Case: A Jewish Perspective (From Jewish BioEthics)  
Tendler “So One May Live” Siamese [conjoined]Twins, an unpublished resposnum of Rav Moshe Feinstein

Capital Punishment and Related:  
Rakover, Self Defence and “Necessity” Amendments to the Israeli Penal Law and Their Origins… [Supplemental Materials]
14. April 12, 14
   Capital Punishment (con’t)
   Text: 97 – 118
   Supplemental Materials: Rabbi Judah Son of Asher on Capital Penalties

15. April 19, 21
   Reserved for time to finish the materials set forth above, add additional topics of interest, or meet with students to review status of the research papers.

16. April 26
   Final Papers due by 5:00 P.M.

MAY 2
   LAST DAY TO SUBMIT PAPERS FOR FINAL GRADE. Late papers, unless excused, will be penalized by a grade level per day or any part of a day.

   Extensions: See previously distributed Memorandum of Dec. 20.

Invitation: Each law student (as well as spouse, partner or a person with whom you have a committed relationship – but no children) is invited to join our family at our home to join in our Passover Seder on the evening of April 18. As space is limited we will not have room for all of you – those who respond promptly have priority.
In Syllabus topic order:

Environment:

Berman, Rabbi Saul, Jewish Environmental Values: The Dynamic Tension Between Nature and Human Needs, (in Jewish Virtual Library, from Human Values and the Environment published by the Univ. of Wisc.)

Yeoshua Lieberman, Responsibility of the Firm to the Environment (Jewish Business Ethics, Ch. 6 (1999))

War:

From Justice, Spring 2010 a publication of the Intl Assn of Jewish Lawyers & Jurists:

Asa Kasher, Irregular Wars, and

Rahel Rimon: “Humanitarian Law and Operation Cast Lead” an abstract of the Israel Supreme Court Decision asserting violations of law in regard to the 2008 military campaign in the Gaza Strip.

Cloning:


Artificial Insemination:


Women and the Law:

Michael Berger and Deborah Lipstadt: Women in Judaism From the Perspective of Human Rights [Ch 3 from their Human Rights in Judaism: Cultural, Religious, and Political Perspectives (1996)]

Homosexuality:

Rabbi Leonard Levy: Same Sex Attraction and Halakhah. This is a more traditional approach in a paper submitted to the Rabbinical Assembly Committee on Jewish Law and Standards. Three other papers are also provided.
Suicide:

Resnicoff, Stephen, Jewish Law Perspectives on Suicide and Physician-Assisted Suicide, 13 J. L. and Religion 289 (1998-99)

Capital Punishment/criminal law

Frank Darr, Expanding Implicit Waivers Under Miranda, Ohio Lawyer, Jan/Feb 2011