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Foreword to the Symposium: Jewish Law in Comparative Context

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SYMPOSIUM
JEWISH LAW IN COMPARATIVE CONTEXT
FOREWORD

*Samuel J. Levine**

On September 14, 2020, Touro Law Center, *Touro Law Review*, and the Jewish Law Institute hosted an international conference, “Jewish Law in Comparative Context.” The conference built on the success of previous Jewish Law Institute programs—most recently, the 2019 conference, “Jewish Law and American Law: A Comparative Study.”¹ As in the past, the 2020 conference featured prominent scholars from around the United States and Israel, who addressed areas of comparison between Jewish law and other legal systems.² At the same time, the conference broke new ground for Jewish Law Institute conferences, in both format and content.

Due to the COVID-19 pandemic, the conference, which was originally scheduled for March 2020, was postponed several months and—in a first for the Institute—was conducted as a webinar. Although something is undoubtedly lost when an event is not held in person, something was gained as well, in that the conference attracted a large online audience of participants, most of whom would not otherwise have been able to attend. The content of the conference also took the Institute in new directions, focusing,

* Professor of Law & Director of the Jewish Law Institute, Touro Law Center; Conference Organizer. I once again thank the faculty, staff, and students at Touro Law Center for their support, encouragement, and participation, and the editors and staff of the *Touro Law Review* for their work in organizing the conference and this Symposium Issue.

¹ See *Conferences: Jewish Law in Comparative Context*, TOURO COLLEGE JACOB D. FUCHSBERG LAW CENTER (Sept. 14, 2020), <https://www.tourolaw.edu/Academics/1229>

² See *The Jewish Law Institute*, TOURO COLLEGE JACOB D. FUCHSBERG LAW CENTER, <https://www.tourolaw.edu/Academics/jewish-law-institute> (last visited Jan. 14, 2021).

in part, on issues of disability rights and inclusion in Jewish law and American law,³ as well as the place of Jewish law in the State of Israel.⁴

As such, the conference proceedings included, among other presentations: a morning keynote address by the Honorable Elyakim Rubinstein, former Vice President of the Supreme Court of Israel and former Attorney General of the State of Israel, on “Democracy, Human Rights and the Rule of Law in Israel”; an afternoon keynote address by Professor Stephen Mark Shore on “The 4 A's of Autism: Awareness, Acceptance, Appreciation, and Action as a Pathway to a Fulfilling and Productive Life”; and a panel dedicated to “Disability Access and Acceptance: The Intersection Between Torah and American Justice.”

The panel, organized and moderated by Sharon Shapiro-Lacks, Founding Executive Director of Yad HaChazakah-The Jewish Disability Empowerment Center, featured Rabbi Michael Levy, President of Yad HaChazakah, who delivered the Jewish Law Institute's 2020 Distinguished Lecture: “Leave your Stereotypes at the Door—The Importance of Context in the Halls of Congress and the Garden of Torah.”⁵ Other conference panels addressed various areas of comparison and interaction between Jewish law, American law, and Israeli law, including substantive comparisons, comparative jurisprudence, comparative political theory, and Beth Din in comparative context.⁶

³ The focus on disability rights and inclusion expanded upon a project initiated by the Jewish Law Institute in 2019. See *Disability Rights and Inclusion Project*, TOURO COLLEGE JACOB D. FUCHSBERG LAW CENTER, https://www.tourolaw.edu/Academics/Disability_Rights_and_Inclusion (last visited Jan. 14, 2021).

⁴ The focus on Jewish law in the State of Israel expanded upon a year-long program organized by the Jewish Law Institute and Touro College in the 2018-2019 academic year. See *The Jewish Law Institute Newsletter*, TOURO COLLEGE JACOB D. FUCHSBERG LAW CENTER (Fall 2018), <https://www.tourolaw.edu/jewishlawinstitute/newsletter2018/index.html?page=1>

⁵ The panel also included presentations by Rabbi Shua Mermelstein, J.D., and Rabbi Yoni Mitnick, J.D.

⁶ For the full conference schedule, see *About: Jewish Law in Comparative Context*, TOURO COLLEGE JACOB D. FUCHSBERG LAW CENTER (Sept. 14, 2020), <https://www.tourolaw.edu/AboutTouroLaw/1449>. For video recordings of the conference proceedings, see *Jewish Law in Comparative Context: Part I*, TOURO COLLEGE JACOB D. FUCHSBERG LAW CENTER (Sept. 14, 2020), <https://tourolaw.yuja.com/V/Video?v=1833133&node=6762170&a=2112524045&autoplay=1>, 2021); *Jewish Law in Comparative Context: Part II*, TOURO COLLEGE JACOB D. FUCHSBERG LAW CENTER (Sept. 14, 2020), <https://tourolaw.yuja.com/V/Video?v=1834550&node=6765325&a=1002019741&autoplay=1>.

The articles in this Symposium Issue of the *Touro Law Review* are drawn primarily from the conference proceedings,⁷ with additional contributions on comparative disability rights and inclusion⁸ and comparative Jewish law.⁹ Taken together, the articles in this issue of the *Touro Law Review* represent an important step forward in the ongoing efforts of the Jewish Law Institute to explore the relevance of the Jewish legal tradition to American law and society, and to provide avenues of inquiry for future research and analysis.

⁷ See Adena Berkowitz, *My Body, My Choice: Biblical, Rabbinic and Contemporary Halakhic Responses to Abortion*, 37 TOURO L. REV. (Forthcoming 2021); Amy Birkan, *Inducing Acts in Rabbinic Law*, 36 TOURO L. REV. 873 (2021); Michael J. Broyde & Ezra Ives, *Religious Alternative Dispute Resolution in Israel and Other Nations with State-Sponsored Religious Courts: Crafting a More Efficient and Better Relationship Between Rabbinical Courts and Arbitration Law in Israel*, 36 TOURO L. REV. 901 (2021); Steven F. Friedell, *Jewish Law and the Concept of Negligence*, 36 TOURO L. REV. 943 (2021); Daniel JH Greenwood, *Partnership, Democracy, and Self-Rule in Jewish Law*, 36 TOURO L. REV. 959 (2021); Itzhak E. Kornfeld, *Let the Earth Teach You Torah: Sustainability in Jewish Law*, 36 TOURO L. REV. 1003 (2021); Randy Lee, *Encountering Jonah with Jewish Eyes and Finding Justice in the Belly of a Whale*, 36 TOURO L. REV. 1053 (2021); Rabbi Michael Levy, *Leave Your Stereotypes at the Door: The Importance of Context in the Halls of Congress and Garden of Torah*, 36 TOURO L. REV. 1067 (2021).

The conference proceedings also included introductory and closing remarks by Touro Law Dean Elena Kagan, as well as presentations by the Honorable Louis Kornreich; Professors Ira Bedzow, Mark Graber, Keith Sharfman, and Steven Winter; and J.R. Rothstein, Esq.

⁸ See John Elder Robison, *Was Yosef on the Spectrum? Understanding Joseph Through Torah, Midrash, and Classical Jewish Sources: A Review*, 36 TOURO L. REV. 1097 (2021); Sharon Shapiro-Lacks, *Rights and Obligations: Commemorating the 30th Anniversary of the Americans With Disabilities Act of 1990*, 36 TOURO L. REV. 1101 (2021); Nathan Weissler, *Review of Samuel J. Levine's Was Yosef on The Spectrum? Understanding Joseph Through Torah, Midrash, and Classical Jewish Sources: Urim Publications, Jerusalem, New York*, 36 TOURO L. REV. 1109 (2021).

⁹ See Graham James McAleer, *Witness for the Self: Miranda v. Arizona's Political Theology*, 36 TOURO L. REV. 1079 (2021). This issue includes two other timely articles as well. See Richard C. Cahn, *Restoring Trust in the Judiciary: A Critical, High-Priority Project for the Biden Administration*, 36 TOURO L. REV. 1115 (2021); Jeffrey B. Morris, *In Memoriam, Marvin Schick, Pioneer in the Study of Courts*, 36 TOURO L. REV. 1131 (2021).