

# **Jewish Law**

## **Abstract**

The diploma thesis presents the Jewish law as a juridical system. In the first part it introduces the reader to the concept of halakhah and its content. Then it places the development of the Jewish law in historical context, introducing its evolution from a historical and critical perspective as well as from a traditional halakhic perspective. The thesis divides the Jewish law into biblical and rabbinic law and also captures and further discusses the various characteristics of the Jewish law, which are multivalence, the absence of centralization, the diversity of opinions of halakhic savants and ritual law as a ubiquitous part of legal norms. It also describes the sources of halakhah and presents a selection of the most important literary sources of the Jewish law, together with a brief account of their historical development.

One chapter of the thesis is also devoted to rabbinic hermeneutics. The thesis introduces three concepts of hermeneutical rules called midot. The first one is the seven rules of Hillel, the second one are the thirteen rules of Rabbi Yishmael, and the third concept is the thirty-two rules of Rabbi Eliezer. The thesis demonstrates by examples the application of these rules in the exegesis of biblical legal norms, and thereby also illustrates the concept of the Jewish law as a juridical system and halakhic doctrine as a juridical science.

In the second part of the thesis I analyse the relationship of the Jewish law to the state of Israel. Although Israel is a secular state, orthodox Jews are its influential citizens – both socially and politically. For this reason, there is an influence between the two laws. Halakhah even has a privileged position in some areas of Jewish life (and this includes the lives of secular Jews). In this context, the thesis also examines the scope of the rabbinical courts and their relationship to the secular courts. The importance of the position of the Jewish law in the Israeli society is then illustrated by the scope of the rabbinical courts in areas of family law and by current topics (such as mamzer) which require confrontation with halakhah.

**Key Words:** halakhah, jewish law, rabbinic law, biblical law, Torah, Mishnah, Talmud, midot, agunah, mamzer, mesirah