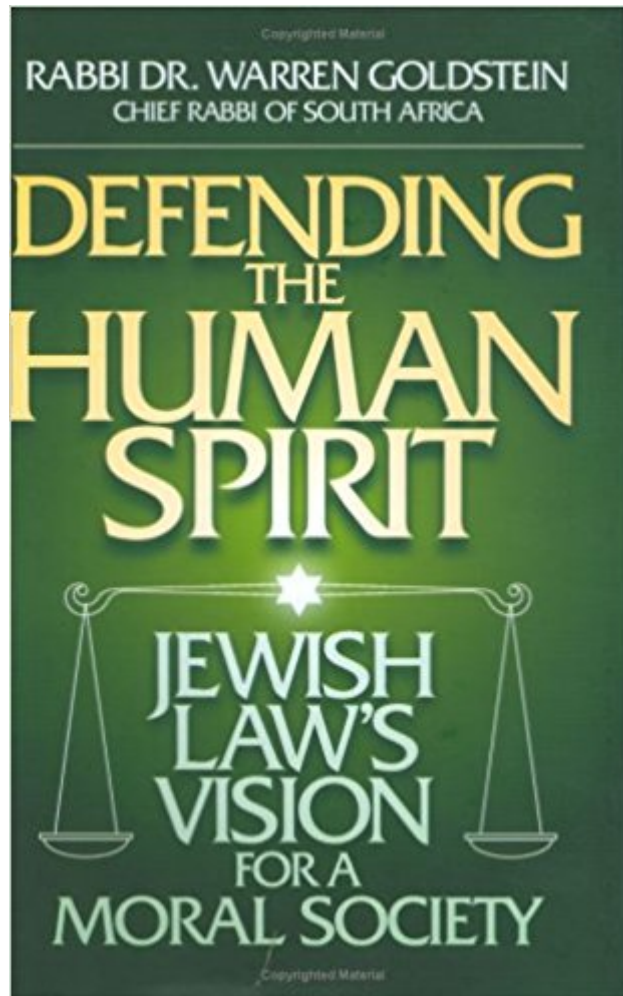




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# Defending The Human Spirit



## Synopsis

For over three thousand years, Jewish law has been defending the human spirit from abuse by the powerful. This book's wide-ranging approach looks at Jewish law's proud record on a number of major human rights issues, from political tyranny to oppression of women to crime and poverty, demonstrating unique Torah insights for Western law and the modern world. Written by the new chief rabbi of South Africa, Rabbi Warren Goldstein, Ph.D., *Defending the Human Spirit* discusses Jewish law's vision for a moral society in the context of real cases and not merely as abstract principles. Western law systems, specifically those of England, the United States and South Africa, are compared and contrasted with the Jewish legal system, showing that Divine and Divinely based Jewish law- Halachah- has always been ahead of its time in the arena of human rights- with Western law systems only just catching up in modern times. Readers will see how Jewish law weaves together the minutiae of detailed laws and the broader principles on which they are based to form a magnificent tapestry, through which society is transformed. Lawyers, law students, and all interested readers will discover the uniqueness of Judaism's approach to both law and ethics- how they are blended together to form the best possible system within which the human race can fully develop into the image of God.

## Book Information

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## Customer Reviews

Today's Moralists all too often come and promote values from the Christian Bible - but has America considered listening to other sources for information? "Defending the Human Spirit: Jewish Law's Vision for a Moral Society" is a look at the Jewish Law's vision for a more moral society, one with a

more optimistic view of the human spirit, and has been ahead of the curve on human rights before, and with ideas still fresh and new to western law. Deftly written and composed by the lead Rabbi of South Africa, "Defending the Human Spirit: Jewish Law's Vision for a Moral Society" is highly recommended for community library Judaic studies collections and with a crossover to law shelves.

The message of the book is that Judaism, with its concern for the powerless, which the author refers to as the "Vulnerability Principle", has shown the way, and only now is Western society catching up with Jewish law. It deals with four areas, political power, oppression of women, criminal justice and finally, poverty and the law. It is seriously misleading in all four areas. I have space only for one illustration of the partial nature of what we are told and have chosen the section on the oppression of women. There is a good summary of the condoning within Western Society of the vile crime of rape in marriage. To the credit of Judaism this has always been a crime in Jewish law. Likewise, Judaism bans the pornographic depiction of women because men should be sexually interested only in their wives. Throughout, Rabbi Goldstein cites the distinguished American feminist MacKinnon as though she would be a fellow spirit, and remarks "In many examples of sexual repression, including pornography and sexual harassment, the views of Jewish law depart from those of Western law and converge with those of modern feminists. The vulnerability principle again forms the basis of a useful explanation of the unusual convergence of "radical" feminism and Jewish law." There is nothing about the history of asymmetry in Jewish marital law. Nor is there mention of Agunot, the refusal of Judaism to allow a woman a divorce if her husband refuses to grant it. A Jewish woman may have been beaten mercilessly daily by her husband, she may have obtained a civil divorce under a proper legal system, and yet under current Jewish law she is not allowed to remarry. It seems sad that what might have been an instructive work is fatally flawed because the author has repeatedly allowed his zeal to override his judgment. Robert Segall

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