**Religion and State**

Updated September 2020

|  |
| --- |
| Almog, Oz. "From 'Our Right over the Land of Israel' to 'Civil Rights' and from 'Jewish State' to 'Lawful State': The Revolution of Law in Israel and Its Cultural Meanings." *Alpaym* 18 (1999): 77-132 (Hebrew). |
| Aloni, Omer. "The Question of Polygamy: Orientalist Reflections in Early Israeli Law and the Fight Against Bigamy and Polygamy." In Heba Yazbak and Liat Kozma eds. *Personal Status and Gender: Palestinian Women in Israe*l. Haifa: Pardes Publishing (2017): 163-200 (Hebrew).  |
| –––––. "Orientalist Reflections in Early Israeli Law: (New) Perspectives on the Issue of Polygamy." *Comparative Legal History* 4(2) (2016): 181-214. |
| –––––. *"For There Is Peace in the Village": Reflections of Orientalist Perspectives in Early Israeli Law* (2012) (unpublished LL.M. thesis, Tel Aviv University) (Hebrew). |
| Barak, Aharon. "The Values of the State of Israel as a Jewish and Democratic State in the Scholarship of Menachem Elon." In Arye Edrei et al. eds. *Studies in Law and Halakhah: Menachem Elon Memorial Volume*. Zafririm: Nevo Publishers (2018): 97-108 (Hebrew).  |
| Barak-Erez, Daphne. *Outlawed Pigs: Law, Religion, and Culture in Israel*. Madison: University of Wisconsin Press (2007).  |
| –––––. "The Transformation of the Pig Laws: From a National Symbol to a Religious Interest?" *Mishpatim: The Hebrew University Law Journal* 33(2) (2003): 403-475 (Hebrew).  |
| –––––. *Milestone Judgments of the Israeli Supreme Court*. Tel Aviv: Defense Ministry (2003) (Hebrew). |
| Bilsky, Leora. *Transformative Justice: Israeli Identity on Trial*. Ann Arbor: The University of Michigan Press (2004). |
| Brown, Benjamin. *The Hazon Ish: Halakhist, Believer and Leader of the Haredi Revolution*. Jerusalem: The Hebrew University Magnes Press (2011) (Hebrew).Chen, Ofer. "Judaism as a Cultural and National Identity in the Teachings of Judge Moses Zilberg, 1948-1970." *Israel: Studies in Zionism and the State of Israel History, Society, Culture* 26(2020): 173-190 (Hebrew).  |
| Chigier, Moshe. "The Rabbinical Courts in the State of Israel." *Israel Law Review* 2 (1967): 147-181.Cohen, Stuart A. "Between the Scroll and the Sword: The Development of Jewish Religious Law Respecting the Military and War in Modern Israel, 1948-2004." *Iyunim Bitkumat Israel* 15 (2005): 239-276 (Hebrew). |
| Davis, Moshe. *Israel: Its Role in Civilization*. New York: The Seminary Israel Institute of the Jewish Theological Seminary of America (1956).  |
| Edrei, Arye. 'I Am Not a Posek?!' – Menachem Elon: A Judge or a Posek Halakhah." In Arye Edrei et al. eds. *Studies in Law and Halakhah: Menachem Elon Memorial Volume*. Zafririm: Nevo Publishers (2018): 45-96 (Hebrew). |
| –––––. "The Historical and Ideological Roots of the Polemic on Conversion (Giyur) in Israel." *Shenaton Ha-Mishpat Ha-Ivri: Annual of the Institute for Research in Jewish Law* 27 (2013): 1-59 (Hebrew).  |
| –––––. "'Are We Responsible for Them': The Controversy over Conversion in Israel." *Akdamot* 24 (2010): 178-209 (Hebrew). |
| –––––. "Holocaust Memorial: A Paradigm of Competing Memories in the Religious and Secular Societies in Israel." *Democratic Culture* 11 (2007): 7-50 (Hebrew).  |
| –––––. "Law, Interpretation, and Ideology: The Renewal of the Jewish Laws of War in the State of Israel." *Cardozo Law Review* 28(1) (2006): 187-227.  |
| –––––. "Divine Spirit and Physical Power: Rabbi Shlomo Goren and the Military Ethic of the Israel Defense Forces." *Theoretical Inquiries in Law* 7(1) (2006): 255-297. |
| Fishbayn, Lisa. "British Colonial Policy and the Construction of Rabbinic Family Law." In Eyal Katvan, Margalit Shilo and Ruth Halperin-Kaddari eds. *One Law for Man and Woman: Women, Rights and Law in Mandatory Palestine*. Ramat-Gan: Bar-Ilan University Press (2010): 199-218 (Hebrew). |
| Friedmann, Daniel. *Before the Revolution: Law and Politics in the Age of Innocence*. Tel Aviv: Miskal - Yedioth Ahronoth Books and Chemed Books (2015) (Hebrew).  |
| –––––. *The Purse and the Sword: The Trials of the Israeli Legal Revolution*. Tel Aviv: Miskal - Yedioth Ahronoth Books and Chemed Books (2013) (Hebrew). [Also published in English (*The Purse and the Sword: The Trials of Israel's Legal Revolution*. Translated by Haim Watzman. Oxford: Oxford University Press (2016))]. |
| Frimer, Dov I. "Israel Civil Courts and Rabbinical Courts Under One Roof (In Response to Prof. P. Shifman)." *Israel Law Review* 24(3-4) (1990): 553-559.  |
| Goitein, Shlomo Dov and Aharon Ben Shemesh. *Muslim Law in Israel*. Jerusalem: The Faculty of Law, The Hebrew University of Jerusalem (1957) (Hebrew). |
| Goldberg, Giora. "Religious Zionism and the Framing of a Constitution for Israel." *Israel Studies* 3(1) (1998): 211-229.  |
| –––––. "'A Jewish Law': The Implementation and Effects of the Law Forbidding Pig-Raising in Israel, 1962-1965." *Cathedra* 141 (2011): 105-132 (Hebrew).  |
| –––––. "Pig Farming in Israel and Its Opponents, 1948-1962." *Cathedra* 134 (2009): 65-90 (Hebrew).  |
| Harris, Ron. *The Israeli Law – The Formative Years: 1948-1977*. Tel Aviv: Hakibbutz Hameuchad (2014) (Hebrew). |
| –––––. "Absent-Minded Misses and Historical Opportunities: Jewish Law, Israeli Law and the Establishment of the State of Israel." In Mordechai Bar-On and Zvi Zameret eds*. Religion and State in Israel, 1948-1967*. Jerusalem: Yad Izhak Ben-Zvi (2002) (Hebrew).  |
| Hofri-Winogradow, Adam S. "The Acceleration of Israeli Legal Pluralism: The Rise of the New Religious-Zionist Halakhic Private Law Courts." *Tel Aviv University Law Review* 34(1) (2011): 47-92 (Hebrew). |
| Hollander, Aviad Yehiel. *The Halachic Profile of Rabbi Shlomo Goren: Studies in the Adjudicatory Deliberations and Modes of Substantiation in his Halakhic Writings* (2011) (unpublished Ph.D. dissertation, Bar-Ilan University) (Hebrew). |
| Ilan, Shahar. *Haredim LTD*. Jerusalem: Keter (2000) (Hebrew). |
| Kaye, Alexander. "Democratic Themes in Religious Zionism." *Shofar: An Interdisciplinary Journal of Jewish Studies* 31(2) (2013): 8-30.  |
| –––––. *The Legal Philosophies of Religious Zionism 1937-1967* (2013) (unpublished Ph.D. dissertation, Columbia University). |
| Kedar, Nir. *Blue and White Law: Identity and Law in Israel: A Century-Long Polemic*. Sede Boker: The Ben-Gurion Research Institute for the Study of Israel and Zionism, Ben-Gurion University of the Negev; Raanana: The Open University of Israel Press; Tel Aviv: The David Berg Foundation Institute for Law and History, Tel Aviv University (2017) (Hebrew).  |
| –––––. *Should Jewish Identity Be Anchored in Israeli Law?* Jerusalem: The Israel Democracy Institute (2015) (Hebrew). |
| Kozma, Liat ed. *Facing the Shari'a Court: Transformations in the Status of Muslim Women in Israel and the Middle East*. Tel Aviv: Resling (2011) (Hebrew). |
| Lahav, Pnina. "A 'Jewish State . . . to Be Known as the State of Israel': Notes on Israeli Legal Historiography." *Law and History Review* 19(2) (2001): 387-434. |
| –––––. "Personal Identity and Collective Identity, Modernity and Jewishness in the Shalit Case." In Menachem Mautner, Avi Sagi and Ronen Shamir eds. *Multiculturalism in a Democratic and Jewish State: The Ariel Rosen-Zvi Memorial Book*. Tel Aviv: Ramot (1998): 409-439 (Hebrew). |
| Lau, Benjamin. *From "Maran" to "Maran": The Halachic Philosophy of Rav Ovadia Yosef*. Tel Aviv: Miskal - Yedioth Ahronoth Books and Chemed Books (2005) (Hebrew).  |
| Lifshitz, Brahyahu. "Israeli Law and Jewish Law – Interaction and Independence." *Israel Law Review* 24(3-4) (1990): 507-524. [Also published in Hebrew (*Mishpatim: The Hebrew University Law Journal* 19(4) (1990): 859-870)]. |
| Likhovski, Assaf. "The Ottoman Legacy of Israeli Law." *Annales de la Faculté de Droit d'Istanbul* 39 (2007): 71-86. |
| Mashiach, Amir. *Rabbi Shlomo Auerbach's Halakhic Philosophy in a Dynamic Era of Socio-Technological Transformation*. Ramat-Gan: Bar-Ilan University Press (2013) (Hebrew).  |
| –––––. "The Polemic Between Menachem Elon and Aharon Barak Concerning the Cultural Identity of Israeli Law." In Arye Edrei et al. eds. *Studies in Law and Halakhah: Menachem Elon Memorial Volume*. Zafririm: Nevo Publishers (2018): 109-130 (Hebrew). |
| –––––. "Liberalism in Israel: Between the 'Good Person' and the 'Bad Citizen.'" *Israel Studies Review* 31(1) (2016): 6-35. |
| –––––. "Liberalism in Israel: 'Good Persons', 'Bad Citizens', and the Conditions of Human Flourishing." *Tel Aviv University Law Review* 36 (2013): 7-79 (Hebrew). |
| –––––. *Law and the Culture of Israel*. Oxford: Oxford University Press (2011).  |
| –––––. *Law and Culture in Israel at the Threshold of the Twenty First Century*. Tel Aviv: Am Oved (2008) (Hebrew). |
| –––––. "The 1990s: Years of Reconciliation?" *Tel Aviv University Law Review* 26(3) (2003): 887-934 (Hebrew).  |
| –––––. "The 1980s: Years of Anxiety." *Tel Aviv University Law Review* 26(2) (2002): 645-736 (Hebrew). |
| Picard, Ariel. *The Philosophy of Rabbi Ovadya Yosef in an Age of Transition: Study of Halakha and Cultural Criticism*. Ramat-Gan: Bar-Ilan University Press (2007) (Hebrew).  |
| Radzyner, Amihai. "Jewish Land Law: One More (Impressive, yet Unsuccessful) Attempt to Insert Jewish Law into Israeli Legislation." *Shenaton Ha-Mishpat Ha-Ivri: Annual of the Institute for Research in Jewish Law* 28 (2015): 239-319 (Hebrew). |
| –––––. "Zion Shall Be Redeemed with Justice: Introduction to the Legal Thought of Shabtai Ben-Dov." *Iyunim Bitkumat Israel: Studies in Zionism, the Yishuv and the State of Israel (Thematic Series)* 10 (2015): 319-355 (Hebrew).  |
| –––––. "Forgotten Basic Elements in 'The Law and Administration Ordinance' and the Covert Struggle over Religion and State in Israel." *Cathedra* 136 (2010): 121-150 (Hebrew).  |
| –––––. "'Jewish Law' Between 'National' and 'Religious': The Dilemma of the Religious-National Movement." *Bar-Ilan Law Studies* 26(1) (2010): 91-178 (Hebrew).  |
| –––––. "Halakha, Mishpat Ivri and the State of Israel." *Justice* *Magazine* 45 (2008): 8-13. |
| Radzyner, Amihai and Shuki Friedman. *The Religious Community and the Constitution: What Can History Teach Us? Research Paper No. 69*. Jerusalem: The Israel Democracy Institute (2006) (Hebrew). |
| Rubinstein, Amnon and Barak Medina. *The Constitutional Law of the State of Israel Book – Volume 2*. Jerusalem: Schocken (1996) (Hebrew).  |
| Shahar, Ido. "Legal Pluralism Incarnate: An Institutional Perspective on Courts of Law in Colonial and Postcolonial Settings." *Journal of Legal Pluralism*65 (2012): 133-163. |
| Shamir, Ronen. "Society, Judaism, and Democratic Fundamentalism – On the Social Roots of Judicial Interpretation." *Tel Aviv University Law Review* 19(3) (1995): 699-716 (Hebrew).  |
| Shetreet, Shimon. *On Adjudication: Justice on Trial*. Tel Aviv: Miskal - Yedioth Ahronoth Books and Chemed Books (2004) (Hebrew).  |
| Shifman, Pinhas. "Family Law in Israel: The Struggle Between Religious and Secular Law." *Israel Law Review* 24(3-4) (1990): 537-552. [Also published in Hebrew *(Mishpatim: The Hebrew University Law Journal* 19(4) (1990): 847-858)].  |
| Shochetman, Eliav. "Israeli Law and Jewish Law – Interaction and Independence: A Commentary (In Response to Prof. B. Lifshitz)." *Israel Law Review* 24(3-4) (1990): 525-536. [Also published in Hebrew (*Mishpatim: The Hebrew University Law Journal* 19(4) (1990): 871-880)]. |
| Stanislawski, Michael S. "A Jewish Monk? A Legal and Ideological Analysis of the Origins of the 'Who Is a Jew' Controversy in Israel." In Eli Lederhendler and Jack Wertheimer eds. *Text and Context: Essays in Modern Jewish History and Historiography in Honor of Ismar Schorsch*. New York: Jewish Theological Press (2005): 548-577.  |
| Triger, Zvi. "Love Has a State: Marriage and Divorce of Jews in the State of Israel." In Orna Ben-Naftali and Hannah Naveh eds. *Law of Love*. Tel Aviv: Tel Aviv University Press (2005): 173-225 (Hebrew). |
| Westreich, Elimelech. "Levirate Marriage in the State of Israel: Ethnic Encounter and the Challenge of a Jewish State." *Israel Law Review* 37(2-3) (2003-2004): 426-499. |
| Yakobson, Alexander and Amnon Rubinstein. *Israel and Family of Nations: Jewish Nation-State and Human Rights*. Tel Aviv: Schocken (2003) (Hebrew).  |
| Yust, Ariav. *The Halakhic Rulings of Rabbi Shaul Israeli in Face of the Jewish National Sovereignty Challenge in the 20th Century* (2010) (unpublished LL.M. thesis, Tel Aviv University) (Hebrew).  |