

Jewish Law, Hasidic Lore, and Hollywood Legend: The Cantor, the Mystic, and the Jurist

Levi Cooper*

Abstract

Cantor Yossele Rosenblatt was offered an opportunity that would make any performer swoon: a star role in the ground-breaking film *The Jazz Singer* (1927). Yet Rosenblatt refused this artistic opportunity of a lifetime. This paper contextualizes Rosenblatt's baffling decision, by exploring one possible relationship between the arts and law; in this case—the art of storytelling and the Jewish legal system. The study demonstrates where the two pursuits tread separate, unlinked paths to a common end. This vector is refracted through the lens of liturgical performances outside the religious synagogue service; specifically the propriety of cantorial concerts featuring prayers from the High Holy Days. This issue is addressed in legal writing and in storytelling, each modality using its own tools to tackle the trend. It is noted that legal systems without effective enforcement mechanisms—such as Jewish law in the late modern period—could use arts as compensatory media for achieving societal order. More significantly, however, arts and law are not umbilically connected; each cultural creation independently strives to fashion society.

Cantor Josef Rosenblatt (1882-1933)—“Yossele” as he was affectionately known—was offered a chance that would make any performer swoon: a role in the 1927 landmark film *The Jazz Singer*. Scholars have probed *The Jazz Singer*, though Yossele's participation has yet to be considered from the perspective of Jewish law and the tradition of storytelling in Jewish culture.¹ This paper refracts Yossele's participation through lenses of law, literature, music, and history. I will spotlight the intersections among different cultural

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¹ For an annotated bibliography, see Krin Gabbard, *The Jazz Singer*, Oxford Bibliographies (<https://www.oxfordbibliographies.com/view/document/obo-9780199791286/obo-9780199791286-0069.xml>).

On Jewish Law Lore

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On Jewish Law and Lore Louis Ginzberg, 1962 **Sacred Secrets** Gershon Winkler, 1998-04-01 By returning to primary source material including the Torah and ancient and medieval rabbinic literature Rabbi Gershon Winkler illustrates the often uninhibited and celebrative attitudes towards sexuality and sensual pleasure found in Jewish teachings Unfortunately Judaism's healthy outlook on human desires and physical enjoyment has been nearly lost after centuries of subjection to host religions and cultures that have all but squelched the notion of sensuality In this fascinating and often surprising volume the myth of a Judeo Christian approach to sex is shattered **On Jewish law and lore ; [essays]**. Louis Ginzberg, 1955

Law, History, and Justice Annette Weinke, 2018-12-17 Since the nineteenth century the development of international humanitarian law has been marked by complex entanglements of legal theory historical trauma criminal prosecution historiography and politics All of these factors have played a role in changing views on the applicability of international law and human rights ideas to state organized violence which in turn have been largely driven by transnational responses to German state crimes Here Annette Weinke gives a groundbreaking long term history of the political legal and academic debates concerning German state and mass violence in the First World War during the National Socialist era and the Holocaust and under the GDR *Law's History* David M. Rabban, 2013 This is a study of the central role of history in late nineteenth century American legal thought In the decades following the Civil War the founding generation of professional legal scholars in the United States drew from the evolutionary social thought that pervaded Western intellectual life on both sides of the Atlantic Their historical analysis of law as an inductive science rejected deductive theories and supported moderate legal reform conclusions that challenge conventional accounts of legal formalism Unprecedented in its coverage and its innovative conclusions about major American legal thinkers from the Civil War to the present the book combines transatlantic intellectual history legal history the history of legal thought historiography jurisprudence constitutional theory and the history of higher education *On Jewish Law and Lore, by Louis Ginzberg. [Preface by Eli Ginzberg.]*. Louis Ginzberg, Eli Ginzberg, 1955 **Folk-lore in the Old Testament** James George Frazer, 1919 Marital Relations in Ancient Judaism Étan Levine, 2009 This volume surveys the legal and literary references to gender sexuality and marital relations found in biblical sources and Rabbinic texts until the end of the Talmudic era c 600 C E Subject areas include Israel's familial historiography kinship and law in biblical Israel gender and status judicial review of law divine covenant and marriage covenant conditions mandating divorce monogamous and polygamous marriage levirate surrogate marriage endogamy and exogamy marital choice marriage and reproduction as religious imperatives the home as a small temple the marital writ for ontological security emotional fidelity the validation of eroticism love's body idealization and aesthetics denial of sexual responsibility as Judaism's original sin sexuality and dignity conjugal rights and responsibilities fertility and infertility contraception and abortion erotic and reproductive techniques menstruation The time to refrain from embracing

the suspected adulteress children and eternity

The Oxford Handbook of Legal History Markus D. Dubber, Christopher Tomlins, 2018-08-02 Some of the most exciting and innovative legal scholarship has been driven by historical curiosity Legal history today comes in a fascinating array of shapes and sizes from microhistory to global intellectual history Legal history has expanded beyond traditional parochial boundaries to become increasingly international and comparative in scope and orientation Drawing on scholarship from around the world and representing a variety of methodological approaches areas of expertise and research agendas this timely compendium takes stock of legal history and methodology and reflects on the various modes of the historical analysis of law past present and future Part I explores the relationship between legal history and other disciplinary perspectives including economic philosophical comparative literary and rhetorical analysis of law Part II considers various approaches to legal history including legal history as doctrinal intellectual or social history Part III focuses on the interrelation between legal history and jurisprudence by investigating the role and conception of historical inquiry in various models schools and movements of legal thought Part IV traces the place and pursuit of historical analysis in various legal systems and traditions across time cultures and space Finally Part V narrows the Handbooks focus to explore several examples of legal history in action including its use in various legal doctrinal contexts

The Impact of Law's History Sarah McKibbin, Jeremy Patrick, Marcus K. Harmes, 2022-03-30 This book considers how legal history has shaped and continues to shape our shared present Each chapter draws a clear and significant connection to a meaningful feature of our lives today Focusing primarily on England and Australia contributions show the diversity of approaches to legal history s relevance to the present Some contributors have a tight focus on legal decisions of particular importance Others take much bigger picture overview of major changes that take centuries to register and where impact is still felt The contributors are a mix of legal historians practising lawyers members of the judiciary and legal academics and develop analysis from a range of sources from statutes and legal treatises to television programs Major legal personalities from Edward Marshall Hall to Sir Dudley Ryder are considered as are landmarks in law from the Magna Carta to the Mabo Decision

The Oxford Dictionary of the Jewish Religion Adele Berlin, 2011 Hailed by Library Journal as the best ready reference access point to the Jewish religion and as essential by CHOICE in its First Edition The Oxford Dictionary of the Jewish Religion has been the go to resource for students scholars and researchers in Judaic Studies since its 1997 publication Now The Oxford Dictionary of the Jewish Religion Second Edition focuses on recent and changing rituals in the Jewish community that have come to the fore since the 1997 publication of the First Edition including the growing trend of baby naming ceremonies and the founding of gay lesbian synagogues Under the editorship of Adele Berlin nearly 200 internationally renowned scholars have created a new edition that incorporates updated bibliographies biographies of 20th century individuals who have shaped the recent thought and history of Judaism and an index with alternate spellings of Hebrew terms Entries from the previous edition have been be revised new entries commissioned and cross references added all to increase ease of navigation research The

Dictionary covers more than three millennia of Jewish religious thought custom law and practice from traditional approaches to Reform Conservative Reconstructionist and post denominational Judaism Brief definitions and longer essays all supplemented with bibliographies enlighten readers about the major figures folklore and events in the history of Judaism throughout the world

Jewish Law Annual Volume 20 Berachyahu Lifshitz, 2013-10-01 Volume 20 of The Jewish Law Annual features six detailed studies The first three articles consider questions which fall under the rubric of halakhic methodology The final three articles address substantive questions regarding privacy cohabitation and medical triage All three methodological articles discuss creative interpretation of legal sources Two Cohen and Gilat consider the positive and forward thinking aspects of such halakhic creativity The third Radzyner examines tendentious invocation of new halakhic arguments to advance an extraneous interest Cohen explores positive creativity and surveys the innovative midrashic exegeses of R Meir Simha Hakohen of Dvinsk demonstrating his willingness to base rulings intended for implementation on such exegesis Gilat examines exegetical creativity as to the laws of capital offenses Midrashic argumentation enables the rabbinical authorities to set aside the literal sense of the harsh biblical laws and implement more suitable penological policies On the other hand Radzyner's article on tendentious innovation focuses on a situation where novel arguments were advanced in the context of a power struggle namely Israeli rabbinical court efforts to preserve jurisdiction Two articles discuss contemporary dilemmas Spira Wainberg consider the hypothetical scenario of triage of an HIV vaccine analyzing both the talmudic sources for resolving issues related to allocating scarce resources and recent responsa Warburg discusses the status of civil marriage and cohabitation vis vis payment of spousal maintenance can rabbinical courts order such payment Schreiber's article addresses the question of whether privacy is a core value in talmudic law does it indeed uphold a right to privacy as recent scholars have claimed The volume concludes with a review of Yuval Sinai's Application of Jewish Law in the Israeli Courts Hebrew

Was 70 CE a Watershed in Jewish History? Daniel R. Schwartz, Zeev Weiss, 2011-11-25 These twenty studies ask whether changes in different fields of ancient Jewish culture were caused by the destruction of the Second Temple in 70 CE what changed for other reasons and what did not change despite that event

Collection of Pamphlets and Articles on the History of the Jewish Community in America, Its Communal and Social Institutions, and Its Role in American Society, 1919

The Documentary History of Judaism and Its Recent Interpreters Jacob Neusner, 2012-07-10 The result for the history of Judaism of a documentary reading of the Rabbinic canonical sources illustrates the working of that hypothesis It is the first major outcome of that hypothesis but there are other implications and a variety of new problems emerge from time to time as the work proceeds In the recent past Neusner has continued to explore special problems of the documentary hypothesis of the Rabbinic canon At the same time Neusner notes others join in the discussion that have produced important and ambitious analyses of the thesis and its implications Here Neuser has collected some of the more ambitious ventures into the hypothesis and its current recapitulations Neusner begins with the article written by Professor

William Scott Green for the Encyclopaedia Judaica second edition as Green places the documentary hypothesis into the context of Neusner's entire oeuvre. Neusner then reproduces what he regards as the single most successful venture of the documentary hypothesis contrasting between the Mishnah's and the Talmud's programs for the social order of Israel: the doctrines of economics, politics and philosophy set forth in those documents respectively. Then come the two foci of discourse: Halakhah or normative law and Aggadah or normative theology. Professors Bernard Jackson of the University of Manchester, England and Mayer Gruber of Ben-Gurion University of the Negev treat the Halakhic program that Neusner has devised and Kevin Edgecomb of the University of California, Berkeley has produced a remarkable summary of the theological system Neusner discerns in the Aggadic documents. Neusner concludes with a review of a book by a critic of the documentary hypothesis.

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Comparative Religious Law Norman Doe, 2018-11-15 Compares the modern legal instruments of Jewish, Christian and Muslim organisations in light of their historical religious laws.

History of Education Levi Seeley, 1899

The Cambridge History of Judaism: Volume 7, The Early Modern World, 1500–1815 Jonathan Karp, Adam Sutcliffe, 2017-11-16 This seventh volume of *The Cambridge History of Judaism* provides an authoritative and detailed overview of early modern Jewish history from 1500 to 1815. The essays written by an international team of scholars situate the Jewish experience in relation to the multiple political, intellectual and cultural currents of the period. They also explore and problematize the modernization of world Jewry over this period from a global perspective covering Jews in the Islamic world and in the Americas as well as in Europe with many chapters straddling the conventional lines of division between Sephardic, Ashkenazic and Mizrahi history. The most up-to-date comprehensive and authoritative work in this field currently available, this volume will serve as an essential reference tool and ideal point of entry for advanced students and scholars of early modern Jewish history.

Jewish Biomedical Law Daniel B. Sinclair, 2003 This text deals with the controversial issues of abortion, assisted reproduction, genetics, the obligation to heal, patient autonomy, treatment of the terminally ill, the definition of death, organ donations and the allocation of scarce medical resources in Jewish law.

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