

Dr. Benjamin Porat

List of Publications

BOOKS

1. [THE PRINCIPLES OF WELFARE REGULATIONS: FROM BIBLICAL LAW TO RABBINIC LITERATURE](#) (Sacher Institute & IDI, 2019, Hebrew)

JOURNALS EDITED

2. [THE JEWISH LAW ANNUAL, Vol. 21](#) (The Institute for Research in Jewish Law, the Hebrew University, 2015)
3. 30 SHENATON HA-MISHPAT HA-IVRI (The Institute for Research in Jewish Law, the Hebrew University, 2018-2019, Hebrew)
4. [29 SHENATON HA-MISHPAT HA-IVRI](#) (with Hanina Ben Menahem and Gideon Libson) (The Institute for Research in Jewish Law, the Hebrew University, 2016-2017, Hebrew)
5. [28 SHENATON HA-MISHPAT HA-IVRI](#) (with Hanina Ben Menahem and Gideon Libson) (The Institute for Research in Jewish Law, the Hebrew University, 2014-2015, Hebrew)
6. [27 SHENATON HA-MISHPA HA-IVRI](#) (with Hanina Ben Menahem and Gideon Libson) (The Institute for Research in Jewish Law, the Hebrew University, 2012-2013, Hebrew)
7. [26 SHENATON HA-MISHPA HA-IVRI](#) (with Hanina Ben Menahem) (The Institute for Research in Jewish Law, the Hebrew University, 2009-2011, Hebrew)

BOOKS EDITED

8. LAW AS RELIGION, RELIGION AS LAW (with David Flatto, Cambridge University Press, to be published in 2021)
9. STUDIES IN LAW AND HALAKHA: MENACHEM ELON MEMORIAL VOLUME (with Arye Edrei, David Gliksberg, Aviad Hacoen and Berachyahu Lifshitz) (2018, Hebrew)
10. [PURSUING JUSTICE: SOCIETY AND ECONOMY IN JEWISH SOURCES](#) (with Hanoch Dagan) (The Israel Democracy Institute, 2016, Hebrew)
11. [IN SEARCH OF SOLIDARITY: AN ISRAELI JOURNEY](#) (with Yedidya Stern) (The Israel Democracy Institute, 2014, Hebrew)
12. [REFLECTIONS ON JEWISH DEMOCRACY](#) (with Avi Ravitzki) (The Israel Democracy Institute & Am Oved, 2010, Hebrew)

ARTICLES IN ENGLISH

13. *Deciding between Contradicting Norms: Rights-Based Law vs. Duty-Based Law and their Social Ramifications* AMERICAN JOURNAL OF COMPARATIVE LAW (to be published in 2021)
14. [Ownership and Exclusivity: Two Visions, Two Traditions](#), 64 AMERICAN JOURNAL OF COMPARATIVE LAW, 147-190 (2016)
15. [Lethal Self Defense against a Rapist and the Challenge of Proportionality: Jewish Law Perspective](#), 26 COLUMBIA JOURNAL OF GENDER AND LAW 123-181 (2013)
16. [Contract to the Detriment of a Third Party: Developing a Model Inspired by Jewish Law](#), 62 U. TORONTO L. J. 347-401 (2012)

ARTICLES IN HEBREW

17. *The Right to a Dignified Living in Light of Jewish Law: Its Constitutional Status*, 51 MISHPATIM (forthcoming)
18. *Evaluating Bodily Injury: Human Nature and Social Structure*, DINE ISRAEL (forthcoming)
19. [Coerced Contracts and Substantive Justice: A Study in Responsa Literature](#), 4 MISHPETEI ERETZ 89-115 (2016)
20. [Good Faith: A Conceptual Comparative Study](#), 45 MISHPATIM 603-651 (2016)
21. [The Philosophy of Jewish Law: A Methodological Reflection](#), 30 DINÉ ISRAEL 179-213 (2015)
22. [Good Faith in the Interpretation of Contract – A Talmudic Study in Comparison with Israeli Law](#), 39 MISHPATIM 419-466 (2010)
23. *The Law of Fraudulent Prices – Fundamentals, Principles and Values*, 4 Keter, 292-502 (2004)
24. [Coercion and the Principle of Justice in Contract Law – A Philosophical-Legal Study in the Subject of 'talyuhu vezabin'](#), 22 DINÉ ISRAEL, 49-110 (2003)
25. [Social Justice as Embodied in the Law of the Jubilee Year](#), 13 AKDAMOT, 77-101 (2003)

CHAPTERS IN COLLECTIONS

26. *Killing a Rapist in Self Defense: a Rule and its Application*, in A BOOK IN HONOR OF ELYAKIM RUBINSTEIN (forthcoming)
27. *Contract to the Detriment of a Third Party*, in Aharon Barak and Yehuda Adar (eds.), A BOOK IN HONOR OF GABRIELLE SHALEV (University of Haifa Press, forthcoming)
28. [Jewish Law in Israel: Future Challenges](#), in Israel Democracy Institute Series of Motions (Israel Democracy Institute, 2016)
29. [The Biblical Socio-Economic Legislation: Fundamental Principles](#), in HANOCH DAGAN & BENJAMIN PORAT (EDS.), PURSUING JUSTICE: SOCIETY AND ECONOMY IN JEWISH SOURCES 274-317 (Israel Democracy Institute, 2016)

30. [*Brotherhood as a Political Metaphor*](#), in YEDIDYA STERN & BENJAMIN PORAT (EDS.) A JOURNEY TO BROTHERHOOD: SOLIDARITY IN ISRAEL 13-71 (Israel Democracy Institute, 2014)
31. [*Charity and Distributive Justice*](#), in 2 WINDOWS ONTO JEWISH LEGAL CULTURE, 43-102 (Hanina Ben Menahem et al. eds., Routledge, 2011)
32. [*Five Jewish Concepts of Israeli Democracy*](#), in BENJAMIN PORAT (ED.), REFLECTIONS ON JEWISH DEMOCRACY 17-27 (Israel Democracy Institute, 2010)

OTHERS

33. [*Jewish Law in Israel: Absorption, Separation or Dialogue?*](#) 85 De'ot (2018)
34. [*The Principle of Participation: The Contribution of Jewish Law to Israeli Supreme Court Ruling*](#), ICON-S-IL BLOG (April 4 2018)
35. [*End-of-life decision making: Rasouli appeal to be heard by Supreme Court of Canada*](#), 78 ESTATES AND TRUSTS REPORTS 180 (with Charles B. Wagner, 2012)
36. [*Scientific Explanations in Jewish Law – Reflections on Avishalom Westreich's Law and Beyond*](#), 26 SHENATON HA-MISHPAT HA-IVRI 237-243 (2009-2011)
37. [*The characteristics of the Egyptian economy during the years of famine*](#), PARSHA SHEET OF THE MINISTRY OF JUSTICE, 456 (2016)
38. [*Killing a Rapist in Self-Defense*](#), PARSHA SHEET OF THE MINISTRY OF JUSTICE, 389 (2011)
39. [*The Jubilee Revolution*](#), PARSHA SHEET OF THE MINISTRY OF JUSTICE, 285 (2007)
40. [*On the Duty to Trade at a Fair Price*](#), PARSHA SHEET OF THE MINISTRY OF JUSTICE, 165 (2004)
41. [*The Foundations of Social Economic Policy*](#), PARSHA SHEET OF THE MINISTRY OF JUSTICE, 85 (2002)