INTRODUCTION

PEOPLE OF THE BOOK: JUDAISM'S INFLUENCE ON AMERICAN LEGAL SCHOLARSHIP

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All artists, including authors and scholars, freely borrow from the cultural landscape in creating their works of art. When an author borrows from the cultural fabric in crafting her work, the unique combination of past efforts and the author's original contributions invests the author's work with its autonomous unique and inviolate stamp. As intellectual property scholar Fred Yen has observed: “Authorship is . . . the conscious and unconscious intake, digestion, and transformation of input gained from the author's experience within a broader society.”

The Jewish tradition is thousands of years old and now more than ever, people from many different backgrounds desire to know what it has to say, particularly in areas that impact society at large such as family law, biomedical ethics, and business practices. Significantly, within the recent past, Jewish law also has become a recognized discipline within the secular legal academy. Yet, the Jewish tradition and culture has played a crucial role in shaping the thinking of legal scholars who work in areas other than Jewish law as their primary academic fields. In order to unbundle the nature of this influence, DePaul's Center for Jewish Law and Judaic Studies (JLJS) sponsored a major academic conference in April 2014, entitled: People of the Book: Judaism and Constitutional Law. The goal of this conference was to feature several of the nation's leading constitutional law scholars addressing how their Jewish backgrounds influenced their perspectives on constitutional law and theory.

Many of the participants of this conference were interested in formalizing their remarks into an essay for publication. As one of the conference organizers, I decided to undertake crafting a

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written symposium based on the original conference. Still, I
decided to tweak the original focus in two important ways. First, I
expanded the focus to include scholars working in disciplines other
than constitutional law in order to gain some additional diversity of
perspective. Second, in light of the reality that life is a journey,
I expanded the focus to include not only the participants’ Jewish
upbringing but also their post-childhood Jewish journeys as
relevant inspiration for their current thinking about legal theory.
Framed in this way, the project includes not only essays by
authors with backgrounds that have been influential but also
essays by contributors whose later years have proven influential in
shaping their work.

The participants include a range of Jewish backgrounds—
from those who admit to being barely Jewish to those raised with
significant Jewish tradition. Their current practices also range
from seemingly secular to strictly Orthodox. Despite these
differences, all of the contributors are identified Jews who believe
their Jewish background and experience have influenced their
legal scholarship significantly. The purpose of this volume is to
bring their experience to a wider audience. The essays also reflect
a range of perspective, both substantively and stylistically. My
vision was to give each author as much free rein as possible in this
regard since this volume is such a unique work. Some essays are
comparable to traditional law review articles in terms of length
and documentation; others are more free form and autobiographical.

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