

## February 20, 2020

### The Caroline Zelaznik Gruss and Joseph S. Gruss Workshop

Time: 12:00pm

Location: Silverman 147

Penn Law welcomes [Dr. Benjamin Porat](#) as the 2019-2020 Gruss Professor of Talmudic Law. Dr. Porat is the Vice Dean and Director of the Israel Matz Institute for Jewish Law and the Joseph H. and Belle Braun Senior Lectureship in Law at the Hebrew University of Jerusalem. He will deliver his second of two Caroline Zelaznik & Joseph S. Gruss programs on Thursday, February 20, 2020, at 12 PM.

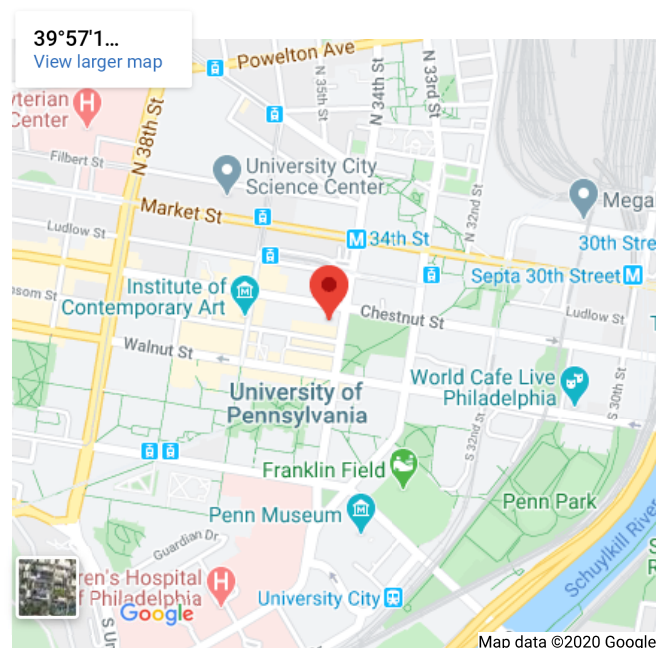
#### Evaluating Bodily Injury: Human Nature and Social Structure

The evaluation of bodily injury is one of the most complicated areas of tort law. How should the value of a human limb be determined, and what are the relevant parameters for doing so?

This question is related to the most basic objectives of tort law, and this arena is one in which corrective justice approaches and distributive justice approaches find themselves in a frontal confrontation. Is it cheaper to injure poor people than rich ones? Is it correct to reduce matters down to viewing human limbs purely as instruments for generating income? Does the human body have an intrinsic value? Certain forms of assessment of bodily injury contribute to the preservation of social gaps, and even to widening them. Other forms of assessment of bodily injury, on the other hand, contribute to narrowing social gaps and promoting the value of equality.

In this workshop, we will compare the approaches of three legal traditions: Roman law, Jewish law, and modern law. As we shall see, each of these three legal traditions developed distinct methods for evaluating bodily injury, which reflect unique conceptions of human nature and social structure. For that purpose, a careful analysis of both monetary damages and non-pecuniary damages according to these legal systems is needed, with emphasis on their socio-economic ramifications. An in-depth examination of the arrangements offered by Roman law, Jewish law, and modern law will lead us towards a deeper understanding of the way each of these legal systems draws the nature of human beings.

Benjamin Porat is a scholar of Jewish law. He is a Senior Lecturer and the Director of the Matz Institute for Research in Jewish Law, at the Faculty of Law, The Hebrew University of Jerusalem. Dr. Porat has served as a visiting professor at Georgetown Law and University of British Columbia. He completed his PhD at the Faculty of Law, The Hebrew University (LL.D. summa cum laude). After completing his doctorate in 2010, he was a Halbert Postdoctoral Fellow at the University of Toronto. Dr. Porat focuses on the areas of theory of Jewish law, contract law, and distributive justice. Dr. Porat is the editor of *Shenaton ha'Mishpat ha'Ivri* and a coeditor of the *Jewish Law Annual*. His works have appeared in numerous publications including *University of Toronto Law Journal*, *American Journal of Comparative Law*, *Columbia Journal of Gender and Law*. Recently he published his new book, entitled "[Justice for the Poor: The Principles of Welfare Regulations from Biblical Law to Rabbinic Literature](#)" (Hebrew). Dr. Porat teaches variety of topics in Jewish Law, including Contracts,



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Theory of Private Law, Jurisprudence, Welfare Regulations, and Methods of Research.

*Lunch will be served. Dietary laws will be observed.*

Register for this event

# Attendees\*:

First name\*:

Last name\*:

E-mail address\*:

Phone:

Penn Affiliation (e.g. L 78, C 97):

Please provide any comments or special instructions for the event organizer below: