

FAITHFULLY OCCUPIED WITH THE PUBLIC NEED

DAVID J. SCHNALL, PH.D.

Herbert Schiff Professor of Management and Administration, Wurzweiler School of Social Work, Yeshiva University, New York

The Talmud and later commentaries devote much discussion to the issues of propriety, competence, and discretion in communal service. Community service is considered a sacred commission to which job security, tenure, and the protection of office are natural concomitants. Yet, because of the trust with which they are ordained, communal employees must be held to higher standards of productivity and competence. They are particularly enjoined to keep confidential the information to which they may have access. Modern conflicts in community management have antecedents in many different Jewish communities over a period of 2,000 years.

The title of this article is drawn from a blessing and supplication recited in most synagogues each week on behalf of those who perform community service. The Lord is called upon to relieve them of hardship and “pay their reward”—perhaps for the abundant hardships they encounter in fulfilling their mission and also as recognition that remuneration for their efforts is rarely adequate to the task.

Given its importance, the tradition goes to some length in detailing and structuring the role of those who embody this public trust as employees of the Jewish community. The Talmud and its interpreters provide us with discussions of propriety, competence, and discretion in communal service, discussions that were later codified and expanded to meet the needs of succeeding Jewish communities. In some ways, Jewish communal workers were held to higher standards of competence and personal conduct than were those in the private sector. Yet, there was an appreciation for their vulnerability, and they were extended a degree of safety and protection otherwise unknown in workplace relationships.

This article explores three aspects of communal employment in classic Jewish thought: (1) job security and the right to organize, (2) quality assurance and accountability, and (3) personal ethics and honesty. Its source is normative talmudic writ and commentary, along with later rabbinic compendia, correspondence, and quasi-judicial rulings. Emphasis is placed upon normative values and judgments, i.e., *halakha* and *p'sak*, rather than homily and moral discourse (*aggadah* and *d'rush*) to help capture a sense of practice and application.

Two caveats, by way of preface. First, early Jewish texts generally presumed an independent Jewish nation, living on its own land with its own public and administrative cadres. Historically, however, this status evolved all too soon into vassal or provincial status during the early talmudic period, then toward the pre-eminence of Diaspora life in Babylonia and the Near East, and later to the emergence of largely autonomous Jewish communities in Christian Europe and the Arab world.

Consequently, arbiters of the tradition, those empowered to interpret its sources, often were required to infer and extrapolate from references and precedents more attuned to general government service. They adduced principles of leadership and communal employment from biblical and talmudic discussions regarding the Israelite King or the High Priest, institutions that

This paper is dedicated to the blessed memory of my beloved mother, Mrs. Chana Schnall. An earlier version was presented at the Third Annual Herbert Schiff Lecture in Management and Administration (Yeshiva University and the Wiener Center of UJA-Federation, July 19, 1994).

had long since passed from the scene. Similarly, rulings about job security were inferred from texts dealing with battlefield commissions and hereditary peerage. It is from this mix of historical experience and contemporaneous petition that something peculiarly Jewish emerges. Notably, these sources have taken new life with the advent of the State of Israel and the renaissance of a Jewish national entity.

Second, Jewish texts frequently do not recognize the disciplinary boundaries applied to contemporary communal service. Their assessments consider those who collect charity, provide social service, care for the infirm, operate communal institutions, and organize responses to such public policy concerns as hostage release or refugee aid. However, they also include religious functionaries (rabbis, cantors, and the like), public health workers, teachers, and public sector employees in such areas as food service or landscaping. The modern category of "communal service" is clearly covered by these provisions, but other professions are included as well. Although this article focuses on the equivalent of contemporary communal service, any study of classic Jewish texts must also refer to related professions and trades that share the public trust by virtue of their locus of employment.

JOB SECURITY AND THE RIGHT TO ORGANIZE

Classic Jewish sources sought to provide protection and security for communal employees who fulfilled their responsibilities competently. In several variant references, the Talmud relates (e.g., *Yoma* 12b, 73a) that among the priestly leaders of ancient Israel there were awarded temporary or emergency commissions that might expire in time. Once so commissioned, however, that individual would retain many prerogatives of office and honor due the appointment because "we increase from a position of authority and do not reduce to a lower authority, for holiness is upgraded and not lowered. We never remove one from a posi-

tion of authority in Israel unless he has offended" (Maimonides, *Klei Mikdash*, 4:21; also *Teshuvot*, Item 111).

The reference is of interest on several grounds. It suggests that there is some sacred quality in service to the public, analogous to the priesthood. Indeed the Hebrew term "Kohen" (priest) literally means one who serves. Maimonides seems to be postulating an early tenure provision for those in a position of authority, absent malfeasance, based on a code of holiness at the core of communal service.

Others concurred, but with different reasons. One sage suggests that absent brazen public malfeasance, communal employees are not subject to removal for fear that they may turn hostile and sin from anger or envy (Rashi, *Menahot*, 109b). However, most saw this provision in another light. Rather than the priesthood of ancient Israel, they sought precedent in a talmudic passage regarding established tradition.

The "pathways of peace" (i.e., personal sensitivity or social ethics) demand that, if a particular household was customarily the storage place for various ritual objects, the site should not be changed, lest suspicion be raised about its members (Tosafot, *Gittin*, 60b). With this as a base, similar concern was expressed for the reputation of communal workers. Removal without cause, especially if no term of employment had been stipulated, might raise suspicion about their competence or their integrity. Therefore, unless malfeasance was proven, their employment should continue indefinitely (Ben-Adret, 5:283; Caro, *Orach Chaim*, Item 53; Ishbili, *Makkot* 13a).

Removing the sanctity of service as a prop for job security opened the door to variations of local custom, however. Thus,

In our age, it is the custom to appoint people over the public need for a time, and when that time has elapsed these leave and others enter in their place...whether they receive salary or they do not, and even if no term was set for them...Since the custom is to change, [concern for] suspicion has disappeared. The

pure for generations have borne the public burden and then have left and others replaced them (Ben-Adret, 5:283).

It is noteworthy that this ruling makes no distinction between volunteers and professionals. All are expected to vacate their positions upon completion of their term or by some other formal arrangement. Later thinkers confirmed this ruling, especially in regard to civil rather than religious communal appointments (Caro, *Orach Haim*, 53:26; Elijah, 53:26; Epstein, 53:26).

Nevertheless, there remains strong sentiment among contemporary religious authorities in support of tenure benefits for Jewish communal workers. Even if their term of employment has expired, they should not be dismissed, absent cause. In addition to the precedent described above, support is marshalled from a broad concern for equity, the financial well-being of the employee, and a general sense that contracts of service are normally renewed (e.g., Feinstein, Item 77; Kagan, 53:86).

Tenure provisions may be relaxed, however, if (1) the demand for service no longer exists, (2) the employee clearly waived the right to tenure, (3) he or she is a front-line worker of little authority, or (4) the employment decision is routine and has no mark of controversy attached (Bleich, 1977, pp. 189-194; Levine, 1980, pp. 52-55; Wahrhaftig, 1969, I, pp. 240-241; Waldenberg, 1985a, III, Item 29).

Analogous to the sanctity it ascribes to the public trust, Jewish tradition also looks upon communal appointment as a form of peerage or royal commission. As such, it passes by a table of succession similar to any other inheritance. Here the model was the king of ancient Israel whom Scripture binds to the ways of the Lord, "so that he have many years in his monarchy, he and his children in the midst of Israel" (Deuteronomy 17:20). From the concluding phrase, classic homily infers and Maimonides rules that "all authority and all appointments in Israel are an inheritance to children and to their children forever"

(*Sifrei*, Deuteronomy 162; Maimonides *Shoftim* 1:7; *Klei Mikdash* 4:20).

The principle is qualified by the appointee's character and competence, the former given precedence on the assumption that competence can be learned but character cannot. In addition, community sensibilities and long-established custom may mitigate a specific appointment (*Ketubot*, 103b; Caro, *Kesef Mishneh: Klei Mikdash*, 4:20; Ben-Adret, I, Item 300; Isserlies, *Yoreh Deah*, 245:22). Succession was later expanded beyond posthumous inheritance. Children were appointed during the lifetime of a parent to assist in cases of illness or advanced age and to assume full responsibility in cases of incapacity (Isserlies, *Orach Haim* 53:25; Kagan, 53:83-84).

Finally, Jewish tradition does not differentiate between public and private employees in regard to their right to organize or bargain collectively. Indeed, the Talmud provides details of an early equivalent to a strike among community servants over issues of ritual responsibility (*Yoma* 38a, *Shekalim*, 14a, *Tosefta Yoma*, 2:5).

Priests of the House of Garmu, charged with baking the "shewbread" for the Holy Temple in Jerusalem, refused a request to train others in their delicate craft. In response, the Sages summoned artisans from Alexandria who were more amenable to their charge. In turn, the House of Garmu refused to report to work. Finding the skills of these early "strike breakers" inadequate to the task, the Sages were forced to double the wages of the Priests of Garmu before they would return to their shift. Although the Talmud records its displeasure with these priests, they were permitted to return to work and to enjoy their new-found affluence with impunity. The case stands as an example of a successful job action by communal employees at least twenty centuries ago.

Modern Jewish authorities have generally confirmed this right to organize, to set and enforce internal standards, and to negotiate with management collectively. They have also permitted strikes, sanctions to en-

sure discipline among workers, union shop restrictions, and penalties against employers who use non-union labor. In this vein, community workers are treated no differently from other employees (e.g. Waldenberg, 1985, II; Item 23). However, particular services carry with them a unique public interest, requiring that they be regulated and curtailed more stringently.

Among religious school teachers, for example, job actions that prevent school authorities from engaging temporary replacements and those substitutes from accepting such assignments are an intolerable interruption of religious instruction and violate the tradition (Feinstein, 1964, Items 58-59). Similarly, physicians and related health care workers are singled out for fear that a cessation of service would create a life-threatening, public emergency. In particular, Israeli religious authorities have vehemently opposed their participation in any work stoppage (e.g., Tkursh, 1963; Yosef, 1981, IV:48).

QUALITY ASSURANCE AND ACCOUNTABILITY

Jewish labor regulation was much concerned with the freedom and discretion of full-time employees. Under limited circumstances, it provided the right of a laborer to rescind contractual relationships even "in midday." Although compensation might be due the employer for loss of income or opportunity, workers retained this basic prerogative for fear that they might otherwise become indentured (*Bava Kamma*, 116b, *Bava Mezi'ah*, 10a; Maimonides, *Sekhirut* 9:4).

In the case of a community employee, however, these rights were restricted in the face of overriding public interest, somewhat similar to limitations placed upon labor actions noted above. An early source tells us, for example, that for those who provide basic and essential public services, "if the time of the festival draws near and he would leave for his home, [the community] may restrain his hand until he appoints another

in his place" (*Tosefta Bava Mezi'ah*, 11:13).

Many Jewish thinkers also held community employees to higher standards of quality and accountability than those common in the private sector. Consider the following:

One who gardens for the state and causes loss, a butcher of the municipality who spoiled [meats], a blood letter who injured, a scribe who voided documents and a teacher who was negligent with children and taught them not or taught them in error, and all other such professionals who cause irretrievable loss, are summarily dismissed. They stand as forewarned that they be cautious in their work, for the public has ordained that they be appointed over them (Maimonides, *Sekhirut* 10:7).

Several points of contention concerned the rabbis in this matter. First, Maimonides offers no definition of "irretrievable loss" or its application. His supporters strain to justify his illustrations as examples of loss that could not be compensated. They argue, for example, that children taught in error must "unlearn" before they can learn correctly, and their loss of time or opportunity cannot be retrieved. Similarly, pain may be compensated, but good health cannot be retrieved, and a householder in need of victuals is poorly served by monetary compensation for meats that were spoiled (*Tolosa*, *Sekhirut*, 10:7; *Tosafot*, *Bava Batra* 21a).

The call for summary dismissal of these workers puzzles the commentaries still more. They ascribe Maimonides' thinking to talmudic precedent in the case of Runia, a gardener who issued a grievance against his dismissal for cause (*Bava Mezi'ah*, 109a; *Bava Batra*, 21b). However, the talmudic analysis seems grounded in the termination for negligence of a privately contracted service. The question seems to turn on the type of damage incurred, i.e., any worker who causes irretrievable loss, the Talmud concludes, may be dismissed without warning. It is Maimonides who adds that such negligence is cause for summary dismissal

only in the public/communal sector—as a function of the special trust invested by the community.

The point is hotly contested. Interlocutors reject Maimonides' distinction between employment sectors, choosing a literal understanding of the talmudic passage and striking a broad claim for general employee accountability and liability (Ben-Asher, *Hoshen Mishpat* 306:12; Ibn-Daud, *Sekhirut* 10:7; Isserlies, *Hoshen Mishpat*, 306:12; Sirkus, *Hoshen Mishpat* 306:12).

Yet, Maimonides is not left unprotected. Supporters explain that a superficial reading of "Runia" is misleading (Caro, *Hoshen Mishpat*, 306:12). The grievance at issue was lodged not against a private employer, but against either a municipal administrator or an angry citizen petitioning for the dismissal of a communal employee. Consequently, Maimonides is correct to assume that the scope of this judgment does not extend to privately contracted labor.

Subsequent adjudication has blunted certain aspects of the controversy and sharpened others. Later authorities suggest, for example, that dismissal without warning is in order only for those with a history of negligence, defined by at least three prior offenses. This principle includes pro bono service as well: incompetent volunteers, those who habitually cause irretrievable loss, are also to be removed summarily.

Further, dismissal from privately contracted services need not carry de-certification, keeping the worker from employment elsewhere. Dismissal from communal service for irretrievable damage, however, may carry suspension of a license for future employment in that field (Epstein, *Hoshen Mishpat* 306:16; Falk-Katz, *Hoshen Mishpat* 306:20; Isserlies, *Hoshen Mishpat*, 306:8; Tolosa, *Sekhirut* 10:7).

STANDARDS OF HONESTY AND PERSONAL ETHICS

Jewish texts deal extensively with the demand for high personal standards of behavior and propriety among those in the com-

munal service. Such individuals were to look upon their positions with reverence and to treat their constituents with utmost respect and deference.

In particular, there was concern for the indiscriminate use of *serarah*, authority or influence, that could easily become willful and arrogant. Based on several talmudic anecdotes (*Rosh Hashana* 17a; *Sanhedrin* 7b; *Kedushin* 70a), Maimonides rules:

An individual may never act with *serarah* over the community, nor in a boorish spirit, but rather with humility and awe...nor may he make light of them even though they be ignorant, nor may he walk upon their heads, even if they be simple and lowly, for they are the children of Abraham, Isaac and Jacob... He must patiently carry the demands of the public as did our master Moses (*Sanhedrin*, 25:1-2).

Note that Maimonides rests his call not upon specific transactions with one constituent or another, but on the mission represented in communal service generally, which is linked to the biblical history of the Jewish people and their glorious ancestry. Later, he warns administrators against public intoxication and generally frivolous behavior, admonishing them never to instill "fear that is not for the sake of heaven." A later authority would rule that long suffering was in order among communal employees, even should their constituents "curse them and stone them" (Ben-Asher, *Hoshen Mishpat*, 8:12).

The rabbis were equally taken with matters of administrative discretion and confidentiality. They were well aware of the broad scriptural exhortations against tale-bearing, rumor-mongering, and slander—ethical principles especially salient in the dense social environment of medieval Jewish life. They appreciated that communal service provided access to sensitive information, the public exposure of which could be damaging even in the absence of malice. Juridical ethics and procedure became the model for behavior here as communal deci-

sions were considered quasi-judicial and carried the power of law. For example, talmudic sources (*Sanhedrin* 29-31) find that once a decision is reached, it would be inappropriate for a judge to tell a litigant: "I supported you but my colleagues opposed, and what should I do that they were in the majority."

In codifying this principle, Maimonides cites a talmudic anecdote in which a scholar was ejected from the study hall for revealing privileged information classified over twenty years earlier. He rules that even the written text of a decision must be handed down anonymously. Only a general reference to any dissent was permissible, in deference to concerns that a misimpression of unanimity violated the demands of simple honesty and candor (*Sanhedrin* 30a; Maimonides, *Sanhedrin*, 22:7-8; Caro, *Hoshen Mishpat*, 19:1-2).

A consistent stream of rabbinic thought was discomfited by this principle of confidentiality, however. There was fear that it might limit the opportunity for redress from erroneous decisions and further contribute to administrative arrogance and abuse. If individual members of a judiciary or, by implication, of a community board or arbitration panel saw good legal cause for reversing the decisions of the majority, were they not duty bound at least to inform the interested parties?

Later rulings accommodated this concern. Dissenters were enjoined from actively soliciting and organizing community opposition to judicial or administrative rulings. However, they could respond to further inquiry and seek reversal if (1) the substance of dissent was in clear reaction to a misinterpretation of the law and not purely a matter of opinion and judgment, (2) they were unsuccessful in correcting the injustice through discreet communication with their colleagues, and (3) there was an available avenue of compensation for the aggrieved (Eisenstadt, *Hoshen Mishpat* 19:1).

Finally, the rabbis were most insistent in seeking to avoid conflict of interest among those entrusted with public funds. The

rules regarding charity administrators and their agents are an apt example of the lengths to which talmudic authorities would go to avoid even the appearance of impropriety. A well-known passage tells us:

The charity fund is collected by two...because we do not place *serarah* upon the community but with two...charity collectors may never separate from each other....If one finds money [while on duty] he should not place it in his purse but put it into the charity box and later remove it at home. Similarly, if one is repaid a debt [while on duty] he should not place it in his purse but put it into the charity box and later remove it at home (*Bava Batra* 8-9).

Once collected, all currency must be recorded "one-by-one," to ensure the honesty of the count. Once distributions to the poor were completed, overage of funds or goods may be transferred or sold. However, administrators and their agents may not be part of any such transaction for the potential conflict it may represent. As tribute to the trust they enjoyed, the Talmud concludes, "We do not audit collectors of charity" for the moneys entrusted to them. Though the entire passage was later codified almost verbatim (Maimonides, *Matanot Aniyim*, 9:8-11; Caro, *Yoreh Deah* 257), one authority suggests that the wise administrator will voluntarily submit to a periodic accounting (Ben-Asher, *Yoreh Deah* 257:4).

Later thinkers were most insistent on the need for a public accounting, however, especially if (1) some public question has been raised regarding the misappropriation of funds, (2) the administrators are paid professionals, or (3) such has become the local custom. In all events, the accounting is a discreet affair, entrusted in the hands of a small committee and attached to a standard review, rather than a random audit (Epstein, *Yoreh Deah*, 257:12; Ha-Kohen, *Yoreh Deah* 257:3; Isserlies, *Yoreh Deah*, 257:2).

Medieval authorities also demanded that contributors take responsibility for their munificence. It was expected that they ex-

ert themselves to ensure that moneys collected on behalf of charity be handled honestly. In discussing the higher levels of charitable giving, Maimonides encourages support for a community fund as an anonymous intermediary between donor and recipient. However, he rules, "A person shall not contribute to a charity fund unless he knows that the appointee [over the fund] is honest, wise and straight, as was Rabbi Hananiah Ben-Tradyon" (*Matanot Aniyim*, 10:8).

The reference is curious. Talmudic anecdote records that Rabbi Hananiah Ben-Tradyon was indeed a local charity administrator (*Avodah Zarah* 17b). In this position, he was responsible for several accounts, including a designated fund for distribution only as part of the Purim celebration. Commentaries differ regarding the details, but he apparently confused this fund with another or with his own money. In either case, he made good on any shortfall, at his own expense and in such manner as neither to embarrass the poor nor the donor. He is held aloft as a model, therefore, less for administrative competence than for exemplary personal integrity.

Later thinkers averred that, in the absence of such a figure, it would be best to seek one who was "wise in the ways of collection" (*Caro, Bet Yosef*, 259:12; *Ibn Zimra, Matanot Aniyim*, 10:8, *Tosafot, Bava Batra* 10a). Tragically, much of this discussion around Rabbi Hananiah Ben-Tradyon has been mooted by history. Today he is known neither for his competence as a communal servant nor for his honesty. Instead, he is remembered among the "Ten Martyrs of Rome," memorialized in the prayer service for Yom Kippur afternoon.

CONCLUSION

The source material presented here allows several inferences about communal service that are relevant to this readership. Consider the perception of communal employment that emerges, particularly in the thinking of Maimonides. Here community

service is a sacred commission, part nobility and part priesthood. Job security, tenure, and the protection of office are natural concomitants to the position. In his words, "for we do not remove one from the holy, whether in the highest court or in the local congregation."

In the United States, by contrast, tenure provisions in public employment are largely based upon the early concerns of reformers about partisanship and the independence of the civil service. Absent such protection, public employees might be subject to untoward political pressure by influential constituents, embroiling them in partisan battles that would render independent administrative judgment impossible.

Even for those who do not fully share Maimonides' vision of the sacred in communal service, consideration is given to the employee's good name, in the spirit of the contemporary concern for public ethics. Removing communal employees, even at term, would make their competence or their honesty suspect, which is intolerable among values deeply rooted in individual responsibility. Yet, when their concerns for personal reputation are blunted by local practice and custom, tenure provisions are relaxed. Quoth Ben-Adret: "Since the custom is to change, suspicion has disappeared." This reflects the pragmatic rationalism that marks Jewish thought in areas extra-ritual.

Regarding the quality of service, Maimonides makes a similar demand that communal employees be held to higher standards of productivity and competence: "for the public has ordained that they be appointed over them." The community may be obliged to protect their jobs and their good name, but the trust with which they are "ordained" obliges them to take care that they cause no harm. They "stand as forewarned" and may suffer summary dismissal and de-certification. Further, those so empowered must treat their constituents gently and with forbearance, recalling that "they are the children of Abraham, Isaac, and Jacob."

Despite concern for the public welfare, members of the community service are not generally enjoined to refrain from job actions or strikes. Like private employees, they are endowed with the general freedom to pursue their rights to organize and to set standards for wages, working conditions, and mutual security. Only recently has the right to strike or to penalize non-union labor in the case of a work stoppage been curtailed and then by industry, e.g., teachers and health professionals regardless of agency jurisdiction.

However, there is little doubt that the personal demeanor and honesty of communal workers are held to high standards. Much concern is expressed over the potential for communal administrators to abuse their discretion, to treat their constituents with arrogance and disdain. They are enjoined to hold their counsel, always aware that the information to which they have access is sensitive and potentially damaging if treated irresponsibly. This, of course, is added to more general warnings in regard to the dangers of gossip and rumor.

The special care taken to reduce even the appearance of conflict in areas of public levy has particular relevance. In the recent past there has been public scandal among those entrusted to raise and distribute charitable funds for both Jewish and non-sectarian constituencies. It might be well to resurrect the model of Rabbi Hananiah Ben-Tradyon in the field of philanthropic administration. Though tragic, he stands as an example of a communal executive with admitted imperfections, whose commitment to principle and to the welfare of his charges was impeccable.

All that has been said suggests that Jewish tradition is no monolith: for each position, there is an opposition; for each text, a counter-text. Scholars may assign political, social, economic, and historical reasons for this diversity, but classic Jewish study tends toward studied ahistoricity. At least formally, it favors juridical positioning: the analysis of an argument upon its merits and regardless of its context. The resultant con-

sideration for minority opinion and nuance has stood the tradition well in both hospitable and hostile environs, providing precedent for change while still maintaining fluency with the past.

Evidently, modern conflicts in community management have their analogue in very different societies over a period of some two millennia. Social, political, and technological change notwithstanding, concerns for ethics, quality and productivity, job security, and continuity in office survive the centuries and retain much of their former edge. Less a guide for contemporary practitioners, perhaps there is some consolation in knowing that the tensions they face are not dissimilar to those prevalent in Talmudic or medieval times.

ACKNOWLEDGMENTS

The author wishes to express his appreciation to the Memorial Foundation for Jewish Culture, for their generosity in support of the research, and to the Hastings Center for the Study of Ethics and the Professions, for providing him the venue to complete the work, as Visiting Scholar during the Spring of 1995.

REFERENCES

English Language

- Bleich, J. David. (1977). *Contemporary halachic problems*. New York: Yeshiva University Press.
- Cohen, Stuart. (1990). *The three crowns: Structures of communal discourse in early rabbinic society*. Oxford: Cambridge University Press.
- Cover, Robert. (1987). *Obligation: A Jewish jurisprudence of the social order*. *Journal of Law and Religion*, 5, 65-90.
- Elazar, Daniel. (1981). *The Kehillah: From its beginnings to the end of the modern epoch*. In Sam Lehman-Wilzig and Bernard Susser (Eds.): *Comparative Jewish Politics: Public Life in Israel and the Diaspora*. Jerusalem: Bar-Ilan University Press.

- _____. (1983). *Kinship and consent: The Jewish political tradition and its contemporary uses*. Lanham: University Press of America.
- _____. (1985). *The Jewish polity: Jewish political organization from biblical times to the present*. Bloomington: Indiana University Press.
- Elon, Menahem. (1975). *Principles of Jewish law*. Jerusalem: Keter.
- Levine, Aaron. (1980). *Free enterprise and Jewish law*. New York: Yeshiva University.
- _____. (1993). *Economic policy and Jewish law*. New York: Ktav.
- Rakover, Nahum. (1987). Ethical standards for public servants in Jewish law. *Jewish Law Association Studies*, 3, 41-57.
- Shilo, Shmuel. (1978). On one aspect of law and morals in Jewish law: "Lifnim Meshurat Hadin." *Israel Law Review*, 13, 359-390.
- Stone, Suzanne L. (1993). In pursuit of the counter text: The turn to the Jewish legal model in contemporary American legal theory. *Harvard Law Review*, 106(4), 813-894.
- Tamari, Meir. (1990). Ethical issues in bankruptcy: A Jewish perspective. *Journal of Business Ethics*, 9(10), 785-789.
- Wolkinson, Benjamin. (1977). Labor and the Jewish tradition—A reappraisal. *Jewish Social Studies*, 40(3-4), 231-238.
- Hebrew Language**
- Ben-Adret, Rabbi Shmuel (Spain, 1235-1310). *Hidushei Ha-Rashba* (1963). Jerusalem: Moznon. 3 Vol.
- _____. *Shelot U'Teshuvot Ha-Rashba* (1958). B'nai B'rak: Gittler. 6 Vol.
- Ben-Asher, Rabbi Yacov (Spain, 1270-1340). *Tur:Shulhan Arukh* (1954). New York: Peninim Publishers. 7 Vol.
- Ben-Meir, Rabbi Shabbetai. Ha-Kohen (Lithuania, 1621-1622). *Siftei Kohen*. Caro, *Shulhan Arukh: Yoreh Deah*. Jerusalem: Hatam Sofer Institute.
- Ben-Nachman, Rabbi Moshe (Spain, 1194-1270). *Hidushei Ha-Ramban: Bava Batra* (1975). Jerusalem: Or Olam.
- Ben-Yehiel, Rabbi Asher (Germany and Spain, 1250-1327). *Hidushei Ha-Rosh. Talmud Bavli* (1974). New York: MP Press.
- Caro, Rabbi Yosef (Palestine, 1488-1575). *Beit Yosef*. Ben-Ashet, *Tur Shulhan Arukh* (1954). New York: Peninim Publishers.
- _____. *Kesef Mishneh. Yad Ha-Hazakah* (1986). Brooklyn: Moriah Press.
- _____. *Shulhan Arukh* (1965). Jerusalem: Hatam Sofer Institute, 10 Vol.
- Eisenstadt, Rabbi Avraham. (Lithuania, 1813-1868). *Pithei Teshuva. Shulhan Arukh: Hoshen Mishpat* (1965). Jerusalem: Hatam Sofer Institute, 10 Vol.
- Elon, Menahem. *Ha-Mishpat Ha-Ivri: Toldotav, Mekorotav, Ik-Ronotav* (1978). Jerusalem: Hebrew University. 2 Vol.
- Epstein, Rabbi Jehiel. (Russia, 1829-1908). *Orekh Ha-Shulhan* (1987). Jerusalem: Wagshall. 8 Vol.
- Falk-Katz, Rabbi Joshua (Poland, 1555-1614). *Sefer Me-irat Aynayim*. Caro, *Shulhan Arukh: Hoshen Mishpat*. Jerusalem: Hatam Sofer Institute.
- Feinstein, Rabbi Moshe (United States, 1895-1992). *Iggerot Moshe: Hoshen Mishpat* (1964). Brooklyn: Moriah.
- Gerondi, Rabbi Nissim (Spain, 1310-1375). *Hidushei Ha-Ran. Talmud Bavli* (1974). New York: MP Press.
- Humash: Mikraot Gedolot* (1971). New York: Friedman Publishers.
- Ibn-Daud, Rabbi Avraham (France, 1125-1198). *Hasagot Ha-Ravad*. Ben-Maimon, *Yad Ha-Hazakah*. Brooklyn: Moriah Press.
- Ishbili, Rabbi Yom Tov (Spain, 1250-1330). *Hidushei Ha-Ritva* (1967). Jerusalem: Am Olam. 6 Vol.
- Isserlies, Rabbi Moshe (Poland, 1525-1572). *Haggaoth Ha-Rama*. Caro, *Shulhan Arukh*. Jerusalem: Hatam Sofer Institute.
- Kagan, Rabbi Israel Meir (Lithuania/Poland, 1838-1933). *Minshnah Berurah* (1974). Brooklyn: Moriah. 6 Vol.
- Kook, Rabbi Abraham (Palestine, 1865-1935) cited in Rabbi Kasriel Tkhursh (1963). *Dinei Shevitot Be-Halakha. Shana Beshana*, 241-2.

- Maimonides, Rabbi Moshe (Egypt, 1135-1204).
Teshuvot Ha-Rambam (1986). Jerusalem: Mass.
- _____ *Yad Ha-Hazakah* (1986). Brooklyn: Moriah Press. 6 Vol.
- Schick, Rabbi Moshe (Hungary, 1807-1879).
Teshuvot Ma-Haram Schick: Hosehn Mishpat (1972). Jerusalem: Schick.
- Sirkus, Rabbi Yoel. (Poland, 1561-1640).
Hidushei HaBakh. Ben-Asher, Tur Shulhan Arukh. New York: Peninim Publishers.
- Talmud Bavli* (1974). New York: MP Press. 20 Vol.
- Tkhursh, Rabbi Kasriel (1963). *Dinei Shevitot Be-Halakha. Shana Be-Shana*. 241-262.
- Tolosa, Rabbi Vidal (Spain, late 14th century).
Maggid Mishneh. Ben-Maimon, Yad Ha-Hazakah. Brooklyn: Moriah Press.
- Wahrhaftig, Shillem. *Dinei Avidah Be-Mishpat Ivrei* (1969). Tel Aviv: Moreshet. 2 Vol.
- Waldenberg, Rabbi Eliezer (Israel, 1917-). *Ziz Eliezer* (1985). Jerusalem: Waldenberg. 10 Vol.
- Yosef, Rabbi Ovadia (Israel, 1920-). *Shelot U'Teshuvot Yechaveh Da'At* (1981). Jerusalem: Or HaMizrach. 5 Vol.
- Zevin, S. Y. (1973). *Hezkat Serarah*. In *Encyclopedia Talmudit*. Jerusalem: Rabbi Herzog Institute, 14:346-373.