

CONTENTS

Contributors ix

Prologue xix

Acknowledgments xxi

Introduction 3
Aaron Levine

I. Economic Theory in the Bible

1. The Right to Return: The Biblical Law of Theft 29
Eliakim Katz and Jacob Rosenberg
2. Eliezer the Matchmaker: Ethical Considerations and Modern Negotiation Theory 42
Aaron Levine
3. Land Concentration, Efficiency, Slavery, and the Jubilee 74
Jacob Rosenberg and Avi Weiss

II. Economic Theory in the Talmud

4. Risk and Incentives in the *Iska* Contract 91
Jeffrey L. Callen
5. Externalities and Public Goods in the Talmud 107
Ephraim Kleiman
6. An Extended Talmudic Search Model 127
Yehoshua Liebermann
7. Optimal Precautions and the Law of Fire Damages 146
Jacob Rosenberg

8. Valuation in Jewish Law 168
Keith Sharfman
9. Could What You Don't Know Hurt You? Information Asymmetry
in Land Markets in Late Antiquity 182
P.V. (Meylekh) Viswanath and Michael Szenberg

III. Jewish Law, Ethics, and the Modern Society

10. Hetter Iska, the Permissible Venture: A Device to Avoid the
Prohibition Against Interest-Bearing Loans 197
J. David Bleich
11. Ethical Demands on Creditors in Jewish Tradition 221
Yoel Domb
12. The Jewish Prohibition of Interest: Themes, Scopes, and
Contemporary Applications 239
Daniel Z. Feldman
13. Interloping Behavior in the Marketplace in Jewish Law 255
Howard Jachter
14. Principles of Ethical and Communal Investment in Judaism:
A Jewish Law Approach 269
Asher Meir
15. The Art of Moral Criticism: Rebuke in the Jewish Tradition
and Beyond 295
Moses L. Pava
16. "Know Before Whom You Stand": Trust, the Marketplace,
and Judaism 307
Jonas Prager
17. Payment for Organ Donation in Jewish Law 324
Fred Rosner and Edward Reichman
18. The Theory of "Efficient Breach": A Jewish Law Perspective 340
Ronald Warburg

IV. Economic Public Policy and Jewish Law

19. Public and Private International Law From the Perspective of Jewish Law 363
Michael J. Broyde
20. Jewish Environmental Ethics 388
Yehuda L. Klein and Jonathan Weiser
21. The Global Recession of 2007–2009: The Moral Factor and Jewish Law 404
Aaron Levine
22. The Employee Free Choice Act, Unions, and Unionizing in Jewish Law 429
Dani Rapp
23. Rabbinic Responses to Rapid Inflation in Israel, 1973–1985 445
Daniel Schiffman
24. Jewish Ethics, the State, and Economic Freedom 468
Meir Tamari

V. Comparative Law Studies Relating to Economic Issues

25. Economic Substance and the Laws of Interest: A Comparison of Jewish and U.S. Federal Tax Law 479
Adam Chodorow
26. Transfer of Ownership in E-Commerce Transactions from the Perspective of Jewish Law: In Light of Israeli and American Law 499
Ron S. Kleinman and Amal Jabareen
27. The Jewish Guarantor and Secular Law: Stumbling Blocks and Their Removal 523
Roger Lister

VI. Judaism and Economic History

28. Babylonian Jews at the Intersection of the Iranian Economy and Sasanian law 545
Yaakov Elman

-
29. Coins and Money in Jewish Law and Literature: A Basic Introduction and Selective Survey 564
Laurence J. Rabinovich
 30. Economics and Law as Reflected in Hebrew Contracts 584
Yosef Rivlin
 31. Talmudic Monetary Theory: Currency in Rabbinic Halakhah 605
Lawrence H. Schiffman

VII. The Economics of Judaism

32. The Economic Progress of American Jewry: From Eighteenth-Century Merchants to Twenty-First-Century Professionals 625
Barry R. Chiswick
33. How Economics Helped Shape American Judaism 646
Carmel Ullman Chiswick

Glossary 663

List of Abbreviations 673

Name Index 675

Subject Index 685