

2 Ethics Taxonomy Dimension 1: Philosophy and Spirit

2.1 Issue 1: Corporate Mission, Vision, and Values

2.1.1. *The Philosophy of a Corporation and that of its Leaders*

The codification of corporate mission, vision, and values statements has become an increasingly prevalent norm, helping corporations with the integration and alignment of decentralized organizations⁶⁹ while simultaneously enabling the coordination of a multitude of individuals from diverse backgrounds.⁷⁰ Just as with any other organization, corporations benefit from imbuing their members with a unified sense of purpose, with common aspirations, and with shared beliefs, and these are primarily expressed by means of mission, vision, and values statements, respectively. These statements can be viewed as a corporation's philosophy,⁷¹ of which the shaping and reinforcing has consequently become a core function of management.⁷²

The relationship between a manager's personal philosophy and that of the corporation for which he works can be symbiotic.⁷³ For example, Jochen Zeitz, Director of the luxury goods holding company Kerin (formerly PPR) and Chairman of its board's sustainable development committee, is a vocal supporter of concepts such as environmental sustainability and humane workplace con-

69 Collins, James C./Porras, Jerry I., Organizational Vision and Visionary Organizations, in: California Management Review, Vol. 34, No. 1, Berkeley, CA, 1997, p. 234.

70 Wieland, Josef, Formen der Institutionalisierung von Moral in amerikanischen Unternehmen. Die amerikanische Business-Ethics-Bewegung: Why and how they do it, Bern, 1993, p. 5.

71 It is important to differentiate corporate from academic philosophy. The former primarily involves the instrumental development of values, norms, and beliefs to guide organizational and individual business conduct rather than the latter's focus on scholarly research, publication, and teaching.

72 Ulrich, Peter/Fluri, Edgar, Management, Bern/Stuttgart, 1992, p. 17.

73 For practical purposes, this book uses masculine forms but intends to be gender-neutral, unless stated otherwise.

ditions.⁷⁴ These concepts are, in turn, elements of the PUMA Vision program, an ethical framework serving as the foundation of the sportswear company Puma's institutionalized values.⁷⁵ Zeitz, who began his Puma career at the age of twenty-five and led the company out of near bankruptcy to then transform it into the world's third largest sportswear corporation as its Chairman and CEO,⁷⁶ publicly displays integrity between his personal and corporate philosophy.⁷⁷ Such congruence can work both ways: with a manager's personal philosophy influencing that of the corporation, and with an organizational philosophy influencing that of a manager. A further case in point is Sir Richard Branson, founder and Chairman of the branded venture capital conglomerate Virgin Group, whose fun-loving and risk-taking image is a key success factor for the group's companies, which communicate values such as "we're not afraid to think differently" and "fun is the secret of Virgin's success."⁷⁸

Conversely, a perceived incongruence between corporate and personal philosophy can damage both a career as well as a company. Take so-called sex scandals for instance. Lord John Browne, former group CEO of the oil conglomerate BP and responsible for rebranding the group as a sustainable energy company,⁷⁹ resigned amidst allegations of misappropriating company funds to support a male lover he was in a secret relationship with, regarding whom he admitted to have

74 In addition to his philanthropic activities and publicity work, Zeitz emphasizes these concepts in his business ethics bestseller *Gott, Geld und Gewissen*. Mönch und Manager im Gespräch, Münsterschwarzach, 2010, in which he engages in a dialogue with the Benedictine cellarer and author Anselm Grün. Zeitz is also a co-founder and co-chair with Richard Branson of the B Team, a prominent initiative whose stated mission is to "create a future where the purpose of business is to be a driving force for social, environmental, and economic benefit." (<http://bteam.org/about/vision/>)

75 Puma Sustainability, http://about.puma.com/?page_id=10.

76 Böll, Sven, Ende einer Ära. Puma-Chef Zeitz hat nach 17 Jahren genug vom Tagesgeschäft, in: Spiegel Online, October 18th 2010, <http://www.spiegel.de/wirtschaft/unternehmen/0,1518,723683,00.html>.

77 An anecdote supporting the frequently postulated notion that "doing good is good business," i.e., that management ethics can influence purchasing decisions and hence the bottom-line, was shared by my advisor Ronen Reichman, who having read about Zeitz's integrity in a first draft of this chapter noticed an increased motivation within himself to choose Puma sneakers for his son when they were shoe-shopping together.

The following paper contains a literature review regarding the question of whether and how consumers are willing to incorporate ethical considerations into their product purchase decisions and already concluded over a decade ago that there is "by now little doubt that business ethics do indeed figure significantly" into these decisions: Crane, Andrew, Unpacking the Ethical Product, in: *Journal of Business Ethics*, Vol. 30, Issue 4, April 2001, pp. 361-373.

78 About Virgin, <http://www.virgin.com/about-us/>; Virgin Media Vision and Values; <http://careers.virginmedia.com/about/our-vision-values.html>.

79 Exemplified by the "beyond petroleum" slogan and the green flower logo introduced by Browne.

made “untruthful” statements in court.⁸⁰ While perjury can harm anyone’s career, a leader who heads a company branding itself with a green image and a “responsibility to set high standards: to be ... committed to integrity,”⁸¹ is especially prone to damaging accusations of hypocrisy and an ensuing breakdown of trust.⁸² Such is also the case with Dov Charney, founder and CEO of the clothing company American Apparel, which developed its supposedly fairer treatment of workers into a unique value proposition with advertising claims such as “sweatshop free.”⁸³ This marketing strategy may have backfired as numerous former employees filed sexual harassment lawsuits against Charney⁸⁴ and questionable employment practices were made public,⁸⁵ which is perhaps why the company no longer emphasizes superior working conditions to sell its products.⁸⁶

The demanded congruence between corporate philosophy and personal conduct implies that managers must either believe in their corporation’s existing mission, vision, and values or they must shape these according to their own beliefs. Otherwise, both cognitive dissonance and accusations of lacking integrity are likely to arise. The resulting dilemma hence requires managers to assimilate into their corporate philosophy, or else to adapt it to suit their own. Yet in order to determine whether a particular corporate philosophy is sound, and in order to be capable of developing a compelling new one, managers need their own views about the ideal purpose, aspirations, and values of business in general. One possible source to inform and inspire such views is the Talmud.

80 BBC News, BP Chief Executive Browne Resigns, London, May 1st, 2007, <http://news.bbc.co.uk/2/hi/business/6612703.stm>.

81 BP Code of Conduct, <http://www.bp.com/sectiongenericarticle.do?categoryId=9003494&contentId=7006600>.

82 As reflected by the words of Justice Eady, judging Browne’s case: “I am not prepared to make allowances for a ‘white lie’ told to the court in circumstances such as these - *especially by a man who prays in aid of his reputation and distinction* [emphasis added; nk], and refers to the various honours he has received under the present government, when asking the court to prefer his account of what took place.” Cited in: The Guardian, BP’s Browne Quits Over Lie to Court About Private Life, London, May 2nd, 2007, <http://www.theguardian.com/business/2007/may/02/media.pressandpublishing>.

83 See <http://www.shop-in-paris.com/shops/american-apparel-saint-honore/> for a photograph of an American Apparel retail store featuring this claim on its façade.

84 For the most recent of these charges, see Chang, Andrea, Ex-American Apparel Worker Accuses CEO of Forced Sex, in: Los Angeles Times, Los Angeles, CA, March 8th, 2011.

85 For an overview of these practices, see Yang, Xifan, Das Ende der Coolness, in: Süddeutsche Zeitung, May 16th 2010.

86 American Apparel. Our Workers, <http://americanapparel.net/contact/ourworkers.html>.

2.1.2. *The Discovery of Faithful and Graceful Business*

The business ethics literature has thus far not yet developed a single contribution that examines how corporate mission, vision, and values might be informed by Jewish traditions.⁸⁷ This is both unfortunate and surprising given how important the management task of shaping corporate philosophy is and given that there are important Jewish traditions relevant for this task. The following exposition intends to fill the resulting gap and does so primarily by means of two talmudic passages.⁸⁸

In typical dialectical manner, two of the most interesting traditions of the Talmud on how to conduct business and which role economic activity plays in a life well lived feature in the tractate dealing with the weekly period of hallowed repose from all business activity. Nestled between mishnaic norms on how to properly observe the Shabbat, the homiletic teaching of Rava on bShab 31a and the *aggadic* narrative of R. Shimon b. Yochai two folios further on in the second longest tractate of the entire Talmud⁸⁹ offer thought-provoking and inspiring perspectives on the meaning of labor, business, and the economy in the context of life and society. These traditions will now be analyzed in turn and in depth.

87 A number of articles have been written about how “Jewish values” have influenced individual businessmen, most notably Aaron Feuerstein of the textile company Malden Mills, who after a fire had burned down his factory explained his decision to continue paying the salaries of his workers without a legal obligation to do so with his adherence to Jewish values (see, for instance the following three articles in the *Journal of Business Ethics*: Van Buren, Harry J., Acting More Generously Than the Law Requires: The Issue of Employee Layoffs in *Halakhah*, Vol. 19, No. 4, 1999, pp. 335-343; Seeger, Matthew W./Ulmer, Robert R., Virtuous Responses to Organizational Crisis: Aaron Feuerstein and Milt Colt, Vol. 31, No. 4, 2001, pp. 369-376; Bandsuch, Mark R./Cavanagh, Gerald F., Virtue as a Benchmark for Spirituality in Business, Vol. 38, No. 1-2, 2002, pp. 109-117.) Yet these works do not explicitly study textual traditions, let alone talmudic ones, but rather base themselves primarily on anecdotes of the values with which Feuerstein was raised and which he subsequently continued to hold dear. Moses Pava has authored a paper whose purpose, namely to deduce “the substance of Jewish business ethics,” seems valuable to inform a corporate mission, vision, and values statement, yet the three dimensions he develops are unfortunately both too vague and excessively particularistic to be of practical use for managers in a corporate context (the dimensions are: 1. recognizing God as the ultimate source of value, 2. acknowledging the centrality of the community, 3. holding out the promise that men and women (living in community) can transform themselves). Pava, Moses, The Substance of Jewish Business Ethics, in: *Journal of Business Ethics*, Vol. 17, No. 6, 1998, pp. 603-617; this paper also features in Pava’s work, *Business Ethics: A Jewish Perspective*, New York, NY, 1997, pp. 83-112.

88 Despite the prevalence in the Jewish business ethics literature of Rava’s and R. Shimon b. Yochai’s teachings that are examined in this section, these traditions have not yet been applied to the issue of corporate philosophy, and their content is mostly analyzed only superficially, with a lack of philological focus on the exact wording of the traditions and of contextual perspective particularly regarding the biographies of the two sages.

89 At 157 folios, the Bavli’s Tractate Shabbat is exceeded in length only by its Tractate Bava Batra, which contains 19 additional folios.

The Afterlife's Six Responsibilities of Life

According to Rava, a person has six responsibilities in life, based on which he will be judged in the hereafter. They are presented as follows: *אמר רבא בשעה שמכניסין אדם לדין אומרים לו נשאת ונתת באמונה קבעת עתים לתורה עסקת בפריה ורביה צפית לישועה פללת בחכמה הבנת דבר מתוך דבר*.⁹⁰ By framing its message through a set of questions, this tradition fosters responsibility; reflecting on anticipated future questions can develop a desire and ability to respond to them in the present.⁹¹ The first realm for which one is responsible to give an accounting of, then, is the economic one, since that is what Rava's *נשאת ונתת* (lit. "have you taken and given") refers to.⁹² This suggests that economic activity consists of both

90 bShab 31a: Rava said, "At the hour when man is entered into judgment [they] say to him: 'Did you trade faithfully? Did you fix times for Torah? Did you deal with procreation? Did you look forward to salvation? Did you engage in the dialectics of wisdom? Did you understand one thing from another?'"

Although this teaching is perhaps the most frequently cited Jewish tradition in the contemporary business ethics literature, an in-depth exposition and interpretation of its meaning is remarkably absent. Instead, the literature tends to extract the first question and use it as an almost apologetic "proof" that the talmudic sages generally value business ethics highly (for instance, Hershey Friedman concludes one of his papers with Rava's teaching, presenting it with the remark that "... the talmudic sages thought that business ethics was so important that Rava claimed that the first question an individual is asked in the next world at the final judgment is, 'Were you honest in your business dealings?'" in: *Biblical Foundations of Business Ethics*, in: *Journal of Markets & Morality* 3, no. 1, 2000, p. 54).

For those daunted by Rava's stricture of faithful dealing and the difficulty to implement such a high ethical standard into practice, it may be encouraging that a parallel tradition (cited in YalqS, Yeshayahu, 33) of his first question seems to have a significantly lower expectation level: *כלום נשאת ונתת באמונה* ("have you traded *anything* faithfully")? [Emphasis added, nk.]

91 Etymologically, the word "responsibility" is incidentally rooted in the Latin *responsus* ("to respond").

92 There are a number of reasons for this translation. First of all, preceding Rava's teaching is a *Drasha* ("interpretation") of Resh Laqish in which he bases the *ששה סדרי משנה* ("Six Orders of the Mishnah") on Isa 33.6. Since the first Order, *זרעים* ("Seeds") deals mostly with matters relating to agricultural activity, and Rava's six questions follow the same procession, it is likely that "take and give" refers to matters of earning a livelihood as well. As the Goldschmidt Talmud translation formulates it: "[I]n den ... 6 Fragen sollen die 6 Sektionen der Mišna angedeutet sein. Die 1. behandelt Dinge des Lebensunterhalts..." (bShab 31a, translated by Lazarus Goldschmidt, Berlin, 1930.) In light of this interpretation, translations such as those offered in the Artscroll Series ("Did you conduct business transactions faithfully?") or in the Jewish business ethics literature (e.g., "Have you been honorable in business?," in: Pava, Moses L., op. cit., 1997, p. 51) seem to do both too much and too little with the source text. Too much, because they turn Rava's first question into a promotion of business activity, although the literal "take and give" can just as well refer to teaching, medical, or manual work, for instance. Too little, because the agricultural foundation of Rava's first question (both related to Seder Zeraim and to his own occupation of wine-growing) is lost in the term "business," and with that the important semantic relationship in Hebrew between

receiving and offering and that it is a central, perhaps even primary concern of the ideal life. Furthermore, this passage not only demands *that* one engage in trading but teaches *how* one ought to do so as well: באמונה (*beEmunah*, with/in faith). In the following, a three-pronged methodology is used to understand what באמונה might mean. Firstly, the etymology of אמונה is briefly analyzed. Secondly, the parallels between the talmudic principle of באמונה in other legal systems are investigated. Thirdly, a number of biblical and rabbinic traditions are reviewed that deal with the concept of trading faithfully.

The literal translation of the adverbial באמונה, which appears in the Bible (תנ"ך) and classical rabbinic works (ספרות חז"ל) in 104 separate sources,⁹³ is "in faith." The etymological root of אמונה is א-מ-נ, which besides spelling the affirmative "Amen"⁹⁴ means reliability, dependence, belief, trust, endurance, care, covenant, and actuality.⁹⁵ To trade *beEmunah* thus means conducting business in a manner that evokes these concepts and is hence semantically connected to the meaning of the legal term "good faith," which a standard U.S. law dictionary defines as "[a] state of mind consisting in (1) honesty in belief or purpose, (2) faithfulness to one's duty or obligation, (3) observance of reasonable commercial standards of fair dealing in a given trade or business, or (4) absence of intent to defraud or to seek unconscionable advantage."⁹⁶ Both literally and semantically, ב-אמונה hence relates to *in* good faith. The parallel legal terms in Roman, German, and Israeli law are, respectively, *Bona Fide*, *Treu*

the economy and sustenance (כלכלה means both) as well. The Soncino Edition's translation may also not be an ideal vehicle to transport Rava's intended meaning: "Did you deal faithfully [i.e., with integrity]" [brackets from text; nk]. While "dealing" reflects the literal "take and give," it is an activity that broadens the realm of Rava's teaching beyond the economic, which was probably not his intention. Hence, "trade" may be the most suitable translation, as it relates to both income-generation as well as to exchange transactions. This translation does not preclude any type of work, as every economic activity and form of labor require exchange.

Overall, Rava's tradition is also a good example of how talmudic business ethics strive towards presenting themselves as based on a chain of tradition dating back to the Bible itself, given that his questions are said to be connected to the Orders of the Mishnah, which are in turn derived from a biblical verse. This is a particular manifestation of the dogma that the rabbinic oral law itself was already revealed to Moses on Mount Sinai (see for instance bBer 5a, ExR 47,1).

93 Bar Ilan Responsa Project, search term: באמונה.

94 Amen (אמן), which according to bShab 119b is itself an acronym for "God, faithful King" (אל (מלך נאמן), thus further supports the connection between באמונה and faith.

95 Clark, Matityahu, Etymological Dictionary of Biblical Hebrew. Based on the Commentaries of Samson Raphael Hirsch, Jerusalem/New York, NY, 1999, p. 11. Faith also implies tranquility, as reflected by the comment of R. Eli'ezer haZaken that someone who has a loaf of bread in his basket today but asks what he will eat tomorrow is lacking in faith (bSot 48b).

96 Black's Law Dictionary, 9th ed., St. Paul, MN, 1891/2009.

und Glauben, and בתום לב.⁹⁷ To integrate these concepts into practice is not just a homiletic ideal, but a *halakhic* duty as well. As Aaron Levine notes, since every contract contains “an implied covenant of good faith and fair dealing,” it is a legal requirement to trade faithfully based on the obligation of *Dina deMalkhuta Dina* (the law of the land is binding law).⁹⁸

How faith relates to economic transactions according to the Bible is exemplified by the narrative of King Josiah, who orders money to be directed to the temple workmen for repairs but does not demand an accounting of how they put their funds to use, for which he gives the following reason: הם עשׂים. ⁹⁹ כי באמונה, הן עשׂים. Because the workmen act faithfully, they are trusted to make responsible use of the funds entrusted to them. Such conduct becomes a matter of *imitatio Dei* in the Psalms: כי-יִשָּׁר דְּבַר-יְהוָה; וְכָל-מַעֲשָׁיו, בְּאֱמוּנָה. ¹⁰⁰ Faithful acts are thereby upright, evoke trust, and reflect divine integrity.

Classical rabbinic sources on the concept of לשאת ולתת באמונה can also give a better understanding of what exactly Rava might be urging with his first question.¹⁰¹ A practical application of trading faithfully is codified in the Tosefta, where a *Halakhah* rules: הנושא ונותן באמונה והאומל' להביריו על מנת שאין לך עלי אונאה אין

97 The obligation of trading in good faith (לשאת ולתת באמונה) is itself also a basic and fundamental part of Israeli contract law. Rava's principle, along with some of the sources that this section discusses, is commonly brought forward in Israeli court cases. See for instance: Warhaftig, Shilem, *דיני חוזים במשפט העברי*, Jerusalem, 1974, p. 16, as noted in the following court ruling of the Jerusalem district court from 1986, http://www.psakdin.co.il/fileprint.asp?FileName=/Mekarkein/Private/ver_euqg.htm: ד"ר שילם ורהפטיג רואה את החובה לשאת ולתת באמונה כחלק בסיסי (ויסודי בדיני החוזים). The ruling also lists further sources stressing the importance of trading in good faith and is an interesting example of how this principle is applied in practice. For a further such application by Israel's Supreme Court, see the ruling by Rubenstein, Eliakim, Jerusalem, 2005. Warhaftig also dedicates two chapters of his work on commercial law in *Halakhah* to the concept of faithful dealing, see: Warhaftig, Shilem, *דיני מסחר במשפט העברי*, Jerusalem, 1990, pp. 51-98. Here, Warhaftig connects *masa umatan be'emunah* to fair trade (סחר הוגן). See also Warhaftig's monography on the concept of תום לב: Warhaftig, Shilem, *תום לב בדיני חוזים*, Jerusalem, 1975.

98 Levine, Aaron, *Performance Appraisal and Halakhah*, in: Hazon Nahum. *Studies in Jewish Law, Thought, and History Presented to Dr. Norman Lamm on the Occasion of his Seventieth Birthday*, New York, NY, 1997, p. 626.
See pp. 175-180 for a discussion of the *Dina deMalkhuta Dina* maxim.

99 II Kings 22,7: ... for they act faithfully.

100 Ps. 33,4: For straight [i.e., upright] is the word of God; and all His acts [are] faithful.

101 As noted in the introduction, this book studies not just strictly talmudic traditions, but rather includes all classical rabbinic sources included in ספרות חז"ל as well. (Occasionally, later rabbinic works such as those by R. Shlomo Yitzchaki or Maimonides might be included to elucidate these earlier sources.) Due to the historical, personal and content-based links between the Talmud (i.e., Mishnah and Gemarah) and the works of Tosefta and Midrash, this methodological approach should not detract from but rather reinforce this book's development of a talmudic perspective.

לו עליו אונאה.¹⁰² Maimonides explains what the case of such an exempt “faithful dealer” is: a seller who, before a transaction, states to his buyer what the true value of the item to be exchanged is and how much he intends to profit from the transaction.¹⁰³ Faithful dealing in this case thus involves a transparent disclosure of interests and benefits. Perhaps because such transparency dissolves information asymmetries, the purchaser has no justification to later claim he was overcharged. Or maybe the honesty of the seller voids the right of the buyer to be compensated for price fraud.

Irrespective of the underlying *ratio* for this ruling, the honorable dealing it encourages is encouraged and praised by the rabbis. For instance, a Baraita discussing four sets of three questions which Alexandrians raised to R. Yehoshua b. Chananya presents one of the questions as: *מה יעשה אדם ויתעשר?*¹⁰⁴ to which R. Yehoshua responds: *ירבה בסחורה וישא ויתן באמונה*.¹⁰⁵ This connection between faithful dealing and the promise of blessings is already found in the Bible: *אִישׁ אֱמִנּוּת, רַב-בְּרִכּוֹת; וְאִץ לְהַעֲשִׂיר, לֹא יִנְקָה*.¹⁰⁶ A further Baraita lists faithful dealing as one of the ways to perform a sanctification of God’s Name (*קידוש השם*), while conversely portraying the failure to do so a desecration of God’s Name (*חילול השם*).¹⁰⁷ This juxtaposition is transmitted in a further *aggadic* tradition as well, where the person who deals faithfully is described as doing God’s will and is contrasted with someone who God despises for saying one thing with his mouth and another with his heart, thereby showing a lack of integrity.¹⁰⁸ The rabbinic praise of trading faithfully is also found in a Mekhilta that offers a remarkable interpretation of a biblical injunction demanding upright behavior (*הַיֵּשֶׁר בְּעֵינָיו*) (תַּעֲשֶׂה),¹⁰⁹ teaching that dealing faithfully in a pleasant manner is akin to upholding the entire Torah: *שכל מי שנושא ונותן באמונה ורוח הבריות נוחה הימנו מעלין עליו כאלו קיים*

102 tBM 3,22: He who trades faithfully, and says to his fellow, “on condition that you do not have any [right to apply the laws of] *Ona’ah* [price fraud] upon me” — [the *Halakhah* is that] there is no *Ona’ah* upon him.

Cf. bBM 51a-b. See pp. 84-87 for a study of the institution of *Ona’ah*.

103 Mishneh Torah, Sefer Kinyan, Hilkhoh Mekhirah, 13,5.

104 bNid 70b: What should a person do in order to become rich?

105 Ibid.: Engage in much trade, and deal faithfully.

When the Alexandrians thereafter comment that many had tried doing so but had nonetheless failed to become wealthy, R. Yehoshua responds that a person must also ask for mercy from the One Who is the source of all enrichment, i.e., God.

106 Prov 28,20: The faithful man receives abundant blessing, while he who runs towards riches will not be clean.

107 bYo 86a.

108 YalqS, Mishlei, 12.

109 Ex 15,26: And do that which is upright in His eyes.

את כל התורה כולה.¹¹⁰ Given that this tradition is most probably the earliest rabbinic source connecting the activity of dealing with the adverb “faithfully,” it might have served as the basis for Rava’s principle of faithful trading.

Despite the obvious centrality of this principle, the obligation to trade in good faith is but one of six dimensions for which a person bears responsibility, according to Rava. For his economic question is followed by five others relating to study, procreation, outlook, intellect, and learning, respectively. Hence, Rava’s teaching suggests balancing a range of human capabilities and activities. For instance, times for Torah study are to be fixed, so that one does not engage in the necessary earning of a livelihood all day long.¹¹¹ The six questions are hence not separate demands but rather relate to each other through an equilibrium that is to be achieved between them.

While Rava does not make explicit who is making these demands, it is most likely the Heavenly Court (בית דין של מעלה).¹¹² Hence, trading faithfully, balanced with the other five of life’s responsibilities, is postulated to be a matter of justice, demanded by a court of law with the power to reward and punish. Furthermore, because it is the Heavenly Court adjudicating how well a life was lived, responsibility is transposed beyond this world into eternity, raising consequences of earthly action into the Heavens. This perspective can in itself lead to more sustainable behavior, as a person may be willing to forego the temptation of short-term gains for the promise of eternal peace. The awareness of temporal existence as an anteroom to an infinite palace,¹¹³ combined with the belief that every moment of good deeds in this world is more valuable than all of life in the next,¹¹⁴ might make the possible pecuniary sacrifices of trading faithfully easier to bear. Conversely, making deals unfaithfully becomes less advantageous when benefits are short-term but the consequences infinite. The long-term orientation Rava encourages may hence induce sustainability by fostering the faithful dealing that evokes the necessary trust for society and the economy to endure.

The fact that it is a Heavenly Court asking Rava’s questions imbues his teaching with metaphysicality, for this court of law pronounces its judgment in

110 MekhY, Beshalach (מסכתא דויסע), 1: Everyone who deals faithfully and who comforts the spirit of creation, it is as if he upholds the entire Torah.

111 *Rashi*, bShab 31a, s.v. קבעת עתים.

112 According to Pharisaic tradition, this court judges a person upon entrance into the afterlife. For teachings about its posthumous tribunal, see for instance bRH 8a and bTem 3a-b. An earthly court would not hold a person accountable for Rava’s questions.

113 mAv 4,21.

114 Ibid. 4,22.

the afterlife.¹¹⁵ Working, studying, procreating, hoping for a better future, learning, and understanding are thereby framed as activities with spiritual significance. This metaphysical perspective is further strengthened by the conclusion of Rava's teaching, which adds a foundation to the six previous responsibilities: ואפ"ה אי יראת ה' היא אוצרו אין אי לא לא.¹¹⁶ This addition seems to indicate that being accountable for the court's six questions is a necessary but not sufficient condition for a positive verdict. In a parable explaining this conclusion, Rava compares the person answering the six questions without ever having been in awe of God to an agent being instructed to bring up a certain measure of wheat who fails to add a preservative to it, after which he is told: מוטב אם לא העליטה.¹¹⁷ A reverent connection to the divine as the ultimate treasured value is thus perceived as preserving the accomplishments of a life well lived. נשאת ונתת באמונה thereby takes on a meaning beyond that of being a trustworthy interpersonal trader to include a relationship with a higher power as well. Similar to how Abraham believed in God (ה'אמן, ביהוה),¹¹⁸ for which he was credited with righteousness, conducting one's business *beEminah* also implies having faith in the justice of a divine economic path.

It is unknown whether Rava emphasized faithful dealing because he adhered to this ideal himself or rather because he regretted not having done so.¹¹⁹ He was a very wealthy leader of Babylonian Jewry who lived from 299 to 352 CE.¹²⁰ Some of his actions and teachings seem to reflect a philosophy at odds with faithful dealing. As Graetz comments, "[e]in anderer Fehler Rabas¹²¹ war, daß er,

115 As Schopenhauer notes, the awareness of life's finiteness (*Endlichkeit*) develops "the unique human *desire for metaphysics*: (man) is thus an *animal metaphysicum*" ["das dem Menschen allein eigene *Bedürfnis einer Metaphysik*: er ist sonach ein *animal metaphysicum*."] In: *Die Welt als Wille und Vorstellung*, Zweiter Band, Kapitel 17: Über das Metaphysische Bedürfnis des Menschen, Zürich, 1819/1977, p. 186. Similarly, belief in an afterlife can inspire a metaphysical perspective on this-worldly actions.

116 bShab, op. cit.: And even so, if the awe of God is his treasure—yes, and if it is not—no.

117 Ibid.: It would have been better if you had not brought it [the wheat] up.

118 Gen 15,6.

119 Rabbinic teachings can be a result of either. For instance, Hillel's aphorisms in *Pirquei Avot* are said to be a direct reflection of his gentle, patient, kind manner. On the other hand, Yehoshua b. Perachia's dictum to "judge everyone favorably" (mAv 1,6) may be the result of regret regarding his harsh treatment of a disciple (cf. bSot 47a; bSan 107b). According to scholarly research, it seems probable that this disciple was Jesus of Nazareth).

120 Graetz, Heinrich, *Geschichte der Juden. Von den Ältesten Zeiten bis auf die Gegenwart*, Bd. IV, 1908/1998, Leipzig, p. 329; bBM 73a.

121 An alternate spelling of Rava, not to be confused with the third-generation Babylonian Amoraim Rabbah b. Nachmani (who was the uncle of Rava's classic debating partner, Abbaye) and Raba b. R. Huna (whom Rava revered, as portrayed below). Rava himself was a fourth-generation Amora.

obwohl sehr bemittelt, vom Eigennutze nicht frei war und ihn bei manchen Gelegenheiten durchblicken ließ.”¹²² For instance, Rava uses his dialectical prowess to find a way by which he may keep a deposit entrusted to him after the owner’s death, rather than passing it on to his depositor’s heir.¹²³ He seems to exploit loopholes in the interest prohibition, permitting the handout of money to a potential creditor so that he in turn lends it to a third party,¹²⁴ and he is accused of usury by the rabbis for charging a higher rent on his fields than the common amount.¹²⁵ Also, he prohibits the manager of an *Iska* (עסקה, “investment loan”)¹²⁶ from using the capital he receives for anything but commercial uses, ruling that the *Iska* investor may say to its manager that the funds were not given to the latter for recreational spending.¹²⁷

Rava makes his appreciation of wealth explicit, stating that his three wishes in life are the wisdom of R. Huna and the riches of R. Chisda, both of which he says have already been attained by him, and the modesty of Rabba b. Huna, which was not (yet) granted.¹²⁸ Given this pursuit of prosperity, perhaps the dream-interpreter Bar Chedya is correct in predicting that when Rava’s business failed, he would be so grieved that he would lose his appetite to eat.¹²⁹ Viewed in light of these traditions, the first of Rava’s six questions might be regarded as the result of self-scrutiny after having attained much success in his business dealings, some of which may not have been as faithful as he aspires to in retrospect. Thus, Rava asks himself perhaps as he reflects upon his past economic achievements in the context of the future world which he believes awaits him: “Have you traded faithfully?”

122 Graetz, Heinrich, op. cit., p. 330: “A further mistake of Rava was that, although he was very wealthy, he was not free of self-interest and allowed it to shimmer through on some occasions.” Graetz’s implication that the pursuit of self-interest is to be avoided seems to be at odds with major streams of talmudic thought. See particularly Hillel’s famous aphorism in mAv 2,14 (discussed on p. 121, fn. 480) and the overall discussion on the talmudic stance towards self-preservation on pp. 121-125.

123 bBB 149a.

124 bBM 69b.

125 Ibid., 73a.

126 For a detailed discussion of the *Iska*, see pp. 139-145.

127 bBM 104b.

128 bMQ 28a.

129 bBer 56a. To Abbaye, the dream interpreter says that his business will prosper to such an extent that from sheer joy he will lose his appetite to eat.

The Epiphany of the Cave

In contrast to Rava's possible biographical narrative, the following *aggadic* tradition featuring R. Shimon b. Yochai (*Rashbi*; second century, fourth-generation Tanna) moves in the opposite direction, from a rejection of temporal pursuits and a critique of self-interest towards a respect of earthly activity and an embrace of economic development:¹³⁰

And why is he [R. Yehudah b. R. Ila'i] called the first speaker in all places? ¹³¹ For R. Yehudah, and R. Yossi, and R. Shimon were sitting, and Yehudah the son of proselytes was sitting near them.	ואמאי קרו ליה ראש המדברים בכל מקום דיתבי רבי יהודה ורבי יוסי ורבי שמעון ורבי יהודה בן גרים גביהו
R. Yehudah opened and said, "How pleasant are the works of this people [the Romans] —they developed markets, they developed bridges, they developed baths."	פתח ר' יהודה ואמר כמה נאים מעשיהן של אומה זו תקנו שווקים תקנו גשרים תקנו מרחצאות
R. Yossi was silent.	ר' יוסי שתק
Answered <i>Rashbi</i> , "Everything that they developed they haven't developed except for their own needs—they developed markets to place prostitutes in them; bathhouses, to indulge themselves in them; bridges, to collect tolls from them." ¹³²	נענה רשב"י ואמר כל מה שתקנו לא תקנו אלא לצורך עצמן תקנו שווקין להושיב בהן זונות מרחצאות לעדן בהן עצמן גשרים ליטול מהן מכס

130 bShab 33b.

131 This question is based on the *Daf's* preceding *Sugya*, where R. Yehudah b. R. Ila'i is described by the Gemarah as the first speaker on all occasions as he is the first to answer a medical question (ibid.).

132 In a parallel tradition, R. Shimon b. Yochai criticizes the Romans for building markets in order to sell slaves in them, constructing bathhouses to engage in sexual immorality, and erecting bridges for the efficient transportation of armies to subjugate other peoples (bBer 35b). A similar critique of "ignoble" intentions is reflected in a tradition which teaches that when the Romans and the Persians appear before the Heavenly Tribunal, they will appeal to God's mercy by stating that all their achievements were for the sake of Israel learning Torah, to which God will respond, "You foolish ones among peoples, all that which you have done you have only done to satisfy your own desires." (bAZ 2b.) Underlying both these criticisms is the deontological assumption that the intention of an action is what determines its moral worth, and self-interest is an ignoble motive. In contrast, R. Yehudah's perspective is more consequentialistic, leaving him in awe of Roman civilization's economic and cultural achievements.

Yehudah the son of proselytes went and related their words, ¹³³ and they were heard by the government. They [the officials] said, “[R.] Yehudah, who exalted [us], shall be exalted; ¹³⁴ Yossi, who was silent, shall be exiled to Sepphoris; Shimon, who censured, shall be executed.”	הלך יהודה בן גרים וסיפר דבריהם ונשמעו למלכות אמרו יהודה שעילה יתעלה יוסי ששתק יגלה לציפורי שמעון שגינה יהרג
He [<i>Rashbi</i>] and his son went and hid in the <i>Beit Midrash</i> [house of study and interpretation]. Every day, [his wife] brought to them bread and a jug of water from their home, and they wrapped [the bread to eat it].	אזל הוא ובריה טשו בי מדרשא כל יומא הוה מיייתי להו דביתו ריפתא וכוזא דמא וכרכי
When the decree was made harsher, he said to his son, “Women, their mind is susceptible [lit. light] upon them. ¹³⁵ Perhaps they [the Romans] will torture her [<i>Rashbi</i> ’s wife, who brought them the bread and water], and she will reveal us.” They went and hid in a cave.	כי תקיף גזירתא א"ל לבריה נשים דעתן קלה עליהן דילמא מצערי לה ומגליא לן אזלו טשו במערתא
A miracle occurred and a carob tree and a well of water were created for them. They would remove from themselves their clothing and sit up to their necks in sand. The whole day they studied, and at the time of prayer they dressed, covered [up], and prayed. And then they took off their clothes again so that these would not wear out.	איתרחיש ניסא איברי להו חרובא ועינא דמא והוּו משלחי מנייהו והוּו יתבי עד צוארייהו בחלא כולי יומא גרסי בעידן צלויי לבשו מיכסו ומצלו והדר משלחי מנייהו כי היכי דלא ליבלו איתבו
[Thus they dwelt] twelve years in the cave. Elijah [the prophet] came and stood at the opening of the cave, and said, “From where will it be made known to Bar Yochai that Caesar is dead and his decree has been annulled?” [So] they emerged.	תריסר שני במערתא אתא אליהו וקם אפיתחא דמערתא אמר מאן לוודעיה לבר יוחי דמת קיסר ובטיל גזירתיה נפקו
They saw people that were plowing and sowing. He [<i>Rashbi</i>] exclaimed, “They forsake eternal life	הזו אינשי דקא כרבי וזרעי אמר מניחין חיי עולם ועוסקין בחיי

133 According to *Rashi* (s.v. וסיפר דבריהם, bShab loc. cit.), Yehudah b. Gerim relates the words to his students or parents without the intent of denunciation, yet he is overheard by Roman authorities.

134 *Rashi* (s.v. יתעלה, ibid.) explains that the exaltation consisted in R. Yehudah receiving the honor of being the first speaker on all occasions, which answers the question at the outset of our *Sugya*.

135 An analysis of this statement’s possible meanings is beyond the scope of this thesis.

and engage in temporal life [lit. in life of an hour].” ¹³⁶ Every place onto which they [<i>Rashbi</i> and his son] cast their eyes was immediately burnt.	שעה כל מקום שנותנין עיניהן מיד נשרף
A Heavenly Voice came forth, and she said to them, “Have you come out to destroy my world? Return to your cave!”	יצתה בת קול ואמרה להם להחריב עולמי יצאתם חיצו למערתכם
They returned and dwelt there for twelve months, saying: “The judgment of the wicked [to be purified] in <i>Gehinnom</i> [is] twelve months.” A Heavenly Voice came forth and said, “Come out of your cave.” They emerged.	הדור אזול איתיבו תריסר ירחי שתא אמרי משפט רשעים בגיהנם י”ב חדש יצתה בת קול ואמרה צאו ממערתכם נפקו
[...] ¹³⁷	[...]
[<i>Rashbi</i>] said, “Since a miracle has occurred, let me go and remedy something, as it is written: ‘And Ya’akov came whole/in peace [to the city of Shechem].’” ¹³⁸	אמר הואיל ואיתרחיש ניסא איזיל אתקין מילתא דכתיב ויבא יעקב שלם
And Rav said [that whole/in peace refers to]: wholeness in his body, wholeness in his money, wholeness in his scholarship [lit. in his Torah].	ואמר רב שלם בגופו שלם בממונו שלם בתורתו
“... and [Ya’akov] was gracious to the city.” ¹³⁹ Said Rav, “He developed coinage for them.” And Shmuel said, “He developed markets for them.” And R. Yochanan said, “He developed baths for them.”	ויחן את פני העיר אמר רב מטבע תיקן להם ושמואל אמר שווקים תיקן להם ור’ יוחנן אמר מרצאות תיקן להם
[<i>Rashbi</i>] said, “Is there something that I can develop?” ¹⁴⁰	אמר איכא מילתא דבעי לתקוני

136 The concept of forsaking eternal life to engage in temporal life is found in numerous talmudic traditions encouraging a transcendence of worldly pursuits. For a discussion of this maxim, see: Rubenstein, Jeffrey L., *The Culture of the Babylonian Talmud*, Baltimore, MD/London, 2005, pp. 32ff.

137 The ensuing interaction between *Rashbi* and a man holding myrtles in honor of the Shabbat, as well as the reunion of *Rashbi* with his father-in-law (cited in this book’s next chapter) are omitted here, as they are not directly germane to the talmudic philosophy of business.

138 Gen 33,18.

139 Ibid. The literal meaning of this verse’s ending is “and Ya’akov encamped before the city,” whereas the Talmud interprets *ויחן* as graciousness, primarily because it contains the word *חן* (grace).

140 The *Sugya* concludes with R. Shimon b. Yochai purifying a cemetery, and leaving Yehudah the son of proselytes as a “heap of bones” after merely looking at him surprisedly that he is still alive.

The above *Sugya* can be viewed as a talmudic *Bildungsroman*, with its protagonist coming to realize that economic activity is a worthwhile and central component of a complete life, rather than a mere temporal pursuit to be disregarded for the attainment of a blessed afterlife. The Talmud at first relates a certain ambiguity towards the value of markets, bridges, and baths by simultaneously lauding them (with R. Yehudah's praise), being uncertain about them (with R. Yossi's silence), and criticizing them (with R. Shimon b. Yochai's condemnation). The latter's initial critique of the Romans cost him his freedom, as did his subsequent one of the agricultural laborers. During his first exile in the cave, *Rashbi* and his son are engrossed completely in the spiritual world, engaging only in study and prayer, receiving their material sustenance from a miraculous source, and making an effort not to wear out their garments, perhaps so as not to require the purchase or production of new ones. After their first emergence from the cave, father and son look with devastating contempt upon engagement in temporal, worldly pursuits, which in their view is dichotomous vis-à-vis dedication to a blessed afterlife.

Yet upon leaving the hiding place a second time, R. Shimon b. Yochai is inspired to develop and to improve the physical world, to repair a lack therein in the here and now. The talmudic account of this epiphany, both in terms of text and meaning, reflects the central rabbinic concept of תיקון עולם (*Tikkun Olam*, lit. repairing the world).¹⁴¹ In a review of the twenty-three cases in which the Talmud invokes this principle, David Widzer concludes "that the use of the phrase *mipnei tikkun ha'olam* [for the sake of repairing the world; nk] indicates an amendment to, or clarification of, the existing legal system or social order, specifically designed to address an issue of social status, prevent some harm to society, maintain the communal wellbeing, and/or to best orient the society in service to God."¹⁴² These cases include enactments regarding the *Get* (bill of divorce),¹⁴³ the ransoming of captives,¹⁴⁴ Hillel's famous *Prozbul*,¹⁴⁵ and the sale of fields in

141 For studies and applications of the *Tikkun Olam* concept, see: Diamant, Nathan J./Shatz, David/Waxman, Chaim Isaac (eds.), *Tikkun Olam: Social Responsibility in Jewish Thought and Law*, Northvale, NJ, 1997; Dorff, Elliot N., *The Way Into Tikkun Olam (Repairing the World)*, Woodstock, VT, 2005; Fine, Lawrence, *Tikkun: A Lurianic Motif in Contemporary Jewish Thought*, in: Neusner, Jacob et al. (eds.), *From Ancient Israel to Modern Judaism: Intellect in Quest of Understanding—Essays in Honor of Marvin Fox*, Vol. 4, Providence, RI, 1989.

142 Widzer, David S., *The Use of Mipnei Tikkun Ha'Olam in the Babylonian Talmud*, in: CCAR Journal: A Reform Jewish Quarterly, Spring 2008, p. 42. The *Tikkun* that R. Shimon b. Yochai proceeds to undertake further supports the connection between our *Sugya* and the concept of *Tikkun Olam*, for he purifies a place of doubted cleanliness, thereby benefiting society through clarifying the place's legal status.

143 See for instance mGit 4,1-2; bGit 3b, 34b, 36a, 86a.

144 mGit 4,6; bKet 52b.

145 mGit 4,3.

the Land of Israel to so-called idolaters.¹⁴⁶ The common denominator in all these cases is that the status quo leads to suboptimal outcomes, e.g., decreasing accessibility to credit as the Sabbatical Year nears, a predicament which measures done for the sake of *Tikkun Olam* intend to rectify.

R. Shimon b. Yochai bases his resolve to repair the world on a biblical narrative of Jacob, who after having survived an assault by his brother Esau comes to the city of Shechem whole, in peace. The Talmud interprets that Jacob was thereupon gracious to this city, and the inserted rabbinic views of what this graciousness consisted in, as well as what the preceding wholeness consists of, are telling. According to Rav's interpretation of the biblical verse's beginning, human completeness has three components: physical, financial, and spiritual/intellectual wholeness. Jacob is thereby portrayed as whole and at peace because he is healthy, wealthy, and wise. This interpretation can thus be understood as a rejection of R. Shimon b. Yochai's stance before he emerged from hiding a second time. Similar to Plato's Simile of the Cave,¹⁴⁷ where those within the cave fall prey to illusions, *Rashbi's* first cave-dwelling gives him the misconception that all temporal pursuits, such as earning a livelihood, are a waste of time and energy. The Talmud instead finds that the agricultural workers' productivity is an important means to attain an essential element of human completeness, namely an income.

The three interpretations of the biblical verse's ending have a similar this-worldly message, perceiving the institution of coinage, markets, and baths as an act of grace. Rather than condemning the establishment of Roman markets as an overly self-interested pursuit, as *Rashbi* had previously done, the Talmud teaches that they can constitute an important contribution to societal well-being.

However, the epiphany experienced by R. Shimon b. Yochai in the cave need not necessarily reflect a drastic change of heart. His motivation for contributing to the development of his community is a metaphysical miracle; his desire to affect a *Tikkun* is hence not motivated primarily by self-interest but rather by a connection to something greater than the self, particularly the divine.¹⁴⁸ Also, the result he hopes to achieve with his contribution is, unlike the Roman accomplish-

146 mGit 4,9. For further traditions invoking *Tikkun Olam*, see bGit 32a, 40b, 41b, 45a-b.

147 Plato, *The Republic*, Book VII, London, 1955/2003, 516a-517a.

148 This is not to say that the Talmud categorically urges a rejection of self-interest but rather that the pursuit of self-interest ought to be enlightened, as reflected by Hillel's famous aphorism: *הוא היה אומר, אם אין אני לי, מי לי; וכשאני לעצמי, מה אני; ואם לא עכשיו, אימתי* (mAv 2,14): He used to say, "If I am not for myself, who is for me? And if I am for myself, what am I? And if not now, when?"

For a discussion on the legitimacy of self-interest from a talmudic perspective, see pp 121-125.

ment as portrayed in his earlier critique, neither sexual (זונוות), self-indulgent (לענדן), nor wealth-generating (מכס) but rather a state of sanctification, grace, and beauty (קדוּשָׁה).

In both teachings of Rava and *Rashbi* analyzed above, the Talmud portrays economic activity as an essential element of a life well lived, albeit under certain conditions: Rava believes that economic activity should be actualized through faithful conduct and balanced with life's further responsibilities, whereas R. Shimon b. Yochai emphasizes the importance of pure motives and noble consequences when engaging in societal, economic, and human development. Both sages value the economy as indivisible from a fulfilled, good life and promulgate reflection on how to harness its beneficial potential while mitigating its risks.

The talmudic philosophy of business as reflected in the above narratives is hence typically dialectical—simultaneously demanding the pursuit of economic activity and urging a reflective engagement with it. This dialectic is epitomized by a famous Midrash which teaches that the evil inclination (יצר הרע) is deemed very good by God, because if it did not exist people would no longer engage in business: רבי נחמן בר שמואל בר נחמן אמר הנה טוב מאד זה יצר טוב והנה טוב מאד זה יצר רע, וכי יצר הרע טוב מאד, אתמהא, אלא שאלולי יצר הרע לא בנה אדם בית ולא נשא אשה, ולא הוליד ולא נשא ונתן, וכן שלמה אומר כי היא קנאת איש מרעהו.¹⁴⁹ Similar to Adam Smith's invisible hand, this tradition teaches that self-interested desires lead to socially beneficial outcomes. The motivating force underlying business activity is thereby taught to be of questionable worth but simultaneously and paradoxically considered to be very good. This is perhaps also the reason why the above talmudic passages featuring Rava and *Rashbi* both encourage economic activity while concurrently warning of its improper pursuit.

Nonetheless, the dialectic ambivalence of this talmudic philosophy seems primarily directed towards the effect of business on an individual engaged in it himself, whereas two further traditions indicate that one person's economic activity can be a source of gratitude and benefit for another. The following Mishnah teaches that someone who is forbidden to benefit from his fellow may not do any business with him: המוֹדֵר הַנָּהָה מִחֲבֵירוֹ לֹא יִשְׁאִילֵנוּ וְלֹא יִשְׁאָל מִמֶּנּוּ וְלֹא יִלְוֶה מִמֶּנּוּ

149 GenR 9,7: R. Nachman b. Shmuel b. Nachman said in the name of Rav Shmuel b. Nachman, “Behold, it was very good.” (Gen 1,31.) This is the good inclination. ‘And, behold, it was very good.’ [Ibid, emphasis added.] This is the evil inclination. Yet how can the evil inclination be very good, I wonder?! But if it were not for the evil inclination, people would not build houses, nor marry a woman, nor procreate, nor trade. Hence, [King] Solomon says, ‘[Again, I considered all labor, and all excelling in work] that it is a man’s rivalry with his neighbor. [This also is vanity and striving after the wind.]’” (Eccl 4,4.)

150 Underlying the prohibition of this *Halakhah* is the posited beneficial nature of commercial and financial transactions. Buying and borrowing and selling and lending are thereby all considered sources of mutual benefit. Business is thus declared to be an interpersonally beneficial activity. This sentiment is also reflected in the following famous teaching of Ben Zoma:¹⁵¹

בן זומא ראה אוכלוסא על גב מעלה בהר הבית, אמר: ברוך חכם הרזים, וברוך שברא כל אלו לשמשני. הוא היה אומר: כמה יגיעות יגע אדם הראשון עד שמצא פת לאכול: חרש, וזרע, וקצר, ועמר, ודש, וזרה, וברר, וטחן, והרקיד, ולש, ואפה, ואחר כך אכל, ואני משכים ומוצא כל אלו מתוקנין לפני. וכמה יגיעות יגע אדם הראשון עד שמצא בגד ללבוש: גזז ולבן ונפץ וטוה וארג, ואחר כך מצא בגד ללבוש, ואני משכים ומוצא כל אלה מתוקנים לפני כל אומות שוקדות ובאות לפתח ביתי, ואני משכים ומוצא כל אלו לפני.

The gratitude and amazement of Ben Zoma are an unequivocal homily to the division of labor, describing market suppliers as “repairers” while perceiving their products and services as a reason to bless God. Not unlike Adam Smith praising the specialization of pin-makers for spurring growth,¹⁵² Ben Zoma lauds market participants’ coordination and cooperation to discern and fulfill demands, needs, and wants, enabling the transcendence of the incessant labor with which he would have otherwise been confronted with.

According to the talmudic traditions analyzed in this section, economic activity in general and business in particular are indivisible, essential components of a complete and fulfilled life, spheres of opportunity in which to make graceful contributions to society, sources of mutual benefit, and reasons for gratitude, so long as they are engaged in responsibly.

150 mNed 4,11: He who is forbidden by vow to benefit from his fellow may neither lend to him nor borrow [items] from him, and may neither extend nor receive a [financial] loan from him, and may neither sell nor buy from him.

151 bBer 58a: Ben Zoma saw a crowd on one of the steps of the Temple Mount. He said, “Blessed is He That discerns secrets, and blessed is He Who has created all these to serve me.” He [i.e., Ben Zoma] used to say, “What multitude of labors Adam the first [human] had to endure until he found bread to eat: he plowed, and sowed, and reaped, and bound, and threshed, and winnowed, and selected the ears, he ground [them], and sifted [their flour], he kneaded and baked, and then after [all] that he ate. Whereas I arise, and find all these things done [lit. repaired; *metuknin*, related to *Tikkun*; nk] before me. And what multitude of labors Adam the first had to endure until he found a garment to wear: he sheared, and washed [the wool], and combed, and spun, and wove, and then after [that] he found a garment to wear. All peoples come early to the entrance of my house, and I arise and find all of them before me.”

152 Smith, Adam, *WoN*, pp. 7ff.

2.1.3. *From the Court and Cave to the Boardroom*

How can the preceding discussion inform and inspire a manager responsible for developing a corporate mission, vision, and values? As the analyzed talmudic traditions deal with philosophical (*hashkafic*) guidance for individuals, the application to an organizational level requires some abstraction. This effort is worthwhile though, as questions regarding the spirit of an organization are a top-of-mind concern for many contemporary executives. The three central components of a formal corporate philosophy are now analyzed in turn.

The Mission Statement

A mission statement codifies the *raison d'être* of an organization, answering why a company is in business and hence defining its purpose.¹⁵³ Imbuing stakeholders with such a united mission is a central function of the corporation, as the management thinker Peter Drucker describes in the introduction to his magnum opus: “The multinational corporation brings together in a common venture ... people from a great many countries with different languages, cultures, traditions, and values, and unites them in a common purpose.”¹⁵⁴ While the intuitive and perhaps cynical reason for a corporation’s existence is profit generation or even maximization, the business community is increasingly coming to realize (and to rediscover) that this purpose is correct but insufficient, because the pragmatism resulting therefrom does not connect, as a Harvard Business School study finds, “to other people in some substantial way, and to larger purposes.”¹⁵⁵ What might the proper reason for engaging in business be according to Rava’s and R. Shimon b. Yochai’s teachings discussed in the previous section?

For Rava, trading responsibly in business is a central factor in the adjudication of the Heavenly Court, alongside study, procreation, optimism, dialectics, understanding, and an awe of God. From this perspective, a possible purpose of business is to conduct it faithfully in order to fulfill a divine or at least talmudic

153 For instance, the Internet giant Google codifies its mission as follows: “Google’s mission is to organize the world’s information and make it universally accessible and useful.” <http://www.google.com/corporate/>.

154 Drucker, Peter F., *Management. Tasks, Responsibilities, Practices*, New York, NY, 1999, p. 10.

155 Piper, Thomas H. et al., *Can Ethics be Taught? Perspectives, Challenges, and Approaches at Harvard Business School*, Cambridge, MA, 1993, p. 4. That human motivation depends on such a connection to a greater good and larger purpose has more recently also been argued in the following business book bestseller: Pink, Daniel H., *Drive. The Surprising Truth About What Motivates Us*, New York, NY, 2009.

blueprint for a just and responsible life. Furthermore, by referring to economic activity as “taking and giving” (לִשְׂאֹל וּלְתַת), Rava emphasizes that business is an exchange relationship, in which one must both receive and offer faithfully. Combined, these two insights might suggest that a corporation formulate its mission in terms of what it takes (e.g., human, natural, and financial resources), and what it gives (e.g., products, services, jobs), emphasizing as its reason for conducting business the aspiration to make central contributions to a good, just, responsible, and thus balanced life of those trading for and with it.

According to the above narrative of R. Shimon b. Yochai, economic activity can grace society, while the financial prosperity it can lead to is an essential element of human wholeness and peacefulness. Material well-being is thereby indivisible from holistic well-being. Yet simultaneously, the purpose of business ought to transcend excessively greedy, base, egoistic motivations—those conducting it should instead aspire to perceive the economy as a sphere from which to contribute to and improve society. For instance, the Messe Frankfurt Group, the world’s largest trade fair corporation, uses the slogan “We make markets. Worldwide.”¹⁵⁶ From a talmudic perspective, this seems like an excellent mission statement, given that the second narrative analyzed above lauds markets as a graceful contribution to society. And it is definitely a better slogan than “We make money. Worldwide.” For the Talmud teaches through *Rashbi* that pecuniary benefits alone, in and of themselves, are not a worthy purpose for the construction of bridges. Rather, a bridge should primarily be developed as a contribution to society, and the financial rewards that it generates ought to be perceived as a means towards the wholeness and peacefulness of the people reaping them. Human and societal development are the ends, for which economic activity, financial prosperity, and material fullness are the means. Parts of this perspective seem to be increasingly prevalent in corporate practice. Recent research suggests that “over a fifth of *Fortune* Global 500 companies already have a clear, society-focused purpose underpinning their activities.”¹⁵⁷

156 <http://www.messefrankfurt.com/frankfurt/en/messe/unternehmensprofil.html>.

157 Connolly, John/Sproul, David, The Benefits of Business, in: *The Economist*, London, April 9th, 2011, p. 19.

The Values Statement

While the mission statement of a corporation describes *why* it is in business, the values statement codifies *how* it conducts its business.¹⁵⁸ Rava in bShab 31a clearly communicates a set of values: faithful dealing (i.e., reliable, honest, trustworthy, enduring, and caring business conduct), responsibility, balance, long-term orientation, and spirituality. A corporation might integrate these values by emphasizing a) the importance and legitimacy of business, b) the good faith in which it pursues its mission, c) its ability to respond to the demands of those judging it, i.e., its stakeholders, d) the centrality of enabling a balance between work and further responsibilities of life, e) the priority of long-term justice over short-term benefits, and f) the importance of spirituality in the workplace.

The central values emerging from the narrative of *Rashbi* in bShab 33b are a) inspired intentions; b) human completeness consisting of health, wealth, and wisdom; and c) societal development. A corporation can integrate these values by imbuing its organization with an enlightened motivation for being in business, by contributing towards or at least not impinging on the physical, financial, and spiritual/intellectual well-being of its stakeholders and by gracing society with a *Tikkun*.

The Vision Statement

The vision statement formulates a future state the corporation aspires towards, given its purpose and values.¹⁵⁹ Yet in practice it frequently appears to be the case that visions and missions are somewhat interchangeable or at least that one follows from the other. For the purpose that a corporation understands as the reason for its being in business simultaneously refers to a future state it aspires towards, and vice versa. At McKinsey, for instance, there is no formal vision statement, yet the consultancy's vision can be deduced from its mission statement: "to help our clients make distinctive, lasting, and substantial improvements in their performance and to build a great firm that is able to attract, develop,

158 For instance, Puma's core official values are fairness, honesty, positivity, and creativity. <http://vision.puma.com/us/en/?>.

159 For instance, the online-retailer Amazon offers the following vision statement: "Our vision is to be earth's most customer centric company; to build a place where people can come to find and discover anything they might want to buy online." <http://phx.corporate-ir.net/phoenix.zhtml?c=97664&p=irol-faq#14296>.

excite, and retain exceptional people.”¹⁶⁰ This dual mission implies a vision of an enduring firm with actualized capabilities to achieve its intended performance impact and to attract its desired staff.¹⁶¹

Given that we have already developed a blueprint for corporate missions and values from the above passages featuring Rava and *Rashbi*, and that corresponding visions can easily be deduced there from,¹⁶² let us extract a vision from the above Mishnah in *Nedarim* and teaching of Ben Zoma. The former paints an aspiration of business as a win-win activity, and demands staying true to one’s vows. Translated into a vision statement, this can imply a commitment to strive towards a state of continuous fulfillment of the promises inherent in the corporate mission and values, with the hope of leading towards a constant state of mutual benefit for the corporation and the stakeholders it deals with. A corporation might also pursue a vision of having customers that are as grateful for and amazed by its products and services as Ben Zoma is with those of the traders and craftsmen coming to his doorstep.

Overall, the talmudic philosophy and spirit of business reflected in the above traditions urge indivisibility. For Rava, business is an integral component of a life well lived and to be balanced and integrated with life’s further responsibilities. In a time when the legitimacy of for-profit enterprises and even capitalism as a whole is increasingly under attack, while businesses simultaneously expect an unprecedented degree of dedication and productivity from those working in and for them, the combination of these two lessons, i.e., business’s legitimacy and responsibility, is particularly relevant. Also, Rava’s teaching urges indivisibility from the further domains of life along which he views humanity as being judged and from an inspired, treasured connection to the divine. Thirdly, the integrity Rava demands through the concept of faithful trading warns of a separation between how one takes and how one gives when exchanging in the market and consequently demands faithful dealing in both transactional directions—with the gain of one party in a business exchange inseparable from the benefit of another.

160 http://www.mckinsey.com/en/About_us/Our_Values.aspx.

161 Further aspects of McKinsey’s vision can be derived from its values statement (see http://telecoms.mckinsey.com/html/about_us/mckinsey_mission.asp). For instance, the value of “following the top-management approach” implies aspiring towards a client base of leaders responsible for large organizations, and “using our global network to deliver the best of the Firm to all clients” emphasizes the vision of an interconnected, international consultancy.

162 According to Rava, a vision of a company that receives a positive verdict from those who judge it, that is, its stakeholders and enables those working for and with it to fulfill life’s six responsibilities and to maintain a treasured relationship to the divine; and according to *Rashbi*, a vision of a company that contributes to human wholeness and societal development through graceful intentions and contributions.

According to the narrative featuring *Rashbi*, financial, material well-being is indivisible from the other components of human wholeness, particularly health and wisdom. An imbalance between the three is hence to be avoided—financial benefits bestowed by a corporation should not come at an excessive cost of good health and continuous learning, for instance in its workforce. Furthermore, the intentions underlying economic development and business pursuits ought to be indivisible from the aspirations to contribute gracefully to society.

Combined, these findings can provide executives only with the foundation for a talmudic corporate philosophy and spirit. The specific formulation and institutionalization of mission, vision, and values statements will and must vary by the unique characteristics of an individual organization. Yet with the foundations developed in this chapter at hand, a corporate leader can at least determine whether an existing organizational philosophy is already adequate and praiseworthy from a talmudic perspective, and then how it might have to be shaped and reformed in order to avoid the excruciating dilemma of being a central member in an organization with which one cannot identify.

2.2 Issue 2: Corporate Culture Quality

2.2.1. *Shared Identities, Clashing Cultures*

The fact that countless different definitions of the term ‘organizational culture’ have been proposed indicates both the importance as well as the elusiveness of the phenomenon it refers to. Edgar Schein, a pioneer in the study of corporate culture, describes organizational culture as “the deeper level of basic assumptions and beliefs that are shared by an organization, that operate unconsciously and define in a basic taken-for-granted fashion an organization’s view of itself and its environment,”¹⁶³ whereas Deal and Kennedy offer the terse definition of “the way things are done around here.”¹⁶⁴ More recently, Hill and Jones incorporate both mental and behavioral aspects by defining organizational culture as “the specific collection of values and norms that are shared by people and groups

163 Schein, E.H., *Organizational Culture and Leadership*, London, 1985, quoted in: Campbell, David J./Craig, Tom, *Organisations and the Business Environment*, Oxford, 1988/2005, p. 491.

164 Deal, Terrence E./Kennedy, Allan A., *Corporate Cultures: The Rites and Rituals of Corporate Life*, 1982, New York, NY, quoted in: Campbell, David J./Craig, Tom, op. and loc. cit.

in an organization and that control the way they interact with each other and with the stakeholders outside the organization.”¹⁶⁵

What all these descriptions have in common is that organizations develop distinctive collective identities. The quality of the resulting subcultures is an increasingly pressing issue of practical and theoretical concern for a number of reasons. First of all, the sheer quantity of people employed by corporations and hence exposed to and assimilating into the respective organizational cultures is striking.¹⁶⁶ Secondly, as organizations become increasingly dispersed due to the effects of globalization and information technology, the unifying function of corporate culture is an invaluable enabler of cross-border and cross-culture integration, cooperation, and coordination.¹⁶⁷ Thirdly, the flipside of corporate culture’s unifying and enabling function is its disabling quality; establishing and perpetuating one culture can lead to a clash with another and thereby to significant business disruptions and managerial dilemmas.¹⁶⁸

165 Hill, Charles W./Jones, Gareth R., *Strategic Management Theory: An Integrated Approach*, Mason, OH, 2009, p. 394.

166 For example, the retail giant Wal-Mart has 1.8m employees, a number approximately equal to the population of Northern Ireland, or to the Muslim population in the United Kingdom. The four largest German employers have as many people working for them as the country’s entire public sector (1.6m). (Frankfurter Rundschau, Die größten Arbeitgeber in Deutschland 2008; Anzahl der Beamten und Richter in Deutschland zum 30. Juni 2009, and <http://de.statista.com/statistik/daten/studie/37096/umfrage/beamte-und-richter-in-deutschland/>.)

167 A globally unified corporate culture enables a seamless operation of increasingly international teams based on shared understandings, tools, and processes, thereby drastically increasing productivity and decreasing transaction-costs. Corporate culture shares this enabling function with corporate philosophy, because of the recursive interrelationship between the two: the former is to a large extent determined by the latter as expressed through mission, vision, and values statements (cf. this book’s previous chapter), and the latter might be adapted because it no longer corresponds to the empirical reality of the former (e.g., following a post-merger integration). In fact, Marvin Bower defines corporate philosophy with the same “the way we do things around here” as the Deal and Kennedy definition of culture, based on extensive interviews with executives (Bower, Marvin, *The Will to Manage*, 1966, New York, NY, p. 22).

168 These clashes can occur within or between corporations, as well as between a corporate culture and a non-corporate culture. For instance, within media and entertainment conglomerates there is frequently a culture clash between the organizational subculture of the so-called “suits” and that of the “ponytails,” i.e., the business and creative staff. And during the first wave of large M&A transactions in the 70s and 80s up to two-thirds of mergers failed due to issues such as cultural assimilation (Davy, J.A. et al., *After the Merger: Dealing with People’s Uncertainty*, in: *Training and Development Journal*, Issue 42, Hoboken, NJ, 1988, pp. 56-61). Also, as western corporations expand into certain regions, cultural values such as gender equality or freedom of expression can become the basis of conflicts (not to say that gender equality has been entirely achieved in western companies, nor that there is a single compass to assess appropriate freedom of expression). For an applied management ethics perspective on cross-cultural ethical conflict, see: Hamilton, J. Brooke/Hill, Vanessa et al., *Google in China: A Manager-Friendly Heuristic Model for Resolving Cross-Cultural Ethical Conflicts*, in: *Journal of Business Ethics*, Vol. 86, No. 2, 2008, pp. 143-157.

Due to these main reasons, the shaping of organizational culture has become a key responsibility of corporate leaders. How might the talmudic sages have approached this managerial challenge? In order to study this question, two approaches are combined in the following analysis. Firstly, the perspective of the Talmud on what constitutes an ideal occupation can provide insights and guidance on the corporate culture that might have been desired by the talmudic rabbis. This approach rests on the key assumption that since the Talmud promotes and discourages certain occupational characteristics, its sages would have suggested instituting a corporate culture that enables its members to pursue and avoid these same characteristics. Secondly, the culture of the great talmudic academies (*Yeshivot*) in Babylonia is analyzed, based on the assumption that their cultural norms and values can be applied to a corporate culture. Some of these *Yeshivot* combined thousands of members into a permanent institution and hence can offer fruitful insights into the cultural context in which the Talmud encourages collective coordination and cooperation.

2.2.2. *The Talmudic Work Ethic and the Yeshivah Culture*

The Talmudic Work Ethic

The talmudic sages expressed their vision of the ideal means to earn a livelihood. These criteria for determining which occupations should be pursued and which avoided can be viewed as the talmudic work ethic.¹⁶⁹ Its foundation consists of three main components:

- i) the productivity imperative,
- ii) the transcendence of labor, and
- iii) the contribution to societal welfare.

As pointed out, studying these components shows the Talmud's ideal for pursuing a livelihood and thereby provides insights and guidance into which corporate culture might enable the actualization of these ideals. All three elements of the talmudic work ethic are reflected by a tradition which the Gemarah relates

169 The term "work ethic" has become synonymous in common usage with attributes such as the diligence of the Protestant work ethic studied by Max Weber. In the following, the term is used in its literal meaning, i.e., the set of moral principles regarding the right and wrong way to work.

as a favorite saying amongst the rabbis of Yavne: אני בריה וחברי בריה אני מלאכתי בעיר והוא מלאכתו בשדה אני משכים למלאכתי והוא משכים למלאכתו כשם שהוא אינו מתגדר במלאכתי כך אני איני מתגדר במלאכתו ושמא תאמר אני מרבה והוא ממעיט שנינו אחד המרבה ואחד הממעיט ובלבד שיכוין לבו לשמים.¹⁷⁰ The procession from creation to labor and the emphasis on an early start to the workday paint a picture of i) work as a natural component of life that should be engaged in diligently. And the view that the actual output of work matters less than the spirit with which it is produced and the connection to heaven that it maintains urges ii) a transcendence of productivity pressures with spiritual endeavors. On the other hand, the perception of those who work in an entirely different field as a fellow or even friend whose occupation is not to be impinged upon portrays an ideal in which iii) one's individual economic activity does not disrupt that of another, thereby securing societal peace. These three components of the talmudic work ethic are now analyzed in turn.¹⁷¹

170 bBer 17a: I am a creation and my fellow is a creation. I work in the town, and he works in the field. I rise early for my work, and he rises early for his work. Just as he does not do [lit. restrict] my work, I do not [lit. restrict] his work. And perhaps you will say that I do much and he does little. As we have learned [bMen 110a], one who does much and one who does little [are equal], if only they direct their hearts towards the Heavens.

171 I am indebted to the following paper for leading me to many of the sources in the following section on the talmudic work ethic: Friedman, Hershey H., Ideal Occupations: The Talmudic Perspective, 2002, in: Jewish Law, <http://www.jlaw.com/Articles/idealoccupa.html>. The aim of the following section differs from Max Weber's famous study about the Wirtschaftsethik des Judentums (Weber, Max, *Gesammelte Aufsätze zur Religionssoziologie*, Band 1, Tübingen, 1921) in numerous respects. Whereas Weber focuses on *das antike Judentum* and dedicates only an appendix to *die Pharisäer*, the work ethic presented in this thesis is based exclusively on Pharisaic traditions (which mostly of course have biblical precedents). Furthermore, Weber describes the historical genesis of the Pharisees, their sociological constitution and their overall ethical outlook, whereas this study analyzes talmudic traditions themselves, focusing on teachings that are relevant for economic ethics (Wirtschaftsethik). The talmudic work ethic presented in this thesis is hence closer methodologically to the parts of Weber's famous study of the Protestant ethic (*Die Protestantische Ethik und der Geist des Kapitalismus*, Tübingen, 1920) that draw on *wirtschaftsethische* findings from Luther's writings.

Talmudic Work Ethic Element 1: The Productivity Imperative

Following in the biblical tradition of honoring work,¹⁷² many of the talmudic rabbis valued labor highly.¹⁷³ Accordingly, the advice of Shmaya¹⁷⁴ codified in Tractate Avot is to love work (אהוב את המלאכה).¹⁷⁵ R. Yehoshua b. Levi teaches that Adam was consoled by what at first seemed to be the curse of having to eat bread by the sweat of his brow, because the labor of baking bread differentiates humans from animals.¹⁷⁶ According to R. Gamliel, laboring in a craft secures property and privacy like a hedge around a vineyard or a fence surrounding a ditch.¹⁷⁷ And R. Tarfon's analogy of God as an employer expresses a call for diligence in both divine and productive service.¹⁷⁸

Even the most basic forms of labor are perceived as praiseworthy, as expressed by R. Yehudah and R. Shimon, who while carrying a pitcher or a basket on their shoulder state that work is great and bestows honor: גדולה מלאכה שמכבדת את בעליה.¹⁷⁹ The Gemarah even compares the effort needed to earn a living to the final redemption and the splitting of the Red Sea.¹⁸⁰ And the entire first exposition of the AvRN to Shmaya's above dictum is a homiletic appeal to engage in labor and avoid idleness: like the Torah itself, it should be cherished and respected as both were given per covenant; someone without work should actively seek a task to occupy himself with, such as improving dilapidated property of his neighbor; work is a precondition for the *Shekhinah* (divine presence) to dwell within Israel; and when man perishes it is only due to unemployment.¹⁸¹ Consequently, being out of work is strongly discouraged: for instance, R. Shimon b. Gamliel

172 As expressed in the numerous biblical productivity imperatives, such as Ex 20,8; 31,15; Lev 25,3, and Dtn 11,14. See also Ps 128,2.

173 A content analysis of 900 talmudic traditions relating to work finds that 84% of all "ideational references" to the value of labor were positive, reflecting a "high esteem of work and craft." Mannheim, Bilha/Sella, Avraham, Work Values in the Oral Torah, in: Journal of Psychology and Judaism, Vol. 15, No. 4, 1991, pp. 241-260, cited in: Schnall, David J., The Employee as Corporate Stakeholder, in: Levine, Aaron/Pava, Moses (eds.), Jewish Business Ethics. The Firm and Its Stakeholders, Northvale, NJ/Jerusalem, 1999, p. 51.

174 One of the earliest Pharisaic leaders and a *Nasi* of the Great Sanhedrin, i.e., the highest-ranking member of the supreme rabbinic court.

175 mAv 1,10.

176 bPes 118a.

177 tQid 1,9.

178 mAv 2,18.

179 bNed 49b: Great is work for it honors its master. Note the wording of this expression, which implies that a worker is (or at least ought to be) the master of his labor, and not vice versa.

180 bPes, loc. cit.

181 AvRN A 11,1. AvRN B 11,1 further emphasizes that a person is obligated (חייב) to love and engage in work.

teaches in a Mishnah that if a man vows that he forbids his wife to do any work he must divorce her because of the boredom caused by idleness: *שהבטלה מביאה לידי שיעמום*.¹⁸² The importance which the sages assigned to labor is further reflected by the fact that many of them pursued occupations besides their rabbinic duties.¹⁸³

Talmudic Work Ethic Element 2: The Transcendence of Labor

Similar to biblical work ethic, the talmudic rabbis pursued a dialectic between productivity and a hallowed repose, such as via the Shabbat and *Chagim* (holidays).¹⁸⁴ Numerous rabbinic ordinances, such as the fixed daily prayers and additional holidays, further restrict the time that is available to work. Hence, the sages aspired to balance the time and effort spent on labor with that designated for spiritual pursuits, in particular Torah study.¹⁸⁵ This might also explain why

182 mKet 5,4: Idleness leads to boredom.

In the preceding teaching of this Mishnah, R. Eli'ezer warns that idleness can lead to unchastity. It is likely that the sages encouraged the pursuit of an occupation in this case to prevent their spouses from harboring adulterous temptations, perhaps similar to the teaching that "All Torah study without work will result in waste and cause sinfulness" (mAv 2,2).

183 Hershey Friedman (op. cit.) lists some examples: "Hillel was a woodchopper before he became the Nasi ... and Shammai the Elder was a builder. Abba Chilkiyah was a field laborer; Rabbi Yochanan b. Zakkai was a businessman for forty years; Abba Shaul was a gravedigger; Abba Chilkiyah was a field worker; Abba Oshiya was a launderer; Rabbi Shimon P'kuli was a cotton dealer; Rabbi Shmuel b. Shilas was a school teacher; Rabbi Meir and Rabbi Chananel were scribes; Rabbi Yossi b. Chalafta was a tanner; Rabbi Yochanan Hasandlar was a shoemaker; Rabbi Yehoshua b. Chananiah was a blacksmith; Rabbi Safra and Rabbi Dimi of Nehardea were merchants; Rabbi Abba b. Zavina was a tailor; Rabbi Yosef b. Chiya and Rabbi Yannai owned vineyards; Rabbi Huna was a farmer and raised cattle; Rabbi Chisda and Rabbi Papa were beer brewers; Karna was a wine smeller (he determined which wine could be stored and which had to be sold immediately); Rabbi Chiya b. Yosef was in the salt business; Abba Bar Abba, (father of Mar Shmuel) was a silk merchant; and (Mar) Shmuel was a doctor."

184 The repose of the Shabbat is directly connected to the labor demanded in the remaining six days of the week, see Ex 20,8-10. The festivals also reflect the dialectic between work and rest, because three of the five (Pessach, Sukkot, Shavu'ot) track the agricultural cycle (Ex 12,16; Lev 23,6-36). Also, the Sabbatical Year (*Shmitah*) connects the work demanded during six years with the holy rest of the land in the seventh (Lev 25,3-5). Based on biblical law, in addition to the 52 weekly days of Shabbat per year, the rabbis instituted 13 annual festival days (nine in Israel) on which work is prohibited (Rosh Hashanah (2), Yom Kippur (1), Sukkot (2), Shemini Atzeret (1), Simchat Torah (1), Shavu'ot (2), and Pessach (4)). In a given year, this leads to a decrease in available labor time of 18 percent, which grows to a third regarding agricultural work when accounting for the impact of the *Shmitah* per seven-year cycle.

185 In the study of Mannheim and Sella cited above, 65% of the talmudic traditions analyzed "prescribed that the learning of Torah and work should be pursued jointly." Mannheim, Bilha/Sella, Avraham, op. cit., p. 51.

some of the rabbis worked in fairly menial and less time-intensive occupations despite their sharp intellect. Thereby, productivity is important, but so is its transcendence. This tension is reflected particularly well by the following dictum of R. Meir codified in the last Mishnah of Tractate Qiddushin: לעולם ילמד אדם את בנו אומנות נקיה וקלה ויתפלל למי שהעושר והנכסים שלו שאין אומנות שאין בה עניות ועשירות.¹⁸⁶ While the obligation to teach children a craft can be interpreted to imply that they should be productive in later life, the emphasis on this craft being clean and easy urges the pursuit of occupations that leave enough time for the transcendence of work and that are not demeaning to an extent that this transcendence is precluded.

The classic *Machloket* (Torah debate) regarding the proper balance between labor and its transcendence, in this case with Torah study, takes place between R. Shimon b. Yochai and R. Ishma'el. The latter states that the reason why the Bible contains productivity imperatives is because otherwise the prophetic verse urging ceaseless Torah study (לֹא-יָמוּשׁ סֵפֶר הַתּוֹרָה הַזֶּה מִפִּיד, וְהָיִיתָ בּוֹ יוֹמָם וְלַיְלָה)¹⁸⁷ might have been taken literally. Instead, R. Ishma'el continues by saying that the Bible demands that Torah scholarship be balanced with economic pursuits: ואספת.¹⁸⁸ R. Shimon b. Yochai challenges this view, asking what will remain of the Torah (תורה מה תהא עליה) if a man plows in the plowing season, and sows in the sowing season, and reaps in the reaping season, and threshes in the threshing season, and winnows in the windy season.¹⁸⁹ Note that neither position in the *Machloket* argues for only working—R. Ishma'el suggests a combination between work and study, while R. Shimon b. Yochai worries that the time-pressure of work might preclude Torah study. The majority opinion seems to follow R. Ishma'el, as the advice following this *Sugya* (talmudic passage) shows: Abbaye and Rava are famous for disagreeing with each other, but both seem to concur that Torah study without work is not sustainable—the former states that many have followed the advice of R. Ishma'el, and it has worked well for them, whereas others have followed R. Shimon b. Yochai and

186 mQid 4,14: A person should always teach his son a profession [lit., a craft] that is clean and easy, and should pray to Whom [all] wealth and property belongs, for there is no profession without poverty and wealth in it, and poverty does not come from the profession, and wealth does not come from the profession, rather all is according to his merit.

187 Jos 1,8: This book of Torah shall not depart from your mouth, rather you shall meditate therein day and night.

188 bBer 35b: 'You shall gather in your corn' [Dtn 11,14], meditate in them [the words of Torah] with the custom of a worldly occupation.

The term *Derech Eretz* (דרך ארץ) literally translates as "way of the land." In rabbinic literature it can mean earning a livelihood as well as ethical conduct in general.

189 Ibid.

have not been successful.¹⁹⁰ And the *Sugya* closes with the tradition according to which Rava requests that disciples and rabbis do not appear before him to be taught or judged during the months of corn ripening, vintage and oil pressing, in order to prevent them from being anxious about the food supply during the remaining year.¹⁹¹ These teachings urge a balanced approach for pragmatic reasons: Torah study alone often does not work well and may lead to existential anxiety.

However, the *Sugya* closes with a statement that warns of prioritizing the value of work above that of Torah study: דורות הראשונים עשו תורתן קבע ומלאכתן עראי זו וזו לא נתקיימה בידן.¹⁹² Note that this warning implies a balanced approach as well, albeit one in which Torah study is the anchor, and economic activity is auxiliary to it. This dialectic between work and study is also supported by Mishnayot throughout Tractate Avot, teaching that Torah combined with a worldly occupation avoids sin,¹⁹³ one cannot earn a livelihood without Torah and vice versa,¹⁹⁴ yet engaging excessively in commerce precludes wisdom,¹⁹⁵ and one should toil less in business than in Torah.¹⁹⁶ These Mishnayot confirm the majority view of the above *Sugya* in Tractate Berakhot: work is a necessary and beneficial complement to Torah learning, but the relative valuation of the latter should be greater. Therefore, both the demand to labor as well as that to transcend it are integral elements of the talmudic work ethic.

The dialectic between the first two elements of the talmudic work ethic are reflected in the following tradition: based on the verse in Exodus codifying that the thief of an ox must pay a fivefold fine, whereas that of a sheep must pay only a fourfold one,¹⁹⁷ R. Meir deduces how valuable labor is, because the ox is a work animal but the sheep is not.¹⁹⁸ R. Yochanan b. Zakkai suggests a different reason for the fine differential. According to him, this *Halakhah* teaches the greatness of human dignity—because the thief had to carry the sheep on his shoulder in a demeaning fashion, his financial punishment is less severe than

190 bBer 35b.

191 Ibid.

192 Ibid.: The first generations made their Torah [study] fixed and their work subsidiary, and both prospered in their hands. The later generations that made their work fixed and their Torah [study] subsidiary, neither prospered in their hands.

193 mAv 2,2.

194 Ibid. 3,20.

195 Ibid. 2,6.

196 Ibid. 4,12.

197 Ex 21,37.

198 bBQ 79b.

when he steals an ox, which walks by itself. Inherent in these opinions is the view that labor is of great importance but should not impinge upon human dignity by precluding a balanced life.

Talmudic Work Ethic Element 3: Contributions to Societal Welfare

Considerations of societal impact inform the Talmud's view on ideal occupations. For example, the Gemarah explains that one possible rationale why the Mishnah renders gamblers ineligible to act as witnesses or judges is: שאין עסוקין ביישובו של עולם.¹⁹⁹ One reason given for this exclusion is that those pursuing an occupation that does not contribute to societal development are not trusted. Another reason offered for the ineligibility of gamblers is that the person offering the gamble does not expect the other to win and hence can be accused of theft.²⁰⁰ Thereby, those pursuing an occupation based on deceit are also not trusted. The gambler is hence disqualified if he has no other means of earning a livelihood than rolling dice, the reason for which is that gambling does not, according to the Talmud, benefit society as a whole and that it can cause harm. In a similar vein, the Talmud warns against pursuing work that might provide temptations to engage in theft and corruption.²⁰¹

Conversely, occupations that *do* have a beneficial societal impact are endorsed, as is touchingly demonstrated by the following *Sugya*: R. Beroka Hoza'a asks Elijah the Prophet whether there are any people in the market in which he is standing that are destined for the World to Come (איכא בהאי שוקא בר עלמא),²⁰² to which the prophet replies "no." A bit later, two people pass by them, whereupon Elijah says that these two are destined for the World to Come. Curious about the reason, R. Beroka asks the two what their work is, to which they respond: אינשי בדוהי אנן מבדחינן עציבי אי נמי כי חזינן בי תרי דאית להו תיגרא בהדיהו.²⁰³ According to this narrative, engaging in work that increases peace and happiness in the world is rewarded with entry into paradise. Yet the beginning of this same *Aggadah* (homiletic tradition) also communicates the message that it is less an occupation itself but what one makes of it that matters. Before pointing out the two jesters, Elijah shows R. Beroka another man

199 bSan 24b: For they do not deal with the settlement [or: contribute to the community] of the world.

200 Ibid.

201 bQid 82a.

202 bTaan 22a.

203 Ibid.: We are jesters [i.e., jesters], we cheer up the sad. Also, when we see two people quarrel, we exert ourselves to achieve peace between them.

with a share in the World to Come—a jailer who risks his life to ensure that imprisoned women are not raped and who uses his position to warn the Jewish community of harsh decrees issued against it.²⁰⁴ Given such praise of socially beneficial work, it is perhaps not surprising that the sages made this value a matter of *imitatio dei*: a Midrash teaches that since creating the world, God has been active in it as a *Shadchan*, matching people up for marriages.²⁰⁵ This interesting perspective implies that being engaged in an occupation, particularly in one that creates win-win situations for humanity, is a divine activity.

The Culture of the *Yeshivah*

Whereas individual sages actualized the talmudic work ethic analyzed in the previous section, the culture of the Babylonian rabbinic academies (*Yeshivot*) was expressed in the context of an institutionalized social organization. Especially during the period of the Stammaim,²⁰⁶ organized academic institutions developed —“permanent organizations with corporate identities that transcend the individuals present at any given time.”²⁰⁷ In terms of applicability to corporate practice, the culture of the *Yeshivah* hence has a pro and a con relative to the talmudic work ethic. The advantage is that the *Yeshivot* brought together thousands of individuals under a common purpose and in an institutionalized organization,²⁰⁸ similar to the context in which corporate culture develops, whereas the talmudic work ethic was not expressed in a collective setting. However, the *Yeshivah* was a place of study and teaching, more similar to a university than a business firm.²⁰⁹ Therefore, what its culture implies for a corporation requires a higher degree of inter-

204 bTaan 22a. See the chapter on whistle-blowing (section 3.2.2.) for a discussion of whether risking one’s life for someone else is required from a talmudic perspective.

205 GenR 68,4. Besides mentioning the matching of spouses, this Midrash also portrays God as matching children to their parents and wealth to its owner.

206 The anonymous redactors of the Bavli, 450-650 C.E.

207 Rubenstein, Jeffrey L., *The Culture of the Babylonian Talmud*, Baltimore, MD/London, 2003, p. 16.

208 E.g., bKet 106a states that when the visiting rabbis departed from the school of Rav, 1,200 permanent scholars remained.

209 This qualification is increasingly losing its force as the previously separated realms of the academy and the company are converging with universities increasingly being run like a corporation (“publish or perish”-ethics, fierce competition for research grants, etc.), and corporations becoming more similar to universities (knowledge workers, corporate colleges, etc.). See Carey, James C., *University or Corporation? Dangers that Lurk in the Imitations of ‘Big Business’*, in: *The Journal of Higher Education*, Vol. 27, No. 8, November 1956, pp. 440-444; Blass, Eddie, *The Rise and Rise of the Corporate University*, in: *Journal of European Industrial Training*, Vol. 29, Issue 1, 2005, pp. 58-74.

pretation than what a work ethic does, since the latter is already an economic and business-related concept. With this in mind, the following core components of the culture in the Babylonian *Yeshivot* are now analyzed in turn:

- i) ambition,
- ii) consideration, and
- iii) elitism.²¹⁰

Yeshivah Culture Element 1: Ambition

For the members of the *Yeshivot*, the purpose for which they congregated was of the utmost importance. Torah study for them was “the greatest commandment, the most noble practice, and a universe-maintaining activity.”²¹¹ This esteem of Torah was of course already expressed in earlier generations of rabbinic Judaism. For instance, the mishnaic Tractate Avot is filled with exaltations and praises of Torah such as the following: *אם עשית תורה הרבה--אל תחזיק טובה לעצמך, כי לכך הפוך בה והפך שניים שהיו יושבין, ואין ביניהן דברי תורה--הרי זה מושב לצים*,²¹² *נוצרת* *הפוך בה והפך*,²¹³ and *שניים שהיו יושבין, ואין ביניהן דברי תורה--הרי זה מושב לצים*,²¹⁴ *נוצרת* *הפוך בה והפך*.²¹⁴ But while the Mishnah describes Torah as an essential component of life, albeit one that should be balanced with other activities,²¹⁵ the Gemarah

210 This thesis derives these three components based on Rubenstein’s terrific study of Babylonian academic culture, which he structures along seven chapters. Because Rubenstein’s chapters are not intended to be mutually exclusive, this thesis synthesizes Rubenstein’s sources and structure into a three-fold cultural taxonomy, intended to be both mutually exclusive and collectively exhaustive. This synthetic approach is important for the extraction of the *Yeshivah*’s cultural essence, which in turn is needed to support this culture’s application to corporate practice. Also, Rubenstein expends much effort to support his theory of a discontinuity between the Stammaitic and pre-Stammaitic periods, as well as between the Babylonian and the Palestinian cultures. For the purposes of this thesis, all talmudic traditions dealing with the culture of the rabbinic academies are of value, irrespective of the period or location from which they emerged. For further insightful studies of the Babylonian *Yeshivot*, see Gafni, Isaiah, *יהודי בבל בתקופת התלמוד*, Jerusalem, 1975/1990, pp. 177-203, and *יהדות בבל ומוסדותיה בתקופת התלמוד*, Jerusalem, 1975, pp. 79-104.

211 Rubenstein, op. cit., p. 31.

212 mAv 2,9: If you have learned much Torah, do not claim credit for yourself, because for that sake you were created.

213 Ibid. 3,3: Two that sit together without words of Torah between them—behold, this is a session of scorners.

214 Ibid. 5,21: Delve into her [the Torah] and delve into her, for everything is in her.

215 E.g., mAv 1,2 teaches that Torah is one of three things which sustain the world (the other two are *עבודה* [Temple service/prayer/work] and *גמילות חסדים* [deeds of loving kindness]), and mAv 4,17 teaches that besides the crown of Torah, there is also the crown of priesthood, the crown of kingship, and that of a good name, which is the greatest of all. Also, as noted in the previous section on the talmudic work ethic, mAv 3,21 states that there can be no Torah without an occupation (*דיר ארץ*, lit. “way of the land”) nor without material sustenance (*קמח*, lit. “flour”), and vice versa.

occasionally develops a perspective that portrays Torah as the only pursuit that truly matters.²¹⁶ Perhaps as the *Yeshivah* began to play an increasingly central and important role in rabbinic culture, a scholastic outlook and academic pre-occupations eclipsed the importance of all other pursuits. Yet for the sages of the *Yeshivah*, simply engaging in the greatest pursuit possible was not sufficient. Rather, they were driven by a passionate ambition to become the best within that pursuit. This drive is expressed by a) the aspiration of academic status and b) the fervent method of dialectical Torah study.

Regarding a) Many talmudic traditions reflect a rabbinic desire to achieve prominent academic rank. For instance, when Rava and Abbaye consult the dream-interpreter Bar Chedaya, he offers Abbaye (who paid him) glowing dream-readings with promises of many children, much prosperity, and the status of becoming the head of the *Yeshivah*: נפק לך שמא דריש מתיבתא הוית אימתך נפלת. ²¹⁷ בעלמא, ²¹⁸ Only after Rava also pays Bar Chedaya does he receive interpretations promising him wealth and success, including the prediction that Abbaye will die and that the presidency of his college will be offered to Rava, after which his teachings will disseminate throughout the world.²¹⁹

On the following folio, there are more indications that achieving high academic status was the stuff of rabbinic dreams: הרוואה אוון בחלום יצפה לחכמה... והבא: ²²⁰ עליה הוי ראש ישיבה אמר רב אשי אני ראייתה ובאתי עליה וסלקית לגדולה. Here the position of *Rosh haYeshivah* is portrayed as even greater than wisdom itself, the attainment of this position becomes a fantasy with sexual qualities (albeit somewhat idiosyncratic ones), and the great sage R. Ashi even confirms this interpretation and makes the dream a reality.²²¹ Similarly, the same *Sugya* suggests:

216 E.g., a tradition passed on in the name of R. Eli'ezer throughout the Bavli teaches: גדולה תורה שאילמלא תורה לא נתקיימו שמים וארץ ("Great is Torah, for were it not for Torah, the Heavens and earth would not be sustained," bPes 68b; bNed 32a). And bAZ 3a states: מנין שאפילו עובד כוכבים שהוא ככהן גדול בתורה ועוסק בתורה ("From whence [do we know] that even the idolator who toils in Torah is like the High Priest?") bMeg 16b even teaches that Torah study is superior to saving a life, building the Temple, and honoring parents.

217 bBer 56a: Your name will rise up [i.e., be great] like that of the head of the *Yeshivah*, and your people will be in awe of you.

218 Ibid.: You will become a king [head of the *Yeshivah*] and an *Amora* [an interpreter] will stand beside you.

219 Ibid.

220 bBer 57a: He who sees a goose in a dream can expect wisdom ... And he who has intercourse with her [the goose] will be the head of the *Yeshivah*. Said Rav Ashi: "I saw her and had intercourse with her and rose to greatness."

221 Note that R. Ashi was the first redactor of the Gemarah and that he reestablished the academy at Sura—further expressing the values of excellence in Torah study and academic status.

הנכנס לאגם בחלום נעשה ראש ישיבה ליער נעשה ראש לבני כלה.²²² These two interpretations are surrounded by further dreams that are meant to be good omens (e.g., for wealth, security, piousness), further reinforcing the desirability of attaining a high academic rank. In fact, preceding the dream-interpretations, the *Sugya* includes a teaching that states: אין מראין לו לאדם אלא מהרהורי לבו.²²³ Attaining high academic status was therefore likely to be a matter close to rabbinic hearts and minds.

The ambition of the talmudic sages was reinforced by the hierarchical organization of the *Yeshivah*. Already the title of the academic president, *Resh haMetivta* ("Head of a Study Session") or *Rosh haYeshivah* ("Head of the *Yeshivah*"), designates a hierarchy between the sages. This institutional structure becomes apparent in various talmudic depictions of academic life. For instance, R. Yochanan is perplexed that Isi b. Chini refers to the Head Teacher (ריש סדרא) in Babylonia simply by his name Abba Arikha, without preceding it with the honorific title 'Rav': אבא אריכא קרית ליה דכירנא כד הוה יתיבנא אחר י"ז שורן אחוריה דרב: אבא אריכא דרבי ונפקי זיקוקין דנור מפומיה דרב לפומיה דרבי ומפומיה דרבי לפומיה דרב ולית אנא ידע קמיה דרבי.²²⁴ Inherent in this rebuke are both the depiction of a hierarchical organization in the *Yeshivah*, with the teacher at the head and the most prolific students in the front rows, as well as the awe, admiration, and respect of the lower ranks towards the higher ones.

A further story narrates how R. Yochanan sits atop seven cushions facing seven rows of students, who are positioned according to their scholarly ability. R. Kahana is at first placed in the first row because he is believed to be a great sage but then is moved back row by row until he sits all the way in the back due to his disappointing scholarly performance. However, when R. Yochanan makes a disparaging comment about R. Kahana, the latter decides to show his true Torah proficiency and begins to raise numerous objections. At the end of the lesson, R. Kahana is seated in the front row again, and all seven cushions are removed from under R. Yochanan, making him sit on the ground.²²⁵ And R. Eleazar b. R. Shimon was perturbed to be placed in a position parallel to R. Yehudah haNasi, exclaiming insultingly: קא חשביתו ליה כוותי.²²⁶ Whereupon he strove to show his superiority by predicting the latter's objections and rendering

222 bBer loc. cit.: He who enters a marsh in a dream will be made the head of a *Yeshivah*, into the forest—the head of a study-session.

223 bBer 55b: A man is shown in his dream only what is suggested by his heart's thoughts.

224 bChul 137b: Abba Arikha you call him? Once I was sitting seventeen rows behind Rav, in front of Rabbi [Yehudah haNasi], sparks of fire flew from the mouth of Rabbi to the mouth of Rav, and from the mouth of Rav into the mouth of Rabbi, and I didn't know what they were saying. And you call him Abba Arikha?!

225 bBQ 117a-b.

226 bBM 84b: Do you think he is equal to me?!

his responses useless. The culture of the *Yeshivah* was hence extremely hierarchical, yet simultaneously fervently meritocratic.²²⁷ Within this institutional framework, the rabbis were driven by a burning ambition to achieve greatness.

Regarding b) The importance of dialectic activity in rabbinic culture is inherent in the structure of the Talmud itself, the dynamic of which is based on a continuous give-and-take (*Shaqla veTarya*) between a thesis (*Chidush*), anti-thesis (*Kashya*), and synthesis (*Teretz*).²²⁸ This methodology is exemplified by the comments following R. Shimon b. Yochai's second emergence from the cave in which he was hiding from the Romans.²²⁹ After R. Pinchas b. Yair cries when seeing the injuries his son-in-law's exile had inflicted, R. Shimon b. Yochai responds: *אשריך שראיתני בכך שאילמלא לא ראיתני בכך לא מצאת בי כך*.²³⁰ The ensuing Gemarah then explains what R. Shimon b. Yochai is happy about despite his physical afflictions; originally, when R. Shimon b. Yochai raised an objection to his father-in-law, R. Pinchas b. Yair solved it with twelve solutions. But after his time of Torah study in the cave, when his father-in-law raised an objection, R. Shimon b. Yochai solved it with 24 solutions.²³¹ Dialectical ability, i.e., quickly developing a prodigious quality and quantity of arguments while simultaneously neutralizing challenges, is thereby the defining measure of Torah proficiency. This ability accordingly also becomes the means to advance up the academic hierarchy, e.g., R. Natan and R. Meir were readmitted to the *Yeshivah* after R. Shimon b. Gamliel ejected them, because they threw written objections into the study hall and then threw in solutions to those same objections to which the *Nasi* himself could not respond.²³² The sages valued dialectical argumentation to such

227 Although lineage, not just merit, also played a role in determining academic rank, as is studied in the section on elitism.

228 The overarching thesis of this book, i.e., that perhaps the most significant contribution a talmudic perspective on management ethics can make to the business ethics discourse is its acknowledgment of and engagement with dialectical complexity, is hence not based (primarily) on the heterogeneity of the Talmud, but rather on the particular thinking of its sages. For studies on talmudic dialectics and argument, see Luzzatto, Moshe Chaim, *דרך, תבונה, The Ways of Reason. The Classic Guide to Talmud Study*, Jerusalem, 1989/1997 and Dolgopolski, Sergey, *What is Talmud? The Art of Disagreement*, New York, NY, 2009; Neusner, Jacob, *Ethnic Trait or Religious Value: Why We Jews Enjoy a Good Argument*, in: *Judaism*, Vol. 46, No. 181, New York, NY, 1997, pp. 25-32; Kraemer, D.C., *The Mind of the Talmud: An Intellectual History of the Bavli*, Oxford, 1990; Hahn, Aaron, *ספר עוקרי הרים, The Rabbinical Dialectics: A History of the Dialecticians and Dialectics of the Mishnah and Talmud*, Charleston, SC, 1879/2010.

229 A narrative presented in the previous chapter (section 2.1.2.).

230 bShab 33b: Happy are you that you see me like this, for if you had not seen me like this, you would not have found me like this.

231 Ibid.

232 bHor 13b.

an extent that, as Ronen Reichman points out, “the idea of discursivity becomes a necessary precondition in order to achieve a ‘correct’ judicial decision.”²³³ The fact that numerous traditions teach that dialectics could restore the Torah were it to be forgotten underlines this importance of discursivity.²³⁴

According to Jeffrey Rubenstein, one result of this emphasis on argumentation is found in the *Yeshivah*, where “[a] highly competitive, even combative ethos prevails... The sages attempt to excel in dialectic argumentation. Debate is simultaneously the means to greater status and even rank.”²³⁵ Analytical skill and intellectual acumen thereby become prized qualities. This is expressed by the academy’s high regard for *Pilpul*, a term derived from פלפל (pepper) to describe “sharp” analysis. For instance, the Gemarah reports that when R. Chisda and R. Sheshet once met, the former’s lips trembled at the latter’s knowledge of mishnaic traditions, whereas R. Sheshet’s entire body shook from the acumen in *Pilpul* of R. Chisda: רב ששת מרתע כוליה גופיה מפלפוליה דרב חסדא.²³⁶ Both the competitive nature of rabbinic culture and the importance it attributes to intellectual sharpness become apparent in this narrative, where sages tremble with fear of being exposed by the other’s knowledge, but especially by dialectical skill.²³⁷ In order to develop this skill, rabbis preferred to learn in groups or pairs, where they could hone their sharpness through heated debate. This is implied by R. Chama b. Chanina’s interpretation of Prov 27,17²³⁸ which he applies to scholarly debate: לומר לך מה ברזל זה אחד מחדד את חבירו אף שני תלמידי חכמים מחדדין זה את זה בהלכה.²³⁹ Through its emphasis on communal yet hierarchical study, the *Yeshivah* fostered a culture in which competitiveness prevailed alongside in-

233 Reichman supports this point with mSan 11,4, which teaches the paradoxical *Halakhah* that in the case of a defendant accused of a capital crime, a Sanhedrin in which all judges argue for a guilty verdict must acquit the defendant. Thereby, “one can find truth only by discursively-controversially debating the case.” Reichman, Ronen, Aspects of Judicial and Legislative Decision-Making Within the Talmudic Legal Discourse, in: Bouston, Ra’anan S. et al. (eds.), *Envisioning Judaism*, Vol. 1, Part II, Tübingen, 2013, cited from manuscript of paper held at international conference on Legal Theory and *Halakhah*, Hamburg, November 1st 2010, p. 10.

234 See, for instance, bKet 103b, bBM 85b.

235 Rubenstein, op. cit., p. 2.

236 bEr 67a: Rav Sheshet’s entire body trembled from the *Pilpul* of Rav Chisda.

237 This combative communication style of the Babylonian *Yeshivot* may have survived in a completely different context on the streets of New York City, where Jewish conversational style is known for its aggressiveness and contentiousness. See: Tannen, Deborah, *New York Jewish Conversational Style*, in: *International Journal of the Sociology of Language*, Issue 30, 1981, pp. 133-150.

238 בְּרִזְלָא קְבִירָא יָתִיד; וְאִישׁ יְחַדְדֵּן פְּנֵי-רֵעֵהוּ : Iron sharpens iron; and a man sharpens the countenance of his colleague.

239 bTa’an 7a: This tells you that just as with iron, one piece of iron sharpens the other, also two scholars sharpen each other in *Halakhah*.

tellectual sharpening and hence mutually beneficial collaboration. Alongside the drive for academic status, dialectical prowess became a hallmark of rabbinic ambition.

Yeshivah Culture Element 2: Consideration

Ambition led to a combative environment between the sages, as well as to tensions with their families. The Talmud therefore instituted two central mechanisms to address the resulting dilemmas: consideration for the well-being of a) family and b) colleagues.

Regarding a) The ambition of the talmudic sages to achieve greatness in Torah scholarship within the institutional structure of the *Yeshivah* necessarily led to tensions in their familial life. The sages faced a fundamental dilemma because becoming a Torah master and climbing the academic ranks required incessant study and passionate dedication, yet the Torah itself declared marriage,²⁴⁰ marital sex,²⁴¹ procreation,²⁴² and teaching one's children²⁴³ to be *Mitzvot* ("commandments"), hence precluding celibacy as a solution to the rabbinic dilemma between dedication to Torah and that to family. As a result, the "sages therefore faced a fundamental systemic tension, in that competing commandments pulled them in opposite directions. For many, it was undoubtedly difficult to find the right balance."²⁴⁴ A sage could not fulfill the Torah's commandments without his wife, yet she could also impede his academic career.

The necessity of having to deal with this dilemma is expressed through a series of codified norms about sages leaving their homes for a certain period in order to focus on Torah study. The Mishnah teaches: התלמידים יוצאין לתלמוד תורה. שלא ברשות שלשים יום הפועלים שבת אחת.²⁴⁵ Inherent in this law is both that scholars may leave home against the will of their family to pursue Torah studies, but also

240 Dtn 24,1; 24,5.

241 Ex 21,10.

242 Gen 1,28.

243 Dtn 11,19.

244 Rubenstein, loc. cit., p. 102. The fact that women were excluded from academic life made the tension all the greater, because their husbands were forced to separate from female contact when going to study. The tension was further increased by the polygamy of talmudic times. Also, scholars in Babylonia probably spent more time away from their families than their Palestinian counterparts, making the fulfillment of marital obligations a particularly great challenge for the members of the Babylonian *Yeshivot*.

245 mKet 5,5: Students may leave for Torah study without permission [from their wives for a period of] 30 days. Laborers, one week.

that they may only do so for a limited amount of time, albeit one that is over four times longer than that permitted to laborers. The Mishnah then continues to teach the amount of time a husband is obligated to be with his wife in order to fulfill the Torah's conjugal duties—between every day (for men without an occupation) to once in six months (for sailors).

Taking up these norms, the subsequent Gemarah elaborates: ברשות כמה כמה.²⁴⁶ But the qualification is quickly added that, according to Rav, spending one month at the academy and one month at home, whereas R. Yochanan holds that one month at the academy for each two months at home is appropriate. Regarding the time required to fulfill the Torah's conjugal duties, R. Ada b. Ahavah then says in the name of Rav that the mishnaic norms are a minority view of R. Eli'ezer, whereas the majority of sages holds: 'ת"ב' וג'.²⁴⁷ Rava immediately follows this statement, warning that there were sages who relied on the words of Rav Ada b. Ahavah to their peril: ועבדי ועבדי.²⁴⁸ To support this point, two stories are then told which portray the damaging effects of sages neglecting their conjugal duties. R. Rachumei would normally come home on the eve of Yom Kippur, but on one occasion he was so engrossed in his studies that he did not return as usual. His wife was expecting him, thinking: השתא אתי השתא אתי.²⁴⁹ When he did not arrive, she became distressed and a tear (אחית) fell from her eye, whereupon the roof (אפחית) on which R. Rachumei was sitting collapsed and his soul departed. Similarly, Yehudah b. R. Chiya would come home every Shabbat eve, but once his studies captivated him to such an extent that he did not. His father-in-law R. Yannai then overturned his bed, believing: שאילמלי יהודה קיים לא ביטל עונתו הוא.²⁵⁰ Thereupon, Yehudah passed away. Embedded within these two cautionary tales, the norm is taught in the name of Shmuel that the conjugal duty of Torah scholars (עונה של) (תלמידי חכמים) is to be fulfilled every Shabbat night.²⁵¹ The Talmud thus warns against the view that a Torah scholar needn't attend to his wife, but simultaneously allows him to pursue his studies away from home even against her will, for a certain amount of time. Despite these attempts to strike a balance, if the distribution of their time and effort is any indication, it appears that the sages of the

246 bKet 61b: With permission [from their wife], [sages may stay away from home to study as much as] they desire.

247 Ibid. 62b: Students who leave for Torah study [may do so] for two or three years without permission.

248 Ibid.: And lost their souls [i.e., lives].

249 Ibid.: Now he is coming, now he is coming.

250 Ibid.: Were Yehudah alive, he would not neglect his conjugal duties.

251 Ibid.

Yeshivot in practice directed more of their passion towards their studies than their spouses.²⁵² Nonetheless, the ideal propounded by the Talmud is devotion to Torah study while promoting, or at least not jeopardizing, familial well-being.

Regarding b) The Talmud encourages a competitive culture: “competition (lit. “jealousy”) among scribes expands wisdom” (קנאת סופרים תרבה חכמה).²⁵³ This competitive drive results in open displays of aggression and hostility. When R. Yochanan responds to a proposed solution in a scholarly debate with such forcefulness that he silences Resh Laqish, the former exclaims: קצצתינון לרגלוי.²⁵⁴ And when Karna taught that market overseers may regulate both measures and prices, although Shmuel told him to instruct that only the former may be regulated, the latter curses him: מה שמך קרנא תיפוק ליה קרנא בעיניה.²⁵⁵ In a similar vein, the Talmud cites a Midrash interpreting Dtn 20,19²⁵⁶ to mean that: אם ת”ה הגון הוא ממנו תאכל ואותו לא תכרת ואם לאו אתו תשחית וכרת.²⁵⁷ Under the constant threat of being attacked by academic colleagues, Torah scholarship resembled a martial art, which perhaps explains the prohibition of bringing weapons into the study houses: אין נכנסין בכלי זין לבית המדרש.²⁵⁸ This combative culture was a hallmark of the Babylonian *Yeshivot*,²⁵⁹ and it led, in fitting dialectical fashion, to a strong concern with mutual consideration.

252 E.g., bKet 62b features reports of Torah scholars spending up to twelve consecutive years studying away from home, resulting in the suffering of their wives and the alienation from their children. And in what might be a talmudic vision of the ideal spouse, R. Akiva’s wife urges him to spend 12 years, and then another 12 years away from home to study, for which he is blessed upon his return with her complete dedication and half her father’s money, as well as 24,000 students (Ibid. 62b-63a). That the dedication to Torah relative to family life was a social expectation is exemplified by the stories which relate that Rabbi Yehudah haNasi’s son was ashamed that he wanted to study “only” six years before his marriage rather than 12 and actually preferred to marry before beginning his studies. The devotion to Torah is also expressed through erotic imagery—e.g., R. Shmuel b. Nachmani compares Torah study to blissful sexual intercourse (bEr 54b).

253 bBB 21a.

254 bMe’i 7b: I cut the legs off this child.

Cf. bBQ 81b, where R. Chiya says to a sage observing a legal stringency, “Had you not been R. Yehudah b. Kenosa, I would have cut off your joints with an iron saw.”

255 bBB 89a: What is your name? Karna? Let a horn (*Karna*) grow out of your eye.

256 bBB 89a: “For you may eat of them [the trees of a besieged city], but you shall not cut them down.”

257 bTa’an 7a: If a Torah scholar is worthy, you can eat [i.e., learn] from him and you should not cut [him] down; but if he is not, you should destroy him and cut him down.

258 bSan 82a.

259 This becomes especially apparent through the difference between Babylonian and Palestinian rabbinic culture, as described by bSan 24a, which observes that Palestinian scholars are pleasant and gracious to each other in *halakhic* discourse, whereas scholars in Babylonia are bitter to and inflict damage upon each other. Probably as a consequence of these cultural differences, the Bavli contains a much stronger emphasis on the theme of mutual consideration.

As Rubenstein points out, the Stammaim “were well aware of the detrimental effect of this climate [of hostility and verbal violence] and the wounds suffered by offended parties. They tried to improve the academic ethos by stressing the importance of cordial relations, creating exemplary models of earlier sages who behaved modestly, and promising rewards to scholars who maintained a humble attitude while engaging in debate.”²⁶⁰ An example of the development of role-models to counter the culture of hostility is a tradition that teaches what a קול בת קול (“Heavenly Voice”) called out: ואלו דברי אלהים חיים הן והלכה כב”ה.²⁶¹ The Yerushalmi relates this teaching without inquiring into its reason,²⁶² but the Bavli explains it as follows: מפני שנוחין ועלובין היו ושונין דבריהן ודברי ב”ש ולא עוד אלא שמקדימין דברי ב”ש לדבריהן.²⁶³ Graciousness and humility even towards the fiercest rivals are thereby promulgated as praiseworthy. Simultaneously, these character traits are promoted as a means towards earning God’s favor and academic supremacy. In a similar vein, and perhaps as a result of his own above noted suffering under the *Yeshivah*’s combative ethos, Resh Laqish suggests that God listens to two scholars who are pleasant to each other in legal debate (הנוחין זה לזה בהלכה)²⁶⁴ and hears two scholars who listen to each other in legal debate (המקשיבים זה לזה בהלכה).²⁶⁵ The teaching preceding these appeals further encourages mutual consideration, connecting it to hierarchical ascent: שני תלמידי חכמים המחדיין זה לזה.²⁶⁶ ולא עוד אלא שעולין לגדולה, and בהלכה הקב”ה מצליח להם. Conversely, scholars were warned of failing to show honor to their colleagues as in the story of R. Akiva’s 12,000 students who are said to have all died at once because they failed to treat each other honorably.²⁶⁷ As with the dilemma between excellence in Torah scholarship and familial well-being, the sages strove to balance the competing demands of competitive intellectual sharpness and the virtues of modesty, humility, and compassion.

One means towards addressing this tension is the talmudic concept of אונאת דברים (*Ona’at Devarim*, “verbal injury”), which warns against causing

260 Rubenstein, op. cit., p. 66.

261 bEr 13b: These and these are the words of the living God, and the *Halakhah* is according to the House of Hillel.

262 yBer 1,2 3b [Venice and Krotoshin Editions].
[Piotrkow Edition: yBer 1,4 9a.]

263 bEr loc. cit.: Because they [the House of Hillel] were gracious and modest, and they taught their own words as well as those of the House of Shammai. And not just that, but they would precede their own words with those of the House of Shammai.

264 bShab 63.

265 Ibid.

266 Ibid.: Two Torah scholars that sharpen each other in legal [debate], the Holy One blessed be He will make them successful ... And not just that, but He will make them rise to greatness.

267 bYev 62b.

shame, especially in public.²⁶⁸ Several traditions point to the gravity of this concept: verbal wronging is more severe than monetary wronging; shaming a person in public is like spilling his blood; possibly committing adultery or burning in a fiery furnace are to be preferred to publicly embarrassing someone; and those who cause someone shame in public have no share in the World to Come.²⁶⁹ In the context of the *Yeshivah* specifically, many traditions warn rabbis not to shame each other.²⁷⁰ These dramatic teachings can be interpreted as an effort to counter the injurious effects of the combative *Yeshivah* culture by promoting mutual consideration.²⁷¹ Both a concern for familial and collegial well-being balance and temper fervent rabbinic ambition.

Yeshivah Culture Element 3: Elitism

As discussed above, the rabbis of the Babylonian *Yeshivot* perceived Torah study as life's single most important activity. Consequentially, they perceived themselves as the world's elite, and even that of the next world. For instance, on an occasion when the Heavenly Academy and God disagreed about a matter of purity, Rabbah b. Nachmani came in to rule on the matter, stating: **אני יחיד בנגעים**

268 See also p. 118.

269 bBM 58b-59a, cf. mAv 3,15.

270 For instance, when R. Kahana offers objections which R. Yochanan cannot answer in the narrative presented above, the latter mistakenly thinks the former is laughing at him. Consequently, R. Yochanan feels embarrassed and R. Kahana therefore dies as a punishment, only to be revived when R. Yochanan realizes that what he saw was in fact not a laugh but R. Kahana's split lip. (bBQ 117a.) Likewise, R. Achilai is harmed when he raises objections that might potentially shame Rava during his lectures (bPes 110a).

271 Two narratives express the sages' dilemma between rigorous dialectics and mutual consideration especially well. In the famous incident of the Oven of Akhnai (תנור של עכנאי, bBM 59a-b), the rabbis argue with R. Eli'ezer regarding the purity of a particular oven, rejecting his opinion so harshly that they "coiled round his words like a snake wrapping itself around its prey." The sages even reject miraculous interventions that confirm R. Eli'ezer's view, and insist that the *Halakhah* follows their majority opinion. They then excommunicate him and burn the items he declared to be pure. This humiliation and degradation causes R. Eli'ezer to weep, and his suffering then brings divine retribution upon the sages and the world. As the *Sugya* concludes, Rabban Gamliel the Nasi is struck dead due to the verbal wronging and the subsequent suffering of R. Eli'ezer. The second story relates how Rabban Gamliel invites seven sages to intercalate the year, whereupon eight appear. When Rabban Gamliel says that he who came without an invitation should leave, Shmuel the Little says that he came without permission because he has to learn the practical law, whereupon Gamliel allows him to stay. A subsequent Stammaitic addendum states that Shmuel had in fact been invited, but he acted in this manner to avoid shaming one of his colleagues (bSan 11a). These two stories thereby relate both the ferocious ambition with which Torah study is to be pursued while stressing consideration for the honor and feelings of fellow scholars.

אני יחיד באהלות.²⁷² The *Yeshivah* is thereby portrayed as having a matching institution in heaven (מתיבתא), God is perceived as a heavenly Torah scholar, and an earthly Torah scholar is described as so wise that he can instruct God.

In a similar display of rabbinic elitism, God cannot overrule the majority opinion of the sages in the famous narrative about the Oven of Akhnai referred to in the previous section. When a “Heavenly Voice” (בת קול) asks them: מה לכם אצל לא בשמים?²⁷³ R. Yehoshua arises and cites the biblical verse: קא חייך ואמר נצחוני.²⁷⁴ The sages thereby present themselves as outsmarting God Himself, or at least as being able to overpower God’s omnipotence based on powers they believe He has bestowed upon them. The Talmud makes this remarkable implication explicit, by teaching that when R. Natan asked Elijah the Prophet what God was doing when He had been overruled, Elijah responded: בני נצחוני בני.²⁷⁵ It might be hard to find a group with a more elitist self-image than one that both believes in God and in its own ability to guide or even defeat Him.

This same self-image is expressed in a striking narrative describing that when Moses went up to God, he found Him embellishing letters with crowns, as they are found in Torah scrolls. When Moses asks: רבש"ע מי מעכב על ידך?²⁷⁶ God responds that the crowns are needed for R. Akiva, who will use them to derive many laws. Moses requests to see this man, whereupon he finds himself at the back of the eight rows in R. Akiva’s class: ולא היה יודע מה הן אומרים תשש כחו.²⁷⁷ Shortly thereafter, a student inquires what the source of a teaching is, to which R. Akiva responds: הלכה למשה מסיני.²⁷⁸ Moses was comforted, but upon returning to God asks: רבונו של עולם יש לך אדם כזה ואתה נותן תורה ע"י.²⁷⁹ God silences Moses, saying that this is how He has decided matters. This remarkable story narrates how God in effect serves the sages, by preparing the written Torah for the purpose of their oral exposition, and how Moses, the great prophet and teacher of the written Law, sits in the row of the study house for the least capable students and cannot comprehend what is being taught. The story even intimates that R. Akiva may be superior to Moses and that both were ordained directly by God. It might not come as a

272 bBM 86a: I am unique [i.e., pre-eminent] in the laws of leprosy and tents.

273 bBM 59b: What do you have against R. Eli’ezer, given that the *Halakhah* is according to him?

274 Ibid., Dtn 30,12: She [the Torah] is not in the Heavens.

As the *Sugya* continues to explain, this statement is invoked to mean that since the Torah has already been given at Mt. Sinai, no attention is paid to Heavenly Voices, because the Torah itself states that a majority rule is to be followed (Ex 23,2).

275 Ibid.: He laughed [joyously] and said, “My sons have defeated Me, my sons have defeated Me.”

276 bMen 29b: Master of the Universe, who is holding back Your hand?

277 Ibid.: And he didn’t know [i.e., understand] what they were saying, [whereupon] he lost his strength.

278 Ibid.: It’s a law of Moses from Sinai.

279 Ibid.: Master of the Universe, You have a man like this and You give the Torah through me?

surprise that a (sub)culture which perceives itself as being the greatest in the most divine activity would be particularly welcoming towards those of noble lineage entering their ranks²⁸⁰ and would look down upon those on the outside of their in-group.²⁸¹ Such selection and identification mechanisms further fostered a *Yeshivah* culture of elitism.

In conclusion, all of the proposed cultural elements of the *Yeshivot* are reflected by a famous passage in which Rabban Gamliel is deposed as the head of the academy.²⁸² The narrative begins with R. Joshua responding to a student that the evening prayer (תפלת ערבית) is optional (רשות). The student then asks the same question to Rabban Gamliel in the *Yeshivah* who responds that the prayer is obligatory (חובה). When the student asks why R. Joshua teaches the opposite, Rabban Gamliel tells him to wait until the shield-bearers (בעלי תריסין)²⁸³ join them in the house of study. He then asks if anyone disputes the obligatory nature of the evening prayer, whereupon the Gemarah reports that R. Joshua replies “no.” When R. Gamliel confronts him with the contrary opinion reported by the student, R. Joshua asks how he can deny that he had said it, implying that he would prefer to, whereupon R. Gamliel remains sitting while he continues expounding the law, leaving R. Joshua standing. This reflects the hierarchical nature of the *Yeshivah*, because the reported discourse is clearly not between two scholars on eye-level. However, the considerate and non-hierarchical cultural elements then come to the fore, as all the people present (כל העם) demand that R. Gamliel stop insulting R. Joshua and subsequently depose him as *Nasi*.²⁸⁴ The

280 Lineage (יחוס) was of great importance for the Babylonian sages, as evinced by the large share of *Kohanim* (“Jewish priests”) and those of other “noble” descent in the learned elite of Babylonia (Rubenstein, pp. 87ff.). Also, the position of *Nasi* became a dynasty in the hands of Hillel’s descendants, briefly interrupted by R. Ela’zar b. Azariah, who was also chosen partly due to his lineage as a descendant of Ezra (bBer 27b).

281 Paradoxically in light of their later elitism, the Pharisees began as a protest movement of the common people (during the Second Temple period) against the priestly and royal oligarchy. (Rivkin, Ellis, *A Hidden Revolution: The Pharisees’ Search for the Kingdom Within*, New York, NY, 1978). But as the rabbis came to power, the etymological meaning of their name, “set apart” (פרוש), increasingly developed into an elitist self-understanding relative to all outside their circle. This becomes evident through rabbinic contempt directed at the so-called עַם הָאֶרֶץ (lit. “people of the land”), a derisive label for Jews considered by the rabbis to be uneducated or slacking in ritual observance (bBer 47b), towards whom separation and even mistreatment was encouraged (see, for instance, bPes 49a-b, bShab 63a, bBB 8a). However, as noted above, the Gemarah relates as a favorite saying of the rabbis of Yavne an egalitarian tradition portraying the rabbis and the people of the land as equal. (bBer 17a.)

282 bBer 27b.

283 A term for the great scholars, reflecting the martial elements in the culture of the *Yeshivah*.

284 The fact that R. Gamliel listens to the will of “the people,” both by stopping his insults and by allowing himself to be deposed, reflect a democratic cultural stream alongside the hierarchical one.

search for a successor reflects the elitist component of the *Yeshivah* culture, for R. Akiva is rejected because he lacks ancestral merit (דלית ליה זכות אבות),²⁸⁵ and R. Ela'zar b. Azaryah is proposed because of his wisdom, wealth, and noble lineage as a descendant of Ezra (דהוא חכם והוא עשיר והוא עשירי לעזרא). Finally, the consideration and ambition expected of the *Yeshivah*'s members become apparent when R. El'azar b. Azaryah first consults his family, asking his wife whether he should accept the position offered to him, yet then chooses to disregard her warnings that he might also be deposed with the proverb: לשתמש אינש יומא חדא לשתמש אינש יומא חדא.²⁸⁶ She then questions how he could hold such a position without even having any white hair, being only eighteen years old, whereupon a miracle occurs, and he is glorified with eighteen rows of white on his beard. Whether this supernatural intervention occurred out of consideration for his wife's concerns or as an omen that his hierarchical ascent was divinely ordained, it is clear that R. Ela'zar b. Azaryah was driven by the strong ambition to drink from the precious cup that he had been offered.

2.2.3. *Implications for the Management of Corporate Culture*

The preceding discussion provides us with two sets of inputs: a talmudic work ethic and the culture of the Babylonian Torah academies (*Yeshivot*). Unsurprisingly, the two have a common fabric. Both encourage diligence, balance, and contributions to general welfare, albeit in different manners. The sources analyzed to develop the talmudic work ethic praise productivity and condemn idleness: they urge a balance between work and other spiritual endeavors,²⁸⁷ particularly Torah study; and they encourage pursuing occupations and working in such a manner that the general welfare is promoted, while discouraging means of earning a livelihood that do not contribute to societal development. Similarly, the academic culture of the Babylonian *Yeshivot* demands ambitious hard work by requiring its members to balance their ascent up the academic hierarchy with the promotion of familial and collegial flourishing and by benefiting society through training and developing rabbis who fulfill the important roles of communal leaders, judges, scholars, teachers, and moral role-models.

285 The Gemarah reports that the people were afraid of R. Gamliel cursing a successor without ancestral merit.

286 bBer 28a: A man should use a precious cup [of honor] for one day even if it will break the day thereafter.

287 Because both the written and oral Torah declare productivity a commandment, work itself also becomes a spiritual pursuit rather than a merely expedient profane activity.

Applying the *Tzad haShave* (“common element”) between the talmudic work ethic and the *Yeshivah* culture might be more fruitful to inform the ethics of an executive charged with crafting, shaping, and reinforcing the culture of his corporation than applying each on their own—for the work ethic of talmudic sages lacks an institutional frame, and the *Yeshivah* culture did not develop in a for-profit institution. Individually, both elements therefore require more abstraction in order to be soundly applied to business organizations than combined, where they might provide a feasible and sustainable basis to inform and inspire an organizational culture that bases itself on the following three elements: productivity, balance, and societal development. This implies fostering a corporate culture that motivates and enables its members to a) value their work,²⁸⁸ b) meet their responsibilities outside the workplace,²⁸⁹ and c) contribute to social goals.²⁹⁰ These elements combined can provide a powerful and highly relevant foundation upon which to base the unifying, identifying, and aligning functions of a corporate culture.

Yet as useful as the commonalities between the talmudic work ethic and the *Yeshivah* culture may be for our purposes, their specificities can provide insights as well. The belief that one’s occupation is the most noble and important activity, the competitive ambition to achieve hierarchical ascent, the complete dedication and drive for excellence, the martial attitude, and the elitist self-perception displayed by the sages of the Babylonian *Yeshivot* might make them less sympathetic to some. But imbuing organizational members with these drives and beliefs can contribute to productivity, motivation, recruiting, retention, and hence performance. In fact, corporations such as the financial services firm Goldman Sachs already seem to institutionalize cultural elements similar to those of the *Yeshivah*: its Chairman and CEO Lloyd Blankfein stated in an interview that his

288 One central institutional means to achieve this is a so-called “vitality curve,” by which organizational members are graded according to their performance, thereby providing incentives for productivity. Better yet, and more difficult to implement, is the fostering of intrinsic motivation, for example, by developing an organizational culture people want to be a member of and contribute to.

289 Especially towards themselves and their families, for instance by encouraging sabbatical and parenting leaves. More flexible work schedules, such as those permitting additional paid time off for a pay cut, can also enable organizational members to balance their work with other interests. McKinsey has recently introduced such a flexible program with its “Personal Time” model.

290 This might occur through the business itself (e.g., a pharmaceutical company contributing to health, or a music company which, like the talmudic jesters destined for heaven, brings joy to the world.) Or it may occur through ancillary activities that enable organizational members to contribute to society, such as corporate volunteering programs in soup kitchens and schools. The idea of combining business and social goals has been formalized by Michael Porter with the concept of “shared value” (Porter, Michael E./Kramer, Mark R., Creating Shared Value, in: Harvard Business Review, Cambridge, MA, Jan.-Feb. 2011).

company is “doing God’s work,”²⁹¹ its bankers are driven to professional excellence and to sacrifices of personal and family life with 80-100 hour work weeks, its 360°-feedback mechanisms increase the pressure to do what it takes to outperform colleagues and get promoted, its competitive environment puts a premium on an aggressive pursuit of the best solutions and intellectual sharpness, its client projects demand the mutual consideration essential for successful teamwork, and its organizational members are encouraged to view themselves as capitalism’s elite.²⁹² Given the success of Goldman Sachs, studying the *Yeshivah* culture might help other corporations as well. However, in light of the popular backlash against both institutions,²⁹³ the specific principles of the talmudic work ethic might be necessary to make the *Yeshivah* culture more sustainable in a corporate context.²⁹⁴ This implies specifically being dedicated to one’s work, but simultaneously striving to make it as “clean and easy” as possible, i.e., not allowing work to colonize one’s entire life. Also, the perceived importance of one’s own occupation must be strengthened and balanced with a concrete and observable contribution to societal development.

Based on the preceding discussion, the most promising approach to inform corporate culture might be to foster both the particular elements of the talmudic work ethic as well as those of the *Yeshivah* culture and then to ensure that the culture remains balanced between their respective components. Illustration 7 shows how this can be pictured: the diligence, balance, and societal development of the talmudic work ethic and the ambition, consideration, and elitism of the *Yeshivah* are the cultural poles between which a dialectical *Spannungsfeld* is struck—diligence must be blended with consideration, elitism should be tempered by balance, and ambition ought to be matched with societal development.²⁹⁵

291 Interview with John Arlidge of The Sunday Times, London, November 8th, 2009.

292 Elements such as the 430,700 USD average pay (Goldman Sachs 2010 annual report), the frequent media coverage referring to Goldman Sachs as the elite or elitist, the bank’s alumni network reaching the highest levels of the international private and public sector, and its recruiting policy which aims at hiring only the best and brightest from Ivy League or corresponding international institutions all contribute to an elitist culture.

293 As evinced by the alienation of the majority of Jews from rabbinic Judaism and the emergence of counter-movements to the *Yeshivah* such as Chassidism, and the wide-spread critique and contempt for Goldman Sachs, ranging from sources as divergent as its own staff (<http://www.nytimes.com/2012/03/14/opinion/why-i-am-leaving-goldman-sachs.html?pagewanted=all>), the German government, and Rolling Stone Magazine. The bank recently instituted a Business Standards Committee to review its ethics.

294 Practically, this means first instituting the common thread between the talmudic work ethic and the *Yeshivah* culture, then developing the *Yeshivah*-specific elements, which are in turn balanced by the unique components of the work ethic.

295 See illustration 7 in appendix.

The Paradox of the Distinctive yet Indivisible Culture

Executives and employees face a dilemma when developing, shaping, and reinforcing their corporate culture. On the one hand, a distinct and distinctive culture fosters a strong sense of shared identification between organizational members and thereby contributes to teamwork and dedication. Yet when its culture becomes too distinct, a corporation risks alienation from its stakeholders and society. The underlying tension of this cultural dilemma is addressed in the Jewish tradition.

The Hebrew word for culture, *תרבות* (*Tarbut*), appears only in one biblical verse: *וְהָיָה קִנְיָתָם, תְּהֵאֵת אֲבֹתֵיכֶם--תְּרַבּוּת, אֲנָשִׁים חֹטְאִים*.²⁹⁶ Moses castigates the Israelite tribes of Reuben and Gad, who put their tribal economic interests before the collective ones of the nation by requesting to settle in territories on the east side of the Jordan River as opposed to ones in the Promised Land in order to contain their large holdings of cattle. The negative connotation of the word *תרבות* is continued in its relation to *תרבית*, the biblical term for forbidden interest payments.²⁹⁷ Inherent in both words is a critique of an emerging breed, in the one case of a separate sub-culture, in the other of money. Thereby, just as financial inbreeding is biblically condemned, a culture is discouraged from disconnecting itself from wider society. At the same time, of course, the biblical and talmudic traditions value the development of a particularistic Israelite/Jewish culture and its separation from surrounding influences, alongside their universalistic worldview affirming the unity and equality of all mankind. Reflecting the former tendency, Mar Shmuel's father forbids Jews from entering into business partnerships with heathens because doing so might cause the latter to swear by their idols when taking an oath regarding business disputes.²⁹⁸ These teachings reflect the fundamental dilemma of corporate culture: integration vs. separation. Striking a balance between these two poles implies instituting a distinctive and distinct culture that is simultaneously indivisible from broader societal concerns and interests.

296 Num 32,14: And behold, here you stand, under your forefathers—a breed, sinful men.

297 See for example Lev 25,36.

298 bSan 63b. The rabbinic concern that business relationships can lead to assimilation with “non-Jewish” cultures might also be reflected in the fact that the Tractate dealing most with idolatry (*Avodah Zarah*) is in the same order *Neziqin* as the three *Bavas*.



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