

## A Guilded Age: The State of the Union in Halacha

Adapted from the writings of Dayan Yitzhak Grossman

August 7, 2025

The share of private-sector workers that belong to a labor union fell to 5.9% last year, according to U.S. Bureau of Labor Statistics data published this year. Membership has declined slowly but steadily since peaking at 35.6% in 1954.[1]

In this article, we explore the basic halacha governing labor organization and unions.

### **Residents of a city and members of a profession**

The Gemara declares that residents of a city are allowed to regulate the prices of goods as well as the wages of workers. It subsequently seems to extend this prerogative to the members of a particular profession, granting them the right to bind each other in restrictive agreements intended to improve their overall economic position, such as limiting the days on which particular members may work.[2] The Rosh infers from this that

All professionals may stipulate (agreements) among themselves, and they are called “residents of the city” with respect to work.[3]

The Gemara qualifies, however, that this right of professional organization is conditioned on the absence of an *adam chashuv* (important person) in the city. Where such a figure is present, any stipulation must be made “in his presence,”[4] with his participation and acquiescence.[5] The Ri Migash explains that the requirement of the *adam chashuv*’s endorsement is due to the fact that an agreement among members of a profession is detrimental to the public, because it will result in higher prices for consumers.[6]

What is the definition of *adam chashuv*? The Ri Migash understands it to mean “an important person who has been appointed over the public”;<sup>[7]</sup> the Rambam interprets it as “a distinguished chacham responsible for improving the conduct of the province and bringing success to the ways of its inhabitants”;<sup>[8]</sup> and the Rosh limits it to someone like the *Amora* Rava, “who was the head and leader of the city.”<sup>[9]</sup> The Shulchan Aruch codifies the Ri Migash’s language.<sup>[10]</sup>

For such an arrangement by the members of a profession to be binding, it must be entered into by “all” the members,<sup>[11]</sup> but R’ Moshe Feinstein considers it obvious that this is not literal, and a majority is sufficient.<sup>[12]</sup>

### **Modern labor unions**

R’ Moshe Feinstein sees in this Gemara a halachic basis for allowing labor unions, provided that they comprise most of the workers in a particular region. He argues that in light of the aforementioned explanations of the *Rishonim* that an *adam chashuv* is one who is appointed to oversee municipal affairs, American cities today do not have such persons, so labor unions are entitled to formulate rules on their own, and this is certainly so if the government grants them that right.<sup>[13]</sup>

Similarly, R’ Shlomo Zalman Auerbach initially assumes that today’s labor unions do not have the power to establish rules for their industries without the endorsement of the *chever ir* (municipal rabbinic leadership),<sup>[14]</sup> but he

subsequently suggests the possibility that “in those places where the city’s rabanim and *talmidei chachamim* do not involve themselves in the affairs of workers and the wages of labor, it is as though there is no *chever ir* there.”[15]

Some contemporary *poskim* have argued that considering the complexity of modern economics, the task of determining appropriate wage levels is beyond the capability of one person, so an organization like the Israeli Consumer Protection Agency—a nonprofit, government-funded watchdog—serves the function of *adam chashuv* in Eretz Yisrael. Further, if the local *adam chashuv* fails to appropriately control prices, vigilante action by individuals, justifiable under the principle that “*avid inish dina lenafshei* (a man may take justice into his own hands),”[16] may be the only appropriate response.[17]

[1]Union Membership (Annual) News Release. U.S. Bureau of Labor Statistics. <https://www.bls.gov/news.release/union2.htm>.

[2]Bava Basra 8b-9a.

[3]Piskei HaRosh *ibid.* *perek 1 siman 33*. Cf. Shach C.M. *siman 231 s.k. 4*.

[4]Rashi *ibid.*

[5]Rambam Hilchos *Mechirah* 14:11.

[6]Cited in Chidushei HaHaHHHH4Ran *ibid.*

[7]*Ibid.* (and cf. Ran on the Rif, 6b in Rif pagination).

[8]Rambam *ibid.*

[9]Rosh *ibid.*

[10]Shulchan Aruch C.M. 231:28.

[11]Ramban *ibid.*, cited by Magid Mishneh *ibid.* 14:10; Chidushei HaRan and Ran on the Rif *ibid.*; codified by Rama *ibid.*

[12]Shu”t Igros Moshe C.M. *cheilek 1 siman 59 s.v. Hinei haRosh*.

[13]Igros Moshe *ibid.* *simanim 58-59*.

[14]Shu”t Minchas Shlomo *kama (kerech 2) siman 87 anaf 2*.

[15]*Ibid.* *anaf 4*.

[16]Bava Kama 27b.

[17]R’ Chaim Jachter, Halachic Perspectives on the Great Cottage Cheese Boycott (citing R’ Yehuda Zoldan).