

(F) After 13th yrs. pl. ask Akshar to
get me red-lined material

8/15

August 3, 1978

Dr. Norman Lamm
Yeshiva University
Amsterdam Ave. & West 185th St.
New York, New York 10033

Dear Dr. Lamm,

Below please find some suggestions regarding your
article on the dynamics of the Halakhic process:

I. Nature of the Process: Mystical or Rational ?

- Hartman, Maimonides: chapter on reason & traditional authority
- Twersky, Rabad, pp. 291-300
- ✓ Urbach, Halakhah u-Nevuah, Tarbiz vol. 18 (1946)
- Shiffman, Safek Kiddushin be-Yisrael, pp. 18-22 (in Hebrew)
- Rabbi Chajes - "Torat Neviim" - p. 12
- ✓ De Vries, "אמיתות" in Mehakrim beSafruth haTalmud-Mossad HaRav Kook
- ✓ Federbush, אמת ויציב pp. 75-82
- ✓ an article in TRADITION by England (two or three yrs. ago) with
presentation of numerous commentaries on the aggadah "היה נביא
במקדונו"

II. The Dayyan as a Judicial Authority: Autonomous Judgement or Reliance
on Precedent ?

- Talmud Bavli-Sanhedrin 32A- Rosh, Rabad (^{AL PAS} ~~Shem Tov~~), Bal ha-Maor
- Twersky, Rabad, pp. 216-225
- " Shulchan Arukh; Judaism, vol. 16 (1967), part I
- Elon, Ha-Mishpat ha-Ivri, pp. 1139-86 (reactions to Shulchan Arukh)
- Tchernowitz, Toldot ha-Poskim

III. The Dayyan as a Legislative Authority-

- Bloch, Shaarei Torat ha-Takkanot- compilation of numerous takkanot
- Elon, ha-Mishpat ha-Ivri, volume II- discussion of takkanot
- Blidstein, Notes on Hefker Bet Din Hefker-Dine Israel- vol. 4
- Gilat, אמת ויציב pp. 7-9, Bar Ilan Annual 7-9.

- ✓ An interesting philosophical presentation of the nature of the process
can be found in a three-part installment by Eliezer Goldman in Deot
in volumes 20-22.

I hope these suggestions have been of assistance.

P.S. Rakover's bibliography on Jew.
Law (אמת ויציב) may be of help.

Best regards,
Ronnie Warburg