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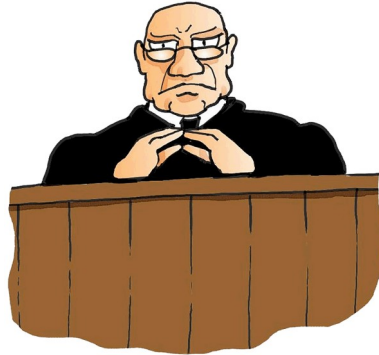
## Stories with a Twist

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### Blast the Souls of Those Who Accept Bribes

Insights into Babylonian Talmud Ketubot 105b

With appreciation to Rabbi Uri Romano for bringing this story to my attention



### Background to Our Story

#### Exodus 23:8

*"You must not accept a bribe, for a bribe blinds those who see and subverts the words of the righteous.*

#### Babylonian Talmud Ketubot 105b

The Sages taught: "And you shall take no bribe" (Exodus 23:8). It is not necessary to say bribery by means of money; however, even verbal bribery is also prohibited.

#### Verbal bribery in Jewish Law

A judge must take excessive care not to accept a bribe of any kind. This includes verbal bribery and bribery performed by means of objects, including favors performed by the litigant for the judge. (Rambam *Sefer Shofetim, Hilkhos Sanhedrin* 23:3; *Shulhan Arukh, Hoshen Mishpat* 9:1).

### Three Cases of Subtle (unintended?) Bribery

#### Case 1

The Gemara (in Ketubot 105b) explains: This can be demonstrated by that episode involving Shmuel, who was once crossing a river on a narrow ferry. A certain man came along and gave him a hand to help him out of the ferryboat. Shmuel said to him: What are you doing in this place? The man said to him: I have a case to present before you for judgment. Shmuel said to him: I am disqualified from presiding over your case.

#### Case 2

Ameimar was sitting and judging a case when a feather floated and landed on his head. A certain man came by and removed it from his head. Ameimar said to him: What are you doing here? He said to him: I have a case to present before you. Ameimar said to him: I am disqualified from presiding over your case.

### Case 3

There was spittle lying before Mar Ukva. A certain man came by and covered it. He said to him: What are you doing here? He said to him: I have a case to present before you. Mar Ukva said to him: I am disqualified from presiding over your case.

**?** Assuming that in the three above cases the litigants did not intend to bribe the judges with their actions, why did the three judges disqualify themselves?

Answer 1 \_\_\_\_\_

Answer 2 \_\_\_\_\_

Answer 3 \_\_\_\_\_

**?** Why did the Rabbis bring three cases so similar?

### Rabbi Yishmael, son of Rabbi Yosei



[https://en.wikipedia.org/wiki/Testimony\\_in\\_Jewish\\_law](https://en.wikipedia.org/wiki/Testimony_in_Jewish_law)

Ishmael ben Jose (Hebrew: יוסי; יושעאל ברבי יוסי, was a Tanna of the beginning of the 3rd century, son of Jose ben Halafta. Ishmael served as a Roman official together with Elazar ben Simon, and was instrumental in suppressing the hordes of Jewish freebooters that had collected during the war between Severus and Pescennius Niger (193). His activity in this direction was greatly resented by the Jews, who never forgave him for handing over fellow Jews to the Roman authorities for execution (Bava Metzia 84a). In halakic literature he is known by his citations of his father's sayings which he transmitted to Judah I, with whom he read Lamentations and the Psalms (Lam. Rab. ii. 420; Midr. Teh. iii. 1). He had a wide knowledge of the Scriptures, and could write down from memory the whole of the Bible (Yer. Meg. 74d).

### The Text: Babylonian Talmud Ketubot 105b

רבי ישמעאל ברבי יוסי הוה רגיל אריסיה דהוה מייתי ליה כל מעלי שבתא פנתא דפירי. יומא חד אייתי ליה בחמשה בשבתא. אמר ליה: מאי שנת האי דנא? אמר ליה: דינא אית לי, ואמינא: אגב אורחי אייתי ליה למר. לא קביל מיניה, אמר ליה: פסילנא לך לדינא. אותיב זונא דרבנו, וקדינין ליה. בהדי דקאזיל ואתי אמ: ר אי בעי טעין הכי, ואי בעי טעין הכי, אמ: ר תיפת נפשם של מקבלי שוחד! ומה אני, שלא נטלתי, ואם נטלתי – שלי נטלתי, כד, מקבלי שוחד – על אחת כמה וכמה.

The sharecropper of Rabbi Yishmael, son of Rabbi Yosei, was accustomed to bringing him a basket [*kanta*] full of fruits every Shabbat eve. One day, he brought him the basket on a Thursday. Rabbi Yishmael said to him: What is

different that you came early now, this week? The sharecropper said to him: I have a case to present before you, and I said to myself that along my way I will bring to the Master the basket of fruits.

Rabbi Yishmael did not accept the basket of fruits from him, and he said to him: I am disqualified from presiding over your case.

Rabbi Yishmael seated a pair of rabbinic scholars and they judged the sharecropper's case.

As Rabbi Yishmael was coming and going, he said to himself: If he wants, he could claim this, and if he wants, he could claim that, i.e., he kept thinking of all the ways in which the litigant who brought him the fruits could win his case. He said to himself: Blast the souls of those who accept bribes. If I, who did not accept anything, and if I had accepted, I would have accepted my own property, as it is my sharecropper and the fruits legally belong to me, am nevertheless in this state of mind due to the proposed gift, all the more so are those who actually accept bribes inevitably biased in favor of the one who bribed them.



**Explaining the Story (What is the sequence of events that take place in the story?)**

### **Comprehension and Analysis Questions**

**?** Why was the sharecropper of Rabbi Yishmael accustomed to bring him a basket of fruits every Shabbat eve?

**Bonus ?** Why did the sharecropper of Rabbi Yishmael bring him a basket of fruits on Thursday?

Answer 1 \_\_\_\_\_

Answer 2 \_\_\_\_\_

**Bonus ?** Why didn't Rabbi Yishmael accept the basket of fruits on Thursday from the sharecropper?

Answer 1 \_\_\_\_\_

Answer 2 \_\_\_\_\_

Answer 3 \_\_\_\_\_

**?** Why did Rabbi Yishmael seat a pair of rabbinic scholars to judge the case of the sharecropper?

**?** Why was Rabbi Yishmael coming back and forth thinking about what could the sharecropper argue to win his case?

**Bonus ?** What was Rabbi Yishmael's realization at the end of our story?

### **"The Twist" – Or the Lessons We Can Learn from the Text**

**!** Getting to know yourself deep inside: a major task in our journey towards personal growth, where there is always room for improvement!

## EPILOGUE