YLJC Judaism 101

"CHARACTER IS TESTED THROUGH BUSINESS": JEWISH ETHICS IN THE MARKET

Study pack

FINDERS KEEPERS?

If two people came to court holding a garment, and the first litigant, says: "I found it," and the second litigant, says: "I found it," – one says: "All of it is mine," and the other says: "All of it is mine," how does the court adjudicate this case? This one takes an oath that they do not have ownership of less than half of it, and that one takes an oath that they do not have ownership of less than half of it, and they divide it.

If this one says: "All of it is mine," and that one says: "Half of it is mine," since they both agree that half of the cloak belongs to one of them, the conflict between them is only about the other half. Therefore, the one who says: "All of it is mine," takes an oath that he does not have ownership of less than three-quarters of it, and the one who says: "Half of it is mine, takes an oath that he does not have ownership of less than one-quarter of it." This one takes three-quarters, and that one takes one-quarter.

mBava Metzia 1:1

FREEBIES

Rabbi Judah said: "A shopkeeper must not give parched corn or nuts to children as a gift, because he thereby accustoms them to come to him when sent shopping by their parents," – but the rabbis permit it. What is the rabbis' reason? Because this shopkeeper can say to another shopkeeper: "I distribute nuts, you distribute plums."

bBava Batra 60a

A CROWDED MARKETPLACE

Rav Huna said: "There was a certain resident of an alleyway who set up a mill in the alleyway and earned his living grinding grain for people. And subsequently another resident of the alleyway came and set up a mill next to his. The law is that the first one may prevent him from doing so if he wishes, as he can say to him: 'You are disrupting my livelihood by taking my customers.'"

Arguably, an earlier law agrees with Rav Huna: a fisherman must not set up a net too close to the place where another fisherman already has their net. But perhaps this is not relevant because fish follow each other.

The rabbis hold that the residents of an alleyway can compel one another not to allow among them in that alleyway a tailor, a tanner, a teacher of

children, nor any type of artisan. But one cannot compel one's neighbour, one who already lives in the alleyway, to refrain from practicing a particular occupation there.

A resident of one town can prevent a resident of another town from establishing a similar business in the locale of the first individual. But if they pay the tax of that first town, one cannot prevent them from doing business there, as they too are considered a resident of the town.

Rav Huna, son of Rav Yehoshua, raises a dilemma: "With regard to a resident of one alleyway protesting about a resident of another alleyway conducting business there, what is the law?" No answer was found, and the dilemma stands unresolved.

Rav Yosef said: "And Rav Huna, who said that a resident of an alleyway can prevent another from setting up an additional mill, concedes that one cannot prevent a teacher from working."

But will this not cause teachers to become negligent? Rav Yosef said: "Jealousy among teachers increases wisdom."

Some basket sellers brought baskets to Babylonia. The townspeople came and prevented them from selling there. They all came before Ravina for a ruling. Ravina said: "These basket sell to those from outside the town – so they may carry on selling, but only on a market day, when people from other towns come to shop, but they may not sell their wares on non-market days. And even with regard to market days, this is so only with regard to selling in the marketplace. This ruling does not allow them to circulate around the town."

> *bBava Batra 21b-22a*

WASTE NOT WANT NOT?

Rava said to Rafram bar Pappa: "Tell us some of those fine deeds that Rav Huna performed."

He replied: "I do not remember what he did in his youth, but the deeds of his old age I remember. Every Shabbat eve, in the afternoon, Rav Huna would send a messenger to the marketplace, and he would purchase all the vegetables that were left with the gardeners who sold their crops, and throw them into the river."

"But why did he throw out the vegetables? Let him give them to the poor." — "If he did this, the poor would sometimes rely on the fact that Rav Huna would hand out vegetables, and they would not come to purchase any. This would ruin the gardeners' livelihood."

"Then let him throw them to the animals." — "He holds that human food may not be fed to animals, as this is a display of contempt for the food."

"But if Rav Huna could not use them in any way, he should not purchase the vegetables at all." — "If nothing is done, you would have been found to have caused a stumbling block for the gardeners in the future. If the vegetable sellers see that some of their produce is left unsold, the next week they will not bring enough for Shabbat. Therefore, Rav Huna made sure that the vegetables were all bought, so that the sellers would continue to bring them."

bTa'anit 20b

THE HOLINESS CODE

The Eternal One spoke to Moses, saying: "Speak to the whole Israelite community and say to them: You shall be holy, for I, the Eternal One your God, am holy."

You shall not falsify measures of length, weight, or capacity. You shall have an honest balance, honest weights, an honest dry measure, and an honest liquid measure. I the Eternal One am your God who freed you from the land of Egypt.

You shall not defraud your fellow. You shall not commit robbery. The wages of a labourer shall not remain with you until morning.

You shall not insult the deaf, or place a stumbling block before the blind. You shall fear your God: I am the Eternal One.

Leviticus 19:1-2, 13, 14, 35-36

JUDGEMENT DAY

Rava said: "After departing from this world, when a person is brought to judgment for the life they lived in this world, they are asked: 'Did you conduct business faithfully?'"

bShabbat 31a

By three things is a person tested: their conduct in business, their drinking habits and their conversation.

Avot d'Rabbi Natan 31