Contemporary western legal systems hold that everyone can be a witness and give testimony in court. However, in legal regimes from late antiquity we find strict limitations on the eligibility of certain individuals to serve as witnesses. The lists of disqualified witnesses are at times very particular, calling for an explanation of the reasons behind these specific rules of disqualification. This is the case in both Jewish and Roman rules of disqualification which are the topic of this paper.

Tannaitic Halakha, composed in Roman Palestine between 1st -3ed centuries CE, includes a list of four characters disqualified from giving testimony, that have long challenged interpretation: “the dice player, the usurer, pigeon flyers, and traders of the Seventh Year produce”. The paper presents a novel approach to the study of this list, suggesting that the rabbis constructed their laws of disqualified witnesses drawing on the Roman legal institution of infamia. Beyond solving a puzzle of Jewish law, the paper also sheds light on the inner logic of Roman Law, maintaining that Jewish and Roman rules of disqualified witnesses are commonly grounded in the ethics of self-control. By pointing to this previously unnoted theoretical subtext, the paper contributes to a missing chapter in the global history of evidence admissibility rules.