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978-0-521-26948-3 - The Talmudic Argument: A Study in Talmudic Reasoning
and Methodology

Louis Jacobs

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I

The Talmudic argument

The Babylonian Talmud consists almost entirely of arguments having as their aim the elucidation of the law, ruling, religious teaching or ethical idea. Theories are advanced and then contradicted. They are examined from many points of view and qualified where necessary. One argument leads to another when logic demands it. The claims of conflicting theories are investigated with great thoroughness and much subtlety. Fine distinctions abound between apparently similar concepts. The whole constitutes reasoning processes which have received the most careful study on the part of generations of Jewish scholars and have contributed more to the shaping of the Jewish mind than any other factor.

No serious student of the Babylonian Talmud can be unaware that, for all the variety of topics discussed in the work, there is a formal pattern to the argumentation. Whatever the subject matter, the moves open to the debaters are comparatively few in number and these are always expressed in the same stereotyped formulae. There is much originality in Talmudic argumentation but this consists in the application to new situations of conventional responses, not in the invention of new responses. The game is always played according to the rules.

These formal methods of argumentation occur with the utmost frequency in the Babylonian Talmud yet, although there is to be observed a complete consistency in their use, nowhere in the Talmud itself is any attempt made at their enumeration and classification. Part of this task was left to the famous post-Talmudic methodologies, largely concerned with the classification of Talmudic method. However, in the main, the Talmudic methodologies deal with the precise definition of the terms used rather than

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[More information](#)

with the actual types of argument. Of these there has been very little detailed, systematic treatment.

For Talmudic methodology see W. Bacher, *Exegetische Terminologie der jüdischen Traditionsliteratur*, Hebrew translation by A. Z. Rabinowitz under title 'Erkhey Midrash (Tel-Aviv, 1924); H. Strack, *Introduction to the Talmud and Midrash* (Philadelphia, 1945), pp. 135–9; M. Meilziner, *Introduction to the Talmud*, 4th edn with new bibliography by A. Guttmann (New York, 1968), part III: 'Talmudic terminology and methodology', pp. 190–280; and I. H. Weiss' survey of the methodological literature in *Bet Talmud*, vol. I (Vienna, 1881) and vol. II (Vienna, 1882). The most important of the methodologies are: *Mevo ha-Talmud* attributed to Samuel ha-Naggid (d. 1055), printed with commentaries in the Vilna edition of the Talmud after tractate *Berakhot*; *Sefer Keritut* by Samson of Chinon (end of thirteenth century), ed. J. Z. Roth with commentary (New York, 1961), and by S. B. D. Sofer with commentary (Jerusalem, 1965); *Halikhot 'Olam* by Joshua ha-Levi of Tlemcen (compiled in Toledo c. 1467), edition Warsaw, 1883, with commentaries: *Kelaley ha-Gemara* by Joseph Karo (1488–1575) and *Yavin Shem'va* by Solomon Algazi (seventeenth century); *Sheney Luhot ha-Berit* by Isaiah Horowitz (d. c. 1630) (Amsterdam, 1649), section *Torah she-be-'al Peh*; *Yad Malakhi* by Malachi Ha-Kohen of Leghorn (early eighteenth century) (Jerusalem, 1976).

In every complete Talmudic unit – the *sugya* – the differing views are presented in the form of a debate. The protagonists may be actual teachers expressing their opinions, Rav and Samuel, R. Johanan and Resh Lakish, Rabbah and R. Joseph, Abbaye and Rava and so forth. Very frequently, however, the thrust and parry of the debate is presented anonymously. It has long been conventional among students of the Talmud to give a kind of fictitious personality to the arguments by attributing questions to an alleged 'questioner' (the *makshan*) and answers to an alleged 'replier' (*tartzan*). In a particular *sugya* different types of argument may be produced as the course of the debate demands, e.g. an appeal to authority, the detection of flaws in an analogy, the readmission of a rejected plea and so forth. The unit as a whole consists of all the arguments, together with any extraneous material which may arise as the discussion proceeds.

On the use of the terms *makshan* and *tartzan* see e.g. *Rashi*, *Shabbat* 104a top; *Kiddushin* 2a, s.v. *ve-khesef minalan*; *Tosafists to Berakhot* 44a s.v. *inhu* and *Yoma* 43b s.v. *amar R. Yehudah*. Cf. ben Yehudah's *Thesaurus*, vol. VII, p. 3295 and vol. XVI, p. 7923.

The sustained argument, particularly in the form of question and answer, as presented in the Babylonian Talmud, has strong

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[More information](#)

antecedents in the earlier sources. There are numerous instances in the Pentateuch and in the historical books of the Bible: Eve's debate with the serpent (Genesis 3: 1-5); God's accusation of Adam (Genesis 3: 9-13); God's interrogation of Cain (Genesis 4: 9-15); Abraham's plea to God to spare Sodom (Genesis 18: 23-33); Abimelech's upbraiding of Abraham (Genesis 20: 9-17); Abraham's reproof of Abimelech (Genesis 21: 22-30); Abraham's purchase of the field and bargaining with Ephron (Genesis 23: 3-16); Jacob's dialogue with his wives (Genesis 31: 4-16) and with Laban (Genesis 31: 26-53); the arguments presented by Schechem and Hamor (Genesis 34: 4-23); the arguments and counter-arguments in the Joseph saga (Genesis 42: 7-38; 43: 2-14; 44: 6-34); Joseph's bargain with the Egyptians (Genesis 47: 15-25); Pharaoh's complaint against the midwives (Exodus 1: 15-19); Moses' confrontation with God (Exodus 3: 4 to 4: 17); Moses' dialogue with Pharaoh (Exodus 10: 1-11); Jethro's plea for reforms (Exodus 18: 13-23); Moses' entreaty on behalf of his people (Exodus 32: 7-14 and 33: 12-23); Moses' questioning of Aaron and his sons (Leviticus 10: 16-20); Moses' complaint (Numbers 11: 11-23); the episode of Moses, Aaron and Miriam (Numbers 12: 1-14); the debate between Caleb and the spies (Numbers 13: 27 to 14: 10); the rebellion of Korah (Numbers 16: 1-19); Moses and the King of Edom (Numbers 20: 14-21); Balaam and the ass (Numbers 22: 28-35); the account of the sons of Reuben and Gad (Numbers 32: 1-32); the two lawsuits concerning the daughters of Zelophehad (Numbers 27: 1-7 and 36: 1-10). The major portion of the book of Deuteronomy consists of a sustained argument in which Moses reminds the people of their history and their obligations in the future. Among arguments of this type in the historical books are: Rahab and the spies (Joshua 2: 1-21); the debate between the other tribes and the sons of Reuben and Gad (Joshua 22: 13-14); Jotham's argument (Judges 9: 7-20); Jephthah and the sons of Ammon (Judges 11: 12-28); Samuel against the appointment of a king (I Samuel 8: 10-21); his rebuke of the people in this matter (I Samuel 12: 1-24); his castigation of Saul (I Samuel 13: 10-14); Eliab and David (I Samuel 17: 28-37); Jonathan and Saul (I Samuel 20: 21-32); David at Nob (I Samuel 21: 2-7); David and Saul (I Samuel 24: 9-22); David and Abigail (I Samuel 25: 23-35); David and Uriah (II Samuel 11: 10-12); David and the death of his child (II Samuel 12: 17-23); the woman of Tekoa

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Excerpt

[More information](#)

(II Samuel 14: 4–24); Barzillai and David (II Samuel 19: 32–40); Bath-sheba and David (I Kings 1: 11–27); Solomon and the harlots (I Kings 3: 16–27); Obadiah and Elijah (I Kings 18: 7–15); Elijah and the prophets of Baal (I Kings 18: 21–7); the four lepers (II Kings 7: 3–4); Rab-shakeh and Eliakim (II Kings 18: 19–35).

As for the prophetic books, the whole of the prophetic message is in the form of a sustained argument. The passages especially to be noted are: Isaiah 40: 12–26; 44: 9–20; 49: 14–26; 51: 12–13; 58: 2–14; 66: 1–2; Jeremiah 2: 4–37; 12: 1–13; Ezekiel 18: 1–29; Amos 3: 3–8; 6: 1–2; 9: 7; Jonah 1: 6–15; 4: 2–11; Micah 6: 3–8; Zechariah 4: 1–7; Malachi 1: 2–14; 2: 10–17; 3: 13–16.

The same type of sustained argument is found in the book of Psalms. Psalm 10 in its entirety is a plea for the salvation of the righteous from the hands of the wicked. In both Psalm 15 and Psalm 24 the way of righteousness is prescribed and expressed as a reply to a question. Psalm 23 draws the conclusion that man should trust in God from the premiss that the Lord is his Shepherd. Psalm 50 is an argument in favour of the view that it is righteousness that God wants, not sacrifices. Psalm 96 is a mighty plea that God be praised and Psalm 100 that He is to be thanked. These themes are repeated in Psalms 104 and 105. Psalm 112 is an argument for righteous living and Psalm 115 against idolatry. Psalm 119 exhausts the letters of the alphabet eight times in calling attention to the need for man to be loyal to God's law. In Psalm 136 there are a number of 'proofs' that God's mercy 'endureth for ever'. Psalm 139 argues that it is impossible to escape from God. Psalm 146 argues that it is better for man to put his trust in God than in princes. And the book of Psalms in general is mainly an appeal by argument to God, expressed in poetry, that He should pay heed to the cry of the poor and oppressed.

In the other books of the Hagiographa the same phenomenon is to be observed. In Proverbs we find arguments for the cultivation of wisdom (3: 13–23); against harlotry (5: 1–20; 7: 5–23); against sloth (6: 6–15); against wickedness (10: 2–32); and for the worth of a good wife (31: 10–31). The book of Job has the arguments of Satan (1: 6 to 2: 6); of Job's friends and his replies (4: 1 to 37: 24); of God to Job (38 to 41) and Job's reply (42: 1–6). The book of Ruth contains Naomi's argument to her daughters-in-law (1: 8–17) and that of Boaz with his kinsman (4: 1–12). In addition to the argument for pessimism, the general theme of Ecclesiastes,

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Excerpt

[More information](#)

there are arguments in favour of melancholia (7: 2–6); of wisdom (7: 10–12); of mirth (8: 15); and of effort (11: 1–8). Esther contains the arguments advanced by Memucan for deposing Vashti (1: 16–22); Haman's arguments for destroying the Jews (3: 8–11); Esther's dialogue with Mordecai (4: 10–14) and Esther's plea for her people (7: 3 to 8: 6).

The dialectical tone of the above passages was no doubt familiar to the Babylonian Amora'im and, for that matter, to many of their fellow-Jews, from infancy. In addition, so far as we can tell, the hermeneutical principles laid down by the Tanna'im were widely discussed and accepted by all the Amora'im. These principles are themselves largely ways of argumentation and references to them abound in the Babylonian Talmud.

It should be noted that it is acknowledged in the Rabbinic literature itself that the argument from the minor to the major is found in the Bible; see my article: 'The "gal va-homer" argument in the Old Testament', *BSOAS*, 35: 2 (1972), 221–7. A. Schwarz, in *Der Hermeneutische Syllogismus in der Talmudischen Litteratur* (Karlsruhe, 1901); *Die Hermeneutische Antinomie in der Talmudischen Litteratur* (Vienna, 1913); *Die Hermeneutische Quantitätsrelation in der Talmudischen Litteratur* (Vienna, 1913) and in other works, has examined the thirteen principles of R. Ishmael with the utmost attention to detail. These principles are found in *Sifra*, Introduction. The seven principles attributed to Hillel are found in *Sifra*, Introduction, end; *ARN* 37; *Tosefta Sanhedrin*, 7, end. The twelfth-century Karaite author Judah Hadassi argued for Greek influence on the hermeneutic principles and this matter has been discussed by David Daube, 'Rabbinic methods of interpretation and Hellenistic rhetoric', *HUCA*, 22 (1949), 239–64 and by Saul Lieberman, *Hellenism in Jewish Palestine* (New York, 1950), pp. 47–82. Cf. J. Z. Lauterbach 'Talmud hermeneutics', *JE*, vol. XII, pp. 30–3; Chaim Hirschenson, *Berurey ha-Middot* (New York, 1929–31); M. Ostrowsky, *ha-Middot she-ha-Torah Nidreshet ba-Hem*, (Jerusalem, 1924); and my article 'Hermeneutics', *EJ*, vol. VIII, pp. 366–72. The Palestine Talmud uses some of the methods of argument that are found in the Babylonian Talmud but these are in a much less finished form in the Palestinian Talmud; see I. H. Tavioh, 'Talmudah shel Bavel ve-Talmudah shel Eretz Yisrael' in his *Collected Writings* (in Hebrew) (Berlin, 1923), pp. 73–88 and the Introduction, *Homat Yerushalayim* by S. Feigensohn (*Shafan ha-Sofer*), based on Z. Frankel's work, in the Vilna edition of the Palestinian Talmud.

The Babylonian Amora'im thus had a long tradition behind them of skill in debate and argument. The study of the Torah was their consuming purpose in life to which they applied themselves with ruthless devotion and dedication. Over the years, the exercise of their minds in these dialectics seems to have produced an automatic

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[More information](#)

response to the problems they were concerned to solve. Naturally, it is necessary to distinguish between the use of argument by the Amora'im themselves and the use by the final editors. This problem will be considered in the following chapter. But even if, as seems extremely probable and as we shall see there, the final form of these arguments owes much to the redactors or compilers of the Talmud, the methods must have had a history and some were almost certainly used even by the earliest of the Babylonian Amora'im.

On the more general question of attitudes towards skill in debating matters of Torah, it is clear that such skill was highly praised. In the Mishnah (*Avot* 2: 8) we find a report that Rabban Johanan b. Zakkai praised his disciple R. Eliezer b. Hyrcanus, saying that he was 'a plastered cistern which loses not a drop', i.e. he had an extraordinarily retentive memory and was able to recall everything he had been taught. He praised another disciple, R. Eleazar b. Arakh, saying that he was 'an ever-flowing spring', i.e. he had the ability to advance fresh, original arguments and theses. Two versions are then recorded. According to one of these, the master declared that if all the Sages of Israel were in one scale of the balance and Eliezer b. Hyrcanus in the other he would outweigh them all. The other version, in the name of Abba Saul, is: if all the Sages of Israel were in one scale of the balance, together with Eliezer b. Hyrcanus, and Eleazar b. Arakh was in the other scale, he would outweigh them all. A Talmudic report (*'Erwin* 13b) about the second-century teacher R. Meir says that no one in his generation could be compared to him in brilliance but that, none the less, the law does not follow his opinions because his colleagues were incapable of penetrating to the depths of his mind and the law always follows the majority opinion. Of R. Meir it is also said that he was able to produce arguments to render the clean unclean and the unclean clean. This statement was puzzling to the *Tosafists* to the passage. 'What is so meritorious', they ask, 'in arguing against the laws of the Torah?' Is it possible that we have here an echo of an institution in which disciples were taught to test their skills in argumentation by arguing for positions known to be false because contradicted by the Torah? In the same Talmudic passage it is stated, R. Judah the Prince declared that the reason his intellect was sharper than his colleagues' was because he had had the privilege of sitting in the lecture-hall behind R. Meir. Had he sat in front of the master when he taught, his brilliance would have been

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[More information](#)

even greater; no doubt a reference to the use of gestures and facial expressions by the teacher in order to convey the teachings more effectively. In support the verse is quoted: 'But thine eyes shall see thy teachers' (Isaiah 30: 20). In the legend told (*Shabbat* 33b) regarding R. Meir's contemporary, R. Simeon b. Yohai, it is said that this teacher spent twelve of privation in a cave, which had the effect of heightening his intellectual powers. Before that time, when R. Simeon suggested a problem his son-in-law was able to provide 12 different solutions, but after the experience in the cave the roles were reversed: to every problem set by his son-in-law R. Simeon was able to offer 24 different solutions. It is said (*Bava Metzi* 'a 84a) of the two third-century Palestinian Amoraim, R. Johanan and R. Simeon b. Lakish, that 'Resh Lakish' was able to produce 24 objections to every statement made by R. Johanan. When Resh Lakish died, the Sages sent R. Eleazar b. Pedat as a substitute for Resh Lakish, but R. Johanan found him very unsatisfactory. R. Eleazar was able to do no more than produce 24 proofs in support of R. Johanan's statements and this was of no help to the master, who preferred to be challenged, as he was by Resh Lakish.

To be noted is the number 24, in this narrative and the one about R. Simeon b. Yohai and his son-in-law. In the latter story the number is perhaps a play on the number 12, the period of years R. Simeon spent in the cave. The number 24 is a formal number, almost certainly corresponding to the 24 books of the Bible with which the scholar is expected to be familiar; see Exodus R. 41: 5 and *Tanḥuma*, ed. Buber, to Exodus 31: 18 and Buber's notes. Cf. the number 48 (twice 24) in the account of Symmachus' reasoning powers in (*Eruvin* 13b and the 48 days in which the Torah is acquired, *Avot* 6: 5 (*Kinyan Torah*). Cf. *Ta'anit* 8a: 'R. Adda b. Ahavah used to arrange his lessons in proper order 24 times, corresponding to the number of books of the Torah, Prophets and Hagiographa, before he appeared in the presence of Rava.'

The two types of scholar referred to, as above, as 'the plastered cistern' and 'an everflowing spring' were called, in the Amoraic period (*Berakhot* 64a), 'Sinai' (one who knows the whole Torah as it was given at Sinai) and 'oker harim' ('uprooter of mountains'). In an age when teachings were transmitted orally, the scholar with vast stores of information was highly regarded but his claim to pre-eminence was hotly contested by admirers of the less knowledgeable but more original and brilliant scholar. Rabbah was such a scholar while his colleague, R. Joseph, belonged to the other type. The scholars of Palestine, when asked for their advice, sent a

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Excerpt

[More information](#)

message that R. Joseph was to be preferred as the Sinai type (*Horayot* 14a). This same Rabbah, it is said, was fond of encouraging his disciples to cultivate sharpness of mind by appearing, on occasion, to act contrary to the law in order to see whether the disciples would be sufficiently alert to spot his mistakes (*Berakhot* 33b; *Hullin* 43b; *Niddah* 4b). This method of ‘alerting the mind of the disciples’ (*le-ḥaddad et ha-talmidim*) is also said to have been practised by Samuel (‘*Eruvin* 13a); by R. Akiba (see *Niddah* 45a); and by the latter’s teacher, R. Joshua (*Nazir* 59b). In another passage (*Zevahim* 13a) the method is attributed to Rabbah’s teacher, R. Huna. This idea of sharpening the wits of the disciples must not be confused with the demand that words of Torah should be ‘sharp’ in the scholar’s mouth (*Kiddushin* 30a) even though the same term (*mehuddadim*) is used, since there the meaning is a sharp clear utterance (‘when someone asks you a question do not stammer when you tell him the answer’; cf. *Sifre* to Deuteronomy 6: 7, where the reading is *mesudarim*, ‘well-ordered’, see edn. Friedmann, p. 74a and Friedmann’s note).

The Talmudic debate and argument reached its apogee in the work of Abbaye and Rava, Rabbah’s disciples. Hundreds of debates between these two are recorded in the Babylonian Talmud. Later generations considered the work of these two to be so typical of Rabbinic learning that when they wished to list the many themes with which Rabban Johanan b. Zakki was conversant they referred, anachronistically, to his being familiar with ‘the arguments of Abbaye and Rava’ (*havayot de-Abbaye ve-Rava*), though these are described as a ‘small thing’ in comparison with the ‘great thing’, the mystical study of the Heavenly Chariot seen by Ezekiel (*Sukkah* 28a; *Bava Batra* 134a).

A study of Abbaye and Rava, listing every reference to them in the Talmud, is: *Abbaye ve-Rava* by J. L. Maimon (Jerusalem, 1965). In the twelfth century, Maimonides identified ‘the arguments of Abbaye and Rava’ with the typical approach of the whole range of Talmudic study, *Yad, Yesodey ha-Torah* 4: 13. David Kimhi remarked in a letter (*Kovetz Teshuvot ha-Rambam*, ed. A. Lichtenberg (Leipzig, 1859), part III, pp. 4c–d) that, for all his love of philosophy, he was thoroughly familiar with *havayot de-Abbaye ve-Rava*. Cf. Frank E. Talmage, *David Kimhi The Man and His Commentary* (Harvard University Press, 1975), pp. 37–8. In later ages this identification became a commonplace so that the term *havayot de-Abbaye ve-Rava* was used as a synonym for the Halakhic discussions of the Talmud.

Some time before the Amoraic period, the debate in Torah matters was described in military terms – *milḥamah shel Torah*

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[More information](#)

(*Sanhedrin* 111b). On the verse: 'And he carried away all Jerusalem, and all the princes, and all the mighty men of valour' (II Kings 24: 14) the *Sifre* (to Deuteronomy 32: 25) comments: 'What mighty deeds could have been accomplished by men taken into captivity and what kind of warfare could men bound in chains have engaged in? But "all the mighty men of valour" means, in the warfare of the Torah.' This enabled the Rabbis to interpret Biblical verses glorifying military prowess as referring to the battles of the mind. For instance, on the verse: 'Happy is the man that hath his quiver full of them: they shall not be ashamed, but they shall speak with the enemies in the gate' (Psalm 127:5), a Rabbi commented: even father and son, master and disciple, become enemies of one another when they are on opposing sides in the Torah debates (*Kiddushin* 30b). The debates were said to take place even in Heaven, the scholars in the Yeshivah on High having the right to disagree even with God Himself (*Bava Metzi'a* 86a). Both motifs, of military metaphor and debate in Heaven, are present in the comment (*Bava Kama* 92a) on: 'Hear, Lord, the voice of Judah, and bring him unto his people; let his hands be sufficient for him; and be thou an help to him from his enemies' (Deuteronomy 33: 7). Moses prayed that Judah be admitted to the Heavenly Yeshivah but Judah was unable to understand the debates in order to participate in them. Moses' prayer for Judah to participate was granted, but a further plea by Moses was required before Judah was able to argue so convincingly that his decisions in matters of law could be followed. In the same vein are the statements regarding King David when he rendered legal decisions (*Berakhot* 4a). R. Judah, in the name of Rav, interprets (*Sanhedrin* 93b) the verse praising David's qualities (I Samuel 16: 18) as referring to his skill in debate: 'that is cunning in playing' – knowing the right questions to ask; 'a mighty valiant man' – knowing the correct answers; 'a man of war' – knowing how to give and take in the battle of the Torah; 'prudent in matters' – knowing how to deduce one thing from another; 'and a comely person' – who demonstrates the proofs for his opinions; 'and the Lord is with him' – the ruling is always in accordance with his views.

Skill in Torah debate was also compared to the skill exhibited by a competent craftsman. The 'craftsmen and smiths' carried away into captivity (II Kings 24: 14) were identified with scholars gifted with great reasoning powers (*Sifre* to Deuteronomy 32: 25). On the basis of this the keen debater was compared to a carpenter.

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Excerpt

[More information](#)

Of a text presenting severe problems of interpretation it was said that neither a carpenter nor his apprentice could remove the difficulties ('*Avodah Zarah* 50b, cf. Palestinian Talmud *Yevamot* 8: 2, 9b). In similar vein scholars were compared to builders (*Berakhot* 64a), possibly because scholars 'built up' their arguments, as in the very frequent *binyan av*, 'father construction', for an argument by inference where the premiss is the 'father' to the conclusion reached by a process of 'building'. The expression: 'Do you weave them all in the same web' (*Berakhot* 24a; *Shabbat* 148a; *Pesahim* 42a; *Hullin* 58b) suggests that scholars were compared to weavers, as does the use of *massekhet*, 'web', for a tractate. The purveyor of the difficult Halakhic teachings was compared to a dealer in precious stones for the connoisseur whereas the more popular but less profound Aggadic teacher was compared to the retailer of cheap tinsel goods which all can afford to buy (*Sotah* 40a).

The keen scholar was called a *harif*, 'sharp one'. Thus there is a discussion as to which is the superior scholar, the *harif*, capable of raising objections, or the more cautious debater who is less quick in refutation but can arrive more readily at a correct solution (*Horayot* 14a). When a particularly pungent argument was seen to solve a problem far more effectively than more learned but pedestrian attempts, it was said that one grain of sharp (*harifta*) pepper is worth more than a basket-full of pumpkins (*Megillah* 7a). The acuteness of a scholar's reasoning process was spoken of as his 'sharp knife' (*Hullin* 77a, cf. *Yevamot* 122a). The scholars of Pumbedita were especially renowned for their sharpness. Among these were Efa and Avimi, described as 'the sharp ones of Pumbedita' (*Sanhedrin* 17b; *Kiddushin* 39a; *Menahot* 17a). The brilliance of the Pumbeditans was, however, somewhat suspect in that it bordered on the eccentric, so that they acquired the reputation of 'causing an elephant to pass through the eye of a needle', i.e. of producing far-fetched, improbable arguments (*Bava Metzi'a* 38b, cf. *Berakhot* 55b).

There are found in the Babylonian Talmud a number of formal terms for the moves in an argument and for the argument itself, some of them of earlier usage. The earlier term for argumentation and debate is *nosē ve-noten*, 'give and take' (*Sifre* to Deuteronomy 32: 25). This term is also used (e.g. in *Shabbat* 31a) for business dealings, 'buying and selling', as in the idiomatic English expression 'selling an idea'. The Aramaic equivalent is *shakla ve-taria* (*Bava*