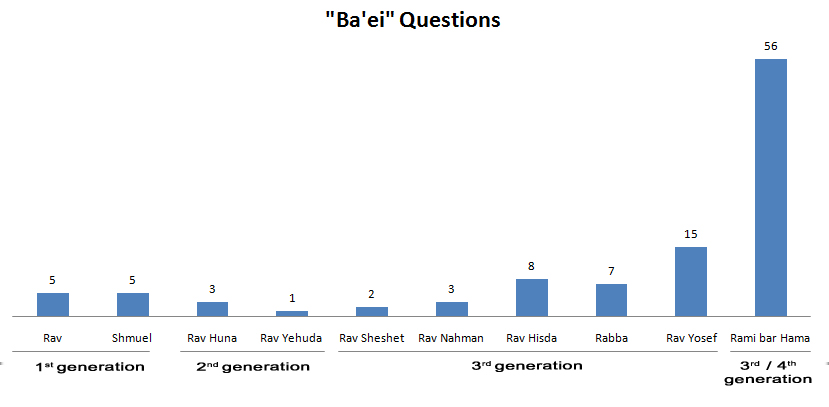
Self-Evident Questions and Their Role in the Talmudic Dialectic

Shira Shmidman, Bar-Ilan University

The Talmudic question plays a central role in the Babylonian Talmud. In any given sugya one may find multiple questions, and these questions often serve as the point of departure for the entire Talmudic discussion. This article will focus upon the various techniques that the Amoraim used to introduce their questions. It will identify one remarkable questioning style which was heretofore largely unnoticed but which can be found beneath the surface in a number of questions of the fourth-generation Amoraim. Identifying this questioning style will allow us to offer new solutions to a number of vexingly challenging sugyot in the Talmud. Furthermore, an analysis of this questioning technique can shed light on the academic environment in the Babylonian academy during the third-fourth generations of Babylonian amoraim. Lastly, our analysis may reveal a previously unnoticed element of playfulness within the seemingly sober rhetoric of these Talmudic questions.

**The Talmudic Question: The *Ba‘ya***

The Talmud is replete with questions. Y. M. Guttman dedicated two articles to the analysis of Talmudic questions and their role in the Talmudic discussion.[[1]](#footnote-1) His analysis focuses on the theoretical nature of many of the questions in the Talmud and the purpose of these questions within the Talmudic dialectic. In addition to this research, E. Z. Melamed devoted a chapter to the stylistic characteristics of the Talmudic question, the *“ba‘ya”*.[[2]](#footnote-2) However, the discussions of Guttman and Melamed did not focus on the historical development of the Talmudic question. Recently, I analyzed Talmudic questions (those that open with the phrase *“ba‘ei”* or *“be‘ah minei”*)[[3]](#footnote-3) and discovered that by charting the questions by the generation in which they were asked, one can identify trends of question-asking in the Babylonian Talmud.[[4]](#footnote-4) My study focuses on questions asked by a representative selection of amoraim from the first four generations of Babylonian amoraim. Her study points to a major shift in the number of *“ba‘ei”* questions asked by Babylonian amoraim towards the end of the third generation as displayed in the chart below.[[5]](#footnote-5)



This chart demonstrates that during the first three generations of Babylonian amoraim, the Sages did not ask a significant number of *“ba‘ei”* questions. This trend changes drastically with the 56 *“ba‘ei”* questions asked by Rami bar Hama,[[6]](#footnote-6) and continues with the 141 questions of Rava in the fourth generation, as well as with the dozens of questions asked by Rav Pappa and Rav Ashi in the fifth and sixth generations.[[7]](#footnote-7) Rami bar Hama’s questions are particularly striking both relative to the number of questions asked in preceding generations as well as relative to the number of times he appears in the Babylonian Talmud (169). In fact, relative to the number of times he appears, Rami bar Hama asks more questions than any other amora in the Babylonian Talmud.[[8]](#footnote-8) Yet Rami bar Hama’s questions diverge from those of his predecessors not only in terms of quantity; his questions differ both in style and content. In contrast to the wide range of questions asked in earlier generations, Rami bar Hama’s questions are all binary, casuistic questions based exclusively on Tannaitic sources. In addition, Rami bar Hama’s questions are conceptually more advanced than those asked in earlier generations.[[9]](#footnote-9)

One of the unique characteristics of Rami bar Hama’s questions is his exclusive focus on Tannaitic sources.[[10]](#footnote-10) This preoccupation with Tannaitic sources comes to the fore when examining one element of Talmudic questions discussed by both Guttman and Melamed, namely the introduction to the question.

**Presentation of a Source as a Basis for a Subsequent Question**

In the course of his discussion of Talmudic questions, Guttman lists various characteristics that point to the theoretical nature of a given Talmudic question. One of these characteristics is the halakhic introduction to the question. He notes that many questions open by stating an accepted halakha that applies in a given case which is then followed by a question about a case that is similar yet different from the original case. In these cases, the amora introduces the accepted halakha with the word *“peshit’a”* – it is obvious what the ruling is in the known case. The subsequent question then presents a slightly different case and seeks to determine whether the same ruling applies in the more complex case. Guttman points out that the new case is generally a theoretical construction designed to clarify the scope of the original halakha. Melamed also notes this phenomenon and further points out that the halakhic statement upon which the question is predicated is often a citation of a Tannaitic source. These citations are introduced with an opening phrase such as “תנן התם” – “it was taught in a mishnah there” or “הרי אמרו” – “behold they have stated.” However, in addition to these opening statements, Melamed also identified one case in which an amora uses an alternate style of presenting the halakhic source upon which the question is based. Instead of citing the source directly, the amora asks a series of two or three questions, opening with a question whose answer can be found in an explicit source. This source then serves as the point of departure for the subsequent questions.

The case Melamed identified is in B. Shabbat 79a:

|  |  |
| --- | --- |
| Rava asked R. Nahman: If one carries out skin [on Shabbat], how much [must he carry out in order to be liable]? | בעא מיניה רבא מרב נחמן: המוציא עור בכמה? |
| He replied to him: It is as we learned in the Mishna: ‘[The amount of] skin that is used for making an amulet’. | אמר לו: כדתנן, עור כדי לעשות קמיע. |
| If one tans it, how much [must he tan in order to be liable]?  He replied to him: There is no difference. | המעבדו בכמה? אמר ליה: לא שנא.[[11]](#footnote-11) |

In this case, Rava is interested in clarifying the measure of leather that would invoke a penalty for desecration of the Shabbat. The mishnah (M. Shabbat 8:3) discusses the measure necessary for violating the prohibited labor of carrying and states: ‘skin: for making an amulet’. Rava wishes to clarify if the same measure is necessary for violating the prohibited labor of tanning. In order to invoke the ruling of the mishnah as a basis for his question, Rava doesn’t simply quote the mishnah. Instead, he poses a question, the answer to which is found in the explicit ruling of the mishnah. In response to this question, Rav Nachman cites the ruling of the mishnah and this halakha then serves as a basis for the subsequent, primary question.

At first glance, Rava’s initial question seems superfluous. To one who is unfamiliar with this unique style of introducing a source, it seems that Rava is unaware of the ruling in the mishnah. And indeed Rashi felt the need to explain that Rava only asked the first question in order to serve as a basis for the subsequent central question.[[12]](#footnote-12)

In this example, Rava asks a series of two questions, where the answer to the first question is found in an explicit Tannaitic source. This source is cited in response to the first question and then serves as the basis for the second primary question. Melamed explains that the purpose of the first self-evident question is to induce the citation of a source that would then serve as the basis for the second, primary question. There are other cases, however, where not all elements of this questioning style are present and hence the purpose of the first self-evident question is not apparent to the reader. Yet, I believe that in these cases as well, the purpose of the self-evident question is to introduce a source that will serve as a basis for a subsequent question. I will now examine four such *sugyot*, and in each one I will demonstrate that the recognition that this questioning style is at play can serve to clarify many difficulties that arise in the *sugya*.

***Sugya* 1: B. Zevaḥim 75b – The Source Lies in the Uncited Portion of the Mishnah**

In B. Zevaḥim 75b, Rami bar Hama asks a series of questions about the status of the substitute sacrifice of a firstborn:

|  |  |
| --- | --- |
| B. Zevaḥim 75b | בבלי זבחים עה ע"ב |
| Rami bar Hama states:  [1a] According to Bet Shammai, a firstborn offering may not be given as food to a menstruant woman; what is the ruling with regard to its substitute?  [1b] A firstborn offering cannot be redeemed, what is the ruling with regard to its substitute?  [1c] A firstborn offering cannot be weighed by the pound; what is the ruling with regard to its substitute?  Said Rava: It was taught: “A firstborn and tithe offering, when they have become blemished, can render [another animal] a substitute. And their substitute has the same status as themselves.”  [2] Rami bar Hama inquired: If one dedicated a firstborn offering for the Temple maintenance, can it be weighed by the pound? | אמר רמי בר חמא:  [1a] בכור לב"ש אין מאכילין לנדות, תמורתו מהו?  [1b] בכור אינו נפדה, תמורתו מהו?  [1c] בכור אינו נשקל בליטרא, תמורתו מהו?  אמר רבא: תניא: "בכור ומעשר - משהוממו עושין תמורה, ותמורתן כיוצא בהן."  [2] בעי רמי בר חמא: התפיס בכור לבדק הבית, מהו שישקול בליטרא? |

In this *sugya*, Rami bar Hama asks two questions related to the firstborn sacrifice. The first question seeks to establish the relationship between a firstborn and its substitute.[[13]](#footnote-13) Do the unique halakhot that apply to a firstborn sacrifice apply to its substitute as well?

Yet the answer to this question seems to be stated explicitly in the mishnah (M. Temurah 3:5):

|  |  |
| --- | --- |
| M. Temura 3:5 | משנה תמורה ג: ה |
| The substitute offering of a firstborn or of a tithe [offering], their offspring, and the offspring of their offspring until the end of the world,  behold they are like treated like the firstborn and the tithe offerings,  and are eaten by their owners when blemished. | תמורת הבכור והמעשר  וולדן וולד ולדן עד סוף העולם  הרי אלו כבכור וכמעשר  ויאכלו במומם לבעלים. |

This mishnah is part of a list of sacrifices whose substitutes are similar to them. The mishnah lists the firstborn and the tithe offering as part of that list. And indeed, in response to Rami bar Hama’s question, Rava cites a baraita that seems to be a paraphrase of this mishnah: “A firstborn and tithe [offering], when they have become blemished, effect substitution. And their substitute is like themselves.”[[14]](#footnote-14)

The commentators are perplexed as to the purpose of Rami Bar Hama’s question, as the answer to this question is stated explicitly in this mishnah.[[15]](#footnote-15) Was Rami bar Hama unaware of this mishnah? Westreich suggests that the mishnah does not directly address Rami bar Hama’s case. He contends that the mishnah’s rule establishing that “the substitute of the firstborn offering is similar to the firstborn” isn’t a global statement but rather applies only to the halakha that allows the sacrifices to be eaten by their owners once they are blemished.[[16]](#footnote-16) Hence, one cannot extrapolate from this ruling to other halakhot of a firstborn. According to this suggestion, the answer to Rami bar Hama’s question could not be learned from this mishnah but only from the baraita that Rava cites. However, the general phrasing of the rule in the baraita is almost identical to the phrasing of the rule in the mishnah, and it is unclear as to why the baraita’s ruling is qualitatively different from that of the mishnah. It seems more likely that the Baraita cited in Rava’s answer is simply a paraphrase of the mishnah.

Therefore, I believe that this question is part of a two-question series, where the purpose of the first question is simply to evoke the source upon which the second question is based, as we saw in the previous example. In order to explore this possibility, we will now examine the second question in this series. The second question focuses on the prohibition to sell the firstborn sacrifice by weighing it by the pound. This prohibition is mentioned in M. Bekhorot 5:1 and in M. Temurah 3:5. The former mishnah explains that with regard to most sacrifices, the Sages permitted the meat to be weighed by the pound as this would secure a higher price for the meat which benefits the Temple treasury. However, with regard to the firstborn sacrifice the profits from the sale of the meat go to the owner, and hence the Sages did not permit weighing the meat of the firstborn sacrifice by the pound. In his question, Rami bar Hama constructs a case in which the profits from the sale of the firstborn will belong to the Temple treasury and seeks to determine whether the prohibition to weigh the meat by the pound is still in place in this new situation.

Prima facie, this second question does not fit in with the two-question model we examined above. For, while the first question in the pair seems to be a self-evident question whose purpose is to present a source that establishes the status of the substitute of a firstborn, the second follow-up question is not related to this general ruling but rather to the scope of the specific prohibition of weighing a firstborn by the pound.[[17]](#footnote-17) However, the continuation of M. Temurah 3:5 states:

|  |  |
| --- | --- |
| משנה תמורה ג:ה | Mishnah Temurah 3:5 |
| [1] תמורת הבכור והמעשר וולדן וולד ולדן עד סוף העולם הרי אלו כבכור וכמעשר ויאכלו במומם לבעלים.  [2] מה בין הבכור והמעשר לבין כל הקדשים?  [3] שכל הקדשים נמכרים באטליס ונשחטין באטליס ונשקלין בליטרא חוץ מן הבכור ומן המעשר. | [1] The substitute offering of a firstborn or of a tithe [offering], their offspring, and the offspring of their offspring until the end of the world, behold they are like treated like the firstborn and the tithe offerings, and are eaten by their owners when blemished.  [2] What is the difference between the firstborn and the tithe [offering on the one hand] and all the [other] holy [sacrifices on the other hand]?  [3] All the holy [sacrifices] are sold in the meat marketplace, and are slaughtered in the meat marketplace, and are weighed by the pound – except for the firstborn and the tithe [offering]. |

The continuation of the mishnah (lines 2-3) lists other laws unique to firstborn and tithe offering. In line 3, the mishnah explicates the law prohibiting the weighing by pound of the firstborn and tithe offering which does not apply to other holy sacrifices. The unique nature of this law is indeed the subject of Rami bar Hama’s second question which presents a non-standard case for discussion. On this basis, I contend that we can explain Rami bar Hama’s initial question as a way to introduce the source for his next question. Rami bar Hama’s initial question was designed to invoke the citation of M. Temurah 3:5 and this mishnah does present the halakha upon which Rami bar Hama’s second question is predicated.[[18]](#footnote-18) Although Rami bar Hama’s initial question relates to the first half of the mishnah, he relies on his fellow sages’ knowledge of the continuation of the mishnah to serve as the basis for his second, primary question.

In this case, the mishnah was cited – or at least paraphrased in part – in response to the initial question. However, in the next case, the introductory self-evident question is asked, but yet no source is cited in response. Nevertheless, here too we will argue that the purpose of the initial question is to evoke the source upon which the subsequent question is based, and the recognition of this phenomenon can elucidate the entire *sugya*.

***Sugya* 2: B. Eruvin 73a – The Self-Evident Question Goes Unanswered**

The second example is found in B. Eruvin 73a. In this *sugya*, Rami bar Hama puts forth a question to Rav Hisda regarding the rules requiring an *‘eruv* to permit carrying in a jointly owned courtyard:

|  |  |
| --- | --- |
| B. Eruvin 73a | בבלי עירובין עג ע"א |
| Rami bar Hama inquired of Rav Hisda:  [1] Are a father and his son or a master and his disciple regarded as many people or as one individual unit?  [2] [If they live together in one courtyard] are they they required to make an ‘*eruv* or not?  [3] Can their alleyway be permitted [for carrying ] by means of a side-post or cross-beam or not? | בעי רמי בר חמא מרב חסדא:  [1] אב ובנו הרב ותלמידו - כרבים דמו, או כיחידים דמו?  [2] צריכין עירוב, או אין צריכין עירוב?  [3] מבוי שלהן ניתר בלחי וקורה, או אין ניתר בלחי וקורה? |

This three-part question is brought as part of the *sugya* that discusses M. Eruvin 6:7:

|  |  |
| --- | --- |
| האחין השותפים שהיו אוכלין על שולחן אביהם וישנים בבתיהם צריכין עירוב לכל אחד ואחד… | Brothers who are partners[[19]](#footnote-19) who would eat at their father’s table but sleep in their own houses, must each participate in an *‘eruv.* |
| אימתי בזמן שמוליכין ערובן במקום אחר אבל אם היה ערוב בא אצלן או שאין עמהן דיורין בחצר אינן צריכין לערב: | When is this so? When they take their *‘eruv* to another place in the courtyard, (i.e., to the house of one of the other residents). But if the *‘eruv* comes to them, (i.e., if it was placed in their father’s house), or if there are no other residents with them in the courtyard, they do not need to establish an *‘eruv*. |

This mishnah discusses the conditions under which a father and his sons are considered to be one individual unit and hence do not need to establish an *‘eruv*. On the backdrop of this mishnah, the Talmudic commentators were perplexed as to the intent of Rami bar Hama’s first two questions, as the answers to his questions are found explicitly in the mishnah! Why would Rami bar Hama ask questions whose answer is self-evident?

Due to this difficulty, the commentators re-interpreted Rami bar Hama’s questions. Rashi suggests that the questions are not addressing the case discussed in this mishnah, but rather relate to a different case discussed in the subsequent mishnah, one in which there are two courtyards, one within another.[[20]](#footnote-20) A second approach is put forth by Joseph Hirsch Dünner who suggests that Rami bar Hama’s question relates to a case that is slightly different from the case discussed in the mishnah.[[21]](#footnote-21) Yet these approaches require a forced reading of the text.

I believe that it is more likely that this is another instance of the questioning style which we saw above. The first two questions aren’t real questions; they are questions with self-evident answers, meant to adduce the source upon which the third question is based. In this case Rav Hisda doesn’t answer by citing the relevant source and therefore Rami bar Hama’s questions appear to be pointless. Yet once we identify this questioning style, the purpose of the questions becomes clear – they are designed to cause the listener to recollect the ruling of the mishnah in preparation for the third question. However, this understanding eluded most of the commentators. When faced with the seemingly absurd possibility that Rami bar Hama would be asking a question whose answer is stated explicitly in the mishnah, they reinterpreted his questions to refer to alternate cases.[[22]](#footnote-22)

Indeed, to one who is not familiar with this questioning style, Rami bar Hama’s initial questions appear foolish. And in fact, the Stam has this very reaction in the next example, from B. Bava Batra 116a-b.

***Sugya* 3: B. Bava Batra 116a-b – The Stam Misunderstands the Self-Evident Question**

The mishnah in M. Bava Batra 8:2 states:

|  |  |
| --- | --- |
| סדר נחלות כך הוא... | The order of inheritance is as follows… |
| בן קודם לבת, וכל יוצאי יריכו של בן קודמין לבת.  בת קודמת לאחין, יוצאי יריכה של בת קודמין לאחין... | A son takes precedence over a daughter, and all the descendants of a son take precedence over a daughter.  A daughter takes precedence over the brothers [of the deceased] and all the descendants of a daughter take precedence over brothers… |
| זה הכלל כל הקודם בנחלה יוצאי יריכו קודמין והאב קודם לכל יוצאי יריכו: | This is the rule: Whoever takes precedence in the inheritance, his descendants [also] take precedence; and a father takes precedence over all his descendants. |

In the *sugya* that follows this mishnah, Rami bar Hama asks a set of two questions that seek to clarify these rules of precedence.

|  |  |
| --- | --- |
| בבלי בבא בתרא קטז ע"א-ע"ב | B. Bava Batra 116a-b |
| [1a] בעי רמי בר חמא: אבי האב ואחי האב, כגון אברהם וישמעאל בנכסי עשו, איזה מהן קודם?  [1b] אמר רבא, תא שמע: "האב קודם לכל יוצאי ירכו."  [1c] ורמי בר חמא? אגב חורפיה לא עיין בה.  [2a] בעי רמי בר חמא: אבי האב ואחיו, כגון אברהם ויעקב בנכסי עשו, איזה מהן קודם?  [2b] אמר רבא, תא שמע: "האב קודם לכל יוצאי יריכו."  [2c] ורמי בר חמא? יוצאי יריכו שלו, ולא יוצאי יריכו של בנו. ה"נ מסתברא, דקתני, זה הכלל: כל הקודם בנחלה - יוצאי יריכו קודמין, ואילו איתיה ליצחק - יצחק קודם, השתא נמי דליתיה יצחק - יעקב קודם, שמע מינה. | [1a] Rami bar Hama inquired: [With regard to the claims of] the father of the [deceased’s] father and a brother of the [deceased’s] father, as, for example, [the claims of] Avraham and Yishmael upon the possessions of Esav, who takes precedence?  [1b] Rava said: Come and hear: “A father takes precedence over all his descendants.”  [1c] And Rami bar Hama? In his ingenuity he did not consider it carefully.  [2a] Rami bar Hama inquired: [Regarding the claims of] the father of the [deceased’s] father and [the deceased’s] brother as, for example [the claims of] Avraham and Yaakov upon the possessions of Esav, who takes precedence?  [2b] Rava said: Come and hear: “A father takes precedence over all his descendants.”  [2c] And Rami bar Hama? [A father might take precedence over] his descendants but not [necessarily over] the descendants of his son. Logical reasoning [leads to] the same [conclusion]… |

This discussion is made up of two questions. In response to the first [1a], Rava cites a mishnah [1b] that explicitly addresses the question being asked. In line [1c], the Talmud asks “and Rami bar Hama?,” incredulous that Rami bar Hama could have missed this mishnah. The explanation offered is that “in his ingenuity, he did not consider it carefully.” Rashi explains that Rami bar Hama asked this self-evident question because he was distracted by his second primary question. Barak Cohen asserts that this exchange reflects Rami bar Hama’s general tendency to rely on sevara and logical deduction while minimizing the importance and authority of Tannaitic sources.[[23]](#footnote-23) Both of these approaches take the explanation of the Stam at face value, and conclude that Rami bar Hama actually missed the mishnah. However, I believe that a more compelling explanation is that Rami bar Hama was implementing the style of questioning that I’ve presented here, just as he did in the previous examples. Rami bar Hama first asked a question whose answer was found in an explicit mishnah in order to introduce this mishnah as a point of departure for his second, primary question. And indeed, Rava does not criticize Rami bar Hama, but rather answers his question by citing the appropriate mishnah.[[24]](#footnote-24) Rava was familiar with this questioning style, as evidenced by his use of the self-same style in the *sugya* in B. Shabbat 79a cited above. In that *sugya*, Rava asks Rav Nahman a series of questions, where the answer to the first question is stated explicitly in the mishnah. Due to his familiarity with this questioning style, in this *sugya* Rava simply answered Rami bar Hama’s initial question without further ado. In contrast, the Stam seems to not have understood the questioning style employed in this *sugya*. The Stam therefore intervenes in the *sugya*, completely obscuring the pattern of Rami bar Hama’s questioning style.

Curiously, in another instance, the Stam not only seems aware of this questioning style, but it appears to construct a dialogue that resembles this self-same questioning style.

***Sugya* 4: B. Nazir 63a-b – The Stam Introduces a Self-Evident Question**

The *sugya* is found in B. Nazir 63a-b in the context of M. Nazir 9:2

|  |  |
| --- | --- |
| A nazir who shaved [at the conclusion of his nazirite term] and then it discovers that he was impure: If the source of impurity was a known impurity, then it negates [the period of his nazirite], but if it was an impurity of the deep, it does not negate [the period of his nazirite.]. If he had not yet shaved (when he discovers the impurity), then either [type of impurity] negates [the period of his nazirite.] | נזיר שגלח ונודע לו שהוא טמא, אם טומאה ידועה - סותר. ואם טומאת התהום - אינו סותר.  אם עד שלא גלח בין כך ובין כך סותר. |

In the *sugya* discussing this mishnah, Rami bar Hama asks:

|  |  |
| --- | --- |
| B. Nazir 63a-b | בבלי נזיר סג ע"א-ע"ב |
| [1a] Rami bar Hama inquired: [If the Nazir] became impure during the fulfillment of [his naziriteship], but discovered this only after the fulfillment [but before he had shaved], What [is the ruling]?  [1b] And with regard to what [halakha is this question asked]? With regard to negating [the period that he observed as a nazirite]?  [1c] Said Rava: Come and hear: “If before he shaved, then either [type of impurity] negates [the period of his nazirite].”  [2a] And one can question further: Does it negate the entire period of his nazirite or only seven days?  [2b] And according to whom?...  [2c] And [one can resolve this] from this mishnah itself: “If before he shaved, then either [type of impurity] negates [the period of his nazirite].” [And the mishnah] does not distinguish [between the cases]. | [1a] בעי רמי בר חמא: נטמא בתוך מלאת ונודע לו לאחר מלאת, מהו?...  [1b] ולמאי – למיסתר?  [1c]  אמר רבא, ת"ש: "אם עד שלא גילח, בין כך ובין כך – סותר."  [2a] ועדיין תיבעי לך: כולו סותר או שבעה סותר?  [2b] למאן?....  [2c] ומינה, קתני: "בין כך ובין כך – סותר." ולא קמיפלגי. |

The *sugya* opens with Rami bar Hama posing a question regarding a Nazirite who becomes impure. In line [1b] the Stam suggests an initial understanding of Rami bar Hama’s question. According to this understanding, the answer to the question is stated explicitly in the mishnah. And indeed, in line [1c] Rava cites the mishnah that clearly states the ruling in this case. Once again, the commentators note the absurdity of this self-evident question-and-answer exchange. For example, Rashi points out that if this initial understanding was the true intent of Rami bar Hama’s question, then he was clearly unaware of the mishnah.[[25]](#footnote-25)

In line 2a, the Talmud then posits an alternate understanding of Rami bar Hama’s question and suggests that the question on the floor is not **if** the Nazir negates the period of his nazirite, but rather how much of it he negates. This question relates to the Tannaitic dispute found in Mishnah Nazir 3:3.

|  |  |
| --- | --- |
| One who said “I am hereby a nazir,” and became impure on day thirty, negates all the days of his nazirite. Rabbi Eliezer says: He negates only seven days. | מי שאמר הריני נזיר נטמא יום שלשים סותר את הכל רבי אליעזר אומר אינו סותר אלא שבעה. |

The Talmud suggests that Rami bar Hama is asking whether Rabbi Eliezer’s ruling limiting the period of negation to only seven days applies only when the nazir became impure after the thirty days were complete, or perhaps even when the nazir became impure during the period of nazirite but only became aware of the impurity after the completion of the thirty days.

The answer to *this*question is not explicit in the mishnah. In line 2b, the Stam explicates this version of the question, and in line 2c, derives the answer through logical inference from this self-same mishnah.

If we focus only on the amoraic statements, lines 1a and 1c, then this exchange includes one question, and one citation of the mishnah in response. Yet the Stam initially interprets this question as a self-evident question [1b] leading to the citation of the mishnah in 1c. Afterwards in 2a, the Stam suggests a different interpretation of the question, one which requires further examination. After the intervention of the Stam, the structure of this *sugya* resembles the *sugyot* that we discussed above: Two questions – the initial, introductory question [1a] that invokes the citation of a mishnah in response in 1c, and the second, primary question [2a] that requires a logical inference in 2c.

In this example Rami bar Hama asked only one question, and hence this exchange should not have been an example of the questioning style we’ve seen until now. However, the Stam, through its interpretation of the question, doubled the *sugya*, artificially imposing the two-question pattern typical to Rami bar Hama’s questions.

Yet, one can still ask: What was the original form of the amoraic dialogue in this *sugya*? As noted, the amoraic discussion in the *sugya* consists of only one question and one answer, and it is the Stam who expands this limited interaction to a full *sugya* that matches the pattern discussed above. I suggest that perhaps the original discussion also consisted of two questions and two answers, yet only certain segments of the debate were preserved and these parts alone reached the editors of the Talmud. The initial introductory question and the citation of the mishnah were recorded in the Talmud; however, the second two parts, the complex question and its answer, were lost in transmission and never reached the redactors of the *sugya*. In an effort to recover the lost parts of the interaction, the editors reconstructed the original debate, based on the material at hand.

The possibility that only selected parts of the four-part debate pattern survived can serve to resolve difficulties in additional *sugyot*. In these *sugyot*, Rami bar Hama does not ask the introductory question and he asks only the complex one; however, Rava’s response is to simply cite the Tannaitic source which serves as the basis for the complex question. In these cases, the Talmud as well as the commentators have difficulty understanding how the source cited by Rava serves to answer Rami bar Hama’s question. Yet, perhaps one can suggest that Rava was not attempting to answer the complex question, but rather he was responding to an initial introductory question which was not preserved in the transmission. The posited introductory question aimed to adduce the source upon which the second question would be based, as in the previous examples. I will bring two examples that fit with this suggestion.

***Sugya* 5: B. Zevaḥim 95b – Self-Evident Question Is Missing (Case 1)**

The first example is in B. Zevaḥim 95b and relates to the mishnah in M. Zevaḥim 11:7 that delineates the laws of cooking of a sin-offering. These laws are based on Scriptural verses in Leviticus that prescribe special treatment for various types of vessels used to cook the sacrificial meats, as follows: ‘But the earthenware vessel in which it is cooked shall be broken; and if it be cooked in a copper vessel, it shall be scoured and rinsed in water.’ (Leviticus 6:21).

The mishnah attempts to define the act of cooking discussed in these verses and states:

|  |  |
| --- | --- |
| M. Zevaḥim 11:7 | משנה זבחים יא: ז |
| Both [a copper vessel] in which one cooked [meat] as well as [a vessel] into which one poured boiling [meat]… require scouring and rinsing. | אחד שבישל בו ואחד שעירה לתוכו רותח... טעונין מריקה ושטיפה |

The mishnah addresses two distinct acts that could be considered cooking: the standard method of cooking the meat in a vessel, as well as the act of pouring the boiling meat of an offering into a vessel. These acts involve two factors that affect the laws of scouring and rinsing, namely, cooking and absorption. In the standard case of cooking, the meat is both cooked in the vessel and at the same time its flavor is absorbed into the walls of the vessel. In contrast, in the case of pouring boiling meat into a vessel, the flavor of the meat is absorbed into the vessel without being cooked therein. The mishnah requires scouring and rinsing in both of these cases: both in the case that involves cooking with the resultant absorption, as well as in the case that involves absorption alone. What is missing here is a discussion of the inverse case, where the meat was cooked in the vessel without being absorbed into its walls. Yet the mishnah does not address this case.

In the Talmudic passage that follows, Rami bar Hama seeks to fill this lacuna by addressing the case of cooking without absorption. He asks:

|  |  |
| --- | --- |
| B. Zevaḥim 95b | בבלי זבחים צה ע"ב |
| If one roasted [the meat] in the air-space of an earthenware oven, what is [the ruling]?  Is the Divine Law particular about cooking and [the resultant] absorption, but about cooking without absorption it is not particular; or perhaps, [it is particular] even about cooking without absorption? | בעי רמי בר חמא: תלאו באויר תנור, מהו?  אבישול ובילוע הוא דקפיד רחמנא, או דילמא אבישול בלא בילוע? |

The Talmud explains that the case in question, that of roasting sacrificial meat in the airspace of an oven, creates a situation where the meat is cooked in the oven without the absorption of its flavor.

In response to Rami bar Hama’s question, Rava replies by citing the mishnah: ‘Both [a copper vessel] in which one cooked [meat] as well as one into which one poured boiling [meat]… require scouring and rinsing’. Prima facie, it is unclear how this citation resolves the question, as the case under discussion is not directly addressed by the mishnah. The commentators offer various explanations as to how Rava intended to use the mishnah to resolve this question. Rashi 95b, s.v. *ve-*’*ehad*, explains that Rava’s resolution is based on an induction from the mishnah. He reasons that just as the case of absorption without cooking requires scouring and rinsing, so too, the inverse case of cooking without absorption should require scouring and rinsing as well. According to this explanation, Rava assumes that any case where only one factor is involved should be sufficient to require scouring and rinsing. Other commentators, on the other hand, take a different approach and suggest that Rava reaches the opposite conclusion.[[26]](#footnote-26) They suggest that perhaps Rami bar Hama is asking which of the two factors is at play, cooking or absorption. Rava concludes that because the mishnah states that absorption is indeed a factor, therefore cooking is not. This reading, however, does not fit into the words of the question as explicated by the Talmud: ‘Is the Divine Law particular about cooking *and* absorption’, implying that the questioner is aware of the possibility that both factors are significant. Both of the explanations of Rava’s answer require making unfounded assumptions, and hence it remains unclear as to how Rava’s citation addresses Rami bar Hama’s question. And in fact, in the next line the Talmud[[27]](#footnote-27) points this out, stating: ‘[The case of] absorption without cooking is not what we are asking about. We are asking about cooking without absorption: what is the law?’ The *sugya* continues with a different proof, yet the reader is left wondering why Rava would cite the mishnah when it doesn’t address Rami bar Hama’s question? I suggest that perhaps Rava’s response was not intended to answer Rami bar Hama’s complex question, but rather to answer an initial self-evident question, whose aim was to elicit the source upon which the subsequent question was predicated. According to this suggestion, Rava’s response to Rami bar Hama’s second, primary question was not preserved in the transmission of the *sugya*.

***Sugya* 6: B. Nazir 61a – Self-Evident Question Is Missing (Case 2)**

A similar phenomenon can be found in the *sugya* in B. Nazir 61a. The *sugya* appears in the context of M. Nazir 8:2 which discusses a case of a nazir who is in doubt as to whether he contracted corpse impurity and similarly is in doubt as to whether he is a confirmed *meẓor‘a*. In the course of the discussion, the Talmud cites a baraita that states “and he shaves four shavings”. The first two shavings are in case the nazir is a confirmed *meẓor‘a*, the third shaving is in case the Nazir is impure due to corpse impurity, and the last one is the final shaving of a pure nazir.

After delineating the details of each of the shavings, the *sugya* cites a question by Rami bar Hama:

|  |  |
| --- | --- |
| [1] Rami bar Hama inquired: These four shavings of which the Tanna spoke, is their purpose to fulfill a shaving requirement or is their purpose to remove the hair that grew in impurity? | בעי רמי בר חמא: הני ארבע תגלחיות דקאמר, משום מצוה או משום אעבורי שיער טומאה? |
| [2] What is the practical difference? Whether it is acceptable to remove the hair with a depilatory. If you say that the purpose is to fulfill a shaving requirement, then it is not valid to use a depilatory. But if you say that the purpose is to remove the hair that grew in impurity, then even smearing his head with a depilatory is acceptable. What is the law? | למאי נפקא מינה? לעבורי בנשא, אי אמרת משום מצוה - לעבורי בנשא לא, ואי אמרת משום אעבורי שיער טומאה - אפילו סכיה נשא נמי, מאי? |
| [3] Rava said: Come and learn: And he shaves four shavings. | אמר רבא, ת"ש: ומגלח ארבע תגלחיות; |
| [4] Now, if it should enter your mind that the purpose of shaving an impure nazirite is to remove the hair that grew in impurity, even three should be sufficient. Learn from this that the purpose of shaving is to fulfill an actual shaving requirement. Indeed, learn from this. | אי סלקא דעתך משום עבורי שיער טומאה, אפילו בשלש נמי סגיא ליה! שמע מינה משום מצוה, שמע מינה. |

In this question-and-answer exchange, Rami bar Hama seeks to determine if all four shavings of the Nazir are due to a requirement to shave, and they therefore must all be performed with a razor, or whether one of them might only be due to the need to remove impure hair and hence not require a razor.[[28]](#footnote-28) Rava responds by citing the baraita that simply states “and he shaves four shavings.”

The commentators had difficulty understanding the proof from Rava’s baraita. Tosafot suggest that perhaps since the baraita related to all four shavings as one, they must be similar to each other, and hence all the shavings, even the third one of the possibly impure nazir, are done to fulfill the requirement of shaving. Tosafot note the alternate possible explanation that is cited in line [4] of our text,[[29]](#footnote-29) yet this explanation is difficult as well.[[30]](#footnote-30) I suggest that perhaps in this *sugya* as well, Rava’s citation of the baraita was not intended as an answer to Rami bar Hama’s complex question. Rather, Rava was responding to an initial self-evident question that was asked in order adduce the baraita that would serve as the basis for Rami bar Hama’s complex question. The initial self-evident question as well as Rava’s answer to Rami bar Hama’s complex question was lost in transmission and was unknown to the editors of the *sugya*.

**Broader Implications**

All of these *sugyot* demonstrate the tendency of Rami bar Hama and Rava to invoke Tannaitic sources before asking a question for further analysis. And in fact, this is exactly how the Talmud describes the style with which these amoraim would learn before Rav Hisda.

In B. Sukkah 29a, the Talmud states:

As the situation involving Rava and Rami bar Hama, when they would stand before Rav Hisda, they would quickly review the tradition together, and [only] then analyze the rationale behind it.

This learning style of Rava and Rami bar Hama comes to the fore in Rava and Rami bar Hama’s questions as well Rava’s responses to the latter’s questions.[[31]](#footnote-31) Rami bar Hama and Rava were accustomed to always citing the relevant tradition before trying to extrapolate further understanding and meaning from the source. And as we have seen, this citation was often invoked by a playful self-evident question at the start of the dialogue.

It is noteworthy that among the *“ba‘ei”* questions asked by the representative amoraim in the first three generations of Babylonian amoraim, with one exception, only the questions of Rav Hisda are preceded by an introduction stating the source upon which the question is based.[[32]](#footnote-32) And indeed this questioning style can be identified among the questions of Rami bar Hama and Rava, his two disciples. It seems that in the learning environment of Rav Hisda and his pupils Rava and Rami bar Hama, there was a new emphasis on reciting Tannaitic sources, while at the same time attempting to expand the rulings in these sources to new cases. And indeed, Hirschman noted that Rava’s educational vision and curriculum reflect a turning point in learning styles in the Babylonian academy.[[33]](#footnote-33) He points out that on the one hand Rava stresses the importance of recitation of traditions, while at the same time putting a new emphasis on reasoning, inferences, and questions. For example, in B. Avodah Zarah 19b, we find statements by Rava that focus on the importance of recitation:

A person should always study and review even though he may afterward forget, and even though he does not understand what it is saying.

A person must always study Torah and gain a broad knowledge of it, and only then may he analyze and delve into it.

Yet, at the same time, Rava sees *sevara* and analytics as the ultimate goal of learning and states (B. Berakhot 6a): ‘The reward for learning traditions is logical analysis’. Hirshman traces this duality to the learning practices described B. Sukkah 29a cited above. He concludes that through these and other curricular implementations, Rava impacted the style of learning in the academy and changed the face of learning in Babylonian culture.[[34]](#footnote-34)

**Why Did the Amoraim Ask Self-Evident Questions?**

This learning method naturally leads to a questioning style that would seek to invoke the recitation of a Tannaitic source as an introduction to a given question. Yet one point remains unclear: Why did the amoraim use this alternate style of invoking a source via a question? If the goal of the initial question is simply to introduce a source, why would the amora not do so directly, as is done in so many other cases?

It is possible that this question-and-answer style was used for didactic purposes. By asking a question that invited a response, the amora was actively engaging his colleague in dialogue, involving him in the learning experience.

Another possible explanation is based on the recent research of Christine Hayes on the use of humor and play in the Babylonian Talmud. In a recent AJS lecture, Hayes described the elements of humor found throughout the Talmud. Hayes further contends that not only is the Talmud replete with elements of overt humor, but one can also identify the use of “play” – a broad category of which humor is just one element.[[35]](#footnote-35) She demonstrates how the dialectical argumentation of a *sugya* reflects theatrical playfulness, carefully pursuing one line of reasoning only to reject it and start again with a different approach. While these arguments are presented as very serious discussions and are certainly not humorous, Hayes claims that the style of this type of discussion does contains a “playful” element. This element can be understood in light of John Carse’s description of finite and infinite games: “A finite game is played for the purpose of winning, an infinite game for the purpose of continuing play.”[[36]](#footnote-36) Hayes posits that the non-conclusive nature of the dialectic of a developed Talmudic *sugya* seeks to perpetuate the discussion rather than resolve it, thereby undermining the absolute nature of halakha.

I would like to suggest that the question-and-answer pattern discussed here is part of the serious, yet playful style of Talmudic discourse. Introducing a source by asking a question whose answer is obvious serves to add a playful element to the presentation of the source. Similar to Carses’ description of continuous play, here the questioner is not asking a question in order to attain knowledge that he was previously unaware of, to thereby resolve the issue at hand. Instead, he is asking a question whose answer is known to everyone in the audience. The goal of this question is thus not to resolve the issue at hand, but rather to perpetuate the discussion further. This technique also teases the audience, providing a temporary illusion that the issue being discussed is simple and easily resolved, only to be followed by a more difficult and complicated question which requires deeper analysis. The initial question-and-answer exchange lures the listener into thinking that answers can be found in the sources at hand. This illusion is then shattered by the subsequent question which underscores that the scope of the source is not as comprehensive as it once seemed. [[37]](#footnote-38)

Thus, this questioning style stresses the inability of the casuistic rulings in Tannaitic sources to cover all of the cases that might arise and the need to expand these rulings to additional cases. Hence, while the questions sought to determine the scope of the Tannaitic halakha and the principles that underlie these rulings, the style in which they are asked underscore the limitations of these rulings and the need to create global principles that can lead to a more formalistic legal system. And indeed in the fourth generation of Babylonian amoraim, and specifically in the academy of Rava, we find a dramatic increase in the use of global principles and abstract concepts.[[38]](#footnote-39)

In conclusion, this article has examined the technique of asking a self-evident question as a means to present a source for further discussion and analysis. Melamed presented one case in which the this questioning style was apparent from the structure: an initial self-evident question whose answer can be found in an explicit Tannaitic source, the citation of that source in response to that question, followed by a more complex question based on the cited source. However, as I have demonstrated here, the same questioning style recurs in many other *sugyot*, although with more subtle constructions, which do not include all of the elements of Melamed's case. In some cases the elicited source is cited in full, in others it is only partially so, and in some cases the source is not cited at all, but is implicit within the *sugya*. The subtly of this technique is not always apparent to the reader, and sometimes the Stam misunderstands it. In other cases, however, the Stam recognizes and appreciates the style, even imposing it as part of its reconstruction of a laconic transmission. This question-and-answer pattern can also serve to explain *sugyot* where Rami bar Hama’s initial self-evident question is missing from the *sugya*, and yet Rava still responds with a citation of the relevant source for analysis.

While the amoraim clearly recognized the need to cite a source before analyzing it, Rami bar Hama’s style of introducing the source with a self-evident question adds a dynamic back-and-forth to the Talmudic discourse. Understanding and appreciating this style serves to elucidate many *sugyot* while at the same time shedding light on the dynamic and playful nature of learning in the amoraic academy. Viewed against the backdrop of changes in the amoraic learning style that took place at the end of the third-beginning of the fourth generation in Babylonia, this questioning style accentuates the relationship of the amoraim to Tannaitic sources. On the one hand, they viewed these Tannaitic sources as the basis of the halakhic system, yet at the same time, they saw a need to expand the scope of these sources to enable application of these rulings to more varied halakhic scenarios. Thus, the questioning style exhibited by Rami bar Hama and Rava reflects the move toward a more formalistic legal system, one that is anchored in the sources while at the same time expanding these sources to enable a global application of the principles within.

1. Yeḥiel Mikhel Guttman, “She’elot ’akademiyot be-talmud,” *Dvir* 1 (1923): 38-87; *Dvir* 2 (1924): 101-64. [↑](#footnote-ref-1)
2. Ezra Zion Melamed, *Pirkei mavo l-sifrut ha-Talmud* (Jerusalem: Gal-Or Publishers, 1973), 429-41. [↑](#footnote-ref-2)
3. These questions are also introduced by phrase *“ba‘ei minei*” or “*ba‘ai minei*,” although these forms are not as common. [↑](#footnote-ref-3)
4. Shira Shmidman, “Rami bar Hama’s Approach to Halakhic Analysis” [in Hebrew] (PhD diss., Bar Ilan University, 2020), 76-114. [↑](#footnote-ref-4)
5. This analysis is based on examining the questions of the amoraim who were singled out by Kraemer as the major Sages who are representative of these generations. See David Kraemer, *The Mind of the Talmud: An Intellectual History of the Bavli* (New York: Oxford University Press, 1990), 28. [↑](#footnote-ref-5)
6. This number is based on an examination of all questions that are introduced by the *phrase “be‘ah minei Rami bar Hama”* or *“ba‘ei Rami bar Hama”* and that appear in the majority of textual witnesses of the Babylonian Talmud. Thus, there are cases where Rami bar Hama’s name doesn’t appear in the printed edition of the Talmud, but is present in all of the manuscripts (e.g. B. Zevaḥim 75b). These cases were therefore included in the count. Conversely, there are places where Rami bar Hama’s name appears in one textual witness but is absent in the rest of the manuscripts (B. Bava Meẓi’a 98b). These instances were not included in the study. A similar methodology was used in determining the number of questions asked by other Amoraim. [↑](#footnote-ref-6)
7. Interestingly, Abbaye asks only 35 ba‘ei questions, which is a relatively small number of questions considering how many times he appears in the Talmud (over 2,500 citations). This indicates that the tendency to ask *ba‘ei* questions was not entirely prevalent, but rather that it became dominant specifically among the students of Rav Hisda, Rami bar Hama and Rava (see below near note 31). In the fifth and sixth generations, Rav Pappa (the student of Rava) and Rav Ashi (the student of Rav Pappa) ask 49 and 47 questions respectively. Compared to the number of times they appear in the Talmud, the number of questions that they ask is comparable to those of Rava. This indicates that the question-asking trend continues into the later generations among those who were influenced by Rava’s school of thought. [↑](#footnote-ref-7)
8. See Michael Sperling, *MATMIDAH: Machine Analysis of Talmudic Memrot, Inference, Dialogue, Argumentation and Hermeneutics* (unpublished manuscript, 2017), 7. In contrast, while Rava indeed asks significantly more questions than Rami bar Hama, these questions represent a much smaller percentage of his Talmudic statements, as Rava appears over 3,000 times in the Babylonian Talmud. [↑](#footnote-ref-8)
9. For a detailed analysis of the differences between the questions asked by the Babylonian amoraim in the first three generations and the questions asked by Rami bar Hama, see Shmidman, “Rami bar Hama’s Approach,” 76-114. [↑](#footnote-ref-9)
10. The questions of amoraim in the earlier generation often related to Scriptural verses. See for example Rav Yosef’s questions in B. Kiddushin 30a. [↑](#footnote-ref-10)
11. This line appears in square brackets in the text of the Vilna Print and is missing completely from the Soncino Print and the Italian Print. However, the text is found in all of the manuscripts – MS Munich 95, MS Vatican 108 (although the words “there is no difference” are missing), MS Oxford Opp. Add. fol 23, MS CUL T-S AS 77/16, MS CUL T-S F2(1).60. The phrase was presumably left out of the printed editions due to homeoteleuton. [↑](#footnote-ref-11)
12. Rashi, B. Shabbat 79a, s.v*. ha-moẓ’i*. [↑](#footnote-ref-12)
13. Westreich notes that unlike the firstborn substitute itself, the substitute of a firstborn sacrifice is not brought on the altar, but rather must wait until it is blemished to be eaten. As the halakha distinguishes between the treatment of a firstborn sacrifice and its substitute in this regard, the question arises as to whether there are other differences in the treatment of these two sacrifices. See Royi Westreich, “Critical Edition with Comprehensive Commentary to BT Zevaḥim Chapter VIII” (PhD diss., Bar Ilan University, 2008), 172-85. [↑](#footnote-ref-13)
14. Rava’s response is introduced by the phrase *“tanya”* which usually introduces a baraita as opposed to a mishnah. However, scholars have noted that there are places where the phrase *“tanya”* introduces a mishnah as well. See Mordechai Sabato, *Talmud Bavli, Masekhet Sanhedrin, perek shlishi: Mahadurah, peirush, v-‘iyun mashveh b-makbilot* (Jerusalem: Mossad Bialik, 2018), 267-68. [↑](#footnote-ref-14)
15. See for example Tosafot, [quote masekhet+folio], s.v. *bekhor*. [↑](#footnote-ref-15)
16. See as well Keren Orah, [quote masekhet+folio], s.v. *sham, gemara, bekhor ‘eno nifdeh*. [↑](#footnote-ref-16)
17. Westreich, “Critical Edition,” 172-73 notes the seeming disconnect between the subject of the two questions. He further notes that the first question is answered by Rava, while the responses to the second question are by fourth-fifth generation Palestinian amoraim. Based on this, Westreich concludes that the two questions were originally asked in different contexts and then later combined into one unit by a late editor. This unit was then integrated into the sugya on M. Zevaḥim 8:2 due to the fact that this mishnah is cited in one of the responses to the second question. However, the discussion of the second question by the fourth-fifth generation amoraim could not have been a direct response to Rami bar Hama’s question, as Rami bar Hama was never in ’*Ereẓ-Yisra’el* and in fact never appears in the Jerusalem Talmud at all. It is possible that his question traveled to ’*Ereẓ-Yisra’el* at some point and was addressed by these amoraim. Alternatively, the question arose independently in both *Bavel* and ’*Ereẓ-Yisra’el* and was addressed by these amoraim. In either case, it seems that the answers to the second question were attached to Rami bar Hama’s question by a later editor. It is therefore possible that the two questions were originally asked together, and at a later point an editor attached the answers from the Palestinian amoraim to the second question creating a coherent literary unit. This suggestion is supported by the fact that the third element of the first question addresses the prohibition of weighing a firstborn by the pound. This issue is directly related to the content of the second question, creating a literary connection between the questions. [↑](#footnote-ref-17)
18. One could argue that Rami bar Hama’s question is actually predicated on M. Bekhorot 5:1, as this mishnah cites both the prohibition of selling a firstborn sacrifice by the pound as well as the rationale behind the prohibition: the profits from the sale of the firstborn go to the owner as opposed to other sacrifices where the profits go to the Temple treasury (see Westreich, 173). However, it is possible that Rami bar Hama thought it sufficient to cite a source that stated the prohibition alone and to simply rely on the listener’s knowledge of the rationale behind the prohibition as stated in M. Bekhorot. [↑](#footnote-ref-18)
19. The word “partners” is found in all of the major manuscripts of the mishnah: MS Kaufmann, MS Parma, MS Cambridge, as well as Genizah Fragment T-S E1.53. However, Rashi (Eruvin 72b, s.v. *matnitin*) writes ‘*ha-shutfin lo garsinan*,” indicating that this word is not part of the mishnah. And indeed, the word “partners” is missing from Babylonian Talmud MS Munich 95, MS Vatican ebr. 106, and MS Oxford 366, as well as the Pesaro Print and the Venice Print. However, these textual witnesses are later than Rashi and were likely influenced by his emendation. In MS St. Peterburg Yevr. II A 293.1 there is a space where the word “partners” belongs, and it’s possible that it was erased due to Rashi’s emendation. For a full discussion see Jacob Naḥum Epstein, *Mavo le-nusaḥ ha-Mishnah* (Jerusalem: Magnes Press, 2000), 109. [↑](#footnote-ref-19)
20. Rashi, B. Eruvin 73a, s.v*. ha-’av u-veno*. See however Tosafot, B. Eruvin 73a, s.v. *ke-rabim damu* for a discussion of the problems in the approach. [↑](#footnote-ref-20)
21. Joseph Hirsch Dünner, *Hidushei ha-Ritzad: Hagahot, perushim, be-urim ‘al ha-Bavli ve-ha-Yerushalmi*, vol. 1, *Zera‘im, Mo‘ed* (Jerusalem: Mosad Harav Kook, 1981), 127-28. See as well Maimonides, *Mishneh Torah, hilkhot ‘eruvin* 4:5. [↑](#footnote-ref-21)
22. See, however, Rashba, B. Eruvin 73a, s.v. *ha de-be‘ah*, who suggests a similar explanation to the one presented herein. [↑](#footnote-ref-22)
23. Barak Cohen, “Rami bar Hama le-‘umat Rava: ’Analogiot parshaniot u-psikatiot be-Talmud,” *Dine Israel* 25 (2008): 182, n. 147; Cohen, “Rami bar Hama: Darkhe limudo u-vikorto shel Rava” (master’s thesis, Bar Ilan University, 2000), 84-87. [↑](#footnote-ref-23)
24. The lack of criticism from Rava is particularly notable in light of the fact that in multiple other discussions between the two, Rava sharply criticizes Rami bar Hama. See for example, B. Bava Kamma 20a, B. Bava Meẓi’a, 96b, B. Niddah 33b, and others. [↑](#footnote-ref-24)
25. Rashi, B. Nazir 63a, s.v. *mahu*. [↑](#footnote-ref-25)
26. See for example, Haim Shaul Greineman,*Hidushim u-ve’urim* (Bnei Brak: n.p., 2010), 275 , s.v. *’amar Rava*. [↑](#footnote-ref-26)
27. According to MS Colombia 294–295, this point is made explicitly by Rami bar Hama. In the rest of the textual witnesses, the statement is anonymous. [↑](#footnote-ref-27)
28. The question is preceded by an excerpt from the mishnah, implying that Rami bar Hama is relating to the case discussed in the mishnah – that of a nazir who is in doubt as to whether he contracted corpse impurity and similarly is in doubt as to whether he is a confirmed *meẓor’a*. However, the commentators (Tosafot, B. Nazir 60b s.v. *hanei*) point out that if that were the case, Rami bar Hama’s question would not make sense. As each of the four shavings could possibly be the final shaving of a pure nazir, which requires a razor, then it is clear that they are would require a razor due to this final requirement to shave. They therefore suggest that the case to which Rami bar Hama refers is one discussed in a different baraita that was cited in the previous sugya: one of a nazir who was definitely impure and definitely a *meẓor’a*. This nazir requires four shavings as well, and the third shaving is definitely due to his status as an impure nazir. Rami bar Hama’s question seeks to determine if the shaving of an impure nazir requires a razor or not. [↑](#footnote-ref-28)
29. Apparently, Tosafot’s main version of the text did not include this line. [↑](#footnote-ref-29)
30. Tosafot point out that this explanation indicates that the third shaving would not require a razor. However, as noted above, each of the four shavings might be a case of a *meẓor’a* or a pure nazir, each of which require shaving with a razor. Additionally, this explanation doesn’t fit well with the language of the Talmud “three would be sufficient” implying that only three shavings are necessary. And indeed, Rashi explains that this line of the Talmud indicates that if the only purpose of the shavings was to remove hair grown in impurity, then the fourth shaving would not be necessary, as it is the shaving of a pure nazir which requires a razor. However, this explanation assumes that Rami bar Hama’s was asking about all four shavings, including the fourth. However, Rami bar Hama was aware that the last shaving is not to remove hair grown in impurity, and therefore according to this explanation it is unclear as to the purpose of the question. [↑](#footnote-ref-30)
31. There are no cases recorded in the Talmud of Rami bar Hama responding to Rava’s questions. This could be due to the fact that Rami bar Hama, the older sage, died at a young age before Rava asked most of his questions (see B. Berakhot 74b). [↑](#footnote-ref-31)
32. B. Bava Kamma 27b; B. Bekhorot 21b. These introductions open with the phrase “harei ’ameru”. The one exception is the question of Rav Huna in B. Sanhedrin 43a that opens with the introductory phrase “peshit’a li.” [↑](#footnote-ref-32)
33. Marc Hirshman, *The Stabilization of Rabbinic Culture, 100 C.E.-350 C.E.: Texts on Education and Their Late Antique Context* (Oxford: Oxford University Press, 2009), 109-20. [↑](#footnote-ref-33)
34. For a summary of the literature on the tension between tradition and *sevara* in the Rabbinic sources, see Shira Shmidman, “The Rami bar Hama Narrative of Zevaḥim 96b: A Contextual Analysis,” *Oqimta* (forthcoming). [↑](#footnote-ref-34)
35. For examples of humorous interactions in the Talmud, see Moshe Benovitz, *BT Berakhot: Chapter I with Comprehensive Commentary*, Talmud Ha-Igud (Jerusalem: The Society for the Interpretation of the Talmud, 2006), 299, and references cited in n. 2; Benovitz, *BT Sukkah: Chapters IV-V* *with Comprehensive Commentary*, Talmud Ha-Igud (Jerusalem: The Society for the Interpretation of the Talmud, 2013), 397; Benovitz, *BT Bava Batra: Chapter III* *with Comprehensive Commentary*, Talmud Ha-Igud (Jerusalem: The Society for the Interpretation of the Talmud, 2013), 2:800-805. [↑](#footnote-ref-35)
36. John Carse, *Finite and Infinite Games:* *A Vision of Life as Play and Possibility* (New York: Free Press, 1986), 3. [↑](#footnote-ref-36)
37. Alternatively, it is possible that both the questioner and the listener were aware of the purpose of the question. Hence, when the questioner proposed his initial question, the listener’s mind was racing to try to determine what follow up question would come next. This interaction introduces suspense into the question-answer exchange, once again enlivening the learning environment. I thank Tzvi Novick for this suggestion. [↑](#footnote-ref-38)
38. See Leib Moscovitz, *Talmudic Reasoning: From Casuistics to Conceptualization* (Tübingen: Mohr Siebeck, 2002), 350–52, and references in n. 22. [↑](#footnote-ref-39)