

TALMUD TORAH 4:7

by Rabbi Yitzchak Etshalom

7. One shouldn't ask a question while standing, and one shouldn't answer while standing. One shouldn't ask from a high place, from a distance or from behind the elders. One may ask the teacher questions only on the topic which he is teaching. One should ask with an attitude of reverence and a person should ask concerning only three Halakhot while studying one topics.

Q1: Why must we be seated when asking and responding? How was this dealt with when Torah study was done standing up? (see 4:2 and the Yahrzeit shiur posting on that section.)

YE: See answer c) to Q1 above. This may explain the two presentations of this idea, as follows: In the previous Halakha, R was dealing with the concern that all members of the session be settled in and focussed before asking; in this Halakha, R is addressing the concern that asking and answering are part and parcel of TT and therefore, just as the teacher and students must both be sitting when studying (see 4:2), similarly, that is the rule for asking and responding. That is why, in this Halakha, R adds (from the Tosefta) - "from a high place, from a distance or from behind the elders" - here, the emphasis is on the teacher and student being in proximity of each other as asking and responding are part of the shared process of inquiry and learning.

Rema (YD 246:13) cites authorities who opine that questions must be asked while standing. The source for this is Tosafot (Bekhorot 36a s.v. Amad) who quotes from the Talmud Yerushalmi (Nedarim 10:8). The Yerushalmi rules that not only must a litigant stand in front of the judges, a questioner must also stand when asking a question. Standing is an extension of the Beit-Din format; according to the theory presented in the Yahrzeit shiur, now that TT is further removed from *hora'ah* (halakhic instruction), we understand why R codifies that we sit. See Shach (YD 246) who seems to understand R in a similar fashion.

As noted below, most of the rulings in these Halakhot come from the Tosefta (Sanhedrin 7:7); the context there is a session of the *Beit-Din* - (court). To the extent that the Beit-din model reflects the connection between questioners and respondents (facing each other, not being far away) - that model is retained in post-2nd Temple TT.

Q2: How is the phrase "one may ask the teacher..." different than the phrase in Halakha 6: "The teacher should not be asked a question on a subject which is different [from the one which he is teaching]"?

YE: The first Halakha is oriented towards the appropriate way to conduct oneself in order not to embarrass anyone and to make sure that questions are relevant etc.; these ideas are probably transferrable to other disciplines and situations; the second Halakha is pointed at TT specifically. One of the Halakhot of TT is "joint-process" - hence we all sit; another one is "focus" - therefore, the questions must be on the topic we are studying.

Q3: Why the limit of three Halakhot?

HH (H.H.): So that other students will have the opportunity to ask questions themselves.

YE: Also to allow the course of study to continue and not be terminally waylaid by questions.

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