



Vision of a Modern Orthodox Jewish Education

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An ideal Modern Orthodox Jewish educational plan will simultaneously have a great deal in common with all excellent educational programs, even as it will be unique with respect to its religious ideology and mission.¹ Paralleling the inherent paradoxes

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¹ Unfortunately, a culture of excellence “on both sides” of the curriculum is often not evident in most Modern Orthodox day schools. What Daniel Pekarsky (*Vision at Work: The Theory and Practice of Beit Rabban*, The Jewish Theological Seminary of America, 2006, p. xii) has written about schools in general, ...First, few educating institutions have a clear conception of what they are trying to achieve. Second, even those associated with such a conception are unlikely to have identified, much less enacted, a coherent stance concerning the way...to make progress in the direction staked out by the existential vision under real-world conditions...

is certainly pertinent to most Modern Orthodox institutions which inherently are more likely to be figuratively “schizophrenic” and literally compartmentalized with respect to their educational vision. Asserting that equal attention must be paid to both Judaic and general studies has proven to be extremely problematic from the perspective of some if not all stake-holders in these institutions, i.e., subject matter specialists, teachers, students and the general community. To find educational theorists, instructors, students and parent bodies who embody and adhere to the educational ideal referred to as *Tora U'Madda* (*Tora* and Knowledge/Science) and *Tora Im Derech Eretz* (*Tora* and the ways of the World) has not only proven difficult in the past, but has become increasingly so as religious movements in general have taken a rightward turn. By Orthodoxy adopting a stance that is not only critical but even rejectionist vis-à-vis general culture and society, it becomes less likely that religious educational leaders will value attempts to compliment and reconcile religious life with the values and assumptions of the culture in which they find themselves. Such an oppositional stance is reinforced by the need for these institutions to endeavor to teach their students twice as much, i.e., the dual curriculum, as public or non-parochial private schools during essentially the same number of annual teaching days. Even if there was an equal ideological commitment to both sides of the curriculum, the learning that takes place in such schools needs to be of the highest caliber in terms of efficacy and efficiency given the relatively limited classroom time engendered by a dual curriculum if students are to come away with a superior, integrated education in all areas of study and experience.

within “Modern Orthodoxy”, i.e., the challenge to balance religious Jewish belief and observance with the modern temper and the individual’s contemporary social and communal setting, neither an educational approach that in order for students to gain literacy and analytic and academic skills in their dual traditions, merely includes in a non-self-conscious manner Modern Orthodox materials² while placing primary emphasis upon sources, perspectives and experiences drawn from secular culture and society, nor a program that is exclusively religious in orientation and deliberately pays minimal lip service to general studies and contemporary civilization, will embody such an ideal course of Modern Orthodox study and the development of a unique religious outlook.

While Jewish tradition assumes that life-long learning will of necessity have to take place in order for one’s Judaism to remain vibrant, relevant and age-appropriate,³ a

² While primary Jewish sources themselves cannot be directly enlisted to promote one denominational approach of Judaism over another, certain subject matter lends itself more explicitly to interpretations that would advance a Modern Orthodox agenda. For example, if one chooses to focus upon *Mitzvot Bein Adam LaMakom* (Commandments between man and God, i.e., essentially ritualistic in nature,) there will ordinarily be little difference between Modern and more *Chareidi* (lit. trembling; i.e., right-wing) Orthodox approaches. However, when focus shifts to issues of *Bein Adam LeChaveiro* (Commandments between man and man), how universalistic are the principles and applications being presented will certainly be an object of dispute among different Orthodox groups. Flash points that will elicit disagreement among diverse Orthodox groups include the extent to which and in which contexts Jewish women are entitled to equal standing with men, whether non-Jews are entitled to the same exemplary treatment due fellow Jews when it comes to matters defined as strict *Tora* law, and the extent of authority that parents and teachers are granted over their children and students. A Modern Orthodox educational approach would opt to include and even focus upon the very issues where such a religious perspective will make a difference, in addition to striving to study and understand more standard material for the purposes of becoming thoroughly acquainted with Jewish tradition, law, thinking and behavior.

³ By virtue of the truism that individuals significantly evolve over the course of their lifetimes in terms of their emotional, intellectual and spiritual sensibilities, it becomes necessary for attitudes and sophistication regarding religion to similarly evolve, if Judaism is to be meaningful to its adherents and practitioners for the long term. The *Halacha* anticipated such a need when it posited that *Tora* study was required to take place throughout one’s life—see e.g., RaMBaM, *Mishneh Tora, Hilchot Talmud Tora* 1:10. Although according to some views, such a requirement could be fulfilled in an extremely perfunctory fashion, e.g., R. Shimon bar Yochai’s view in *Menachot* 99b to the effect that the recitation of the *Kriyat Shema* (*Devarim* 6:4 ff; 11:13 ff.; *BaMidbar* 15:37 ff.) morning and evening is considered equivalent to having studied *Tora* all day and night, it is readily understandable that such a minimalist twice-daily reading exercise will hardly suffice in order for the individual to properly match the ever-changing stages of his life with appropriate religious knowledge and understanding. (While the obligation to study devolves specifically upon males, it is universally acknowledged that females must study that which is relevant to their everyday observance—see RaMA on *Shulchan Aruch, Yoreh De’ah* 246:6; *Beit Yosef, Orach Chayim*, end of #47. I would contend that such study for women is not to be confined exclusively to formulaic ritual practice, but must also include issues of *Hashkafa* (world view), *Ta’amei HaMitzvot* (rationales for Commandments), *Bei’ur Tefilla* (explanations of prayers), etc., so that they will not only be aware of what to do, but why one is required to do them as well.) An endemic problem for Modern Orthodoxy is by virtue of the movement’s advocacy of its adherents becoming seriously involved in general society, it becomes increasingly difficult for these individuals to juggle professional, family and communal responsibilities and at the same time pay

modicum of control over such learning and the opportunity to model how the Modern Orthodox individual should proceed later in life, is extent only in a formal educational context, i.e., the school in general and the Jewish day school in particular.⁴ Since the manner in which and the degree to which there is interpenetration⁵⁶ among the various elements that comprise adult Jewish -experience, i.e., how do areas of intellectual interest, professional and avocational pursuits, beliefs, values, methods of thinking, and real world happenings drawn from the religious and secular worlds interact with, complement, are distinguished from and enlisted to critique one another,⁷ the Jewish day school becomes a student's first formal encounter with this wide and seemingly discordant array of ideas and beliefs.⁸ - A day school graduate's behavior, commitments,

adequate attention to the need for personal religious development and advancement, beyond the years of formal education through adolescence, that the day school context alone offers its students.

⁴ With the development of the day school movement during the last half century, Orthodoxy for the most part has eschewed the formal settings of the afternoon and Sunday schools in favor of a more all-encompassing Jewish environment, as well as a greater number of hours of formal Jewish learning over the course of one's primary and secondary education.

⁵ While compartmentalization is a strategy employed by some to attempt to keep separate their religious and secular existences, such a sociological and even psychological phenomenon is akin to a type of non-clinical schizophrenia whereby the individual maintains separate personalities if not entire lives. And just as the integrated personality reflects psychological health and normalcy, so too does the integrated religious and secular life. (See my essay "Integration of Jewish and General Studies in the Modern Orthodox Day School," *Jewish Education* 54:4, 1986, pp. 15-26.)

⁶ Paradoxically, it has been suggested by some critics of Jewish day schools that the segmentation of the day school day's daily schedule into distinct subject areas, regardless whether the Judaic and general studies subjects take place in unified blocks or are integrated throughout the day, actually models for students the mindset of keeping religious and general experiences separate from one another, rather than looking to integrate them, i.e., bring religious ethical considerations to bear on assumptions of general society and vice versa. While such an impression could be somewhat mitigated if the instructors of these classes were themselves truly Modern Orthodox in terms of their own learning and practice, this is seldom the case.

⁷ Lawrence Kaplan, in his review essay, "The Ambiguous Modern Orthodox Jew" (*Judaism*, 28:4, Fall 1979, pp. 446-7) articulated the ideal mindset to which I am referring in the following manner:

On the one hand his modernity informs his Orthodoxy. Thus he utilizes modern categories of thought to illuminate and deepen his understanding of the tradition and in his study of sacred texts, makes use of the findings and methods of modern historical scholarship to the extent that they do not violate the religious integrity of these texts as he perceives it. But the movement of influence is not only one way. For his perception of the modern world and modern social and intellectual currents is shaped by his traditional perspective, so that his commitment to modernity is always critical and qualified. No doubt, this modern Orthodox Jew, despite his efforts at integration, experiences serious tensions between his modernity and his Orthodoxy, but these tensions, he is convinced, need not function...simply as a source of anxiety and personal insecurity. Rather they can be challenging, fruitful and creative in nature...

⁸ While it could be claimed that an individual's first exposure to such a lifestyle and the challenge to reconcile competing ideas and beliefs takes place in his parental home, it could just as well be maintained that the dimensions of conflict and apparent inconsistency will only first come clear specifically within a school setting where one studies with so many different people who harbor so many different agendi. The

and values will give tacit if not overt testimony to whether the day school educational experience in general and school life in particular—both curricular and extra-curricular—has anticipated as well as prepared the student to function successfully and self-consciously as a Modern Orthodox citizen of the greater society.⁹ It should be obvious that certain educational approaches both in Judaic as well as general studies will mightily contribute to the development of a positive, integrated, balanced Modern Orthodox adult, while educational experiences that fail or don't even attempt to strive to reconcile as many of these cacophonous educational themes and issues as possible will mitigate against and perhaps even substantially prevent the ultimate development of individuals with the desired capacities and intentions.¹⁰

Not only must there be an awareness of the potentially positive or deleterious effects of various types of subject matter when striving to achieve particular educational goals, but instructors, the “middlepersons” who negotiate the divide between primary and secondary sources on the one hand, and those studying and internalizing them on the other, must also be self-conscious about their roles and responsibilities.¹¹ Texts are never taught in a vacuum, and are accompanied by the perspectives inherent within the teacher's initial presentation, as well as the manner in which he addresses questions that the material raises in the mind of the students. My favorite metaphor describing a

range of views in one's home is per force narrower than the one encountered among one's departmentalized teachers.

⁹ See the beginning of my essay, “Non-Jews and the Jewish Day School Experience” in Formulating Responses in an Egalitarian Age (ed. Marc Stern, Rowman & Littlefield, 2005, pp. 181-2), where I analyze the mission statements of several Modern Orthodox Jewish day schools, noting that they standardly, at least until recently, contain language to the effect that one of the goals of each school is to produce “citizens who can take their place within the greater society”. (The thesis of the essay is that in order to fulfill such a goal, certain attitudes endemic in the standard Jewish studies curricula of such schools contribute to the formation of negative attitudes towards the members of the non-Jewish society for which students are supposedly being prepared to participate in and contribute positively to.)

¹⁰ No type of educational program is “fool-proof” in terms of students internalizing and comprehensively reflecting what they have been taught. Obviously, individual personalities, prior and even current experiences outside the school environment, values and attitudes that are appropriated from one's upbringing, etc. will constitute significant “baggage” that will serve as barriers against the success of any educational program. Nevertheless, the attempt has to be made to present a coherent educational vision despite potential pitfalls, and to whatever extent possible, strategies should be devised to try to overcome some of the challenges posed by pre-existing teacher and student attitudes.

¹¹ See my essay, “Sensitizing Day School Teachers to Issues in Values Education”, in Ten Da'at, VI:1 Spring 1992, pp. 5-11.

teacher's role in the educational process is "midwifery."¹² The underlying assumption driving such a metaphor is that the educational process is essentially student-centered.^{13,14} The teacher's primary preoccupation is to help the student find himself, his voice, his aptitude, his passion in religious and secular disciplines and activities. To achieve such an aim, the instructor must undertake to expose his disciple to all sorts of materials and ways of thinking in order that the student can ultimately discover what "resonates" within him, what will elicit within himself a powerful response and substantive intellectual curiosity, how he might become drawn to maximize his own unique potential, talents and skill set.¹⁵

⁹ The earliest use of this metaphor appears in Socrates' dialogue, "Theaetetus":

(<http://www.phy.ilstu.edu/pte/209content/thaetetus.html>)

SOCRATES: My art of **midwifery** is in general like theirs; the only difference is that my patients are men, not women, and my concern is not with the body but with the soul that is in travail of birth. And the highest point of my art is the power to prove by every test whether the offspring of a young man's thought is a false phantom, or instinct with life and truth. I am so far like the midwife that I cannot myself give birth to wisdom, and the common reproach is true, that, though I question others, I can myself bring nothing to light because there is no wisdom in me.

The reason is this. Heaven constrains me to serve as a **midwife**, but has debarred me from giving birth. So of myself I have no sort of wisdom, nor has any discovery ever been born to me as the child unintelligent, but, as we go further with our discussions, all who are favored by heaven make progress at a rate that seems surprising to others as well as to themselves, although it is clear that they have never learned anything from me. The many admirable truths they bring to birth have been discovered by themselves from within. **But the delivery is heaven's work and mine.**

¹³ I remember being struck by a comment made by the cello teacher to his student in the 1973 film, "Jeremy", starring Robby Benson and Glynnis O'Connor. Upon being impressed by the young boy's talent, the teacher tells him that although he could turn the boy into a clone of his teacher with respect to playing his instrument, the task of a teacher is to help the student find his own voice and approach to music.

¹⁴ When invoking the metaphor of midwifery, I am assuming that individuals in general and the student that one encounters in a Jewish day school in particular, possess the potential for spirituality and that the manifestation of such inclinations are not artificially imposed from without, i.e., exclusively a matter of nurture, but that they derive from within, i.e., nature. Consequently, assisting a student to find his religious voice is in effect helping the student to become himself, rather than a clone of the instructor or mentor.

¹⁵ *Sefer HaMikneh* (R. Pinchos HaLevi Horowitz of Frankfort, 1730-1805) (See my paper "Sensitizing..." p. 7, cited in fn. 11) offers a traditional source which could serve well for the "midwifery" metaphor. Based upon the Rabbinic interpretation of *Malachi 2:7* "*Ki Siftai Kohen Yishmeru Da'at VeTora Yevakshu MiPihu Ki Malach HaShem Tzevakot Huh*" (Because the lips of the priest preserves knowledge and *Tora* you shall seek from his mouth, because he is like an Angel of God's Heavenly Hosts), which is explained in *Chagiga 15b* by Rabba bar R. Chana who says in the name of R. Yochanan: If the teacher (that you are considering studying with) is like an Angel of God's Heavenly Hosts, then seek *Tora* from his mouth; if he is not, then don't seek *Tora* from his mouth, the commentator, the *Mikneh* draws attention to a particular angelic quality that he feels is a basic prerequisite for an effective teacher. Since traditionally, based upon the striking vision of Yechezkel recounted in *Yechezkel 1:7*, "*VeRagleihem Regel Yeshara...*" (and their feet [appeared?] as a single/straight foot), angels have a single foot as opposed to the two feet that humans have, the commentator explains the symbolism inherent in this aspect of the prophet's vision as representing the degree to which the angels have no free will, and are completely beholden to God, Whom they serve as messengers and surrogates. The single foot demonstrates the lack of ability to strike out on one's own, to exercise the power of personal choice. By the *Talmud's* extending such symbolism from Angels to teachers, the latter must therefore be sacrificially dedicated to their students, virtually not caring about their own intellectual growth were it to come at the expense of the learning of those in their classes.

¹⁶ If an individual educator plays the role of “midwife” to the nascent student, helping him to be “born” into a particular world of culture, religion and civilization, then the constellation of educators and spiritual leaders with whom the student comes into contact over the course of his formal and informal education constitute a team of “neo-natal” specialists, attempting to help first the child, then the adolescent and finally the adult find and develop himself within a world full of potentially confusing and dangerous choices. Carrying the analogy even further, while each specialist on the obstetrics team focuses attention on some particular aspect of a particular newborn, they must nevertheless work in tandem to guarantee that one expert’s protocol is not counter-indicated by the interventions or procedures of another. It is important to emphasize that in many day schools that identify themselves as Modern Orthodox institutions,¹⁷ the only individuals being challenged to juggle and ultimately reconcile the seemingly dichotomous and antithetical elements that comprise the educational course of study in a dual curriculum program are the young students, who clearly lack the mental maturity, breadth of learning

¹⁶ Although the teaching of traditional religion is assumed to take place within a context where questioning is held to a minimum due to the esoteric nature of some of religion’s assumptions as well as the need to accept at least some parts of the spiritual tradition on faith, considerable anecdotal evidence indicates that some students not only fail to be engaged by such an approach, but even become hostile to religion in general when they perceive that their questions are not being taken seriously or honestly addressed. See Faranak Margolese, Off the Derech: Why Observant Jews Leave Judaism; How to Respond to the Challenge, Chapt. 20 “The Role of Questions”, Devora Publ., Jerusalem, 2005, and Aharon Fried, “Are Our Children Too Worldly?” in Hakira: The Flatbush Journal of Jewish Law and Thought, Vol. 4, Winter 2007, pp. 37-67. The “midwifery” metaphor would imply that just as one has to try to promote the viability of the newborn as best as one can, so too a teacher must then approach each of his students in a manner that will encourage that individual’s religious viability. Just as R. Avi Weiss (“Open Orthodoxy: A Modern Orthodox Rabbi’s Creed” in Judaism: A Quarterly Journal of Jewish Life and Thought, September 1997; <http://www.encyclopedia.com/doc/1G1-2058377.html>) has depicted his interactions with non-religious Jews as an “encounter” rather than as *Kiruv* (the act of bringing closer), i.e., whereas *Kiruv* implies that the object of one’s attention must be brought closer to oneself, without taking all that seriously the individual’s pre-existing issues and beliefs, in contrast to “encounter” where both participants in the relationship value and seriously reflect upon what the other has to say and offer, the same attitude should inform religious educators in order to enable them to successfully interact with their students.

¹⁷ Jewish day schools to the “right” and “left” of Modern Orthodoxy, which reflect a religious philosophy that in essence is not intended to reconcile the spiritual and secular worlds, will not have to struggle with balancing these two worlds in the same way that Modern Orthodox institutions are challenged to do. Just in terms of the number of hours of instruction, educational institutions that program their students to have an imbalance of hours in terms of Jewish and general studies, are giving overt expression to where they understand emphasis must be placed. In Modern Orthodox day schools, there is usually a relatively even split of hours devoted to the various disciplines on both sides of the curriculum. However, if the instructors who teach these classes convey a spirit of disrespect or lack of interest in the courses that are outside their subject area, let alone outside their half of the school’s “divide” in terms of religious and secular studies, the equality in the number of hours will end up being cosmetic at best.

and life experience required to successfully accomplish such a task.¹⁸ Consequently, for students to come away with a meaningful, well-rounded and balanced educational and religious experience, it is extremely important that the adults who come into contact with these students, including faculty, administrators, psychologists, coaches, club advisors, etc. any or all of whom are more than likely to serve as role models for a significant percentage of the student body, must be chosen for at least their openness to such a perspective—ideally they would themselves literally constitute examples of individuals who have managed to not only live in both worlds, but coordinate and complement one with the other—and then engage in continual professional development to not only understand the school’s mission in theory, but also in terms of their behaviors at least within the immediate school context and with respect to their interactions with the school’s students both on and off-campus. Failure to create such a culture within the school dooms the institution to be fraught with destructive tension and conflict between its various constituencies and factions, resulting in lack of clarity in the minds of students as to how to process and hopefully reconcile and compliment the wide array of concepts, values and ideas to which they are exposed.

Fundamental Assumptions of Modern Orthodoxy that Inform an Educational Vision

With respect to specific elements comprising the course of study of a Modern Orthodox educational program, rather than focusing upon a single unifying theme, I envision a number of areas that can, but not necessarily, overlap, as constituting the theoretical core of what I think those who wish to become Jewishly educated should study. These areas are relatively specific¹⁹ to the Modern Orthodox orientation which has

¹⁸ While there are rare Jewish day school instructors who teach on “both sides of the curriculum”, e.g., Talmud and Mathematics, Chumash and English, Halacha and Chemistry, etc., for the most part, teachers are proponents for either only Judaic studies or only general studies. Not only do they evidence no interest or understanding for what their students engage in for half the day, they often appear indifferent to the demands that these studies outside of their particular orbit make, and often assign school work that ignores the overall educational program of the institution in which they teach. Just as the Talmud teacher disdains the school play and the stress resulting from the participation of their students in such a production, the English teacher is not interested in the Chumash examination that is scheduled at the same time when a major project is due. Administrators prove at a loss to reconcile these competing elements for students’ hearts and minds.

¹⁹ Even if Jews who view themselves to the “right” of Modern Orthodoxy are loathe to admit it, they have engaged to some degree in intellectualizing their religious beliefs and practices as well as interacting with broader, non-Jewish/irreligious society. What divides the various iterations of Orthodoxy is more often than

informed my general outlook both personally and professionally. A philosophical commitment to Modern Orthodoxy from my perspective²⁰ includes the following assumptions:²¹

- a) an awareness of an ongoing, personal involvement with God in both our individual lives as well as in all aspects of human history;
- b) the sensibility that Judaism is part and parcel of the broadest possible understanding and conceptualization of human civilization and therefore by definition can be harmonized, at least to some degree, with many, if not most, of its widely-held perspectives and values;^{22, 23}

not differences in degree rather than in kind. Even if those to the “right” vociferously reject overt manifestations of personalizing religious practice and adopting behaviors and values originating from those around them, subtle forms of acculturation have been present in the ultra-Orthodox world, since the Emancipation in Western Europe and western migrations following World War II.

²⁰ There is no universally agreed-upon conception of what Jewish “Modern Orthodoxy” consists of. Consequently, I realize that it is possible to relegate my perspective to my own personal idiosyncrasies. While I would maintain that my views are well rooted in various primary sources and the writings of seminal Jewish scholars and thinkers, nevertheless to the extent that the ensuing formulation is my own, the subsequent vision of Jewish education based upon this formulation is similarly my own.

²¹ Assumptions b) through g) are not listed in any particular order of relative importance. Assumption a), however, must be the jumping-off point for any Orthodox vision of Jewish education, much as *Shemot* 20:2; *Devarim* 5:6 is the postulate upon which not only the rest of the Ten Commandments rest, but the entire *Tora* system.

²² While much of Jewish day school education focuses upon the particularism of Jewish tradition and experience, when a student eventually obtains a broader secular education, he recognizes that Judaism is one of a number of possible expressions of how to deal with the human condition. While personal belief will bring one to consider his own specific set of beliefs and manner of worship as “true” in contrast to alternative sets of religious assumptions extant in other cultures and traditions, nevertheless increase^{3d} awareness of those other religious expressions should at the same time allow for a recognition of certain commonalities that all of these ways of life share. I would argue that not only does such a perspective encourage tolerance and mutual respect for those who live and believe differently from one’s own religious outlook, but that it even deepens personal understanding of, in our case, Judaism. Recognizing the common problems and aspirations that all religions attempt to address, e.g., what occurs after death, how to understand theodicy, the manner in which all human beings define and strive for personal spiritual perfection, etc., highlights Judaism’s approach to such issues, and from the true believer’s point of view, the benefits of this particular set of answers.

²³ The Oxford English Dictionary’s (The Compact Edition of the OED, Vol. 1, Oxford U. Press, 1971, p. 1259/98) primary definition of “harmony” is

“Combination or adaptation of parts, elements or related things so as to form a consistent and orderly whole...”

Particularly with respect to music, harmony is achieved by combining different and even seemingly discordant sounds in such a manner that it them becomes apparent how these sounds share common aesthetic values, if only a composer or conductor thinks about them in a particular manner. Consequently, I assume that while the “sounds” of individual religions or spiritual traditions very much are capable of standing alone, and absolute truth is appropriately attributed to one in contrast to all of the others, there is also a sense that they all well up from a common human sensibility and experience. A biblical analogue for such an approach is found in the following verses:

Tehillim 148:11-13

- c) the assumption that human beings while not inherently inclined to act evilly, nevertheless require explicit moral guidance and development in order for them to transcend natural human self-absorption and self-interest in order to rise to the highest levels of personal spiritual idealism and interpersonal altruism;
- d) the belief that even an observant Jew who strives to maintain a particularistic identity and lifestyle, can only fulfill himself as a human being by making a significant contribution to the general quality of life of his fellow citizens, including members of non-Jewish society;²⁴

The kings of the earth and all of their nations, the ministers and all of the judges of the earth;
The young men and women, the elderly together with the young;
Praise the Name of God...

Since the Psalmist is not speaking of specifically Jewish kings, ministers, judges or peoples, there is a suggestion that everyone is engaged in praising God in the manner that they individually believe. (I realize that a different reading would insist that the praise that is being “uttered” is not specific religious worship, but the mere fact that these various people exist, in consonance with the rest of the Psalm which mentions the praising of God engaged in by heavenly bodies, meteorological phenomena and animal and plant life. Just as the very existence of these entities attest to the Creator, the same could be said regarding the human race independent of any overt form of worship. However, I would contend that my reading can also be advocated.)

²⁴ While some would agree to such an assumption in terms of thereby creating contexts for *Kiddush HaShem* (lit. sanctifying God’s Name; fig. making a positive impression on behalf of Jews and Judaism upon the broader society, I would argue that rather than serving as a means to an end, working altruistically for the improvement of the human condition is very much a Jewish value in its own right. Rabbi Joseph B. Soloveitchik in his essay “Confrontation” (*Tradition*, 6:2, Spring-Summer 1964; also cited below in fn.51) articulates this value in the following religious terms:

- p. 17 ...to stand shoulder to shoulder with mankind preoccupied with the cognitive-technological gesture for the welfare of all, implementing the mandate granted to us by the Creator...
- p. 19 ...his (the Jew’s) readiness to and capability of joining the cultural enterprise of the rest of mankind...
- p. 20 ...for us to participate to the fullest extent in the great universal creative confrontation between man and the cosmic order... We have always considered ourselves an inseparable part of humanity and we were ever ready to accept the divine challenge... “Fill the earth and subdue it”, and the responsibility implicit in human existence. We have never proclaimed the philosophy of *contemptus or odium seculi*. We have steadily maintained that involvement in the creative scheme of things is mandatory...
...we, created in the image of God, are charged with the responsibility for the great confrontation of man and the cosmos. We stand with civilized society shoulder to shoulder over against an order that defies us all...

R. Walter Wurzberger (“*Darkei Shalom*” in *Gesher* (A Publication of the Student Organization of Yeshiva Rabbi Isaac Elchanan Theological Seminary), Vol. 6, 1977-8, p. 84), offers an evocative support for such an approach via a close reading of RaMBaM’s justification for Jews offering support to non-Jewish poor and infirm:

RaMBaM, *Mishna Tora, Hilchot Melachim* 10:12

...Even with respect to idolaters, the sages commanded to visit their sick, to bury their dead along with the Jewish dead, to support their poor together with the Jewish poor, because of the ways of peace, behold for it is said, (*Tehillim* 145:9) “He is good to all, and His Mercy is upon all of His

- e) the premise that specifically because all human beings, including observant Jews, are intended to participate in a meaningful manner within the greater society, they will be exposed and attracted to innumerable activities that can potentially easily sidetrack them from devoting appropriate time to the sort of spiritual reflection and growth that would allow them to realize their spiritual potentials. Consequently unless the Jewish learning that they engage in during their formative years deeply impress and inspire them on a regular basis, it will be highly unlikely for them to devote themselves to post-formal-schooling on the level which will make such study spiritually meaningful;
- f) the awareness that participation within general human society will entail encountering manifold situations that are not clearly delineated within the Codes of Jewish law and other primary texts of our tradition. Therefore in order for the Modern Orthodox Jew to act consistently in accordance with Jewish values and tradition in situations that are either unprecedented or where he does not have the time to be able to direct inquiries to Halachic authorities, he will have to possess a sense of not only how to carry out individual Commandments, but also the overall philosophy, theology and worldview that underlie these Commandments, which in turn will develop within him an almost instinctual awareness as to how to act Jewishly at times when no authoritative religious guidance is available to him;
- g) the concern that because traditional Jewish observance consists of behaviors that often entail daily multiple repetitions, in order for the individual to maintain a sense of freshness and vitality with respect to his religious

Works”, and it is said, (*Mishlei* 3:17) “It’s (the Tora’s) ways are ways of pleasantness and all of its paths are of peace.”

R. Wurzberger understands RaMBaM as expanding the concept of “*Darchei Shalom*” (considerations of maintaining peaceful relationships among diverse faith communities; an essentially utilitarian concept that is essentially self-serving in the sense of avoiding acrimony and physical threat from without) to include “*Imitateo Dei*” (the emulation of God’s Attributes and Actions). If God is Concerned regarding all of His Creation, regardless of religious persuasion—including idolaters within this rubric is extremely notable!—then when we do the same, i.e., demonstrate concern for all that exists in the world, human, animal, plant and inanimate life, we are engaged in a Godly and hence spiritual enterprise. See my essay “A Religious Context for Jewish Political Activity” (in *Tikkun Olam: Social Responsibility in Jewish Thought and Law*, ed. Shatz, Waxman, Diamant, Jason Aaronson, New York, 1997) for a more developed and detailed discussion of this perspective.

practices, it is important for him to strive to constantly reflect upon these practices, seeking new insights, perspectives and intents in order that at least internally and spiritually, each repetition will ideally constitute a constantly rejuvenating and evolving approach to expressing one's commitment to the Divine;²⁵

- and h) the realization that in order to combat the natural human tendency to differentiate oneself from others in order to achieve distinctiveness and a personal sense of identity, traditional Jews often perceive their religious observance as setting themselves apart not only from non-Jews, but also from their less observant co-religionists. Since Modern Orthodoxy emphasizes the value of recognizing the commonality that Jews share in terms of their history, origins and values, regardless of religious orientation, it becomes necessary to constantly be on guard against socially disruptive isolationist tendencies that would create barriers between the members of the Jewish people;²⁶

Translating Fundamental Assumptions into Explicit Educational Goals

In light of my assumptions that are grounded in the philosophy and the realities of Modern Orthodox life,²⁷ i.e., my “existential vision”,²⁸ the vision for Jewish education

²⁵ See my essay, “Dr. Isadore Twersky’s Concept of *Hergel*” (presented at the Modern Orthodox Scholars Forum on January 14, 2007 at Yeshiva University).

²⁶ I have omitted “Jewish literacy” from my list of fundamental principles, because I view the skills and subject matter that come to mind when referring to this type of literacy, as prerequisites rather than as goals or final outcomes. When *Sanhedrin* 94b states that during the reign of King Chizkiyahu, you could not find an *Am HaAretz* (an ignorant individual) from Dan in the north of Israel to Be’er Sheva in the south, the intent to my mind, is not that metaphorically everyone was Jewishly literate; for the *Talmud*’s description of the extent of Jewish knowledge within the society at the time to be truly impressive, what is being described is universal sophistication and understanding of Judaism and its primary sources, rather than the ability to decode and/or recall the content of texts. See fn. 36 below for Dr. Isadore Twersky’s rendering of this same Rabbinic source.) I believe that all too often, educational perspectives, particularly for those teaching students for whom Hebrew is not their first language, become hopelessly bogged down as a result of exclusively focusing upon students acquiring Jewish literacy under the banner that such knowledge and skills will help them to pursue Jewish learning in the future. And as for the acquisition of basic Jewish “information”, when factoids become the ubiquitous substitute for deep and critical thinking about religious traditions and Jewish history, I don’t believe that much will be retained over time. Tragically, the lack of meaning and paralyzing staidness that students commonly associate with Jewish literacy acquisition, rather than providing entrée into the world of post-school Jewish learning, in fact serves to slam the door upon subsequent Jewish study because students fail to become engaged with the subject matter that they have learned to the point where they can quite well imagine living the rest of their lives without returning to regular Jewish study.

²⁷ Orthodox Jews who do not consider themselves Modern Orthodox may disagree with any or all of these assumptions, if not in kind, than in degree, and consequently the educational initiatives that these assumptions suggest will also not be deemed acceptable. Whereas a) and c) will probably not be viewed as

which I propose is based upon eight fundamental principles which are educational and spiritual outgrowths of the philosophical, sociological and psychological concerns and assumptions listed above:

- a) The development of a relationship with the Divine by means of seeking out and personalizing His Will as contained in the primary and secondary texts of our tradition recording both the miraculous interventions throughout Jewish history as well as the various Revelations to individuals and to the people as a whole, and studying the lasting results of these Revelations, i.e., the *Tora's* Commandments and their possible interpretations and underlying assumptions, in order to try to discover the Divine Will that lies at their respective essences;²⁹
- b) The quest within an educational context to reasonably bridge many of the discontinuities that normally are perceived to exist between a traditional Jewish

controversial, the other premises listed most certainly will be in dispute. Even f) can be the object of strong opposition due to the fear that over-rationalization of Judaism's Commandments and practices can detract from the spiritual nature of worshipping God *LiShma*, (for His Own Sake), rather than in order to satisfy our own intellectual, emotional and religious needs.

²⁸ See Pekarsky, *Vision at Work*, p. xii, fn. 2, cited in fn. 1 above.

²⁹ A general educational assumption that informs my discussion of a vision for Jewish education is that insufficient attention is paid within both formal and informal settings to the curricular choices which are made on behalf of those studying our tradition. While one could argue that over the course of a lifetime, a great deal of material can be covered, and the variety of subject matter will all coalesce in order to provide the student with the overview that will deepen his commitment and observance (this appears to be the underlying premise of Dr. Isadore Twersky's, *ZaTzaL*, vision articulated in *Visions of Jewish Education*, (ed. Seymour Fox, Israel Scheffler, Daniel Marom, Cambridge U. Press, Cambridge, 2003, pp. 47-94), I would contend that the paucity of individuals who possess both the ability as well as the motivation to do so will render this assumption moot. As I pointed out in my critique of his approach, "Dr. Isadore Twersky's Concept of *Hergel*" (cited in fn. 25 above), the key factor of the nature of the motivation which will spur the student on over the course of many years, from childhood through adulthood, to engage in this type of learning until a "tipping point" (see Malcolm Gladwell's *The Tipping Point* [Little, Brown and Co., New York, 2002] which in my opinion has a great deal to say regarding the "marketing" not only of products and trends, but also ideas) is achieved whereby the desired ends are achieved, is absent. I would contend that one means by which such motivation can be generated is by a careful initial choice of subject matter as well as deliberate and specific means of presentations whereby the material that is selected and the manner by which it is learned will have maximum "stickiness" (another Gladwellian term—see *Ibid.*, Chapt. 3 "The Stickiness Factor", pp. 89-132). Consequently, with respect to the educational vision associated with a), aside from discussing prophecy, revelation and cases of Divine Intervention in general, specific instances should be chosen and focused upon with respect to the effect on the prophet, the onlookers, the beneficiary(s) of the miracle, etc. in order that the student will come to personalize what he has learned and imaginatively project himself into past situations as well as look at his present circumstances from this type of perspective.

outlook and observance on the one hand, and general thought and society on the other;³⁰

- c) Effective and desired Jewish education must be transformative, i.e., the individual who engages in such study should as a result reach qualitatively higher levels of morality, spirituality, and sensitivity;³¹

³⁰ Some of the apparent discontinuities to be addressed include:

- a) The association of orthodox religious observance with particular political orientations with regard to domestic, international and Israeli concerns,
- b) A pro-active respect for the best aspects of general culture despite the need for selectivity and discernment that enables the omission of those aspects of culture that are deemed corrosive and even immoral,
- c) An openness to constructively critique Orthodox practice within an acceptable range of Halachic thought in light of the latest findings regarding health, utilization of natural resources, insights regarding the respective genders and both personal and communal economic policies.

³¹ Jewish education in general and the *Mitzva* of *Tora* study in particular involve at least two objectives: a) the acquisition of knowledge in order for the student to learn what is incumbent upon him to believe and do in terms of Jewish tradition, and, in my view more importantly, b) the development and refinement of one's person and soul in order to emulate and ultimately liken oneself to the Creator. My understanding of man's being created in "God's Image" (*Beraishit* 1:26-7;5:1) constitutes a message to humanity that each individual has at least a modicum of potential Godliness inherent within him, and a meaningful and fulfilled life involves realizing this potentiality. Consequently a Jewish learning experience per force must be evaluated not only in terms of the acquisition of skills and information, but also with respect to personal spiritual growth. If the transferal of knowledge from teacher to student is defined exclusively within the cognitive realm, without any required manifestation with respect to one's behavior—it is possible that the effects of such knowledge upon the individual may not be immediate and therefore a long view must be taken should one wish to evaluate the effectiveness of a particular educational experience—I believe that it is inconsequential, perhaps even a waste of time, and theologically deeply problematic from the following perspective: The *Talmud* in a number of places (e.g., *Shabbat* 148b; *Beitza* 30a; *Bava Batra* 60b) utilizes the principle, "Allow the people to remain unaware (of the *Halacha*) so that they do not become deliberate transgressors", i.e., while even inadvertent sin is considered a transgression, it is not treated as seriously in terms of defiance of and rebellion against God's Will as a deliberate sin. Therefore when one sees another poised to violate Jewish law, one has to keep in mind whether such a warning might not only be ineffectual in terms of diverting the individual's intended action, but also contribute to a worse transgression when now the individual has become aware of what is right and wrong, and chooses to violate *Halacha* nevertheless. (There are all sorts of caveats and nuances with respect to this issue: Does the sin derive from the *Tora* or is it Rabbinic in origin; Is the textual source explicit or implicit; Is the transgression taking place in public or private; etc. However, I would argue that the process of Jewish education is involved in doling out knowledge to students who previously may have been ignorant of what is being taught, thereby turning them into potential deliberate transgressors should the lessons be relegated to factoids instead of internalized and ultimately acted upon.) Furthermore the course of positive development that every Jew should undergo to greater or lesser degrees is articulated in the *Talmud* as beginning but certainly not ending with study, and this passage serves as the basis of the classic *Mussar* work by R. Moshe Chaim Luzzato, *Messilat Yesharim*:

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R. Pinchas ben Yair said: Study leads to precision; precision leads to zeal; zeal leads to cleanliness; cleanliness leads to restraint; restraint leads to purity; purity leads to holiness; holiness leads to humility; humility leads to fear of sin; fear of sin leads to saintliness; saintliness leads to the possession of the Holy Spirit; possession of the Holy Spirit leads to life eternal.

While some may contend that this sequence is meant only for the most rarified of souls, I would assert that this type of path is what all Jewish education should consider its overarching framework.

- d) Since the typical Jewish learning experience appears to naturally promote loyalty to Jews and Jewish tradition³² by focusing upon our survival despite numerous enemies and persecutions throughout our history,³³ in order to promote an agenda whereby the value of serving the greater society is part of the day school's educational program, the standard array of sources and historical traditions must be carefully and deliberately augmented by materials that hold up as models those Jewish communities and individuals who were able to successfully maintain their traditions and identity while mightily and even memorably contributing to general human society;³⁴

³² Some serious Jewish educators might insist that the only way that we can inculcate Jewish identity in our children is by alienating them from the general society and eliciting exclusive loyalty and concern for the *Tora* and the Jewish people. As an illustration, many years ago, when I attended a lecture given by one of my college professors who also was a community Rabbi, he argued that a way to discourage intermarriage was by convincing our children that non-Jews were "inferior" to Jews. "Who would want to marry someone who was beneath them?" was the question that he posed to the audience. I commented at the time that aside from wondering about the efficacy of such a strategy was it moral to contribute to ethnic and religious prejudice, whatever the end goal? Do the means of instilling "narrowness" justify the end of continuity and survival, when such attitudes will discourage Jews from participating in and contributing to the greater social good?

³³ See my essay "Non-Jews and the Jewish Day School Experience", cited in fn. 9.

³⁴ Some examples of such individuals might include:

- a) Yosef ben Yaakov. This individual took over the management of a massive society during years of famine and served as second-in-command to Pharaoh. While the policies were self-serving with respect to creating a situation wherein his own family would be able to survive, it would appear that Yosef served Egypt with distinction. Should it be assumed that this was entirely orchestrated by God as part of a grand design for the Jewish people, or can Yosef be viewed as a model of involvement with the greater society?
- b) Daniel, Chanania, Mishael and Azarya. Courtiers in Nevuchadnezar's court who maintained their commitment to Judaism despite their closeness to the king. Exemplars of public service.
- c) Nechemia ben Chachalia. An individual who was charged to reorganize Jewish society following the 70 year exile in Babylonia. While it could be argued that he was working on behalf of Jews rather than general society, for an individual to dedicate himself to rebuilding a country and culture represents sacrificial devotion to many non-holy activities in the interests of contributing to the greater good.
- d) Samuel ibn Naghrela or Samuel ha-Nagid (**Hebrew:** שמואל הלוי בן יוסף הנגיד Shmuel ha-Levi ben Yosef han-Nagid, **Arabic:** إسماعيل بن النغريلة أبو إسحاق Abu Ishaq Isma'il bin Naghrillah) (**Mérida, 993-1056**) was a **Talmudic** scholar, grammarian, philologist, poet, warrior, and statesman, who lived in **Spain** at the time of the **Moorish** rule. He fled **Córdoba** when the **Berbers** took the city in 1013. For a while he ran a spice shop in **Málaga**, but eventually he moved to **Granada**, where he was first tax collector, then a secretary, and finally an assistant vizier to the Berber king **Habbus al-Muzaffar**... (Wikipedia)
- e) Isaac ben Judah or Yitzchak ben Yehuda Abravanel (1437 - 1508) (**Hebrew:** יצחק בן יהודה אברבנאל) was a **Jewish statesman, philosopher, Bible commentator, and financier**... At Toledo, his new home, he occupied himself at first with Biblical studies, and in the course of six months produced an extensive commentary on the books of Joshua, Judges, and Samuel. But shortly afterward he entered the service of the house of Castile. Together with his friend, the influential Don Abraham Senior, of **Segovia**, he undertook to farm the revenues

- e) Jewish study should be associated with an experience that is so mesmerizing and entrancing³⁵ that those who engage in it will be powerfully encouraged to become life-long learners,³⁶ well-beyond the completion of formal, mandatory attendance in a school setting;

and to supply provisions for the royal army, contracts that he carried out to the entire satisfaction of Queen Isabella.

During the Moorish war Abravanel advanced considerable sums of money to the government. When the banishment of the Jews from Spain was ordered with the Alhambra decree, he left nothing undone to induce the king to revoke the edict. In vain did he offer him 30,000 ducats (\$68,400, nominal value). With his brethren in faith he left Spain and went to Naples, where, soon after, he entered the service of the king. For a short time he lived in peace undisturbed; but when the city was taken by the French, bereft of all his possessions, he followed the young king, Ferdinand, in 1495, to Messina; then went to Corfu; and in 1496 settled in Monopoli, and lastly (1503) in Venice, where his services were employed in negotiating a commercial treaty between Portugal and the Venetian republic...(Wikipedia)

Examples of more contemporary Orthodox individuals who played high-profile roles in general society:

- f) Rabbi Immanuel Jakobowitz. Chief Rabbi of the British Isles and Member of the House of Lords. R. Jakobowitz used his position to attempt to educate English society of Jewish perspectives on the major issues of the day such as homosexuality, abortion and medical research.
- g) Senator Joseph Lieberman. A candidate for Vice President of the United States on the Democratic ticket led by Al Gore.

³⁵ Naturally what one person considers magical and powerfully fascinating might appear to another to be uninteresting and even boring. Consequently, it is the task of the educational institution which a student attends to attempt to expose him to as many forms and experiences of Jewish learning as possible in the hope that at least one format or type of subject matter will serve as a great attraction and ongoing object of curiosity and attention. Autobiographically, several perspectives regarding Jewish study have deeply engaged me over the years: a) I find that the idea that I can study similar ideas and texts that have been studied for literally thousands of years supplies my life with context and allows me to understand my role as part of an ongoing chain of tradition; b) The overwhelming majority of the specifics that make up Jewish law resonate within me as reflecting a Divine rather than human system, and therefore a conception of law that is at its core less subject to human subjectivity and arbitrariness than schemes of law originating from among human beings; c) I am enthralled by how so much of Jewish law can be understood to reflect the tension between competing interests, be they a husband and wife, two business partners, the society and the individual, “haves” and “have nots”. Discerning not only these tensions, but also the methods by which they can be resolved, at least to some degree, I feel sensitizes me to both the diversity to be found within human society as well as the means by which peaceful coexistence can be advanced.

I believe that every student can be reached in some way to see how Jewish learning is relevant, compelling and vital to his self-understanding and life as a Jew, and this becomes a curricular and pedagogic challenge for every Jewish school and the professionals who are employed by these institutions.

³⁶ Dr. Isadore Twersky encapsulated this aspect of a vision of Jewish education when he wrote:

Our goal should be to make possible for every Jewish person, child or adult, to be exposed to the mystery and romance of Jewish history, to the enthralling insights and special sensitivities of Jewish thought, to the sanctity and symbolism of Jewish existence, and to the power and profundity of Jewish faith. As a motto and declaration of hope, we might adapt the dictum that says, “They searched from Dan to Be’er Sheva and did not find an *Am Ha’Aretz!*” “*Am Ha’Aretz*”, usually understood as an ignoramus, an illiterate, may for our purposes be redefined as one indifferent to Jewish visions and values, untouched by the drama and majesty of Jewish history, unappreciative of the resourcefulness and resilience of the Jewish community, and unconcerned with Jewish destiny. Education, in its broadest sense, will enable young people to confront the secret of Jewish tenacity and existence, the quality of *Tora* teaching which fascinates and attracts

- f) Jewish learning should call upon the student to utilize his rational faculties as much as possible³⁷ in order that he will be able to both understand the importance and relevance of the specific topics and actions which he studies and carries out, as well as develop an informed and ever-evolving overview of how the many finite pieces of knowledge and the various behaviors that constitute his knowledge base and daily lifestyle, contribute complementarily to the formation of a greater rubric that provides a lens for a uniquely Jewish worldview,
- g) Jewish education should consist of a constant seeking out of innovative and even counter-intuitive understandings of the components of religious practices that make up the daily routine of Jewish life, in order that Judaism is associated

irresistibly. They will then be able, even eager, to find their place in a creative and constructive Jewish community.

(A Time to Act—The Report of the Commission of Jewish Education in North America, University Press of America, Lanham, 1991, p. 19.)

³⁷ Clearly, any and all religious belief will entail leaps of faith whereby one's rational faculties are by definition suspended, and intellectual humility becomes the order of the day. One such formulation of the dogma of Judaism is found at the end of RaMBaM's Introduction to the *Mishna* for the last Chapter of *Sanhedrin*, known as "*Chelek*", where this philosopher, codifier and commentator lists 13 fundamental principles of Jewish belief. However to assume that one's rational faculties must entirely and eternally be suspended when dealing with religious ideas and Commandments is a matter of controversy. For example RaMBaM on *Devarim* 22:6, summarizes a basic dispute among commentators regarding whether one should seek out logical reasons for the Commandments, or simply assume that once God Wills such actions, that should suffice for the rationale why we are to follow them. Similarly, on the one hand, R. Eliezer is praised for never saying anything that he had not first heard from his teacher (e.g., *Berachot* 27b; *Yoma* 66b; *Sukka* 28a), suggesting that the passing down of tradition is more important than creativity and originality. Yet, R.'s Nechemia and Elazar ben Arach (*Shabbat* 147b) as well as R. Meir (*Eiruvin* 13b) were known as "Rabbi Nehorai" (lit. Giver of light) because they regularly enlightened the eyes of their colleagues, i.e., they explained—sic. shed light—on that which others did not understand. How could this be accomplished if one did not dare to think for himself, but rather only repeated what he had heard from others? Finally, the entire premise of Talmudic thinking, and to a lesser formal extent the study of Biblical commentators, i.e., postulates are challenged in terms of sources, meaning, and application, presupposes that the questioners are not taking these fundamental statements at face value, but rather are analyzing and critiquing them by means of their rational faculties as well as their familiarity with seemingly parallel sources.

Consequently, as long as one keeps in mind R. Chaim Brisker's oft quoted dictum, "*Man Stirbt Nicht von a Kashya*" (one does not die as the result of an [unanswered] question, i.e., even if our curiosity is not immediately satisfied, it does not mean that we must give up our quest for the truth), challenging and asking questions by means of our logical faculties is intrinsic to the Jewish intellectual tradition. However, when it comes to deciding how to conduct our lives, open-ended questions are expected to be resolved in some manner, and closure reached, at least for the moment, as opposed to allowing the questioner to assume the position that as long as he has not achieved certainty regarding a particular matter, he is entitled to suspend all practices of Judaism related to the question.

in the mind of the learner with freshness and vibrancy, rather than rote and stagnancy,³⁸

and h) Learning taking place within a Jewish context should contribute to an ever-increasing sensibility on the part of the learner of being part of the greater Jewish people, transcending considerations of denomination, ethnic, nationalistic and cultural characteristics, social and economic status, and geographical location.³⁹

Expanding upon these Educational Goals in Order to Suggest Practical Guidelines for a Modern Orthodox Educational Vision

a) The most essential purpose for Orthodox⁴⁰ Jewish education, regardless of specific stream or orientation, is to address the religious and spiritual dimension to be found within our primary and secondary texts, as well as expose the student to experiences and contexts that will heighten his spiritual sensibilities. Although the Commandment to study *Tora* could be narrowly viewed as consisting of no more than decoding, interpreting, and practically applying the foundational texts of Jewish tradition, failure to acknowledge, clearly delineate and continually pursue how these sources reveal

³⁸ See my essay “Dr. Isadore Twersky’s Concept of *Hergel*”, quoted above in fn. 25, 29. Approaches to understanding Jewish tradition in light of contemporary experience might include: a) Developing reasons for Commandments that appeal to modern sensibilities; b) Approaching prayer reflectively and psychologically, considering what is currently being learned about the effects of meditation upon its practitioners; c) the reevaluation of age-old practices such as smoking tobacco and/or substance abuse on Purim and Simchat Tora.

³⁹ Ben Zoma states at the outset of *Mishna Avot*, Chapter 4, “...And who is wise? He who learns from all people...” In a similar vein, (Ibid. 4:20) R. Yehuda HaNasi asserted, “...Do not look at the container but rather what it contains...” Therefore during the course of study, if there are sources that are less traditional, but nevertheless add to the conversation and the ultimate learning that takes place, they should be self-consciously included and the instructor should point out the origin of the comments and why they are so helpful. A great traditional teacher who did this regularly was Nechama Leibowitz, particularly via her *Gilyanot* (study sheets) for *Parashat HaShavua*. In addition to the most traditional of sources, the comments of the *Beiur* (the commentary that accompanied Moses Mendelsohn’s German translation of the Bible, thought by many to have ushered in the Haskala); Benno Jacob, a reform Rabbi; and ShaDaL (Shmuel David Luzzato), an Italian scholar, poet and a member of the *Wissenschaft des Judentums* movement. Anyone who is sensitive to the background of these sources and appreciates how despite these individuals’ ideologies and religious orientations, they can add to the conversation regarding arriving at an understanding of the texts that are so central to our tradition, engenders respect and appreciation of these individuals and their movements, even if in the end we fundamentally disagree with them.

⁴⁰ Such a goal is not unique to Modern Orthodoxy. However, not to include it among the basic assumptions of Jewish education would by definition result in a vision that falls beyond the pale of Orthodoxy.

aspects of God's Nature and Will,⁴¹ leading the learner to feel closer to and possess greater understanding of His Creator and hopefully enter into a personal relationship with Him, then, literally and figuratively, *Ikar Chaser Min HaSefer* (the essence, within our context—the Divine Presence and means of coming to “know” Him—is missing from the text). The study of the theological aspects of Jewish tradition as they relate to God Himself also constitutes a means by which the student can achieve greater self-awareness and definition of personal identity when he contemplates the implications of man being created *BeTzelem Elokim* (in the Image of God) (see *Beraishit* 1:26-7; 5:1). If each human being is in effect a microcosmic manifestation of the Divine, then the more one “understands” God, the more he is able to understand not only himself, but his fellows as well. While achieving total understanding of God is by definition beyond the capacities of the human mind,⁴² the degree to which an individual comes to feel a familiarity with the Divine and that God is a true Presence within and Role Model for his life will potentially deeply inform his beliefs and behavior.⁴³ The type of educational experiences that would advance such a goal might include:

1. Textual sources describing various Divine Revelations, and an emphasis upon the implications of the seemingly impossible relationship between Infinite God and finite man.
2. Textual sources dealing with miracles that have taken place throughout our history, both *Nisim Niglim* and *Nistarim* (revealed and hidden miracles). Included should be a discussion of whether such things occur today, as well as careful study of prayers making reference to such events, such as

⁴¹ A key formulation of this principle appears in *Tehillim* 105:4—“*Dirshu HaShem VeUzo, Bakshu Panav Tamid*” (Seek out *HaShem* and His Power, search for His Face constantly). See Norman Lamm, *Torah for Torah's Sake in the Works of R. Hayyim of Volozhin and his Contemporaries*, Ktav, Hoboken, NJ, 1989, p. 218.

⁴² The impossibility of achieving such a degree of knowledge of *HaShem* even by a spiritual giant such as Moshe is articulated in *Shemot* 33:18-20. Nevertheless, after rejecting Moshe's request for total knowledge of the Divine, God does “Show” Moshe His Essential Qualities from which we are left to extrapolate at least some of the answers to our questions.

⁴³ The assumption that study of texts that deal with theology can translate into more than mere philosophical speculation underlies the premise of the “meta-Commandment” (*Devarim* 28:9) “*VeHalachta BeDerachav*” (...and you will go in His Ways, i.e., *imitateo Dei*), as well as the *Talmud's* interpretation in *Sota* 14a of how (*Devarim* 13:5) “*Acharei HaShem Elokeichem Teileichu... U'Bo Tidbakun*” (You will walk in His Ways... and to Him you will cling/cleave”). Unless one studies both descriptions of God as well as His Interventions in human history, how can one identify the Attributes that one is expected to emulate?

Modim (We give thanks...) in general and *Al HaNissim* (for the miracles...) in particular within the first of the final blessings in the Silent Devotion. The study of Zionism and the history of the founding of the State of Israel belongs squarely within the context of *Hashgacha Pratit* (Divine Intervention in human history) in order to deepen the sense that Israel is *Reishit Tzmichat Ge'ulateinu* (the beginning of the flowering of our Redemption).⁴⁴

3. A development of the concept of *Tzelem/Demut Elokim* by not only focusing upon Biblical commentaries on such phrases, but also the use of this terminology in philosophical texts, such as RaMBaM's *Moreh Nevuchim* (Guide for the Perplexed).
4. A regular incorporation into the educational program of natural experiences, e.g., trips, hikes, retreats, explorations, etc. intended to contribute to a student's sense of wonder and appreciation of the Creation.⁴⁵ Rather than hoping that students will recognize the spiritual dimensions of these environments on their own, explicit mention followed by serious discussion would best model and reinforce such modes of thinking.
5. Confronting via study and discussion⁴⁶ the eternal quandaries associated with belief in God, including *Tzaddik VeRa Lo* (the righteous to whom evil occurs), *Hashgacha U'Bechira Chafshit* (Divine Oversight and Intervention, and human free choice) and *Koach HaTefilla* (the efficacy of prayer). While final answers will obviously not be arrived at, nevertheless grappling with these issues will hone a keener awareness of the dimensions of the religious experience, and lead to ongoing personal

⁴⁴ The phrase that plays a prominent part of the Prayer for the welfare of the State of Israel, composed by the Israeli Chief Rabbinate, and recited regularly in Modern Orthodox synagogues. However, of late, some have expressed reservations regarding the verity of the phrase—see p. 33 below.

⁴⁵ Such a component would be in keeping with RaMBaM, *Hilchot Yesodei HaTora*, 2:2 in which he describes the role of nature in the development of both love and fear of the Divine.

⁴⁶ Because these topics are open-ended and thorny, they often come up as a reaction to a situation or are raised by a tangential question from a student. I am suggesting that these issues be confronted deliberately and fearlessly in order to demonstrate that they are important issues that have to be considered, even if not ultimately resolved.

reflection as the individual confronts the serial challenges that life inevitably presents.

b) Whereas the standard dual curriculum within the Modern Orthodox Jewish day school ostensibly contributes to the sense that both Judaic and general studies are of value and should be pursued with equal commitment and energy,⁴⁷ since even the partial reconciliation of these realms of ideas has for time immemorial proven difficult, there is a tendency for students who receive such an education to ultimately choose to focus upon one world or the other, either to pursue a religious lifestyle and concomitantly downplay ideas that are associated with secular society, or the opposite, deciding to become totally secular and either deemphasize or totally abandon their religious commitments. In order to encourage students to opt to continue to look for a balance in their lives rather than deciding to prefer one perspective over the other, in addition to opportunities for students to come into contact with living role models both inside and outside the school environment, it is crucial that some overt exercises in reconciliation between these disciplines be incorporated in the school's formal course of study. The format for such demonstrations can vary from the one extreme of a full course that is team taught by instructors from religious and general studies,⁴⁸ to the opposite extreme of self-contained units or lessons which bring to bear diverse points of view on a single issue with the intent to see where such perspectives not only diverge, but also overlap. An intermediate approach would have the course of study include a series of *Yemai Iyun* (day[s] devoted to focused study) of various lengths where a theme would be investigated by the entire school community. Furthermore, it is important that such integrated experiences be incorporated throughout the curriculum, in all disciplines, involving as many staff members as possible, in order to exemplify the value of reflecting on the interaction of the subject matter being formally studied. By modeling such integrated thinking, students will hopefully come to recognize that intellectual excitement and deep understanding can

⁴⁷ Even such a surface perception is undermined when a school takes greater pride in its graduates who excel in one area or the other, i.e., greater attention is paid to college acceptances than to attendance at post-high school Jewish learning programs, or vice versa; alumni who have been deemed by the school community to be "successful" in the secular world are given higher profiles by the school than those who may be making major contributions in the religious world, or vice versa, etc.

⁴⁸ An additional side benefit of incorporating such an approach throughout the school is the creation of a learning community where staff members interact with one another not only in terms of sharing students, a facility, a program and a schedule, but significant ideas as well.

be achieved by bringing together ostensibly diverse points of view, rather than feeling that one view inevitably has to be chosen and the other eliminated.⁴⁹

Examples of such interdisciplinary, integrated issues might include:

1. The sociology, psychology and history of religion in general and Judaism in particular;
2. Poetic literature of various cultures exploring the relationship between God and man;
3. Theories regarding Creation, Intelligent Design and evolution;
4. The implications of the concept of infinity from religious, mathematical, philosophical and scientific perspectives;
5. The history of authority and kingship in religious and general thought.

c) Religious Orthodox⁵⁰ education cannot concern itself exclusively with the transmission of traditions and texts. The phenomenon whereby an individual is well-aware of what he ought to do, but nevertheless chooses to follow a different behavior pattern that is at best questionable and at worst self-destructive and even evil and criminal, is well-documented. From a Jewish perspective, the earliest articulation of the dilemma in which all human beings find themselves is articulated in God's Words to Kayin in *Beraishit* 4:7,

If you will do well, you will be uplifted; and if you will not do well, sin crouches at the door. And you are the object of its desire. But you can rule over it.

⁴⁹ An objection that might be raised by religious educators to such an approach is that religious beliefs are better served by "certainty" than by presenting multiple perspectives which could result in ideological and even factual confusion. The counterargument would then consist of the assumption that the pursuit of truth and personal understanding is better served by such explorations, despite such an approach's inherent complexity and suggestions of uncertainty. By extension, every act of raising a question, which is such a primary part of Jewish intellectual tradition, is potentially heretical in the sense that it represents an "attack" on a view or idea that has been presented as authoritative, as doctrine. While a good answer will lead to greater clarity, a poor answer or even an honest response to the effect that "I don't know", could prove disconcerting to a student. And yet, if education, and for that matter, religious belief is to be an honest process, isn't this a risk that has to be taken, even welcomed, rather than studiously avoided? See the chapter "Knowledge or Certainty" in Jacob Branowski, *The Ascent of Man*, Little, Brown and Co., Toronto, 1973, pp. 353-78.

⁵⁰ As in the case of a) the development of a deep belief in God, the issue of educating for personal moral development is not the exclusive purview of Modern Orthodoxy, let alone Orthodox Judaism. Nevertheless, addressing only intellectual religious issues without also paying attention to moral development runs the risk of contributing to an inconsistent if not hypocritical mindset whereby religious knowledge and even practice is compartmentalized from ethical behavior.

One of the explicit goals of religious education must be to sensitize a student to the dynamics of human nature as well as to equip him as much as possible to navigate situations that will test his moral and ethical mettle. It should go without saying that the school itself in terms of interactions among staff, students, parents, etc. should on every level model fair and morally sensitive behavior in a most noticeable and profound manner. Material that should be studied and hopefully will engender this type of self-exploration, self-understanding and moral development should not be drawn exclusively from Jewish studies, but must be part-and-parcel of the learning across disciplines in order to impress upon students that this is a humanistic study of the highest order. Examples of such materials might include:

1. Biblical, *Midrashic* and *Talmudic* depictions of general human nature as well as individuals who either rose or fell when confronted by existential moral dilemmas;
2. Literature that foreshadowed, was produced or influenced by the Mussar Movement;
3. Classics of world literature, historical accounts and diaries, as well as contemporary media such as film, music, drama, TV programs, etc. in which situations present themselves that are morally challenging;
4. The depiction of contemporary events in the press, on the internet, in journals that center on ethical conundrums;
5. Inviting religious personalities to make presentations regarding the moral issues that they have had to deal with in their professional lives, as well as the types of problem-solving in which they had to engage in order to attempt to resolve these challenges.

d) The assumption that an integrative approach must be pursued with respect to Judaic and general studies, is predicated upon the acceptance by the Modern Orthodox Jew that he is meant to serve a role not only in his immediate Jewish community, or even

within the broader Jewish society, but in the world at large as well.⁵¹ Therefore general world culture and history become prerequisites for such participation, since an understanding of the manner in which general civilization has evolved will prepare an individual for engaging with its ideas, societies and institutions in a meaningful manner. Our Biblical heritage traces the origins of the entire human species back to Adam who was charged to “guard the Garden of Eden (the **entire** world as Adam and Eve knew it) and to work it”,⁵² followed by Noach who was directed to repopulate and resettle the **entire** world following the Flood’s devastations.⁵³ While Jews more particularistically believe that they descend from Avraham,⁵⁴ Modern Orthodox Jews do not let such an assumption negate their awareness that they are also both *Bnai* Adam and *Bnai* Noach. Furthermore, the meaning of Avraham’s final name is interpreted in the *Tora* text to mean “the Father of **all** nations”⁵⁵ and that he served as a paradigm of blessing for **all** nations.⁵⁶ Such a biblical heritage consequently charges us, the biological and/or spiritual descendents of Adam, Noach and Avraham, to not only be concerned with our own personal survival and preservation of our particular religious tradition, but also to be involved in and contribute positively to the welfare of the world at large. The fact that historically, it is only relatively recently that Jews have been able to take prominent roles

⁵¹ R. J.B. Soloveitchik, in “Confrontation” (*Tradition*, 6:2, 1964, p. 17) writes:

We Jews have been burdened with a two-fold task; we have to cope with the problem of a double confrontation. We think of ourselves as human beings, sharing the destiny of Adam, in his general encounter with nature, and as members of a covenantal community which has preserved its identity under unfavorable conditions, confronted by another faith community. We believe we are the bearers of a double charismatic load, that of the dignity of man, and that of the covenantal community. In this difficult role, we are summoned by God Who has Revealed Himself at both the level of universal creation and that of private covenant, to undertake a dual mission—the universal human and the exclusive covenantal confrontation.

By R. Soloveitchik invoking not only the example of Adam, but also that of God Himself, just as God Acts upon both a universal and particularistic stage, man in general and Jews in particular who are created *BeTzelem Elokim* have the capacity and perhaps, in order to be true to their essence, the responsibility to do the same.

⁵² *Beraishit* 2:15.

⁵³ *Ibid.* 9:1, 7.

⁵⁴ While it could be said that Jews are *Bnai* Avraham (the children of Avraham), and indeed all converts refer to themselves as *Bnai* Avraham *and* Sara, the more prevalent appellation is *Bnai* Yaakov, or *Bnai* Yisrael (the children of Yaakov/Yisrael) due to all of Yaakov sons following his traditions as opposed to both Avraham and Yitzchak who had offspring who diverted from their parents’ path, i.e., Yishmael, *Bnai* Ketura, and Eisav.

⁵⁵ *Ibid.* 17:5.

⁵⁶ *Ibid.* 12:3.

not only in the affairs of the State of Israel, but in many non-Jewish societies as well,⁵⁷ is understood by Modern Orthodox Jews not to reflect a religiously principled opposition to such activities, but rather the result of discrimination and the consequent limits of political power imposed upon Jews in the Diaspora. The opportunity to be involved proactively to improve not only the situation of Jews, but all of society is therefore viewed as a positive value, and a mindset that education should promote. Characteristics of Jewish learning that will contribute to the development of such a universalistic perspective among the students of Jewish education must per force include the following themes and materials:

1. A focus upon primary and secondary sources that reflect the interrelationships of Jews and other nations over the course of human history.⁵⁸ The material should include significant portions⁵⁹ of all the classical literary forms of our religious tradition: Bible, *Midrash*, *Talmud*,⁶⁰ Commentaries, Responsa.⁶¹
2. Formal study of Jewish-gentile relationships from historical,⁶² psychological and sociological perspectives. Students should take an interest and develop an understanding of the challenges entailed in living within different forms of non-Jewish society at different points during our Diaspora history. Contemporary forms of anti-Semitism should be evaluated for what they

⁵⁷ See my essay, "A Religious Context for Jewish Political Activity", in *Tikkun Olam: Social Responsibility in Jewish Thought and Law*, ed. D. Shatz, C. Waxman, N. Diament, Jason Aronson, Northvale, NJ, 1997, pp. 145-58.

⁵⁸ See my essay "Non-Jews and the Jewish Day School Experience" (cited in fn. 9 above) for a discussion of how the negative impressions of non-Jews that appear in so many of the sources that comprise the typical day school curriculum could be tempered.

⁵⁹ The interests of developing literacy will not be served by standardly resorting to source books that contain only short citations or even mere snippets of a prolonged discussion or argument. Attention has to be paid to centering Jewish educational activities upon representative portions of primary sources that will thereby enable the student "to kill two birds with one stone", i.e., to both gain literacy skills as well as regularly and consistently grapple with ideas that will have the potential to have lasting influence and effect.

⁶⁰ E.g., many issues raised in the *Tosafot* commentary on *Talmud* paint a picture of Jewish life in the non-Jewish society of Ashkenaz during the Middle Ages.

⁶¹ While the curricular selection process can be informed by themes that hopefully will make lasting impressions upon the students, this does not mean that literacy skills cannot be addressed simultaneously. Assuming that sources that are used as the basis of the learning are sufficiently variegated and taught in the interests of not only the contents, but also the vocabulary, the sentence structure, the lines of reasoning, etc., developing Jewish literacy can be addressed in this manner. I am not advocating doing away with skill and knowledge development; I am trying to place them in proper perspective.

⁶² Jewish history is a vital component of any Jewish educational program, particularly if the intent is to sensitize students to the place of the Jewish people within the greater society.

suggest and assume about Jewish life, and relationships between Jews and non-Jews.

3. A consideration of models of individuals, past and present, who managed to serve greater society while retaining their religious commitments and practice. Not only should such historical personalities be studied by means of writings and film records, but contemporaries should be invited to make presentations to the students and be available for their questions. Simultaneously, attention should be paid to individuals who tried, but failed in attempting to live in these two worlds, so that an even-handed and realistic picture of what such a life entails is conveyed.⁶³
4. Study should be devoted to the question of whether individuals who participate within the broader society have the responsibility to try to rely upon and impart Jewish values during the course of their work, as opposed to adopting a compartmentalized approach whereby their private Jewish lives do not impact upon their public service within the non-Jewish sector. Serious consideration should be devoted to the challenges which members of the following professions will have to work through:
 - a. Politicians
 - b. Lawyers
 - c. Physicians
 - d. Members of the military
 - e. Business people
5. Classical academic issues with regard to conflicts between religion and the secular world should be confronted head-on. If it is assumed that students will be looking to assume significant roles within general society, then they need to be educated and exposed to the issues and assumptions extent within that broader world. Such issues include:
 - a. Evolution
 - b. Biblical criticism

⁶³ This is necessary in order to make students wary of the pitfalls as well as the potential benefits that such a worldview and serious pursuit of both career and religion will encounter and can provide.

- c. Anti-Semitism, anti-Zionism and Holocaust denial
- d. Psychological perspectives on religion
- e. Interactions among members of different faith communities
- f. Challenges presented by contemporary values and ethics, and/or the lack thereof

e) In order to convey the impression that Jewish learning is substantive and indispensable to the point where an individual will come to decide that he must regularly and consistently continue his studies well-beyond his years of formal Jewish schooling, I believe that fundamental curricular decisions must be made. Unfortunately, non-self-conscious presentations of classical Jewish sources that usually make up the typical course of study in a Jewish day school, constitutes for the most part an unengaging body of subject matter.⁶⁴ When one considers the majority of material in *Chumash* (Five Books of Moses) (excluding *Berashit* and half of *Shemot*), one encounters many Commandments that are either dependent upon the existence of a Temple in Jerusalem, residence in Israel, or situations which most individuals never encounter. If this is the case with respect to *Chumash*, it is all the more so with regard to *Mishna* and *Gemora* study. Furthermore, since most *Halacha* (Jewish law) study concentrates on ritual law rather than on practical matters of interpersonal relationships (*Orach Chayim* [lit. the way of life; the section of the Code of Jewish Law that deals with Prayer and Festival observance] rather than *Choshen Mishpat* [lit. the breastplate of law; monetary matters], *Even HaEzer* [lit. the stone of support; marital issues] or even sections of *Yoreh De'ah* [lit. teaching knowledge] such as the laws of respecting parents and charity), once again such study is not very engaging to those who are looking for “big ideas” rather than basic

⁶⁴ I am prepared to acknowledge that there will always be a group of students who will be motivated and engaged by whatever material is presented to them. This may be due to either their personalities and/or learning styles whereby they are engaged by any class in which they find themselves, or because some deep-seated spiritual sensibility drives them to master any and all religious material, however arcane it may appear to others and even themselves. Nevertheless, I would be curious to investigate whether such students who excelled in their day school religious studies necessarily continue to engage in *Tora* learning once they are no longer in the formal day school environment where such study was demanded of them. If the subject matter that once held their attention was not perceived to be inherently compelling, will they necessarily apply their academic acumen to other disciplines and activities? And even with regard to the self-selecting group who choose to continue the day school format in institutions such as Yeshiva College, Stern College or Touro College, when they finally leave those environments, will they reflect a commitment to life-long learning, or was their study entirely environmentally precipitated? With regard to developing educational policy and vision, this seems to me something worth researching.

practical knowledge. Consequently I would advocate that while familiarity with classical Jewish texts and practice is certainly a value with regard to general Jewish education, greater emphasis, time, energy and planning should be devoted to those topics that have the potential to deeply engage and entrance students, rather than the studies that are intended to “cover ground”, to enable *Bekiyut* (broad familiarity as opposed to knowledge in depth), or to meet the requirements that are imposed by higher level institutions of Jewish studies.⁶⁵ A criterion for making curricular choices that might best encourage additional serious *Tora* study going forward would be whether what is being studied has immediate relevance and implications for the student’s contemporary existence and world view. Topics that in my opinion have the potential to serve as catalysts for life-long learning of Jewish studies, include:

1. Responsa literature dealing with issues of the day and linking such issues with classical Jewish sources;
2. Sections of *TaNach* that reflect the eternal human drama and the manner in which they were either successfully or unsuccessfully resolved;
3. *Sugyot* (topics, section) in *Talmud*, both *Halacha* (Jewish law) and *Aggada* (philosophy, historical and a-historical anecdotes, biblical interpretations, etc.), that can contribute to the development of a Jewish world view;
4. Periods of Jewish history that can be interpreted as foreshadowing contemporary concerns;

⁶⁵ In the same way that colleges and universities exert undue influence upon the educational program of secondary schools with respect to the number of honors and Advanced Placement courses students are pressured to take, the Achievement tests for which they prepare, the sequence of subjects that they study, etc., what is taught in Jewish studies is often the function of the requirements of *Yeshivot* into which students wish to be accepted following their graduation from day school. Consequently, even if a day school is prepared to think progressively regarding its course of study, will it not be caught up in a “Catch-22” whereby trying to influence a student’s long-range Jewish commitment might undermine his ability to attend the advanced Jewish learning institution of his choice, and preparation for such acceptance might not be in the student’s best interests down the road. The phenomenon whereby students who attend *Yeshivot* in Israel post-high school, but then return to the college campus and discard their Jewish affiliations attest to the difficulty of such a dynamic. Of course, this does not even begin to address the nature of the education of those students who for whatever reason do not intend to continue their Jewish formal education beyond high school. If the school is organized to advance the interests of those intending to continue on in their learning, have those who intend to follow a different path been educated in the best way possible so that they might consider continuing their Jewish learning in other settings and environments?

5. Regular reading and discussion of contemporary Jewish newspapers and periodicals to reflect upon the issues of the day and the manner in which Jewish thinkers are approaching them.

f) A guiding principle for a Jewish educational vision can be derived from RaMBaN's commentary on *Devarim* 6:18:

“And you will do that which is just and good in the Eyes of God in order that He will Be good to you...”

...And the Rabbis offer a beautiful interpretation for this verse. They said that what is being advocated (by the Tora) is compromise and going beyond the letter of the law. And the intent of this interpretation is that originally it said that you must observe His Statutes and His Testimonies that He Commands you. And now, He Says also concerning that which I have not (explicitly) Commanded you, you should concentrate to do that which is “good and just in His Eyes”, because He Loves the good and the just.

And this is a very important matter, because it is impossible to mention within the Tora all of the behaviors of man vis-à-vis his neighbors and friends, and all of his business dealings and the means by which the community can be improved as well as all of the nations.

But once many of them have been articulated such as (*VaYikra* 19:16) “Do not go as a talebearer”, (*Ibid.*, 14) “Do not take revenge and do not bear a grudge”, (*Ibid.* 16) “Do not stand (by) as the blood of your friend (is being spilled)”, (*Ibid.* 14) “Do not curse the deaf”, (*Ibid.* 32) “Rise up before the white-haired”, and the like, the Tora then summarizes and states in a general fashion that one is to do the good and the just in all matters, to the point where compromise and going beyond the letter of the law are also included...

RaMBaN asserts that the *Tora*'s myriad Commandments, particularly those that define interactions between man and his fellow,⁶⁶ are to be viewed as either minimal requirements or paradigms for a *Tora*-informed lifestyle. Consequently, not only is this view a rejection of Karaism,⁶⁷ but it also critiques those who would insist that Jewish law exclusively applies to behaviors that are explicitly stipulated in either the Written or Oral Traditions.⁶⁸ While the principle of (*Avot* 1:6, 15) “*Aseh Lecha Rav*” (make for yourself a teacher/Halachic authority) would appear to require individuals to cede their decision-making powers to Rabbinic authorities who have specialized in developing approaches to

⁶⁶ Although the greatest temptations might exist to attempt to justify insensitive behavior towards one's fellow by means of a literal rendering of Jewish law, that does not mean that *Lifnim MiShurat HaDin* (going beyond the letter of the law) could not apply to Commandments between man and God as well as those between man and himself as well. Examples of situations where such an attitude can affect ritual law would include: whether one adopts minimalist or maximalist positions in terms of the amount of time devoted to *Tora* study, the length of one's prayers and the care with which one is careful to either fulfill or nullify verbal commitments. Examples of areas where the principal applies to situations that essentially affect the individual himself include: how honest is one with himself, how careful is one with his health and the nature of the balance that one strives for in terms of the dual poles of spirituality and materialism.

⁶⁷ A movement whose approach to Jewish law insists upon a literal rendition of the Biblical text, and the rejection of Rabbinic interpretations as are recorded in *Mishna*, *Midrash* and *Gemora*.

⁶⁸ An evocative example of what RaMBaN appears to have in mind is manifest in a debate that is recorded in *Tradition* 21:4 1985, in the articles by David Singer, “Is Club Med Kosher? Reflections on Synthesis and Compartmentalization” and Shalom Carmy, “Rejoinder: Synthesis and the Unity of Human Existence”. Singer advances the position that since vacations are not explicitly prohibited in the Codes of Jewish Law, they must be definition be permitted, even if standards of *Tzniyut* (personal modesty) and *Zemanei Tefilla BeTzibbur* (adhering to the standards of communal prayer at exact times throughout the day) will have to be downplayed. Carmy responds that since we are Commanded to not only be concerned with the letter of the law (in this case what does or doesn't the *Shulchan Aruch* say about vacations), but also the spirit of the law—does the type of vacation entailed in the Club Med experience appropriate for someone who is committed to *Tora* and *Mitzvot*?

During the course of a recent repartee on the MailJewish listserve, the converse of the above was debated, i.e., if slavery, whereby Jews are allowed by the *Tora* to own non-Jews (the categories of *Eved Cana'ani* and *Shifcha Cana'anit*), is such a practice to be considered by definition moral at all times and in all places? Parallel issues raised during the course of this discussion included: initiating a marital relationship via sexual intimacy, polygamy and the institution of concubines. A traditional Orthodox view would never suggest that a positive or negative Commandment be actively rendered moot; the prohibition of *Devarim* 13:1, “All of the matter that I have Commanded you, it you shall observe to do; Do not add to it and to not subtract from it.” Nevertheless, a behavior that is an option, i.e., if one has a slave, this is what must be done—but that does not mean that it is a Commandment to have one—will certainly be left to the individual's judgment as to whether or not to exercise such an option.

A similar issue is the matter of definition of particular terminology. There are many strictures in Jewish tradition regarding “*Nochrim*” (aliens) in general and “*Ovdei Avoda Zora*” (idolaters) in particular. However, the exact definition regarding whether non-Jews living in the Western World are to be considered either *Bnai Noach* or something less, or the exact parameters for what constitutes idolatry, particularly in the modern era, is open to debate. Depending upon one's definition, far-reaching implications emerge in terms of one's dealings with non-Jews.

Consequently just as independent and critical moral reasoning has to be applied in order to determine what to do in situations that have at least as yet not been officially codified, so too must such a faculty be brought to bear when an individual attempts to determine what sort of practices are or are not appropriate in the modern context.

applying Jewish law to uncharted situations, doing so before the fact is not always logistically possible, and according to some views in Modern Orthodoxy, necessarily always desirable.⁶⁹ Students of Judaism, even if they have not earned *Semicha* (Rabbinical ordination), need to be brought along to the point where they can competently and responsibly make decisions and evaluate situations by looking at the world through “*Tora*-colored lenses”.⁷⁰ While intrinsically, dealing with previously unanticipated situations would seem to be something that would be hard to teach in a classroom environment,⁷¹ nevertheless an analysis of case studies as well as a clarification of basic working principles that are contained within Jewish thought and *Halacha* could contribute to the promotion of this type of ideational orientation.

Types of educational subject matter and experiences that would contribute to the development of a *Lifnim MiShurat HaDin* mindset might include:

1. An analysis of exemplary responsa literature, looking not only at the final answer, but also the methodology by which the answer was arrived at;
2. A focused study of the concepts of *Lifnim MiShurat HaDin*, *Tikun Olam* (the perfection of the world), *Kiddush/Chillul HaShem* (the sanctification/the profanation of God’s Name), *Ohr LaGoyim* (a light unto the nations), *Mavriach Ari MiNichsai Chaveiro* (causing the lion to flee and thereby save the property of one’s fellow), etc.
3. Presentations by working *Dayanim* (judges serving in Jewish courts) and *Poskim* (decisors of Jewish law) discussing the manner in which they approach questions regarding unprecedented situations;
4. Talmudic mock trial competitions where contemporary situations are analyzed by students after having studied passages of primary sources that contain principles that can be applied to the issues at hand;

⁶⁹ See my essay “*Rav and Rebbe*” in *Sh’ma*, 37/636, December 2006, p. 11.

⁷⁰ This was a favorite metaphor of the late, founding *Rosh Yeshiva* of *Yeshivat Kerem B’Yavneh*, R. Chaim Yaakov Goldvicht, *ZaL*.

⁷¹ Donald Schoen has written that real-life situations more closely resemble chaos, than the balanced and rational problems that are usually discussed in the classroom. See *Educating the Reflective Practitioner*, Jossey-Bass Inc., San Francisco, 1987.

5. *Shimush Talmidei Chachamim* (close personal contact with, serving, shadowing of scholars) so that students can come to appreciate how Jewish values and law can and should inform all that a person does.

g) The *Ba'alei HaMussar* (lit. masters of ethical thought; individuals who have devoted a significant amount of their scholarly pursuits to speaking and writing about how one can live according to the highest levels of Jewish ethics) have identified *Hergel* (routinization) as a key culprit of causing individuals to become disaffected with the religious lifestyle.⁷² Parents, Judaic studies teachers and congregational Rabbis have all heard at one time or another that a certain practice or subject matter is “so boring”. While it is an unreasonable goal to insist that **every** repetition of religious behavior be informed by fresh insights and understandings, it is important to impart, on the one hand, strategies and methodologies that could be utilized to such an end by one’s students, as well as, on the other, regular, even if not constant, examples of fresh thinking and understanding. While a key part of classical educational doctrine asserts that repetitions, reviews and drills are necessary in order to guarantee that what has been learned is not quickly forgotten,⁷³ educational benefits can easily be countermanded when the very process by which learning is achieved is deemed unpleasant, mindless and to be abandoned as soon as the student is able. To find a balance whereby reviews also contain new approaches, ideas and concepts is an important challenge for every teacher, and those attempting to transmit religious practices and beliefs will have to successfully contend with such a tension if they are to elicit ongoing commitment to performing Commandments on the part of their students. Furthermore, in order to be able to regularly introduce new approaches each time something that has been learned previously is revisited, teachers will have to be able to keep records regarding what has already been said, and what still can be added. The instructor himself will also have to cast himself in the role of someone constantly searching out new meanings in terms of his own religious perspectives and practices in order to have available to him a wide range of explanations and interpretations.

⁷² See my essay, “Dr. Isadore Twersky’s Concept of *Hergel*”, cited in fn. 25, 29, 38 above.

⁷³ The *Talmud* supports such a contention in *Chagiga* 9b.

It should additionally be noted that the sense that an activity is rote and uninteresting not only applies to repetitious religious practices, but can even describe how a student feels about Jewish study itself, however varied the subject matter might be. Even if an individual, for example, is studying *Talmud* following the *Daf Yomi* (lit. the page of the day), whereby literally a new page is taken up daily, leading to the student's completing the entire *Talmud* in 7 ½ years, this does not necessarily prevent the student from feeling a sense of sameness and personal psychological distance from the subject matter. For most, completing the 63 tractates of the *Talmud* becomes an end in itself rather than a means for acquainting oneself with and internalizing Jewish tradition, practices, philosophy and culture. Unless a student is given a sense that what he is learning or doing has some sort of deep personal significance, it will be easy for him to consider his learning experience as being as essentially mindless as prayer lacking *Kavana* (intention and understanding) or thoughtless reflexive compliance with the rules of *Shabbat* and *Kashrut*.

Specific educational approaches that might contribute to assisting students to more personally engage with and reflect upon their Jewish observance and study include:

1. An attempt to offer a new understanding for a Commandment each time it is encountered during the course of *Bible*, *Talmud* and *Halacha* study;
2. Offering new and varied explanations for the prayers, both in terms of the general act of praying as well as the specific language that is being recited, as part of the regular prayer experience;
3. Personal testimonies regarding what Jewish experiences mean to various individuals (in this way students might be encouraged to seek out for themselves meaningful explanations, particularly when those that have been formally offered as part of class or *Divrei Tora*, have not resonated with them);
4. Being sensitive to Howard Gardner's Multiple Intelligence theory when Commandments and Jewish practices are taught (students should be given the opportunity to personally relate to Judaism in a manner that particularly resonates with them);

5. Experiencing Commandments and Jewish learning in varied venues and environments so that the same practice takes on new dimensions due to the context in which it is performed or experienced.

h) The triumphalism with respect to those perceived as less observant or committed that permeates the ranks of all types of orthodoxies, be they political, cultural or religious, is extent in Jewish Modern Orthodoxy as well. Despite intellectual commitments to the concept of the unity of the Jewish people, the very Tora study that is crucial to Modern Orthodox mindset and positive ongoing religious development, contributes to a sense of condescension if not outright disrespect for Jews who either consciously decide not to continue to adhere to the tradition in which they have been brought up (*Chozrim Be'She'ela* [lit. returnees to questioning]),⁷⁴ or those who never had the opportunity to contemplate and appreciate such a lifestyle due to an irreligious upbringing and social environment (*Tinok SheNishba* [lit. a baby that was kidnapped]).⁷⁵ In both the Written and Oral Traditions, ample reference is made to “sinners” of different stripes,⁷⁶ and even if one incorporates into the textual analysis nuanced categories such as *Ones* (lit. duress)⁷⁷ and *Mumar LeTeiavon* (an apostate due to lustful passion),⁷⁸

⁷⁴ A pun on the term for newly observant individuals, *Chozrim BeTeshuva*. *Teshuva* conveys the double entendre of both repentance as well as a response to a question. Consequently, the converse becomes *She'ela*, representing not only the questioning of the tradition in particular, but also a lifestyle that is “unrepentant”.

⁷⁵ The Talmud considers one never exposed to the traditional lifestyle as comparable to a baby who was wrested away from his birthparents and raised in a culture alien to his heritage.

⁷⁶ The Bible as well as the Talmud and Midrash discuss idolaters, Karaites, Samaritans and *Bnai Noach* (Noachides who abide by only the Seven Noachide Commandments) who are all non-Jews, as well as different categories of Jews who do not conform in one way or another to the tradition. In the Bible, one encounters discussions regarding not only the *Eiruv Rav* (lit. the mixed multitude of non-Jews) that accompanied the Jews out of Egypt and to whom is attributed all sorts of malfeasance, but also individuals like Korach, Datan, Aviram and the *Shabbat* wood gatherer, all of whom were Jews. Furthermore, the stories of Nadav and Avihu, the sons of Aharon who erred so subtly that it is unclear why they died supernaturally, and even Aharon himself with respect to his participation in the Sin of the Golden Calf, constitute case studies of sinning Jews. At best, in the case of Aharon, it is contended that his positive qualities and behavior mitigated against the seriousness of his sin; in the cases of the other individuals, they are subject to disparagement and are depicted as the enemies of the Jewish people. Will the study of these examples inevitably contribute to encouraging students to be judgmental regarding contemporary personalities who rightly or wrongly are deemed comparable to these Biblical figures?

Of course, it could be countered that attempting to temper the critique of these individuals and their bad acts might suggest a standard of relativism, i.e., no matter what one does, he will be met with understanding, an “insanity defense” will be advanced, special circumstances will be cited, resulting in there being no objective accountability for what anyone does. The educational challenge becomes how to find a workable balance between two such ubiquitous extremes.

⁷⁷ An individual who sins not as the result of his free choice, but rather due to an external force or threat. Whether there are also internal forms of duress, e.g., emotional upheaval is a point of debate.

nevertheless the sense that these individuals are at least to some extent inferior spiritually comes across in myriad contexts.^{79 80} An especially disconcerting manifestation of this

⁷⁸ An individual who repeatedly sins not because of personal ideology, but rather due to a lack of self-discipline. *Mumar LeTeiavon* is typically contrasted with *Mumar LeHachis* (lit. an apostate due to the desire to cause anger), whereby the only reason for the transgression is to demonstrate disdain for God and the religion.

⁷⁹ Consider the following Talmudic passages:

a) *Pesachim* 113b

The Holy One Blessed Be He Hates three types of people: a) One who speaks with his mouth not in accordance with what he feels in his heart, (i.e. a liar, hypocrite); b) one who could give testimony on behalf of his friend, but declines to do so; and c) one who sees a *Devar Eirva* (a seriously objectionable thing) done by his friend, and testifies against him as a single witness (since no action can be taken by the Jewish court unless there is testimony provided by two witnesses, whose accounts could be cross-examined and then compared individually, the witness is not advancing justice, but rather engaging in character assassination).

(The third category, c) is similar to) the case of Tuvia who sinned and Ziggud came by himself and testified against him (Tuvia) in the presence of R. Papa (the head of the Rabbinic court). He (R. Papa) ordered that Ziggud be flogged (in this case, a Rabbinic rather than a Toraitic punishment).

He (Ziggud) said to him (R. Papa): Tuvia sinned and Ziggud is flogged?

He (R. Papa) said to him (Ziggud): Yes, as it is written, (*Devarim* 19:15) “A single witness is not to rise up against another...” and you by yourself testified against him. All that you have accomplished is sully his reputation.

R. Shmuel bar R. Yitzchak said in the name of Rav: It is permitted to hate him (the individual who has done the seriously objectionable thing), as it is written, (*Shemot* 23:5) “When you see the donkey of the one you hate crouching under its burden...” Who is the object of your hatred? Is it a non-Jew? But we have already learned in a *Baraita* (Mishnaic material that was excluded from the compendium of the *Mishna* by R. Yehuda HaNasi):

The one who is hated (referred to in *Shemot* 23:5) is a Jew. Who permitted you to hate him? Is it not written, (*VaYikra* 19:17) “You are not to hate your brother in your heart...” But rather it is a case where there are witnesses that he has transgressed. But if that is the case, **everyone is permitted to hate him!** Why is this one (the person who encounters the donkey) being singled out (by the Torah)? But is it not as in the scenario mentioned above, that he has seen him (the owner of the donkey) perpetrate a *Devar Airva*.

Taken at face value, the following postulates are conveyed by the discussion in *Pesachim*:

- 1) One is not to officially publicize another’s sin unless it is legally actionable, i.e., there are at least two witnesses who will testify against the sinner.
- 2) Publicizing another individual’s indiscretions when it is not legally actionable can result in Rabbinic punishment.
- 3) At least according to R. Shmuel bar R. Yitzchak—
 - a. It is permitted for one individual to hate another if he sees the latter perpetrating a transgression.
 - b. If there are witnesses that he has transgressed, i.e., the transgression was relatively public, all people are permitted to hate him.

What then should a Modern Orthodox person think after learning such a *Talmudic* passage regarding individuals who do not conform to traditional Judaism? How should this passage be taught in a school or synagogue setting if there is concern that it might be taken literally and applied by the student to the majority of the Jewish people? Is this an area where *Lifnim MiShurat HaDin* has to be invoked? Or should the “chips be allowed to fall wherever they may”?

b) *Shabbat* 68a

Rav and Shmuel both maintain: Our *Mishna*

phenomenon is the increasingly negative attitude that some Modern Orthodox Jews evidence towards the State (as opposed to the Land) of Israel. Negative critiques on *Halachic* grounds of the government and the attitudes of the country's secular majority with respect to policies concerning land for peace, the relocation of the Jewish residents in Gaza, and the less than optimal standard of *Kashrut* and general *Shabbat* observance on the Israeli national airlines, are resulting in increased alienation from the state and a decreased commitment to Zionism on the parts of Modern Orthodox Jews living in Israel proper (those considering themselves *Dati Le'umi* [religious nationalist]), let alone Modern Orthodox Jews residing in the Diaspora. Exposure to such discussions,

(*Ibid.*, 67b “A great principle was stated in respect to *Shabbat*: He who forgets the fundamental law of *Shabbat* and performs many prohibited labors on many *Shabbatot*, incurs one sin offering [a sacrifice that attains atonement for the transgressor] only.)

is dealing with a *Tinok SheNishba* (a child taken captive among Gentiles, and therefore was never exposed to the entire concept of *Shabbat* observance), or a convert who became converted among Gentiles (the assumption being that the individual never had neither the opportunity to properly learn about *Shabbat* observance nor to observe it in other Jews)...

After discussions and clarifications, the Talmud continues:

Ibid. 68b

Rav and Shmuel both maintain: Even a *Tinok SheNishba* or a convert who became converted among Gentiles **is as one who knew but subsequently forgot, and so he is liable**.

But R. Yochanan and Reish Lakish maintain: Only one who knew but subsequently forgot is liable, but a *Tinok SheNishba* or a convert who became converted among Gentiles is not culpable.

The implications of the view of Rav and Shmuel, according to which the *Halacha* is decided, is that even inadvertent sinners who never had the opportunity to learn what it meant to live according to Jewish law, nevertheless are considered sinful to the point of their requiring atonement. By extension, the vast majority of Jews who observant Jews encounter qualify to be considered desecrators of *Tora* law were one to opt to take such a Talmudic passage and its practical applications in such a narrow sense.

⁸⁰ Recent discussions on the MailJewish listserve in which many Modern Orthodox individuals participate, included the question whether non-observant individuals should receive *Aliyot* (given the honor to come up to the *Tora* and pronouncing the blessings) in an Orthodox synagogue, within the context of the custom that when *Parashat Ki Tisa* (*Shemot* 30:11-34:35) is read on *Shabbat*, the second *Aliya*, describing the sin of the Golden Calf, will always be given to a *Levi*, since the *Levi'im* did not participate in the sin (see *Shemot* 32:26-28). What happens, one correspondent queried, if the only *Levi'im* present in the synagogue are non-observant? Does the tradition that a *Levi* receives this particular *Tora* honor trump the concern of the honor's recipient not being observant, or is it more important to assure that only observant Jews are allotted such an honor? Once again, regardless of the answer to the question, what impression is given regarding non-observant Jews to the rest of the congregation, particularly if it is a Modern Orthodox one, when they watch such a scenario being played out?

Similar issues include whether a non-observant individual should be tapped to serve as a congregational lay leader or whether he should be honored at the congregation's annual dinner.

An acquaintance recently discussed with me a situation in a congregation within a relatively small observant community, in which the *Gabbai* (the individual charged with coordinating the services) obviously does not comply to traditional observance. Apparently the psychological tendency to define one's own level of observance as the standard by which everyone else's religious legitimacy is to be measured is difficult to overcome.

regardless of their ultimate *Halachic* resolutions, will inevitably cause an individual to feel at least somewhat alienated from less religious Jews.

While some in the Orthodox world might eagerly await the day when they believe that less-observant Jews will essentially disappear due to assimilation, intermarriage and general indifference, Modern Orthodox Jews take seriously aspects of Jewish tradition that spur them on to attempt to prevent these dire predictions from coming to fruition. This can either be justified by a commitment to engaging the less religious in various contexts and attempting to inspire greater religious observance on their parts,⁸¹ or to reflect the belief that independent of the depth or extent of their religiosity, all Jews are entitled to be treated with respect and deference.⁸²

⁸¹ While a literal rendering of *VaYikra* 19:16 results in the exhortation to save someone when his **physical** life is in danger, others extend the Commandment to equally apply to an individual's spiritual well-being. Similarly, the Commandment of *HaShavat Aveida* (the return of lost property) discussed in *Shemot* 23:4; *Devarim* 22:1-3 does not have to be relegated to material property alone. R. C.J. Goldvicht, *Z"l*, carefully interprets a portion of a *Mishna* in *Avot* in a parallel fashion:

Avot 5:2

...Ten generations intervened between Noach and Avraham, to make known how Slow to anger He (God) is, because all of the generations increasingly sinned deliberately until Avraham came *VeKibeil Alav Sechar Kulam* (and received the reward of all).

R. Goldvicht noted that the *Mishna* did not state that Avraham's reward **corresponded** to that of the other generations, but rather that it literally had been designated for them had they not chosen to sin. Consequently, such a realization spurred Avraham on to attempt to restore this reward, if not to those that initially could have earned it, then at least to their offspring.

Aharon is also upheld in *Avot* as someone invested in generating greater religious observance among his co-religionists:

Avot 1:12

...Hillel says: Be among the students of Aharon—love peace, pursue peace, love people and draw them close to Tora.

In effect, Hillel was identifying the source of his own inspiration to approach people positively and attempt to inspire them religiously, as described in the anecdotes appearing in *Shabbat* 31a *Ketubot* 67b. He apparently believed that the Aharon was not only meant to be revered in his own right as someone extremely exceptional, but also that his example is to be emulated by his spiritual descendants and disciples.

⁸² Sources that speak to such a sensibility include:

a) *Sanhedrin* 43a

(*Yehoshua* 7:11) "Israel sinned..."

Said R. Aba *bar* Zavda: Even though he sinned, he is still a Jew.

R. Aba said: This is what people mean when they say: A myrtle among the reeds remains a myrtle, and is called a myrtle.

A Jew's essential identity is independent of any of his transgressions.

b) *BaMidbar Rabba* 7:5

R. Yehuda HaLevi b'R. Shalom said: Because of 11 things *Tzora'at* (a spiritual malady that could affect one's body, clothing, furniture or home—see *VaYikra* 13-14) afflicts an individual...

And one who speaks negatively about a fellow when it is untrue. This is exemplified by Moshe.

When God Said to him that he go to the Jews (in Egypt), he said to Him: My Master! Behold, they will not believe me! As it is said, (*Shemot* 4:1) "And they will not believe me..."

And God Said to him: Moshe! You already know that they will not believe you? They are believers, the children of believers! You said to Me: They will not believe me...(Ibid., 6) "Place

Educational materials and experiences that might contribute to the development of a sensibility whereby one feels akin with the entire spectrum of Jews that make up the Jewish people include:

1. The study of sources that emphasize the unity and oneness of the Jewish people and our mutual responsibility for one another;
2. The presentation of historical examples of communities where Jewish unity and cooperation was the norm rather than the exception;
3. Inviting individuals from throughout the Jewish community who independent of their observance constitute admirable role models;
4. Studying the negative results of Jewish divisiveness and internecine hatreds;
5. Arranging apprenticeships and community service opportunities in organizations that serve the Jewish community as a whole.

The delineation of a Modern Orthodox vision of Jewish education will hopefully provide food for thought for curriculum developers, administrators, program coordinators, department heads and teachers to work together in order to offer students an educational experience that will be consistent with and hopefully engender deep and ongoing commitment to the values identified as intrinsic to Modern Orthodoxy.

your hand inside your shirt..." Immediately (Ibid.) "And he withdrew his hand and behold it was afflicted with *Tzora'at*, looking like snow."
Assuming the worst about one's fellow Jew can be self-destructive.