

**Volume XVIII**

**Tevet 5766**

**January 2006**

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## **Ten Da'at**

ISSN 0892-7359  
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Rabbi Isaac Elchanan  
Theological Seminary  
Volume XVIII  
January, 2006

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*Ten Da'at* gratefully acknowledges the support of the Joseph J. and Bertha K. Green Memorial Fund at the Rabbi Isaac Elchanan Theological Seminary, established by Morris L. (Moshe) Green, z"l.

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## **REISHIT DA'AT GUSH KATIF TO KATRINA: REFLECTIONS ON SOME "MANMADE" AND "NATURAL" CATASTROPHES**

Whenever I reflect on the aftermath of the assassination of Prime Minister Yitzhak Rabin ten years ago, I find myself returning to an astute observation made at the time by Rav Yehudah Amital, Rosh ha-Yeshivah of Yeshivat Har-Etzion:

On an educational level, I think this tragic event also reveals something frightening. A law student [Yigal Amir], an educated person, thought that by killing Rabin he would solve all of Israel's problems? What primitivity! What shallowness! What a lack of thought! In our schools and youth movements, have we educated so shallow a generation where slogans have replaced critical thought?

Has anything changed — and for the better! — in the ten years that have elapsed? Have we made a deliberate effort to strengthen critical thinking, in general, and in reference to the Middle East in particular? Are we and our students now more thoughtful and less prone to shallowness? Do we understand the nuances and subtleties of politics and diplomacy or are we still prone to the sway of slogans and sound bites? And, most important: Have we forsaken violence as a means of achieving political or ideological ambitions? I am afraid that the answer to these questions is disappointing and, quite candidly, frightening.

Let us consider the tempestuous events of just this past summer before and during the Israeli disengagement from the Gaza Strip. Was the behavior of the religious Zionist community in Israel, and their sympathizers in the United States, characterized by sober, responsible and thoughtful action or by heedless assertions of opinion and belief? Did the calls that were issued for disobedience to military orders appeal to reason or to dogma? Were young men and women — of the same age as many of our own students — encouraged to expend their efforts on easing and assisting the evacuation and resettlement or in resisting them? And what of those who spent the weeks and days preceding the evacuation of Gush Katif professing unconcern over the fate of the evacuees, secure within a blithe cocoon of faith in the inevitable failure of the venture to succeed, because God would never allow it?



As we go to press, the city of New Orleans struggles to cope with the aftermath of Hurricane Katrina and people have begun to ask the same question that was asked after a lethal tsunami struck Indonesia a year before: “How could a compassionate God allow this to happen?” I believe that some of the insights we have obtained from *Hazal* can provide a response to this question.

According to the Talmud, God created a world with the potential for natural growth, but He did not enable this potential to be realized until man appreciated it and made provision for it through prayer (*Hullin* 60b): מלמד שיצאו דשאים ועמדו על פתח קרקע, עד שבא אדם הראשון, ובקש עליהם רחמים, וירדו גשמים וצמחו:

Vegetation was poised to emerge from below the earth's surface until Adam came and sought compassion on its behalf [through prayer], the rain fell, and it grew.

The result was the establishment of a relationship of mutuality between man and God that makes us partners in creation *provided* we fulfill our proprietary responsibilities, paramount among which is the obligation of *לעבדה ולשמרה*; to cultivate the earth and to guard it. As the *Netziv* wrote:

The purpose of Creation – that the glory of God should fill the earth – was hereby completed insofar as everything was now dependent upon Man's deeds, by way of reward and punishment.

New Orleans is not the first city that men have built on a particularly precarious site. It is neither the first time that man has taken measures to protect such a city against the “elements,” nor the first time that his mistaken priorities have led to the thwarting of his intent and the destruction of his endangered city.

The city of Babylon, according to the Torah’s record, was situated in “a valley in the Land of Shin`ar” (Genesis 11:2), which was so called, our Sages tell us, because there the victims of the flood had collected (*Bereishit Rabba* 37:4). Man persisted in its construction, despite the obvious disadvantages, on account of his confidence in its construction with its head in the clouds, which, according to our Sages, implied man’s determination to “beat the odds” by outsmarting God.

אמרו אחת לאלף ושש מאות חמשים ושש שנים הרקיע מתמוטט כשם שעשה בימי המבול, בואו ונעשה לו סמוכות:

They said: The sky falls in once every 1656 years, as evidenced by the flood. Let us build something to prop it up (*Rashi, ad. loc.*).

Man’s hubris, his awful arrogance in the face of God’s intent, led to the confounding of his plans and the cessation of the construction: (v. 8). But man is nothing if not persistent, and in London, Amsterdam and New Orleans, he has thrown caution to the winds and challenged God by constructing cities against the dictates of “nature.” If he is prudent, he invests wisely in building and maintaining the proper infrastructure and escapes “nature’s” direst consequences. From time to time, that prudence is supplemented by serendipity, and a timely finger in the dike prevents catastrophe. If he acts imprudently and impudently, however, squandering precious time and resources on other, and more selfish projects, then he is – proverbially and poignantly – hoist with his own petard.

The Talmud (*Ta’anit* 22b) records:

תנו רבנן: על כל צרה שלא תבוא על הצבור מתריעין עליה, חוץ מרוב גשמים. מאי טעמא? - אמר רבי יוחנן לפי שאין מתפללין על רוב הטובה.

The Rabbis taught: On the occasion of every distress that befalls the public, we sound the alarm [i.e., we call for prayer and fasting] – with the exception of excessive rain. Why? R. Yohanan says, because we do not offer prayers over an abundance of good.

Rain, as the Talmud carefully considers, is a blessing at *all* times and prayers for rain remain unaffected by the consequences that may

ensue. God, in His cosmic beneficence, let it rain. Man, in his individual and institutional arrogance, built a city on a site that was singularly susceptible to flooding and then allowed the levees to deteriorate.



This issue, our 18th, opens with Michael Broyde offering his customary learned opinion on a subject bound to be of considerable interest and importance to our audience: May day schools offer “parsonage” to women who teach Judaic Studies? No hints — you’ll have to read for yourselves. Moshe Bleich provides yet another in his estimable series: The Halakhah Corner, with a survey of opinions on the status of music and music education during *sefirat ha’omer* and other periods of mourning. Shmuli Spero describes — in admirable and suggestive detail — the ongoing on-line educational project that AMODS is conducting via Yeshiva University’s ANGEL system.

Chaim Feuerman graces our pages once again with a (not so) new look at resolving discipline problems. Jeff Kobrin details a curriculum he implements at the Ramaz Upper School that prepares high school seniors for the religious challenges they will face on college campuses. Ira Kosowski offers a glimpse of an initiative he has launched to enhance the study of Mishnah through Beki’ut.

Heshy Grossman and Tzvi Pittinsky offer parallel perspectives on the culture of our day schools with essays that describe the experiential dimension of Jewish education. Their respective prescriptions for the roles of teachers and students provide an informative and stimulating contrast.

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## **MAY AN ORTHODOX YESHIVAH DAY SCHOOL OR HIGH SCHOOL PROVIDE PARSONAGE TO WOMEN TEACHING JUDAIC STUDIES**

### **Introduction**

Jewish law imposes an obligation upon its adherents to obey the law of the land generally and to pay lawfully due taxes specifically. Cheating on one's taxes, either by an individual or by an institution, would be a violation of Jewish law.<sup>1</sup> On the other hand, there is no obligation to pay a greater tax than the amount properly due.<sup>2</sup> Since American tax law is a complex area of law – frequently devoid of any obvious ethical underpinnings – the determination of whether conduct is legal or not can be made only by a technical analysis of the various provisions of the *Internal Revenue Code* and its relevant supporting documentation.

This article addresses a highly specific question, unique to Orthodox Jews and their religious institutions: May an Orthodox Jewish yeshivah provide parsonage for women teaching Judaic studies? Due to the fact that Orthodox Jewish institutions do not ordain women as rabbis, women teachers of Judaica have been regarded as ineligible. Thus, the historical answer to this question has been “no,” and this has been the practice of Orthodox institutions throughout the country.

In light of changes in the parsonage statute codified by Congress in the *Clergy Housing Allowance Clarification Act of 2002*,<sup>3</sup> recent Internal Revenue Service issuances and the recent practice of awarding women

formal certificates authorizing them as role models and Judaic teachers in Jewish schools, there is now ample foundation for women who hold a certificate as a teacher or a certificate of advanced knowledge in Jewish law and who teach Jewish subjects in a yeshivah, to be given parsonage by their home institution.

### **Parsonage: The Statute**

The *Revenue Act of 1921* was the first to permit the exclusion of the rental value of a minister's home from his gross income, and this exclusion has been preserved as Section 107 of the 1954 revised *Internal Revenue Code*, where it still resides (albeit in amended form).<sup>4</sup> The current version of the statute states as follows:

107. Rental value of parsonages

In the case of a minister of the gospel, gross income does not include--

- (1) the rental value of a home furnished to him as part of his compensation; or
- (2) the rental allowance paid to him as part of his compensation, to the extent used by him to rent or provide a home and to the extent such allowance does not exceed the fair rental value of the home, including furnishings and appurtenances such as a garage, plus the cost of utilities.<sup>5</sup>

The critical words in the statute relevant to this article: "minister of the Gospel," are nowhere defined in the law; indeed, on face value, they would seem inapplicable to Jews in general and not to women in particular. Historically, however, there has been a determination of who is eligible for the parsonage exclusion.

### **Who Is a Minister of the Gospel?**

The courts of the United States have consistently held that although one could take the statute literally to mean that faiths that do not preach the Gospels are not entitled to the parsonage exclusion, such was not the intent of Congress and ministers of all faith groups are entitled to exclude the parsonage allowance from their gross income.<sup>6</sup>

It remains a difficult task, nevertheless, to determine who is a Jewish "minister of the gospel" and thus eligible for parsonage exclusion under Section 107.



The Internal Revenue Service *Revenue Ruling 78-301*,<sup>7</sup> which concludes that cantors who are provided parsonage may exclude such amounts from gross income, cites the *Treasury Regulations*.<sup>8</sup> They provide the following examples of specific services that will be considered duties of a minister for the purposes of determining whether one qualifies for the parsonage exclusion under Section 107:

- (1) the performance of sacerdotal functions;
- (2) the conduct of religious worship;
- (3) the administration and maintenance of religious organizations and their integral agencies; and
- (4) *the performance of teaching and administrative duties at theological seminaries.*<sup>9</sup>

The Regulations accompanying *I.R.C. Section 107* instruct that *Treasury Regulation Section 1.1402(c)-5*<sup>10</sup> will apply in determining when services by a minister are in the exercise of his ministry.

Thus, the IRS has acknowledged that those standards contained in the *Treasury Regulations* for ordination vary from denomination to denomination, and that the functions of a minister vary from denomination to denomination. *Revenue Ruling 78-301* states that:

There [is not] a standard in the regulations that the ordination, commissioning, or licensing bestow the power to perform certain religious functions that could not be performed by another member of the congregation. When the individual's regular, full-time duties to the congregation are spiritual or religious in nature, such as leading the worship service, those duties are in the exercise of the ministry.

Based on this approach, the IRS ruled that a cantor, even though not ordained, qualified for the parsonage exclusion as a “minister of the gospel” with a mere certification (albeit not required by Jewish law) that they were trained as a cantor. There is no doubt that a cantor is untrained to conduct many of the services that a rabbi is trained to perform and, indeed, lacks the central qualification for being a rabbi, i.e., the ability to answer questions of Jewish law. Nonetheless, such a person is involved in the “performance of the sacerdotal rites of Judaism” and is thus a “minister of the gospel” for Section 107 purposes.

## How is one Ordained to be a Minister of the Gospels?

Centrally, what we have here is a *law and religion* problem in tax law. The definition of “ordination,” “commission,” or “license” used in *Revenue Ruling 78-301* (in the sense of sacerdotal authorization that “bestows the power to perform certain religious functions that could not be performed by another member of the congregation”) simply does not readily apply to the Jewish tradition. Jewish law differs fundamentally from other substantive religious legal systems — such as Canon Law<sup>11</sup> — that rigidly distinguish between lay and clerical leadership and which have thus refused to grant parsonage to lay women who minister to the community. This is fully consistent with the requirement of the United States tax court, which has consistently ruled that it is not the formal ordination that is required for one to be eligible for the parsonage exclusion, but the assumption of the duties and functions of a minister.<sup>12</sup>

The Jewish legal tradition lacks almost any ecclesiastical function that can be performed by ordained rabbis only and recognizes that lay leadership can rise to the level of clergy in functionality, form, title and duties. Indeed, cantors historically lacked any certification or ordination at all and many cantors — to this day — are uncertified. Even rabbinic ordination is a matter of custom or tradition rather than a formal mandate of Jewish law. Many a great rabbi was never formally ordained; one can even head a rabbinical seminary in the Jewish tradition without formal ordination. Thus, a yeshivah need not have doubts about the source of sacerdotal authority in the Jewish tradition, as such authority is diffuse, and if the yeshivah in question authorizes men and women to perform recognized clerical functions then women who teach Judaic studies qualify for parsonage even without ordination, given the functional definition accepted by *IRS Revenue Ruling 78-301*.

Consider for example, a simple responsum found in Rabbi Moses Feinstein, *Iggrot Moshe (Yoreh Deah 3:70)*, which discusses whether a prominent scholar who was never formally ordained may be removed from his rabbinical pulpit merely because he lacked ordination. Rabbi Feinstein, the premier Jewish law decisor in America of the last century, answered that such a person may not be removed from the rabbinate even if he lacks ordination because he had been providing ecclesiastical guidance to those who have accepted his authority. As a scholar of Jewish law, that person is entitled to be the spiritual leader of the

congregation in question even without rabbinical ordination.<sup>13</sup> Such a religious leader would also undoubtedly qualify for the parsonage exclusion under Section 107.<sup>14</sup>

In 2003, the IRS issued a *Technical Advice Memorandum*,<sup>15</sup> which, while not binding upon the IRS, provided guidance concerning its enforcement policy regarding the classification of “ministers of the gospel.” The IRS applied a five-factor balancing test<sup>16</sup> to determine when a person who belongs to a faith that does not require formal ordination from the religious hierarchy in order to preside over religious services, is entitled to exercise the parsonage exclusion. They are:

1. Does this person administer sacerdotal functions customarily administered only by clergy?
2. Does this person conduct worship services?
3. Does this person perform services in the control, conduct, and maintenance of a religious organization?
4. Is this person considered a spiritual leader by his or her religious body?, and
5. Does this person have a formal license, commission or ordination?

Based on this test, the IRS denied the right to exclude parsonage allowances from gross income of secular faculty in a school since its teachers and administrative staffs were hired as teachers and administrators, not as ministers, and none of their prescribed duties was equivalent to the services performed by a minister.<sup>17</sup>

On the other hand, the IRS has recognized (as Rabbi Feinstein had, as well) that when a person holds a position in a religious institution, yet lacks formal ordination to qualify as a rabbi, he may still be eligible for the parsonage exclusion if he has been invested with ecclesiastical authority (as a minister) by the hiring organization.<sup>18</sup> A school can decide for itself who functions in an ecclesiastical role, with or without formal ordination.

### **Women Judaic Studies Teachers in a Yeshivah**

A yeshivah elementary school or high school is not a congregation, but it is a parochial school or a seminary devoted to the teaching of Judaic studies in conformity with the doctrines of Orthodox Judaism. Thus, a person hired by the yeshivah who performs all of the functions performed by an ordained rabbi at the yeshivah, should qualify for

parsonage as a minister under Section 107. This would allow women who teach Judaic studies, supervise prayers, and provide religious counseling of the kind provided by rabbis in the school, to qualify for the parsonage exclusion based on the essentially sacerdotal nature of their function within the yeshivah, although this *may* not apply to a teacher of Hebrew language or even the academic study of Talmud. However, in any situation in which the yeshivah expects a woman teacher to conduct core religious services, mandates that this teacher adhere to a specific level of religious conduct in her personal life, and expects this conduct to continue outside school grounds, that teacher is engaging in conduct that is the functional equivalent of ordination. This functional ordination is what allows the granting of parsonage and the corresponding exclusion from gross income, as it is the yeshivah that employs her that has functionally ordained her. It is the school that provides the commission and the equivalent of religious ordination minimally required by *Section 1402(c)* to be eligible for the parsonage exclusion that is permitted under *I.R.C. Section 107*.

While it is the functional commission by the yeshivah and the performance of these sacerdotal functions that makes one eligible for the exclusion of the parsonage allowance in the Jewish faith, as discussed in *Revenue Ruling 78-301*, a formal certification that makes it clear which women are qualified for such positions would be very helpful. An example of such an external commission might be a certificate of achievement provided by the Yeshivah University Graduate Program for Women in Advanced Talmudic Study or the letter of certification provided by some teachers' seminaries.<sup>19</sup>

## Conclusion

The obligation to obey the law of the land is a significant one for all Orthodox Jews, and paying one's taxes with integrity is a crucial manifestation of that obligation. The tax laws of the United States, as understood by the courts and clarified by the various documentary issuances of the Internal Revenue Service of the United States, recognize that parsonage allowances may be awarded and excluded from the gross income of people who lack formal ordination, so long as they are functioning as clergy in the institution that employs them. In many yeshivahs, some women serve in roles identical to those served by

rabbis, e.g., supervising prayer, providing religious guidance, teaching sacred texts with religious fervor, conducting themselves as religious role models, and otherwise serving sacerdotal functions. These women are entitled to the parsonage allowance exclusion according to the laws of the United States.

NOTES:

- 1 For more on this see my *The Pursuit of Justice: A Jewish Perspective on Practicing Law*, Second Edition (Yashar Press, forthcoming, 2005), chapters 5-7, and “Informing on Others for Violating American Law: A Jewish Law View,” *The Journal of Halacha and Contemporary Society* 41(2002), 5-49.
- 2 Rabbi Ezra Bick: “Payment of Income Taxes: Halachic Guidelines,” in Menachem Kellner, ed. *Contemporary Jewish Ethics* (NY 1978), 344-346 (noting the lack of obligation to overpay). Cf. also, *Helvering v. Gregory*, 69 F2d 809, 810 (2d Cir. 1934) (Justice Learned Hand, noting that “[a]ny one may so arrange his affairs that his taxes shall be as low as possible; he is not bound to choose that pattern which will best pay the Treasury; there is not even a patriotic duty to increase one’s taxes”).
- 3 For a description of what propelled this statutory modification, cf. Ellen Onsi Bonito and James L. Wittenbach: “Who Qualifies, and When, for the Parsonage Allowance for ‘Ministers?’” 14 *Tax’n of Exempts* 227 (2003), which notes:  
Last Spring, President Bush signed the *Clergy Housing Allowance Clarification Act of 2002*, P.L. 107-181 (5/21/02), generally effective for tax years beginning after 2001. The new law clarifies the exclusion for clergy housing allowances by codifying Rev. Rul. 71-280, 1971-2 C.B. 92, which limits the exclusion to the housing’s fair market value. The legislation, which rushed through both houses of Congress with broad bipartisan support, was a response to *Warren [v. Comm.]*, 114 TC 343 (2000), then before the Ninth Circuit, which had indicated that it might consider the constitutionality of the housing allowance exclusion before ultimately dismissing the case.
- 4 *Revenue Act of 1921*, ch. 136, § 213(b)(11), 42 Stat. 239. Although the *Revenue Act* uses the term “him” to refer to ministers of the gospel, presumably because at that time all ministers of the gospel were male, this assumption is not appropriate today.
- 5 I.R.C. § 107.
- 6 Cf., e.g. *Salkov v. C.I.R.*, 46 T.C. 190 (1966).
- 7 *Rev. Rul. 78-301*, 1978-2 C.B. 103.
- 8 *Treas. Reg. § 107-1(a)*.
- 9 Cf., e.g., *Silverman v. Commissioner*, 57 T.C. 727 (1972) (a full-time cantor of

Jewish faith was “minister of the gospel” within the meaning of this Section 107).

- 10 *Treas. Reg.* §1.1402(c)-5(b)(2)(i)-(v) provides the rules applicable to determining whether services are “performed by a minister in the exercise of his ministry.” Such services generally will include “the ministration of sacerdotal functions and the conduct of religious worship, and the control, conduct of religious worship, and the control, conduct, and maintenance of religious organizations (including the religious boards, societies, and other integral agencies of such organizations) under the authority of a religious body constituting a church or church denomination.” Among the factors considered by these rules are (1) the tenets and practices of a particular religious body, (2) that a religious organization is “dedicated to carrying out the tenets and principles of the faith in accordance with either the requirements or sanctions governing the creation of institutions of the faith,” (3) that a minister, if conducting worship or performing sacerdotal functions, is performing service in the exercise of his ministry whether or not performed for a religious organization, (4) that all service performed by a minister for an organization which is operated as an *integral agency* of a religious organization is in the exercise of his ministry, (5) that service performed by a minister pursuant to an assignment or designation by a religious organization constituting his church, even if performed for an organization that is neither a religious organization nor operated as an integral organization, will be in the exercise of his ministry, even though such service may not involve the conduct of religious worship or the ministration of sacerdotal functions.
- 11 The Jewish tradition contrasts sharply with the Catholic tradition on the role filled by ordination. In the Catholic tradition, valid ordination is a necessary component of priestly ministry. Only clerics may minister the sacraments of confession, the Eucharist, confirmation or anointing. Cf. Coriden, Green & Heintschel: *The Code of Canon Law: A Text and Commentary*, canon 965, canon 900, canon 882, canon 1003. The absence of a validly ordained cleric would result in the sacraments being invalidly administered. Only clerics, furthermore, may hold certain offices of governance within the Church (canon 274:1). The absence of a validly ordained bishop breaks this chain and results in Holy Orders being invalidly administered. Only a subsequent juridical act, known as a *sanatio in radice*, a “curing from the roots,” suffices to remedy this defect (see canons 1161-1165).
- 12 Cf. *Wingo v. Commissioner*, 89 TC 922 (1987). This case is quite important for the matter at hand, since, as noted by Bonito and Wittenbach: *Op. cit.*, the tax court ruled that:

the phrase ‘ordained, commissioned, or licensed’ is a disjunctive phrase. One who is not ordained can still be a minister if he or she is duly commissioned or licensed to be a minister. The regulations and case law do not distinguish between one ordination and another or between ordination and licensing. *Wingo*

was deemed a minister for purposes of Section 1402(c) because he was licensed as a pastor and ordained as a deacon and, *more importantly, because he assumed and performed all of the duties and functions of a minister during the years in question.*

- 13 This derives explicitly from the notations of Rabbi Moses Isserless (d. 1575) on the classical code of Jewish law, *Shulhan Arukh* (*Yoreh Deah* 245:22), which notes that one who lacks any formal external appointment to the rabbinate but functions in a position of authority, may not be readily removed. Similar sentiments can be found in the responsa of Rabbi Isaac ben Sheshet Perfect (*Rivash*, d. 1408) 271.
- 14 On the other hand, courts have repeatedly made it clear that if one's basic work was without any religious overtone, one is not entitled to the parsonage exclusion even if one is ordained. Thus, an administrator of a nursing home was not entitled to the parsonage allowance exclusion, even though the administrator was an ordained minister and operated nursing homes under a "fellowship" of Assemblies of God Church, since the administrator failed to show any objective manifestation of control over the nursing homes by the church and did not function as a minister. Cf. *Toavs v. Commissioner of Internal Revenue*, 67 T.C. 897 (1977). So too, an ordained Baptist minister employed by the Christian Anti-Communist Crusade (a nonreligious organization tax-exempt under section 501(c)(3) of this IRS code) was not entitled to a parsonage allowance exclusion for the same reason. Cf. *Colbert v. Commissioner*, 61 T.C. 449 (1974).
- 15 *Tech Adv. Mem.* 03-18-002 (May 2, 2003).
- 16 The test applied by the IRS in this Technical Advice Memorandum had previously been applied by the Tax Court in *Knight v. Commissioner*, 92 T.C. 199 (1989) [the taxpayer was not commissioned because no congregation or other body of believers was committed to his charge, and the duty of spreading the gospel, *either by sermon or teaching*, was not formally entrusted to his care], and *Wingo v. Commissioner*, 89 T.C. 911 (1987) [the court made a facts and circumstances determination that the duties performed by the taxpayer fell far short of a person performing duties of a minister of the gospel despite the church's formal commission of said taxpayer as "Commissioned Minister of the Gospel in Religious Education that he may receive benefits relative to the Social Security Act and Internal Revenue Services"].
- 17 A close case would be *Tanenbaum v. Commissioner*, 58 T.C. 1 (1972), where the American Jewish Committee employed an ordained rabbi as director of inter-religious affairs. The IRS ruled, however, that since he was not employed to perform any sacerdotal duties or conduct religious worship but to foster understanding of Judaism, and since the American Jewish Committee was constituted as tax-exempt educational (but not religious) organization, parsonage may not be granted.
- 18 *Rev. Rul.* 60-90, 1960-1 C.B. 387.

- 19 Consider the following certificate, which is very close to an ordination certificate:

Bais Yaakov Teachers' Seminary (Institute)

Teacher's Certificate

We hereby certify that \_\_\_\_\_successfully completed the course of instruction at Bais Yaakov Teachers' Seminary (Institute), and from this point forward (is) fit and certified to instruct and teach Torah to Jewish children and [unite] their hearts to love and fear God.

May she set the faithful, tender youth on a straight course and impress the path of life into their hearts. May God grant success in her hands to widen the tent of Torah and rule with perfection of heart over Jacob.

We attest to this by affixing our signatures on day \_\_\_\_\_of the month \_\_\_\_\_of the year \_\_\_\_\_[of the Jewish reckoning]

Signed, \_\_\_\_\_

The certificate issued by Yeshiva University is less theological, but still relevant. It states:

Yeshiva University

Graduate Program for Women in Advanced Talmudic Studies

Certificate of Achievement

[Name of student] has fulfilled a rigorous course of study in Talmudic and rabbinic texts and has satisfactorily completed all the requirements for the Graduate Program for Women in Advanced Talmudic Studies, supported by The Avi Chai Foundation, and has therefore earned the approbation of Yeshiva University.



Rabbi Bleich is Rosh Mesivta of Eshkol Academy,  
Rockville, MD

# THE HALAKHAH CORNER: MUSIC IN SCHOOLS DURING THE MOURNING PERIODS OF SEFIRAH AND THE THREE WEEKS

## I. Background

It is generally assumed that it is forbidden to listen to music during a portion of the period of *sefirah*<sup>1</sup> and during the Three Weeks between the seventeenth day of Tammuz and *Tishah be-Av* (or, more precisely, until midday of the tenth day of Av). Before examining the question of a possible exception to the prohibition when music serves an educational purpose, it is necessary to resolve the question of whether and under what circumstances it is permitted to play or to listen to instrumental music during the balance of the year.

The Gemara (Gittin 7a) cites Hosea 9:1 as establishing a prohibition against enjoyment of music subsequent to the destruction of the Temple. There is significant disagreement among early authorities with regard to the ambit of that prohibition. That topic has been analyzed extensively in an English-language article authored by Rabbi Aharon Kahn, "Music in Halachic Perspective," that appeared in the *Journal of Halacha and Contemporary Society*, XIV (Fall, 1987), 7-46. Hence, a brief synopsis of the sources will suffice.

## II. Prohibitions With Regard to Music

There are four basic views with regard to the permissibility of instrumental music throughout the year:

1. Rashi (Gittin 7a, s.v. *zimrah*), prohibits even vocal music in a banquet or drinking hall (*beit mishta'ot*). Tosafot (*ad locum*, s.v. *zimrah mena lan de-assur*) cite a statement of the

Palestinian Talmud in commenting that it is appropriate not to play music in situations *she-mitaneg be-yoter*, i.e., in situations in which the music will contribute to excessive enjoyment. Tosafot posit an exception to the prohibition in permitting instrumental music in conjunction with a religious observance. *Tur* (*Orah Hayyim* 560), as understood by *Bah*, maintains that the statements of Tosafot and Rashi are complementary rather than contradictory in nature. Accordingly, music is forbidden if either of two criteria obtain, i.e., the music is played in a banquet hall or the music leads to “excessive enjoyment.”<sup>2</sup>

2. Rambam (*Hilkhoh Ta'anit* 5:14) rules that because of ongoing mourning for the destruction of the Temple, it is always prohibited to listen to instrumental music. Rambam adds that even vocal music is prohibited if accompanied by the drinking of wine.<sup>3</sup> Rambam further remarks that, despite the general prohibition against vocal music when accompanied by wine, it is the accepted practice to sing praises to G-d and songs of thanksgiving over wine.<sup>4</sup>

3. In a responsum (Blau edition, number 224; Freimann edition, no. 370), cited by *Tur* (*Orah Hayyim* 560), Rambam rules that all music, vocal as well as instrumental, is prohibited even when not accompanied by wine. However, as explicitly noted by *Bah*, *ad locum*, even in this more stringent formulation, Rambam permits vocal singing of praises and thanksgiving to G-d. In terms of normative halakhah, Shulhan Arukh (*Orah Hayyim* 560:3) accepts Rambam's position as recorded in *Hilkhoh Ta'anit* and prohibits all instrumental music as well as vocal music when accompanied by wine. As did Rambam before him, Shulhan Arukh adds that it is the custom of all Jews to sing praises to G-d and to express thanksgiving vocally over wine.

*Bah* (*Orah Hayyim* 560) rules in accordance with the position of Rambam in his responsum and prohibits even vocal music whether or not it is accompanied by wine. The opinion of *Bah* is accepted by Magen Avraham (560:9) and cited by Mishnah Berurah (560:13).<sup>5</sup>

4. *Rema, ad locum*, cites authorities (*ve-yesh omrim*) who maintain that instrumental music is prohibited only if a) the music is played on a frequent basis (*ragil bahem*), as is the wont of kings who go to sleep and wake daily to the accompaniment of musical instruments or b) the music is played in a banquet hall.<sup>6</sup> *Rema* seems to permit vocal music even for a person accustomed to listening to or engaging in song on a regular basis.<sup>7</sup> Mishnah Berurah (560:12) emphasizes that all authorities are in agreement that, when accompanied by wine, even vocal music is prohibited.

It was because of the general prohibition against listening to instrumental music that one early authority, Rabbi Yosef Yospe Hahn (*Yosef Ometz* no. 890) decried the practice of wealthy individuals who were wont to engage tutors to teach their daughters to play musical instruments. That censure is echoed in contemporary times by Rabbi Samuel ha-Levi Woszner (*She'elot u-Teshuvot Shevet ha-Levi*, VI, no. 69).<sup>8</sup>

Rabbi Yechiel Ya'akov Weinberg (*Seridei Esh: Orah Hayyim* no. 16, sec. 20) criticizes the practice of attending musical concerts then prevalent among Jews in twentieth-century Germany. Rabbi Weinberg remarks that the German Jews who do so rely on the opinion cited by *Rema* to the effect that instrumental music is prohibited only in conjunction with a banquet or on a habitual basis.<sup>9</sup> Rabbi Weinberg concludes that, although one cannot censure those who are lenient, the consensus of halakhic authorities is that recreational enjoyment of instrumental music is forbidden.<sup>10</sup>

Nevertheless, common practice clearly follows the opinion cited by *Rema* to the effect that instrumental music is prohibited only at banquets and to those who seek musical pleasure on a regular basis.<sup>11</sup> The prevailing custom of leniency with regard to listening to instrumental music finds support in two other opinions. Mishnah Berurah, (*Sha'ar ha-Tziyun* 560:23) cites a gloss of *Rema* in his *Hagahot Mordekhai* (*Gittin* 1:1) commenting that restrictions upon instrumental music are applicable only when the music is played at a party where *only* wine is served; however, if both food and wine are provided,<sup>12</sup> there is no prohibition against listening to instrumental music even for one who has become accustomed to doing so.<sup>13</sup> *Sha'ar ha-Tziyun* remarks that perhaps one need not protest the conduct of those who are accustomed

to listening to music at their meals since they act in reliance upon the opinion of *Hagahot Mordekhai*.<sup>14</sup>

Furthermore, although Rambam explicitly states that the prohibition is rooted in ongoing mourning for the destruction of the Temple, Me'iri (Gittin 7a and Sotah 48a) maintains that the prohibition against music is predicated upon a concern that vulgar and lewd content may lead to frivolity (*kalut rosh*). Thus, according to Me'iri, instrumental music unaccompanied by song, or accompanied by songs whose content is neither vulgar nor lewd, is not included in the prohibition. Although halakhic codifiers do not cite this opinion (and indeed they did not have access to Me'iri's works), recent writers, such as Rabbi Ovadiah Yosef, cite Me'iri as grounds for leniency in listening to instrumental music provided that the accompanying songs are *shirei kodesh* whose content is edifying.<sup>15</sup>

It is commonly assumed that there is a prohibition against listening to music both during the period of *sefirah* and the Three Weeks. Shulhan Arukh (*Orah Hayyim* 493:1), however, records only a prohibition against solemnizing a marriage during the *sefirah* period. Similarly, Shulhan Arukh (*Orah Hayyim* 651:2) prohibits only weddings during the Nine Days while *Rema* adds that it is our custom to prohibit weddings during the entire three-week period commencing with the Seventeenth of Tammuz. Despite a ruling by Shulhan Arukh (651:4) forbidding haircuts during the week of *Tishah be-Av* which is extended by *Rema* to the entire Three Weeks, no mention is made in Shulhan Arukh of a prohibition against playing or listening to music during these periods.

Rabbi Aharon Epstein (*Teshuvot Kappei Aharon*, no. 52) comments upon this noteworthy omission and further notes that, despite the fact that the existence of such a prohibition is commonly presumed, there is no mention in Shulhan Arukh of a prohibition forbidding a mourner to listen to instrumental music.<sup>16</sup> Rabbi Epstein resolves these problems by pointing to the ruling of Shulhan Arukh (*Orah Hayyim* 560:3) to the effect that instrumental music is always prohibited; hence, he reasons, there was no need to record a ban in conjunction with the various periods of mourning. Although *Rema* (*Orah Hayyim* 560:3) does rule that for the purpose of a mitzvah, e.g., enhancing the rejoicing of the bride and groom, instrumental music is permitted, *Kappei Aharon* observes that the question of whether or not a similar relaxation of the

prohibition exists with regard to the bans against music during *sefirah* and the Three Weeks, and if so why it was omitted by Shulhan Arukh, is moot since during those time periods weddings are prohibited as well.<sup>17</sup>

Although no restriction regarding music during these various periods of mourning is recorded by Shulhan Arukh, nevertheless, Magen Avraham, both in his comments on the laws of *sefirah* (*Orah Hayyim* 493:1) and on the laws of the Three Weeks (*Orah Hayyim* 651:10), declares that it is prohibited to engage in dancing (*rikkudin u-meholot*) during those periods.<sup>18</sup> Magen Avraham's comments are cited by Mishnah Berurah (493:3 and 651:16). Mishnah Berurah similarly addresses only the issue of dancing, but fails to clarify whether or not it is permitted to play musical instruments.<sup>19</sup> Arukh ha-Shulhan (493:2) asserts that, since dancing is prohibited during these periods, *a fortiori*, it is prohibited to play musical instruments. A contemporary scholar, Rabbi Menasheh Klein (*Mishneh Halakhot* VIII, no. 188), fails to cite the comments of Arukh ha-Shulhan<sup>20</sup> but nevertheless similarly observes that if dancing is prohibited it is certainly also prohibited to play instrumental music during this period. According to those authorities, although there may well be a general prohibition against music, during the periods of *sefirah* and the Three Weeks there is an additional and more encompassing prohibition against listening to instrumental music or engaging in dancing even when unaccompanied by music because of mourning constraints observed during those periods.<sup>21</sup>

The consensus of halakhic authorities is that music is forbidden during these periods. Rabbi Moshe Feinstein (*Iggerot Moshe*, *Orah Hayyim* I, no. 166, *Yoreh De'ah* II, no. 137 and *Orah Hayyim* III, no. 87) states that, although the common practice is to rely on the opinion of the *Rema* in permitting instrumental music throughout the year other than in conjunction with a banquet or on a frequent and regular basis, the custom is to be stringent during *sefirah* in accordance with the view of Rambam and Shulhan Arukh who prohibit listening or playing instrumental music at all times. Rabbi Feinstein (*Iggerot Moshe*, *Orah Hayyim* IV, no. 21 sec. 4) also declares that the restrictions of *sefirah* apply during the Three Weeks as well and that even those who permit instrumental music throughout the year are in agreement that it is the custom to be stringent in this regard during both intervals. A similar analysis is presented by Rabbi Ovadiah Yosef (*Yehaveh Da'at* VI, no. 34).

Although Rabbi Wozner (*Shevet ha-Levi* VI, no. 69 and VIII no. 127) prohibits listening to music throughout the year, in the latter responsum he makes a point of emphasizing that listening to music during the Three Weeks is explicitly prohibited by Shulhan Arukh *Orah Hayyim*. (Presumably, his reference is not to Shulhan Arukh but to the previously cited commentary of Magen Avraham.) In a letter responding to Rabbi Schlesinger's leniency in permitting music during *sefirah* (published in *Eleh Hem Mo'adai*, no. 164, p. 97), Rabbi Wozner asserts: "With regard to the custom during the *sefirah* period, I am only capable of testifying to what I have seen and also heard from great scholars (*ge'onei olam*) who are meticulous in the custom of all the countries and who distance themselves from this [practice] and it is not for us to be lenient in this or in similar matters (*le-hakel rosh ba-zeh u-ka-yotzei bo*).<sup>22</sup>

### III. Studying Music during Mourning Periods

Whether music that is not played for enjoyment but for professional purposes, is also prohibited — particularly in situations in which refraining from such performances would result in financial loss — is questionable. The earliest halakhic authority to address this issue is Pri Megadim *Orah Hayyim* (*Eshel Avraham* 551:10), who states that a Jew whose livelihood is dependent upon playing music for non-Jews in a banquet hall may do so. He bases that ruling on the general rule that mourning restrictions are suspended in the case of a *davar ha'aved*, i.e., financial loss. Although foregone profit is not generally categorized as a *davar ha'aved*, Pri Megadim contends that such loss of profit is categorized as a *davar ha'aved* if the foregone profit cannot readily be recouped.<sup>23</sup> Rabbi Ya'akov of Lissa (*Derekh ha-Hayyim, Dinim ha-Nohagim me-Yud Zayin be-Tammuz ad ahar Tishah be-Av*, no. 1) qualifies the comments of Pri Megadim in stating that this leniency applies only until *Rosh Hodesh Av* but that during the Nine Days one should not play instrumental music even for professional purposes.<sup>24</sup> In contrast, R. Moshe Schick (*She'elot u-Teshuvot Maharam Schick, Yoreh De'ah* no. 368) understands Pri Megadim as ruling that one may play music for purposes of earning a livelihood even during the Nine Days.

A related issue arises with regard to a person studying music in order to become a professional musician, i.e., is the student required to forego instruction and music practice during these periods even though it

will constrain the student's professional development. Since a direct financial loss is not entailed, the principle of *davar he'aved* does not appear to apply and the issue is reduced to the question of whether music other than for purposes of pleasure is forbidden during these periods.

The comments of Maharam Schick in his earlier cited responsum with regard to the definition of *davar ha'aved* are instructive. Maharam Schick was queried with regard to the case of a father who had hired a music teacher to provide his children with instruction in playing an instrument but, subsequent to engaging the tutor, the children's mother passed away. Were the children permitted to continue their music lessons during this twelve-month period despite the fact that they were in mourning? As reported to Maharam Schick, the contractual agreement with the music instructor required that he be compensated regardless of whether the youngsters participated in the lessons. Essentially, the father's question was whether his financial loss, consisting of paying the tutor for a service he would not receive, constitutes grounds for allowing the children to attend their previously scheduled music lessons.

Based on the ruling of Pri Megadim that professional musicians may play during the Three Weeks, Maharam Schick suggests that if the orphaned children were studying music in preparation for a professional career, it would be permissible for them to continue with these studies because prohibiting them from doing so would constitute a *davar ha'aved* despite the fact that the loss was not imminent. However, Maharam Schick takes cognizance of the fact that in the case presented to him, the children were studying music simply for pleasure and not in preparation for a professional career. Accordingly, ruled Maharam Schick, study of music by the children during the period of mourning following the loss of their mother would constitute a double transgression, *viz.*, a violation of the mourning strictures devolving upon orphans and a violation of the regulations governing mourning for the destruction of the Temple as recorded in Shulhan Arukh (*Orah Hayyim*, 660:3). It is, however, evident that Maharam Schick was willing to extend the leniency of Pri Megadim with regard to playing music for immediate financial remuneration to include playing music for potential future profit.

At a later time, Rabbi Simchah Bamberger (*Zekher Simchah*, no. 67) similarly addressed the question of music instruction during the Nine

Days.<sup>25</sup> Rabbi Bamberger cites Pri Megadim and similarly rules that it is permissible for students to study music for the purpose of assuring themselves a future livelihood. However, Rabbi Bamberger observes that the permissive ruling of Pri Megadim applies from the Seventeenth of Tammuz until *Rosh Hodesh Av* but not necessarily to the Nine Days. Rabbi Bamberger further observes that, as recorded in *Orah Hayyim* (660:3), there is a general prohibition against playing music.<sup>26</sup> Accordingly, the leniency with regard to the study of music throughout the year must be based upon the consideration that studying music for the purpose of acquiring a means of earning a livelihood is permitted;<sup>27</sup> if so, that leniency should apply to the mourning incumbent during the Nine Days as well. Therefore, concludes Rabbi Bamberger, if any loss would result from cancellation of the lessons, whether financial loss to the instructor who would not be compensated or loss to the student whose professional development would be interrupted, stringency is not required and instruction in music may continue during the Nine Days. Rather surprisingly in light of his line of reasoning, Rabbi Bamberger concludes with the statement that during the week of *Tishah be-Av*, i.e., from *Shabbat Hazon* until after *Tishah be-Av*, one should desist from such instruction.

Rabbi Aharon Epstein (*Kappei Aharon*, no. 52) writes that he had heard that there are individuals who defend instruction in playing musical instruments and music practice on the grounds that such music is not played for purposes of pleasure but to develop a skill. In the opinion of *Kappei Aharon*, this leniency applies only to the general ban against music but not the music during *sefirah*, the Three Weeks or the twelve-month mourning period.<sup>28</sup> Rabbi Epstein's comments directly contradict the leniency suggested by Rabbi Bamberger.

Rabbi Bamberger's *Zekher Simhah* was posthumously published by his son, R. Zekel. In a gloss to this responsum, R. Zekel notes that his brother, R. Moshe Aryeh, observed that the position advanced by R. Bamberger with regard to the Nine Days had already been formulated by Maharam Schick in permitting instruction in music for professional purposes during the twelve-month mourning period for a parent and hence, if music instruction is permitted for professional purposes during that period, it must be permitted during the Nine Days as well.

None of the foregoing applies to music instruction provided by a school as an elective, as an extra-curricular activity or for aesthetic



purposes. The permissive rulings of Maharam Schick and *Zekher Simhah* are limited to music pursued for professional purposes which, if foregone, would result in a financial loss.

However, it would appear that there are other grounds for leniency. Rabbi Feinstein implies that music is not prohibited *per se*; rather, it is the pleasure derived from playing the music that is prohibited. Responding to the question of permissibility of music lessons during *sefirah*, Rabbi Moshe Feinstein (*Iggerot Moshe Orach Hayyim* III, no. 87) indicates that playing music is prohibited only because it is pleasurable and, accordingly, music instruction is permitted because the endeavor does not yield pleasure; quite to the contrary, the student often experiences instruction and practice sessions as tedious and even onerous. Rabbi Eliezer Waldenberg (*Tzitz Eli'ezer* XV, no. 33, sec. 1) advances a similar rationale as a factor in permitting the study of music despite the general prohibition. Rabbi Waldenberg contends that the prohibition against listening to music, as recorded in Shulhan Arukh (560:3), is a prohibition against playing instruments “to be gladdened by them.” Accordingly, he argues, since the student’s purpose is not pleasure or enjoyment, music lessons and practice are permitted.

In support of that contention, Rabbi Waldenberg cites R. Joshua Leib Diskin (*She’elot u-Teshuvot Maharil Diskin, Kuntres Aharon* no. 196) who writes that latter-day authorities were lenient in permitting a musician to play professionally. Maharil Diskin argues that the principle formulated by the Gemara (Bava Metzi’a 91a and Avodah Zarah 20b) in declaring that a workman or artisan “is preoccupied with his work” (*de-avideteih tarid*) serves to establish that the musician’s preoccupation with his performance precludes him from experiencing pleasure. Tzitz Eli’ezer asserts that it is for this reason that Pri Megadim allows professional musicians to perform during the Three Weeks.

However, a careful reading of the comments of Pri Megadim does not support the reasoning of Tzitz Eli’ezer. Pri Megadim focuses simply upon the financial loss involved but fails to comment upon any diminution of pleasure on the part of a professional musician. Similarly, as previously noted, Maharam Schick and *Zekher Simhah* expand Pri Megadim’s definition of financial loss, without giving any indication in their comments that the ruling is predicated upon lack or diminution of pleasure. *She’elot u-Teshuvot Maharam Schick, Yoreh De’ah* (no. 368),

who is not cited by Tzitz Eli'ezer, explicitly declares that Pri Megadim did not permit professional musicians to play music on the grounds that they do not derive pleasure from their performances.<sup>29</sup>

A practical distinction arises from the difference between the rationale formulated by Maharam Schick and Zekher Simhah and the considerations advanced by Rabbi Feinstein and Rabbi Waldenberg. It is quite usual for schools to offer music instruction, not for purposes of professional training, but simply for the purpose of aesthetic appreciation and cultural development.<sup>30</sup> Students who participate in music classes generally do not do so for pleasure; hence, the activity would be permitted according to Rabbis Feinstein and Waldenberg. However, since such study is not undertaken for the purpose of developing professional skills, according to Maharam Schick and Zekher Simhah, such classes would be prohibited during periods of mourning.<sup>31</sup>

Rabbi Betzalel Stern finds further support for the thesis that playing music is permitted if one does not derive pleasure therefrom, in the statement of the Gemara (Sotah 48a) as interpreted by Rashi. The Gemara distinguishes between various types of songs and declares that the song sung by those who pull a boat by its ropes to enable themselves to work more efficiently (*zimra de-nagdi*) and the song that is played while plowing with cattle so that the cows plow in rhythm with the song (*zimra de-bakri*) is permitted, whereas the song of weavers (*zimra de-gald'ai*) is prohibited since the latter music is designed simply for pleasure. Thus, according to Rashi's interpretation cited by Bet Yosef (*Tur Orah Hayyim* 560), songs that are sung to render labor more efficient are permitted; only a song that is played solely for pleasure is forbidden.<sup>32</sup>

Rabbi Stern argues that, *mutatis mutandis*, music played for professional purposes should also be permitted. Accordingly, Rabbi Stern permits playing instruments throughout the year in order to develop skills but, on the basis of the ruling of Pri Megadim, rules that a student should not play instruments during the Nine Days. Rabbi Stern maintains that during the Nine Days even music not played for pleasure is prohibited but nevertheless accepts Maharam Schick's understanding of Pri Megadim and rules that for the proximate purpose of earning a livelihood one may play music even during the Nine Days.

Nevertheless, Rabbi Stern forbids music instruction and practice during the Nine Days even for aspiring professionals. Although Rabbi

Stern concedes that music practice is essential for the development of skills, he asserts that neglecting music practice for such a short period will not have an adverse impact on development of skills. That contention is, of course, open to challenge on factual grounds.<sup>33</sup>

It would appear to this writer that the reason no other authority cites Sotah 48a as a source permitting the study of music is that, in situations such as pulling a boat or leading cattle, the primary purpose of the music is to facilitate efficiency in carrying out a tedious task and any pleasure is entirely secondary. The laborer's concentration is focused on the task at hand rather than upon the music. However, when engaged in the study of music, even if the student is not intent on enjoyment of the music, his or her attention is focused primarily upon the music itself. Consequently, it may be argued that the study of music is prohibited since enjoyment is inherent in the playing even if the student is engaged only in practice.<sup>34</sup>

Rabbi Shlomo Zalman Braun (*She'arim Metzuyanim be-Halakhah* 122:2) also rules permissively with regard to music practice prior to *Rosh Hodesh Av*. Similarly, R. Ephraim Greenblatt (*No'am*, XI (1978), 195-196, sec. 53) cites an oral report to the effect that Rabbi Eliyahu Meir Bloch ruled that children are permitted to study music during *sefirah* and the Three Weeks since such study is not undertaken for pleasure. Rabbi Greenblatt expresses doubt with regard to whether this leniency is applicable during the Nine Days as well and writes that the person who transmitted the oral report did not remember whether Rabbi Bloch's ruling also extended to the Nine Days.

Rabbi Ya'akov Kaminetzky (*Emet le-Ya'akov al Arba Helkei ha-Tur ve-ha-Shulhan Arukh* 651, sec. 508) maintains that, although one is permitted to study music during the Three Weeks, nevertheless, it is appropriate to refrain from doing so because the permissibility of music under such circumstances is not a matter of common knowledge and a person is obligated to refrain from activities that would cause others to form a negative opinion of him. In light of that consideration, if a school does choose to conduct music classes during this period or during *sefirah*, it would certainly be appropriate for the school to provide a written explanation of the halakhic sources and reasoning upon which the school's policy is based.

Rabbi Ya'akov Yitzchak Fuchs (*Halikhot Bat Yisra'el* 24:5) extends this leniency to other school activities. He advises that if a class is

preparing a skit or a project that entails singing or dancing, the students may practice the skit during *sefirah* provided that the students are young and the practice is conducted in a secluded place. Rabbi Fuchs explains that such projects are not undertaken for pleasure and hence such music is permissible during *sefirah*. He similarly advises that if, in conjunction with classroom instruction, there is occasion to play an educational tape that contains a brief musical selection, such music is permissible since the primary purpose is education rather than enjoyment.<sup>35</sup> In light of Rabbi Fuchs' acceptance of the position that only music played for pleasure is forbidden, Rabbi Fuchs' restriction of such activity to young children is puzzling.<sup>36</sup>

## NOTES:

1. The period of mourning is limited to thirty-three days of the forty-nine day *sefirah*. There are variant customs with regard to which thirty-three days are observed as days of mourning. See Bi'ur Halakhah (*Orah Hayyim* 493:3).
2. Although it is clear that instrumental music is prohibited under these circumstances according to both Rashi and Tosafot, it is not readily evident whether those authorities would regard vocal music as prohibited as well. For a fuller analysis of this question, see Rabbi Kahn, "Music in Halachic Perspective," pp. 30-32.
3. Rambam is understood in this manner by Tur (*Orah Hayyim* 560). For other interpretations of Rambam's position see Rabbi Ovadiah Yosef (*Yehaveh Da'at*, I, no. 45) and Rabbi Kahn, pp. 17-19.
4. Presumably, the practice of reciting praises over wine is based on the assumption that mourning the destruction of the Temple is not a constraint preventing expression of gratitude to G-d. Cf. R. Kahn, pp. 11-12, note 4.
5. Magen Avraham (560:10) prohibits all music, including vocal music, except for *zemiroth* of Shabbat that are sung as praise to G-d. Magen Avraham's position seems to be more extreme than that of Rambam (even in his responsum) who apparently maintains that all songs of thanksgiving and praise of G-d are permitted. Rabbi David Abraham of Buczacz (*Eshel Avraham Tinyana*, Magen Avraham 560:9) indicates that Magen Avraham's limitation of the category of songs of praise and thanksgiving to Sabbath songs is a pietistic stringency. See also *Yehaveh Da'at* I, no. 45. Nevertheless, Magen Avraham's concluding remark, *viz.*, "other *piyyutim* are prohibited," would indicate that Magen Avraham's statement regarding *zemiroth* is not merely a *middat hasidut* but a matter of normative halakhah. For a further discussion of the position of Magen Avraham see Rabbi Nathan Gestetner: *She'elot u-Teshuvot Le-Horot Natan* (IV, no. 45).
6. The position of *Rema* is apparently predicated upon the position of Rashi and Tosafot (*Gittin 7a*) as understood by Tur 560. That understanding of Rashi and

- Tosafot is subject to dispute. See, for example, Rabbi Moshe Feinstein: *Iggerot Moshe (Orah Hayyim I, no. 166)*, who argues that the position of Rashi and Tosafot can be explained in a manner differing from that of *Rema*. See also the comments of *Bah* (*Orah Hayyim 560*), who understands Rashi and Tosafot as prohibiting even vocal music when performed on a regular and frequent basis.
7. *Rema* does not stipulate the frequency that establishes the practice as “habitual” or “regular” (*ragil*). Rabbi Shmuel Baruch Genut: *Shilhei de-Kaita* (Israel, 2001; p. 40), cites an oral report of a ruling attributed to Rabbi Samuel ha-Levi Wosznier defining “habitual” as once in three days. Rabbi Genut further reports that, according to Rabbi Chaim Kanievski, *ragil* is to be defined as one who listens to musical instruments on a regularly scheduled basis (*bi-keviyut*).
  8. For a defense of the practice see Rabbi Moshe Sternbuch: (*Teshuvot ve-Hanhagot I, no. 333*) and Rabbi Eliezer Yehudah Waldenberg: *Tzitz Eliezer XV, no. 33, sec. 1*). Both authorities also disagree with Rabbi Hahn’s assessment that the purpose of such instruction is solely enjoyment of music. They assert that the purpose of music instruction, at least in contemporary times, is not necessarily to promote pleasure but to develop proficiency as a musician and thereby to acquire a means of earning a livelihood. Cf. Rabbi Avrohom Horowitz: *She’elot u-Teshuvot Kinyan Torah be-Halakhah II* (Strassberg, 1987; no. 99, sec. 1), who assumes (probably correctly) that music studies in Jewish schools are undertaken for pleasure and not for professional purposes (*le-shahtzanut be-alma*).
  9. Cf. Rabbi Moshe Feinstein: *Iggerot Moshe (Yoreh De’ah, II, no. 137)*, who argues that, according to *Rema*, instrumental music is prohibited at any public gathering at which music is designed to promote *simhah yeteirah* or excessive rejoicing. It appears that concerts are of that nature. See also Rabbi Sha’ul Kossowsky-Shachor: *Devar Sha’ul (Sotah, no. 73)*, who advances a similar argument.
  10. Cf. *Tzitz Eli’ezer (XV, no. 33, sec. 1)*, who notes that the normative halakhah is in accordance with the position of *Rema*.
  11. See, for example, *She’elot u-Teshuvot Kappei Aharon (no. 52)* and *Tzitz Eli’ezer (XV, no. 33, sec. 1)*.
  12. Similarly, when there is no wine, and thus no party, it appears that *Hagahot Mordekhai* would permit instrumental music.
  13. For differing rationales underlying this opinion see *Sha’ar ha-Tziyun, ad locum* and *Yehaveh Da’at (I, no. 45)*.
  14. Rabbi Ya’akov Breisch: *She’elot u-Teshuvot Helkat Ya’akov* (Tel Aviv, 1992; *Orah Hayyim no. 64, sec. 2*), states that Mishnah Berurah cites *Hagahot Mordekhai* as establishing the normative rule. However, a careful reading of Mishnah Berurah would indicate that he does not rule in accordance with the position of *Hagahot Mordekhai*, but simply cites that view as an argument justifying failure to protest the practice of those who listen to music while they partake of meals. Rabbi Breisch’s language is imprecise.
  15. See *Yehaveh Da’at (I no. 45 and VI no. 34)*.
  16. Rabbi Epstein notes that although *Rema, Yoreh De’ah (391:3)*, permits a

mourner to attend a wedding ceremony, he prohibits the mourner from being present during nuptial festivities accompanied by musical instruments. *Kappei Aharon* observes that prohibiting attendance while music is being played at a wedding does not necessarily lead to the conclusion that listening to instrumental music other than at a wedding is prohibited. Music at a wedding certainly generates a far greater degree of joy than instrumental music in other contexts. Hence, there is no source in *hilkhot aveilut* specifically indicating that a mourner is forbidden to listen to instrumental music.

17. This analysis would appear to be cogent according to Shulhan Arukh who prohibits instrumental music under virtually all circumstances. However, according to *Rema*, who prohibits instrumental music only when played in a banquet hall or on a frequent and regular basis, it would appear that the prohibition against listening to music during *sefirah* and the Three Weeks is broader in nature and should have been recorded by *Rema*. *Kappei Aharon* explains the omission by asserting that even *Rema* maintains that the halakhic consensus is always to prohibit instrumental music whereas the opinion limiting the prohibition to music in a banquet hall and to playing music on a regular and frequent basis is only a minority view (*yesh omrim*). Cf. *Tzitz Eli'ezer* (XV, no. 33, sec. 1).

Moreover, the issue is relevant with regard to music in conjunction with a *se'udat mitzvah* other than a wedding. *Kappei Aharon's* analysis is consistent with his understanding that *Rema* permits music only at a wedding but not at other *se'udot mitzvah*. That view was earlier formulated by *Kitzur Sefer Hareidim* (Chap. 5: *Mitzvot Aseh ve-lo Ta'aseh mi-Divrei Soferim ha-Teluyot be-Oznayim*, no. 7). See also *Hayyei Adam* (137:3). Most authorities, however, understand *Rema* as permitting music at all *se'udot mitzvah*. See *Piskei Teshuvot* (560:12).

18. For a definition of the various types of dancing that are prohibited as *rikkudin u-meholot*, see Rabbi Zevi Cohen: *Bein Pesah le-Shavu'ot* (Jerusalem, 1984; chap 15, note 1). Cf. the comments of an anonymous scholar cited by Rabbi Eliyahu Schlesinger: *Eleh Hem Mo'adai* (no. 144, p. 304), to the effect that the prohibition against *meholot* explicitly denotes a ban against playing musical instruments. See, however, the analysis of Rabbi Schlesinger (*ibid.*, p. 305), who cogently demonstrates that this definition of *meholot* is far-fetched.
19. *Kappei Aharon* (no. 52) raises the obvious objection that since Magen Avraham (560:9) follows *Bah* in ruling that instrumental and even vocal music is always prohibited, it should be unnecessary specifically to prohibit dancing during the *sefirah* period and the Three Weeks. *Kappei Aharon* offers two possible explanations: (1) Magen Avraham intends to declare that not only is music prohibited during these periods as it is throughout the entire year, but even dancing, without musical accompaniment, which is normally permitted, is prohibited. (2) Although Magen Avraham himself rules in accordance with the opinion that music is prohibited throughout the year, he was aware that the common practice is to rely on *Rema* in permitting instrumental music unless played in a banquet hall or on behalf of a person accustomed to listening to

- music. Accordingly, Magen Avraham asserts that, even according to the common practice, during the mourning periods of *sefirah* and the Three Weeks, dancing – and surely music as well – is prohibited.
20. See, however, Rabbi Ephraim Greenblatt: *No'am* XI (5728, p.139), who cites Arukh ha-Shulhan as an unequivocal source establishing a prohibition against instrumental music during *sefirah*. Rabbi Greenblatt notes that, although Mishnah Berurah prohibits dancing, he does not make any explicit reference to music. It should be noted that Arukh ha-Shulhan (*Orah Hayyim* 651:8) also declares that it is prohibited to dance in the Three Weeks but makes no mention of playing musical instruments. It would appear that, since Arukh ha-Shulhan (*Orah Hayyim* 493:2) declares that when dancing is prohibited, musical instruments are also prohibited *a fortiori*, it follows that in light of the ruling of Arukh ha-Shulhan (651:8) prohibiting dancing during *sefirah*, it is self-understood that he regards musical instruments to be prohibited as well.
  21. See *Kappei Aharon* (no. 52) and Rabbi Betzalel Stern: *She'elot u-Teshuvot be-Tzel ha-Hokhmah* VI (no. 61, sec. 12). *Be-Tzel ha-Hokhmah* further asserts that, even according to Shulhan Arukh who prohibits instrumental music throughout the year, there is an additional prohibition against playing music during these mourning periods. For a practical ramification of the question of whether there are one or two prohibitions with regard to playing music during these periods see *Be-Tzel ha-Hokhmah*, *ad locum*.
  22. For a list of additional sources prohibiting music during *sefirah* see *Piskei Teshuvot* (493:4 and *ibid.*, note 30); R. Zevi Cohen: *Sefer Bein Pesah le-Shavu'ot* (chap. 15, no. 7 and *ibid.*, note 7); and Rabbi Gavriel Zinner: *Nit'ei Gavri'el (Hilkhhot Pesah* vol. III, no. 53:1). With regard to the Three Weeks, see *Piskei Teshuvot* (651:13) and *Nit'ei Gavri'el: Bein ha-Metzarim* (chap 15, note 1).
  23. See also Pri Megadim: *Mishbetzot Zahav* (537:3).
  24. *Ben Ish Hai: Shanah Rishonah, Parashat Devarim* (no. 5) and *Kitzur Shulhan Arukh* (122:1) appear to understand Pri Megadim in a manner similar to *Derekh ha-Hayyim. Bi'ur Halakhah* (651:2), s.v. *mem'atin be-masa u-matan*, also cites the comments of *Derekh ha-Hayyim*. Pri Megadim also remarks that it may be the case that on the Seventeenth of Tammuz and on the Tenth of Tevet one should observe mourning restrictions comparable to those of the Nine Days. *Ben Ish Hai* adds that one should desist from playing music professionally during the evening of the Tenth of Tevet. *Bi'ur Halakhah* (651:2, s.v. *me-rosh hodesh 'ad ha-ta'anit*) seems to imply that the stringencies of the Nine Days apply to those fast days and hence the prohibitions against bathing and washing one's clothes are applicable on those days as well. Cf., Rabbi Yechiel Avraham Zilber: *Birur Halakhah (Orah Hayyim* 651:2), who expresses perplexity regarding a source for application of the stringencies of the Nine Days to those fast days.
- Piskei Teshuvot* (650:6) notes that Mishnah Berurah himself, in his *Sha'ar ha-Tziyyun* (650:8), cites Pri Megadim: *Mishbetzot Zahav* (650:1) as permitting

bathing in cold water on a fast day despite the fact that such bathing is prohibited during the Nine Days. *Piskei Teshuvot* contends that *Bi'ur Halakhah* (651) did not intend to rule that the Seventeenth of Tammuz has a status identical to that of the Nine Days but is simply recommending a pietistic practice. See also the note of Rabbi Waldenberg, appended to Dr. Abraham S. Abraham: *Nishmat Avraham I* (note 10), in his comment on *Orah Hayyim* (650:4, p. 343) who opines — based on the remarks of Pri Megadim: *Mishbetzot Zahav* (650:1) — that Pri Megadim himself is of the opinion that those fast days do not have the status of the Nine Days and his comment in *Orah Hayyim* (651) is merely a citation of the position of another authority, *Eliyahu Rabba* (651:1).

Nevertheless, it is apparent from the comments of *Derekh ha-Hayyim*, *Ben Ish Hai* and *Kitzur Shulhan Arukh* as well as of *Da'at Torah* (651:2, s.v. *ve-ain osin se'udot eirusin*), that each of those authorities interprets Pri Megadim as ascribing the stricter status of the Nine Days to the Seventeenth of Tammuz and the Tenth of Tevet with regard to music and prohibiting even professional musicians from playing on those days. See also Rabbi Yechiel Avraham Zilber: *Birur Halakhah* (651:2). Cf. *Piskei Teshuvot* (650: note 21).

It would appear that Pri Megadim certainly intended to exclude *Ta'anit Esther*, which is a commemorative fast with which no mourning practices are associated. This also appears to be the opinion of Rabbi Ya'akov Yisra'el Fisher: *She'elot u-Teshuvot Even Yisra'el VII* (no. 28), as well as of Rabbi S. Z. Auerbach: *Halikhot Shlomoh II (Mo'adim; 18:6)*. See also *op. cit.*: *D'var Halakhah* (no. 9). Nor, apparently did Pri Megadim intend to include the Fast of Gedaliah in these strictures and none of the authorities who cite Pri Megadim as forbidding music on the Seventeenth of Tammuz and the Tenth of Tevet mentions such a restriction with regard to the Fast of Gedaliah. Hence, it stands to reason that those authorities would permit music on the Fast of Gedaliah, at least for professional purposes. That conclusion is cited in the name of Rabbi Shlomo Zalman Auerbach by *Nishmat Avraham I* (650:4). *Nishmat Avraham* does not provide any explanation with regard to why observance of the Fast of Gedaliah should not be as stringent as the Seventeenth of Tammuz or the Tenth of Tevet. See also R. Shlomo Zalman Auerbach: *Halikhot Shlomoh II (Mo'adim; chap. 18, Orhot Halakhah, no. 23)*.

Perhaps the reason why mourning restrictions were not ordained for the Fast of Gedaliah is that it has a status of a *ta'anit nidheh*, i.e., a postponed fast. Gedaliah was assassinated on *Rosh ha-Shanah*. Since the Sages did not want to ordain a fast on that day, they delayed the fast until the Third of Tishrei. *Taz (Orah Hayyim 549:1)*, advances the novel thesis that, since the fast does not occur on the day on which it should have been established, this fast has the status of a *nidheh*.

Although *Taz* rejects this notion and concludes that since from the inception of the fast, the Sages established the Third of Tishrei to commemorate the tragedy, it became a regular fast day and not a *nidheh*. Nevertheless, *Eliyahu Rabba (Orah Hayyim 549:6)*, citing *Teshuvot Rosh Yosef*, maintains that the Fast



of Gedaliah has the status of *nidheh*. For a further discussion of whether the Fast of Gedaliah has the status of *nidheh*, see *Sha'arei Teshuvah* (*Orah Hayyim* 549:1); *Matteh Efrayim* (602:3), *Ketzei ha-Matteh* (602:3) and *Elef ha-Matteh* (602:1); *Da'at Torah* (550:3); *Bi'ur Halakhah* (*Orah Hayyim* 549:1, s.v. *hayyavim le-hit'anut*); *Arukh ha-Shulhan* (549:4); and *Kaf ha-Hayyim* (549:5).

In light of the fact that Pri Megadim: *Eshel Avraham* (651:10), cites *Eliyahu Rabbah* (651:1) as the source for his ruling that mourning restrictions apply on *Asarah be-Tevet* and *Shivah Asar be-Tammuz*, it would follow that *Eliyahu Rabbah*, and hence Pri Megadim, purposely omitted mention of the Fast of Gedaliah because of its status as a *nidheh*.

According to this analysis, when *Shivah Asar be-Tammuz* occurs on Shabbat and the fast is observed on Sunday, the stringencies of the Nine Days would not apply. The Tenth of Tevet cannot occur on a Sabbath in our current calendrical system. See Mishnah Berura (*Orah Hayyim* 650:8).

25. *Zekher Simhah* explains that Pri Megadim prohibits a Jew to play music in non-Jewish banquet halls during the Nine Days even for purposes of earning a livelihood because such music is designed to promote joy for the non-Jewish customers and hence the music itself represents an act of joy.
26. The reference 659:3 in *Zekher Simhah* is a typographical error and should read 660:3.
27. Presumably, Rabbi Bamberger's argument is based upon the fact that regularly scheduled music lessons should be classified as *ragil* and hence prohibited even according to the more lenient position of *Rema*.
28. Although *Kappei Aharon* does not explain why this leniency should not apply during these periods of mourning, Rabbi Betzalel Stern: *Be-Tzel ha-Hokhmah* VI (no. 61, sec. 12) argues, in a different context, that there are other leniencies applicable to the prohibition of playing music throughout the year but which are not applicable during the mourning periods of *sefirah*, the Three Weeks and the prescribed mourning periods for relatives. During those periods two prohibitions are applicable, viz, the general prohibition against playing music and the prohibition against playing music because of the mourning associated with those periods.
29. Maharam Schick's position is supported by the terminology employed by Shulhan Arukh (560:3) declaring that musical instruments are prohibited *lismo'ah bahem*. The implication is that one may not play music when the purpose is to generate joy regardless of whether the individual playing does, or does not, actually enjoy the music. This inference would, however, exclude from the prohibition sad tunes and songs that are mournful in nature. Cf. *She'elot u-Teshuvot Be-Tzel ha-Hokhmah* (no. 61, sec. 11), who cites Maharam Schick's opinion that playing of music is prohibited even if one derives no pleasure from the music and disagrees with that position.
30. See also Rabbi Aharon Kahn, pp. 34-35, who cites an oral report that Rabbi David Zevi Hoffmann and Rabbi Joseph B. Soloveitchik both maintained that

- the prohibition against listening to music throughout the year does not apply to music not designed for purposes of pleasure.
31. Rabbi Waldenberg permits music instruction only in order to develop professional skills for purposes of earning a livelihood or in order to perform at a *se'udat mitzvah*, but does not appear to permit study of music merely as an academic pursuit.
  32. Cf. the comment of *Arukh* cited in the margin of the Gemara and published in *He-Arukh al ha-Shas: Nashim-Nezikin*, ed. Meir Meisels (Bnei Brak, 1992), stating that the distinction between *zimra de-gald'ai* and other forms of music described by the Gemara is that the prohibited music was blasphemous in nature, whereas those who sang while working with boats or cattle played songs whose lyrics contained no inappropriate content. According to this analysis, it is not the accompanying activity that renders the music permissible but its content.
  33. Cf. Rabbi Ya'akov Emden: *Siddur Bet Ya-akov; Dinei Tishah be-Av* (*halon vav*, no. 10), who asserts that people who pull boats and lead cattle sing in a very "thick voice" that is not melodious. According to this interpretation, all melodious singing that provides musical pleasure is prohibited even if the music is secondary to some other purpose. Rabbi Stern demonstrates that the consensus of opinion is to permit music if the primary purpose is not for pleasure, contrary to the position of R. Ya'akov Emden.
  34. Cf. Rabbi Yekutiel Yehudah Halberstam: *She'elot u-Teshuvot Divrei Yatziv II* (no. 246), develops a somewhat similar line of reasoning in rebutting the contention that it is permitted to listen to music for therapeutic purposes even on *Tishah be-Av* just as it is permitted to bathe for a therapeutic purpose on *Tishah be-Av*. Rabbi Halberstam asserts that the two cases are readily distinguishable: when bathing for therapeutic purposes, the curative effect lies in the bathing and any pleasure is entirely coincidental, whereas in listening to music for therapeutic purposes the curative effect occurs by means of the pleasure afforded by the music. Although he accepts the distinction, Rabbi Halberstam rules permissively in allowing music on behalf of a sick person.
  35. See *Halikhot Bat Yisra'el* (24:5, note 14). For a further discussion of Rabbi Fuchs' comments see Rabbi Joel Schwartz: *Aveilut ha-Hurban* (p. 81, note 21:1); cf., however, *Nit'ei Gavri'el: Bein ha-Metzarim* (15:14-16) and *Nit'ei Gavri'el: Hilkhhot Pesah III* (53:4).
  36. Cf. however, R. Zevi Cohen: *Bein Pesah le-Shavu'ot* (15:7), who cites the orally delivered opinion of Rabbi Wozner prohibiting all forms of music even if not played for pleasure and prohibits such music even for children in kindergarten who presumably have not yet reached the age of *hinukh*.

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# **CURRICULA AND WEB-BASED MANAGEMENT SYSTEMS: THE ANGEL<sup>1</sup> PROJECT**

## **Preface**

Much of what we do every day as educators involves communication. Homework and tests, for example, are communications between students and teachers. Classroom discussions represent communication among all participants in the classroom. Textbooks represent communication between a book and the student. Lectures are communication between teacher and students. Teachers' meetings represent teacher to teacher communication. And so forth.

In recent years, computers and the internet have begun to play an increasingly important role in facilitating communication. E-mail and instant messaging are just two examples of person-to-person communication. Discussion groups, including "*chat rooms*," abound. All of these applications are separate. Each one presents a different interface to the user, and each one has a learning curve which often discourages the busy educator.

Web-based management systems are a new class of computer tools that offer multiple communication applications. Rather than having to select a smorgasbord of different computer applications, such as a discussion package, an e-mail package, a grade book package, or a testing package, web-based management systems encompass them all. At the core of this tool is the internet, and its use permits teachers to

consider instructional strategies in a new way. There are a number of web-based management systems on the market. To date, the most successful have been WebCT<sup>2</sup> and Blackboard.<sup>3</sup> A newer one, called ANGEL,<sup>4</sup> is presently being used at Yeshiva University.

Web-based management systems were originally developed to support distance learning courses by mimicking many aspects of the “traditional” instruction process, and our early experiments indicate that incorporating this software into “traditional” classrooms also improves the effectiveness of the “traditional” classroom. The availability of computers and the internet in schools, in homes, and in public institutions, like libraries, makes access to web-based management systems easily available to every student, teacher, parent and administrator.

### History of the ANGEL Project

During the summer of 2003, under the auspices of the Azrieli Graduate School of Education at Yeshiva University, a group of practicing teachers was trained in the use of ANGEL.<sup>5</sup> Subsequently, a pilot project using ANGEL in the schools employing these teachers (K-12)<sup>6</sup> was initiated. The specific objectives of the pilot study were to examine how students reacted to this technology and the problems that occurred when this technology was integrated into the classroom. The pilot project was conducted under the auspices of the Association of Modern Orthodox Day Schools (AMODS).

The hypothesis of the pilot project was that web-based management systems could be effectively used in day school education. In the pilot classrooms, ANGEL was used by teachers, students, and administrators to lead discussions, for e-mail, to disseminate course materials, test, record grades, etc. If the students in the pilot schools reacted positively to this technology and no serious problems occurred in integrating the technology, then the pilot project would be considered a success and would become a model for further integrating this technology into Jewish education.

By December 2003, the pilot project was already considered a success. Students had no trouble adapting to the technology and enjoyed using it, and the teachers using the technology did not encounter any serious difficulty in adapting it to their classrooms. Indeed, they

wanted unanimously to continue the project in their classrooms. At that point, AMODS decided to establish its own ANGEL resource which would be dedicated to serving the needs of Jewish schools in the United States, Canada, Israel and elsewhere - wherever the World Wide Web is available. The software was ordered in March 2004, and became operational in August, by which time the second Azrieli course had been completed and a new core of teachers<sup>7</sup> had been trained.

As of March 2005, close to twenty schools have joined the ANGEL project. The responses of administration, students and teachers have been very positive, and the project has been renewed for the 2005-2006 school year.

While the emphasis in the first two years of the project reflected the original goals of the pilot mentioned above, i.e. to expand the network of schools to continue to examine in these schools how students reacted to this technology and the problems that occurred when this technology was integrated into the classroom, in year three we are looking towards something more.

There are many ways in which ANGEL has been used by classroom teachers to facilitate teacher-to-student communication including e-mail, announcements, the calendar, and other features that we will describe towards the end of this article. What is unique to ANGEL, however, is its potential for student-to-teacher communication: classroom discussions, quizzes and tests, worksheets and other types of homework assignments. Because there are no standardized curricula in *limmudei kodesh*, teachers are often left to fend for themselves. The problem is further exacerbated — especially with regard to novice teachers — on account of a lack of inter-school and even intra-school communication. The primary focus of this paper is to demonstrate how ANGEL addresses these problems.

## A Definition of ANGEL

ANGEL is a web-based course management and collaboration portal that enables educators to manage course materials and to communicate quickly, easily, and effectively with their students. ANGEL can function both as a complement to traditional courses and as a site for distance learning. With ANGEL, you can post documents online, such as your course syllabus; ad-

minister surveys, quizzes, and tests; send and receive course mail; establish and monitor discussion forums and chat rooms; receive and grade uploaded assignments using online drop boxes; create teams for discussion or for special projects; and more.<sup>8</sup>

One can read through the 244 page manual from which this is extracted and still have no real idea of the power of ANGEL for helping classroom teachers teach and their students to learn. In order to bring home the potential of web-based management technology, we will focus on its use as a curriculum tool. While ANGEL incorporates many tools that the practicing teacher can use (and these will be described later on in this paper), its real strength lies in its being able to implement a curriculum. Curriculum materials can be developed by teachers, school systems, organizations and then placed on the ANGEL system as resources. In particular, the action verbs used in specifying curriculum objectives can be transformed into resources that can be used immediately by the teacher for student-teacher communication.

ANGEL offers four major tools for eliciting feedback from students. These tools were originally introduced to simulate analogous tools in traditional instruction, but they have evolved into very powerful student-teacher resources for use both in distance learning as well as traditional instruction. These tools are: asynchronous discussion, the drop box, a system for objective testing, and a system for conducting surveys.

*Asynchronous discussion* was introduced into ANGEL to simulate classroom discussion. Teachers use classroom discussion with only marginal effectiveness. This is certainly the case in grade school. Ideally every student should participate, but that is usually not the case. Frequently there is not even sufficient time for the participants to prepare and transmit their ideas. Asynchronous discussion, on the other hand, permits the teacher to require participation of all students. There is the time and the incentive — a grade — for this to take place. Students can develop responses to their satisfaction. Anecdotal evidence indicates that students enjoy this approach and are comfortable with it.

The *drop box* is a software tool for submitting homework assignments, but it, too, offers many advantages over its analogue in the traditional classroom. Students can submit assignments in any form

including multi-media (we will discuss the submission of sound files for reading), and all submissions are retained in the drop box. The teacher can establish the dates that assignments are due and these appear in the ANGEL calendar. ANGEL permits identifying which students have completed the assignment, as well as those who have not, and offers the option of sending personalized e-mails to these students. Feedback mechanisms are built in.

The third tool is a *quizzing and testing system*. Here, too, ANGEL has gone far beyond traditional testing by making available the software technology for machine grading of quizzes and tests in addition to teacher graded tests. Elaborate feedback capability and security have also been incorporated into the ANGEL quizzing and testing system.

The fourth tool is a system for *conducting surveys*. Surveys are ideal for subjective evaluation, making it a resource for exploring values with students. This has not been available in traditional instruction because of the amount of data processing required to conduct a survey. ANGEL does all of the data processing for the teacher.

All of these tools, except for the survey tool, automatically add the grades to a teacher's grade book, which is also a feature of ANGEL.

### ANGEL and the Curriculum (the model)

To present a model of how ANGEL might be used to implement a curriculum, we will focus on a real, but brief curriculum segment and its accompanying lesson plans. The curriculum and lesson plans were developed by Dr. Eli Kohn, the Director of Curriculum Development Programs for the Lookstein Center for Jewish Education in the Diaspora.<sup>9</sup> There are five somewhat different lesson plans, each one designed for the study of the seventh chapter of *Sefer Yehoshua*. Each of the lesson plans has some unique feature, as well as combining features from the other lesson plans. In the following paragraphs, we will look at some of the common features as well as some of the unique features of these lesson plans. We will not address every aspect of these lesson plans, but those features that point up some of the strengths of ANGEL.

When a curriculum plan is outlined and a lesson plan developed, cognitive objectives are usually expressed using "action" verbs like "describe" or "explain." These action verbs do not really help the practicing teacher, especially the novice teacher, because they do not

explain to the teacher how to elicit the specified behavior. The relationship between the action verbs and the resources the teacher might actually use in the classroom is the essence of the model described here.

In the table below, (C) represents a Content Objective verb, (S) represents a Skill Objective verb, and (V) represents a Value Objective verb. The “dictionary definition” comes from the Random House College Dictionary, Revised Edition (1973). Note the ANGEL applications that can be used to reinforce or evaluate the objective. By providing these resources to the teacher, the objectives become real. These objectives are taken from the sample lesson plan.

Verb	Dictionary Definition	ANGEL
Summarize (C)	Make a summary of; state or express in a concise form.	Drop Box, Quiz
Describe (C)	Tell or depict in written or spoken words; give an account of.	Drop Box, Quiz, or Discussion
Explain (C)	Make plain or clear; make known in detail; assign a meaning to; interpret; make clear the cause or reason of.	Drop Box, Quiz, or Discussion
Relate (C)	Bring into or establish in an association, connection, or relation.	Drop Box, Quiz, or Discussion
Read (S)	Utter aloud.	Drop Box, Quiz
Deduce (S)	Derive as a conclusion from something known or assumed; infer	Drop Box, Quiz, or Discussion
Compare (S)	Examine (two or more things, ideas, people, etc.) for the purpose of noting similarities and differences.	Drop Box, Quiz
Contrast (S)	Compare in order to show unlikeness or differences.	Drop Box, Quiz
Analyze (S)	Separate into constituent parts; determine the elements of.	Drop Box, Quiz
Identify (S)	Recognize or establish as being a particular person or thing	Drop Box, Quiz
Divide (S)	Separate into parts, groups, sections, etc.	Drop Box, Quiz
Appreciate (V)	Value highly or place a high estimate on	Survey



What is a teacher to do with these objectives? How does the teacher “teach” to them and then how does the teacher evaluate whether they have been learned? Dr. Kohn does include a “Procedures” section for each of the lesson plans which offer guidelines for the teacher on how to implement the lesson plan. The relationship between the objectives and the procedures, however, is not always clear. The purpose of the “Procedures” section is to translate the lesson objectives section into more practical and classroom oriented tasks. While the suggestions are meaningful, the teacher must still create the instrument, administer and grade it, provide feedback for the grade, and then insert the grade into the grade book. It is these myriad tasks that ANGEL is designed to address.

For example, in the table above, the teacher could use a survey (provided by the curriculum developer) as a means of evaluating the value objective verb “appreciate.” The students’ responses to the survey would indicate how much esteem they place on these values. Student attention may be drawn to a specific story (the incident with Akhan in the sample lesson) to which they react by responding to a survey in which they express their opinions.

ANGEL adds a dimension to lesson plans and curriculum objectives by providing the teacher with the actual instruments the teacher might use in the classroom. (We are assuming here that every student has access to ANGEL in addition to the teacher.) Using this approach, the curriculum developers will provide the discussions, the drop boxes, the quizzes and the surveys reflecting the objectives. The teacher needs only copy them into his or her course and they are immediately useable. In addition to using these tools directly, the teacher can add, subtract, and edit them.

In the following we will focus on Dr. Kohn’s procedures, try to relate them to the objectives and demonstrate how ANGEL might be used to address the suggested procedure and the objectives.

## **Objective Testing**

Here are a few examples of objective questions for studying and evaluating the vocabulary skills in this lesson. These types of question could be readily adapted to any vocabulary list.

Fill-in:

1. What is the Hebrew work for “spy”?
2. Translate: רגל

True/False

1. The meaning of אדרת is “hidden”.
2. The Hebrew word for “spoils” is שלל.

Multiple-Choice

1. Which of the following can be translated as “committed a trespass.”
  - a. עכרתנו, עכור
  - b. מעל, וימעלו
  - c. שלל
2. Which of the following is a translation of חרם
  - a. Spoils
  - b. Mantle
  - c. Devoted thing

Drop-Down List

1. Choose the correct translation of לו הואלנו from the following list:
    - Hit/smote, they smote
    - If only we had been content
    - Trouble, troubled us
    - Committed a trespass
  2. Choose the correct Hebrew for “Spy, they spied” from the following list:
    - מעל, וימעלו
    - הכה, ויכו
    - רגל, רגלו
    - לכד, ילכדנו, וילכוד
- 

In ANGEL, the teacher can provide feedback for each question. The feedback can be used if this is just a quiz and a homework tool. For a test, the feedback would be hidden.

These questions are just a sample of what is possible for even this brief vocabulary list for one chapter of Yehoshua. Imagine question banks prepared for all vocabulary units in Tanakh, Halakhah, Talmud, etc.! Imagine teachers being able to access these question banks, modify them, add to them, and use them for quizzes and tests without any

additional work on their part! One of the goals of the ANGEL Project is to establish these question banks to be used in conjunction with lesson plans and curricula developed by experts in this country and abroad.

Since we are discussing the different objective testing formats that are machine graded, we might mention one more in the context of another one of the procedures in lesson 1. Dr. Kohn offers the following: “Students should then be asked to divide the chapter into various sections, giving a title for each section. Most likely, the teacher will need to guide the pupils in this difficult task.” This procedure corresponds to the action verb “divide” but it can also include the action verbs, “contrast,” “deduce,” and “analyze.”

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### Ordering

We have listed below the elements of this chapter. Put the number that identifies the order of each of these incidents in the indicated space.

5. How Akhan is punished
  2. Yehoshua's reaction to the defeat at Ai
  4. Yehoshua finds the culprit responsible for the defeat-Akhan
  1. The battle against Ai
  3. God's response to Yehoshua
- 

ANGEL takes the curriculum ideas and puts them in a form that is immediately useful to the teacher. The above are just starters; if teachers have their own ideas they can easily implement them in any of the formats (discussion, quiz, or drop box) and these ideas can then be conveniently shared through a user's group. Note that resources the students use, like the text, maps, and commentaries, can also be included in ANGEL.

### Audio Recordings

As the starting point in all of the lessons, Dr. Kohn suggests that “the teacher should read the verses clearly and then ask students to read; a different student for each verse. It is important for the teacher to read first so that the student can learn how to read the verses properly.”

Recitation is also included in the action word “read.” This is very difficult to do in a class with many students. What does a teacher do when

one student reads and the others have nothing to do? In the “procedures” there are several strategies such as reading with a partner, but this does still not fulfill the basic strategy of hearing the words accurately read and then reading back so that each student gets to be heard.

The use of the audio recording capability of ANGEL for the teacher and the students saves classroom time, yet evaluates each student's ability to read correctly. One course participant uses a strategy which is easily implemented with computers and ANGEL and addresses these issues. Every computer with Windows comes with the capability of recording material into computer memory using standard software that is very easy to use with a microphone that can be purchased inexpensively. The teacher can record the material for the student to listen to, in this case the chapter in Yehoshua, and upload it into ANGEL for the students to access as frequently as necessary. The students can subsequently record their own reading of the perek and upload it into a drop box, so the teacher can listen to each student read. Within the drop box, the teacher can make comments and send them to the student and even ask that the student read again. All work is retained as a permanent record. The convenient grading and feedback also motivate the students to do better.

Given the importance of this skill objective, the use of ANGEL provides a significant improvement over the traditional classroom.

## Values

In sample lessons 2, 3, and 4, Dr. Kohn includes value objectives:

Students will: appreciate the importance of having confidence and belief (*emunah*) in God; appreciate the importance of humbling oneself before God; appreciate the importance *Kiddush ha-Shem* (sanctifying God's name); appreciate how God works through reward and punishment; appreciate the concept of *kol Yisrael areivim zeh bazeh* (all of Israel are responsible for one another); and value the role model of Yehoshua in his handling of the crisis.

While various values can be experienced via discussions of the story of Akhan, how can the teacher evaluate how each student feels? ANGEL has the capability to administer surveys to express values. Each student's responses can be recorded and then classroom time can be utilized to address these values. ANGEL also collects the data generated by the entire class and summarizes it.

The following is excerpted from a survey developed by one participant for a course in Jewish Philosophy. ANGEL automatically tallies the responses and provides an excellent jumping off point for classroom discussion, opening real possibilities to introduce values into the curriculum.

---

1. God is my conscience
    - 1 - Strongly Agree
    - 2 - Agree
    - 3 - Disagree
    - 4 - Strongly Disagree
  
  2. God is everywhere
    - 1 - Strongly Agree
    - 2 - Agree
    - 3 - Disagree
    - 4 - Strongly Disagree
  
  3. God is not involved in our lives
    - 1 - Strongly Agree
    - 2 - Agree
    - 3 - Disagree
    - 4 - Strongly Disagree
  
  4. God is responsible for all that happens in the world
    - 1 - Strongly Agree
    - 2 - Agree
    - 3 - Disagree
    - 4 - Strongly Disagree
- 

## Discussion

In sample lessons 3 and 4, Dr. Kohn suggests topics for discussion from the chapter.

“The seventh verse should be reread and the teacher should ask the students to relate Yehoshua’s argument. Discuss with the class whether or not his response can be justified. “

“After reading verses 8-9 again, the teacher should pose the following questions: (a) What is Yehoshua’s argument here? Is this disrespectful to God? Who else uses this argument in *Tanakh*? See Moshe’s arguments after the sin of the Golden Calf (God wants to destroy the people but by using this argument Moshe saves the people). A comparison between this chapter and *Parshat Ki Tisa* should be made. The

teacher should emphasize the importance of avoiding a *Hillul Hashem* (profaning God's name) and making *Kiddush Hashem* (sanctifying God's name). The teacher should mention examples from the student's own life, like interaction with non-Jews etc. “

“The concept of “*Kol Yisrael areivim zeh bazeh*” should be discussed in detail. Have the students think of other places we find this concept in the Torah. (For example, *eglah arufah* in *Sefer Devarim*). The teacher may want to relate the story of the men in the boat. One man in the boat said that if he drilled a hole under his seat, it would sink only under him! It is obvious that everyone would sink.”

The traditional classroom is characterized by classroom discussion, for better or worse. The teacher may use it to see if the students have done their homework and ask questions with short answers. In this case, a quiz would be a better resource to use. It is machine gradable, the answers are transmitted directly to the grade book, and the teacher gets a response from every student.

If the teacher really wants to engage the students in a discussion, then there is an excellent and versatile tool in ANGEL. Using the first of the examples of discussion suggested by Dr. Kohn, the students might click on the following discussion topic.

---

Reread verse 7 and review Yehoshua's argument. Discuss whether or not Yehoshua's response can be justified. You will be required to present your opinion as well as a critique of the opinion of one of your colleagues.

The following rubric will be used to grade your responses:

- 10 pts. your response is thoughtful and productive
- 8 pts. your response is reflective and responds to evidence
- 6 pts. your response is informative, but lacks reflection
- 6 pts. your response is informative, but ignores other postings
- 4 pts. your response closes off discussion
- 4 pts. your response is repetitive without adding anything to the discussion
- 2 pts. your response was off topic or too late
- 0 pts. you did not respond

(this is based on a rubric used in JSKYWAY'S course in Technology in Jewish Education)

---

The teacher will now receive responses from every student (rarely the case in a classroom discussion). Because the students will have to

respond to their classmates, too, they will pay attention to their responses (rarely the case in a classroom discussion). The teacher will be able to grade each student's responses (rarely the case in a classroom discussion) and the grades will again be entered into the grade book automatically.

In asynchronous discussion, the students will usually work at home and have the time to formulate well thought out responses. They can even use the HTML editor for Hebrew and for more impressive presentations. Using projector technology in class, the student responses can be used as the basis for an in-class discussion as an extension of the homework assignment. Because all students have participated, they will be more interested in what goes on in class.

In ANGEL, there are also other templates for conducting online discussions. The *Fishbowl* template allows users who are designated as "inside the fishbowl" to view, post, and reply to messages. Users who are designated as "outside the fishbowl" can view the posted messages and replies but cannot post or respond. The *Hot Seat* template is designed to simulate a classroom situation where one or more students are asked to research and defend a particular topic. Designated users can post questions to the Hot Seat members, but only designated Hot Seat members can respond. The *Required Post* template requires users to post a message before they can reply to the postings of other users. In all of these, ANGEL allows the teacher to assign points which are then automatically entered into the grade book.

## Creative Responses

Sometimes, the behaviors implied in the action verbs can be elicited by way of more creative assignments of which Dr. Kohn suggests several. For example, in sample lesson 1, he suggests that "a more creative assignment would be to ask the students to write a short article for *The Jericho Times* summarizing the events of the chapter in a journalistic style." In sample lesson 5, he suggests that the students might "prepare a short play of no longer than 15 minutes that depicts Akhan's life as described in the text," or "write a poem about Akhan and his life in no more than 200 words." The article for *The Jericho Times*, the play or the poem, can be submitted to a drop box with all of its attendant features.

Students might be asked to prepare a *PowerPoint* presentation which they submit to the drop box. Several groups can be tasked with the same activity, since ANGEL supports the concept of “teams.” The *PowerPoint* approach would permit the entire class to participate and the “best” of the presentations, or all of them for that matter, can subsequently be made available to everyone. *PowerPoint* presentations (and homework in general!) can also be made available to parents, which is another dimension of ANGEL.

A typical *PowerPoint* assignment might look something like the following:

---

*Background Information:* Yehoshua is beginning to write his book. It is many years since the battle of Ai and Yehoshua wants to check his facts. As his chief historical team he knows he can count on you for accurate information.

*Your Task:* You will research the battles of Ai with particular emphasis on the role of Akhan in the loss during the first battle, and you will prepare a presentation for Yeshoshua.

*Step 1:* Organize into teams to do your research. Submit the names of your teammates to the teacher and identify the chairman. Find at least three interesting facts from the story of Akhan to include in your slides.

*Step2:* Organize your research material into an outline. Study the maps of Ai and use the maps to describe the course of the battles. What factors might have influenced the battles? Describe the outcomes of the first battle and the second.

*Step 3:* Using the maps and other graphics that are available for you to use in Resources in ANGEL, as well as your research findings, prepare an 8-10 slide *PowerPoint* presentation. Your presentation should be logically ordered, concise, and well designed. Make sure you use proper grammar and punctuation.

*Step 4:* Submit your presentation to the Drop Box labeled *PowerPoint* Presentation.

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Another type of computer-based creative response for students is called a *WebQuest*. The teacher presents a number of questions for the students to answer, and identifies one or more websites for the students to research in which the answers to these questions are found. The websites should be colorful, filled with graphics and other media, and well written. Students seem to be stimulated by these *WebQuests* and respond well to them. They can add a dimension to the lessons that might not otherwise be possible.



For example:

---

Ai is a real place that has been identified in a number of archeological digs. While there is no time in class to pursue this, a *WebQuest* becomes the ideal tool. A *WebQuest* is included in the sample course. It appears as a drop box since the students have to respond. The *WebQuest*, itself, appears as follows: <http://www.ancientdays.net/ai15.htm>

Research the website identified below and then submit your answers to the following questions to the drop box.

1. Identify the places in Tanakh where Ai is mentioned.
2. What are three possible modern excavations where Ai might be located?
3. Why does Khirbet Nisya meet all of the requirements?  
What are these requirements?

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### Other features of ANGEL

ANGEL is an exciting tool for teachers because it facilitates the transformation of curricula and lesson plans into practical tools for the teacher. Because of the connectivity of the internet, teachers can connect to resource banks where they can find discussions, quizzes, and surveys that they can transfer into their own courses and use immediately. Once they are in their own courses, they can edit these resources, add to them, modify them, and change them in any way to accommodate their needs.

But ANGEL has so much more. The abovementioned functions permit teachers and schools to share resources and to stop “reinventing the wheel.” In the classroom itself, each individual teacher has available within ANGEL additional capabilities that help create a more friendly and supportive environment for teachers and students. This reinforces and improves communication in the classroom.

In the following paragraphs, we will briefly describe some of these other capabilities.

- **Announcements:** When students sign into ANGEL, they are first shown “My Page” on which all of their ANGEL courses are listed along with their own groups and their own set of ANGEL tools. They also see announcements from their teacher(s), such as a snow day, an emergency, a reminder of a project due, etc. Teachers are always making announcements (and they still can) but in ANGEL there is a record. The announcement also appears on the front page of the course when the students click into it.

- **Attendance:** In thinking of ways in which to make their distance learning courses more similar to traditional instruction, the authors of ANGEL created a way in which a teacher could take “long distance” attendance. That does not seem necessary in traditional instruction; but what if the teacher wants to make sure the students check into ANGEL to see announcements or assignments? The attendance feature adds that dimension. For example, one participant used the attendance feature to remind students of the *sefirah* count. Students had to check in for the attendance code which appeared together with the correct day and a reminder to count.
- **Calendar:** The calendar is a very popular feature with many software systems. It can be very useful for *zemanim* in Halakhah as well as classroom items. A particular feature of ANGEL is that you can define *Milestones*, which are classroom events such as when an assignment is due. These *Milestones* will automatically appear in the Calendar and also on the student’s Main Page when he or she signs in. The *Milestones* also appear in the various *Big Brother* features, which permit the teacher to e-mail reminders to students who are late. One school involved used the Calendar feature to print out each student’s schedule on the first day of class. Teachers entered their classroom and subject into the calendar on the first day of class and each student’s entire schedule appeared in the student’s front page on sign-in.
- **E-Mail:** Everyone has e-mail, but ANGEL provides an e-mail system just for the students in the class. It is secure and very powerful, more so than the free e-mail systems such as Hotmail or Yahoo.
- **Grade Book:** ANGEL includes an excellent and versatile grade book package that is linked to the tools mentioned above: the discussion capability, the drop boxes, and the quizzes. Teachers can also create their own items. The grade book package can automatically weigh items entered. When used school wide, the grade book package within ANGEL has the potential to make report cards obsolete.
- **Hebrew:** To be used within Jewish education, a resource has to have Hebrew capability, and ANGEL does. Using the HTML editor (to be discussed below) you can use the Hebrew capability of Windows directly or cut and paste Hebrew from Word, DavKawriter, or Dagesh into any of the tools within ANGEL.

- *HTML editor*: The HTML editor is like a mini word processor available in every tool within ANGEL, including e-mail. Not only does it have Hebrew capability, but you can add to it images, hyperlinks, audio files, etc.
- *Syllabus*: There is a syllabus tool in ANGEL which is useful to teachers to encourage them to define what their courses are all about. This is not a profound piece of technology, but it can serve to help communicate the teacher's expectations to the students.
- *"Who\_Dun\_It" and Other Big Brother Features*: Teachers can monitor what students are doing or have done within ANGEL in many different ways. It represents a source of information teachers have never had access to before and can certainly improve communication between students and teachers.

## Applications

Educators ask me why they should adopt ANGEL as opposed to the myriad other products on the market today. The answer to that question is the true justification for the ANGEL Project. Working through the network and using the curriculum tools described above, it is possible to begin developing Resource Banks for teachers to use directly in their classrooms. This is the teacher-to-teacher communication mentioned at the outset of this paper. The other features described above are the "icing on the cake" so that teachers will be motivated to get started, but the real purpose is the curricula that will be available to teachers.

The process has started, and the following represent some of the ideas being pursued. Notice that the sources of curricula include the teachers themselves, organizations, adaptation of existing materials, etc. A number of these courses are even available as distance learning courses taught by their developers. All of what we described below is "work in progress" but is an indication of possibilities for the future even after such a short time.

The first curriculum that we have made available on ANGEL is a curriculum for the study of Jewish history based around stories that is most suitable for use in junior high school or middle school courses. This course was actually implemented on an experimental basis at HAFTR.

The *Fuchs Mizrachi School* and *SKA HALB* have both made available distance learning courses on ANGEL. *Yeshiva University High School for Girls*, and the *Hillel School of Boca Raton*, Florida developed materials on *Sefer BaMidbar* for high school students and a first course in gemara in middle school. They represent examples of existing materials developed by teachers which deserve wider dissemination. Without a resource like ANGEL, their materials would languish unused by anyone but themselves, a loss for Torah education. HAFTR has started developing a course tentatively called *100 Classes to Prepare for College in Halakhah and Hashkafah* for ANGEL, that they would not be developing were it not for the possibility of widely disseminating it through ANGEL. How many more courses would be developed by the many talented teachers and scholars knowing their work would have the possibility of being disseminated widely? *Hillel-Deal* has developed an online course for teaching *Gemara Berurah*<sup>10</sup> to teachers, which has the potential to open up *Gemara Berurah* to many schools that have found the cost prohibitive, particularly the cost of training.

AMODS itself has developed a series of excellent Humash curricula for grades 2-8 and an Israel curriculum based around the Jewish calendar. Under the guidance of Dr. Eli Kohn,<sup>11</sup> the skill, content, and values objectives for these courses have been identified. All that is missing are the teacher resources. Using ANGEL, and with the help of the teachers who developed these objectives, these curricula represent an invaluable resource for Torah education.

For many years, Yeshiva University has sponsored *Advanced Placement* courses in Classical, Medieval, and Modern Jewish History. The objectives developed for these courses as well as multiple choice format tests that have been experimentally entered into ANGEL, representing the nucleus of an entire Jewish history curriculum for day schools.

The Board of Jewish Education of New York<sup>12</sup> has developed many excellent curricula for schools. In an experiment, two of these programs<sup>13</sup> were easily adapted to ANGEL. Boards of Jewish education in many cities in the United States and abroad have also developed curriculum materials to serve the needs of their schools that could be readily moved to ANGEL for wider dissemination. There are also a number of internet based resources that offer teachers excellent material to be adapted to their curricula, including e-chinuch<sup>14</sup> and the Lookstein<sup>15</sup> center.

The author would like to thank Dr. David Schnall of the Azrieli Graduate School of Education at Yeshiva University and Rabbi David Israel of the Association of Modern Orthodox Day Schools for their support in the establishment of the ANGEL Project, as well as the students who participated in the Azrieli Graduate School courses and who have undertaken to use ANGEL in their courses.

NOTES:

- 1 ANGEL is a Web-Based Management system and a product of ANGEL Learning, Inc. <http://www.angellearning.com>. "ANGEL" stands for "A New Global Environment for Learning."
- 2 <http://www.webct.com>
- 3 <http://www.blackboard.com>
- 4 ANGEL was first developed and tested at the University of Indiana.
- 5 The Azrieli course is EDU 8703, Technology in Jewish Education.
- 6 The schools that participated in the Pilot Project included: Ulpanat Orot (Toronto, Canada); Aliza M. Flatow Yeshiva High School (Suffern New York) ; Hillel Day School (Boca Raton, Florida); Yeshiva University High School for Boys (Manhattan, New York); Yeshiva of North Jersey (River Edge, New Jersey); Fuchs Mizrachi School (Cleveland, Ohio); and Yeshiva University High School for Girls (Queens, New York).
- 7 The schools represented in the second Azrieli course included Hillel, Yavneh, HAFTR, and HALB.
- 8 From the Introduction to the ANGEL 6.1, Instructor Reference Manual.
- 9 You can access the actual lesson plan that I am using in this paper, by going to the Lookstein website (<http://www.Lookstein.org>). Click on Resources, then Lesson Plans, and select the Bible Lesson Plans for grades 5 and 6. You will see the five lessons prepared for Chapter 7 of the Book of Joshua. Each of the lessons is constructed to require about 50 minutes (one class period).
- 10 <http://www.gemaraberura.org>
- 11 Eli Kohn: "Curriculum Development in Jewish Day Schools - How we Can Make It Work?" Jewish Educational Leadership Volume 2 (Winter, 2004).
- 12 <http://www.bjeny.org>
- 13 Tuvia Book: For the Sake of Zion: Pride and Strength Through Knowledge and Emily Amie Wittty: It Is My Business: Selected History From 1933-1945 .
- 14 <http://www.e-chinuch..org>
- 15 <http://www.lookstein.org>

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## **A (NOT SO) NEW PERSPECTIVE ON HOW TO RESPOND TO HUTZPAH IN STUDENTS AND IN SIGNIFICANT OTHERS**

### **Disciplinary Infractions Today are More Severe than They Used to Be**

“During most of its twenty-two year existence, the Annual Gallup Poll of the Public’s Attitudes Toward the Public Schools has identified ‘lack of discipline’ as the most serious problem facing the nation’s educational system.”<sup>1</sup> In the 1950s and 1960s, the top disciplinary problems reported in *Congressional Quarterly* were: gum, noise, dress code, littering and running in the halls. By sharp contrast, in the 1990s the same *Congressional Quarterly* reported the top disciplinary problems as: drugs, alcohol, pregnancy, suicide, rape, robbery and assault. Assaults on teachers were reported as up 700% since 1978.<sup>2</sup> “The shocking and tragic violence that has played out in our nation’s schools in the last two years has elevated the status of school discipline from an issue of perennial concern to one of national urgency.”<sup>3</sup> Indeed, one public school educator teaching in Philadelphia’s inner city school system recently reported that the high school students in her district agreed to abide by three basic rules: 1) no throwing desks; 2) no stabbing; and 3) no beating up on teachers [*sic*!].<sup>4</sup> Another educational theorist, researcher and practitioner writes: “The normal culture of adolescence today contains elements that are so nasty that it becomes

hard for parents (and professionals) to distinguish between what in a teenager's talk, dress, taste in music, films and videogames indicates psychological trouble and what is simply a sign of the times."<sup>5</sup>

Although these quotes depict conditions which prevail in some public schools, today's *yeshivot* are seen by many as far from "*hutzpah*-free zones." Many Jewish educators and parents complain of excessive disciplinary infractions, including instances of disrespect and intolerable *hutzpah*. One writer states: "The fact is, most graduates [of Jewish schools in Israel and in the Diaspora] may achieve academic success and competence in basic knowledge and skills, but many still remain seriously lacking in moral maturity, both in universal ethics and Jewish values. Indeed, both formal and informal observations of Diaspora Jewish schools have revealed significant evidence of cheating, plagiarizing, and lying throughout the high school years.<sup>6</sup> Israeli schools fare no better. *Disrespectful language and disruptive behavior towards teachers, administrators and peers are commonplace* [the italics are mine]. Overall, there are manifestations of social insensitivity, intolerance of differences, and immature moral judgment."<sup>7</sup>

These quotes indicate that Jewish educators are grappling with the negative impact which the prevailing culture appears to have had on students enrolled in *yeshivot*. This culture, as is clearly reflected in current-day newspapers, magazines, periodicals, radio, television and other mass communication media, patently reflects a general absence of respect for such formerly highly regarded authority figures as parents, teachers, *rebbeim*, principals, rabbis, clergymen, policemen, physicians, elected officials, civic and political leaders — including, and perhaps especially, heads of state. Small wonder, then, that programs such as "Project *Derech*", "Apples of Gold", "Seven Steps to Mentschhood", "In Their Footsteps", "*Ba'Sha'ar*", "*Pirchei Shoshanim*," etc., designed to inculcate *middot tovot*, have been acquired by, and supposedly implemented in, many Jewish day schools today,<sup>8</sup> despite the dearth of reliable research data regarding the efficacy of such programs and their long-term positive impact on students.<sup>9</sup> Indeed, one comprehensive synthesizer of the extant research on classroom and school wide discipline writes: "Many educational program developers have responded to the prevalence of school discipline problems by preparing and marketing packaged programs which purport to bring about reductions in

misconduct and consequent increases in school order. Research on the effectiveness of these programs is not plentiful, much of it is technically flawed, and, unfortunately, findings are generally inconclusive.”<sup>10</sup>

Other writers, commenting upon prevailing conditions in the public school sector, lament: “Ill-equipped to handle the challenges of disruptive classroom behavior, inexperienced teachers may increasingly adopt an authoritarian approach to management and engage students in power struggles that serve only to escalate disruption...Faced with disruptive and aggressive behavior, a typical response has been the punishment and exclusion of students exhibiting challenging behavior...The gap between research and practice has been a continuing issue in the professional literature. That gap appears to be especially acute in the areas of school discipline and behavior, leaving schools with insufficient resources to cope with current serious problems of disruption and violence.”<sup>11</sup> Both experienced and inexperienced Jewish educators, challenged to react effectively to blatant displays of disrespect and *hutzpah* when they surface in their classrooms and schools, may tend to respond in a manner similar to that of their public school counterparts.

*Hazal* depict the generation in which the scion of David will come as follows:

א"ר נהוראי: דור שבן דוד בא בו, נערים ילבינו פני זקנים, וזקנים יעמדו מפני נערים,  
בת קמה באמה, כלה בחמותה, אויבי איש אנשי ביתו, בן לא יבוש מאביו וגו'.<sup>12</sup>

Rabbi Nehorai said: [In] the generation in which the son of David comes, youngsters will humiliate (lit., whiten the face of) elders and elders will rise in the presence of youngsters; a daughter will rise up against her mother, daughter-in-law against mother-in-law; a man's enemies will be of his own householders; a son will have no shame before his father, etc.

Many would find this depiction descriptive of today's generation.

Is there a better way to deal with the *hutzpah* which we seem all too often to encounter? Do *Hazal* offer guidance as to how to respond to these ills? Answers to these questions are proposed herewith.

### **A (not so) Novel Perspective on how to handle *hutzpah***

In order to help close the gap between uninformed vs. research-informed school and classroom practice some present-day education-



ists propose a seemingly novel perspective on how to react to the flagrant disregard for elders and peers which today's students manifest. For example, Mendler proposes, in what appears to be a neoteric perspective, that we see our *challenging students as having something to teach us*.

He writes:

Mr. Smith was an exceptional high school teacher who was almost universally loved by his students. Paul was a student who finds a way to turn off virtually every adult he meets. As hard as Mr. Smith tried to connect with him, Paul pushed him away by saying and doing offensive things. Nearing exasperation, Mr. Smith approached him and said:

“Paul, I know God put you in my class to make me a better teacher and a more patient person. He is reminding me that I still have a way to go in order to be successful in teaching all my students. Hard as I have tried to figure what to say or do that would make you believe that you are a capable student who can achieve great things, it seems that I have so far not succeeded in getting through to you. Are there times that you have done all you know and you don't get the results you want? Have there been people in your life that seem impossible to please no matter how hard you try? What is that like for you? And what do you do when you are faced with this?”

Mr. Smith was able to put aside his personal feelings and, as a teacher, realize that maybe Paul had something to teach him. Most 'challenging' students provide us with opportunities to learn and practice lessons of *patience, compassion and tolerance*. It is hard for students to stay disconnected when caring, persistent adults reach out to them in ways that convey an eagerness to learn.<sup>13</sup>

Along similar lines, Marzano posits that “...an appropriate mental set for classroom management is 'emotional objectivity'...carrying out the various aspects of classroom management without becoming emotionally involved regarding the outcomes — without personalizing the actions of students. This is very difficult to do because the normal human reaction to student disobedience or lack of response is to feel hurt or even angry. Such high-arousal emotional states do not provide a good basis on

which to implement rules, execute disciplinary actions or establish relationships.”<sup>14</sup>

Similarly, Covey, in a recurrent theme which forms the essential basis of his writings and teachings, speaks about the pause between stimulus and response. In this case, the student's disrespectful actions or words are the stimulus and how the teacher reacts to them is the response. Covey speaks of three sentences which he had read in a book by holocaust survivor Viktor Frankl that “...staggered me to the core: *Between stimulus and response there is a space. In that space lies our freedom and power to choose our own response. In those choices lie our growth and our happiness.*”<sup>15</sup> In that pause between stimulus and response, if the teacher were to “Seek First to Understand; Then to be Understood” (Covey's Habit number 5 of his famous “Seven Habits of Highly Effective People”<sup>16</sup>) the outcome might tend to be less confrontational. It might actually be more productive and more promising in its potential for anticipated positive results to emerge from the interaction.

Mendler's, Marzano's and Covey's approaches seem to be echoed in the recommendations promulgated by the New Jersey State Bar Foundation in a poster which it distributes entitled “Win ! Win ! Six Steps to Resolve Conflicts”. These are:

1. Take time to cool off.
2. Use “I” Messages to state feelings. No Blaming. No Name Calling. No Interrupting.
3. Each person states the problem as the other person sees it.
4. Each person says how they are responsible for the problem.
5. Brainstorm solutions together – choose a solution that satisfies both.
6. Affirm, forgive, or thank each other.<sup>17</sup>

### **The seemingly neoteric perspective on how to handle *hutzpah* may not be so novel after all**

Teachers who can muster the emotional stamina to respond to *hutzpah* by summoning up within themselves the novel perspectives suggested by Covey, Marzano and Mendler above, are certainly to be admired. It is hoped that they will be amply rewarded for doing so by experiencing enhanced student/teacher relationships and more meaningfully effective classroom discipline. The likelihood of students' emulation of their model behavior is a potential positive “side effect” as

well. But are the “neoteric” perspectives as novel as they might seem at first glance to be ?

Consider this Mishnah:

רבי אלעזר בן שמוע אומר: יהי כבוד תלמידך חביב עליך כשלך.<sup>18</sup>

Rabbi El'azar ben Shamua says: The dignity of your disciple should be as dear to you as your own.

Consider also the Rambam's ruling, based upon this Mishnah:  
כשם שתלמידים חייבין בכבוד הרב כך הרב צריך לכבד את תלמידיו ולקרבו,  
כך אמרו חכמים: יהי כבוד תלמידך חביב עליך כשלך.<sup>19</sup>

Just as the disciples are obliged to respect their master, so too should the master respect his disciples and draw them near; so said the Sages: The dignity of your disciple should be as dear to you as your own.<sup>20</sup>

Consider as well *Hazal's* teaching:

תניא: הנעלבין ואינן עולבין, שומעין חרפתן ואינן משיבין, עושין מאהבה ושמחין  
ביסורין - עליהן הכתוב אומר (שופטים ה:לא) "ואהביו כצאת השמש בגברתו."<sup>21</sup>

Sages taught (in a *beraita*): Those who are insulted but do not insult, who hear their degradation and do not respond, those who do [mitzvot] out of love and are joyful in their afflictions — of them Scripture says (Judges 5:31) “...those who love Him are like the rising of the sun in its power.”

This clearly foreshadows Covey's pause between stimulus and response, cited above.

But especially consider this comment of the *Tiferet Yisrael*:

בן זומא אומר: איזהו חכם, הלומד מכל אדם, שנאמר (תהלים קיט:צט),  
"מכל מלמדי השכלתי."<sup>22</sup>

Ben Zoma says: Who is wise ? He who learns from all men; as it is written (Psalms 113:99): “I have been enlightened by all my teachers.”

The *Tiferet Yisrael* writes *ad locum* [Boaz]:

...שבכל אדם שיפגש ילמד ממנו, שיתבונן היטב על כל ענייניו, שאם הם בהשכל  
ובמוסר, יתמה על נוי שלהם וילמדם ממנו. ואם ימצא חטא סכלות וחסרון בדבריו  
ותנועותיו, מלבושיו או מעשיו, יראה איך נמבזה ונמאס העושה כן, ויהי נזהר ונשמר  
לעצמו מלעשות כמוהו. וכן בכל מדה נכונה, כעס, וגאווה, קמצנות, וזללות,  
ושכרות, ועצלות, וכדומה.

...He should learn from every person he meets by studying carefully everything about him. If the person's bearing and

deeds are sensible and proper he should marvel at their beauty and learn them from him. And if he finds shortcomings in the words and gestures of the person he meets, or in his attire or deeds, he should see how base and despicable one who does so is. As a result he should be heedful to avoid doing as that person does. So too with all personal attributes: anger, arrogance, stinginess, gluttony, drunkenness, laziness and the like.

He continues:

וכ"כ כשיפגש אדם באוהבו, וישבחהו בדבר מה, יתבונן היטב על עצמו, אם לא יטעה בו אוהבו לשבח בו דבר שאין בו, ויתעמל שיהי השבח ההוא ראוי לו.

And similarly when a person meets up with one who loves him, who compliments him on something, he should reflect well about himself [to see] whether his admirer has not made a mistake in praising him for a virtue which he does not actually possess. He should take pains to make himself worthy of the compliment which he had received.

This foreshadows Mendler's description of Mr. Smith's forbearance, cited above.

אמנם ביותר יש לו להמשכיל להשיג על דברי שונאו שמחרפו ומגדפו וירים בקולו. אז יעשה אזנו כאפרכסת להקשיב היטב ברוח שקט על כל גדוף קטן וגדול שיאמרו לו אלו המוכיחים הנאמנים.

But most of all, the intelligent person should pay careful heed to the words of his enemy when he degrades and denigrates him and raises his voice.<sup>23</sup> Then should he cup his ears to listen carefully with a tranquil spirit to each insult, great or small, which such trustworthy reproaches express.

This comment clearly foreshadows Marzano's mental set concept of "emotional objectivity", cited above.

...בזה ייטיבו לנו אויבינו יותר מאוהבנו. כי האויבים שלנו על כל פשעינו תכסה אהבתם. חסרונותינו גדולים יראו כקטנים, ויתרונותינו הקטנים יראו כגדולים, כי עינם כהה מאור האהבה, והתבוננותם משוכר מין ידידותם לנו. ועי"ז יישנו על ברכיהם השתדלותנו להשלים את עצמנו.

In this respect, our enemies are better to us than our admirers. For our admirers' love for us covers up all our sins. Therefore our major shortcomings appear to them to be minor, while our minor virtues appear to them to be major, because their eye is dimmed by the glare of their love for us and their contempla-

tion of us is intoxicated with the wine of their close friendship with us. As a result, they put to sleep in their laps our striving to perfect ourselves.

אולם אלה שונאינו הם המלמדים הנאמנים, לא יקחו עלה זית על פיהם, וכל חסרונותינו בשפתם ברור מללו. לכן כי יפגשך אחי, אויב מר היורה זיקים חצים ומות סביבך, החרש, לא תתקוטט עמו, למען לא יתעכר בענן הכעס אספקלריא ההתבוננות אצלך. שמע, והקשב יפה לדבריו, הן אמת, יאמר לך כמה דברים שאינן כך. אבל מבינות לדבריו, תשמע גם כן עניינים אשר אם בעל נפש אתה, ותאמר בפנימיותך בזה צדקו דבריו, זה החסרון ישנו בי. ואם כי כל נקודה קטנה שבחסרונותיך יגדילה. תשמח על זה, כדי שתדע איך שהבריות כבר ידעוהו, תתעמל להסירו מעליך.

*These enemies of ours, however, are our trustworthy teachers; they don't take the olive leaf to their beaks. Rather, they articulate all of our faults clearly with their lips. Therefore, my brother, if you encounter a bitter enemy shooting lightning bolts and spewing death all around you, hush; do not quarrel with him so that the clarity of the mirror of your reflection will not be clouded by your angered response. Listen, and attend well to his words. True, he will attribute some things to you which are not really so. But, mixed in with words you will also hear things about which, if you are a sensitive person, you will say to your inner self: 'in this respect his words were justified; I do indeed have this shortcoming.'* And even though he magnifies every minor point of your shortcomings under a microscope, be happy about this, so that you may become aware of the faults which others already know and put forth the effort which is required in order to eliminate them.

ובזה פירשתי הפסוק... "בקמים עלי מרעים" מרעימים בגדופיהם, לא אענה אותם, אבל רק "תשמענה אזני" יפה לקול אלה המלמדים הגדולים.

And with this [insight] I explained the verse (Psalms 92:12): 'As for those who rise up against me' thundering with their affronts, I will not answer them, but rather will only 'let my ears listen' (ibid.) attentively to the voice of these great teachers.

Despite the fact that the *Tiferet Yisrael's* comments are presented in a sermonic tone and expressed with pontification,<sup>24</sup> the thoughts expressed contain truths which validate the thinking of some contemporary educational researchers, theorists and practitioners cited earlier in this article. True, when the *Tiferet Yisrael* wrote about how to respond to

insolence he probably did not have insolent *students* in mind because respect for authority was much more common in his day than it is now. Nonetheless, the thoughts presented seem readily applicable from how to respond to the adult vilifiers of the *Tiferet Yisrael's* day to how to respond to the juvenile insolence which we sometimes experience in *yeshivot* today.

In still another striking foretoken of the contemporary psychological theories and practices of Carl Rogers<sup>25</sup>, Haim Ginott (Carl Rogers' disciple and popularizer)<sup>26</sup>, Adele Faber and Elaine Mazlish (Haim Ginott's disciples and popularizers)<sup>27</sup>, the *Tiferet Yisrael* writes in his comments on Avot 4:18:

[רבי שמעון בן אלעזר אומר: אל תרצה את חברך בשעת כעסו, ואל תנחמו בשעה שמתו מטל לפיניו, דאדרבה כשיראה שאין אדם מצטער בצערו יצטער יותר. ואל תשאל לו בשעת נדרו, ואל תשתדל לראותו בשעת קלקלתו. וזכר התנא ד' מיני מחשבות בוערות כלפידים (אפפעקטע בל"א) - כעס, אבל, מורא, בושה. וה"ה בכל דבר, כשיראה שום אדם אחוז בה, לא ילחם נגדה, דלא די שלא יועיל אלא גם זיקק.]

Do not console a person when his close relative lies dead before him, because, quite the contrary to what we might think, when the grief-stricken mourner sees that the one who is attempting to console him has not joined him in his grief, he will grieve all the more...The *tanna* of the Mishnahh mentions four mind states which burn like torches (emotions, or *affekte*, in German) – rage, grief, fear and humiliation. And the same applies to all similar matters; namely, that when one sees a person in the grips of a strong emotion, the observer should not fight it, for, not only will it not help; it will even hurt.

Clearly, the *Tiferet Yisrael* here proposes the interventions of validation and emotional joining proposed by Rogers and his disciples, foreshadowing Marzano's assertion cited above; namely that "Such high-arousal emotional states do not provide a good basis on which to implement rules, execute disciplinary actions or establish relationships."<sup>28</sup> Indeed, if we go along with the *Tiferet Yisrael's* interpretation of the Mishnah, it is not he who is the proponent of the theory and practice presented, but rather the Sages of the Mishnah themselves, whose tradition goes back to the revelation at Sinai. (Although the *Tiferet Yisrael* was talking about adults relating to other adults, the applicability of his words in today's hierarchy-free society to teachers addressing students may be perceived as credible.)

And so, the seemingly novel approaches to responding to *hutzpah* presented above in the name of Mendler, Marzano, Covey, Rogers, Ginott, Faber and Mazlish may not be so novel after all, since they are presaged by Torah sources. This foreshadowing in no way detracts from the validity of the “novel” ideas; it merely serves to lend credibility to the worthiness of what these ideas propose. Difficult to implement, yes; but promising nonetheless.

Thus one teacher dealt with a particularly challenging student by sitting down with him and saying, “You know what? I really like you. You can keep doing this stuff and it’s not going to change my mind. It seems to me that you are trying to get me to dislike you, but it’s not going to work. I’m not ever going to do that.”<sup>29</sup>

Still another teacher, who wishes to remain anonymous, reports<sup>30</sup>:

I was appointed to serve as the eighth grade music teacher in the middle of last year. In my first instructional period, I explained what I expected of my students. Among the things I said, I told them that they don’t have to be the greatest musicians in the world to get a good grade in my class. All they have to do is show up on time, dress properly for events and follow my directions. I made it clear that music instruction time is not a free period and that students can’t merely come in and do whatever they wish. That first day, after the introduction, I asked them to do some warm up exercises with their instruments. However, one student didn’t seem to care so much about what I said. He didn’t do what I asked. I took him aside and said that I don’t want to get into an argument with him but that I expected him to comply with my directives. The student then turned to me and said: “Ms. Levy, you are just a music teacher and nobody cares what you say.” Needless to say I was shocked. I had a sad smile on my face, and I just walked away. In the next few classes, the tension was palpable between us. The student did what I asked but not in the best way possible. I chose the path of benign neglect so as to avoid a confrontation, hoping that time would heal the relationship. My opportunity came when my students were preparing for a recital at parent-teacher conference night. I noticed that many of my recalcitrant student’s friends were among the performers. I came over to him and

asked whether he would like to give a brief introductory explanation to the parent audience of the musical selections to be played. He was very excited and accepted my offer. Since then, he did all I asked in class, became one of my best student musicians and my good friend. Apparently my sad smile and my patient, understanding demeanor were successful in accomplishing what reprimands, lectures and 'consequences' might not have accomplished.

Along these lines, Rabbi Mordechai Palgon, Principal of Yeshiva Toras Chaim of North Miami Beach, FL, (a high school) reports<sup>31</sup>: "We do not have to deal with too much *hutzpah* at all any more. Remember my first faxes to you ?<sup>32</sup>"

Warm good wishes for *hatzalahah rabbah* are extended to risk-takers such as those cited above who are willing to try the approaches recommended in this article when more conventional approaches don't seem to work. They are invited to share their experiences with others – both successes and failures – by contacting the author.

#### NOTES

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- 2 Covey, Steven R. (1997). *The Seven Habits of Highly Effective Families* (New York: Golden Books, Franklin Covey Co.), pp. 134-135.
- 3 Peterson, Reece L. & Skiba, Russell J. "School Discipline at a Crossroads: From Zero Tolerance to Early Response," *Exceptional Children* 66 (2000), 1. \_\_See also Warner, J., "Kids Gone Wild," *New York Times: Week in Review*, Sunday, November 27, 2005, p. 1.
- 4 Shafier, B. (2004). Audiotape track 03;1:29, *Shmuz #55, Staying Pure in an Impure World*. Available: [www.TheShmuz.com](http://www.TheShmuz.com).
- 5 Mendler, Allen N. *Connecting With Students*. (Alexandria, VA: ASCD,2001), p. 2., citing Garbarino, J.: "Some Kids are Orchids," *Time* (December 20, 1999), p. 51.  
Available: <http://www.time.com/time/magazine/article/0,9171,1101991220-35858,00.html>.
- 6 A number of authors have addressed these issues, among them: Karen Green, "Towards Teaching Menschlichkeit," *The Melton Journal* 19 (1985), 30-32; Louis Nulman, "The Launching of the Middos Curriculum," in Kaminetsky and Friedman, eds., *Building Jewish Ethical Character* (New York: Fryer Foundation, 1975); Michael N. Menitoff, "A Comparative Study of Moral Development in Jewish Religious School Settings," *Dissertation Abstracts International* 35 (1974): 897A.



- 7 Bailey, Steve (2003). "Educating for Menschlichkeit: A Kohlbergian Model for Jewish Day Schools" in Saks, Jeffrey & Handelman, Susan (eds.): *Wisdom from All My Teachers: Challenges and Initiatives in Contemporary Torah Education*. (Jerusalem: Urim Publications), p. 137.
- 8 Rabbi Yaakov Fruchter, Director of Torah Umesorah Publications, a division of Torah Umesorah (National Society for Hebrew Day Schools), Brooklyn, N.Y., asserts: "There has been a noticeable heightened awareness and interest in the subjects of *derekh erez* and *middos tovos* by yeshiva/day schools/girls' schools, their personnel and parents in the past five years, with an increasing number of texts being published in these areas" (e-mail personal communication, 20 Jul 05). For example, Rabbi Fruchter further reports: "Over the 15 years since the project [referring to Project *Derech*] began, it has been used in approximately 300 schools (across the entire gamut of schools) with an average of 500 students per school totaling approximately 150,000 students" (same e-mail). In addition, Rabbi Fruchter reports that most recently Torah Umesorah undertook a new *middot* project called "Building a Better Me", to be accompanied by a student workbook and teacher's guide. It is described by Rabbi Fruchter as a character education program which purports to teach the acquisition of good *middot*, intended for use with middle elementary grade students (memorandum personal communication, 20 Jul 05).
- 9 "Hard data regarding the effectiveness of programs which purport to teach Jewish values is difficult to come by" (personal communication, email, June, 2005, Professor Howard Deitcher, Director, The Melton Centre for Jewish Education, Hebrew University of Jerusalem. See also Feuerman, C. "Behavioral Objectives and Jewish Values – Problems in Assessment," *Hamenahel, The Educational Journal of Torah Umesorah*, Special Issue: Approaches to Teaching Jewish Values (New York: The National Conference of Yeshiva Principals, affiliated with Torah Umesorah, the National Society for Hebrew Day Schools, October 1975), pp. 50-51.
- 10 Cotton, K.: *op.cit.*
- 11 Peterson & Skiba, *op.cit.*, citing, *inter alia*, Emmer, Edmund T. (1994). "Towards an understanding of the primacy of classroom management and discipline," Kearney, P., Plax, T. G., Sorenson, G., & Smith, V. R.: *Teaching Education* 6/1 (1988), 65-69.; "Experienced and prospective teachers' selections of compliance-gaining messages for 'common' student misbehaviors," Gersten, R., Vaughn, S., Deshler, D., & Schiller, E.: *Communication Education*, 37(1997), 150-164; "What we know about using research findings: Implications for improving special education practice," *Journal of Learning Disabilities*, 30 (1997), 466-476.
- 12 פסיקתא דרב כהנא (מנדלבוים) פרשה ה' ד"א ענה דוד
- 13 Mendler, (2001). *op.cit.*, pp. 13-14.
- 14 Marzano, Robert J., Marzano, Jana S. & Pickering, Debra J. *Classroom Management That Works: Research-Based Strategies for Every Teacher*. (Alexandria, VA: ASCD, 2003), pp. 68-69.

- 15 Covey, Stephen R. *The 8th Habit: From Effectiveness to Greatness*. (New York: Free Press, Free Press, 2004), p. 42.
- 16 Covey, *op. cit.*, p. 345.
- 17 Source: N. J. State Bar Foundation, One Constitution Square, New Brunswick, N. J. 08901-1520, 1-800-FREE LAW, www.njsbf.org. Poster seen in corridor, Yeshiva of North Jersey, River Edge, N. J.
- 18 אבות ד:יב וכ' שם תויו"ט שכל זה מדת חסידות ואינו חיוב. ולפ"ז מדוייקת לשון הרמב"ם שכתב לגבי התלמידים ש"חייבין" בכבוד הרב ולגבי הרב לא כתב אלא ש"צריך" לכבד את תלמידיו. משנה תורה, הלכות תלמוד תורה, פרק ה', הלכה י"ב
- 19 The wording of the Rambam here suggests that a teacher "should" (צריך) respect his students (a non-obligatory , as generally are all teachings in Avot) while disciples are "obliged" (חייבין) to respect their master. Along these lines, Ralph Waldo Emerson is quoted as having said, "The secret of education is respecting the pupil" (retrieved from the internet, "Ask Jeeves", 21 Aug 05). Although the Rambam's ruling and Emerson's quote may appear to be identical, in actual fact the Rambam is characterizing respect for disciples as a *desideratum* while Emerson considers respect for pupils to be the "secret" of education.
- 20 Yoma 23a. This, too, is considered a non-obligatory מדת חסידות and not a חיוב (obligation).  
 ע"י שרית בנימין זאב סימן רמ"ז ד"ה ומ"מ: "ולפי זה אשים מחסום לפי ואהיה מן הנעלבין ואינן עולבין כדפרישית לעיל ואשמע חרפתי ולא אשיב. ואף על גב דכתב הרמב"ם ז"ל דאסור לתלמיד חכם למחול על כבודו היכא דביאוהו בפרהסיא כדמייתי לה הלכות תלמוד תורה פ"א ואפי' שבעונותי איני באותו ערך מ"מ נראה לעניות דעתי להעביר אדם על מדותיו ומדת חסידות הוא."
- 21 אבות ד:א
- 22 Perhaps this is why we read the *tokhehah* (Devarim 29) aloud according to some customs; softly, according to others. Both customs may serve to emphasize the significance of the message contained in the *tokhehah* since both draw the listeners' attention to it. Either way we are enjoined to perk up our ears and listen to the rebuke. In addition, regarding the "blessing" to be declared on Mount Gerizim and the "curse" to be declared on Mount Eival (Devarim 11:29) the Sifrei *ad locum* states: "מה קללות בקול רם אף ברכות בקול רם" – "Just as the curses are to be proclaimed aloud so too the blessings are to be proclaimed aloud." Savvy readers of opinion surveys about themselves or their projects minimize the positive feedback and maximize the negative in order to see their flaws more clearly and benefit from the feedback which such surveys provide. The same holds true for performance assessments by supervisors since these often tend to be couched in less clearly critical and confrontational wording in order to avoid hurt feelings and reduce defensiveness.
- 23 Rabbi Israel Lipschutz' (1782-1860) commentary to the Mishnah was published in 1830.
- 24 Rogers, C. R: "A theory of therapy, personality, and interpersonal relationships, as developed in the client-centered framework," In S. Koch (ed.): *Psychology: A Study of a Science. Study I: Conceptual and Systematic*, vol. 3 (New York: McGraw Hill, 1959).

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- 26 Ginott, Haim: *Between Parent and Child* (New York: Avon, 1969); *Between Parent and Teenager* (New York: Avon, 1971); *Teacher and Child* (New York: Avon, 1975).
- 27 Faber, A. & Mazlish, E.: *How to Talk So Kids Will Listen & Listen So Kids Will Talk* (New York: Avon, 1982); *How to Talk So Kids Can Learn — At Home and in School* (New York: Scribner, 1995).
- 28 Marzano, Robert J., Marzano, Jana S. & Pickering, Debra J. *op. cit.*, footnote 14.
- 29 Kohn, Alfie: “Unconditional Teaching,” *Educational Leadership* 63:1 (September 2005), 20-24, citing Watson, M.: *Learning to Trust: Transforming Difficult Elementary Classrooms Through Developmental Discipline* (San Francisco: Jossey-Bass, 2003).
- 30 Personal communication, 19 Sep 05. Some of the details are disguised here in order to respect confidentiality.
- 31 Personal email communication, 5 Sep 05.
- 32 The reference here is to a series of faxes in the fall of 2002, in which Rabbi Palgon asked for help in dealing with a barrage of serious disciplinary infractions which appeared to reflect rebelliousness on the part of students. Rabbi Palgon and his faculty were receptive to being coached in approaches to student discipline presented in Mendler, (2001), and the results reported were dramatically positive. The Mendlerian approach was encapsulated into a rubric formulated as an algebraic equation: “Rules – Respect=Rebellion”; that is, “Rules without respect (for students) lead to rebellion”.

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## **PREPARING STUDENTS FOR SURVIVAL BEYOND DAY SCHOOL: A CURRICULUM**

### *Prologue:*

Three years ago, I was presented with the opportunity to create a new elective course for twelfth graders. I gave the course the irresistible title of “Survival Judaism: Everything You Need to Know to Make it on the College Campus.” In what follows, I hope to explain the need for such a course as well as provide a description of its curriculum.<sup>1</sup> Before even beginning such a discussion, though, I will need to define terms and provide some background.

Firstly, what does “making it” mean for a yeshivah graduate? Although one could argue that such a term must be defined relative to each student’s background and relative level of observance (so, for example, marrying within the faith might suffice for certain students as a standard of Jewish “survival”), I expect that most hopeful elementary and secondary educators would answer that “survival” is defined as a student’s maintaining a careful observance of mitzvot with the same vigilance that she did while within the *dalet ammot* of the relatively safe elementary and high school walls.

Many of the students I teach and advise are not bound for Yeshiva College, Stern College or the like. Why both the students and their families are firmly (indeed, often stubbornly) committed to pursuing

undergraduate academic experiences at secular schools is a vitally important question, but one that is beyond the scope of my current topic. Even those students who do opt for an Orthodox environment for their undergraduate years, though, may well find themselves in secular environments as they either continue to graduate school or enter the workplace. In other words, they may ultimately need to have the same survival skills as the rest of their high school classmates. Thus, having accepted as a given the student's desire to leave the shelter of an Orthodox environment, whether sooner or later, along with the more positive definition of "surviving" as a goal, I set out to create a course that would provide a final attempt at inoculation against the potential challenges of such situations.

I must mention, however, one more philosophical caveat before discussing the curriculum. The underlying assumption in establishing such a course is that today's college campus is somehow threatening or dangerous to the spiritual, intellectual, or social development of *yeshivah* day school graduates. While I do not dispute such a claim, I would be remiss to ignore another approach, one that advocates trusting our children to find their innate good and the good in university life and integrate the two. At the risk of being labeled as too negative a thinker, I would rather err on the side of caution. I am therefore open with my students that one of my goals is to scare them about the "reality" of college campus life.

My goals for students in creating such a course, then, are simple. Indeed, I have been candid in presenting them to my class each year. Students must have a solid knowledge of certain key facts (whether *halakhic*, *hashkafic*, historical or political); they must understand certain basic rationales for beliefs and practices; and, most importantly, they need to have some concept of the consequences of the decisions that they will make during the first few years out of their parents' homes. These goals, obviously, are not unique to my course; I have found, though, that whereas students will pay attention to similar (or even identical) material somewhat less seriously earlier in their academic careers, the constant talk about college that accompanies the senior year of high school can often act as an outstanding catalyst for the level of motivation and attentiveness that is often lacking in younger students.

A related challenge, worth mentioning at this point, is that even the incentive of college anxiety cannot always help overcome the all-know-

ing nature of many eighteen-year olds. As the adage famously attributed to Mark Twain reads, “When I was a boy of fourteen, my father was so ignorant I could hardly stand to have the old man around. But when I got to be twenty-one, I was astonished at how much the old man had learned in seven years.” Many of my high school seniors have not yet reached the point of intellectual humility. For many, such an experience may come after they have already made choices that affect their Jewish lifestyle – choices that can be life-altering. Part of the challenge of such a class – and we will return to more later – is trying to convince high school seniors that they may not be as prepared as they are convinced they are. On the other hand, many are so afraid of the unknown that they are highly motivated to learn.

Such a challenge notwithstanding, the underlying philosophy for the syllabus has been that knowledge, in such a situation, is power. Making informed choices in advance is a far better plan than making them on the spur of or in the heat of the moment. Every year I introduce the course with the story of a friend who was a product of a single-sex yeshivah day school. During orientation at the Ivy League university that my friend attended, several situations that had simply never come up in single-gender environment (specifically, mixed dancing and *negi'ah*) abruptly made their appearance, forcing my friend to make some on-the-spot decisions. My students understand that their own points of *behirah* (to paraphrase R. Eliyahu Dessler),<sup>2</sup> may be far different than the points in this story. Nonetheless, they will run a tremendous risk by waiting until the choice is upon them to start evaluating what they know and feel about the issue at hand.

## *The Course:*

### *a. kashrut*

The course begins with a discussion of various *halakhic* topics pertinent to life in a dormitory situation. We start with two to three weeks of intensive study of sources on various laws of *kashrut*, including the rules for sharing and even *kashering* kitchen appliances. Students need to understand how to keep kosher in a living space where suddenly not everyone else is. We also briefly focus on the *ta'amei hamitzvot* offered by both classical and modern philosophers to explain

the rationale of *kashrut*. I repeatedly emphasize to my students that they will need to be able to explain their lifestyle choices to others in an articulate manner. (In fact, they often need to do as much for themselves as well.)

We also spend several classes going through primary sources on the laws of *bishul nokhri* and its ramifications for shared dorm space. This last topic—which, for many students, has never been really approached before—provides an excellent springboard for discussions about defining the ideal relationship between Jews and non-Jews. This topic is also addressed in greater depth later in the year.

### ***b. Shabbat***

The next major area of *halakhah* covered in class is Shabbat observance. I select aspects of Shabbat that relate specifically to dormitory life, e.g., *eiruv*, electric-eye doors, *amirah le-akum*,<sup>3</sup> as well as those that impact upon a student's appreciation of Shabbat. Parents of young children often experience the challenge of presenting Shabbat as a positive experience, rather than a day of "no"s. This feeling is re-experienced by many of those children some fifteen or sixteen years later as they watch many of their college friends and roommates going out Friday night – the most popular "night out" on campuses – to engage in all types of revelry. It is vital for our graduates to be able to justify to others and themselves why they are opting out of so much fun. We therefore explore in-depth sources relating to the *mitzvot aseih* of Shabbat in order to focus on the positive, edifying aspects of the day, rather than focus solely on the day's prohibitions. We also try to use the *halakhic* sources as a gateway to philosophical understanding of why one would keep Shabbat. For example, we spend significant time discussing the Rambam's distinction between those tasks performed in preparation for Shabbat (*kevod Shabbat*) and those performed on Shabbat itself (*oneg Shabbat*).<sup>4</sup>

The goal of these classes is twofold: firstly, a review of many basic *halakhot* that many students have never learned in the text but have only seen performed in their homes. Second, and more importantly, these discussions of specific *mitzvot* force the students to begin to consider what life will be like when they have to carve out their own *shemirat ha-mitzvot*. An Israeli yeshivah educator once told me that he was more concerned about the secular college experience of his stu-

dents in the cafeteria than the experience in the classroom. Social situations, with all of their attendant pressures and dynamics, often push students into asking – and answering – questions differently than they would in their homes and yeshivah day schools. The course provides them with an opportunity to ask these questions and begin to think through their decisions in the relatively safe confines of my classroom **before** they have no one on hand to provide them with immediate answers.

Other *halakhot* that arise include issues relating to *mezuzah*. This last has provided an excellent spur for discussion: after learning the basic *halakhah*,<sup>5</sup> we were able to role-play a conversation between two roommates, “Sam” and “Chris,” one of whom wanted to hang a *mezuzah* on the door and one of whom was adamantly opposed. The role-playing became interesting when I changed the second roommate’s name to “David” and told the players that they were now both Jewish roommates with the same agendas as before.

### c. denominations

This role-playing scenario brings us to another major component of the syllabus. We spend several weeks discussing the various denominations of Judaism and their respective histories and philosophies. Students need to understand what their new classmates may mean when they identify themselves as Conservative, secular, Reform or Reconstructionist. I have found that as worldly as our yeshivah graduates consider themselves, they have little working knowledge of the beliefs and practices of other denominations. Such knowledge is vital for dealing with living situations with roommates or apartment-mates who are not *shomrei mitzvot*.

Another reason for including this topic on the syllabus is that the analysis forces students to define their own theology. One exercise the class performed was a comparison of the declarations of principles of the Conservative, Reform and Reconstructionist movements with the Rambam’s thirteen *Ani Ma’amin* statements. Our students need to understand Orthodoxy as a vision that they can articulate for themselves, if not for others. My students read a piece written by Rabbi Joseph Polak, long-time director of the Boston University Hillel, who contends that the Reform and Conservative students in his campus classes were better thinkers because they had never learned religion by



rote as their Orthodox classmates had.<sup>6</sup> Naturally, such an opinion provokes heated discussion.

#### *d. dating and sexuality*

A look at other denominations also logically leads to the topic of inter-denominational dating. While dating in general has only begun to be an issue of interest for many of my students, they understand that I prefer them to mull these issues over **before** they find themselves forced to make a decision in a particular social situation.

Indeed, as a class we spend a great deal of time on the topic of sex and sexuality. The fear of campus promiscuity is among the greatest concerns of the families that I advise.<sup>7</sup> We do take pains to point out that sociologists have noted the incongruity between perception and reality in this area: namely, the number of young people who are sexually active is markedly lower than the number who their peers identify as sexually active.<sup>8</sup> This also lends itself to a discussion about *leshon ha-ra*. This disparity notwithstanding, yeshivah graduates need to gain an awareness of the pervasive culture of sex on college campuses.<sup>9</sup> I have used articles from the general media<sup>10</sup> that dramatically contrast with traditional sources.<sup>11</sup>

#### *e. Biblical criticism*

Our next two weeks are spent discussing the issue of Bible Criticism and its presence in the literary thought of the modern university. Although I share that Israeli teacher's view that the cafeteria is more worrisome than the classroom, the danger of intellectual assimilation in the form of "Bible as Literature" classes is not one to be ignored. I have seen communications from students describing their horror as their "enlightened" professors provided their first exposure to the idea of the human authorship of the Bible. I strongly feel that it is far safer for students to confront these questions in my classroom, where my colleagues and I can supply answers, than it will be in a freshman "Great Books" course.

We utilize a curriculum on Bible Criticism developed for high school students by Dr. Moshe Sokolow.<sup>12</sup> In addition to Dr. Sokolow's sources, we also read sections of Herman Wouk's classic *This Is My God*<sup>13</sup> to provide an historical overview of the development of Bible Criticism. An important part of this unit is the "hands-on" experience.

Students prepare a *perek* of *Tanakh* with which they are well acquainted: *Bereshit* 37, the story of Yosef's dreams and his sale into slavery. They are asked to generate a list of questions that the text provokes them to ask. We then answer many of those questions twice: once using the traditional commentators, and again using the Anchor Bible's division of this *perek* into its component documentary parts. The students' appreciation of the history of criticism (learning the progression from Spinoza to Wellhausen, *et al.*) aids us in our attempt to point out the inadequacies of the critical approach as we apply it to the text.

#### *f. Israel advocacy*

A similar appreciation of history is essential in yet another key topic, which has proven enormously popular among students and which is why I like to save it for later in the year, namely that of Israel advocacy. Ramaz students have been learning about the modern and ancient history of Israel since they began high school, so this part of the course is much less of a last-minute vaccination than some other topics may be. Using *Myths and Facts*,<sup>14</sup> each student prepares and delivers a five- to ten-minute oral presentation, after which (or sometimes during which) they are heckled mercilessly by either their classmates or, more often, by their teacher. These experiences emphasize two major points: first, one need not believe that Israel is perfect in order to be able to defend her; second, arguments that students will encounter, whether from other students or faculty members, are often emotional and conviction-based, rather than grounded in fact. Indeed, there are often two sides to determining "facts" as well.<sup>15</sup>

#### *g. moral relativism*

The final item of the syllabus is a philosophical issue. We spend approximately a week discussing ideas of moral relativism and multiculturalism. This has been one of the more challenging units of the curriculum, both because of its subtlety and because students often have a hard time understanding why this issue is even significant. Students need to understand the challenge of reconciling the politically correct notion crudely summed up as "I'm Okay, You're Okay" with the *halakhic* notion that, well, not every deed, idea, or thought is "okay." Perhaps students are resistant to such an idea because they realize that holding on to a singular philosophy will make them lone voices on

campus.<sup>16</sup> Or perhaps they simply don't realize how difficult it will be to reconcile what they have long been told is the right path with what they will soon be told is a quaint, antiquated set of rules and values. Most of the sources for these conversations come from the internet,<sup>17</sup> as I have yet to find a more substantial text for classroom use.<sup>18</sup>

**Conclusion:**

One key question that the existence of this course has raised in the minds of both colleagues and parents is the issue of waiting until the senior year to present many of these issues to students. A poll that I distributed two years running to my class had only two questions on it: what the students were most excited about as they thought about college, and what they were most scared of as they did the same. Both years, in two disparate groups, the answers were largely identical. Fully ninety percent responded that they were most excited about "leaving home," and that they were **also** most scared of "leaving home."

I have consistently found that students find a new motivation in their studies as they realize that they are on the threshold of leaving both their own parental homes as well as the protective *kotlei ha-yeshivah* that have been their sanctuaries for as long as they can remember. Often, this realization is not even conscious, but it is often a great motivator. In short, while many of these topics can – and should – be taught to students earlier in their academic careers, a last-year cram course designed to remind them of what they will need to "survive" is still a viable and necessary model.

Another critical and final issue is the very existence of such a course within the overall high school curriculum. Parents are extremely motivated to reinforce both the overt and the underlying goals of the course; they share the concern of the teacher and have a great deal invested in their child's "survival." Such parental interest and input are extremely helpful. Often the parents seem more eager to be in class on open-school night than their children do during the school day. But in truth, all parents – indeed, all of *us* – share the same goals: we want our children – our graduates – to be educated in the arts and sciences without rejecting a singular set of values and concomitant way of life. Such goals are attainable even in the morality of today's academic landscape, but both parents and educators must reinforce both the

values and the specific knowledge with which they want their children armed as they march through the gates of the academy. We cannot blithely assume the children possess this knowledge by virtue of attending twelve or more years of yeshivah education.

If the shared goal of parents and teachers is to help form thinking, informed, balanced, and well-educated adults who will contribute to society, we must be committed to work together to prepare them for the first and often defining decisions that they will make on their own.

The rest is up to our children.

## NOTES

- 1 I am grateful to Rabbi Scot Berman for his encouragement – and careful editor's eye – as I crafted this essay.
- 2 See *Mikhtav me-Eliyahu* (B'nai Brak: 1969), pp. 113-114, also in *Strive for Truth!* Vol. 2, Aryeh Carmell, ed. (Feldheim, New York: 1985), p. 52ff.
- 3 For example, see *Yad, Hilkhhot Shabbat* 6:1 - 4, 8 - 10. We also use R. Y. Neuwirth's *Shemirath Shabbath*, Vol. 2, (Feldheim, Jerusalem 1989), pp. 451 – 455ff.
- 4 See *Hilkhhot Shabbat*, Chap. 30. See also *Be'ur Ha-Gra* 529:4.
- 5 We used the *Arukh ha-Shulkhan, Simanim* 385 – 386.
- 6 “On Orthodox Youth: A Debate” in *Jewish Action* (Summer 2003). I am indebted to Rabbi Jay Goldmintz for this and many other sources.
- 7 Notably the parents. One parent led me to Tom Wolfe's novel *I am Charlotte Simmons* (Farrar, Straus, and Giroux, New York: 2004), which masterfully details the life of the twenty-first century college freshman. I recommend that parents read it *after* their child has already graduated college.
- 8 See, for example, Manju Rani, Maria Elena Figueroa and Robert Ainsle, “The Psycho-social Context of Young Adult Sexual Behavior in Nicaragua: Looking Through the Gender Lens” at <http://guttmacher.org/pubs/journals/2917403.html#4>.
- 9 For whatever reason, this topic does not always seem to interest my senior students. It may be too early in the social development of some of the students – and therefore would certainly not be an appropriate topic for discussion earlier in their high school careers – but needs to be discussed nonetheless. In Ramaz, this topic is also addressed in a special guidance program for twelfth graders that is one of the only programs held in separate-gender groups.
- 10 E.g., “Sexed-Up New Haven: Yale Hosts a Campus-Wide Orgy” by Meghan Clyne in *The National Review Online*, February 17, 2004. See [http://www.nationalreview.com/nr\\_comment/clyne200402170905.asp](http://www.nationalreview.com/nr_comment/clyne200402170905.asp).
- 11 One excellent source has been R. Elyakim Ellinson, *Hatnze'a Lekhet* (World Zionist Organization, Jerusalem: 1985), pp. 55 – 59. The class spent several days discussing the prohibition of *negi'ah*, whether it was a Torah or Rabbinic prohibition, and the underlying philosophy of the *issur*.

- 12 Readings include an article from *Time* magazine called “Are the Bible’s Stories True?” by Michael D. Lemonick and a chapter by A. Cohen. “The Challenge of Biblical Criticism” from *Judaism in a Changing World* Leo Jung, ed. (Soncino Press, 1971).
- 13 Little Brown & Co., Boston, 1988 (revised edition), pp. 306 – 314.
- 14 Mitchell G. Bard (American-Israeli Cooperative Enterprise, 2002); continually updated on the Internet at [www.jewishvirtuallibrary.org](http://www.jewishvirtuallibrary.org).
- 15 To get a general sense of how Jews are sometimes treated on campus, students also view a video, *Anti-Semitism at College* (information available at [www.campustruth.org](http://www.campustruth.org)). The video serves as a wake-up call for many students of the presence of campus anti-Semitism.
- 16 This was certainly part of what motivated the now famous “Yale Five” to withdraw from campus housing. See Samuel Freedman: *Jew Vs. Jew: The Struggle for the Soul of American Jewry* (New York: Simon and Schuster, 2000), pp. 227 – 283.
- 17 See, for example, [http://solohq.com/Objectivism101\\_Evil\\_MoralRelativism.shtml](http://solohq.com/Objectivism101_Evil_MoralRelativism.shtml). Interestingly (but not surprisingly), most of the sources that internet searches have yielded are from fundamentalist Christian sites.
- 18 Rabbi Barry Freundel also briefly touches on the topic of multiculturalism in the general context of how Judaism views Gentiles in his *Contemporary Orthodox Judaism’s Response to Modernity* (Ktav: Jersey City: 2004), pp. 75 – 81.

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## A BEKI'UT INITIATIVE IN MISHNAH

### *Introduction*

The issue of quantity versus quality pervades many schools and classrooms. A teacher or administrator may want a certain body of material covered or students may feel that they are moving too slowly. On the other hand, a teacher may want to go into further depth on an issue or teach more skills that will enable a student in the future to cover more material on his/her own, but may seem frustrating in the here and now. There is always more to cover, however, and always further depth to penetrate. Where does one draw the line?

Several years ago, I was visited by alumni and asked to consider how much material I cover. They agreed that they still utilized the skills they had learned in both Talmud study and other disciplines, but felt that they could have covered more ground. I responded: "In four forty minute periods a week, how much did you expect to cover?!" Simply put, in all schools, one's own course is not the only one the students have. While it would be nice to have more time, it is simply not available, raising the question of how can one do it all, or at least do more to accommodate both the teaching of skills and the sense of covering ground.

After this conversation, I decided that the approach I would take is for my *Talmud* students to learn *Mishnayot* on their own outside of class time. Each week, the students would learn a *perek* from the *Mishnayot* Kehati and would be quizzed on it in class. In my school, a quiz is defined as ten questions or less in ten minutes or less. And so, not

everything is covered, nor is there much analysis manifest in the quiz, an issue which I will address below. But, there is a sense of accomplishment and a clear enhancement of a knowledge base.

## Process

I chose to structure this assignment as follows. Students are to have a Mishnayot Kehati, which must be their property, so that they can take notes inside. Students are assigned a *perek* each week. I start with the *masekhet* that we are currently studying and then turn to the other *masekhtot* within that *sefer*. Students are encouraged to take notes on the *mishnayot* being learned and can use these notes for the quiz. Understandably, students are not permitted to use photocopies of someone else's notes, or photocopies of a translation. Since the point of the assessments is to ensure that the students have done the learning, there is no problem with their taking notes and using them during a quiz.

In the class prior to the assessment, students are offered the opportunity to ask questions on the material. It is important that they be offered the chance in class to clarify the learning as they are preparing it on their own and their time is limited. Because of the nature of any independent assignment, it is likely that students will be seeking guidance, especially at the beginning. At the same time, it is crucial that the class not become a Mishnah course. The *beki'ut* is meant to enhance the learning of *Talmud*, not to replace it. "Fortunately," most students procrastinate, and most questions that would take class time are never asked.

Another way to go with regard to the evaluation of what the students have learned is to give worksheets at home in order not to take away any further precious class time. Simultaneously, they have the decided disadvantage of being unmonitored. It is even possible that groups of students will work together; i.e. one will do the work and the others will share the results. Similarly, there is almost a guarantee that students will work from a translation rather than from the original text. While the goal of increasing the breadth will still be achieved, that of sharpening the students' skills in learning will not.

Since, again, the *ikar* is for the students to learn the material, my assessments contain rather straightforward questions. Students may be asked the meaning of a key term in the Mishnah or what the *halakhah* is in a given case. Questions with answers of yes/no or true/false are not

uncommon. Infrequently, I will ask a *hevdel ekroni*- fundamental difference – question, but given the time constraints of the quiz, not that often.<sup>1</sup> Since students do not have the questions in advance, they are compelled to learn the *perek* comprehensively. [See appendix for sample quiz.]

### Reservations

As with any initiative, this one has its issues. The first is the reality that class time, already scarce, will be lost. Whether the teacher elects to give quizzes or worksheets to be done at home, some class time will be sacrificed. Every teacher needs to determine for him/herself if that sacrifice is worthwhile.

Second, no one wins any popularity contests for being demanding on a regular basis. If you lack the fortitude this may not be a good way to go. If you have developed the necessary perseverance, however, then you are probably already accustomed to challenging standards. The good news is that in the long run, you will be remembered and appreciated for demanding more.

Third, because so much of the work is done outside of class, students lack direction from the teacher. In addition, it is hard to assess effort. Students may prepare thoroughly and still perform poorly on a quiz. Each teacher will have to determine the best way of evaluating student progress in this endeavor.

### Advantages

In a very short time, students actually will gain *beki'ut*. They will apply this in the classroom and begin to obtain a broader understanding of the material being covered. Teachers will be able to rely on material being familiar, which will save some time in introducing and explaining new concepts. For example, if you are teaching a *Tosafot* that references a case in a *Mishnah* that they have learned – you've got it made.

Second, students actually do appreciate consistency from their teachers. Seeing that this is actually required each week helps students understand that the teacher is demanding in a positive way. Additionally, students see that there is much more to the issue at hand and to the material being studied than just the few pages that will be covered during the academic year. It is also important for students to have the



sense that our subject is equal to their general studies in its complexity and level of expectation. This project accomplishes that task.

Third, if the students are advanced and can handle a faster pace, it is possible to complete an entire *seder* within the year. Knowing that one sixth of *mishna* has been learned is a good feeling for anyone to have, and students of the age we are teaching – *al ahat kamah v'kamah*. I have had the privilege twice now of standing before the school and community at a *siyyum* with students who have completed *Seder Nashim*. I assure you, none was singing my praises while they were learning. When they could step back and be recognized and respected by their classmates and schoolmates, however, and they grasped what they had actually achieved, well, they still were not singing my praises, but they fully appreciated their accomplishment nevertheless.

### *Conclusion*

*Beki'ut* increases the demands on the students, expands the knowledge base and allows for a genuine feeling of accomplishment. Learning regularly helps students recognize the inherent value in the task and gives them the ability to do it. While the students are gaining more from the course, relatively little time is being taken from classroom instruction to accomplish this goal. Although there are concerns with the project, the advantages clearly outweigh them. A teacher with a finger on the pulse of the class will recognize how to vary the expectations to achieve the desired result. There is no question in my mind that this method can be used for *Tanakh* study as well, although I have not tried it personally. While the initial work will be taxing for the teacher, it is well worth the investment. The students, as the ultimate beneficiaries, will gain that much more from our courses and be inspired by our commitment.

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1 For a review of good testing, see my article, "Ve-Dibbarta Bam" in *Ten Da'at*, Vol. XII, Summer 1999.

**Mishnayyot Quiz: Ketubot Chapter 5**

1. According to R. Meir, should a *ketubah* ever be written for less than 200 *zuzim* for a virgin or 100 for a widow? Yes/No
2. In Mishnah 2, is the groom or the bride responsible for the delay in the marriage?
3. When Mishnah 2 states that a woman can eat *terumah* after a year, whom does it assume she has married?
4. In Mishnah 3, who disagrees with the idea that she can eat *terumah* twelve months after the betrothal - as indicated in Mishnah 2?
5. True or False: The essential difference (הבדל עקרוני) between R. Meir and R. Yohanan ha-Sandlar is whether one can sanctify things that are not yet in existence.
6. In Mishnah 5, what causes שעמום?
7. (a) In Mishnah 5, what does שבת mean?  
(b) According to Beit Shammay, what happens after two Shabbatot?
8. In Mishnah 7, what does מורדת mean?
9. In Mishnah 8 and 9, what is the topic?

**Mishnayyot Quiz: Ketubot Chapter 5**

1. In the *reisha* of Mishnah 1, why are the perjured witnesses (עדים זוממים) flogged rather than punished - literally - according to what they intended to do to the accused?"
2. In Mishnah 2, what is the basis of the disagreement between R. Meir and the Sages regarding flogging?
3. In Mishnah 3, what does משלשלין mean?
4. In Mishnah 4, how do witnesses perjure themselves?
5. Based on the view of the first *tanna* in Mishnah 5, was there an appeals process before capital punishment was carried out? Yes/No
6. (a) Explain: עד שיגמר הדין  
(b) Why is the opinion of the Sadducees mentioned in Mishnah 6?
7. In Mishnah 7, what does נטפל mean?
8. In Mishnah 8, explain תקיים העדות בשאר

9. In Mishnah 9, what important element does R. Yossi add to the discussion?
10. In Mishnah 10, what seems to be the attitude of the Sages towards capital punishment?

### **Mishnayot Quiz: Makkot Chapter 1**

1. Why is it permissible to carry on *Yom Tov*?
2. What is another name for the tractate of *Beitzah*?
3. In Mishnah 1, what is the issue with the egg? (answer in one word)
4. (a) In Mishnah 2, why does one need dirt?  
(b) Explain the phrase: אפר כירה מוכן הוא
5. (a) What is the overall subject of Mishnah 3 and 4? (answer in one word)  
(b) Why does Beit Hillel allow non-פוש-נפש to be carried on *Yom Tov*?
6. In Mishnah 8, why is it prohibited to use a sieve on *Yom Tov*?
7. In Mishnah 9, according to Beit Hillel - what kind of gifts may be sent?
8. Indicate the criteria used in Mishnah 10.

### **Mishnayot Quiz: Yoma Chapter 8**

1. List the five actions prohibited on *Yom-ha-Kippurim*.
2. Why does R. Eliezer permit a recent bride to wash her face?
3. What are the minimum prohibited amounts of food and drink?  
Can these measurements combine into a prohibition?
4. In Mishnah 3, define העלם. Define: פטור (at the end).
5. In Mishnah 4, explain: מחנכין אותם.
6. In Mishnah 5, what are בקיאיין? Give an example.
7. What is the theme of Mishnah 6?
8. What general rule emerges from Mishnah 7?
9. Summarize Mishnah 8 in one word (Hebrew or English).
10. In order for *Yom ha-Kippurim* to atone for sins between people, what needs to happen first?

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## **STANDING BENEATH THE MOUNTAIN: TRANSMITTING TORAH TO THE NEXT GENERATION**

### *Prologue:*

In every large group or organization, the individuals involved never quite actualize the professed ideals. Visitors to an urban courtroom, for example, are shocked to discover that often neither judges, attorneys, nor even the police seem to have an operative interest in justice being served. Though lives may be hanging in the balance, professional bureaucrats robotically fulfill their tasks, cooperating with each other to expedite matters quickly and efficiently—far from exemplifying fairness on display. In every setting, individuals have personal motives and agendas that may conflict with their professed ideology. Though they may identify with certain groups or values, they do not observe these beliefs as strict guidelines for life.

In our own communities, though a majority of our youth do conform to observable standards and remain loyal to Orthodox practice, when this behavior merely follows accepted norms, an ostensibly halakhic and religious life becomes an insincere, pro-forma ritual, that is at times inconsistent, and often devoid of holiness and purpose.

Various community leaders, aware of a spiritual malaise, have recently suggested specific improvements: let us strengthen Modern Orthodox ideology, design a curriculum, teach our youth the tenets of our beliefs, and they are bound to live up to our expectations.

This assumption – that student loyalties would be guaranteed if they would merely adopt our beliefs – is incorrect; *individual decisions are rarely guided by ideology*. Further, even were we to win our youth over intellectually and convince them of the validity of our *hashkafot*, if we are oblivious to the real lives of our students and unaware of the tests and tribulations they face on a daily basis, we are bound to provide inadequate instructions. Hence, to reach our students and have an impact, we must first be able to influence their decision-making process.

True individual dilemmas are not decided by gauging utilitarian benefit, nor are they resolved by social and ideological loyalties, though they may help. A person's true self is actualized only by recognizing the nature of temptation, separating this from his own deep-rooted will, and learning to confront the forces within. Individuals are conflicted by the competing urges that our Tradition calls the lifelong struggle between the *yetzer ha-tov* and the *yetzer ha-ra*. These conflicts are internal – within a person's heart. What needs to be imparted to our youth is the uniqueness of Torah, and that it is different from other subjects like physics, biology, history or mathematics. Torah is not a section of the curriculum, or a specialized course of study. In brief, Torah is not mere information, and certainly not ideology.

### *Torah should speak to the heart*

Torah is not part of the physical world, though it provides us with rules that command demonstrably different behavior from the rest of the world. Somehow, our teens must realize that Torah is life itself, unlimited, unchanging and eternal. It is not merely a part of existence, it is existence, and it defines reality on its own terms. It is only through toil and diligence that a young man or woman can catch a glimpse of this unique perspective and acquire his or her own portion of Torah. Hence, Torah cannot be taught with the same methodology used to impart other value systems. For not only are our rules and regulations different, but the very nature of Torah thought functions on a different plane, and for this reason, the method of transmitting Torah is distinctive and unique.

This is succinctly stated in the Torah itself (Exodus 4:9-10): *“But guard yourself and guard your soul carefully, lest you forget the words that your eyes have seen, and lest it be removed from your heart all the days of your life, and that you make this known to your sons and to your grandsons. The day that you stood before Hashem, your G-d, at Horev....”* Ramban rules it a Torah imperative to remember the source of all Torah, the Sinai revelation, forever, and to transmit that fundamental experience of our faith to our children:

The benefits of this mitzvah are exceedingly great, for if the Torah would come from the mouth of Moshe alone, though his prophecy has been proven through signs and miracles, a prophet or dreamer can arise and command us against the Torah, provide signs or miracles, and doubt would enter man's mind. But, when the Torah comes from G-d to us - our own eyes and ears, without intermediary, we can contradict those who dispute and raise doubt, and prove them false... as it says: ‘and also in you [Moshe] will they have faith forever’ (Exodus 19:9). For by transmitting this matter to our children, they will know it is true without doubt, as if it were witnessed by each generation, for we will not give false testimony to our children, nor bequeath them vanities and nonsense, and they will not question the testimony we present... (Ramban, Devarim 4:9)

This is puzzling: Is the basis of our faith the fact that fathers never transmit falsehood to their children? Is that valid evidence? Do we deny that fathers sometimes, but not always, teach their children irrational ideas? How can trust in our fathers serve as the ideal foundation of belief? Why is this more effective than witnessing miraculous signs from Heaven?



In high school, to my sorrow, though there was a focus on learning, I must say that I and all those around me keenly felt that the atmosphere was one of competition to achieve in general studies. We learned, but it was purely by coincidence. It had no real meaning... The values that I did pick up were: the extreme importance of “doing well,” of attaining a successful

career and of being pro-Israel....Judaism was *mitzvat anashim melummadah*. The speeches are all there, but the actions were not. How can our parents talk about *talmud Torah* when they don't learn? How can they talk about being *medakdek be-mitzvot* when we saw them being careless? When we got to Israel, we found people who weren't hypocrites. Who did what they said, and learned. Who made *avodat ha-Shem* their *ikkar* in life....Growing up we teach our children that *talmud Torah* is crucially important - but then we are not careful to make sure that they actively learn. We don't mind if they spend endless time on TV, internet, and other things. Kids are VERY sensitive to these kinds of issues. You can not emphasize one thing in *tefillah* and classroom, but then let it go in 'the real world'.

("Flipper" – a young man explaining his religious transformation while spending a post-high school year in Israel)

This young man learned what his parents taught; only it was not so much the words they taught as the reality of their lives that impacted on him. In fact, this is always how we teach. Curriculum and lesson plans are just words, but a teacher does more – he teaches himself. This is even more true when the teacher is a father teaching his son, where the student is a physical extension of his teacher.

The Sinai Revelation is the eternal Torah lesson. It was not merely an experiential event, and what remains with us from that day are not only the words, rules and instructions. The revelation was the transmission of life itself. All of creation hung in the balance, for reality was defined at that moment. To pass this on to the next generation is not only to validate the evidence of that experience, but to transmit the essence of life. This is what a father transmits to his children. *Klal Yisrael*, connected to the essence of existence, bequeaths that portion of life to its descendants. "A father does not give false testimony or transmit vanities to his children;" meaning: he extends and expands his own living truth, which reflects his own life and the life of every Jew, to the next generation. But if instead, his stated instructions are not consistent with his own behavior, and if he dedicates his own life to ephemeral materialistic pursuits, his children receive a different message. His Torah is not true.

### *Torah Study and “Benefit”*

Many of our students see no practical benefit to Torah study, nor do they have a compelling reason to devote hours of their lengthy school day to analysis of obscure and esoteric texts. Attuned only to an educational system where academic proficiency garners acceptance to the college of choice and is a tool for professional success, they have not assimilated the idea that Torah study is different – it is Divine service for its own sake.

Ethan was creating a disturbance in his Talmud class, again. His teacher called to him after class, and asked for an explanation. “Nothing personal, rabbi, you’re a nice guy, but what do I need this for? Why don’t you understand that I’m just not interested?! What does Gemara do for me, anyways? Just one rabbi arguing with another, that’s all this is.”

When Torah is placed on a parallel footing with other subjects we teach, students will naturally measure which class is more valuable and pertinent, and cannot be blamed for underestimating the Torah’s significance. But, the Torah is not merely another subject. It is intellectual activity of a different sort.

“*The Torah is not found by merchants*” (Eiruvin 55a). The *Maharal* of Prague explains that merchants are involved in a constant give-and-take, weighing one option against another, and calculating their worth. But such is not the way of Torah. The Torah is above and beyond all challenge. Man cannot disregard the Torah’s word, not because it is prohibited, but because Torah is the source and definition of the very reality we live in. Torah cannot be measured against anything else, because the Torah is the singular basis of all existence. G-d is One and His Torah is One.

The Torah is not merely a better option, with rules for healthy living. The Torah is illumination: *ki ner mitzvah ve-Torah or* (Mishlei 6:23). It is a brilliant flash of light that illuminates the world with understanding and comprehension, banishing the forces of darkness. Torah is a different perspective, and from its vantage point, man acquires the tools to confront a beckoning world. For this reason, at Har Sinai all the world was silent – in the light of Torah, no competition truly exists.



The Torah is not a matter of choice. It is an all-encompassing state of being. Whenever Torah is studied, man recreates the Sinai experience, and it is the task of a Jewish school to introduce that lofty vision into the lives of the next generation. Acceptance of Torah is feasible only when the echo of *Har Sinai* is heard, and our students must recognize that they too have stood beneath that mountain.

With all this in mind, let us now turn to our own educational system, and see where adjustments may be in order.

### *Torah is life*

The traditional yeshiva's focus on Talmud is criticized and often misunderstood. Talmud is not a subject but a way of life. In fact, a well-known practice in yeshivot of old was to study for days on end, with the most diligent students persisting until they dropped from exhaustion. Not that this was sound advice, but, just as life has no interruption, and man breathes without a break, Torah is best studied in the same manner.

No matter where he stands on the spectrum of Orthodoxy, a dedicated and devoted *rebbe* will similarly inspire his students. An influential educator considers Torah to be his lifeblood – “*Ki hem hayyenu*”. Only then will his *Shiurim* and lectures be enthusiastic and inspiring, and only then will his students sense the infusion of a higher source that resonates through the Torah that he transmits. The students must sense that their *rebbe* is transmitting echoes of his own *rebbe*, and in that transmission the sound of Sinai can still be discerned. He must contain more than he is giving over, and his students will detect something of the unlimited nature of Torah that is the *rebbe's* heart, and know that he is holding back much more, teaching them now only as much as they can understand.

### *Torah is transmitted from Rebbe to Talmid*

Today's greater access to Torah through data base searches, or prepared texts available on file, will not automatically produce the kind of Jews that will ensure our dynamic future as a people. Torah cannot be mastered merely by careful textual analysis, nor can neophyte scholars chart new courses based upon their own readings of ancient texts. Torah and Halakhah make reference to the text, but true Torah is shaped by the teachers and Gaonim of each generation, whose living Torah of sincerity, humility, piety and authenticity actualize and validate their approach.

### *Torah is not just an accumulation of facts*

Which *massekhet* to study is a question of minor significance in traditional *yeshivot*. The purpose of Torah study is not merely to memorize the details of the four prototypes of damage, the three methods by which to betroth a woman, or the answer to any particular question, but the goal and purpose of Torah study is the connection to G-d that comes with dedicated and ongoing Torah contemplation. This is not to suggest that information is not important, or that the subject matter need not be mastered, but that Torah is transmitted in a different sort of way. In other words, it is possible for one to know the right information but to remain disengaged – devoid of true commitment.

Torah is not defined by its text and the information it contains; rather, it is defined by what is contained in the heart and soul of the *rebbe* that he transmits to his own students. “*How foolish are most people; they stand before a Torah scroll, but not before a Torah scholar!*” (Makkot 22b). The *rebbe* is the true Torah. He must be a living example and embodiment of the Torah lessons that he teaches. He brings Torah to life and gives expression to a deeper reality. He transmits himself to his students, and to the extent that he faithfully reflects the Torah, he provides them with an alternative that they too can strive for.

To do so, however, the educator/*rebbe* himself must be immersed in the intricacies of a difficult Talmudic problem before he presents it to others. If he has spent a complete evening attempting to decipher a difficult Tosafot, or find an answer to Rabbi Akiva Eiger’s question; if he has stayed awake while contemplating a philosophical dilemma, he will have no problem drawing his own students near. If on the other hand, he perfunctorily recites mimeographed lessons, and can demonstrate only that the Torah has interesting answers to relevant questions, his students will not be convinced of the Torah’s unique status and authority, and they will be no more enthused than he.

### *The rebbe must be a voice of authority*

Democratic principles are wonderful tools for a lively and engaging classroom experience, but they can never capture the true flavor of *Torah mi-Sinai*. The *rebbe* must be perceived as a divine messenger, presenting a binding and undeniable connection with G-d. He need not possess charisma or charm, and it should not be his magnetic personal-

ity that students find convincing; the compelling nature of Torah itself will guide his students to focus on the *devar ha-Shem*.

### **Torah and “relevance”**

The oft-stated suggestion to make Torah relevant by studying tractates with familiar observances such as Sukkah or Rosh HaShanah misses the point. To show Torah’s relevance and vitality, we need simply to engage our students’ minds and peel away the layers that conceal the heart of each Talmudic discussion. This can be done best while studying *Nashim* and *Nezikin*, whose ready case law lends itself easily to sharp and riveting analysis that demands full and intense concentration. A captivated mind quickly discovers a universe of subtle detail, and this is more effective—and more relevant—than the highly touted method of tracing a particular Halakhah from beginning to end.

### **Torah must be experienced**

This can not take place solely in the classroom. Many of our students spend years in the classroom, but have yet to study Torah on their own accord, accomplishing little more than attaining the information they need for the next exam. In many schools, the classroom framework serves both Torah and secular studies, with students shuttling to and fro from one course to the next. This setting may be conducive for studying information, but is not ideal for *talmud Torah*, which is presented best in the traditional *beit midrash* learning *seder*, a self-contained dimension of learning without end - no interruptions, no distractions, and no breaks, where students are bound neither by lesson plans, subject matter nor curriculum.

### **Torah cannot be harnessed to a particular ideological agenda**

Torah exists in the heart of each individual as a living and vibrant truth, actualized by the choices he makes in the face of personal and private tribulation. Attempts to promote a particular ideology, modern Orthodox, *haredi*, or anything in between, will never bear fruit, for efforts to cite Torah sources to justify one’s ideological approach reduces the Torah to a supporting role, denuding it of its eternal message and power. For this reason, we cannot teach students to be Modern Orthodox for even miracles from Heaven will not insure the loyalties of future generations. Only the deep inner commitment that comes with true clarity and inspiration can achieve this.

### *Torah is axiomatic and not open to “scientific” experimentation*

Torah is light illuminating the darkness. The way of science is hypothesis, experimentation and proof, and yesterday's theories are exposed to continuous reevaluation. If the Torah were taught in a similar way, with the need for evidence, instrumentality, and hope of reward, it, too, would be subject to reevaluation. But the Torah, when presented properly, cannot be rejected – for to reject Torah is to reject life, deny existence, and misrepresent the unity of G-d. Without minimizing the necessity or value of secular studies, students must appreciate and understand these differences. But when Torah subjects are lumped together with others in a cross-curriculum endeavor, the clarity and singular nature of Torah may be lost.

### *The tone and tenor of the institution must be established by Torah scholars*

*Gedolei Yisrael* have always been enveloped in an aura of peace and quiet, and visitors walk away awed and inspired, honored by a man who heeded the needs of each individual with dignity and respect, relating to each person as if he were an *olam malei*. In contrast, too often it seems that the highest position on the school totem pole is reserved for the C.E.O. of a major corporation, surrounded by secretaries and functionaries who prioritize his time. And an unfortunate outgrowth of this trend is the extra efforts extended to increase the school population, with an inordinate focus on quantity – forgetting all the while that G-d did not choose the Jewish people for their numbers.

Students are not foolish. They sense and they perceive very clearly. If school leaders are concerned with organization, image and public relations, that attitude filters throughout the institution, and the students are the first to sense this lack of integrity. And when a school's priorities are not the spiritual and moral development of each individual, but, the growth and health of the institution, students begin to look elsewhere for direction.

### *To summarize*

Our task is to build Torah Jews one by one. It may be a fond, unrealistic hope, but somehow we must see to it that the most influential

figures in school are those who carry the name of Heaven on their lips, who are “holding in learning” and spreading Torah to their students. Ideally, this could well be the principal, and occasionally it can be a *rebbe*, but in no case should it be the builders, movers, shakers and moneymakers if they do not meet the rest of the specifications. We must be grateful to such people for their sincere efforts, but the model for the Jewish future must be a Torah personality.

It also seems, at times, that an erroneous conception has crept into our communities, namely that ritual observance of the *mitzvot* is the sum total of G-d's will, with nary a word about *ameilut ba-Torah* (total immersion in Torah) or *avodat ha-Shem* (serious service of G-d). When Torah study is not valued for its own sake, and our lessons are only for immediate and practical import, society loses sight of the Torah world. And when Orthodoxy is taught merely as rules for good living and a ticket to Heaven, it is little wonder that so many of our youth, who have more pressing concerns and more attractive alternatives, are not enthused by its message.

Spiritual entities are one of a kind: harmonious and unitary. When Torah defines all of life, it is all-encompassing and for this reason the true Torah scholarship is holistic. A student attached to the Torah senses that Torah is his life and neither vanities nor pleasures will tempt him to leave it. For Torah education to succeed, we need not prove that the Torah has measurably better answers to the issues of the day. Instead, we need to demonstrate, by example, that the Torah reflects a different and more sublime reality.

Our challenge is to inspire our children with the courage and tools to make the right choices. Whether they choose to be doctors, lawyers, *kollel* students or rabbis, makes little objective difference; by striving his utmost in the face of private difficulties, each and every Jew, in his distinctive set of circumstances, can successfully actualize G-d's will in his own life. In this way, he becomes an integral part of the Jewish people, acquiring his own portion of Torah, and he will carry this message with pride on the road to eternity.

Tzvi Pittinsky

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# **THE ROLE OF TEACHER AND STUDENT IN JEWISH EDUCATION ACCORDING TO RABBI JOSEPH B. SOLOVEITCHIK**

## **Introduction**

For decades, Rabbi Joseph B. Soloveitchik was a recognized leader in Jewish education. As *Rosh Yeshiva* in Yeshiva University he taught many of the rabbis who filled positions in Orthodox schools and synagogues. In Boston, he founded the Maimonides School which served as a model for modern Orthodox yeshivah day schools. Besides the legacy of the educational institutions that he served with distinction, Rabbi Soloveitchik spoke and wrote about Jewish education.

This article seeks to identify two themes about Jewish education in Rabbi Soloveitchik's public lectures and published essays and discuss their implications for the educator in modern Orthodox yeshivah day schools today. Since education involves the meeting of teachers and students, this paper will discuss Rabbi Soloveitchik's view on the roles of the teacher and the student in Jewish education.

## **The Role of the Teacher**

Rabbi Soloveitchik describes the role of the teacher as engaging in a dialogue with his students while delivering a monologue as they listen

in. In the dialogue, the teacher and his students approach the Torah as mature intellects discussing and arguing about its interpretation. In the monologue, the teacher and his students relate to Torah as young children connecting to Judaism emotionally. The teacher's monologue describes his own educational experience; the student listens in to his teacher's self-reflection and grows in his own emotional connection to Jewish practice.<sup>1</sup> In this way, the teacher imparts to him the "living experience" of Judaism.

Rabbi Soloveitchik describes the dialogue between *rebbe* and *talmid* as the merging of the generations of the *Mesorah* that takes place when the *rebbe* delivers a *shi'ur*. In a talk given on the occasion of the *pidyon ha-ben* of a boy whose father and grandfather were his students, he describes this experience in great detail:

I start *shiur*. I don't know what the conclusion will be. Whenever I start the *shi'ur* the door opens another old man walks in and sits down. He is older than I am. He is the grandfather of the Rav; his name is Rav Hayyim Brisker, without whom you cannot learn nowadays. The door opens quietly again and another old man walks in. He is older than Rav Hayyim. He lived in the 17<sup>th</sup> century. What's his name? Shabbesai Cohen, the famous Shakh who must be present when *dinei mamonot* are discussed... More visitors show up, some from 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup> centuries, some from antiquity: Rabbi Akiva, Rashi, Rabbenu Tam, the Ra'avad, the Rashba, more and more come in. What do I do? I introduce them to my pupils and the dialogue commences. The Rambam says something and the Ra'avad disagrees: sometimes it's very nasty; the Ra'avad uses very sharp language. A boy jumps up to defend the Rambam against the Ra'avad and the boy is fresh. You know how young boys are. He uses improper language so I correct him. Another boy jumps up with a new idea, the Rashba smiles gently. I try to analyze what the young boy meant... another boy intervenes... we call upon Rabbenu Tam to express his opinion and suddenly a symposium of generations comes into existence. Generations, young boys twenty two or twenty three, and my generation, the generation of Rav Hayyim Brisker, of the Shakh... of Rabbenu Tam, Rav Hai Ga'on, Rabbi Akiva, and Rabbi Elazar, and Rabbi

Yohanan Ben Zakai... We all speak one language... We all chat. We all laugh. We all enjoy the company. We all pursue one goal. We all are committed to a common vision and we all operate with the same categories. There is *Mesorah* collegiality, friendship, comity between old and young between antiquity and Middle Ages and modern times... This unity of generations, this march of centuries, this conversation of generations this dialogue between antiquity and present will finally bring the redemption of the Jew.<sup>2</sup>

The implications of this are that the teacher must connect the students to the entire *Mesorah* going back all the way to Mount Sinai. The teacher should remind his students who each of the Sages was and when and where he lived. This gives them a greater appreciation of whom they are speaking about. He should train the students to analyze the opinions of our Sages not as detached observers but as active participants in the chain of the *Mesorah*.

The second aspect of the relationship between *rebbe* and *talmid* is the *rebbe's* monologue in which he communicates the "living experience" of Judaism. Rabbi Soloveitchik describes his formative educational experience as a monologue that he heard from his first teacher, a *melammed* who was a *hasid Habad*. While studying the story of Judah confronting Joseph, the teacher questioned why Joseph asked his brothers if they had a father. The *melammed* then began to speak in a monologue, as if to a mysterious visitor, with the students listening in:

He said: Joseph was not talking about a visible father, *avot de'itgalin*, but about a mysterious hidden father, *avot de'itkasin*; he inquired about existential parenthood not biological parenthood. Joseph was anxious to discover whether they feel themselves committed to the origin... Do you look upon your father as branches look upon the roots of the tree? Do you look upon your father as the foundation of your existence? Do you look upon him as a provider and sustainer of your existence? He suddenly stopped addressing himself to the strange visitor and he began to talk to us raising his voice: Are you modest and humble? Do you believe that the old father, who represents the



old tradition, is capable of telling you something new, something exciting, something challenging that you did not know before, or are you arrogant, insolent, vain, and demand independence from the father? He addressed himself to the one who had a reputation as a prodigy whose father was a blacksmith... Who knows more, Izhik who knows 150 pages of Gemara by heart, or his father Jacob the blacksmith who could hardly read Hebrew, can hardly daven? Are you proud of your father, are you humble? If a Jew admits the supremacy of his father in effect he recognizes also the supremacy of the universal father, who is very, very, very old and is called 'atik yomin'.

In learning this approach, which was a symbolic interpretation of the question, you can then also interpret in the same manner the second question: Do you have a brother? Do you have a biological brother with identical genetic code from that parent? This is irrelevant. Does your time awareness encompass the present or the future as well? Does my existence embrace my parents, family, friends or generations before me? Do you plan not for the world of today, but for the world of tomorrow? Do you believe in the improbable, in the fantastic? Do you behold a vision to make the improbable and fantastic happen so that it can turn to reality? Do you believe what the future can bring? The brothers responded: Yes master, we do have a very old father. We feel that we are all deeply rooted in him. *Ve-yeled zekunim katan*. Yes master, we have a young talented bright child with a shining eye representing the world of tomorrow. This child is challenging us to make the generations unborn yet possible and to make nonbeing emerge as something real.<sup>3</sup>

In this way, Rabbi Soloveitchik indicates that a teacher must transmit to his students a commitment to both the *av zaken* symbolizing our "great past," as well as the *yeled zekunim*, representing a "glorious future." When the elderly teacher communicates with his bright, young pupil, he transmits to the young student the divine discipline and divine romance of Judaism; the law and the religion.

In an oral communication, Rabbi Aharon Lichtenstein touched upon the importance of transmitting this emotional experience of Judaism. As I was embarking on my career in Jewish education as a teacher

in a yeshivah high school, Rabbi Lichtenstein shared with me that just as important as the Torah content and skills I would teach my students in the classroom are the *melava malkah's* I should provide them at my home. Experiential education is just as important as formal education.

Rabbi Soloveitchik similarly describes a dialectic between *mussar avikha*, the formal textual learning and analysis of Torah, and *torat immekha*, the “living experience” of Torah and Judaism.<sup>4</sup> This living Judaism of *torat immekha* ideally takes place in the home and synagogue. Rabbi Soloveitchik wonders whether a teacher can communicate to his students the experience of Judaism. For example, how can one communicate the stirring liturgical tunes of the Days of Awe and the emotions that they evoke?<sup>5</sup>

However, the challenge today is that teachers cannot assume that *torat immekha* is being transmitted in the home. Many day school students come from families of *ba'alei teshuvah* who do not have a tradition of living Judaism that they can effectively communicate. Others come from families where the commitment to *torat immekha* is less than stellar.

Jewish educators sometimes make the mistake of limiting experiential learning to informal educational activities. While hosting *melava malkah's* at one's home is important, it is no less important to bring the *melava malkah* experience into the classroom. Rabbi Soloveitchik communicated the experience of *Har Sinai* through his daily teaching. His public introspection, his sharing of his personal feelings and experiences about Judaism with his students, connected him with them in profound ways. Dr. Kalman Stein, formerly a principal at The Maimonides School, Rabbi Soloveitchik's flagship day school in Brookline MA, often exhorts his faculty to “sing” in the classroom. By metaphorically “making music” in the classroom, teachers communicate the beauty and the wonder of Judaism, its awe and power.

Another widely practiced mistake is substituting purely experiential education for material content. This mistake is the opposite of the first. In the former, one teaches only content to the exclusion of any emotional attachment with the material. In the latter, one is so focused on giving over a Jewish experience that one does not rigorously teach Torah texts. One spends so much time talking about Judaism with his students that he wastes time that could be better spent teaching Judaism to the students.

While engaging the heart was one aspect of Rabbi Soloveitchik's lectures, he believed that the best way to help students experience Torah was to engage their minds by teaching them on the highest level possible. Rabbi Soloveitchik was the finest role model for this. When he gave *shiur*, he utilized the most complex methods of analysis, conceptualization, classification, and definition known to the Torah world. It was through Torah content that he presented his students with the experience of Mount Sinai. It was not a dry intellectual pursuit, neither was it a sentimental talk; it was an exciting, stimulating experience of Talmud Torah.

### The Role of the Student

According to Rabbi Soloveitchik, the role of the student is to experience Talmud Torah, which he regards as a reenactment of *ma'amad Har Sinai*.<sup>6</sup> He demonstrates this from the fact that the Talmud prohibits a *ba'al keri* from learning Torah. The reasoning given by the Talmud (*Berakhot* 21a) is that just like the *ba'al keri* was forbidden to participate in *ma'amad Har Sinai*, so is he forbidden to engage in Talmud Torah. Rabbi Soloveitchik deduces from this that the act of Talmud Torah should be approached with the same fear and awe as *ma'amad Har Sinai*.

Rabbi Soloveitchik says that the experience of Talmud Torah has a longer lasting and more profound effect on a person than witnessing the revelation of the *shekhinah*. He proves this from a homily in the Talmud (*Bava Kama* 82a) based on the episode when the Jews traveled from the Red Sea for three days and complained that there was no water to drink. The Talmud says that the water symbolizes Torah and since the Jews did not learn Torah for three days they started to complain. Rabbi Soloveitchik points out that this is in spite of the fact that they saw at the Red Sea an unparalleled revelation of God's presence in the world. The effects of this revelation wore off after three days. Only Talmud Torah would have a more lasting effect on the Jewish psyche.<sup>7</sup>

Rabbi Soloveitchik explains that Talmud Torah affects the Jew through a two stage process. The first he calls *gadlut ha-mohin*, greatness of the mind, while the second he calls *katnut ha-mohin*, insignificance of the mind. When a scholar involves himself in the act of Talmud Torah, he frees his mind for tremendous creativity. He is the

architect who constructs intellectual worlds through the study of Torah.<sup>8</sup> In his classic essay *Halakhic Man*, Rabbi Soloveitchik compares this to the mathematician who uses mathematical constructs to create an ideal world and then tries to relate this theoretical world in his mind to the real world around him. Similarly, the halakhic man establishes the essential halakhah in a theoretical sense and then tries to relate his halakhic constructs to the world around him.<sup>9</sup> This experience leads one to a great sense of confidence in his intellectual abilities: *gadlut ha-mohin*.

Rabbi Soloveitchik adds that this should also lead the Torah learner into a rendezvous with God. The learning of Torah unites human beings with God. This is due to the fact that both God and the Jewish people concentrate their minds on one object, the Torah. Since both God and the Jewish people are united in the Torah, by studying Torah the Jewish people are united with the Almighty. In Rabbi Soloveitchik's words, "if the knower and the object known are merged into one, then two knowers whose minds are concentrated on the same object are also united."<sup>10</sup> He explains this using the axiom, if "a=c" and "b=c" then "a=b". In this case, "a" represents God, "b" represents the Jewish people, and "c" represents the Torah. Since both God and the Jewish people know the Torah, then it is through the Torah that the Jewish people can know God.<sup>11</sup>

This is only the first stage in the learning process. The confrontation with God experienced through Talmud Torah should lead one to a second stage, an intense feeling of *katnut ha-mohin*. The meeting with the Infinite should elicit a realization of one's own finitude and lowliness compared to the Almighty. One should change from an intellectual relationship with God, where one imitates God's creative abilities, to an emotional relationship with God, where one feels like an infant who is nothing without God.<sup>12</sup> Rabbi Soloveitchik describes this as "a rendezvous with Mother Shekhina."<sup>13</sup> Through learning Torah, one meets God and experiences His love on an emotional level the way a child experiences his mother's love. This meeting should have a profound impact on the person's experience in Torah. Rabbi Soloveitchik observes that while the first stage of intellectual creativity in Torah learning is relatively common in our schools today, the second stage of intellectual humility is, unfortunately, very rare.<sup>14</sup>

This idealized description of learning has profound educational implications. Educators need to communicate intellectual modesty to their students. It is not enough to elevate them with a sense of intellectual prowess. One must also help them appreciate their intellectual limitations when confronting the Almighty. Rabbi Soloveitchik questions our success in conveying humility of spirit to students. He is confident, however, that teachers will accomplish this in the future.<sup>15</sup>

### Submission to Authority

According to Rabbi Soloveitchik, intellectual modesty is absolutely necessary in the Torah learning process because its absence leads to halakhic anarchy. If students are free to be as creative as their minds fancy in Torah learning without a countervailing ethic of humility pushing them to recognize the limits of their creativity, they can ignore all legal precedent and established community practice to create their own unique halakhic system completely at odds with any accepted halakhic tradition. I believe it is this problem that Rabbi Soloveitchik was addressing when he spoke on a number of occasions about the need for the human being to surrender to the authority of halakhah.

Rabbi Soloveitchik introduces this ethic of submission to halakhic authority by relating the sad story of a *giyyoret tzedek* who met a non-religious Jew after her conversion and nurtured him back to Judaism. They got engaged and were about to be married when the boy discovered, upon a visit to his grandfather's grave, that he was a *kohen* and could not marry his fiancé because a *kohen* is forbidden to marry a convert. What could they do? Sometimes there is nothing one can do. Rabbi Soloveitchik explains that one must surrender to the authority of the halakhah.<sup>16</sup>

Rabbi Soloveitchik describes this human suffering on account of the halakhah as an experience of catharsis. Just as catharsis means to purify metal by subjecting it to fire, so, too, the suffering that one endures when surrendering oneself to halakhic authority has the effect of purifying the person's soul. The halakhic hero will both surge forward in his pursuit of greatness and retreat and recoil the moment he reaches the limits of the boundaries of halakhah.<sup>17</sup>

According to Rabbi Soloveitchik, the ethic of submission is an essential aspect of Talmud Torah. The submission to the will of the

Almighty stems from recognition of one's own insignificance when compared to the Almighty Creator. One who learns Torah properly and uses it as a vehicle to reach God, will naturally surrender to God's infinite intellect and power. One who only learns Torah to celebrate his own cognitive prowess and revel in his intellectual gymnastics, however, will not be willing to surrender his mind to any authority, even the authority of God.

This is the "divine discipline" that Rabbi Soloveitchik spoke about as one of the things that the *av zaken* must teach the *yeled zekunim*. Discipline means resignation. Rabbi Soloveitchik explains:

The capacity to resign from something which is tempting and beautiful, to resign from something which all I have to do to get it is to reach out, [and] it is in my grip. According to *Yahadut*, man – in contradistinction to the brute – expresses himself in a disciplined existence.<sup>18</sup>

This act of resignation and surrender is perhaps the hardest thing to communicate to students today. American day school students are immersed in the culture of American hedonism. Part of that culture is based on instant gratification. This often translates into a Jewish observance based on convenience. Students only adhere to the standards of halakhah when it is convenient, while compromising these standards when it is not. Some even seek to demean modern Orthodoxy as condoning this laxity of observance, distinguishing modern Orthodoxy from the more right wing brands of Orthodoxy on account of the compromises it makes when halakhah is not convenient.<sup>19</sup> Rabbi Soloveitchik spoke out against this. The reason, he said, that *Hazal* articulate the concept of accepting mitzvot as *kabbalat 'ol malkhut shamayim* and not just *kabbalat malkhut shamayim* is because sometimes halakhah is an 'ol, it is a yoke around our necks but it still must be followed. Teachers in modern Orthodox yeshivah day schools are challenged to convey to students the need to embrace western culture without making compromises in the area of halakhah.

### Conclusion and Further Implications

Rabbi Soloveitchik viewed Jewish education as uniting the *av zaken* with the *yeled zekunim*. The *av zaken* teaches the child not only the knowledge of the Torah, but the experience of receiving the Torah as

well. This has implications for methodologies of both formal Jewish education and for the importance of Jewish experiential education, as well.

According to Rabbi Soloveitchik, the relationship between *rebbe* and *talmid* is in the form of both an intellectual dialogue between them and an emotional monologue with the *rebbe* sharing his experience of Judaism while his students listen. Learning Torah transcends history as students engage in an active dialogue with their teacher and with all the *hakhmei ha-mesorah* dating back to Mount Sinai. Teachers need to excite their students in order to make them active participants in the learning process. The teacher should also involve himself in a monologue in which he communicates to his students his emotional connection to Judaism.

In their experience of Talmud Torah, students should be led to intellectual creativity; to attain *gadlut ha-mohin* as they take great pride in their intellectual accomplishments resulting in communication with God through His Torah. In turn, the encounter with the Almighty should guide our students to intellectual humility, *katnut ha-mohin*, an intellectual humility that leads one to surrender to the authority of the Halakhah. This, in turn, can become a cathartic experience.

## NOTES

The author wishes to thank Scot Berman, Shalom Carmy, Joel Rich, and Alan Yuter for their helpful comments.

- 1 Joseph B. Soloveitchik: "Al Ahavat Hatorah Ugeulat Nefesh Hador," *Be-Sod ha-Yahad ve-ha-Yahid*, edited by Pinchas Peli (Jerusalem, 1976), 414-417.
- 2 Joseph B. Soloveitchik: "Uniting of Generations-Pidyon Haben" (1974). Retrieved on 8/3/2004 from <http://www.613.org/rav.html>. A summary of this talk appears under the title: "The First Jewish Grandfather," in Abraham Besdin, *Man of Faith in the Modern World: Reflections of the Rav* Volume Two (Hoboken, 1989), 15-24.
- 3 Joseph B. Soloveitchik: "Concepts in Jewish Education," (1975). Retrieved 8/3/2004 from [http://www.ericlevy.com/Recordings/Recordings\\_The%20Rav.htm](http://www.ericlevy.com/Recordings/Recordings_The%20Rav.htm).
- 4 Joseph B. Soloveitchik: "A Tribute to the Rebbetzin of Talne," *Tradition* 17:2 (Spring, 1978) 73-83.
- 5 Joseph B. Soloveitchik: "Concepts," *op. cit.*
- 6 Joseph B. Soloveitchik: "Kerias Hatorah" (Yarhei Kalla, Boston, 1975).
- 7 *Ibid.*

- 8 Joseph B. Soloveitchik: "Al Ahavat Hatorah," *op. cit.*, 408-410.
- 9 Joseph B. Soloveitchik: *Halakhic Man* (Philadelphia, 1983) 18-29.
- 10 Joseph B. Soloveitchik: "Torah and Humility" (1971) summarized by Ronnie Ziegler. Retrieved on August 10, 2004 from <http://www.vbm-torah.org/archive/rav/rav11.htm>.
- 11 *Ibid.* It is interesting that Rabbi Soloveitchik uses the devotional definition of *Torah lishmah*, with its emphasis on *devekut* advanced by Rav Shneur Zalman of Ladi and other kabbalists, rather than using the cognitive definition of *Torah lishmah* advanced by Rabbi Soloveitchik's progenitor and spiritual antecedent, Rav Hayyim of Volozhin. This is despite the fact that Rabbi Soloveitchik himself quotes Rav Hayyim's cognitive definition of *Torah lishmah* verbatim in *Halakhic Man*, 87-89. See *Torah Lishmah: Torah for Torah's Sakes* by Norman Lamm (Hoboken, 1989), 190-253, for a complete discussion of these two definitions. In "Al Ahavat Hatorah Ugeulat Nefesh Hador", 410, Rabbi Soloveitchik reconciles the cognitive definition of *Torah lishmah* formulated by his forebears with the devotional definition explicated by the *Tanya*, for whose philosophy Rabbi Soloveitchik clearly has an affinity. He creates synthesis where on the one hand one studies Torah for the Torah's sake like the philosophy of Rav Hayyim of Volozhin while on the other hand through this act of study one meets God who also involves himself in the four cubits of Halakhah similar to Rav Shneur Zalman of Liadi.
- 12 Joseph B. Soloveitchik: "Al Ahavat Hatorah," *op. cit.* 408, 411.
- 13 Joseph B. Soloveitchik: "Torah and Shekhinah," in, *idem.: Family Redeemed: Essays on Family Relationships* (Boston, 2000), 176-178.
- 14 Joseph B. Soloveitchik: "Al Ahavat Hatorah," *op. cit.* 417-419.
- 15 *Ibid.*
- 16 Joseph B. Soloveitchik: "Gerus and Mesorah (1)" (1975). Retrieved on 8/3/2004 from [http://www.ericlevy.com/Recordings/Recordings\\_The%20Rav.htm](http://www.ericlevy.com/Recordings/Recordings_The%20Rav.htm). A partial transcription of this talk by Eitan Fiorino under the title, "Talmud Torah and Kabbalas Ol Malchus Shamayim" appears at [http://mail-jewish.org/rav/talmud\\_torah.txt](http://mail-jewish.org/rav/talmud_torah.txt). Retrieved on 8/15/2004.
- 17 Joseph B. Soloveitchik: "Catharsis," *Tradition* 17:2 (Spring, 1978) 38-44.
- 18 Joseph B. Soloveitchik: "Concepts in Jewish Education," *op. cit.*
- 19 Walter Wurzburger: "Rav Joseph B. Soloveitchik as Posek of Post- Modern Orthodoxy" 1-2. Retrieved on 8/11/2004 from [http://www.lookstein.org/articles/soloveitchik\\_posek.htm](http://www.lookstein.org/articles/soloveitchik_posek.htm), originally published in *Tradition*, Volume 29, 1994. For this reason, Norman Lamm wishes to change the identifier for those who strictly adhere to Orthodoxy while embracing the knowledge of western culture as "Centrist Orthodoxy." Wurzburger himself prefers the term "Post-Modern Orthodoxy."