



**Spiritualizing Halakhic Education:
A Case Study in Modern Orthodox
Teacher Development**

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Abstract: "Spiritualizing Halakhic Education: A Case Study in Modern Orthodox Teacher Development" reports on an experiment in using the thought of Rabbi Prof. Yitzchak Twersky as a resource for improving Modern Orthodox Jewish education. It is based on a seminar in professional development undertaken in 2002-2003 through ATID (The Academy for Torah Initiatives and Directions in Jewish Education) in Jerusalem.

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Where there is no vision, the people perish.

—Prov. 29:18

Teaching is not like other crafts and professions, whose members talk in a language specific to them and their work... Without such a framework, the neophyte is less able to order the flux and color of daily events and can miss crucial transactions which might otherwise be encoded in the categories of a developed discourse. Each teacher must laboriously construct ways of perceiving and interpreting what is significant.

—Dan Lortie, *Schoolteacher*¹

One must be attuned to the silences as well as to the sounds of Maimonides' writing.

—Isadore Twersky, *Introduction to the Code of Maimonides*²

Ultimately, willy-nilly, vision is all around us. There's nothing neutral in hinukh—only some bad and some good. What I now understand is that we must actively and consciously plan and map our goals, and develop strategies to reach them. Helping me find a vision electrifies me. It greases the wheels of that planning, and gives me something to aspire to. It's extremely empowering, but also extremely demanding.

—ATID Fellow Seminar Participant

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Introduction

In one of his more personal pieces, Rabbi Joseph B. Soloveitchik addressed the challenges of educating for inner religious experience. The essay, entitled "*Al Ahavat HaTorah ve-Geulat Nefesh HaDor*" ("On the Love of Torah and Redemption of the Soul of Our Generation")³ is an overlooked source for understanding the Rav's philosophy, especially as it pertains to the aims of Jewish education.⁴ He describes

a serious educational-philosophical problem, which has long troubled me. Orthodox youth have discovered the Torah through scholastic forms of thought, intellectual contact, and cold logic. However, they have not merited to discover her [the Torah] through a living, heart-pounding, invigorating sense of perception. They know the Torah as an idea, but do not directly encounter her as a "reality," perceptible to "taste, sight and touch." Because many of them lack this "Torah-perception," their world view (*hashkafah*) of Judaism becomes distorted... In one word, they are confounded on the pathways of Judaism, and this perplexity is the result of unsophisticated perspectives and experiences. *Halakhah* is two-sided. . .the first is intellectual, but ultimately it is experiential.⁵

The spiritual and experiential deficiencies of Orthodoxy frustrated Rabbi Soloveitchik. Rabbi Aharon Lichtenstein, his son-in-law and one of the leading figures in the Modern Orthodox community, has noted that

the frustration centered, primarily, on the sense that the full thrust of his total [effort] was often not sufficiently apprehended or appreciated; that by some, parts of his Torah were being digested and disseminated, but other essential ingredients were being relatively disregarded, if not distorted... [He often felt] that even among *talmidim*, some of his primary spiritual concerns were not so much rejected as ignored; indeed, that spirituality itself was being neglected... [T]he tension between the subjective and the objective, between action, thought, and experience, was a major lifelong concern. The sense that he was only partially successful in imparting this concern gnawed at him...⁶

Rabbi Soloveitchik accepted a share of the blame in the educational crisis he had described:

And therefore I affirm that I can identify one of those responsible for the present situation, and that is none other than myself. I have not fulfilled my obligation as a guide in Israel. I seem to have lacked

the ability—the personal power—required of a teacher and rav, or perhaps I lacked some of the desire to fulfill the role completely, and I did not devote myself completely to the task. To a greater or lesser degree, as an educator and teacher on the plane of *gadlut ha-mohin*, “mental greatness,” my students have received much Torah learning from me, and their intellectual standing has strengthened and increased during the years they have spent with me—but I have not seen much growth on the experiential plane. I have not succeeded in living in common with them, cleaving to them and bestowing some of my personal warmth on them. My words, it would seem, have not kindled a divine spark in sensitive hearts. I have fallen short [in my role] as one who spreads the “Torah of the heart”—[a Torah] that is transmitted by the power of [the teacher’s deliberate] diminishing [of his own towering] stature, to the point of *katnut ha-mohin* [childlike simplicity]. And the failing lies with me.⁷

Rabbi Lichtenstein has noted the poignancy of these comments and has identified them as “part of the Rav’s legacy...the candid recognition of failure—failure transcended by its very acknowledgement. In his own personal vein, so aristocratic and yet so democratic, he has imbued us with a sense of both the frailty of majesty and the majesty of frailty.”⁸

Contemporary Jewish education still faces this frailty. This paper documents the efforts of one organization within the Modern Orthodox community to address the problem of spiritualizing halakhic education. Committed to improving teaching in the Modern Orthodox community, the Academy for Torah Initiatives and Directions (ATID) offers an intensive in-service professional development program for young educators and future educational lay leaders. ATID conducted an experimental course in teacher education between 2002 and 2003 with R. Soloveitchik’s predicament in mind.

The idea for this experiment emerged from ATID’s belief that in order to spiritualize halakhic education, it would be necessary first to seek out a clear articulation of what a successfully spiritualized halakhic education might look like.⁹

What would be its aims, goals and objectives? Which means would it employ? What would be the nature of the teacher-student relationship? Which subject matters would be central, which peripheral?

We located such an articulation in an essay written by Rabbi Prof. Yitzhak Twersky זצ"ל. The article, "What Must a Jew Study—And Why," was written and published as part of the Mandel Foundation's Visions of Jewish Education Project (VJEP).¹⁰ The Project was launched in 1991 in light of the Foundation's sense that

prevalent conceptions and practices of Jewish education are neither sufficiently reflective nor thoroughgoing enough to meet the challenge of new social and cultural circumstances both in Israel and in communities elsewhere. What is needed are new efforts to develop an education of the future that will fully value the riches of the Jewish past and grasp the need for creative interaction with the general culture of the present.¹¹

R. Twersky also worked with the project over the course of a decade, presenting the ideas in his essay to groups of educators, refining and expanding his articulation of a traditional educational vision that would have the potential to be implemented in contemporary schooling and Jewish life. Twelve years after its inception, the project's efforts produced *Visions of Jewish Education*, edited by Seymour Fox, Israel Scheffler and Daniel Marom (Cambridge University Press, 2003). In addition to R. Twersky's essay, the book includes five other "visions" of Jewish education. While not necessary to understand the case study at hand, it is strongly recommended that the reader familiarize him or herself with that volume, and minimally read Rabbi Twersky's chapter and its supplement.

Rabbi Twersky's essay is not the only articulation of a successfully spiritualized halakhic education, but one of the articulations that can be derived from various Jewish schools of thought or thinkers over the generations. Moreover, each articulation has its unique emphases and approaches, so there will necessarily be

significant differences among them. We felt, however, that R. Twersky's vision was particularly appropriate as a basis for ATID's experiment for a number of reasons:

- a) R. Twersky derived his vision from Maimonidean sources, which he saw as most representative of halakhic Judaism as a whole.
- b) R. Twersky's vision emphasizes as its central theme the spiritualization of the *halakhah*, a widely-held concern.
- c) R. Twersky's involvement with the VJEP led him to explore the curricular and pedagogical details of a successfully spiritualized Jewish education, including in areas such as the teaching of *Mikra*, *Aggadah*, and philosophy. Many of his discussions on these topics are summarized in the VJEP library.¹²
- d) R. Twersky is an accepted voice of inspiration and guidance in the Modern Orthodox community. He addresses educational issues of concern to Modern Orthodox Jews, such as the relationship of Jewish and general education, the academic study of Judaism, the emphasis on community in the values of *klal Yisrael* and *ahavat Yisrael*. In his capacity as halakhic authority of the Maimonides Day School in Boston, R. Twersky was deeply involved with the practice of a central institution of Modern Orthodox Jewish education.
- e) R. Twersky recognized that his vision was only one possible articulation of a successfully spiritualized halakhic education and he encouraged others to join in the conversation, developing competing visions. We found this non-dogmatic style especially inviting.
- f) R. Twersky's vision serves as a good resource for the consideration of the topic of educational vision by educators. Even if one does not agree with the emphases in his particular vision, it serves as an effective entry point to the search for alternatives.

The last point was particularly important to ATID, even though an articulated vision alone does not guarantee successful implementation of that vision in practice. A second condition for addressing a predicament in Modern Orthodox education was to help educators to become more attuned to the deeper ideas that guide their work in the field. "Vision-guided" practitioners could be inspired by ideas of successfully spiritualized education and help make them work on the ground.

Thus, in addition to its relevance to the philosophical-educational issues of halakhic education, R. Twersky's paper was important for ATID's efforts in teacher education. It could help us enable the educators in our program to become more "vision-guided" by offering an entrance into the argument for vision that would be accessible and affirming to them and would speak to the concerns, needs, and interests of our community. R. Twersky's essay provided a portal through which to invite the teachers in our program to discuss, debate, and plan for the development and implementation of vision-driven practice in Modern Orthodox education.

This case study describes ATID's efforts to use R. Twersky's teachings in such a way. As director of ATID, I led these efforts, benefiting from the consultation and collaboration of Dr. Daniel Marom, who became the director of the VJEP.¹³ Although specifically focused on practitioners in the Modern Orthodox community, ATID's experiences in teacher education may be enlightening as a model for other communities. We offer our experiences, and the lessons we learned as teacher educators, with the hope that they will also enrich the educational practice of others. We are reporting to Modern Orthodox educators to generate community-wide discourse around the development and implementation of educational visions in our practice. We are also sharing our case with the larger "community of vision": educators, parents, policy makers, and "vision facilitators" concerned with ways of

articulating and implementing vision in Jewish, religious and general education, particularly those who have been inspired by the ideas in *Visions of Jewish Education*. Finally, this case study may be especially relevant to the community of teacher educators who consider vision as a resource for raising the level of professionalism, sophistication, and practice within our field.

Vision and Modern Orthodox Jewish Education

Our seminar began by introducing the ATID Fellows to the concept of educational vision from a Modern Orthodox perspective.¹⁴ It is one thing to argue that educational vision must be a cornerstone of all educational improvement and professional development. It is quite another to make the same argument with reference to a particular community. Indeed, as we discovered, many of the ATID Fellows took the idea of educational vision for granted: of course one needs vision *and we already have it!*

Through careful study, we invited the Fellows to explore this assumption. We presented them with several vision/mission statements from Modern Orthodox Day Schools. As the Fellows read and discussed these statements, they discovered that most of the schools had very shallow visions, if any. In the place of visions, these schools had slogans, such as “Religious Zionism,” “*derekh eretz*” (character development or refinement), “*Torah u-Madda*” (a validation of learning Jewish and general studies), leadership, love of Torah, democratic values, and respect. We saw from this exercise that many schools confuse the noble aspirations of religious education with a rigorous educational vision and neglect strategies or pedagogies that will assure the goals are actualized. Instead of pointing the way for pedagogical practice, these slogans become vague banners around which to rally the community. They are dangerous because they allow everyone to define their goals according to their own preconceptions while assuming that they are in line with a basic consensus among all the share-holders.

This is not to imply that quotes and phrases from traditional sources cannot serve as a basis for educational visions and goals. On the contrary, in Modern Orthodox education, the sources must provide a foundation for our theories of

education and visions. At the same time, effective practice requires that we develop the strategies necessary to actualize and implement these theories and visions. Jewish tradition does serve as a crucial resource in molding a young educator's understanding of his or her profession—but only when the sources transcend slogans and mission or vision statements, and are studied as tools that offer guiding theories into education.

Others have pointed out the problems of sloganeering in education.¹⁵ The Orthodox penchant for mottos may be related to our deep faith in the concepts they express. But it is precisely because of our commitment to these values and ideals that we dare not leave them on the level of pithy catchphrase.

The ATID Fellows' critique of the vision/mission statements raised their defenses: how could we—committed Jewish educators—say such things about Torah education? We tried turning to critiques that identify a lack of vision in institutions outside of the Orthodox community and outside of Jewish education. We believed that this would facilitate a more balanced view of vision in Modern Orthodox education among the Fellows once they returned to that topic.

We turned first to a passage from *The Shopping Mall High School*, a study of general education, which argues that

American schoolpeople have been singularly unable to think of an educational purpose that they should not embrace. As a result, they never have made much effort to figure out what high schools could do well, what high schools should do, and how they could best do it. Secondary educators have tried to solve the problem of competing purposes by accepting all of them, and by building an institution that would accommodate the result.

Unfortunately, the flip side of the belief that all directions are correct is the belief that no direction is incorrect—which is a sort of intellectual bankruptcy.... [T]here is no answer to the query, Why these [disciplines] and not others? Approaching things this way has made it easy to avoid arguments and decisions about purpose....

This is an enormous job, one that is never finished but should long ago have been started. We watched hundreds of teachers at work, but in most cases no sense of intellectual purpose shone through....

If educators could agree on [goals], they would be better armed for debating about education and for deciding that some things cannot be done because others are more important. In addition, they would be in a position to think seriously about pedagogy—that is, about how to achieve educational purposes. Amazingly, high school educators have yet to take up this work as a profession. They have inherited a few catch phrases from the progressives: making studies practical; meeting students' needs; building the curriculum around activities—but even these have not been much developed....

Of course, every teacher has an approach to her or his craft, but each approach is practiced in isolation and does not contribute to a body of shared professional knowledge about how to teach.... because the schools have embraced so many purposes, they have impeded the development of a body of professional knowledge about how to teach well.¹⁶

This argument resonated with the Fellows. We continued with Seymour Fox's 1973 essay "Towards a General Theory of Jewish Education," which focused on Hebrew school programs in North America.¹⁷ Fox argued that the issues of concern to Jewish education, such as insufficient hours of study and a lack of qualified personnel and curricula, were really symptoms of a deeper problem. The answer to the question "Jewish education – for what?" was not clear to those responsible for Jewish education in North America, nor did such answers guide the deliberation about what to do in practice. "We cannot hope to attract talented young teachers," wrote Fox,

apart from the question of the profession's low status and salaries – unless Jewish education is presented as an honorable cause, worthy of professional devotion. We will not be able to develop new or even different curricula for schools unless the specialists – scholars, teachers, and educators – are inspired by authentic conceptions. We will not convince the various funding agencies within the Jewish community to change their priorities and to allocate substantial sums for Jewish education unless we can argue convincingly that the education we want to develop has some chance of substantially affecting the lives of their constituencies.

In short, I maintain that the most urgent problem facing Jewish education today is its lack of purpose and, consequently, blandness...

It is generally assumed that a base for this kind of deliberation already exists, that one has only to study current practice to uncover its implicit philosophy. Of course current practice must be carefully investigated, but it is my feeling that the investigation of most forms of Jewish education, except for the ultra-Orthodox, would reveal that their curricula and methods of teacher training bear little resemblance to what the leadership of the given movement, school, or institution claims to be central in its conception of education.¹⁸

As an example of the lack of coherence between cherished values and modes of practice, Fox pointed out that while Hebrew schools claimed to teach Hebrew, they actually taught modern Hebrew with no transition to the Hebrew of the *Siddur* or *Tanakh*. Besides the obvious problem that supplementary Hebrew schools do not have enough time to teach language fluency, they were in fact not teaching in such a way as to realize their stated goals. Fox argued that "we will have to decide *why* we want to teach Hebrew, for that will determine *what* kind of Hebrew we teach and *how* we teach it."¹⁹

These claims, which originated outside of our particular community, did indeed prepare the Fellows to recognize a similar crisis within Modern Orthodox education. As they returned to our context, they noticed, for example, that students often leave high school (and often *yeshivot*) without knowing how to learn *Gemara* independently, despite the near universality of this slogan. Beyond that they noted a lack of consensus, despite the dedication of time and resources, as to the goals of *Gemara* study.

The Fellows also concluded that, while most Modern Orthodox mission statements claim that secular studies are valuable in their own right, in most yeshivah high schools, grades and SAT scores (in America) or *bagruyot* (matriculation exams

in Israel) are more important by far. They also pointed out that mission statements claim they want students to “think, act, and analyze texts independently,” but in practice most schools would never consider giving their students that kind of autonomy. Some Fellows reported that their Modern Orthodox yeshivah high schools had ultra-Orthodox teachers whose children did not learn in the same schools. In this practice they saw a hidden message that the school is not good enough for the children of those teachers.

As the discussion proceeded, all of the Fellows ultimately agreed that the schools in which they themselves teach (a very wide array, both in Israel and the Diaspora) spend little if any time translating their aims into practice even when they are articulated. None could report that upon being hired by a school they were “inducted” or “deputized” to the school’s mission in any significant way. They were not introduced to the school’s approach as to how the mission should be achieved. Nor were they invited to be creative in devising ways for that to happen. Everything was taken for granted.

Opening the seminar with this unit turned out to be quite effective. Participants became sensitized to the differences between what yeshiva high schools say they are doing, what they assume they ought to be doing, and, drawing on the experience in such schools that the Fellows and our staff possessed, what actually happens.

This success enabled our Fellows to seek out ways of improving current practice in Modern Orthodox education through closer attention to educational vision. They legitimized this quest by adapting the principle of *hiddur mitzvat Talmud Torah*.²⁰ In the halakhic tradition, *hiddur mitzvah* (literally, beautifying the commandments) is the obligation to enhance and beautify ritual performance.

Participants identified the imperative of *hiddur mitzvah* in the realm of Torah study. The practice of “beautifying inquiry” that the Fellows sought is a form of critical self-examination (both individually and communally) that would enable us to clarify the theories of education that can and should inform our practice. Our tradition calls for enriching Torah study through examination of theory and a deliberative process in the design of practice.

Wanting to stretch their inquiry into the topic of educational vision further, we turned to models from general education of the relationship between theory and practice, and considered their relevance to the Modern Orthodox context. In particular, we introduced the Fellows to Joseph Schwab’s view of the “commonplaces” of education as a way to delineate the areas of education that need to be addressed in any vision. We also presented a theory regarding the continuum that links philosophy to educational practice as developed by Seymour Fox and Israel Scheffler.

This approach turned out to be flat. Having been successfully engaged by the argument for vision in Modern Orthodox education, the Fellows nevertheless seemed to experience the turn to general educational theory at this point as taking them away from what had aroused their curiosity. As much as we felt that it had something to offer them, they experienced it at this point in the conversation as overly abstract. Even our attempt to use examples from Modern Orthodox education did not help. (For a summary of our presentation, see the Excursus following this paper.) They wanted to experience directly what an educational vision for Modern Orthodoxy might offer them and how it could make a difference in practice.

Learning Rabbi Twersky's Vision of Jewish Education

Rabbi Twersky's Definition of Halakhah

Having established the necessity for educational vision, we set the groundwork for the Fellows to consider Isadore Twersky's Jewish educational philosophy. It was already clear to us that we would use R. Twersky as a demonstration of what vision-guided Modern Orthodox education might ideally look like. The question for us now was how to teach R. Twersky's vision to this particular group. We needed to identify, within the rich but challenging essay and supplementary materials for R. Twersky's conception in *Visions of Jewish Education*, those aspects which were essential for us to teach. Should we start with close study of R. Twersky's paper or the Maimonidean sources upon which it is based? Would another of R. Twersky's essays present a more effective entry point into his educational vision?

An additional complication was raised by our introductory comment that R. Twersky based his conception almost exclusively on the teachings of Maimonides, to whom he turned as the voice of tradition. Fellows responded to this claim with an important question: if R. Twersky speaks in the voice of Maimonides, everything he says is already in the sources. What has R. Twersky added? What is the *hiddush*?

In response, we claimed that R. Twersky's innovation was in marshalling the sources and applying them to the construction of a clear and coherent educational philosophy, pedagogy and practice. The difficulty and importance of this work can be recognized in R. Twersky's own admission that the project forced him to revisit Maimonidean sources which he certainly knew well and had written on in academic and other contexts, but saw afresh when viewed from the prism of educational planning. Furthermore, we explained, R. Twersky's conception emphasized that the practice of *mitzvot* must always be energized by the spiritual core of *halakhah*, an

aspect of the tradition which he felt often went sorely overlooked. R. Twersky was fascinated by the underlying spiritual dimension of rabbinic Judaism, and sought ways to activate that core for contemporary halakhic education.

Given this initial discussion, we decided to focus on R. Twersky's own formulations rather than on his treatment of Maimonidean sources. Once his basic ideas were clear to Fellows, we assumed, they would have the tools to follow his demonstration of how these ideas flow from Maimonides' works.

We therefore chose to focus on a short but powerful section in one of R. Twersky's publications in which he summarizes his larger definition of *halakhah*, or what he calls his ideas of "meta-*halakhah*":

A tense, dialectical relationship between religion in essence and religion in manifestation is at the core of the Jewish religious consciousness – its legal configuration and its historical experience. *Halakhah* is the indispensable manifestation and prescribed concretization of an underlying and overriding spiritual essence, a volatile, magnetic and incompressible religious force designated as Judaism. The tension flows from the painful awareness that manifestation and essence sometimes drift apart, from the sober recognition that a carefully-constructed, finely-chiseled normative system cannot regularly reflect, refract, or energize interior, fluid spiritual forces and motives. Yet, if the system is to remain vibrant, it must. If *halakhah* is a means for the actualization and celebration of ethical norms, historical experiences, and theological postulates, then external conformity must be nurtured by internal sensibility and spirituality. This *concordia discordantium* – prophecy and law, charisma and institution, mood and medium, image and reality, normative action and individual perception, objective determinacy and subjective ecstasy – is the true essence of *halakhah* and its ultimate consummation, but this harmonious, mutually-fructifying relationship between law and experience is not always attainable. Hence, in short, the titanic Heraclitean struggle rather than the placid Hegelian synthesis is the historic and conceptual focus of this story. When the spiritualizing speculative quest, in philosophic, mystical or pietistic terms, is overshadowed, then the incidence of atrophied patterns of behavior sets off attempts to restore the ideal equilibrium; to see that action is reflective and deliberate, that the religious performance is both an expression of as well as stimulus to experience, deep and rich, full and fresh.²¹

We explained that in this passage R. Twersky describes *halakhah* in terms of a larger theory of religion. According to this theory, all religions include two components: "religion in essence" and "religion in manifestation." Religion in essence is the philosophical component of religion and religion in manifestation is its practical expression.

In order to facilitate the Fellows' study of R. Twersky's text, we asked them to identify the key words that R. Twersky uses in his passage to describe each of the two components of religion. They saw "religion in manifestation" as being reflected in terms such as "law," "institution," "external observance," and "normative practice." They recognized as well the phrases that for R. Twersky characterize the dimension of "religion in essence": "philosophy," "inner meaning," and "individual experience." Through this conversation, we were able to develop with the Fellows a schematic that divides the key terms in R. Twersky's passage into two columns under each component of his larger theory of religion (see Table I).

Table I Rabbi Yitzhak Twersky's Philosophy of <i>Halakhah</i>			
Routinization <i>Practice uninformed/ unenergized by ideas</i>	← Religion in Manifestation (“Law”)	Religion in Essence (“Philosophy”) →	Abstractification <i>Ideas not rooted in practice</i>
	Law.....Prophecy	
	Institution.....Charisma	
	Medium.....Mood	
	Image.....Reality	
	Normative Action.....Individual Perception	
	Objective Determinacy.....Subjective Emotion	
	Practice.....Concept	
	External Observation.....Inner Meaning	
	Visible Action.....Individual Experience	

The next step we took was to explicate R. Twersky's definition of *halakhah* in terms of these two components. Here we focused on his characterization of *halakhah* as bringing religion in essence and religion in manifestation into a "tense dialectical

relationship.” We asked the Fellows to locate words and phrases in the passage in which R. Twersky describes this relationship. In response they pointed us to words such as “indispensable manifestation,” “prescribed concretization,” “vibrant,” “actualization and celebration,” “nurtured,” “*concordia discordantium*,” “consummation,” “harmonious,” “mutually fructifying,” “ideal equilibrium,” “reflective and deliberate action,” “both expression as well as stimulus to experience.” Some of the Fellows were taken with R. Twersky’s notion of this dialectic as a “titanic Heraclitean struggle rather than the placid Hegelian synthesis.” Here Twersky referred to the pre-Socratic philosopher Heraclitus. Best known for saying “You cannot step twice into the same river,” Heraclitus also observed that “all things happen by strife and necessity,” and “All things come into being by the conflict of opposites.”

An interesting debate emerged among the Fellows regarding the evolving chart of religion in essence and manifestation. After we drew arrows linking each side of the chart to the other as a graphic characterization of R. Twersky’s definition of *halakhah*, one Fellow argued that we had not gone far enough. In order to capture R. Twersky’s sense of a dialectic, we would have to erase the lines dividing the columns, replacing them with arrows. Some of the Fellows agreed, others did not, but we felt that in either case, R. Twersky’s idea of *halakhah* had been successfully transmitted.

In order to deepen the Fellows’ understanding of this idea, we asked them to look at phrases and words in R. Twersky’s passage that point out the antithesis to the desired dialectical relationship. They focused on “drift apart,” “cannot regularly reflect, refract, or energize,” “not always attainable,” “overshadowed spiritualizing speculative quest,” and “atrophied patterns of behavior.” We explained that R.

Twersky saw these negative challenges to the halakhic dialectic as working in two directions. On the one hand, overemphasis on manifestation can lead to routinization – rote, perfunctory halakhic observance uninformed and unenergized by ideas. On the other hand, overemphasis on essence can lead to abstractification, and religious ideas not rooted in practice.

In discussing these distortions, we pointed out Maimonides' caution that if someone does a *mitzvah* "without reflecting either upon the meaning of that action, or upon Him from whom the *mitzvah* proceeds, or upon the end of the action, you should not think that you have achieved the end."²² We referred the Fellows to R. Twersky's comments on this subject:

This is the motto of spirituality, a goal common to mysticism and philosophy, based on belief in the regenerative power of understanding and/or inwardness. Unreflective performance, without attention to the meaning and the end of the action, falls short of the desired goal. Rationalism sought to forge a holy alliance between Torah and wisdom, and thereby to preclude religious routinization and spiritual atrophy. Wisdom demonstrates "the rational matter that we receive from the law through tradition" [*Guide* III:54].

Moreover, only knowledge of the goals of the law will enable man to achieve or approximate the desired perfection. If one is unaware of the ultimate objective and behaves mechanically, he is legally unassailable but nothing will rub off on him. In addition, ignorance of the true goals may also result in perversion, not only vulgarization or mechanization, of the commandments.²³

Once R. Twersky's larger understanding of the dialectic of *halakhah* was clarified, we emphasized that it applied not only to the halakhic system as a whole, but to every *mitzvah*. To prevent perfunctory performance, we must achieve sustained reflection on the significance and objective of each *mitzvah*.

To make this point, we used another passage from R. Twersky's writings which begins with a summary of his larger definition of *halakhah* and shows its

application to two *mitzvot* – one in the realm of *bein adam la-Makom* (between people and God), the other *bein adam le-ḥaveiro* (interpersonal):

Halakhah is a tense, vibrant, dialectical system, identifiable by its beautiful blend of romanticism and classicism. This is both cause and consequence of the halakhic insistence upon normativeness in action and inwardness in feeling and thought. The historic achievement of *halakhah* was to move beyond theoretical principles of faith to a minutely regulated code of religio-ethical behavior – to give concrete and continuous expression to theological ideals, ethical norms, and historical concepts. It is based upon the conviction that abstract belief, even an intensely personal or charismatic one, will be evanescent and that religious insight which is not firmly anchored down by practice is unreal. Its goal is spirituality together with conformity – “the saturation and transfusion of everyday life with the thought of God” (the felicitous phrase of a 19th century theologian, Bousset). This insistence upon the “coincidence or opposites” (call it law and prophecy, if you like, or institution and charisma, everyday life and the thought of God) creates the “dialectical pull” or tension which is characteristic of so many root principles and fundamental beliefs of Judaism.

A favorite example of this creative tension is the institution of prayer, which attempts to balance inward experience with routinized performance, to avoid an anarchic liturgy and at the same time not to produce a spiritless stereotype. In other words, the *halakhah* takes a thesis – spontaneity of prayer, manifest in a genuinely dialogic relationship between man and God – superimposes upon it an antithesis – standardization and uniformity of prayer – and strives to maintain a synthesis: a devotional routine.

I would like to suggest that the institution of *tzedakah* – charity – provides an equally attractive illustration of this dialectical structure. The *halakhah* undertook to convert an initially amorphous, possibly even capricious act into a rigidly defined and totally regulated performance. It made charitable contributions, usually voluntary in nature, obligatory, subject to compulsory assessment and collection. However, while objectifying and concretizing a subjective, fluid state of mind, it insisted relentlessly upon the proper attitude, feeling, and manner of action. It hoped to combine the thesis of free, spontaneous giving with the antithesis of soulless, obligatory contribution and produce a composite act which is subjective though quantified, inspired and regular, intimate yet formal. As is the case with prayer and other products of such dialectical synthesis, the tension is very great, for the breakdown of the synthesis is always an imminent and immanent possibility. The pattern of behavior may become atrophied and de-spiritualized or else the standardized practice may be overthrown. Here the tension is even reflected semantically in the term *tzedakah* which is both

righteousness and charity, an act based on one's moral conscience as well as an appropriate course of action spelled out in detail by the law.²⁴

The subtleties and depth of this passage were not lost on the Fellows. It offered them a coherent framework for their own experience, since *tefillah* and *tzedakah* are both part of their everyday practice and ongoing study.

Their familiarity with this domain also produced diverse responses to R. Twersky's halakhic ideal. For example, a concern arose among the Fellows that R. Twersky's approach is overly cerebral, even elitist. How could they reconcile its rigorous standards with our hope and need to educate every child?

We explained that R. Twersky had responded to this question by pointing out that Maimonides repeatedly uses expressions such as "*lefi rohav libo ve-yishuv da'ato*" and "*ke-fi koho*," meaning each according to his/her own understanding and ability. R. Twersky emphasized this point precisely because he felt it showed Maimonides' belief that the challenge of implementing these ideals in practice was necessary and surmountable. In his magnum opus, *Introduction to the Code of Maimonides*, R. Twersky addressed the issue by claiming that

Maimonides made no secret of his spiritual elitism, but he did not seal it off from all aspirants either.... Maimonides did not camouflage or compromise his elitist standards; the hierarchical structure of disciplines, attainments, and objectives is firm. The vision of a meaningful observance of *mitzvot* together with genuine appreciation of philosophy is consistently clear. Routine piety and unreflective behavior—the unexamined life—are denigrated.... Nevertheless, he hoped that these elitist standards and goals would be progressively democratized. He was fully aware of the difficulties and inevitable limitations in the process of combining the philosophic *vita contemplativa* with the religious *vita activa*, but this awareness did not blur the theoretical blueprint and did not dampen the hope that there would be ethical-intellectual mobility from the lower to the higher levels.... The theory and ideal were egalitarian; the reality sharpened the difference between the *hamon* [masses] and the elite. Consequently, esotericism... was a pedagogic necessity but not an ideological finality.²⁵

Some of the Fellows defended R. Twersky's approach as being open to learners of various levels. One teacher made mention of Howard Gardner's popular theory of multiple intelligences to claim that there are varied goals in R. Twersky's ideal framework. Although each *mitzvah* requires spiritual understanding, each is also rooted in practice, giving varied opportunities for achievement and excellence. R. Twersky may have alluded to this clarification by emphasizing that the greatest challenges are in the interpersonal and moral arena (*bein adam le-haveiro*), and it is not the intellectual or abstract forum of the *beit midrash*, per se that we can see the most ready challenges and achievements of activating the halakhic dialectic. By its serendipitous nature it can make the successful integration of these values into our religious personality visible. Other *mitzvot* such as prayer, *matzah*, and *lulav*, because they are rigid, time-bound, and ritualized, do not always feature the spontaneity of the encounter with an "other" in need – one which creates a special opportunity for outward halakhic performance to be enriched and empowered by having internalized spiritual values.

We wanted the Fellows to see R. Twersky's view of *halakhah* in some of his other publications and notice how he draws his ideas from Maimonides' works. The Fellows read the sixth chapter of R. Twersky's *Introduction to the Code of Maimonides*. This chapter, "Law and Philosophy," summarizes R. Twersky's understanding of Maimonides' philosophical system as integrating the legal and philosophical aspects of Judaism according to the halakhic dialectic and shows how this conception played itself out in the structure and content of his *Mishneh Torah*. R. Twersky explains how each *halakhah* in the *Mishneh Torah* is presented in terms of its philosophic and practical components and of their dialectical integration, thus

rendering the *Mishneh Torah* no less a philosophical work than Maimonides' *Guide of the Perplexed*.

We also pointed Fellows to other articles R. Twersky had written to demonstrate his understanding of Maimonides' presentations of particular *mitzvot* – including prayer, *Eretz Yisrael*, and Purim.²⁶ The last article was especially important, as it begins with a broader methodological statement as to how to read Maimonidean halakhic formulations so as to expose their integration of the legal and philosophical elements in specific *halakhot*.

From Meta-halakhah to Education—the Concept of Hergel

Having introduced the Fellows to the conceptual framework of vision and to R. Twersky's essay, we nevertheless encountered resistance. We did find R. Twersky's broad perspective to be a significant "selling point" for convincing the Fellows of the potential for ideas to speak to educational practice. Which teacher has not encountered the challenge of students "unaware of ultimate objectives," on whom "nothing will rub off"? R. Twersky's ideas pointed the way beyond the natural tendency for educational deliberation to degenerate into what one teacher called "*pakhim ketanim*" (mundane details).²⁷ The Fellows, however, had difficulty recognizing *how* philosophic ideas such as those posited by R. Twersky could be carried out in everyday educational practice.

We responded, and emphasized throughout, that we were not arguing for philosophy per se, but rather for a philosophical orientation in educational practice. One needs a continuous conscious awareness of the larger issues at play in everyday educational exchanges in order to be effective.

Every system of educational philosophy will contain some aspect that is

inconsistent with existing realities, we continued. If there was one grand unified philosophy that explained everything in the world of educational practice, there would be no need for the kind of study we were suggesting. But because there is no such philosophy, even within the world of halakhic Judaism, one must consciously choose an approach and see how it can work in reality. Nor can one get around this problem by simply picking and choosing specific aspects of different approaches and pasting them together. Where pieces of different visions do cohere, they might be combined into a disciplined eclectic. However, the basic point remains: committing oneself to an approach necessitates ruling out something else.

We reminded the Fellows that the teaching of the same traditional values can be carried out in many different ways. Choosing a particular set of ideas as guides for Modern Orthodox education does not in any way mean relinquishing our commitment to those values. On the contrary, we suggested that one of the unique aspects of being a Modern Orthodox Jewish educator might be that we can pursue a more effective teaching of traditional values by not settling for "business as usual." We can return to the philosophic core of traditional values and translate them into more effective educational practices today.

In order to illustrate such a translation, we returned to R. Twersky's ideas, focusing on the path which led him from a general view of *halakhah* to an ideal of halakhic education. We presented each step in the development of R. Twersky's process, so that the Fellows could follow it closely (see Table II).

Rabbi Twersky's point of departure was the understanding of *halakhah* in general, and each specific *mitzvah* in particular, as a coherent integration of religion in essence and religion in manifestation—of philosophy and law.

This view of *halakhah* led R. Twersky to assume that the *mitzvot* are the

primary resource for the religious, moral, and social development of the Jew.

Through the practice of *mitzvot*, the observant Jew can gain access to their spiritual aspects.

The central question therefore becomes how to enable the observant Jew to gain such access. "The spiritual influence of a *mitzvah* on one who observes it is not automatic," R. Twersky posited. Nor, he added, could one arrive at an understanding of a *mitzvah* merely through contemplation upon it while it is being practiced. The halakhic dialectic is given to the Jew "in potentia," but the Jew has to undertake an active and disciplined effort to make use of it. "This challenge is the opening for educational intervention," R. Twersky stressed.

Rabbi Twersky claimed that this challenge can be met through the conscious and ongoing infusion of study of the law into its regular practice. In his view, the full experience of *halakhah* necessitates deeper understanding of its content and purpose. R. Twersky stressed that the notion that understanding could enhance spirituality was not to be taken for granted.²⁸

Unlike religious approaches which require a suspension of cognition and understanding in order to enable spiritual experience, he explained, Judaism invites and even obligates the Jew to incorporate understanding into observance of the law so as to facilitate its spiritualization:

It should be stated unequivocally that there is here no natural alliance between spirituality and anti-intellectualism, as is often the case in the history of religion...The usual contrast between intellect and religion...is neither accurate nor useful for understanding the tensions in the history of Judaism... Wilhelm Pauck is certainly right that "theology as the rational expression of the religious experience is always in danger of violating the inner character of religion," but the same needs also to be said for unexamined piety. It too is teetering on the brink of "violating the inner character of religion"...One way to achieve spirituality is by study, understanding, rationalization; emotionalism or "sensuousness" are not the exclusive, not even the preferred, means toward heightened sensitivity and spirituality. Rationalism and spirituality are congenial; the cognitive

gesture is not only not antagonistic but is conducive to sensitivity, subjectivity and spontaneity.²⁹

R. Twersky made it clear that this emphasis on understanding as part of *halakhah* needed to be limited in two ways. First, as R. Twersky stated in the introduction to "What Must a Jew Study – And Why?" "the practice of a *mitzvah* is not conditioned upon its understanding or upon one's agreement with it." The halakhic Jew is not to suspend his observance of the law until his intellectual grasp of its purpose leads him to identify with it. The primary motivation for continued observance of the law is God's commanding authority and not one's own degree of rational identification with the law.

Second, R. Twersky's definition of *halakhah* makes the practice of the law a precondition for its very understanding. Indeed, precisely because the substance of the law is not intellectual per se – but rather intimately bound up with the cause and effect of its actual observance – one can not gain an understanding of or identification with the law outside of the realm of its experience in practice. "One cannot understand the meaning of grieving on the *Tisha b'Av*," R. Twersky claimed, "unless one gets down on the ground and recites *kinot* (lamentations)." As R. Twersky posits in his introduction, "The act provokes meditation and reason – intellectual comprehension" and not the other way around.³⁰

Rabbi Twersky pointed to a Maimonidean term for the educational principle of ongoing infusion of halakhic understanding into the practice of Jewish law – *hergel*. *Hergel* might literally be translated as "habituation," but R. Twersky cautioned that this translation lends itself to a negative association with "routinization." The thrust of *hergel*, he argued, was to infuse the observance of *mitzvot* with intellectual understanding so as to keep it from being merely perfunctory. Thus, while *hergel* assumes maintaining a regular and consistent practice of *mitzvot*, it is a dynamic and dialectic principle seeking to enable the halakhic Jew to draw upon

the spiritual and religious aspects of that practice for the perfection of his or her soul. The process of *hergel* bestows meaning and purpose on the practice of *mitzvot*, thereby deepening the incentive for carrying out every *mitzvah* and enabling the experience of observing *mitzvot* to be an expression of the Jew's inner conviction.

Rabbi Twersky also saw *hergel* as a check against the other extreme of treating intellectual mastery over halakhic literature and philosophy as the be all and end all of an halakhic education. The abstractification of *halakhah* distorts its fundamentally practical character. *Hergel* properly implemented prevents the compartmentalization of halakhic knowledge from halakhic practice. It conveys the limitedness of cognitive insights which are not embodied in everyday life and compels one who has achieved some intellectual understanding of and emotional identification with *halakhah* to give these expression in practical terms. The desire and capacity to do so are equally what *hergel* must aspire to accomplish, so that the more successfully *hergel* is pursued, the more the halakhic Jew will grace his practice of each *mitzvah* with the nuance which comes with a sophisticated and refined understanding of its purpose.

Where *hergel* is unsuccessful, the room for distortions in the practice of *mitzvot* is expanded. This negative potential is visible when one compares Maimonides' strong warnings regarding the improper treatment of the *mezuzah* as a magical amulet with his philosophical explanation of the purpose of *mezuzot*.³¹ *Hergel* ought not to be perceived as an educational enrichment. It is a necessary and driving factor in the halakhic system as a whole.

Rabbi Twersky drew upon three Maimonidean sources for his choice of the term *hergel*. Since he had not written about his selection of these sources, we decided to look at them more closely with the Fellows. The first source came from

Maimonides' "Commentary on the *Mishnah*" on Tractate *Menahot*. Maimonides explains the interchangeable use which the *Mishnah* makes of the term *hinukh* (dual meaning: consecration/education) with *hergel* (habituation) when referring to the consecration of the vessels used for ritual worship in the Temple. What emerges is a clear sense that *hinukh* is a form of *hergel*:

The reference to "education" (*hinukh*) with regard to consecration is because of the aspect of "habituation" (*hergel*)...and the language of *hinukh* is applied to these matters because of the attention to the habituation of actions, since this is the vessel which is habituated for worship in the same way that the person who is in the beginning of his way is taught a bit of wisdom, a bit of ethics, so as to habituate himself in it until it has become ingrained in him.³²

The second source upon which Twersky drew for the definition of *hergel* was Maimonides' *Hilkhot De'ot* (The Laws of Dispositions). In the context of his discussion of desired human dispositions according to the *halakhah*, Maimonides addresses the question of how a person may learn these traits:

How shall a man train himself (*yargil atzmo*) in these dispositions, so that they become ingrained? Let him practice again and again the actions prompted by those dispositions which are the mean between the extremes, and repeat them continually till they become easy and no longer irksome to him and so the corresponding dispositions will become a fixed part of his character.³³

Here, *yargil*, from the same root as *hergel*, demonstrates that education, as epitomized by personality refinement, is an act of *hergel*.

Rabbi Twersky's third source for *hergel* is a section in *The Guide of the Perplexed* in which Maimonides interprets a Talmudic passage. Though the word *hergel* does not appear in this passage, R. Twersky referred to it in order to clarify the method of cognitive learning assumed by *hergel*. The Talmudic passage claims that each person will be judged in the next world according to three questions: "Have you fixed certain seasons for the study of Torah?" "Have you delved into wisdom?" and

“Have you inferred one thing from another?” According to Maimonides, this passage demonstrates that

Man is required first to obtain knowledge from the Torah, then to obtain wisdom, then to know what is incumbent upon him with regard to the legal science of the Law – I mean the drawing of inferences concerning what one should do. And this should be the order observed: The opinions in question should be first known as received through tradition; then they should be demonstrated; then the actions through which one’s way of life may be ennobled should be precisely defined.³⁴

According to R. Twersky, Maimonides’ point here is that a Jew is evaluated not on knowledge of Torah alone, or only an understanding of its terms, but also on an effort to apply this learning to the realm of practice. Thus, halakhic understanding involves a willful effort to arrive at a mode of understanding which applies to halakhic practice. If the above sources distinguished *hergel* from the extreme of routinization, this one distinguishes it from the extreme of abstractification, or knowledge that is not applied to the world of behavior.

R. Twersky explained that by its very definition, *hergel* is a lifelong activity. *Hergel* is not an end in and of itself, however, but a means in the pursuit of higher outcomes. The more profound *hergel* becomes, the closer it brings the halakhic Jew to “God’s palace.” More specifically, R. Twersky saw two ultimate attainments of halakhic education: *Ahavat Hashem* (Love of God), which refers to the spiritual aim, and *Avodat Hashem* (Worship of God), the practical.

R. Twersky clarified the meaning of *Ahavat Hashem* in his publications and in his teaching of Maimonidean sources. It represents a religious personality whose worship of God in all areas of life is driven by a genuine feeling of love for God. This feeling is not attained – as a crudely romantic conception of religion might assume – through fleeting inspiration or spontaneous experiences of wonder and ecstasy.

Rather, *Ahavat Hashem* emerges in the context of disciplined implementation of *hergel*. R. Twersky explains that love of God is at once both “the culmination and goal of the intellectual process” and “the end-product of service.”

Alongside this emphasis R. Twersky also points to *Avodat Hashem* as an ultimate outcome of *hergel*. If *Ahavat Hashem* produces “a stimulus to zealous and properly-motivated performance of the commandments,” it reflects the capacity to give expression to this feeling in the actual mode in which the *mitzvah* is performed. To attain *Avodat Hashem* the religious personality described above needs to be adroit in translating an understanding of *mitzvot* into practice. This aim takes into account the fact that acts of worship which are not informed by a genuine understanding of their rationale and purpose can lead to distorted practice. Alternatively, when acts of worship are thus informed, they become transformed into skillful, sensitive enactments of one’s love for God.

Table II

Seven Steps from R. Twersky’s Definition of *Halakhah* to Education

- I. *Hergel* is a coherent integration of philosophy and law.
- II. The *mitzvot* are therefore the primary resource for the religious, moral, and social development of the Jew.
- III. The halakhic dialectic is given to the Jew “in potentia,” but the Jew has to undertake an active and disciplined effort to make use of it.
- IV. This challenge can be met through the conscious and ongoing infusion of study of the law into its regular practice.
- V. R. Twersky emphasized that there are two caveats: “the practice of a *mitzvah* is not conditioned upon its understanding or upon one’s agreement with it;” and “one cannot gain an understanding of or identification with the law outside the realm of its experience in practice.
- VI. A Maimonidean term for the educational principle of ongoing infusion of halakhic understanding into the practice of Jewish law is *hergel*.
- VII. The ultimate aims of *hergel* are *Ahavat Hashem* and *Avodat Hashem*. (Where *hergel* is not achieved, we risk the breakdown toward routinization on the one hand or abstractification on the other [See Table I]).

In presenting this material to the Fellows, seminar co-leader Daniel Marom emphasized how R. Twersky personally epitomized *hergel* as an active force in his own religious life. Marom described how encounters with R. Twersky provided a living portrait of *Ahavat Hashem* and *Avodat Hashem*. R. Twersky had “halakhic antennae,” he told the fellows, providing powerful examples that remained with us throughout the seminar:

Since he approached every situation as offering him an opportunity for the practice of *mitzvot*, he analyzed what transpired at that very moment in terms of halakhic categories and activated his learning of *halakhah* in order to decide how to behave and then proceeded to play this out with precision and care. He shaped his movements, interactions, and dialogue in accordance with the depths of his halakhic understanding.

At first I noticed this about Rabbi Twersky in specific moments. The same day that we had studied sources requiring the educator to be extra careful in economic exchanges (with teachers who had come to Jerusalem to study with him), I drove him back to the hotel and accompanied him as he checked out. I noted that he repeatedly asked the clerk to check the bill, claiming that it had charged him less than he owed for his stay. “Please check it again, I think you’re missing something, there is a mistake.”

Then I began to notice how R. Twersky actually planned halakhic performances. One particular case arose when he decided to make a hospital visit to an ailing senior associate, Prof. Natan Rotenstreich, the philosopher, of blessed memory. On the phone, he asked me “If you wanted to, you could drive me to the hospital and join me in visiting Prof. Rotenstreich, but only if you wanted to.” That Twersky was so polite as to not to take my driving him for granted was clear to me, based on my experience with him in the past. I felt that something else was going on here as well. I discovered what it was when we actually carried out the visit. Unlike me, Twersky obviously sensed the gravity of this visit. Though I also knew Rotenstreich from both my academic studies and work in education, I treated the visit as another item on my list of everyday activities. Twersky dressed up for the visit, entered the hospital room, kissed Prof. Rotenstreich’s hand, and spoke with him quietly but intensely for about twenty minutes.

It was only after we left the room that I realized that Twersky was painfully aware that this visit was possibly his last encounter with

Rotenstreich. This awareness helped him shape their final meeting, and activated a *hergel*-instinct as he performed the *mitzvah* of *bikkur holim* (visiting the sick). All his movements and speeches seemed focused on showing respect and gratitude. Comparing this to my own behavior at the visit, a sense of missed opportunity began to seep in. Rabbi Twersky had laid the foundation for me to also practice *bikkur holim*, not to mention *kibbud morim* (showing respect to scholars), by repeatedly emphasizing “if you wanted to” in the phone conversation in which he asked if I would drive him and join him on this visit. As we returned to the car, I could not resist the temptation and asked him outright if that is why he had repeatedly emphasized “if you wanted to” in our conversation. Rabbi Twersky blushed. It was as if I had caught him in some clandestine act. But yes, he affirmed, this was his conscious aim in our conversation. I cannot understate how deeply this lesson penetrated my being, particularly as Prof. Rotenstreich passed away a short time after without my seeing him again.

One of the most impressive lessons of R. Twersky’s embodiment of *hergel* was spontaneous. This came about through R. Twersky’s response upon hearing the news of my car having been stolen, just when I was going to take him to his last meeting before going to the airport. He asked me how much time my insurance company allotted to the Israeli police to find the stolen car before enabling me to buy a replacement. After hearing that it was 45 days, he took it upon himself to send me hand written letters from his home in Boston every few days to ask if the car had been found. In one of them, as if to console me, he had included a small article he had cut out of some newspaper about cars in Israel being stolen every five minutes.

It was clear to me that, yet again, R. Twersky was consciously guided by some halakhic principle here. The only question for me here was which one. On his next visit, Twersky confirmed my hunch. This was a compelling expression of his effort to live by (rather than simply pronounce) the Biblical principle of “Love thy neighbor as thyself.” R. Twersky knew that when he returned to Boston, the discomfort of not having a car would be mine alone, so he took it upon himself to share the discomfort with me by inquiring about the stolen car every few days.

Studying R. Twersky’s vision in this degree of depth was time consuming. The more it succeeded, the more it created a demand to grant it more time. For example, in the study of the three Maimonidean sources for *hergel*, various issues arose that required further study and discussion.

The Fellows pointed out that while the sources for *hergel* did indeed provide an *asmakhtah* (a sort of proof text) for the use of that term in describing the fundamental Maimonidean principle for education, that did not make it a Maimonidean term *per se*.³⁵ It was possible that Maimonides was channeling certain notions about education that exist in the tradition, without attempting to establish any kind of philosophy or pedagogy.

At the same time, Marom's descriptions of R. Twersky's personal embodiment of *hergel* set off some compelling explorations among the Fellows about the possibilities of such descriptions in the professional development of halakhic educators. Working towards the fulfillment of a deeper vision of halakhic education in a sustained way requires educators, especially novice teachers, to develop a strong professional identity as models and transmitters of *halakhah*. This applies to the way they view themselves professionally, the way they are viewed in the institutions in which they undertake their professional practice, and the way they are viewed in the community at large.³⁶

In light of this assumption, we explored the value of studying the biographies of great teachers and of serving as apprentices to great teachers as means for bolstering professional identity.³⁷ Indeed, such an approach approximates the critical apprenticeship component of *shimush talmidei hakhamim* in the development of educational leadership in traditional society. Yet, however great the potential of this element in the training of educators today, it is woefully underutilized in both study and practice. The literature of cases that present the modeling of great teachers would need to be compiled and the frameworks for its study developed. Moreover, the component of teacher education in which teachers learn from practicing teachers would have to be realigned so as to enable learning through *shimush*.

**The Turn to Practice:
An Experiment in the Teaching of *Mitzvat Hashavat Aveidah***

From Hergel to a Curriculum for Lifelong Learning

At this point in the seminar, we had to choose between continuing to clarify R. Twersky's ideas and undertaking the hard work of following them through to practice. This was excruciating. Since some of the Fellows had not yet sufficiently internalized R. Twersky's vision, the prospect of devoting further time to its study was seductive. On the other hand, some of the Fellows claimed that they could not appreciate the full weight of R. Twersky's vision until they saw how it could actually work in practice. They needed our learning to move forward from the world of ideas to the particulars of teaching. The pull in this direction was strengthened by other Fellows who felt that R. Twersky was simply articulating what they were doing in schools anyway. That response suggested that we had to demonstrate that a disciplined translation of R. Twersky's ideas to practice would indeed produce practices that would be significantly different and qualitatively better than what is prevalent in schools or other halakhic educational institutions.

We therefore decided to study R. Twersky's ideas in practice. We began by presenting some of the larger curricular and pedagogical implications of R. Twersky's vision to the Fellows, to underscore the movement from ideas to the categories of educational practice with which they were familiar. We based our presentation on R. Twersky's essay and supplement in *Visions of Jewish Education* and the notes of his conversations with educators in the context of the Visions of Jewish Education Project.

The supplement to R. Twersky's paper claims that *hergel* implies a lifelong education divided into three stages, each requiring different pedagogical approaches

and curricular emphases.

The first stage of *hergel* is from birth to the acquisition of reading. Here, the child is to be inducted into the practice of *halakhah* by witnessing, imbibing and ultimately emulating the loving and supportive role models at home, in settings of early childhood education, at the synagogue and in the community at large. Even at this early stage, R. Twersky emphasized, the guiding principle of *hergel* requires the modeling not only of the behavioral aspects of halakhic practice, but of the deeper spiritual aspects as well. Through the qualitative aspects of the experience of *mitzvot*, and accompanying stories from Jewish lore and history, songs and customs and other mimetic devices, the child is invited to join in the chain of Jewish tradition and appreciate its compelling beauty and power.

The second stage ranges from reading to adulthood. It is here that the child is launched from dependence on the mimetic to a more autonomous understanding and practice of Jewish law through the study of the three components of the halakhic curriculum delineated in *Hilkhot Talmud Torah* (1:11-12): *Mikra*, *Mishnah* and Talmud. Viewed in terms of the guiding principle of *hergel*, each component was seen not only as an area of Judaic subject matter to be mastered through close study, but also as contributing in a particular way to the cultivation of the learner's halakhic personality and mode of practicing *halakhah*.

Mikra introduces the learner to the authority and substance of God's word, as recorded in the Bible, above and beyond that of the society which he or she had until then been mimicking. Attention to the *peshat* or simple meaning of the text according to traditional interpretation provides the foundations upon which the learner's more sophisticated and multifaceted understanding of the tradition could later be built,

preserving at the same time the notion that there is a solid basis at the core of the halakhic system.

Table III

Stages of Hergel ³⁸

I. From Birth Until Acquisition of Reading

Child is inducted into the practice of halakhah by witnessing, imbibing and ultimately emulating role models. Even at this early stage hergel requires modeling to be not only of the behavioral aspects of halakhic practice, but deeper spiritual aspects as well.

II. Reading Until Adulthood

Child is launched from dependence on mimetic to more autonomous understanding and practice through the study of the three components of the halakhic curriculum:

A. Mikra

Introduces learner to the authority and substance of God's word, as recorded in the Bible, above and beyond that of the society which he or she had until then been mimicking.

B. Mishnah

Focuses on codifications of Jewish law to introduce and summarize the comprehensive system of halakhah. Child gains a basic command over what halakhah obliges in all walks of life – and why.

C. Talmud

*Deepens understanding of halakhah by examining attempts to reconstruct the process by which the laws are formulated found the Gemara and other halakhic commentaries. Develops a refined sense of the interplay and negotiation between larger principles of Jewish law and their applications to specific instances. Includes *pardes*, or philosophical study and understanding.*

III. Adulthood and Lifelong

Continuous deepening of hergel in one's own life. Intense and ongoing study of Talmud, but the study of the other units continues as well, so halakhic understanding continues to be disciplined and comprehensive, deep and fluid.

Mishnah focuses on various codifications of Jewish law – from the Mishnaic text to Maimonides' *Mishneh Torah* and R. Yosef Karo's *Shulhan Arukh* and their commentaries – in order to introduce and summarize the comprehensive system of *halakhah* for the learner. Through *Mishnah*, the learner would gain a basic command over what the *halakhah* obliges in all walks of life – and why. The kind of halakhic understanding generated here is both practical and theoretical, so as to enable the learner to infuse the regular practice of each *mitzvah* with a sense of the larger whole

and bring the categories and guidelines through which the halakhic system defines and approaches the world to his or her experience as a human being.

Finally, Talmud enables the learner to deepen his or her understanding of the *halakhah* by examining attempts to reconstruct the process by which the laws are found in the *Gemara* and other commentaries. The aim here is to develop a refined sense of the interplay and negotiation between larger principles of Jewish law and their applications to specific instances, one which the learner can activate in his or her own practice of *halakhah*. Talmud also deepens the learner's understanding of *halakhah* through the study of *pardes*, or philosophy. Alongside the hairsplitting distinctions and textual complexities of the *Gemara*, *pardes* enables the learner to understand Jewish law in terms of the larger design of the universe and the task of the religious person. This is the apex of halakhic understanding. Informed by this highest level of understanding, the learner's religious sensibilities and practice of Jewish law may bring him closer and closer to God.

The third and final stage of *hergel* continues throughout adulthood. The pinnacle of the halakhic curriculum is here perceived not as mastery of Talmud, *per se*, but as the continuous deepening of *hergel* in one's own life. Pursuing this aim does necessitate intense and ongoing study of Talmud, but the study of the other units must also continue, so that the halakhic understanding which the learner brings to practice continues to be disciplined and comprehensive, deep and fluid.

We could have gone into detail regarding pedagogy and subject matter at each stage, pointing Fellows to discussions and materials in the VJEP library. We also could have gone deeper to explore aspects such as: teacher-student relationship; hierarchy or interplay of the three curricular units; the teaching of *Aggadah*; emphasis on universal education (which Twersky had begun to examine); or questions of

contemporary subject matter or disciplines and their role within the traditional framework (such as history or literature, e.g.). We decided instead to give the Fellows this general summary and get their responses.

Although the educators in our program came from a wide array of professional settings, R. Twersky's summary of the three stages enabled everyone to think more closely about the translation of his ideas to their own work. As they did so, however, they identified an important problem – one that remained with us throughout the seminar. If *hergel* is accomplished in stages which start with infancy and build upon one another in succession, one would ideally need a society, home, and school working in harmony at each stage in order to undertake its successful implementation. This is simply not the case in much of modern Jewish life, even among many Orthodox Jews. Consequently, the Fellows asked, how can we attempt to educate a young person who has not been raised in a *hergel*-saturated society and educational system from the earliest stage?

For many of the Fellows, this was a defining point of departure for Modern Orthodox education. Since, Modern Orthodox education is usually implemented in an open environment, i.e., in conditions not exclusively under the control of educators, there is a need to devise new and special strategies for undertaking the move from the ideals of education to the realities of Modern Orthodox life. This is not simply a matter of introducing specific subject matter into the curriculum that relates to the modern world. It relates no less to the core content of the curriculum. It is a matter of the mode of halakhic transmission appropriate to today's conditions.

Studying Hashavat Aveidah According to Twerskian Guidelines

At this point in the seminar, decided to go a step further on the path towards the actual context of the Fellows' educational practice. The abstract, philosophical presentation of R. Twersky's educational vision needed a concrete demonstration for our teachers to internalize what he was striving for, and to enable them to put it into practice for themselves. We therefore created a learning exercise through which the Fellows would arrive at ideas of teaching a particular mitzvah according to R. Twersky's vision.

This idea drew upon various resources. First, R. Twersky's own experience in teaching his vision of halakhic education convinced him that it was prudent to focus on the study of the dialectic of religion in essence and manifestation with respect to a single *mitzvah* and then to move on to the general principle. This approach was consistent with a deeper meta-halakhic assumption that R. Twersky made, that "the part is greater than the whole."

In the Visions of Jewish Education Project, R. Twersky repeatedly argued for the priority of in-service teacher education in educational reform. In his view, Jewish study had to be brought into the organizational and professional frameworks in which educational practitioners regularly function – teachers must *also* be learners. This approach took R. Twersky's general assumption about traditional learning – that understanding will set in only through its activation in the experience of practice – and applied it to the specific realm of teacher learning. He believed that this approach would generate better practice from within existing realities and he argued for this approach over and against policies that bring in reform strategies from the outside. This view corresponded to a founding principle of our work at ATID, based on our frustration that in-service teacher learning – actual *Talmud Torah* – was almost

completely absent from the Modern Orthodox educational workplace.

Research on teacher education in general education also pointed us to the benefits of an approach that builds teacher learning through focus and collaboration on the development of a single lesson. Since so much of Modern Orthodox education takes place in America and Israel, one might have assumed that this research drew on practice in general American or Israeli teacher education. As it turned out, this research drew on Japanese education and it was presented to western educators precisely because it moved in the opposite direction of what was going on in their approach to teacher education.

This research described the Japanese method of *Kounaikenshuu*, or lesson study, a process teachers engage in throughout their careers. In *The Teaching Gap: Best Ideas from the World's Teacher for Improving Education in the Classroom*, Stigler and Hiebart explain that

In the United States, teachers are assumed to be competent once they have completed teacher-training programs. Japan makes no such assumption. Participation in school-based professional-development groups is considered part of the teacher's job in Japan. These groups play a dual role: not only do they provide a context in which teachers are mentored and trained [by their peers], they also provide laboratory for the development and testing of new teaching techniques.³⁹

Kounaikenshuu takes place in the school and in district-wide groups. It seems to be most effective in the context of "lesson study," in which groups of teachers meet over long periods of time (sometimes a whole year) to work on designing and improving individual lessons or units. The goal of improving student learning emerges from commitment to the idea that "schools must be places where teachers, as well as students, can learn."⁴⁰ The Japanese lesson study model seemed more apt for halakhic teacher education than other models we had encountered.

Finally, we had already engaged in an experimental session along the lines of this approach with a previous group and found it to be fruitful. We worked with this group on the development of approaches to teaching the Purim *mitzvah* of *matanot le-eyyonim* (gifts to the poor) in a “Twerskian way.”⁴¹

This prior experience also gave us the advantage of being somewhat familiar with the challenges of building such an exercise: choosing a particular *mitzvah*; collating sources on that *mitzvah* that lend themselves to learning both its philosophical and practical aspects as well as the dialectic between them; devising and refining a method for enabling that learning; and, in a second stage of this pedagogy, further refining the pedagogy so as to enable Fellows to translate their learning of the *mitzvah* into creative pedagogical ideas and to engage in critical discourse about the benefits and shortcomings of each.

The Fellows’ responded positively to this idea. While novel, it offered them an opportunity that they really craved for integrating Torah study into curriculum planning. Presented with the challenge of deciding upon a *mitzvah* to study as the focus for our experiment, they chose *hashavat aveidah* (returning lost property). They chose this *mitzvah* in part because the study of its central sources could be accomplished in the session and a half that we had allotted for this activity. At the same time, *hashavat aveidah* provided a genuine and deep opportunity for education based on *hergel* in real educational settings. Students constantly lose and find things. Their learning of this *mitzvah* could indeed infuse their halakhic practice – if, that is, ways could be found to help them make the connections spontaneously. That was our challenge.

We also felt that this would be an instructive example for moral education in general, and a demonstration of the interconnectedness, indeed unity, of halakhic and

moral education. Moral education transpires not through the pontifications of the educator or the encounter with philosophical or literary texts, but through funneling these into real experience. Returning lost property offers such an experience from within everyday school life.

Hashavat aveidah was not a *mitzvah* that R. Twersky had discussed in his writings, so we took on the task of preparing an anthology of sources for the Fellows' study session.⁴² In truth, we should have given them the opportunity to undertake this exercise, to choose from among the sea of halakhic literature those sources that would be necessary for teachers to study in a Twerskian mode so as to devise appropriate pedagogies. Since they were all proficient with this literature it would not have been a problem for the Fellows to take on this assignment. Moreover, this would have been a good training opportunity for them, because it is the kind of assignment they would have to be able to take on alone if they were seriously interested in using R. Twersky's ideas in their work. Given the limited amount of time we had, however, we decided that it was more important to study the sources in a Twerskian manner than to undertake the work of selecting them in advance.

The anthology began with Deuteronomy 22:1-3:

לא תראה את שור אחיך או את שיו נדחים והתעלמת מהם השב תשיבם לאחיך : ואם לא קרוב אחיך אליך ולא ידעתו ואספתו אל תוך ביתך והיה עמך עד דרש אחיך אתו והשבתו לו : וכן תעשה לחמרו וכן תעשה לשמלתו וכן תעשה לכל אבדת אחיך אשר תאבד ממנו ומצאתה לא תוכל להתעלם

If you see your fellow's ox or sheep gone astray, do not ignore it; you must take it back to your fellow. If your fellow does not live near you or you do not know who he is, you shall bring it home and it shall remain with you until your fellow claims it; then you shall give it back to him. You shall do the same with his ass; you shall do the same with his garment; and so too shall you do with anything that your fellow loses and you find: you must not remain indifferent.

It also included other halakhic sources that delineate the practical details of this *mitzvah* and provide the larger rationale for its undertaking. These included

Maimonides' summary of the *halakhah* in the *Mishneh Torah, Hilkhot Gezeilah ve-Aveidah*, Laws of Theft and Robbery (primarily chapters 11 and 13) and his philosophical discussion of it in *Guide of the Perplexed* III:40. We also took philosophical passages from *Sefer haHinukh* (#538) and *Devarim Rabbah* (3:3). While the sources we chose for the anthology were basic, we included other Talmudic and rabbinic material extending *hashavat aveidah* beyond property and looking at philosophical aspects of ownership.

Instead of beginning with the study of the sources, we first asked the Fellows to consider the principle by which the sources on any *mitzvah* would have to be studied by "Twerskian" educators in order to enhance their capacity to teach that *mitzvah* in such a way as to activate the learners' *hergel*. From the ensuing discussion, it became clear that it was not the traditional mode of *beit midrash* study, which is boundless and serendipitous. Rather, such study would have to be organized around two aims:

- a) How does the halakhic dialectic play itself out in the observance of this *mitzvah*? In learning these sources, we would have to use the principle of *hergel* as the fulcrum on which to balance the philosophical ideas and the practical details. That is, we would have to identify the behavioral dictates of the law, disclose the larger purposes it seeks to achieve, and concentrate on how these two aspects work together.
- b) Given the way the halakhic dialectic plays itself out in the observance of this *mitzvah*, what kind of educational experiences can we devise so as to activate it with particular students in particular settings (e.g., primary school students in a Modern Orthodox day school in suburban America)?

We recognized that for educators accustomed to the open-ended *beit midrash*

mode of study this learning might feel somewhat contrived or overly constructed, but we assumed that it is precisely this discomfort that is necessary for the generation of educational reform. Given the fit between the larger halakhic ideal and the mode of teacher education here, we believed that the discomfort would soon diminish. To ease this tension, we decided to undertake the first part of the learning in traditional *beit midrash* format – Fellows studied the texts through the Twerskian prism, but in *havrutot* of two to four participants. We pooled the outcomes of their learning in a plenum session, and then moved on to the second component.

The Fellows learned the source material with great enthusiasm. Within their *havrutot*, they began to identify passages in the source texts that spoke to the spiritual/philosophical dynamics of *hashavat aveidah* and tried to trace the way that these aspects work in tandem with the legal principles of the *mitzvah*. In the plenum, we asked the Fellows to fill in a chart with columns for the legal and philosophical elements of the *mitzvah* (see Chart IV). This exercise produced legal and philosophical renderings of *hashavat aveidah*. We summarize each rendering here.

a) Legal: *Hashavat aveidah* demands an active effort to return lost property to its owner. One is not free to ignore a lost item. Once one undertakes to return the item, there is no reversal of the decision, even if it becomes frustrating (e.g., an animal which bolts away a hundred times and each time has to be retrieved), even if one has to hold it for the owner "until Elijah comes." The obligation to be active in returning the lost property takes precedence (according to most authorities) over the obligation to carry out other *mitzvot*, such as giving *tzedakah*—should he encounter a pauper while guarding the lost object.

Upon finding a lost item, one must announce that it has been lost in a public place, using a general statement. If the owner approaches and specifies identifying

markers – measure, weight or the place that it was lost – it is to be returned. If the finder knows who the owner is, he may also bring it back to owner himself, but must make sure that it is properly returned (either in person, or to the owner's domain; e.g., an animal may be brought to its corral at the owner's property, but not merely to his garden).

If time passes and the owner has not come to claim the lost item, the finder must take proper care of it, according to most opinions, equal to the responsibilities of a *shomer sakhar* or paid guard (as opposed to someone merely watching an object for free, a *shomer hinam*). If the lost item is stolen or lost again, the original finder is responsible to the owner, but not if it is spoiled, ruined or destroyed in a natural disaster.

If the lost item is an inanimate object, the finder must do what is necessary to sustain its original value. For example, in the case of a woolen blanket, he must shake it once in thirty days, but not with a pole or together with someone else, lest it be damaged, or he can lay it out on the couch, but not if people sit on it.

In the case of animals, the finder must feed them. He can pay for this by putting the animal to work and using the money gained thereof for the food. If the sum gained is greater than the cost of the food, he must keep it for the animal's owner. If the owner does not appear after twelve months, however, the finder splits the profits with the owner when he claims back the animal.

The active effort to return lost property also applies to the potential of property to be lost. Thus, if a flood approaches and threatens someone's home, one must try to do something that will protect that home from being destroyed. In addition, the active effort applies in some cases to people. If a person goes astray, one must help him back to the road that he was taking. If a person has lost his physical or spiritual

health, one must help him restore it.

There are, however, specifications as to boundaries and manner of carrying out *hashavat aveidah*. It need not be carried out if the lost item is:

- * considered irretrievable by the owner (i.e. it is the object of *ye'ush* or despair), either because it has no distinguishable markers on it or because it was lost in the sea or a river;
- * considered intentionally abandoned by the owner by way of negligence (e.g., leaving the door open in a cowshed), though this does not mean that one can take the item for oneself;
- * considered intentionally placed by the owner (e.g., left in a place that s/he comes to every morning), even in cases where there is doubt;
- * is worth less than one *perutah* (very small amount of money) at the time of its having been found;
- * is not something one would find for himself or herself go looking for if it was his or her own (e.g., if a scholar found a sack or large basket and would normally find it beneath his honor to walk around with it);
- * belongs to a person who does not include himself in principle within the constituency of law abiding members of the community – e.g., idolater, an *apikoros* (a heretic), a violator of the Sabbath in public, or one who eats non-kosher meat as a conscious act of rebellion.

The last category has many caveats. If there is a possibility that not returning the lost object to the idolater will desecrate God's name, a Jew is obliged to return it. The same applies if the owner of the lost object is a wicked person, or if he eats non-kosher meat for his own personal satisfaction, but is not either in principled rebellion of the law or in a desire to be excluded from the Jewish community. A Jew may also

decide to return a lost object to an idolater in order to sanctify God's name or preserve the "ways of peace."

In general, a person who seeks to follow a good and upright path and who goes beyond the letter of the law should return a lost item at all times, even if it is unbecoming of his dignity.

b) Philosophical: The historian Gerson Cohen once observed that, in one regard, the difference between Judaism and Western society can be viewed through the distinction between the principle of "finders keepers, losers weepers" and *hashavat aveidah*. We wanted the Fellows to grasp the philosophical bases of the *mitzvah*.

Hashavat aveidah is posited as a *mitzvat asseh* – i.e. an active commandment – based on the following principles:

i) *Property is related to personhood*. One's property is connected to one's sense of dignity and well being, so that the damage done to a person from theft goes beyond the loss of property. This damage includes the psychological and spiritual sense of having been violated. Thus, "he who steals a person's money is as if he were stealing *nishmato* [his being or soul]" (*Bava Kama* 119a). One might equally say that he who is oblivious to someone else's property is oblivious to that person's dignity and well being.

ii) *Darkei shalom* (ways of peace): Obliviousness towards another's property contributes to a society in which everyone watches out only for himself. In such a society it will be difficult to preserve the rule of law, maintain good neighborly relations, and attain a modicum of order and social harmony. *Hashavat aveidah* is worthwhile on a utilitarian basis.

iii) Additional rationales for *hashavat aveidah* go beyond the principles of personal and social utility. At the individual level, the law itself encourages *ha-holekh ba-*

derekh ha-yashar u-lifnim meshurat ha-din – one who seeks out the right path and goes beyond the letter of the law – to forgo his honor in order to return a lost item.

Through the practice of this *mitzvah* one also contributes to *tikkun olam* (the mending of the universe) by offsetting the injustice that accrues from indifference and greed. By restoring lost property to its owner, one helps restore a universe which is guided by social justice.

Finally, *hashavat aveidah* is an opportunity for Jews to sanctify God's name among idolaters. In this sense, it is precisely the non-utilitarian aspect of the practice of the *halakhah* that is so powerful. Upon having his property restored according to the details of *hashavat aveidah*, an idolater might undergo an experience that brings him closer to God.

iv) *Ha-osek ba-mitzvah patur min ha-mitzvah*: *hashavat aveidah* takes operative precedence over other *mitzvot*, according to this Talmudic principle, because in general, while occupied with the fulfillment of one *mitzvah*, one is exempt from other obligations.

Having said all this, it is important to emphasize that the activeness that is required in carrying out *hashavat aveidah* also flows from a negative principle. Since refraining from being active in carrying out this *mitzvah* leaves the property in the finder's hands, it transforms the act of having found the lost item into a *gezel*, theft. This principle might even apply at some level where the finder ignores the lost item: by making room for someone else to find and not return it, one becomes indirectly complicit in the theft.

Collecting these details and organizing them into the chart was quite straightforward for the Fellows. The deeper aspect of the learning emerged in the efforts to disclose the interplay between them.

Table IV	
<i>Hashavat Aveidah</i> The Law-Philosophy Continuum	
Law	Philosophy
One has an obligation to prevent loss.	
One is not free to ignore a lost item.	
One must undertake active effort to return lost property.	<i>Hashavat aveidah is a positive mitzvah</i>
There is no reversal of the decision to return lost property, even if it becomes frustrating.	Property is related to personhood.
<i>Hashavat aveidah</i> takes precedence over other <i>mitzvot</i> .	If you don't return lost property, you become a thief
One must announce a loss in a public place.	
Owners must specify identifying marks of the property.	
Identifying markers include measure, weight, and place of loss.	
Finder must insure that property is properly and fully returned.	Definitions of what it means to return and of loss
Finder must take proper care of property according to guidelines for <i>shomer sakhar</i> (paid guard): With inanimate objects, finder must sustain value He must feed animals He can work the animal to pay for its feeding If there is a profit he must split it with the owner	
Finder is responsible to owner if property is lost again or stolen.	
Finder is not responsible to owner if property is spoiled, ruined or destroyed in a natural disaster.	
Finder is not responsible for returning if the lost property is considered irretrievable (<i>ye'ush</i>), intentionally abandoned by negligence, lack of desire, or design, is worth less than one <i>perutah</i> , or belongs to a person who in principle does not include himself within the constituency of law-abiding members of the community.	
The last category does not apply where there is a possibility of desecrating God's name or if the finder wants to sanctify God's name or preserve neighborly relations	<i>Kiddush Hashem</i> <i>Darkhei Shalom</i>

There were many issues in this study that sidetracked the Fellows. For example, some were concerned with the potential dangers they saw for the learners'

relationship to non-Jews in studying the different applications of the law to non-Jews and idolaters.⁴³

Once we addressed these dangers – emphasizing the specificity of the category of idolaters as distinguished from non-Jews in general, pointing out that the same treatment applies to Jews who try to undermine the Torah, giving the historical and philosophical background of these particular laws and highlighting the overriding significance given to the principle of *kiddush Hashem* in the practice of the law – some even began to argue that this aspect of the law offers important educational opportunities for today’s learners.

As this point illustrates, we were not always able to separate study of the *mitzvah* from deliberation regarding how it should be taught in the classroom. This posed a threat not only to preserving the rigor of each step of the exercise, but also to maintaining the principle of *hergel* as the guiding framework. When we did stay on track, significant movements between the “legal” and “philosophical” columns of our chart were identified by the Fellows. We quote here from some of their conversations (except for the seminar facilitators, Saks and Marom, participants’ names have been changed).

Eitan: To see the dialectic, I suggest we first start with the practical details of the *halakhah*, and then compare them with the philosophy. Reuven: The *halakhah* that you’re exempt from returning an item if there’s *ye’ush* [the principle that property becomes ownerless when the owner gives up any hope of recovery] seems to be the central point between the two extremes of law and philosophy. I understand on legal grounds why you’re exempt, but why on the level of ideas? This can be the entrée to the *hergel*-kernel of this *mitzvah*.

Shoshana: Yes, the *halakhah* of *ye'ush* doesn't seem to fit with the ethics of *hashavat aveidah*.

Rafi: Here, the philosophy is social benefit, helping others, and *kiddush Hashem*.

Hillel: I think that the main philosophy here is to produce a sense of caring about other people's property. There is a connection between a person and that person's belongings which has to be understood and respected.

Jeffrey Saks: Yes. Compare this to how the idea of the social contract is understood. For example, Hobbes said the social contract means that even though people are basically animals, we all agree not to steal each other's stuff. Locke disagreed and said it means that people agree to act on a higher level.

Naama: That's borne out in the fact that mere negligence is also theft in the eyes of the *halakhah*.

David: Saying that "If you keep it, you're a *gazlan*" means the Torah has high expectations. That's why the *halakhah* here blurs the boundaries between the technical-*kinyan* and the criminal-*gezeilah*; it's *because* of high expectations.

The discussion continued, and grew more compelling to the Fellows.

Devising Approaches for Teaching Hashavat Aveidah

We decided to move on to the second stage of the exercise, to consider how *hashavat aveidah* could be taught. We argued that teachers often make the mistake of trying to teach *all* of this material. This approach is fashionable and has found its way into curricula that merely scan an issue through the chronological presentation of

sources, moving from the Bible to *Mishnah*, then to *Gemara*, to Maimonides, to the *Shulhan Arukh*, and finally to a catchy application in modern responsa literature. This kind of teaching is often carried out with the aim of exposing students to the “halakhic process,” but it rarely succeeds in drawing the learner in to the challenge of spiritualizing his or her own halakhic practice. We stressed that the array of sources is merely the “raw material.” The question is not “How can I teach the material?,” but “How can I use this to improve *hergel* in the students?” If we imagine that we’re trying to put these ideas into practice at an average Modern Orthodox day school, we would want the students to internalize the *logic of hashavat aveidah* and apply it to their observance.

When the Fellows entered into a discussion of potential strategies for this mode of teaching the *mitzvah*, we consciously led the discussion in a manner that could lead to a serious deliberation among professionals. That is, we did not allow the responses to amount to a brainstorming session in which any idea is celebrated. Rather, when one Fellow suggested an idea, we intervened and asked other Fellows to consider its advantages and shortcomings. Having gone through a round or two of this kind of conversation, Fellows began to suggest ideas that responded to the challenges set out before them.

Shifra: We could “plant” a wallet that the students can find and need to return. Then we can use that as a basis to go through the motions with them of considering how to return it according to the principles of the *halakhah*.

Hillel: But we need them all to feel what it’s like to lose something and lose their connection with their stuff. Perhaps we should take something from each of their knapsacks.

Yoni: But this whole kind of production breeds mistrust. It’s like the boy

who cried wolf, only from the side of the educators.

Chava: We might have the students divide into small groups and come up with different *aveidah* situations and what to do in each.

Eitan: You can make four case studies, each with one of the key values on the philosophy side of the chart. Without showing them the texts, have them discuss what to do in each case. Then have them compare what they said with the sources.

Eli: But that's not enough for *hergel*. You must also put it into practice—such as through Shifra's idea.

Shai: Then what about putting up a board in the school with notices for *hashavat aveidah*. That's a fulfillment of the obligation of *hakhrazah* [publicizing lost items].

Deborah: In my elementary school, once a week everyone who found something would get up and announce it.

Eli: What kind of “lost and found” does the school already have? If everyone's already involved in *hashavat aveidah*, then it could be okay to plant something as long as it does not really belong to one of the students. That can be a good balance.

Daniel Marom: What is usually called a “lost and found” might be practical, but it is insufficient for education based on the principle of *hergel*. The whole of the active element of the *mitzvah* is lost. It becomes functionalized. All you have to do is return the item and the “lost and found” does the work of *hashavat aveidah*. Perhaps we should think in terms of *hashavat aveidah* stations, where a learner who returns the item can meet an educator and they can study together as to what the learner might do in this situation. Properly

carried out, that would be a real *hergel* moment and a great opportunity for halakhic planning.

Eli: There's a missing emotional element here. It's all too abstract or technical. What about positive examples of people returning an *aveidah*?

Perhaps it would also be useful for someone to collect "gedolim" stories about *hashavat aveidah*, to connect today's classroom to the generations.

Rabbi Twersky views all the stories of the *Aggadah* as philosophy.⁴⁴

Jeffrey Saks: It seems that this is an area that Modern Orthodoxy shies away from—we're afraid of "gedolim" stories—our "intellectual elitism" or rationalism encourage us that these are the trappings of false piety. In reality, if done well, these can be extremely powerful triggers of teaching, and especially for moving in the direction of *hergel*.

The discussion from which these comments were taken was one of the high points of the whole seminar. It was here that the Fellows could begin to truly appreciate the possible contribution of Twersky's vision, and, for that matter, of vision altogether, to educational practice. As the discussion moved forward, both the creative and critical elements grew sharper and there was a sense that the whole of the conversation was greater than the sum of its parts. Each participant added something new in his or her comments. We moved further on in the application by considering teaching *hashavat aveidah* to different ages. But then, unfortunately, our time was out.

We concluded by asking the Fellows to reflect on the experience of learning *hashavat aveidah* in a Twerskian mode. We asked them to think about its implications not only for the consideration of R. Twersky's vision, but also for the prospects of improving Modern Orthodox education through attention to vision.

Should the creative and critical energy in the community be harnessed toward vision-guided pedagogic planning? If not, why not? If so, how? How might a single Fellow inspired by our study bring this to bear on a school that does not share this conceptual agenda?

A sobering challenge in thinking about these questions emerged when an article from *The New York Times* on the practice of returning lost property in Japan was circulated. "Never Lost, but Found Daily: Japanese Honesty" portrays a high standard for those who want to bring *hashavat aveidah* to Modern Orthodox education:

[I]n Tokyo, with 8 million people in the city and 33 million in the metropolitan area, [a staggering array of small lost] items and thousands more would probably find their way to the Tokyo Metropolitan Police Lost and Found Center. In a four-story warehouse, hundreds of thousands of lost objects are meticulously catalogued according to the date and location of discovery, and the information put in a database. Smaller lost-and-found centers exist all over Japan, based on a 1,300-year-old system that long preceded Japan's unification as a nation and its urbanization... [I]n 2002 people found and brought to the Tokyo center \$23 million in cash, 72 percent of which was returned to the owners, once they had persuaded the police it was theirs... Children are taught from early on to hand in anything they find to the police in their neighborhoods. So most of the 200 to 300 people who come to the center every day take the system for granted... "I feel uncomfortable holding another person's money," Mr. Hirahaya said "I think many Japanese people feel the same way and hand over something they find. I think among Japanese there's still a sense of community since ancient times."⁴⁵

Reactions to the *Hashavat Aveidah* Teaching Experiment

There was a long break between sessions at this point in the seminar, during which the Fellows began to respond to our questions via e-mail. So as not to lose momentum, we invited the Fellows to respond to each other, unearth ideas and present challenges. This is part of ATID's pedagogy: asking the Fellows to concretize their thinking and create a dialogue with each other and the staff via e-mail letters.

The following texts of some of the e-mails give a sense of the flow and depth of the discourse:

The truth is that I don't feel as if I have much to add to our last meeting on *hashavat aveidah*.

I feel that the study exercise and ensuing conversation affirmed my feeling that the integration of the academic and the practical levels has much power to bring subject matter closer to the lives of the learners, or perhaps even more to their hearts, be it at the level of living altogether or learning in the classroom. In this case it worked with *hashavat aveidah*.

Since our last study session, I had an opportunity to experience both sides of the coin with respect to this *mitzvah*: that of the loser and of the finder. I am sure that this happens quite often, but I found myself more occupied with the details of the situation and of the *mitzvah* since our last study session. Unlike prior experiences, I found myself going into the "head" of the loser and the finder, considering where the loser will search for the lost property, will he consign himself to the category of *mityaesh*? Who is the finder of my lost property? What and how will he think? And at what point will I fit into the category of *mityaeshet*?

From these two experiences, I arrive at the general conclusion that *hergel*, that occupation with the practice and philosophy of the *mitzvah*, creates a mutually replenishing relationship between practice and study, and vice versa, from study back to practice. If until now I thought that study influences and replenishes practice, after my actual experiences over the last month, I have discovered new meditations regarding study and the meaning of the definitions and concepts that we studied.

I want to state my strengthening belief that this integration between study and practice should be a regular and continuous part of teaching. In this manner, studies can be enriched from the personal experiences of the learners and their practice can in turn be guided by their learning. It seems to me that this kind of teaching enriches not only learning and practice, but also broadens the Torah's capacity to be a relevant, useful, effective and driving force in the everyday life of each and every learner.

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There are three aspects that derive from the principle of preparing to teach for *hergel* that caught my attention: Teacher collaboration, parallel learning, and creative learning. All of them converge into one unified method of learning/teaching where every aspect feeds the other, creating a dynamic and wholesome process both for the student and the teacher.

Teacher's collaboration: By learning the material in the context of the group, the teacher acquires many voices that he would have not encountered otherwise. The richness in texture of the teacher's experience is transferred to the kids who receive a multileveled message.

Parallel learning: Covering different areas of learning simultaneously as we will see next.

Creative learning: Relates to Eli's question about how to teach *hashavat aveidah*. It seems to me that the attempt is to make the *sugya* "relevant" to the students before providing a complex and deep understanding of it.

First we start with the practical aspect (after a general introduction of the material) where the teacher opens the sensitivity and awareness to the practice of the *mitzvah* by facilitating the space for real life encounters with it. Then we introduce the intellectual processing of the *mitzvah* using the diverse experiences of the students as raw material with the intention of deepening their theoretical understanding of it.

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I enjoyed studying the sources on *hashavat aveidah* with Rabbi Twersky's approach in mind. Some thoughts and reactions to my *havruta* with Naama, Shifra and Shoshana: In eastern and native American thought people ostensibly never actually own anything. Nothing is theirs. Interestingly, the *mitzvah* of *hashavat aveidah* is predicated on the idea of ownership. An object belongs to someone. Yet, we have the idea of *yovel* [the jubilee year, when all ownership is relinquished], that to some degree nothing is really ours. At the same time we have the *halakhot* of *gezel*, laws governing stealing, indicating that to an extent, yes—things are ours. Furthermore, *Kohelet* highlights the idea of working toward making this our world. This is man's instinct and one must work in order to sense connection and ownership in this world. With this in mind, I think it is interesting to focus on

the loss/the one who loses, as well as the finder within the context of *mitzvat hashavat aveidah*.

Why do we find things and why do we lose something? I think it is important for the person who lost the item to pause and reflect and ask themselves: why did I lose this? Often, people who are grounded don't lose things. When someone is in a bad place they are more likely to lose something and the loss of an object could be symptomatic of something else going on—perhaps a sign the person who lost the object needs to return, to go back to something—needs to go through a process of retrieval. Viewing the lost physical object is representative of needing to return to perhaps emotional/spiritual layers within with respect to owning things in the world. Interestingly, Judaism says: find it. Don't forget about it.

Also, there's the element of brotherhood in this *mitzvah*. The word *ahiv*, *ahikha* is repeated. This puts a gap between you (the finder) and the anonymous stranger who lost something. There's almost a sense of *arevut*, mutual responsibility. The finder should also pause and think: why did I find this? The loss of an object creates a space for reflection and repair. It is not an accident that an object is found by someone. One man's lost object becomes the finder's opportunity to do a *mitzvah* and relieve a person of their angst—in contrast to Eastern thought that what we have in the moment we're meant to have.

The warning "*lo lehitalem*"—not to ignore—seems to communicate that this *mitzvah* is an opportunity for *tikkun olam*. Jewish law is sensitive, knowing someone will be disturbed as long as they are without their item. Plus it acknowledges working hard for something. Even though on the one

hand everything belongs to God, at the same time it doesn't negate that in our reality here on earth things are earned by and belong to people. On a philosophical level there is a twist of irony. Nothing is ever really ours and by the same token nothing in this world is ever really lost.

I was trying to think of an example of loss and return in *Tanakh*. In a sense, the foundation of *malkhut* (kingship) is based on *hashavat aveidah*. We meet Shaul in search of returning his father's *atonot*, flock. There's a motif in the *midrash* of seeing our leaders as shepherds who watch over the flock of sheep, making sure no one is lost. Of course, this is a metaphor for an effective leader of the Jewish people. The idea of a leader making sure no one is lost is accentuated. In the spirit of the passages from *Minhat Hinukh* we learned (241:6) I don't think loss here only refers to being physically lost, but spiritual and emotional loss as well. This indicates what the responsibility of a competent and effective leader is. It also highlights each person's humanity, as well as the individuality and potential of each person being and belonging where they are supposed to be.

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In the last session we had on *hashavat aveidah* we discussed the different ways to teach it. I don't remember who presented this idea but there was one I particularly liked. If it was your idea I might be interested in expanding it with you. The person's idea was to present different cases that relate to different halakhic situations related to *hashavat aveidah* and then have the class create their own *Beit Din* and rule on the case based on their own knowledge and intuition. Then teach them the *halakhah*. The advantages to this system are many-fold. The students get involved and have a hands-on

feeling for what is happening. Their opinions and thoughts are taken seriously and looked upon as being very important. It is not the typical frontal teaching method which will also get the students excited. Then when the *halakhah* is actually taught they can compare it to the way they understood things and see if they would have done things differently.

These letters are only a sample of the group's thinking. We took their responses as a sign that creativity had been unlocked by the exercise, and that they were beginning to use and apply the conceptual tools and ideas of *hergel*. One question arose in this exchange that we felt compelled to address:

I have very much enjoyed reading everyone's reactions and the stories that have been inspired by our learning about *hashavat aveidah* for the last couple of weeks, but I must say I am left with one frustration. Have our sensitivities changed at all after having read Rav Twersky's approach? While I think we were engaged in important critical reading of the sources dealing with *hashavat aveidah*, and the methodology for presentation that Shoshana and Shifra suggested, I think, were excellent, would we have learnt them any differently had we not been introduced to R. Twersky's method of education? I am glad that we became familiar with R. Twersky's writings, but I feel that I am still left with a gap between the theory and practice that we have so often talked about.

Seminar leader Daniel Marom, writing to the whole group, responded as follows:

I read your comments with great interest and want to respond to your question "would we have learnt the sources on *hashavat aveidah* any differently had we not been introduced to R. Twersky's method of education?"

1. You probably know that for the most part educators do not get together to study anything as part of their work. They have meetings every once in a while to deal with logistical and institutional items in their programs, but they do not regularly get together to study in a way that is meant to improve planning, implementation or evaluating their practice. In Orthodox circles, educators might study for study's sake – *lishmah* – once in a while (and even that may be rare), but I don't know of too many examples in which the study is consciously related to teaching and instruction (compare, for example, the chapter on math education in Japan). So, the first answer to your question is that there was a huge *hiddush* in the very linkage of study to professional practice, and this was one of the arguments R. Twersky emphasized time and again.

2. What we did with *hashavat aveidah* was just a glimpse of what could be done by an educational system regarding every aspect of the educational undertaking from birth to death. Even within this example, note that we did not try out any of the creative ideas that were suggested and together evaluate their impact. Nor did we deal with the question of how any of these creative ideas would impact the learner's *hergel*. Still, this glimpse was only meant to help you consider the possibilities of basing larger scale projects in Orthodox education on the principle of educational vision. You may be saying that you are not ready to have that discussion until you further pursue the example of *hashavat aveidah* in a real setting, or until you see what it might look like to try other examples of R. Twersky's method as well in such areas as the teaching of *Mishnah*, philosophy, etc. What I would find hard to accept, however, is if you are saying that *mitzvot* are already taught this way

regularly—with close and systematic attention to the ultimate outcomes of education as clearly defined in advance.

3. Rabbi Twersky's vision claims to be a rendering of the classical ideal of a traditional Jewish education. His Rambam is not the debated one, but the one who serves as a mouthpiece for all of Judaism. As such, it is clear that R. Twersky's vision will resemble aspects of existing learning and practice. But the very starting point of our unit, put forth in Jeff's essay "*Melamdin and Mehankhim*," is that existing Orthodox educational practice satisfies itself with slogans and good intentions, that such a state of affairs ultimately works against the cultivation of a deeply religious education, of deeply religious personality in the learners, and therefore, God forbid, of a truly religious community. So I put your question back to you: do you not see the difference between existing study of *halakhah* and the kind of study that leads, through the dialectical principle of *hergel*, to the ultimate aims of *Ahavat Hashem* and *Avodat Hashem*?

The Field Study Component

Pleased as we were that the discussion could continue, we chose to focus the Fellows' attention on one more exercise before the concluding session. We arranged for them to visit leading educational institutions around Jerusalem with an eye to decoding their implicit vision of education. We purposely chose programs that were special in their attention to vision. We felt that this exercise could provide an important balance to the discussion and learning in the seminar room in demonstrating that educational vision is not always about moving from ideas to practice. Whatever one does in practice also expresses some deeper view of being a human or of being a Jew. The challenge is therefore not necessarily to freeze practice, go back to the drawing board, study and articulate a vision, and return to implementation. It is also, and perhaps more so, to acknowledge and take responsibility for the visions that we express de facto in our teaching.

We were aided in our preparations by Daniel Marom's work with the pseudonymous Magnes School, as documented in *Visions of Jewish Education*,⁴⁶ which illustrates the challenge and necessity of de-coding existing vision. Since, as he writes, "vision is a vibrant entity...its articulation cannot be limited to a mission statement or a manual. The ideas of a vision must guide, infuse, animate, and energize practice."⁴⁷ It was imperative that we see it in action. Marom's paper suggested specific lenses and tools that we used in our site visits.

We were also aided in preparing for the field work through a seminar led by Dr. Beverly Gribetz, a long-time school leader in America and Israel, and a member of ATID's board of directors. She studied with us the distinction between implicit and explicit visions, contending that vision tends to show itself in many varied places. We turned to the work of Jon Saphier and others, whose "handbooks" for vision, while by

necessity technical, were useful in organizing our thinking.⁴⁸ By looking for implicit and explicit vision in schools with which they were not professionally associated, the Fellows reported that they were able to look differently at their own work places.

Although the time spent in the institutions was insufficient for a full observation, it was useful in helping the Fellows return to their familiar settings with new eyes. They became more attuned to the indicators of a school being guided by a vision and were able to check whether its practices are coherent or incoherent with that vision. In essence, the Fellows were coming back to the world of practice as they know it, but with a different perspective.

Evaluation and Possible Applications

Seymour Fox has made several claims about the role of vision in educational practice. Three claims in particular served as criteria for evaluating our efforts to teach vision.

First, Fox argues that “vision makes a difference, and that differing visions result in different kinds of Jewish education.” Proper attention to vision can refine, deepen and further the quality of educational practice. For us, this meant asking whether we had been successful in enabling that “proper attention,” and if so, had our efforts indeed contributed something to the improvement of our Fellows’ practice?

Second, according to Fox, “the act of incorporating vision in a complex reality releases its power and reveals its limits.” By introducing R. Twersky’s vision into a discourse on the problems of current Modern Orthodox education, we had aimed to excite the Fellows with the prospects of *hergel* as a response to the challenges of spiritualizing halakhic education, or to arouse their critique of his ideas and launch them on a search for alternatives. We never claimed that R. Twersky’s ideas would work for everyone in every setting – there are no “magic bullets” in education. However, we contended, this is a model for what serious, rigorous thinking and planning looks like. Propose an alternative if you do not buy into R. Twersky’s conception, we suggested, but it needs to be as compellingly well developed. Did our teaching have this effect?

Finally, Fox makes the case that “a thoughtful, compelling vision can not only improve existing institutions; it can lead to the invention of new ones. Such a vision can galvanize the will of the community and its leaders, ignite the creativity of teachers, hearten parents, and motivate gifted people to invest their talent and passion in the revitalization of Jewish life.”⁴⁹ This claim lay at the heart of our efforts. The emphasis on vision in general and R. Twersky’s vision in particular seemed to us to

be a valuable resource for the advancement of Modern Orthodoxy. We believed that they could infuse greater profundity, rigor and professionalism into the planning and implementation of halakhic education in our community. Clearly, our seminar was only a small and modest initiative in this direction, but were its outcomes sufficiently compelling so as to take further steps?

We felt confident that we had succeeded in persuading the Fellows of Fox's first two assumptions, but were uncertain of our success with the third. We worried that we might have put too much focus on critiquing the current realities of Modern Orthodox education without sufficiently demonstrating how vision provided correctives at the level of those same realities. The *hashavat aveidah* exercise convinced us that we had focused on bringing R. Twersky's ideas to planning, and that the result was an improvement, but we were challenged by one Fellow's claim that the ideas suggested for teaching that *mitzvah* would have been the same even without that process. We feared that the Fellows would conclude that R. Twersky's ideas had potential as subject matter in the teaching of Jewish thought, but could not empower their educational planning and pedagogy.

We conducted an evaluation session with the group as a whole more than two months after the conclusion of the semester and then continued in intermittent individual conversations over the next half year. We waited this long because we wanted the Fellows to evaluate the seminar without ceremonious responses and from the perspective of its ideas developing over time.

The Fellows expressed opposing ideas and feelings about the seminar in this discussion. Some responded positively that we presented a model for approaching an issue in education, claiming that they gained a better appreciation of the practical importance of thinking about education in general. Others reacted negatively,

claiming that we spent too much time on it. While some participants were engaged by the application of the “abstract” ideas of R. Twersky to teaching, there were also those who felt that R. Twersky’s approach did not offer a significant *hiddush*, since they already appreciated the need to bridge religion in theory with religion in practice.

One topic on which there seemed to be greater consensus was that we had not sufficiently addressed the question of what vision had to offer the Fellows in their current roles in the field. Even if they were inspired by R. Twersky’s vision, as junior educators they did not have the leverage to have a broad impact. Even if they had greater leverage, what could be done? For example, some pointed out that while it would be beneficial to have teachers spend five hours preparing a class together, as they do in Japan, in Jewish day schools that is not realistic. They saw that in the schools that they visited, each notable for excellence in implementing vision, staff learning was built into everyday practice. “It’s too bad we can’t do this in our schools,” some responded. None, however, felt he or she was in a position to ask “How can we *change* the system or the school we teach in so we *can* do this too?”

These comments led us to believe that we had not fully succeeded in attaining our aims, particularly with reference to Fox’s third claim. We were haunted by the possibility that despite our efforts to give the Fellows a tool to improve Torah education, they still had difficulty envisioning inspiring possibilities beyond their current professional culture. They were more aware of the tool—but not its full potential for contributing to the improvement of Modern Orthodox education. Had we failed in getting them to think beyond the limitations of the system in which they function? Are these limitations indeed overly daunting? Should we have focused on the problems of practice as *they* experienced them and then utilized vision as a resource for solving them?

We began to revisit our own guiding assumptions. Perhaps we overestimated what we could accomplish in the context of an in-service training seminar, especially with junior educators. It is difficult to move a teacher out of his or her routine just when they have succeeded in establishing it. The demands of entering the classroom each morning, and preparing to do so each evening, wear away at many talented educators' imaginations—they consequently have difficulty envisioning a system beyond the one in which they are immersed. Among other goals, ATID was established to throw a life-line to such teachers, in the hope that this would enable a talented few to lift their heads above the fray, learn and imagine, and go back to contribute to the community.

Perhaps, on the other hand, part of the problem is that people assume the entire burden of education is on the educator, as opposed to the community as a whole. People's memories about education are often limited to a great teacher, but great education is the product of a broader effort that is made by a larger configuration of people and institutions. Policymakers, scholars, professionals, parents, researchers and the learners themselves are all part of this effort, as are kindergartens, schools, synagogues, *batei midrash*, youth groups, summer camps, and the media.

This evaluation session provided us with a teaching opportunity in responding to the Fellows' concerns, even if we could not answer our own questions! In particular, we focused on what they could do here and now. Invoking one of R. Twersky's favorite sayings – *simḥah goreret simḥah* (happiness begets greater happiness, or one good thing inspires another) – we claimed that at the very least, they could draw on R. Twersky's ideas, or for that matter on alternative visions, in order to devise their own lessons more effectively, thereby producing significant moments of

spiritualized education. The dialectic between halakhic practice and understanding could be activated in the way they led one session of *tefillah* or taught a particular *mitzvah*. We believe that even one such success could only result in more successes – other such sessions or lessons, the application of the same approach with reference to other practices and study units, or enabling other educators or the institution to work in the same manner.

We did not know how to interpret the gap between our vehemence and the reaction that came in its wake. We speculated that it reflected a lack of connection, but our interviews over time showed us that it was also possible that the Fellows simply needed space to internalize all that we had learned. As one Fellow put it, “ATID Fellows are chosen because we supposedly have the potential for initiative. Maybe we will launch new initiatives, just not this one. Initiators do their *own* initiatives, build their own visions, not someone else’s.”

Six months after the seminar, we saw that its ideas were indeed seeping into the Fellows’ thinking in the context of an evaluation of the ATID program as a whole. As their understanding of educational vision ripened, much of the resistance softened, and our successes became more pronounced. “You surrounded the question with a new language, and that was good,” one Fellow told us. “It will help us think differently about what we do in the future.” Fellows began to discuss, plan, or merely hope, for ways they would incorporate vision into their own teaching, and boldly attempt to change the system, or at least their own corner of it. “Ultimately,” another Fellow told us at our last meeting, “willy-nilly, vision is all around us. There’s nothing neutral in *hinukh*—only some bad and some good. What I now understand is that we must actively and consciously plan and map our goals, and develop strategies to reach them. Helping me find a vision electrifies me. It greases the wheels of that

planning, and gives me something to aspire to. It's extremely empowering, but also extremely demanding."

Our thinking also developed with time, particularly as we began to consider our next steps. We feel that we erred in focusing exclusively on R. Twersky, even though it was natural, and prudent, to choose his vision. The community-specific needs of our seminar mandated the choice of his writings among all the thinkers involved in the Visions of Jewish Education Project. At the same time, we now believe that it may be necessary to explore a number of competing visions in order to understand any one vision, or to fully grasp why any vision makes a difference. On the face of it, Menachem Brinker's secular-liberal vision of Jewish education or Moshe Greenberg's spiritual-existentialist vision might seem irrelevant to the development of Modern Orthodox education.⁵⁰ Yet, the study of these conceptions as critiques of R. Twersky's vision, and of R. Twersky's as a critique of theirs, could better transmit the practical weight of vision and create a stronger incentive for clarifying one's own.

We also came to feel that we underestimated the challenge of moving from the abstract, philosophical presentation of R. Twersky and his approach to Maimonides to the discussion of educational practice. Fox's lesson that vision without implementation is useless persuaded us to devote time and energy to the *hashavat aveidah* exercise, but in the end that time was insufficient. We did not fully explore what a *hergel*-oriented educator can actually do to activate *hergel* in real conditions.

Keeping in mind what we learned from the Japanese practice of lesson study, we realized that we should have added another stage in which the Fellows tested their ideas on the teaching of *hashavat aveidah* in their own settings and studied the outcomes together. Alternatively, we could have developed and documented

instances of *hergel*-guided teaching of *hashavat aveidah*, and analyzed them with the Fellows.

This observation points to the second level of conclusions that we draw from our evaluation. The challenge of spiritualizing halakhic education would necessitate developing an abundance of resources, strategies and pedagogies in our community. R. Twersky's vision was a critical starting point, which in turn produced the case of *hashavat aveidah*. Developing and documenting instances of *hergel*-guided practice would be a further step that could produce other resources for working with educators. Indeed, we have commissioned an ATID associate to implement and develop an application of Twersky's vision in a school. We hope to make that case study available soon. This type of work need not be limited to seminars like our own. Ideally other modes could be developed as well. Attempts could be made to bring the kind of study we began to develop in our seminar into the teacher's room in Modern Orthodox schools. Special source-compilations could be edited to facilitate this learning (we are now working on one compilation on the teacher-student relationship). Similarly, special pedagogies could be developed for teaching these source-compilations to other audiences in the community: policymakers in their board rooms, parents in *hugel bayit*, adults in *batei midrash*, scholars in *yeshivot* and Judaic studies departments, researchers at universities and philanthropic foundations. Finally, additional pedagogies and materials could be devised to enable these audiences to learn and work together, and communities within and beyond the Jewish world could also be convened. We hope that such developments would lead to the creation of many new visions of Jewish education and of vision-infused practice all across our community. *Simḥah goreret simḥah*.

Excursus: Tools from General Education

At the beginning of the seminar, in the context of our preparation for studying Twerksy's conception, we introduced the Fellows to conceptual tools from general education. These included Joseph Schwab's model of the "commonplaces" and Dewey's "ends-means" continuum for the movement from educational theory to practice as expounded by Fox and Scheffler.⁵¹

Though a full explication of these ideas is beyond the scope of this paper, a short summary of Schwab's model will illustrate this part of our study. Schwab's conception seeks to describe, based on systematic research, the generic elements or "commonplaces" of educational practice: *subject matter* (the disciplines of study – e.g., literature, natural sciences), *the learner* (the nature and growth of human personality – e.g., cognition, moral development, religious character), *the teacher* (a primary and irreplaceable agent whose own professional learning is a critical factor), and *the milieu* (e.g., the family, the classroom, the community and its cultural heritage, the economy).

Schwab's commonplaces provide a list of topics that must be addressed – and their interactions understood and planned for – in the construction of a program of education. Similarly, they can be used as a conceptual tool for deciphering and evaluating the relative emphases and biases of a given curriculum. At the very least, then, educators can use the commonplaces to identify limitations in the ideas that guide their educational programs. Limitations might include the omission of one or more of the commonplaces in the design and implementation of educational practice, or an overemphasis on the demands of one of the commonplaces at the expense of the others.

Seymour Fox argues that a systematic accounting for each of the commonplaces can lead to a more sophisticated mode of curriculum development. This mode relies on a carefully constructed and expertly guided "deliberation" between representatives of each commonplace on the desired aims, means and implementation and evaluation of an educational program. In his writings, Fox goes into detail regarding topics such as: the training of each of the representatives of the commonplaces for a curriculum team; the role and method of the deliberation leader and of the philosopher of education; the progression and rhythm of deliberation; the markers of its success and failure; the implications for policymaking.⁵²

Although we later encountered difficulty in our work because of the introduction of various models, they did succeed, in the words of the Fellows, in "opening a window" to educational thinking and planning to which they had not been exposed and which they found refreshing and challenging, engaging and compelling. This study was able to foster an openness to approaching our problems through a new lens and with a new set of conceptual tools. This was surprising, as some, though not all, of the Fellows were suspicious of importing models from general education to the world of Torah study. Among the points that helped to alleviate this suspicion was Fox's declaration that the means and techniques that have been adopted by Jewish education are often imported indiscriminately from general education. Since the means of education are not neutral, it is quite possible that some of the means employed for Jewish education cancel out whatever there is in Jewish education that is related to "authentic" Judaism.⁵³

This observation particularly resonated with a high school *Gemara* teacher, who questioned the superimposition of certain general curricular models onto Talmud study, done in the name of "educational relevance." "Isn't it likely that the models

being employed run counter to much of what is the authentic experience of *Gemara* learning?" he asked.

We used this opportunity to mention some of our own caveats regarding the adoption of conceptual models from general education. First, the type of thinking represented by these models with their rigid demarcations and stages goes against the grain of how people think about what they do while in the midst of educational practice. The models are often too theoretical, and teachers sometimes have trouble applying them to practice. That is why work with practitioners today often focuses on cases or lessons, and through them introduces concepts.

Second, and this was a particular concern with our group who were largely unexposed to philosophical thinking on education, there was fear of indiscriminate use of the models. When the only tool in your toolbox is a hammer, everything begins to look like a nail. In the absence of a certain amount of sophistication, the novice teacher is liable to label every object or stimulus as one of the four commonplaces, without using the tools for their ultimate purposes.

Third, while these models are very rooted in conceptions of subject matter that are derived from the world of scholarship, Orthodox Jewish education often works outside of traditional curriculum frameworks. As Barry Holtz has pointed out, while general education often treats subject matter and defines disciplinary boundaries rigidly and according to university models and premises, this is not true—indeed, *ought* not be true—in Jewish education, and is rarely so in Orthodox education.⁵⁴

Fourth, we were aware that structures such as those presented in the conceptual models are best viewed as useful tools – that is, they are best set aside when they can not serve a proper use and picked up again when they may be employed rigorously and with accountability.⁵⁵

Finally, we emphasized, these conceptual models are not “Torah from Sinai”—and care must be taken in applying them to our work where other tools might be more useful.

Given these caveats, we still made the case for using these conceptual lenses in thinking about Modern Orthodox education. The benefits and limitations of Schwab’s commonplaces, for example, can best be seen in regard to Talmud education.

In the case of Talmud, the subject matter—because it demands reverence, and occupies the pedestal of *kedushah*—usually dominates deliberation. We might decide, for example, to “learn this *masekhet* until the year ends,” and all other planning has to fit around that *a priori* decision. Teachers might not even think about the other commonplaces, such as milieu. They likely focus on the “syllabus” – i.e., proceeding from page to page – but not on the curriculum. Curriculum planning for *Gemara* teaching should include asking: Why are we learning it at all? Is our goal to teach reading skills, or *lomdus* (scholarship), or good *sugyot* and topics? Should we learn using the traditional method or draw on academic approaches as well? What are the expectations of the parents, students and the community? How does the perceived sense of what authentic *Gemara* learning is (in reality or via nostalgia), or ought to be, affect our assumptions and methods?⁵⁶ Orthodox teaching today “is often just mechanics,” one of the Fellows noted, drawing on Schwab’s critique. We might add that not only is teaching very mechanistic, but teacher training is almost exclusively so.

In Modern Orthodox education, it is vital to be aware of the interaction among the commonplaces because so much is at stake. We sometimes respect the subject so much that we devote much more time to it than would be good for the students. Even

if we defend such a decision through recourse to tradition, we need to be aware of which commonplace we emphasize, in this case the subject matter, at the expense of the others, perhaps the student.

In this light, we might consider the statement of R. Aharon Lichtenstein:

The encounter with God as commander lies at the heart of Jewish existence; to the extent that it is realized through Talmud Torah, the legal corpus, as developed in the Oral tradition, is a prime vehicle for this encounter... The process [of Talmud Torah]... is no less important than its resolution; and even if one has retained nothing, the experience itself—live contact with the epiphanous divine will manifest through Torah, and encounter with the divine Presence, which hovers over its students—is immeasurably important. Talmud Torah is not just informative or illuminating; it is ennobling and purgative.... To an outsider, much of traditional Talmud Torah no doubt borders on the absurd. From a purely rational or pragmatic perspective, the prospect of a group of laymen studying the minutiae of complex and often “irrelevant” *halakhot* may indeed be bizarre. In light of Jewish commitment and experience, however, it is thoroughly intelligible.⁵⁷

Rabbi Lichtenstein makes a curricular point that can help answer a serious problem in current Modern Orthodox educational practice. Many of our students (and, I dare say, their parents) are at best curious, and at worst deeply troubled by the question of why we dedicate the overwhelming bulk of our time to the study of *Torah she-ba'al Peh* (primarily, Talmud), when, it seems to them, so few students obtain an independent mastery of the material and this allocation of time leaves many other important subjects relegated to secondary status or curricular oblivion.

Rabbi Lichtenstein presents us with a clear guiding theory for our practice: *Torah she-ba'al Peh* reigns supreme because it is, in its ideal state, best able to create the “encounter” between the student and “God as commander.” The question then is not why we teach so much Talmud, but why we aren’t being more successful in using it as a tool to forge that encounter? Why aren’t we focusing more resources on determining *how* to forge the encounter in the first place (especially insofar as

generating the encounter is more pedagogically complex in the modern world)? If we accept Rabbi Lichtenstein's theory, we still need an organizing principle (or more than one) to translate the idea of generating an encounter with God through Talmud study into practice. How do we take into account the interaction of student and subject matter in striving to generate this encounter – to say nothing of the other commonplaces)? If we accept his principle as a noble aspiration, or driving vision, for Jewish education, we still need to develop a "theory of practice" to enable us to prepare to teach toward that goal.⁵⁸

This final point, which lies at the heart of the "theory-practice" conceptual model we presented to the Fellows, made a deep impact on them. It became apparent to them that the analysis implicit in these models penetrates every component of schooling, curricularly, extra-curricularly, and meta-curricularly, from early childhood.

NOTES

I dealt with some of the themes addressed here in my "Melamdim and Mehankhim—Who Are We?: Implications for Professionalizing Orthodox Jewish Education," *Le'ela* (June 2001), pp. 49-57.

¹ Dan C. Lortie, *Schoolteacher: A Sociological Study* (Chicago: University of Chicago Press, 1975), pp. 73-74.

² Isadore Twersky, *Introduction to the Code of Maimonides (Mishneh Torah)* [hereafter: *Intro Code*] (New Haven and London: Yale University Press, 1980), p. 235.

³ Originally published in *HaDoar* 39:27 (May 27, 1960), pp. 519-23. Later reprinted in: *BeSod HaYahid ve-HaYahad* (Jerusalem: Orot, 1976), pp. 403-32, and abridged in *Divrei Hashkafah* (Jerusalem: WZO, 1993), pp. 240-58. On the provenance of this essay see my "Rabbi Joseph B. Soloveitchik and the Israeli Chief Rabbinate: Biographical Notes (1959-60)," *B.D.D.* (forthcoming).

⁴ Rabbi Lichtenstein has said that it is "the single best introduction to the Rav's thought." See R. Aharon Lichtenstein, *Leaves of Faith: The World of Jewish Learning* (Jersey City, NJ: Ktav, 2003), vol. 1, p. 202. It is perhaps overlooked because the full version, printed in *BeSod HaYahid ve-HaYahad* has been out of print, and the abridged version, which is widely available, cut much of the highly personal material which makes it such a crucial work in Rabbi Soloveitchik's philosophy.

⁵ *BeSod HaYahid*, pp. 407-408.

⁶ R. Lichtenstein, *Leaves of Faith*, p. 201. The Rav expressed a similar sentiment in *Al HaTeshuvah*, pp. 200-01 (*On Repentance*, pp. 149-50), as it relates to deficiencies in prayer. On the limitations—indeed, impossibility—of communicating the subjective, intimate experience of prayer, see the Rav's prefatory remarks in *Worship of the Heart: Essays on Jewish Prayer*, ed. Shalom Carmy (Jersey City, NJ: Ktav, 2003), pp. 1-2.

⁷ *BeSod HaYahid*, p. 420 (translation of this paragraph from *Leaves of Faith*, p. 202). For more on *katnut ha-mohin*, see *BeSod HaYahid*, pp. 412-13, and *Leaves of Faith*, pp. 224-25.

⁸ *Leaves of Faith*, p. 203. See also the section "Religious Sensitivity," in Aaron Rakeffet-Rothkoff, *The Rav: The World of Rabbi Joseph B. Soloveitchik* (Hoboken, NJ: Ktav, 1999), vol. 2, pp. 164-85.

⁹ It should be made clear that throughout we use the term *halakhah* (and its adjective, *halakhic*) in the broad sense of "Judaism" (not merely "law").

¹⁰ Rabbi Twersky's essay was published in *Visions of Jewish Education*, eds. Seymour Fox, Israel Scheffler, and Daniel Marom (Cambridge University Press, 2003); hereafter, *Visions*. A full understanding of R. Twersky's contribution to the project, and to Jewish education in general, cannot be separated from an appreciation of his unique and multi-faceted personality and biography. The reader is directed to Hillel Goldberg, "Silence & Greatness: The Late Professor Isadore Twersky," *Jewish Action* (Winter 1998), pp. 30-3; and Carmi Horowitz, "Professor Yitzhak Twersky—The Talner Rebbe z"l: A Brief Biography," *Torah U-Madda Journal* 8 (1998-99), pp. 43-58. A full bibliography of R. Twersky's writings, prepared by Horowitz, can be found in *Meah Shearim: Studies in Medieval Jewish Spiritual Life in*

Memory of Isadore Twersky, ed. Ezra Fleischer, *et al.* (Jerusalem: Magnes Press, 2001), pp. 1-10.

¹¹ *Visions*, p. 1.

¹² Many of these resources are also available through the VJEP website at <http://visions.mandelfoundation.org/default.asp>.

¹³ I am grateful to Marom, my mentor and friend, who made the experience of team-teaching this seminar such a growth experience for me, and to the ATID Fellows who participated, making it such a rewarding opportunity.

¹⁴ The ATID Fellows program is an in-service fellowship for young Modern Orthodox educators, generally in the first five to ten years of their professional lives. The Fellows—men and women, Israelis and Jews from the Diaspora—are exposed to bodies of thought from within traditional literature and general education, work toward developing new initiatives and strategies for the field, and undergo mentoring and a process of "peer interaction and dialogue" as components of professional development. The seminar described in this case study took place throughout the fall and winter of 2002 to 2003, working with 18 Fellows over eight three-hour sessions (meeting once every two weeks). The sessions were conducted in Hebrew but made room for those who preferred to speak in English.

¹⁵ See Michael Rosenak, *Roads to the Palace: Jewish Texts and Teaching* (Oxford: Berghahn Books, 1995), pp. xi-xvi, for challenges facing the development of clearer terms, theories and philosophies of Jewish education; and Israel Scheffler, *The Language of Education* (Springfield, IL: Charles C. Thomas, 1960) for general education.

¹⁶ Arthur G. Powell, Eleanor Farrar, and David K. Cohen, *The Shopping Mall High School: Winners and Losers in the Educational Marketplace* (Boston: Houghton Mifflin, 1985), pp. 305-309.

¹⁷ Seymour Fox, "Towards a General Theory of Jewish Education," in *The Future of the American Jewish Community*, ed. David Sidorsky (New York: Basic Books, 1973), pp. 260-70.

¹⁸ Fox, *General Theory*, p. 261.

¹⁹ *General Theory*, pp. 265-66.

²⁰ See also my remarks in "Melamdim and Mehankhim," pp. 53-54.

²¹ Twersky, "Religion and Law," in *Religion in a Religious Age*, ed. S. D. Goitein (Cambridge: the Association for Jewish Studies, 1974), pp. 69-70. See also Twersky's formulation of "meta-halakhah" as embodied in the *Shulhan Arukh* in his important essay "The *Shulhan 'Aruk*: Enduring Code of Jewish Law," *Judaism* 16:2 (Spring 1967), pp. 141-58, esp. section V.

²² *Guide of the Perplexed* III:51.

²³ *Intro to the Code*, pp. 395-96.

²⁴ Twersky, "Some Aspects of the Jewish Attitude Toward the Welfare State," *Tradition* 5 (1963), pp. 144-45.

²⁵ *Intro Code*, pp. 513-14; cf. *Visions*, pp. 85-86.

²⁶ On prayer, see "Some Aspects of the Jewish Attitude Toward the Welfare State;" and "*Ve-Yireh Atzmo keilu Omed Lifnei ha-Shekhinah: Kavanat ha-Lev be-Tefillah be-Mishnat ha-Rambam.*" On Eretz Yisrael, see "*Eretz Yisrael ve-Galut be-Mishnato shel ha-Rambam*" in *Eretz Yisrael be-Hagut ha-Yehudit bi-Yimei ha-Beinayim* (Jerusalem: Yad Ben Zvi, 1991). On Purim, see "On Law and Ethics in the *Mishneh Torah*: A Case Study of *Hilkhot Megillah II:17*," *Tradition* 24:2 (Winter 1989), pp. 138-49.

²⁷ See Rashi to Gen. 32:25, *Hullin* 91a.

²⁸ R. Twersky could have used "rational understanding" but insisted upon not doing so for fear that the emphasis would be on the European philosophical tradition of rational thought more than on the conscious cognitive grasp of the philosophic component of *mitzvot* – sometimes called "*taamei ha-mitzvot*."

²⁹ See note 6 in "Religion and Law," pp. 78-79. R. Twersky takes the passage from Wilhelm Pauck in the *Journal of Religion* (1928), p. 453. Regarding Jewish sources, R. Twersky posits that "From R. Bahya ibn Pakuda to R. Moshe Hayyim Luzzatto the demand is for disciplined study, thoughtfulness and concentration and not hymn-singing, other ecstatic postures, or extreme asceticism." In the note, he also brings in a long passage from the opening of Luzzatto's *Mesillat Yesharim*.

³⁰ *Visions*, p. 52.

³¹ *Laws of Mezuzot* 5:4 and 6:13.

³² *Commentary to the Mishnah, Menaḥot* 4:4 (my translation).

³³ *Hilkhot De'ot* 1:7. The translation is taken from Twersky's *A Maimonides Reader* (New Jersey: Behrman House, 1972), p. 54.

³⁴ *Guide of the Perplexed*, III: 54. The talmudic passage is from Tractate Shabbat 31a. The translation of the Maimonidean passage is from *A Maimonides Reader*, p. 354.

³⁵ Additionally, while R. Twersky's reading of the source from the Maimonidean *Commentary to the Mishnah* in *Menaḥot* was borne out by the conventional translation of the original Arabic of the text, it was complicated by more contemporary translations.

³⁶ Cf. Erica Brown, "Sincerity and Authenticity in Teaching," *The Torah U-Madda Journal* 11 (2003), pp. 264-72.

³⁷ See, e.g., R. Shlomo Yosef Zevin, *Ishim ve-Shittot* (Jerusalem, 1957 [1st ed.]); and *Great Teachers: Portrayed By Those Who Studied Under Them*, ed. Holston Peterson (New Brunswick, NJ: Rutgers University Press, 1946). There would be value in further collecting (and producing) vignettes of great teachers of Torah, to further serve this purpose.

³⁸ To be clear, these stages are not as rigid or linear as portrayed. Maimonides mentions that at the pinnacle, or third stage, a return to and review of the earlier sources is incorporated in an ongoing way.

³⁹ James W. Stigler and James Holbert, *The Teaching Gap: Best Ideas from the World's Teachers for Improving Education in the Classroom* (New York: The Free Press, 1999), p. 110.

⁴⁰ *Teaching Gap*, p. 144.

⁴¹ See Twersky, "On Law and Ethics in the *Mishneh Torah*: A Case Study of *Hilkhot Megillah* II:17," *Tradition* 24:2 (Winter 1989), pp. 138-49. We are grateful for this idea, as well as the sources, to Joy Rochwarger z"l, who developed them as part of her learning in the Mandel Jerusalem Fellows program.

⁴² To download the anthology of sources on *hashavat aveidah* that we assembled, visit <http://visions.mandelfoundation.org/>.

⁴³ On this topic see R. Twersky's comments in his "*Kiddush Hashem ve-Kiddush HaHayyim*" in *Kedushat HaHayyim ve-Hiruf HaNefesh*, ed. Y. Gafni and A. Ravitzky (Jerusalem: Shazar, 1993), p. 182.

⁴⁴ Cf. *Visions*, pp. 71-72.

⁴⁵ Norimitsu Onishi, "Never Lost, but Found Daily: Japanese Honesty," *The New York Times* (January 8, 2004).

⁴⁶ Daniel Marom, "Before the Gates of the School: An Experiment in Developing Educational Vision from Practice," *Visions*, pp. 296-331. Marom's work at Magnes was to be the "coach" of an on-site "goals project"—and encompassed much more than observation. As he points out, "mapping" a school's implicit vision is a necessary step in working towards the improvement of that vision.

⁴⁷ Marom, *Visions*, p. 298.

⁴⁸ Jon Saphier and John D'Auria, *How to Bring Vision to School Improvement: Through Core Outcomes, Commitments, and Beliefs* (Carlisle, MA: Research for Better Teaching, 1993).

⁴⁹ See Fox, *Visions*, pp. 253-54.

⁵⁰ Menachem Brinker, "Jewish Studies in Israel from a Liberal-Secular Perspective," in *Visions*, pp. 95-105; Moshe Greenberg, "We Were as Those Who Dream: An Agenda for an Ideal Jewish Education," *Visions*, pp. 122-32.

⁵¹ See Joseph J. Schwab, "Translating Scholarship into Curriculum" in *From Scholarship to the Classroom: Translating Jewish Tradition into Curricula* (New York: JTS, 1977), pp. 1-30; Fox, "The Vitality of Theory in Schwab's Conception of the Practical," *Curriculum Inquiry* 15:1 (1985), pp. 63-89; and Fox with William Novak, *Vision at the Heart: Lessons from Camp Ramah on the Power of Ideas in Shaping Educational Institutions* (Jerusalem: The Mandel Institute, 1997), pp. 27-30. Additionally, see John Dewey, "The Relation of Theory to Practice in Education," in *John Dewey—The Middle Works, 1899-1924*, vol. 3: 1903-1906, ed. Jo Ann Boydston (Carbondale, IL: Southern Illinois University Press, 1977): 249-72; and Israel Scheffler, *Four Pragmatists* (London: Routledge and Kegan Paul, 1974).

⁵² Fox, "The Vitality of Theory."

⁵³ Fox, *General Theory*, p. 263.

⁵⁴ Barry W. Holtz, "Whose Discipline is it Anyway?" *Essays in Education and Judaism in Honor of Joseph S. Lukinsky*, ed. B. Cohen and A. Ofek (New York: Jewish Theological Seminary Press, 2002), pp. 11-24.

⁵⁵ This point was made articulately by Lee Shulman in his recent "Making Differences: A Table of Learning," *Change: The Magazine of Higher Learning* 34:6 (November/December 2002), pp. 36-44. He warned that such models should

serve as a set of heuristics, as a stimulus for thinking about the design and evaluation of education, and as the basis for creative narratives about the learning process.... I hope it will guide and inform both invention and critique. And I certainly hope that it will be used playfully rather than devotionally or dogmatically. When speaking of the goals of science, Alfred North Whitehead once declared, "Seek generalizations—and distrust them!" In the same spirit, I urge you, "Seek [conceptual models]—and play with them!" (p. 44)

To be clear, this cannot be a substitute to committing oneself or one's educational/professional community to a guiding set of principles!

⁵⁶ On this last point see Aliza Segal, *Havruta Study: History, Benefits, and Enhancements* (Jerusalem: ATID, 2003), and Yoel Finkelman, "Virtual Volozhin" in *Wisdom from All My Teachers: Challenges and Initiatives in Contemporary Torah Education*, ed. Saks and Handelman (Jerusalem: Urim, 2003), pp. 360-81.

⁵⁷ R. Aharon Lichtenstein, "Study" in *Contemporary Jewish Religious Thought*, eds. Arthur A. Cohen and Paul Mendes-Flohr (New York: Scribner, 1987), p. 933. Compare R.

Lichtenstein's remark with that of the late eighteenth-century *Nefesh HaHayyim* I, 21:

This is the Law of Man: When one busies himself with Torah study *lishmah*, in order to observe and fulfill all that is written therein, he cleanses his body from head to toe... Just as in immersion [in a *mikveh*] the Sages have declared that the entire body must be immersed in the water [cf. *Eruvin* 4b], so too must one be totally immersed in the words of Torah... [And] just as the whole body becomes elevated and purified through Torah study and *mitzvot*, so too all worlds of which man is a prototype [cf. *Nefesh HaHayyim* I, 6] likewise become purified, refined, and elevated.

⁵⁸ "Theory of practice" here is meant to entail the description of how a specific conception of a particular subject matter can and should be applied to the practice of teaching that subject matter.