Teaching Rabbinics as an Ethical Endeavour and Teaching Ethics as a Rabbinic Endeavour
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Introduction

A colleague recently told me the following story. She was attending a workshop at a conference on “Multifaith Dimensions of Theological Education,” studying the well-known aggadic passage about Moshe sitting in the future beit midrash of Rabbi Akiva (Babylonian Talmud, Menahot 29b). In this midrash, Moshe sits in the last row—the place of the poorest students—and is frustrated at not understanding the discussion. It is only when R. Akiva explains to his students that the law he is transmitting was given to Moshe at Sinai that Moshe is pacified. Moshe says to God, “Creator of the Universe, you have a man like that and you are giving the Torah to me?” God replies “Be silent, for this is my decree.” When the group read the text aloud, and then proceeded to discuss it, a Christian feminist scholar from North Korea challenged them: “Isn’t there an ethical problem in studying this text—which is so steeped in assumptions regarding hierarchy, gender, etc.—without explicitly stating a critique of the text?”

When my colleague told me this story, I was surprised. There may well be ethical criticisms of this text, but compared with other rabbinic texts, which can at times be blatantly sexist, homophobic, and/or xenophobic, this was not one that I necessarily would have problematized.¹ Take, for

¹ Perhaps this only strengthens her point, highlighting the pervasive but sometimes veiled nature of the ethical issues in our sacred texts. I imagine her issues were along these lines: the text, mainly through its unstated assumptions, promotes a hierarchy which places the “smarter students” in the front of the room; makes “not knowing” into an activity which elicits shame; and assumes
example, the following passage from Niddah 45a, which follows on the mishnah that tells us that “a girl of the age of three years and one day may be betrothed by intercourse”:

Our Rabbis taught: A story is told of a certain woman who came before R. Akiba and said to him, “Master, intercourse has been forced upon me when I was under three years of age; what is my position regarding [marrying someone in] the priesthood?” “You are fit for the priesthood,” he replied. “Master,” she continued, “I will give you a comparison; to what may the incident be compared? To a babe whose finger was submerged in honey. The first time and the second time he cries about it, but the third time he sucks it.” “If so,” he replied, “you are unfit for the priesthood.” Observing that the students [who were observing the conversation with the woman] were looking at each other, he said to them, “Why do you find the ruling difficult?” “Because,” they replied, “as all the Torah is a tradition that was handed to Moses at Sinai, so is the law that a girl under the age of three years [with whom a man has had intercourse] is fit for the priesthood one that was handed to Moses at Sinai.” R. Akiba too made his statement only for the purpose of exercising the wits of the students.

Such obviously problematic texts make the pedagogic questions even more poignant. How can we teach these texts without confronting their problematic ethical stances head-on—and how do we do so while still preserving them as meaning-making texts?

When the Christian scholar raised her concern about the workshop text, the presenter reportedly responded by saying that the way in which the group was studying the text—sitting in a room with women and men in a non-hierarchical setting—constituted an implicit critique of the text’s assumptions around hierarchy and gender. The implication was that no further discussion of those particular issues was necessary. In practice, in my own teaching of rabbinic texts, I often tacitly fall back on a similar answer—but it is by no means in and of itself an adequate response to the range of ethical challenges presented. While it is true that we do study these texts in a non-hierarchical, non-

(and thereby constructs) a reality that excludes women altogether from the room in which the learning takes place.
segregated\(^2\) setting, that does not address the fact that they are taught as holy texts while appearing to hold some values and assumptions that directly conflict with our own. If we ask our students to engage in studying problematic (and even painful) texts like that of Mishnah Yoma, or even less loaded texts, as if they are entirely value-neutral, we miss an opportunity for ethical education.

The challenge to confront and critique these texts matters to me not only because I too am a feminist approaching rabbinic texts as pieces of my own psychospiritual history,\(^3\) but also because I teach at the Recon-

\(^2\) I say non-segregated rather than non-sexist because I believe that many of the sexist dynamics reflected in the texts do continue to permeate our own classrooms, even while women and men study together. In a course I took on feminist ethics, for example, I did a short informal experiment in which I recorded for a full session the number of times men spoke versus the number of times women spoke, and timed the length of each comment. The results were astounding, especially given the subject matter of the course. The same can be said of the continued emphasis in our communities on the value of knowing, and the resulting shame which comes with not knowing.

\(^3\) What I refer to here is best articulated by Alasdair MacIntyre in his discussion of moral identity:

I can only answer the question “What am I to do?” if I can answer the prior question “Of what story or stories do I find myself a part?” We enter human society, that is, with one or more imputed characters—roles into which we have been drafted—and we have to learn what they are in order to be able to understand how others respond to us and how our responses to them are apt to be construed.... Hence there is no way to give us an understanding of any society, including our own, except through the stock of stories which constitute its initial dramatic resources (Alasdair MacIntyre, *After Virtue: A Study in Moral Theory*, Second ed. [London: Duckworth, 1993], 216).

He continues:

Notice also that the fact that the self has to find its moral identity in and through its membership in communities such as those of the family, the neighborhood, the city and the tribe does not entail that the self has to accept the moral limitations of the particularity of theose forms of community.... (Ibid., 221).

If we accept that the “stock of stories” of the Jewish narrative constitutes us psychologically and spiritually as Jews, then the only way to reconstitute what it means to be a Jew is to visit those narratives and understand how they have done that work on us so that we can then move beyond the limitations of our own narrative.
structionist Rabbinical College (RRC), where one of my—and the institution’s—goals, among others, is to train rabbinical students to become ethical leaders. But how much do I, in practice, confront the ethics of the texts, and how much do I fall back on the implicit claim that the very fact that we are doing it differently is its own sufficient critique or skip over the ethical issues entirely for “lack of time?”

This paper investigates some of my attempts thus far at dealing with the issue of how, and how much, to address ethics head-on in the teaching of rabbinic texts. In the first half of the paper, I analyze my teaching in two recorded classes in order to understand under what circumstances my students and I engage in conversations about power and ethics, and under what circumstances these conversations are circumvented. In doing this study, I also sent out a questionnaire to a number of students, past and present, asking questions about what they had learned about ethics in studying with me. In the second half of the paper, I discuss the responses of the six students who answered the questionnaire.

In doing this analysis, I was interested not in arriving at solutions but in examining my own patterns of teaching—what facilitates or hampers my goal of using my classes to teach ethics. For the purposes of this paper, by “teaching ethics” I mean employing in our study of sacred texts a lens through which we examine ourselves and our values in a manner that can help us act as spiritual leaders in promoting social justice. The most consistent conclusion that emerged from this study may seem obvious, but was so blatant in its consistency that it seems worthy of mentioning at the outset: when students came into class with ethics as the frame, they were more likely to think about the texts through an ethical lens, and discussions were more likely to lead in that direction—a point to which this paper will continually circle back.

First and foremost, I am trying to teach my students how to sit at the table with the rabbis, and to refrain from employing their own agendas and values systems in initially trying to understand the texts. However, if these are ultimately to be “their” holy texts, which will shape decisions they make about how to be in the world and what they will teach and preach to congregations, is this a valid pedagogic stance? What will such students do with texts they see as being in conflict with their values, both as rabbis and as human beings? No matter what one’s particular ethical lens might be, in teaching classical texts we are always faced with this essential pedagogic question.
Two underlying, intertwined questions, then, are at the heart of this paper. The first is what we do when teaching rabbinic texts that clash in some way with our own ethical principles—a question we might ask in all teaching contexts, not just in rabbinical seminaries. The second is the more complex question of how we employ the teaching of these texts to help our students become better ethical leaders—that is, how one uses rabbinic literature in order to help rabbinical students become better people, better leaders, and better at understanding the deeper psychological issues of the history of our people—and how we balance that desire with the goal of teaching skills, making sure that our students know how to properly decipher and understand the texts as they are.4

The Context

My classes contain a range of students who represent a wide spectrum of attitudes toward rabbinic texts. Some regard these texts as sacred in a way that requires that we find our spiritual guidance from them while leaving our own ethical standards at the door of the beit midrash, forgiving or ignoring those parts that seem unethical. At the other end of the spectrum are those who reject the texts almost entirely for their content and biases, refusing to see them as sources of ethical teaching. As a comprehensive strategy, neither response is sufficient for religious Jewish ethical leaders. My struggle lies in forging a relationship between the texts and these future rabbis in which my students feel compelled to engage the ethics of the texts head on, neither accepting them unquestioningly nor ignoring or rejecting them. It is my assumption that it is their—and our—responsibility to bring an ethical lens to textual learning and interpretation. And it is with this assumption that I began the inquiry represented in this paper.

4 I am dissatisfied with the most common de facto pedagogic responses to these questions, which either simply frame the texts in their historical contexts, ignore the ethically problematic parts of the texts for pedagogic purposes, or—as Ed Greenstein seems to suggest we do with respect to the teaching of Bible—choose a methodology to apply to reading and teaching a particular text based on the message we want to derive from it. See Edward Greenstein, “A Pragmatic Pedagogy of Bible,” Journal of Jewish Education 75:3 (2009): 290-303.
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Although I believe that this charge falls upon all readers of these texts, there are qualities of rabbinical training in particular that serve to highlight that responsibility:

1. Rabbinical students see this literature, and/or know that fellow Jews see this literature, as “holy” (whatever that may mean to each of them), and therefore as wielding power over their lives.

2. Rabbinical students are not just studying the literature to know it, or even to live it themselves—but also to teach it to future generations of Jews. The teachings of these rabbis will be the primary exposure to rabbinic literature of many of their congregants and students.

3. Rabbinical students need to learn the tools, as rabbis, to be critical of power relations in the world, because they will be spiritual leaders who will be called upon to confront injustice.

Having outlined the unique issues present in teaching rabbinical students, let me also clearly identify my own subject position as a teacher at RRC in particular, as the pedagogic issues are quite different at different rabbinical colleges. The RRC curriculum, for example, gives equal weight to all the layers of Jewish tradition and civilization, and so spends less mandatory time than many other rabbinical schools on rabbinic texts. It also demands that a great deal of students’ time be dedicated to practical rabbinics skills, which places constraints on the time available to teach basic text skills. In addition, the RRC community understands contemporary ethical standards in a way that is shaped to a certain extent by feminist theory, queer theory, and a liberal agenda. While the ethical issues for me and my students may not be the same as those for people who learn and teach elsewhere, the question of what we do as teachers when our personal and communal ethics conflict with those in the texts cuts across denominations and contexts.

The Classes

The two class sessions I recorded and analyzed were both in courses on midrash. One, which met on the RRC campus, consisted of seven students; the other, with only two students, met at my home in the
evening, and often ran overtime, allowing us to spend more time on
discussion. I introduced each of these class sessions by asking if I could
record the class and explaining why.\footnote{In the class that met at RRC,
this was only a brief comment, whereas in the class in my home we spent
some time discussing the paper I was planning to present at a conference,
which was the first version of this chapter.} Thus, the students all knew that I
was interested in thinking about the place of ethics in our class discus-
sions. I, too, was aware of the issue off and on during the class.

During the class at RRC we examined three texts, beginning with a
short series of three- to four-word midrashim on *ben sorer u’moreh*—the
stubborn and rebellious son, who is sentenced to be stoned. The verse
in the Torah (Deut. 21:18) reads “Ki yihyeh l’ish *ben sorer u’moreh,*” “If a
man has a stubborn and rebellious son...”, and goes on to explain that
the son should be taken out to the elders and stoned. The midrashim
we examined prevent this extreme punishment from occurring by limit-
ing its application—claiming that the word *ish* refers only to a father,
not a mother, and that the word *ben* limits the subject to a son, not a
daughter, and to a child, not an adult. The series of midrashim ends with
a halakhic statement that a minor is also exempt from the punishment
(because he is, of course, a minor).

This text raises many ethical issues. To name just a few: What does it
mean for the Torah to suggest that we kill (some of) our stubborn chil-
dren? What implications does the rabbis’ claim that the law applies only
in the case where there is a father and only to sons (and not daughters)
have? How does this ruling fit (or not fit) into larger gender questions
raised by rabbinic literature? What does it mean for our rabbis to have
developed their own set of ethics that seem to disagree with the To-
rah’s? Are there ethical implications to the rabbis’ interpretation? Was
it unethical for them to have ascribed a meaning to the Torah text that
is so antithetical to the *peshat* (the plain meaning of the text)? Does it
matter that their decision to do so was itself based on a desire to correct
something they saw as unethical?

During the course of the 75-minute discussion on the *ben sorer
u’moreh* text, these types of ethical issues came up only six times (if one
counts a discussion during the break)—and five of those times, as the
transcript reveals, I steered immediately away from the issue of ethics
and back to the practical tools of analysis.
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The first time an opening emerged to discuss ethics was when Dina\(^6\) was asked to explain the text.

Dina: So the question that I have at this moment is—Ellen’s been saying to me that they are minimizing the categories because it’s so awful and heinous, what happens, that how can we, how can the rabbis not prevent that from happening often?

Ellen: I only said that’s what happens in Gemara.

Dina: So I liked the idea and I went with it, but I have a question about the distinction—so I can understand them talking about a boy and not a girl, but I don’t understand why they are talking about ... I don’t know enough about ages to know at what age does someone become a man, is it thirteen or not, and when does someone become a minor.

SL: So let’s first ask: how and where would you find out that information?

From here the discussion delves into one of resources (how to use Steinzaltz’s reference guide, Gemara, words they could have looked up, medieval commentaries, etc.) and from there we proceed with a discussion of the actual answer to the question—discussing the different categories of age and their distinctions and characteristics in the halachic system. In the course of this discussion, I left behind entirely the comment that Dina had made about the rabbis’ goals, and the potential discussion about the very issues that I am suggesting here are essential to open up in the classroom.

We then moved forward into analyzing the possible midrashic “hooks”\(^7\) for this text, at which point opportunity number two for a discussion on ethics emerged. During this discussion, a student suggested that we are dealing with the gender ambiguity of \textit{ben}—does it mean son, or child? Again, I affirmed that this is indeed the hook, but

\(^6\) All of the students’ names have been changed.

\(^7\) The hook for a midrash is the textual basis upon which it is built. Thus, the ambiguity of the word \textit{ben}, which can mean “son” (relational and gendered), “offspring” (relational but un-gendered), “child” (age but not relation), makes it a good “hook” on which to “hang” a midrash.
took no advantage of the comment to discuss feminist issues of gender, gender ambiguity, the question of andro-centric language, or any of the other possible issues that could have emerged from the comment. We continued discussing possible hooks in the text, which then led us into a general discussion about midrashic hooks. At this point, a student brought up the point that *ish*, too, suffers the same problem of gender ambiguity. Again, I divert the discussion to the issue of the hook, and then to a discussion of the hermeneutical principles being used in the midrash.

About a half hour into the class, during a discussion in which we are exploring the question “How does this midrash actually apply?,” I raise the question: “Under what circumstances would there be a situation in which a man would have a *ben sorer u’moreh* but a woman would not? Under what real-life circumstances would we be able to apply this midrash so as to not kill the rebellious son?” The suggestion came up that it might be true in the case where there are two mothers—an opening for a discussion of gay and lesbian issues. My response to the student, however, was a pithy “OK, probably not,” which generated some laughter and a few more jokes about lesbian mothers in the period of the midrash, lasting about a minute.

Again, I moved the discussion forward with the question, “Ok, so Dina stopped reading at the word *l’isha* [to a woman]. Why?” We began a discussion of exegetical midrash and how one identifies when a midrash ends and begins. During the break, fifteen minutes later, Ellen asked a question about the gender implications of the statement “if a man has a son,” as opposed to an alternative formulation, “if a woman has a son.” She raises the issue of what it means to say “has a son” and the fact that the woman gives birth to the child, but the man “has” him and how that relates to their reading of the midrash.

Ellen: To me in biblical land if a man has a son that means something very different than “if a woman has a son”—do you know what I mean?

SL: No, say more.

Ellen: Like, the woman is the birther of the son, but it’s really the man who has the son. I don’t know—I’m just thinking about how important it is for a man to have a son, and [words unclear]—it’s
just a different ball of wax. It just seems like if at the rabbinic table we were like—now we’re just talking about male single parents, you’d have to say more than \textit{k’she-yihyeh ben l’ish v’lo l’isha}\textsuperscript{8}...

My answer to Ellen focused neither on the issue she raised about single parenting, nor on the issue of the androcentric view of progeny (that the text makes the actual birther of the child invisible in writing, stating, “if a \textit{man} has a son”). Instead, I latched onto her comment about syntax, and whether the words, the way they are written, could mean what the students were proposing. Ellen’s questions about “ownership” of children, paternity and maternity having different societal weight, etc., were lost in our discussion.

After a break, when we reconvened, we revisited the discussion about age. It was only one hour and five minutes into the discussion that I opened up the discussion of contemporary meaning by asking, “OK, this is a great Reconstructionist text—why?” Even here, I am not so much politicizing the discussion, or offering an ethical lens through which to view the text, but rather focusing on seeing the text through a Reconstructionist lens. While this may, in a roundabout way, prove to be about ethics as well, that is not at all how I framed the question. As a result, we discussed the rabbis changing the Torah text, and the discussion turned to the question of how they fit the Torah into their own social context. Joseph raised a question about whether the midrash is influenced by the fact that the rabbis might not have had any power to enact the death penalty in their own time, and we had a several-minute discussion on that issue as it relates to Mordecai Kaplan and his understanding of the ethical imperative of making change. Ellen said:

It seems that the way they do this is based on the exegetical principles that they made up, so in order to do the same thing I don’t think we could use their same principles, we’d need another set of principles, and is it a chicken and egg thing about the principles and the things that we’d want to do with them?

\textsuperscript{8} Earlier, another student had proposed that the midrash is about a single parent. It was suggested that if so, the text would have had to read “\textit{k’she-yihyeh ben l’ish v’lo l’isha}” rather than “\textit{k’she-yihyeh ben v’lo k’she-yihyeh ben l’isha}.”
This would have been a perfect entry point into a discussion about rabbinic texts and ethics—where our ethics come from and where those of the rabbinic sages come from, how these rabbis related to the ethics of the Torah and how we relate to theirs, how these rabbis solved their own ethical problems with the issues that came before them, and how we can deal with those which come from the rabbinic texts. It seems to me that such a conversation would be a rich beginning to a semester-long examination of ethical issues that arise from rabbinic texts. At that moment, however, I understood that we had two more texts to get through in half an hour, and did not know how to balance the need to get through the material with the value of making the material meaningful to the students’ lives. I wanted to get the lesson across, without taking too much time. The result was the following conversation:

SL: Right. So as Reconstructionists, I think we do use a different set of principles when we do it.... And there’s [also] an argument between the people in these schools about the principles you’re allowed to use. Like we said—R. Akiva drashes [i.e., interprets] an et [a word that usually merely indicates a direct object] and R. Yishmael comes along and says, “What are you talking about, how can you drash that et?!” So there’s not one set of things at all. So for Kaplan, we could have the people who drash the ets and the people who dispute that. That’s part of it for him.

Ellen: But that’s what I’m saying—there is a bigger boundary, but there’s a boundary beyond which ...[that is] even if people are disagreeing they’re remaining within the boundary.

SL: Yes, so that’s the question—where’s the boundary? But that’s always the question in any society.

The second part of class was devoted to two texts. The first tries to answer the question: “When it says v’hayah ka-asher yarim Moshe yado v’gavar (‘And it came to pass when Moses lifted his hand that Israel...)}
prevailed’), how is it possible that the Torah would tell us it was Moshe who did this, and not God?!” The midrash spells out that when Moshe raised his hands, the people looked upward (presumably toward God) and believed, and thus God acted on their behalf. We spent fifteen minutes on this much easier text, during which the last four minutes were devoted to the question, “What is their agenda here and what could you do with this text as a rabbi?” The short discussion that followed began by asking about whether or not this was an anti-Christian polemic—are they trying to say the power is not in a person, but in God?—and then moved to a comment on the fact that the Israelites were empowered (i.e., they made God act on their behalf by their belief), thereby creating the victory.

With the final text that we explored for the last ten minutes of the class, there was no discussion whatsoever about implications or meanings. The discussion focused solely on the technical aspects of translation and understanding.

What emerges from the above reprise of the class is that, though it is my goal to bring together the texts with discussions on ethics, at many points when there was an opening to use the texts as a jumping-off point to discuss these very issues, I avoided letting the conversation move in that direction in any way before the basic meaning of the text was fully determined. During the study of the first text, in the first few cases where there were openings, I changed the subject back to understanding either how to analyze this particular midrash, or how to analyze midrashim in general. Only at the end of the discussion on that text did I allow other questions to be raised.

Despite the fact that I knew that this class was being taped for the purpose of this paper, even at the end of examining a particular text, I did not frame the discussion in ethical terms directly, but instead in terms of the question, “What would you do with this as a rabbi?” The fact that the discussion turned to ethics in these cases happened in spite of that framing, rather than because of it.

Additionally, instead of making room for a classroom discussion on the above issues, even when the opportunity came up, my responses seem to have tried to offer “answers” in light of one particular stream

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11 Exod. 17:11
of thought—Reconstructionism. That is, when Ellen said, “there’s a boundary beyond which ... [that is], even if people are disagreeing they’re remaining within the boundary,” she opened an opportunity to discuss a number of issues, including how our boundaries are the same as and different from those of the ancient rabbis, whether this teaches us anything about what the limits of our own boundaries are in the Reconstructionist movement, how we determine what is “right,” etc. If we are able to see that the rabbis lived within a set of boundaries, it might teach us how to explore our own. Rather than answering “yes, so that’s the question—where’s the boundary? But that’s always the question in any society,” and moving onto another text, this too would have been a point at which to engage in a discussion of ethics.

Once again, with the second text, until we had established a good translation and explanation of the textual problem and its solution, I was unwilling to pause and entertain questions on ultimate meaning or significance. At the end of the text, once this had been achieved, I again asked the question, “So what is their agenda here and what could you do with it as a rabbi?”—again, not framing the discussion in terms of ethics directly. I did not ask, for example, “What are the implications of the fact that the rabbis take the power away from Moshe?” or “What are the implications of the fact that they give the power to bnei yisrael, the Israelites?”

We did not look at whether there are ways that we as a people still understand ourselves or present ourselves as having sway over God’s decision to make us powerful; why we might once have felt this way, or might choose to feel this way or otherwise now; what some of the lingering effects of those midrashic messages are on us as a people today; and whether these effects cause us to see ourselves in ways that may be problematic or to act in ways that may be unethical. And again, not surprisingly, the comments of the students were not focused on the ethical value of the texts, but on their value for us as teachers.

I will now highlight aspects of the class that met at my home more briefly. While some of the same issues arose there, the difference that I noted was that in this smaller class of just two students, my implicit framing of the class at the beginning had a greater effect on the turns the discussion took throughout the session. Because I had opened by explaining why I was recording the class, at one point Naomi, one of the students, actually said, “so speaking of ethics...” which led to an eleven-minute conversation (out of the first 38 minutes of class) about
the ethical implications of the use of particular prooftexts in certain manuscripts versus other manuscripts. The conversation began with my attempt to finish up the discussion of a particular text and move onto the next one (I said, “OK, anything else on this?” after having analyzed the basic structure of the midrash), but the student swung it back towards the ethical conversation, referring directly to my framing of the question at the beginning of class.

A second text elicited the same type of conversation. The text in question offered four different opinions on the following question: when the Torah says you must return a bull to your oyev, your enemy, to whom—what enemy—is it referring? The first opinion claims that oyev refers to the oved elilim (one who worships idols); the second, that it refers to a convert who has returned to his original religion; the third, that it refers to a yisrael m’shumad, an Israelite who has left the fold; and the fourth, that it refers to a yisrael who has personally wronged you. For the first five minutes, we dealt with translation, explanation, and a number of midrashic rules, and then spent about ten minutes discussing the possible messages of both the four individual opinions contained within the midrash, and of the redactor’s arrangement of the opinions in this format, from “farthest” to “closest.” While my own reading was that the rabbis chose to make it less and less likely that you would have to give back the bull of anyone outside of your immediate circle, one of the students understood it differently. If the text refers to someone who is in the outer circle (her example was a Palestinian), one might never have the opportunity to give back a lost object. This midrash attempts to make sure that we know that we are responsible to those we are immediately in conflict with, as difficult as that might be.

Our different analyses gave us an opportunity to discuss which opinion the redactor privileges, how kal va-homer (“if X, then all the more so Y”) reasoning might affect our reading, and how we might avoid assuming the agendas of the rabbis and instead deduce from the texts what those agendas are. This meant that we could engage in a conversation both on the ethical level and on the level of technical prowess.

12 This was an advanced class in which the use of critical editions was assumed. For this text the critical edition showed that different manuscripts used different prooftexts to support the same midrash.
The Questionnaire

The RRC curriculum is divided historically into five years (Biblical, Rabbinic, Medieval, Modern, and Contemporary). During the Rabbinic year, students study primarily Mishnah, Talmud and midrash. After their Rabbinic year students are required to complete three classes in advanced rabbinics.

I divided the student-respondents into three sets based on which classes they had taken with me. Set 1 consists of Iris, Esther, and Mimi, who are all in the same class and studied two courses in their Rabbinic year with me: a survey course in midrash, and a beginners Talmud course in which we learn the Babylonian Talmud’s Sotah (which deals with the suspected adulteress). The latter is particularly challenging from a feminist perspective. Iris was one of the most skilled students I have ever taught, and the material moved smoothly for her. Esther struggled much harder through the material and ultimately prevailed. Mimi took an additional third course the previous semester on false witnesses and the death penalty. All three of these students were in their third or fourth year when they answered the survey.

The other three students were all recent graduates at the time they answered the survey. Of these, Set 2 (Ronit and Caren) took as many rabbinics courses as they could squeeze into their schedule, including the first-year courses mentioned above, and another that features most prominently in their responses on the subject of marriage. This latter course was one of a series that I taught entitled “Reconstructionist Sacred Cows” in which we studied subjects which even in the liberal Reconstructionist movement are considered core “Jewish values”—among them marriage and circumcision.

Set 3 is comprised of only one student, Leah. Leah took only one course with me, having spent her rabbinic year in Israel. The subject of the course was sex ambiguity. Leah disliked rabbinic texts from the beginning, and my course did not convince her otherwise.

The questionnaire consisted of six questions:13

13 Several of the students did not keep to the format of the questions, and instead wrote a longer essay addressing the various issues. Thus, I present below specific answers to questions I asked as well as reflections which I believe pertain to the questions.
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1. Have you felt like classes with me have taught you anything about
   a. ethics
   b. how to think politically on a large scale about the role of Jews in
      the world, about forms of injustice (specific or not,) etc.
   c. how to be a better person?

2. Have you felt like classes with me have
   a. changed the way you view a subject?
   b. radicalized you?
   c. failed to deal with the “important issues”?

3. Have you felt like classes with me have been missing these elements?

4. Other than simply thinking that good text skills make a better rabbi, is
   there any other way in which you have felt like classes with me helped
   you become a better rabbi? How?

5. Do you feel that there is a good enough balance between examining
   these types of issues and learning skills?

6. Keeping in mind that there are only four required rabbinic text classes
   at RRC, do you have suggestions on how to improve this aspect without
   letting go of the skills building?

I divided Question 1 into three slightly different ways of asking about
the same pedagogic issue—that is, my desire to use my teaching of
Talmud to ultimately teach and empower students to act as spiritual
leaders for social change. I wanted to use language that might speak to
whatever ways students might frame this for themselves.

The answers from the first group alone vary enough that attention
should be drawn to the differences. Mimi answered the question with a
basic “No.” She drew attention to the fact that the way I managed class
dynamics taught her about ethics, but for her this had nothing to do
with the material itself or how we studied it. When asked if the classes
had changed the way she views a subject, she did state that it had, in
that she understood that “the misogyny of the rabbis is real, but such texts can still be worth studying for skills as well as content.” Her two other examples in answer to this question were less about ethics and more about the subject in general.

When I asked (in Question 2c) whether my class had failed to deal with the “important issues,” however, Mimi answered:

NO—This is one area where I think your classes excel. We deal with the issues that come out of the text pretty thoroughly—either in terms of what were the issues for the rabbis, what are the issues for us today, how do we teach/use these texts with congregants or other types of audiences.

Mimi’s answer points to the fact that she sees a difference between engaging directly and explicitly with ethics, and simply dealing with the “important issues.” Upon reflection, I believe this could be a result of two different but intertwined issues:

1. What it means to “learn about ethics”: It is possible that the answers to question 1 reveal the very issue I am grappling with—a searching for the texts themselves to embody the ethics we would like to see. When my students were asked if they had learned anything about ethics from the texts, they could not answer positively, even if we had discussed “the important issues” because they felt that the texts had not delivered the ethics they were looking for.14 I will return to this point further in my analysis.

2. Framing: For each text we study during a semester, once we have finished studying the technical details of the midrash or sugya, I ask the students, “How would you use this as a rabbi?” In these discussions we often do what Mimi considered “dealing with the important issues” (relevance to contemporary Jews) without asking questions about ethics in particular. The fact that we do, in fact, have a conversation for each text about relevance allows for different answers to the questions “did you learn about ethics?” and “did we deal with the important issues?” and draws attention to the way in which the framing of the discussion directly affects the discussion itself. Only those students for whom the term “the important issues” is equal to “ethics”

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14 This was reflected in the responses of other students to this question as well.
will come away answering these questions identically. Furthermore, since I myself believe that the “important issues” are those that build us into better, more ethical human beings, I myself need to frame the conversation in ways that will lead us to speak about ways in which these texts might do that work.

Iris, who had the easiest time of the three with deciphering the plain meaning of the rabbinic texts themselves, gave a very detailed response in which she referred to the sacred cow curriculum. Here she describes the impact on her of the very fact that I mentioned it in a conversation:

First, I recalled having a conversation with you ... where you talked about the importance of teaching on the “sacred cows” of Judaism.... I think the subject matter alone that you choose to address in class encourages (forces?) students to think about Jewish ethics / power and ethics / power in Jewish contexts in ways that other methods of teaching don’t. Simply put, when you approach learning Talmud in order to learn the underpinnings of halakha ... you develop a very different kind of relationship with the texts than if you are learning texts specifically with the intention of examining some of these larger ethical / power / political issues (even if the focus is more on learning text skills than an in-depth exploration of these issues themselves). I found that the more you made those intentions explicit, even if we couldn’t spend a lot of time on them in class, the more I was thinking about them for myself.

Again, it would seem that the framing of the texts in the context of the issue of ethics—in this case, things we as a Jewish community are not willing to examine carefully for their ethical impact—made Iris’s experience of the same courses quite different. Admittedly, in other answers she notes that several of the courses she was taking and the people she was interacting with helped her to think about the material through this lens. In her answer to question 6, regarding suggestions for improving this aspect, she again mentions that

it would be beneficial for you to be even more explicit about some of your goals in this area as learning the skills of asking some of these questions goes hand in hand with the reading / deciphering skills (if you ask me it’s these questions that are the difference between being able to translate and being able to understand).
While Iris felt that she had spent a great deal of time examining the ethical issues of these texts, Esther, who had studied precisely the same courses as Iris, answered the following:

Ethics via Talmud:—not really. I mean not from the texts themselves. If we learned ethics it was by distinguishing what we would consider acceptable behavior, from what the rabbis considered acceptable. I suppose the text about mita yafah—when the rabbis were discussing the best death to give to someone (out of mercy), would be the one example I can think of where I saw them struggling to be ethical in the meting out of capital punishment. But most of the time their ethics seemed to be in the realm of bein adam l’makom [between human beings and God], as opposed to bein adam l’havero [interpersonal], and therefore I couldn’t relate. I frankly did not find the rabbis very ethical at all....

Esther goes on to give examples of the unethical behavior of the rabbis.

Mostly I came away from Talmud with the thought that my religion had been framed by misogynistic bastards.... The minute I figured out that the ENTIRE sotah procedure was moot (due to the nonexistence of the temple, due to the fact that the Mishnah itself tells us that they stopped doing it)—what I was left with was the thought of these sexist assholes dancing on the head of a pin, while imagining the woman naked, how many strips of cloth would she have, how would they expose her breasts. And they framed my religion? If we have ethics as Jews now it is in spite of them, not because of them.

At first the answers of the two students look entirely opposite from one another—Iris claiming that she did learn about ethics, and Esther claiming that she did not. However, in fact the two are remarkably similar. Neither feels that the rabbis of the Talmud are necessarily their ethical predecessors or guides. Both did, in fact, discover lessons about ethics and power in the sources. Esther’s lesson was precisely that her ethics and those of the rabbis who composed these texts do not match. What I did not clearly communicate in class is that that, in itself, is a lesson in ethics. What Esther’s answer reflects is the fact that I did not teach the students how to think about ethics when one is confronted with a text one perceives to be unethical. Iris may have started out not expecting or
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requiring the sources to be her ethical guides. Alternatively, by her own words, she took my framing of the “sacred cows” curriculum as license to understand the texts in this way. The students’ answers both reflect the fact that framing is necessary. For Iris, there was enough of a frame into which to put the rest of the course. For Esther, there was not.15

This lesson is further confirmed by the answers of the second group of students, who were writing from a memory which stretches back two years rather than from the more recent experience of study with me. Both of these students took additional courses with me, including one “sacred cows” course on marriage. Caren answered my question on ethics as follows:

I think that the classes I took with you addressed ethics/larger political issues/being a better person in the way we always took some time to discuss how we would teach these texts, which means we looked at their political impact and what we disagreed with. I don’t recall all the details of those discussions, but I generally recall the theme of oppression/objectification of women vis-à-vis the Sota, the inequality of marital laws in Kiddushin.... The overall sense I got was that we could study the texts before us with wholehearted enthusiasm without ignoring the ethical questions they raised.

Caren recalls us discussing these issues in the context of the question that I routinely ask on finishing a particular sugya or midrash: “How can we use this as a rabbi?” But in my own experience and memory, even this question rarely elicits a discussion about ethics except insofar as we are often engaged in the discussion of “do we want to bring these problematic texts into our congregations?” Thus, for example, after studying a sugya about the power of words and their use and misuse in the tractate of Sotah, someone might just as easily say, “We could use it to teach a class on how to write a Torah scroll” as, “We could use it to think about

15 I wonder also if it is not only the framing of the classes themselves, but the way I asked the questions on the questionnaire that left these answers sounding so different. It would have been possible to ask, for example: “Did the course give you tools to think about ethical issues, even when the ethics of the rabbis were clearly different than your own?” This question would have given Esther the feeling that I was not looking for her to find her ethics in the texts, but rather in the discussions we had about the texts.
the ways in which we as a Jewish community sometimes misuse words to protect us from looking at ourselves.” The question itself does not direct the class discussion toward the students taking account of either themselves personally, or all of us taking account of ourselves as a Jewish community.

Ronit’s answer to this question was somewhat different—she did not feel that the classes had taught her about being a better person, but she did feel that they had taught her about ethics

... in the sense that I was challenged to think more critically about issues. For example, I had to think more deeply about what it means to create an equal partnership/covenant between two people. I also think that the Sotah class I took pushed me to think about the ethics behind the Torah text in a deeper way.... The class on Kiddushin made me create a more thoughtful wedding for myself.

Caren, who studied with me a number of times in the past years, answered as follows:

A way in which my studies with you taught me about ethics has to do with the methodology of Talmud itself (and thus came more from the text discussions than our sidebar discussions about contemporary meaning). That is, I believe the Talmud’s dialogical thinking conveys an important ethical teaching about there being more than one way of looking at truth, non-dogmatism and honoring of the process of searching for truth, not just the final result. Of course, this aspect is inherent in the text itself, but your focus on methodology brought that lesson home for me more strongly.

I wondered while reading the responses whether Ronit and Caren, who took the sacred cows course with me, may have felt that by definition we were dealing with the course more politically, and whether that may have affected their reflection on other subjects we studied together. It is my impression that, in fact, during the sacred cows course we spent no more time on ethics than in any other course. We analyzed the sugyot in the same way as we did for non-sacred-cow classes—trying to understand the flow of the argument, the historical layers, etc. The difference between this course and the others lay chiefly in the very
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fact that I framed the curriculum as studying “Sacred Cows.” I have no way of confirming the hypothesis generated by my wondering, but given the other evidence regarding the strength of framing, it is worth considering.

If framing is the main factor, however, a question remains. Why is it that despite both my students’ and my own awareness that I was working on the question of ethics in teaching rabbinic texts, and despite my general commitment to that aspect of my teaching, the subject of ethics still did not come up explicitly nearly as often as it could have in these class sessions? I believe one answer lies in one of the responses of the sixth student, Leah, to the questionnaire.16 Leah’s answer reflects precisely the concern that I have regarding the balance between the time I spend on ethics and on skills. Leah answered the question about whether my classes had taught her about ethics as follows:

You do.17 Your classes are comprised of Talmudic arguments that confused the pants off me … there’s a very real tension with teaching politics in a class where so much effort has to go into just reading the texts themselves. There’s just not time, either in class or outside class. I think for people who are good at this stuff there might be more opportunity.

Thinking of the image of Moshe in the beit midrash of R. Akiva, I am very aware that, even as we expose the fragility of the humanness of our predecessors, we too must eventually sit at the back of the room reflecting on how our teaching is understood and used by the students of our students. But in the meantime, we have the opportunity and responsibility to pay deliberate attention to the questions that motivate our teaching, and to be reflective and purposeful about our own pedagogic practice in light of those questions.

16 This issue came up in the responses of Caren, Mimi, and Iris as well.
17 The statement that I, separate from the content of my class, taught ethics is one which is reflected in Mimi’s response as well, and is deserving of attention in a different paper devoted solely to that subject. I will say, however, that I believe that we, as educators, often fail to recognize the simple notion that I learned as a youth leader in Hashomer Hatzair—dugma ishit (personal example) is our most powerful teaching tool when it comes to the teaching of ethics or character building. It is here that I believe I most fail to recognize my power and potential as an educator.
Conclusion

Several themes emerge from this study and are worthy of our attention.

- **Letting the students find their voices is an element in teaching for ethics.** The transcripts of my two classes, and the class at RRC in particular, revealed that even when the conversation provided a natural opening for a discussion on ethics, I did not take advantage of the opportunity to discuss what I feel is ultimately most important to discuss—largely out of a combination of feeling pressed for time (as Leah pointed out) as well as not being as secure on how to do that type of education in this context (see other bullet points below). At the same time, what the questionnaires revealed is that there is an element of the way in which I conduct my classes which allows students to “find their own voices” in the process of discussions on a variety of issues.

  Both Mimi and Esther pointed out that letting students have time to do this, not only with regard to technical skills but also in regard to analysis of the text as a meaning-making source, was essential to them. I want to consider how to make more room in my classes for students to find their voices both when we analyze methodology and when we discuss the “issues,” even if time does not seem to permit. That aspect of the learning must be given fair time to develop, perhaps even at the expense of my feeling that we should be learning just one more technical skill.

- **The text itself (with a focus on methodology) can teach ethics.** Caren pointed out that “the Talmud’s dialogical thinking conveys an important ethical teaching about there being more than one way of looking at truth,” which was highlighted by my focus on methodology. This comment introduced the added factor of the form of the Talmud (as opposed to its content) as a source for teaching on ethics. In her estimation, the very nature of the Talmud text itself and the way that I reflect upon that nature is a way that ethics are transmitted in a Talmud class. The fact that less advanced students did not reflect upon this indicates that this is something worth pointing out and discussing, even when I am not making a pointed effort to discuss the ethical content of the text.
• **Framing is essential.** It became completely clear through both listening to my classes and reading the questionnaires that I need to frame what I am doing for the students—and for myself—not only once, but continually throughout the semester and perhaps each class. When I spent several minutes talking about this paper at the beginning of the class I conducted at home, it changed the lens through which we were examining the text into one of ethical considerations. The fact that I merely mentioned why I was taping the class that met at RRC did not have the same effect.

In the questionnaires, the need to frame my intent more carefully was explicit (especially in Iris’s response). That need was also implicit in Esther’s belief that she did not learn ethics because she came away feeling that the rabbis were unethical. On one hand, taking the time to discuss how we would teach troubling texts served to acknowledge their nature, took note of their political impact, and surfaced disagreement with them. On the other, had I framed how we learn about ethics as not merely searching for the ethics we already have in the ancient texts, but rather exploring ethics through the very fact that there are tensions between our beliefs and those of the rabbis, Esther’s answers might have been very different.

• **Over and above framing, I need to develop and teach a methodology.** The transcripts of my teaching revealed clearly that (despite my own pedagogic interests) discussions about ethics come up in my class only coincidentally, and that I do not have a particular or deliberate way of dealing with the questions when they emerge. At the same time, the questionnaire revealed that students did feel that they had an opportunity to discuss things that mattered when I asked at the end of each textual study, “How would you use this as a rabbi?” Thus, while the subject was not systematically addressed, neither was it entirely ignored. More importantly, the space for the conversation is already carved out in my classes, as is the potential for a deeper understanding of ethical issues.

Framing is not the only piece of this puzzle that must be present. It is also necessary to develop a methodology that will actively and methodically introduce the subject of ethics into classroom discussions, and will elicit growth in that area through a discussion of these texts. This methodology must include a discussion of ethics in their
social/historical context. However, because historicizing ethics is not enough for rabbinical students who approach these texts as eternal religious sources, the methodology must go beyond simply putting those texts into a historical context, extending into seeking to learn about and understand ourselves in relation to the ethics in the texts, and to help us to grow through that understanding.

In Ronit’s case, looking critically at the texts on marriage challenged her to think critically about the issues in them—what it means to create an equal partnership—and affected her own wedding ceremony. For students who cannot access this other level of learning the texts without more explicit instruction, framing might facilitate this level of analysis. This necessitates the following point as well.

• **It is necessary to make “learning ethics” independent of whether our ethics are reflected in the texts we are studying.** It became clear to me as I did this work that it is essential to differentiate between “learning ethics” and the particular ethical content of the texts we are learning. That is to say, we can learn ethics as easily from studying a text which lays out opinions that we consider entirely unethical as we can from a text which promotes ethics with which we agree. The question is how the class discussion of that text evolves, and not what the tradents in the text believe. It is essential, however, to make this distinction clear to students. This has not been immediately obvious to my students, and I need not only to practice this distinction, but also to discuss it conceptually from the beginning of the semester and throughout the course. Again—framing.

• **In some cases, the very fact that I chose subject matter which was contra the ethics of the students can achieve this goal better than other subject matter.** This was stated particularly in Iris’s answers, but also appeared as a theme in Mimi and Caren’s responses. It was also obvious from class that many of the conversations which might have developed emerged from students’ differences with the ethical underpinnings of the text. Even Esther, who said “The texts we learned in your class did not really teach us about injustice, other than REPRESENTING injustice,” also said “Ethics via Talmud:—not really. I mean not from the texts themselves. If we learned ethics it
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was by distinguishing what we would consider acceptable behavior, from what the rabbis considered acceptable.” If Esther’s eyes had been turned in a different direction, she might have answered that we learned a lot about ethics, through examining what she considered unethical. Where I failed was in not turning her eyes in this direction. I needed to make that explicit. Yet again—framing.

In an article based on her own teaching, Marjorie Lehman writes, “I no longer believe, as I once did, that by enabling my students to strengthen their decoding skills I have left them with the most significant tool necessary for examining the texts of the Talmud. My goal is to do more than teach them how to read the texts of the Talmudic corpus in Hebrew/Aramaic. I want to teach them how to read between the lines, to question, to analyze, and ultimately to discover meaning in these texts.”

I agree with Lehman, and yet I return to the original challenge of what one does with the sometimes terrible meanings that we might discover. Issues like gender privilege and hierarchy can arguably be sidestepped or overlooked in some cases, as in the story with which we began this paper—that of studying the text depicting Moshe in the beit midrash of Rabbi Akiva—but what of the more unavoidably painful issues and texts? These (sometimes shocking) texts provide a window onto the world in which the other “milder” texts are situated, and further extend the range of ethical concerns with which we could theoretically engage—concerns which, for some readers of a given text at a given moment, are unavoidable. I want to take up Lehman’s challenge, to discover meaning (or, if we cannot discover meaning, to find a way to instill meaning) even in such texts, and especially in our ethical encounter with them.


19 I have been considering how this might happen differently than merely using our own “better” ethical behavior as a corrective, saying, “The context in which we are studying it is different and that is good enough.” I believe that we must use these texts as jumping-off points to consider our own ethical choices and beliefs, and to question ourselves through study of the texts. As this is not the subject of this paper, it will remain to be explored in a different venue.
This study has allowed me to begin to tease out the obstacles that have thus far stood in the way of my fully committing to what I understand to be an ethical obligation inherent in Lehman’s challenge. If we are to “discover meaning in these texts,” that is, we must develop a system with which to engage with their ethics, neither accepting nor rejecting them, but making meaning out of them by exploring our own values through them. We cannot remain content, as Lehman says, with merely decoding. We must ask ourselves, how can we offer our students (be they rabbinical students or others) real discussions of the content of these sources from the perspective of ethics? And more important, how can we give our students tools with which they can disagree with the texts, and yet still bring meaning to the experience of studying them and learning from them? I believe these are the questions that every one of us who is a teacher of rabbinic texts must tackle if we are to make these texts speak to the next generation.

Our students will ultimately leave us and create their own circles of learning and living, and their own methods of teaching. We can be sure that there will be times when, like Moshe, we do not agree with or even understand those methods. If, however, we are able to carefully consider how to teach them the tools to become the leaders and teachers we wish them to become, we will have the satisfaction of knowing that in some measure their teaching is a result of the work we have done in crafting and shaping our own.