The Moral Mishnah: How Can Teachers of Rabbinics Use the Mishnah for Moral Education?

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Abstract
When our students study Mishnah in our classrooms, how can we help them to uncover layers of moral discourse? This paper explores ways in which the study of Mishnah from different tractates can stimulate moral thinking about ethical behavior, the meaning and possibilities in human existence, mystery and awe, and human dignity and existential concerns. Although Mishnah Avot may be the first address to which students and teachers turn for moral discussion, the author instead favors passages of Mishnah that are grounded in ritual life, agricultural life, business transactions, legal issues and human relations.

Introduction
It is not unusual in American society for politicians, families and educators to call for programs of moral education, hoping to counter societal ills from drug and alcohol abuse to teen pregnancy and cheating.¹ Public schools can play an important role in character education, but teachers and administrators have to be careful not to breach the wall of separation between church and state. They cannot appear to be giving preference to one tradition or set of values over another. In contrast, Jewish day schools are in an ideal position to participate in the character development of their students. Moral education is a part of the mission of many Jewish day schools and after-school programs: the New Jewish Community High School of West Hills (Los Angeles area), for example, states its mission as follows:

The Mission of New Community Jewish High School is to raise up a new generation of Jewish leaders for whom Jewish values and tradition shape and guide their vision, and for whom knowledge creates possibilities for moral action, good character, and shalom.

This school is not alone in its moral commitments. Many other schools include a vision of moral action in their statements of mission.²

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Jewish educational programs are in a privileged position with respect to moral education because stakeholders, in the main, agree: parents want it and educators see it as their business to provide it. The question is how: Which values should be selected for study and practice? Should values be transmitted at each age level through service learning? Ritual practice? Text study?

My own experience suggests that introducing students to passages in the Mishnah that raise moral dilemmas can be an effective approach to moral education with middle-school students. Compiled in the first two centuries of the Common Era, the Mishnah represents the earliest collection of rabbinic law and discussion. Although much of the Mishnah concerns relatively obscure agricultural laws practiced in the Palestinian countryside, sacrificial laws, and other practices related to the cult in the ancient temple in Jerusalem, almost all of which were rendered irrelevant following the Temple’s destruction by the Romans in 70 C.E., there are numerous passages concerning the holidays, business practices, economics and human relations. Rabbinics teachers charged with teaching basic skills for studying rabbinic literature and who also are charged with promoting moral education can mine the Mishnah for countless texts that—in the brief space of a paragraph or two—can spark thoughtful moral discussion around complicated issues, allowing students to make connection between the texts and their own lives.

It makes sense and it might even seem obvious for a rabbinics teacher to begin a program of moral education with the Mishnah, Tractate Avot. Often called Pirkei Avot and translated as “Ethics of the Fathers” or “Sayings of the Fathers,” Tractate Avot (mAvot) represents a rich source of rabbinic writings that raise moral questions and offer advice about living a moral life. In keeping with the work of Arthur Schwartz and others who advocate the teaching of moral maxims as a form of moral education, many of the moral maxims in mAvot do indeed lend themselves well to discussion about proper conduct, about one’s place in the order of the universe and about assuming responsibility in the world. However, as a teacher of rabbinic literature, charged with introducing my students to the Mishnah and charged as well with their moral education, I rarely bring mAvot to moral education for a few reasons.

First, as a teacher of rabbinic literature, I find that mAvot does not introduce the kind of literary structure, legal logic and insight that can be found in much of the rest of the Mishnah. In many of the legal texts, students see disagreements between an anonymous majority position and the position of a named rabbi. They are able to experience the Mishnah as an oral text and even as a form of dialogue in which the rabbis disagree with one another. The rabbis make lofty and poetic claims about how to live a moral life, as they do, for example, in the final mishnah in mPeah about charitable giving and justice. The rabbis cultivate moral practice in mPeah through leaving the corners of the field for the poor; they cultivate a sense of community in mShabbat and in mEruvin through Shabbat boundaries that keep neighbors close to one another; and they instill a sense of awe in mBerachot through praising God for food and even for the delivery of difficult news. (For different kinds of food, see Mishnah Berachot, Chapter 6, and for blessings over different kinds of news, see Mishnah Berachot 9:1, 9:2, 9:5.)
In my emphasis on moral education, I tend to stay away from mAvot for a second reason: because of its focus on general wise sayings, mAvot seems removed from daily life. In contrast, much of the rest of the Mishnah concerns rituals, practices, and even behaviors that were part of daily life in the Second Temple Period and after the Temple was destroyed. It seems that no aspect of life—whether sacred or ordinary—was irrelevant to the rabbis. Consequently, the Mishnah offers wisdom for living a moral life in the specifics of the everyday.

For a third, related reason, I find mAvot too loftily pious for the middle and upper school students I have worked with over the years. Precisely because the ethics and the wisdom seem so timeless, who can argue with the rabbis? What’s the fun for a middle schooler or upper schooler (or for that matter, any student) studying a text if they can’t challenge it back or at least wrestle with it? How can any rabbinic text or student-written text contradict the iconic three-part saying of Hillel in mAvot 1:14: “If I am not for myself, who will be for me? If I am only for myself, what am I? If not now, when?” When Shimon Ha-Tzaddik says in mAvot 1:2 that the world stands on three things (Torah, service of God and deeds of love) or when mAvot 1:18 quotes Rabban Shimon ben Gamliel who says that the world rests on three other things (judgment, truth and peace), the students usually find it confusing rather than inspiring, and don’t know whether the differences are real and meaningful or whether the rabbis are merely playing word games.

Rabbinics education at the middle school and upper school levels offer opportunities to gain insight into ancient Jewish culture while introducing accessible and relevant moral issues. Mishnayot about lost and found objects in mBava Metzia, Chapter 2 have immediate application in middle school hallways and classrooms, where students often leave behind their binders, laptops, and sweatshirts. Casual conversations about moments in which students have felt humiliated can lead to constructive conversations about responsibility, retaliation, and compensation based on the study of mBava Qama 8:6, a passage of Mishnah about someone who experiences a public indignity.

What does it look like when students in middle school or in high school study Mishnah as part of their moral education? First there needs to be some kind of trigger question or induction set that helps students to become drawn into the topics in the Mishnah. An open-ended question like, “What is the difference between finding a piece of jewelry on the street and finding a textbook worth $20?” can help to frame the study of the mBava Metzia Chapter 2.

Next, the class should focus on the text itself. Whether the text is taught in English or in Hebrew, students should be introduced to the text and guided toward a clear understanding of the content, before analyzing it and asking why it follows the logic that it does. (It also is often interesting to young people to learn how the 1st and 2nd centuries context shaped the Mishnah and/or the particular Mishnayot in question.)

Students will make the text their own when their teachers use creative approaches to pedagogy and when they engage students in forms of experiential education. Students can be helped to imagine a contemporary setting in which the Mishnah guides a judge or two citizens who are disputing an issue, and asked to act out the rabbinic positions in the texts. They might be given the assignment
to create a bumper sticker, a political campaign platform, a song or a sitcom somehow based on the
discussion and conclusions in the Mishnah.

In my work as a Jewish day school teacher, I have tended to emphasize moral inquiry when my
students and I study Mishnah together, rather than the internal textual—even literary—issues such
as word use, grammar, and intertextual comparisons, unless they add to the discussion of values.
I came to this approach and to this emphasis after reading Katherine G. Simon’s groundbreaking
study, *Moral Questions in the Classroom*. Simon identifies four different realms of moral questions and
discussions that take place in schools, each of which may also arise in rabinics classrooms once
students move beyond textual translation and explication. These four areas encompass personal
behavior and universal issues:

i. Questions about ethical behavior;
ii. Questions about the meaning of human existence;
iii. Questions about mysteries of life; and
iv. Questions about human dignity, great existential concerns and principles.\(^5\)

Although other thinkers such as William Damon frame moral education within a different set of
parameters,\(^6\) Simon’s four areas are especially well suited for the curricula at schools with a religious
mission—that is, at schools that place a high priority on acculturating students to a ritual and value
system while also transmitting intellectual and faith traditions. Unlike public schools and independ-
ent schools that have obligations to raise issues of ethics and integrity within a secular setting, it is
in the nature of faith-based schools to raise moral questions about mysteries of life, existential con-
cerns and questions of meaning. As important as it is for students to acquire literary skills that help
them to become self-directed learners who can translate, explain and apply the meaning of a text, I
would agree with Simon that a school is not fulfilling its mission if it is not engaging students in the
moral implications of their studies. A trade-off may be necessary for teachers to give time both to
text study skill development and to more open-ended moral discussion.

In this paper, I will introduce texts from the Mishnah that fit into each of Simon’s areas of moral
inquiry. Educators looking to fulfill their schools’ missions and to promote moral education in rabin-
ics classrooms do not need to look far to find a wide variety of texts from the Mishnah that raise
moral issues from each of the four areas. For reasons explored above, I look outside of mAvot and
focus on passages of Mishnah that are grounded in ritual life, agricultural life, business transactions,
legal issues and human relations.

**I. Ethical Behavior**

Simon’s first category of moral inquiry concerns ethical behavior, referring to the ways in which
people interact and take care of one another through kindness and right conduct. In the first order
of the Mishnah, *Seder Zera’im*, the second tractate, *Peah*, guides the community concerning taking
care of poor people by farming and by leaving the corners of the fields for poor people to gather their
own crops. The text for mPeah 1:1-2\(^7\) is as follows:\(^8\)
mPeah 1:1: These things have no fixed measure: leaving the corners of the field for the poor (Peab), bringing the first fruits to the Temple, being seen at the Temple on the pilgrimage festivals, and doing deeds of lovingkindness and the study of Torah. In these things, one enjoys the fruits of in this world and merit accrues for him in the world to come: honoring one’s father and mother, and doing deeds of lovingkindness, and bringing peace to one’s fellow, and the study of Torah is equivalent to them all.

mPeah 1:2: Do not leave a corner (Peab) of less than one-sixtieth, even though they said that Peab has no fixed measure. Everything depends on the size of the field and the number of the poor and the extent of the harvest.

These classic rabbinic texts may be recognizable to students who use a traditional prayer book as part of their morning services. mPeah 1:1 also appears in a variant form in the Babylonian Talmud, Shabbat 127a. As texts that begin with laws about leaving the corners of the field uncut so that poor people may glean and harvest for themselves, these are seminal texts about justice. While one could simply donate harvested foods to others in the way that many modern-day food pantries operate by gathering prepared foods and then redistributing them, the Mishnah requires that farmers allow the poor to experience the dignity of work.

There is a universal quality to this first Mishnah in mPeah because of the emphasis in the first half of the paragraph on citizenship: not only must everyone perform charitable deeds within the community, but they must also fulfill community obligations, such as the obligation to bring the first fruits to the Temple and to appear at the Temple. In the second half of the first Mishnah, attention turns to universal acts that everyone should perform, from honoring one’s parents to studying the Torah. One’s moral life extends beyond deeds to study so that ethical behavior continues to be reinforced by study and insight.

The second Mishnah here has a more limited audience and it has a more cautionary message: in the context of the limitless and highly fulfilling communal obligations to the Temple, to the study of Torah and to the performance of good deeds, one also should remember not to be stingy! Just in case somebody should think that “no fixed measure” permits one to give a relatively small amount, the Mishnah comes to affix a strict starting point of 1/60.

These texts promote moral thinking about communal and individual obligations. When I ask if it is a moral obligation to appear at the Temple, students readily wonder: Is it a moral good to appear at our own contemporary synagogues? Is the pursuit of justice such an important good that authorities, rabbinic or civil, are permitted to compel charitable giving with one’s own fields? And what gives a legislative body the authority to set a lower limit (of 1/60) on charitable giving? In our society, don’t we balk at turning a voluntary activity into a compulsory one? Might we accept the idea of compulsory tzedakah, but object to being required to meet a minimum amount? Students and teachers can ask and wrestle with these questions without necessarily coming to conclusive answers; the thinking process itself is very rich.
Turning to a different order of the Mishnah, *Seder Mo‘ed*, the texts concerning the celebration of Passover include several chapters concerning the Passover sacrifice. The final, tenth chapter includes elements of the Passover seder that continue to be practiced today, including the four cups of wine and the Four Questions that children are supposed to ask at the Seder. Students delight in finding ancient sources for the practices that are so familiar to them. It is a pleasure to hear students, after studying the text in *mPesahim* 10:3 about *haroset*, exclaim without inhibition, “Oh, so that’s why we don’t make a blessing over *haroset*!!” After studying the ancient version of the Four Questions in *mPesahim* 10:4, they may complain in confusion, “Hey, that’s not how we say it! Why is the Mishnah so different?!”

In *mPesahim* 10:1, which focuses on the starting time for a Passover Seder, the rabbis include poor people in the dictum that people should not eat between the afternoon prayer and the onset of darkness. Typical of the Mishnah, it does not explain the rationale for waiting until dark, nor does it explain the rationale (however obvious it should be to the reader) for including the poor in the same rituals, nor does it include any self-congratulatory words about the importance of making the poor feel included. Instead, the Mishnah presents this ethical obligation without embellishment, assuming that the reader has significant prior knowledge and a capacity to add commentary and any additional explanation that may be necessary.

*mPesahim* 10:1: On Passover eve, close to the *Minhah* service, one does not eat until the onset of darkness. Even a poor person among Israel does not eat until he reclines. He receives not less than four cups of wine, and he even may take from the charity plate.

This ethical obligation to remember the poor is a hallmark of the Passover seder. Several times in the Torah, Moses admonishes the ancient Israelites to follow ethical practices and to treat others well, because they, themselves, had been strangers in Egypt (Exodus 22:20: “You shall not wrong a stranger or oppress him, for you were strangers in the land of Egypt.”10). Not until the book of Deuteronomy (15:4-15), which scholars believe came later than the first four books of the Torah, does the Torah introduce the concept of *tzedakah* in the sense that we understand it today—as the intersection between justice and charitable giving.11 In this first mishnah that introduces the chapter, the emphasis appears to be on when the Passover ritual begins, and then the initial sentence is followed by the reminder that the poor are entitled to recline and to enjoy the benefit of the *tamhui*, the “charity plate,” which today’s students understand as akin to a soup kitchen or a well-organized community chest (which is familiar to them from the Parker Brothers board game Monopoly with its Community Chest cards).

This is a text with clear ethical obligations to attend to the poor and to ensure that they recline, are fed, and that they enjoy four cups of wine. In class, I have asked students to dramatize a Passover seder in which they play the part of a gracious host to a poor stranger. Sometimes it is difficult for students to summon up courtesy for a poor person for whom they might not necessarily feel sympathetic, and they ask questions like: Why don’t they just get a job?! or, Why do we have to invite someone outside our family to the seder? In spite of—and sometimes because of—the challenges, I have found that students nevertheless benefit from and enjoy acting out and bringing this text to
life, using it as a rabbinic proof text for the well-known phrase in the Seder, “Let all who are hungry come and eat.”

Turning to the rough and tumble of school life, students enjoy wrestling with the ethical issues around lost and found objects discussed in mBava Metzia 2:1-2:8. The Mishnah here stimulates thoughtful discussion around intention, possession, sharing and withholding information, and about personal responsibility with respect to others’ property.

In one of the most interesting passages, the rabbis in mBava Metzia 2:8 admit to the possibility of defeat when they say that when one has found gold and glass vessels (jars, bowls, etc.), one may not use them even if they remain unclaimed until Elijah’s comes to bring the Messianic era. One can only imagine the burden of holding onto someone else’s valuables until the advent of a mythic messianic era. In the next sentence, the rabbis also permit one to set aside and walk away from a sack or large basket or something else that one doesn’t normally use. Students often identify with this line, admitting that when they see something that doesn’t belong to them, unless it belongs to a friend or has some obvious value, they are unlikely to want to get involved with publicizing the object, with finding its proper owner and with returning it. Is this irresponsibility, or a practical solution?

In follow-up activities that I have used in my classroom, I ask students to apply the teachings from these texts to their school setting, developing policies that could be implemented when generic objects like gym uniforms and textbooks are found, and developing other policies when more specific items get lost or found such as backpacks, sweaters or misplaced essays. In one scenario I pose, they consider how to handle a found object that belongs to someone they don’t especially like. They know how surprised and grateful they feel when someone from another clique brings them a lost object, so they discuss ways in which acts of kindness and responsibility can build bridges across social groups, repairing breaches. Students typically do not want too much legislation around lost and found, because they crave the leeway to act responsibly without being told what to do.

II. MEANING AND HUMAN EXISTENCE

Students in the middle and upper school years have deep questions about the nature and meaning of human existence. Is this the only life there is for a human being? Is there meaning to what my parents and I do? If nobody is looking, is a meaningful act still meaningful? What, if anything, lies beyond this life? Not that these kinds of questions are limited to adolescents! These are the great existential questions about human finitude and possibility.

In the order of the Mishnah concerning civil and criminal laws, Seder Neziqin, in mSanhedrin 10:1, the rabbis depart from the rest of that tractate’s discussions about courts of law and they take up a question about who is entitled to participate in the world to come. While the rest of the tractate concerns aspects of the judicial system, this particular text implies that the rabbis can discern divine judgment and determine whose future lay where. Here are excerpts from the text:

mSanhedrin 10:1: All of Israel has a portion in the World to Come, as it is written, “Your people, all of them righteous/Shall possess the land for all time (Isaiah 60:21).” And these
do not have a portion of the world to come: the one who says that there is no mention of the resurrection of the dead in the Torah, and there is no Torah from the heavens, and the apiqorus.\textsuperscript{12}

The Mishnah continues to describe forms of blasphemy and other acts that might exclude access to the World to Come. It is easy to imagine a classroom discussion evaluating whether it is right for the rabbis to feel so privileged and entitled that they should determine who enters the world to come (and who stays behind!). This Mishnah raises moral issues not only about inclusion and exclusion, but also about reward and punishment. If one espouses a set of beliefs or doctrines, and they are entitled to enter heaven, does a lack of belief deny entry? What if one’s conscience leads to other conclusions? The medieval Italian astronomer-scientist Galileo jeopardized his own life by espousing doctrines that went against the teachings of the Roman Catholic Church; in our world, do rabbis and church prelates have divine authority to determine entrance into heaven? Morality has to include not only day-to-day behavior and attendance to the poor, the stranger, and to things lost and found, but also to the implications of belief. Would our students accept certain beliefs, doctrines even if they knew that they could be persecuted for holding to these creeds?

For teachers interested in raising gender issues, there are many passages of Mishnah that concern women and family law. \textit{Seder Nashim} Tractate \textit{Qidushin} concerns marriage and the ways in which men and women establish their partnerships. mQidushin 1:7 introduces obligations of men and women toward their children, raising issues of obligation across the generations. When I teach this Mishnah, I ask students a broad opening question such as, “What obligations are you supposed to fulfill toward your parents? And what obligations do you think they are supposed to fulfill for you?” Questions such as these have no wrong answers, so discussion naturally leads to similarities and differences among families: does the father or the mother teach how to cook, how to get along in the world, and how to use power tools? And what are the rules in a single-parent household? The Mishnah uses language about who is obligated and who is exempt, and it also introduces language that distinguishes between time-bound and non-time-bound \textit{mitzvot}; this is confusing for beginning students because the Mishnah assumes that the reader has sufficient background information to understand the material. Here is the text:

mQidushin 1:7: All \textit{mitzvot} of the son on the father – men are obligated and women are exempt. And all \textit{mitzvot} of the father on the son – both men and women are obligated. And all \textit{mitzvot} that are positive [Thou shalt!] time-bound – men are obligated and women are exempt. And all \textit{mitzvot} that are positive and that are not time-bound – both men and women are obligated. And all \textit{mitzvot} that are negative [Thou shalt not!], whether time-bound or not time-bound – both men and women are obligated exempt for the commandment, “You shall not mar,” “You shall not round” and “You shall not become impure by the dead.”

Some students have the ability to study Rashi’s commentary, which introduces them to some of the grammatical nuances about whether the first sentence of the text should be understood to mean the commandments that the son must perform for the father (such as to honor and to fear the father), or whether that first sentence should be understood to mean the commandments that fall on the father
to perform for the son (such as to teach him a trade and to see that he receives proper instruction in the Torah). When students read the Mishnah word-for-word, explaining the wording by using different punctuation and by suggesting different readings of the text, guided by a teacher who has studied those different readings, the students cannot help but consider familial obligations and roles.

A teacher can help students to see that the role of women in this Mishnah is not entirely clear, so a teacher can raise some of the key questions that have been interpreted in different ways over the years: to what extent are women obligated in the commandments, time-bound, positive or otherwise? In cases when the Mishnah considers them exempt, is an exemption the same as a prohibition? In other words, if a woman is exempt from teaching her son the Torah, is she prohibited from teaching or learning the Torah? When leaders and scholars in the Conservative movement gathered to discuss the possibility of ordaining women as rabbis, this Mishnah was cited as a proof text for an argument that women may assume an obligation to the mitzvot and thus stand with men in shared religious obligations, even though they are “exempt.” Once they assume this obligation, then they could stand with men, obliged to fulfill the commandments.

Not only does study of this Mishnah lead to open-ended discussion that may compare the obligations of parents and children to one another, but it also provokes discussion about the meaning of gender identity. Some students object to the separation of gender roles, and others affirm it as a form of distinctiveness. In Jewish tradition, how do the different genders compare? How do the genders differ in their respective responsibilities to God and to children? Does the tradition seem to favor one gender over the other, and if so, how and why? (For some adolescents, this is an important proof text for the performance of “time-bound” mitzvot, while others have an opportunity to question whether they are doing enough day-to-day mitzvot.) To what extent do gender differences from the rabbinic era continue to prevail today? (Students are quick to pick up on the many changes since the rabbinic era. They do see gender differences in the media, in fashion, and, with some reflection, in the ways in which they are likely to have been raised and guided in the direction of interests and habits typical of one gender or the other.)

One does not necessarily need the Mishnah to ask these kinds of questions, but by introducing them through the Mishnah, students see that gender differences have been studied since ancient times, and they also see that the same questions they have today about topics like gender roles and familial obligations have been part of the experience of living as Jews since ancient times.

### III. Mystery and Awe

For middle and upper school students in the throes of adolescence, physical and scientific mysteries are a regular part of life. The mysteries of human physical development easily capture the attention of young people. In middle school science classes that I have observed, students are both fascinated and disgusted by the natural phenomena they observe. They may be thrilled to see the models of the planets that they create out of styrofoam balls that extend into the classroom space, and they may feel repulsion (or a queasy curiosity) when they dissect a frog or a fetal pig or when they observe mold growing on old food. When it comes to discussing the changes in their own bodies, they find
the changes in their own bodies fascinating (if sometimes embarrassing) and a source of personal mystery.

Two thousand years ago, the rabbis offered a vocabulary for expressing a sense of wonder. In the first tractate in the first order of the Mishnah, Seder Zera‘im, Tractate Berachot, the rabbis concretize their sense of wonder about the world by codifying the texts for numerous blessings. In his book, Halakhic Man, the Orthodox rabbi and philosopher Joseph Soloveitchik writes about the ways in which Jewish ritual provides a response to the wonder one might feel in experiencing various aspects God’s creation.13

While many passages of Mishnah would serve students well in sparking class discussions about the various mysteries of life, mBerachot 4:2, 9:1-9:5 (which constitutes all of Chapter 9) are especially appropriate. (Due to space limitations, I will summarize these texts, but I will not include them in this paper.) mBerachot 4:2 relates a telling detail about the prayer life of Rabi Nehuniah ben Haqana, who used to pray for no obstructions and who also used to offer deep thanks for his fortune. The passages of Mishnah from mBerachot, Chapter 9, relate several short blessings that one might offer upon seeing sites where miracles occurred, upon experiencing natural phenomena, and upon hearing good or bad news. The Mishnah also anticipates the kinds of false blessings and prayers one might be tempted to offer, such as a prayer that the misfortunes of others do not fall upon one’s own household.

The chapter closes in mBerachot 9:5 with a thoughtful admonition to bless the good together with the evil, acknowledging that both are part of God’s world. The Mishnah offers a sense of urgency in its final lines, reminding people to invoke God’s name and to offer blessings, using God’s name when greeting one another so that the Torah does not become something abandoned, despised or made null and void.14 Sometimes my students become muddled, trying to keep track of the many blessings in our tradition, so I often ask them to write short essays in response to open-ended questions such as, “Is it better to have numerous blessings for each special situation, or would it be better to have just a few blessings that cover many situations?” I also invite students to create their own blessings or to turn the message in the blessings into a message on a bumper sticker or in an advertisement.

In contrast to mBerachot, with its focus on blessing and on gratitude to God, offering great fodder for moral discussion about how we express awe in moments of joy and tragedy, mKelim in Seder Tabarot, the final order of the Mishnah, concerning the purity of the Holy Temple in Jerusalem, speaks to the awe one feels in holy places. The Mishnah presents a list in ascending order of ten holy places, each more sacred than the next. Beginning in mKelim 1:6, the rabbis teach that the land of Israel is more holy than any other land, because of the unique rituals that take place there in the spring months, the sheaves of barley, the “first fruits” of the spring harvest, and the two loaves of bread brought to the Temple. In the next three passages of Mishnah, the rabbis continue their enumeration of the nine remaining holy entities in the land of Israel, narrowing the focus from cities surrounded by a wall to elements within the Temple Mount and within the Temple itself, zeroing in on the Holy of Holies deep inside the Temple, a place limited to the High Priest, the Kohen Gadol.
On the one hand, this Mishnah seems overly concrete and practical. What, according to the Mishnah, is holy about the land of Israel? Not the beautiful land, but the status as a place for bringing sheaves and other kinds of offerings. What is holy about the Temple? That certain kinds of contributions and sacrifices are eaten there. Other spaces in the Temple are more holy in this ranking because ordinary people are not allowed to enter if they have not cleansed themselves or if they have a blemish of some kind.

The Mishnah does not speak about holiness as a frame of mind, as a personal attribute, or as a kind of awe in response to something sacred. Holiness, according to these texts of Mishnah, appears to be objective, intrinsic to specific places; an induction set with students can include, for example, a thought question about what makes a place holy: the place itself, the designation, or the people who are there. Just as students might study famous Buddhist or Hindu temples and other sacred spaces from world religions, students can be asked to consider the mystery around sacred space, raising questions such as these: Do different kinds of places inspire different kinds of religious feelings? Is holiness intrinsic to a place, or is it an attribute that requires layers of religious consensus and moments in which consensus is tested? Which triggers or inspires a greater sense of mystery, human built spaces or natural spaces? And, to raise a very contemporary question, what is our obligation, or, at least, our role in the drama of preserving built and natural spaces?

Exploring the themes of mystery and awe in our world through the Mishnah involves letting the text serve as a springboard for writing and discussion that can help students to appreciate mystery—and even, perhaps, to make life seem less mysterious.

IV. HUMAN DIGNITY AND EXISTENTIAL CONCERNS

In a time in which presidential candidates speak about life and death issues as varied as the death penalty, abortion, health care standards and epidemics, moral discussion would not be complete without an exploration of the boundaries of human dignity, engagement with existential concerns about life and death, and discussion about the value of human life.

A number of passages of Mishnah offer rabbinic perspectives on the value of human life. In mBava Qama 8:6, the rabbis consider instances of public humiliation when one strikes another or when one’s dignity is compromised. The rabbis provide the example of a man uncovering a woman’s head; in this case, the physical harm is momentary, but the emotional harm of a rabbinic-era public humiliation of this sort lasts far longer. The rabbis affix a monetary value for the damages and they also assert a general rule, a klal, about these kinds of compromises:

This is the general rule: everything is according to the honor that he merits. Rabi Aqiva says: even the poor among Israel are regarded as if they are free people who came down as a result of a loss of property, because they are the children of Abraham, Isaac and Jacob.

Thus, if one causes embarrassment to another, the financial compensation is tied more to the cost of a restoration of dignity than it is to the cost of any physical damages. When teaching this Mishnah, I typically ask students to create a quick vignette in which someone’s dignity is compromised. The
students always cheer for the hero or heroine of a skit when dignity is restored. I have also asked students to write a mock trial skit involving the loss and restoration of dignity. By requiring students to quote from each of the passages of Mishnah that they have studied in class (mBava Qama 8:6 as well as passages about witnesses from mRosh Hashanah Chapter 2, passages about judges and the courts from mSanhedrin 1, and mSanhedrin 4:5, described below), the mock trial becomes a “demonstration of mastery”—the educational term that refers to a successful assessment using methods that are different from the more standard memory-based quizzes and tests — removing the need for a separate test for evaluation.

In mSanhedrin 4:5, the rabbis make a classic statement about the value of human life in the context of a discussion about witnesses. To make sure that witnesses do not offer false testimony, they are encouraged to speak truthfully, understanding the powerful implications of their speech. The rabbis add, in a few noble (and oft-cited) sentences:

> Therefore man was created singly, to teach you that whoever destroys a single soul of Israel, Scripture accounts it as if he had destroyed a full world; and whoever saves one soul of Israel, Scripture accounts it as if he had saved a full world. And for the sake of peace among men, that one should not say to his fellow, “My father is greater than yours;” and that heretics should not say, “There are many powers in Heaven.” Again, to declare the greatness of the Holy One, blessed be He, for man stamps out many coins with one die, and the are all alike, but the King the King of kings, the Holy One, blessed be He, stamped each man with the seal of Adam, and not one of them is like his fellow. Therefore each and every one is obliged to say, “For my sake the world was created.”

The rabbinic affirmation of the value of life stands partly as a legal provision in keeping with the first part of this Mishnah. As a series of statements about the human condition, these words exemplify the ways in which a particular worldview can have universal implications. Although the rabbis specify the destruction of a soul or the saving of a soul from among the people of Israel, the peace that they speak of (“And for the sake of peace among men...”) sounds like a more inclusive, universal peace. It would be difficult to argue that the rabbis mean to limit the “seal of Adam” to Jews.

As with the sayings of Pirke Avot, it is hard for a student to engage with these philosophical pronouncements, so I have found success teaching this text by asking the students to create a skit with a particular requirement. Most of my students have seen the late-night show, “Saturday Night Live,” in which the show opens each Saturday night at 11:30 with a brief skit which always concludes with the final and exuberant line, “Live from New York, it’s Saturday Night!” I have asked students to create a skit that concludes, “For my sake the world was created,” or something else from this Mishnah.

From Seder Nashim, the order of the Mishnah concerning women and family laws, there is a passage of Mishnah that challenges readers to consider ways to achieve peace in very practical ways. mGit-tin 5:8 enumerates things done for the sake of peace; the items are grounded in everyday ritual and communal life, including protocols at the Torah reading desk in which the priests receive deference
from the Levites and the Israelites, and the collection of animals killed in animal traps set by others. The final sentence of the Mishnah instructs that for the sake of peace, Gentiles should not be prevented from taking crops from the corners of the fields, nor should they be prevented from other harvesting activities to which the poor of Israel were entitled.

In teaching that Gentiles as well as Jews merit respect and deeds of compassion, the rabbis affirm the intrinsic value of human beings and the shared human condition of Gentiles and Jews, regardless of their religious predilections. Students can put the teachings of this Mishnah into practice by creating a political document (for example, a Declaration of Cooperation for a multicultural society) or by creating a humorous recipe for peace in the community, using ingredients from the Mishnah and from their own ideas about community building.

V. Cultivating Questions, Cultivating People

From the observations about the call for moral education from contemporary American society and from the mission statements of Jewish educational institutions with which I began this essay (see endnote 2), it should be clear that Jewish educational programs share a mandate for moral education. Teachers who use the Mishnah to promote moral education can accomplish two goals at once: bringing up moral issues and enhancing students’ moral reasoning abilities, and raising their students’ Jewish literacy and textual fluency.

During the course of field-based research during which I shadowed and interviewed several Jewish adolescents about their moral attitudes, I came to conclude that classes with names like “Life Issues” and “Ethical Foundations” that focus exclusively on behavioral and moral issues may be far less successful in helping students to develop a moral outlook than subject-matter classes that include moral discussion as part of the regular curriculum. And in contrast to critics who believe that moral education should remain the prerogative of families, I came to agree with the conclusions of Philip W. Jackson and others that schools must explicitly take up moral issues, because they are in the business of nurturing the mental, emotional, physical and psychological growth of young people. Schools that express their mission only in academic terms, centered on the acquisition of knowledge, also have (sometimes unconsciously) a moral vision, and the students whom I observed at a wide range of Jewish day schools also have a moral vision for themselves. I came to characterize and describe both schools and students as reflecting one of three major moral outlooks, which I dubbed, “Authentic and Assured,” “Bridging and Binding,” and “Constructing and Considering.”

The “Authentic and Assured” schools and students tend to favor and express a strong sense of communal and familial duties. The students seem eager to assume adult roles, and these schools help to guide students toward assuming those roles. Authentic and Assured schools have strong dress codes, honor codes, and clear hierarchies that separate teachers from students and that foster student accountability. Students are compelled to accept or express on their own a contractual relationship with the school based on ethical principles that has consequences if it is broken. Schools may expect compliance with conventions, from requiring boys to keep their heads covered to requiring everyone to bring only kosher food into the school building. Authentic and Assured schools often
have rituals that frame the year, not just through regular religious celebrations, but also through ceremonies marking student achievements or other milestones.

When Mishnah is taught in an Authentic and Assured school, teachers can use memorization and analytical writing as frequent learning techniques to make sure that students master the standards that they are to carry into the future. Teachers with a more constructivist outlook in such a setting might ask students to use the Mishnah to develop standards for the present era, or to draw up a blueprint for a life lived according to the Mishnaic rules and guidelines (before comparing them to the present era). Even if it seems unlikely that students at any age will develop a new system of justice for the larger society, they can implement a system of justice in their classrooms, or they can make an effort to use the religious blessings, to create a Passover seder that roughly follows the Mishnah, to follow guidelines for giving to the poor, and to follow other moral and ethical guidelines in their own lives.

The Bridging and Binding schools negotiate modern life by discussing ancient texts and values, accepting that reasonable disagreement may occur and lead to change. Bridging and Binding schools like to raise questions for discussion without necessarily having answers in advance. Bridging and Binding students enjoy the questions, but they are less likely to accept the authority of a tradition (especially if they are told to accept it because it is a tradition), and they are more likely to accept the authority of someone with whom they have a relationship already, putting it into a context.

When Mishnah is taught in a Bridging and Binding school, students might look both to past precedent and to present conditions to determine appropriate Jewish behavior. Although I expressed reservations earlier in this paper about using mAvot, here I am willing to concede that someone inclined toward Bridging and Binding could use it—in addition to other mishnaic texts—precisely because of its pious vision for the world that requires a student to bridge the rabbis’ world of ideals with the present world of war, economic troubles and hope. Teachers in Bridging and Binding schools can engage their students in the study of these traditional texts from the Mishnah, and then figure out how they might concretize their own expressions of moral behavior.

The Constructing and Considering schools and students respond to intuitional senses of the good. Schools rarely accept or impose authority, preferring to let authority arise naturally; students prefer to let their own determinations moderate between good and bad. In an effort to maximize the good, some may decide to depart from or abandon traditional norms. Some critics fear that this kind of outlook can lead to lax discipline and behavior, as students construct some of their own rules and interpretations without sufficient grounding in the original texts. It could also lead to conflict avoidance, in which case, a new orthodoxy could arise, led by the strongest voice of any particular day.

Mishnah study in a Constructing and Considering context can lead to fruitful abstractions and applications. The Mishnah regarding the importance of leaving the corners of the field for the poor, for example, is a potential jumping-off point for a rich conversation about leaving excess anything for the poor from farm produce to factory-produced products to nickels left by mistake in pants pockets. Equally legitimate is the consideration of the notion that the study of Torah is equivalent to the
other deeds of lovingkindness in the Mishnah, raising the question of to what extent it is necessary to take action and give anything to the poor at all, so long as one is studying the commandments.

These examples are not meant to be either exhaustive or prescriptive, but merely to demonstrate that the study of Mishnah for the purpose of moral education is not limited to one context or another, and can take place effectively in a variety of schools and with a variety of kinds of students.

**Conclusion**

When schools put rabbinic texts into the curriculum for the purpose of moral development, it is prudent for a school to consider its specific goals and what kind of teaching of these texts will maximize its effectiveness with respect to these goals. Is it enough to spark a good conversation, or is a school looking for concrete action? Is it enough for the students to understand the text in English, or should they be taught to understand the text in the original Hebrew, with all of the complicated and unusual vocabulary words? Once the students comprehend each text, should they be taught to analyze it, make it relevant, and compare the rabbinic worldview with their own? Once a school can answer some of these questions, it can use the Mishnah in moral education as part of the process of cultivating each student’s moral outlook, in keeping with the schools’ religious and secular pedagogic goals.

When rabbinics teachers introduce moral discourse through the Mishnah, they can both engender students’ understanding of their tradition and spark new forms of moral reasoning and moral action. They can familiarize their students with a textual representation of lively ancient discourse, grounded in practical details of life that nevertheless have implications for the present. By leaping from the texts to discussions of moral significance, rabbinics teachers have the opportunity to help students not only deepen their understanding of the Mishnah itself, but also come to terms with the moral implications of the Jewish textual tradition.

**Endnotes**

1To offer some examples from politics, in his 1996 State of the Union address, President Clinton spoke about character education, giving a charge to schools: I challenge all our schools to teach character education, to teach good values and good citizenship. And if it means that teenagers will stop killing each other over designer jackets, then our public schools should be able to require their students to wear school uniforms. Source: [http://clinton2.nara.gov/WH/New/other/sotu.html](http://clinton2.nara.gov/WH/New/other/sotu.html)

Just a few years later, George W. Bush, then a presidential candidate campaigning in New Hampshire, embraced a white paper prepared for him about character education that included calls to increase funding by several million dollars for character education programs (and for their assessment as well) and to promote student activities that promote character such as athletics and abstinence education. Source: [http://www.josephsoninstitute.org/speeches-papers/MJ-WhPaper12-23-00.htm](http://www.josephsoninstitute.org/speeches-papers/MJ-WhPaper12-23-00.htm)

As President, he has sought to promote character education through public statements such as a proclamation of National Character Counts Week, beginning October 20, 2007 to
express a “dedication to promoting values for our young people and encourage all Americans to
demonstrate good character.”

William Damon writes about this in the introduction to a book he edited in 2002, entitled,
*Bringing in a new era in character education* (Stanford, CA: Hoover Institution Press, Stanford
University Press). (x). Problem in consensus: people agree that with drugs, cheating, teen
pregnancies, etc., “politicals of every stripe, cultural and religious leaders of all types, and
editorialists from newspapers, television networks, and magazines have called for vigorous moral
education in the home and in the schools.” Consensus on whether it’s important, but once begin to
speak about how to do it and “Which values should we teach our children?” the consensus begins
to break down.”

2Here are a few examples from the statements of mission of Jewish day schools:
From the Abraham Joshua Heschel School, New York:
The Heschel School is dedicated to the values and principles that characterized Rabbi Heschel’s
life: integrity, intellectual exploration, traditional Jewish study, justice, righteousness, human
dignity, and holiness. (http://www.heschel.org/aboutmission.html)

The Solomon Schechter Day School in Westchester County, New York, aspires to
help students to “navigate life’s journey with intellectual honesty and moral integrity, ultimately
preparing them for college and beyond.” (http://www.solomon-schechter.com/podium/default.
asp?t=48752)

The New Jewish Community High School of West Hills (Los Angeles area):
The Mission of New Community Jewish High School is to raise up a new generation of
Jewish leaders for whom Jewish values and tradition shape and guide their vision, and for whom
knowledge creates possibilities for moral action, good character, and shalom.

The Los Angeles Hebrew High School Statement of Mission does not employ the word,
“moral,” but it articulates an unequivocal moral mission of cultivating the minds and piquing the
emotional life of its students:

“The mission of Los Angeles Hebrew High School is to provide text-based Jewish
education, to significantly contribute to the intellectual, emotional, social, and religious growth of
post bar/bat mitzvah students and to enhance their lives through an appreciation of lifelong
Jewish learning and living.”


4On my previous school’s home page, there are five enumerated items that sound like a
mission for the school. While the first three items are more academic in nature (offering a strong
academic program, an innovative curriculum and small classes), last two items suggest a moral
charge: the school seeks to instill Jewish values and traditions in the context of Conservative
Judaism, and the school also seeks to nurture a love of the Hebrew language.

5These areas of moral education are identified in Katherine G. Simon, *Moral Questions in the

York: The Free Press), p. 5. Damon’s seven areas are as follows:

1. Morality is an evaluative orientation towards actions and events that distinguishes the
good from the bad and prescribes conduct consistent with the good.

2. Morality implies a sense of obligation toward standards shared by a social collective.
“3. Morality includes a concern for the welfare of others...
“4. Morality includes a sense of responsibility for acting on one’s concern for others... through acts of caring, benevolence, kindness, and mercy.
“5. Morality includes a concern for the rights of others. This concern implies a sense of justice and a commitment to the fair resolution of conflicts.
“6. Morality includes a commitment to honesty as a norm in interpersonal dealings.
“7. Morality, in its breach, provokes perturbing judgmental and emotional responses... [such as] shame, guilt, outrage, fear, and contempt.”

In this paper, citations from the Mishnah will follow the standard format. For example, the first Mishnah in the first Chapter from Tractate Avot from the Mishnah will be rendered mAvot 1:1.

Because of the complexity of the electronic transmission of bilingual documents, this paper does not include the Hebrew texts, though it should go without saying that the Hebrew texts are essential in rabbinics classrooms. In my own classrooms, I use Mellel Hebrew software, which is made for the Macintosh operating system, and I have developed a number of units, each unit featuring a series of handouts that include line-by-line translations, questions designed to further the students’ comprehension, “thought questions” for students to answer independently, and group-based activities that reinforce the learning in each text.

These translations, and, unless otherwise noted, most translations of the Mishnah in this paper are my own.

All biblical translations, unless otherwise noted, are from the Jewish Publication Society, 1988, Tanakh (Philadelphia: The Jewish Publication Society).

It should be said that the Torah here in Deuteronomy does not actually use the word tzedakah, though the concept is clear in the text. In addition, there is a wonderful anticipatory parallel, because the Hebrew word tzedakah incorporates the sense of both justice and care; educators and psychologists concerned with moral education such as Nel Noddings and Carol Gilligan have written about justice and care, describing them as typical of male (justice) and female (care). See Nel Noddings, 1992, The Challenge to Care in Schools: an Alternative Approach to Education (New York: Teachers College).

In his commentary on this Mishnah, Pinhas Kehati describes the apiqorus as a heretic – one who mocks a scholar, criticizes prophecy and who renounces the Oral Torah and other sacred ideas and concepts (Pinhas Kehati, 1977, Seder Niziqin, I (Hebrew) (Jerusalem: Heichal Shlomo), p. 438.


The same material can be accessed directly at:
http://uscj.org/scripts/wa.exe?A3=ind0707&L=MISHNAHYOMIT&E=quoted-printable&P=258275&B=------%3D_NextPart_000_00AA_01C7CDEA_E70D0520&T=text%2Fplain;charset=iso-8859-1
Also see a related news article from 7 January 2008: http://www.nytimes.com/2008/01/07/washington/07cnd-scotus.html


17These findings are described in a book I have written about moral education entitled, Sowing the Seeds of Character: The Moral Education of Adolescents in Public and Private Schools (Westport, CT: Praeger, 2009).


19In my doctoral dissertation and in articles published since then, I have written about these three moral outlooks, describing them as “Standard-bearing,” “Connected” and “Permissive.” I have described these outlooks in an expanded form in my essay from 2004, “Three Moral Outlooks” Journal of Thought 39:2, pp. 76 (Summer 2004).


This paper is one of a series of working papers on the teaching of Jewish studies, available for free download from the website of the Initiative on Bridging Scholarship and Pedagogy in Jewish Studies, a project of the Mandel Center for Studies in Jewish Education at Brandeis University. https://www.brandeis.edu/mandel/projects/bridginginitiative.html