

UNIT 1: THE SANHEDRIN WAY

Keep or Cancel the School's Tikkun Olam Tzedaka Fund Policy? You Decide!

A Mock-Sanhedrin Constructive Controversy Dilemma

A. Sources for the Case of the Tikkun Olam Tzedaka Fund Policy:

Text A

Devarim 15:7

If there be among you a needy person, one of thy brethren, within any of thy gates, in thy land which the LORD thy God giveth thee, thou shalt not harden thy heart, nor shut thy hand from thy needy one.

דברים טו:ז

כִּי-יְהִי בְךָ אֶבְיוֹן מֵאֶחָד אֶחֱיָי, בְּאֶחַד שַׁעְרֵי, בְּאַרְצְךָ, אֲשֶׁר-יְהוָה אֱלֹהֶיךָ נָתַן לְךָ- לֹא תִצְמַץ אֶת-לִבְּךָ, וְלֹא תִקְפֹּץ אֶת-יָדְךָ, מֵאֶחֱיָי, הָאֶבְיוֹן.

Text B

Sifre Devarim, parshat Re'eh, 116 (2nd century CE)

"In one of your gates" The people of your town come before the people of another town. "In your land" the people of your land come before the people outside your land (out of the Land of Israel).

ספרי דברים פרשת ראה פסקא קטז

"באחד שעריך", יושבי עיר קודמים ליושבי עיר אחרת.
"בארצך", יושבי הארץ קודמים ליושבי חוצה לארץ.

Text C

Rambam Hilchot Matanot Aniyim chapter 7 halakha 13 (12th century CE)

A poor person who is one's relative receives priority over all others. The poor of one's household receive priority over the poor of one's city. And the poor of one's city receive priority over the poor of another city, as [implied by Devarim 15:11]: "[You shall surely open your hand to] your brother, the poor, and the destitute in your land."

רמב"ם הלכות מתנות עניים פרק ז:יג

עני שהוא קרובו, קודם לכל אדם; ועניי ביתו, קודמין לעניי עירו; ועניי עירו, קודמין לעניי עיר אחרת: שנאמר "לאחריך לענייך ולאביונך, בארצך" (דברים טו,יא).

MAHLOKET MATTERS: HOW TO DISAGREE CONSTRUCTIVELY



The 9Adar Project
Jewish Week of Constructive Conflict
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Text D

Pitchei Teshuva YD 251:4

(Abraham Hirsch ben Jacob Eisenstadt, Born: Biatystok, Poland, 1812 – Died: Königsberg, Germany, 1868)

All of those who take precedence only get first, but they do not push off entirely. And there is no question that if the two are equivalent that one needs to sustain their lives with paltry bread as it says “this one takes precedence”. However, when the people of Jerusalem have even paltry bread, they no longer have any claim until everyone in all of the other cities also has this basic level of sustenance. Then from what remains, it is necessary to clothe. And on that which is extra, those who take precedence take precedence, until the point that everyone is equal in this respect, etc.

פתחי תשובה יורה דעה סימן רנא ס"ק ד

וכל הקדימות אינם אלא להקדים ולא לדחות נפשות וע"כ אם שניהם שוים שצריכים להחיות נפשם בלחם צר נאמר זה קודם אבל כשיש לאנשי ירושלים אפילו רק לחם צר שוב אין להם שום תביעה עד שיגיע לכל אחד מהעירות אחרות ג"כ כשיעור הזה ושוב מהנותר שיצטרכו לכסות ומותרות יש הקדמה למוקדם עד שיהיו שוה בשוה בזה כו'.

How do these texts help determine where *tzedaka* money is to be given?

B. Background:

The Hillel Shammai Jewish High School has a twenty-year long tradition of running a student-led Tikkun Olam Club (TOC), which organizes activities to raise money for their Tzedaka Fund. The club usually has 35-45 volunteer student members from grades 9-12 who commit to organizing and running these various fundraising activities over the course of the school year. These activities usually include: a bake sale, a car wash, assembling and selling mishloach manot baskets, a combined student-faculty jog-a-thon and more. The students, along with a faculty advisor, collect, manage and distribute the money over the course of the year. During a school assembly in May, the president and treasurer of the club get to announce the total annual earnings in front of the whole student body and faculty. The club usually averages over \$15,000 a year!

From the TOC's inception over 20 years ago, it has had a policy to donate its earnings to local Jewish charities – which include an old age home, a food pantry providing Shabbat and holiday meals to families in need, a local Jewish community center and Hatzala emergency care services. Members



MAHLOKET MATTERS: HOW TO DISAGREE CONSTRUCTIVELY



of the TOC also volunteer at these organizations one Sunday a month during the school year. In addition, throughout the school year, students are given the opportunity to engage in Jewish text study on the topic of *tzedaka*, as well as research the various needs of the numerous organizations to whom they donate. Each month, the students discuss if and how to allocate their earnings to date amongst the various charities. Depending on needs of the community and how much the TOC has raised, they sometimes make smaller monthly donations or sometimes wait to give a larger amount after more money has been raised.

Over the course of the two decades that the TOC has been operating at Hillel Shammai Jewish High School, students have made numerous claims about what they got out of participating in the TOC. They learn about the complex needs of their local Jewish community; they further develop their empathy by working face to face with the community they are trying to help; they learn to organize, promote and run complex events that require weeks of planning and thoughtful management; they develop pride in the fact that their school plays this valuable role in the wider Jewish community; and more.

C. Scene:

During the fall of 2017/18, an issue arose that threatened the tradition of giving to and volunteering in local Jewish *tzedaka* efforts. Three devastating hurricanes and several powerful earthquakes had impacted millions of people in the Caribbean, Florida, Texas and Mexico. Needs were severe, and not just in Jewish communities. Two 11th grade members of the TOC, Ilana and Ethan, respected among their peers as “news junkies” who would often strongly debate current events and back up their positions with reliable evidence, were once again engaged in a disagreement. This time it was impacting the whole club. In between classes and through social media, the two squared off about the rules placed on how the TOC’s *tzedaka* funds could be distributed.

Two days before Sukkot, Ilana and Ethan were arguing in the lunchroom. Ilana thought that given the severity of the needs resulting from the hurricanes and earthquakes, the time had clearly come to change the rule that communal *tzedaka* money must be distributed within their own local Jewish community. She let Ethan know that her uncle, a medical first responder, was just sent to one of the recent disaster sites. He shared with her family how bad things were there. People were in desperate need of water, food and shelter. He asked that people donate directly to helping the devastated town. Ethan responded by saying that of course individuals and families should donate money to help those severely impacted by the recent natural disasters, but that the money shouldn’t come from the TOC’s *tzedaka* fund. That fund was always intended to address local needs. He reminded Ilana that during their research they had learned about forty impoverished, homebound, and isolated Jewish seniors who lived in scattered low-income public housing in their community. These seniors had no surviving family members, were lonely and didn’t have enough food. Several of the TOC members had already begun thinking about how to address this problem. They wanted to organize a visiting service and to work with local food distributors to start a meals-on-wheels program for these people. Their class had already raised almost \$5,000, and many of the club members had already said they wanted to use the bulk of it to establish this project. One of them had reached out to the local Jewish Council



MAHLOKET MATTERS: HOW TO DISAGREE CONSTRUCTIVELY



for the Aging (JCA) whose administrator had said their idea was good and much needed. The JCA was willing to “host” the project, if the students would lead the initiative. Classmates were drawn into a heated discussion during lunch because Sukkot was only two days away, and nomination of non-profits, funding and volunteering were set to begin after Sukkot.

By the time the lunch period ended, Ilana and Ethan had written two separate petitions — one petitioning the head of school to cancel the TOC’s policy and the other petitioning her to keep it. Throughout this process, the TOC’s faculty adviser tried to moderate the discussion and encouraged the students to come to consensus. By the end of the school day, nearly all of the TOC members had signed one petition or the other. Both Ilana and Ethan, each accompanied by supporters, handed a signed petition to the head of school as they left the building. Students texted their parents pictures of the two petitions, and the head of school was inundated by parent phone calls and texts. The TOC advisor raised the issue at a faculty meeting that afternoon, and a similar dispute to that of the students’ soon erupted. Before long, the HOS also received emails from the school board president and PTA chair indicating that the board planned to make this issue a priority at the upcoming board meeting.

The Head of School is not sure what to do. Shall she keep the policy of allowing students to distribute the TOC’s fund monies only to local Jewish organizations or change/cancel the rules? She has turned to you, the wider student body, to help figure out this issue through engaging in constructive conflict / *mahloket l’shem shamayim*.

Arguments in favor of keeping the school’s *tikkun olam tzedaka* fund policy:

Arguments in favor of canceling (changing) the school’s *tikkun olam tzedaka* fund policy:

Our group’s proposal:

