

UNIT 1: THE SANHEDRIN WAY

Keep or Cancel the School's Bnai Mitzva Tzedaka Fund Policy? You Decide!

A Mock-Sanhedrin Constructive Controversy Dilemma

A. Sources for the Bnai Mitzva 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 אֶחֱיָךְ, בְּאֶחָד שַׁעְרֶיךָ, בְּאַרְצְךָ, אֲשֶׁר-יְהוָה אֱלֹהֶיךָ נָתַן לְךָ- לֹא תִאֲמָץ אֶת-לִבְּךָ, וְלֹא תִקְפֹּץ אֶת-יָדְךָ, מֵאֶחֱיָךְ, 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 פיסקא קטז

"באחד שעריך", יושבי עירך 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).

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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 Middle School has a twenty-year long tradition of establishing a communal Bnai Mitzva Tzedaka Project that includes a fund to be distributed during 8th grade. When students enter grade 6, each class' parent committee decides on a recommended family contribution. Then during 6th, 7th, and the beginning of 8th grade, in lieu of students giving each other significant Bar/Bat Mitzva gifts, each family in the grade contributes to the Bnai Mitzva Tzedaka Fund. In addition, students elected to grade level councils are responsible each year for developing two fund raising activities to raise money for their class' *tzedaka* project fund.

For twenty years the school, with parental support, has stipulated that Bnai Mitzva Communal Tzedaka Project funds go to local Jewish causes in which students also volunteer. The underlying purpose of the program has been to provide powerful experiences from which students learn that *tzedaka* is more meaningful when coupled with community service; students acquire the deeper meaning of *tzedaka*, the *mitzva* of striving to make things more just. The program was designed to incorporate:



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- Text study of Jewish sources about *tzedaka*
- Researching local needs and Jewish organizations striving to meet those needs
- Volunteering directly with local populations whose needs were identified through student research
- Making significant fundraising and fund distribution decisions

Fundraising and a general introduction to local communal needs start in 6th and 7th grade. By the start of 8th grade, text study about *tzedaka* intensifies; and between Rosh HaShana and Yom Kippur, 8th graders prioritize needs in their local Jewish community that they can address by volunteering and using the monies accrued in their fund. Following Sukkot, students nominate non-profit organizations that are addressing those local needs and present the organizations to their classmates. Once the organizations are presented, students choose one or more organizations to receive funds and sign-up to volunteer at the organizations they are most passionate about. From late fall through early spring, students are scheduled to volunteer once a week at the selected agencies.

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 8th grade students, Ayla 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 grade. In between classes and through social media, the two squared off about the rules placed on how their grade’s *tzedaka* funds could be distributed.

Two days before Sukkot, Ayla and Ethan were arguing in the lunchroom. Ayla 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 their class’ communal *tzedaka* fund. That fund was always intended to address local needs. He reminded Ayla 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 8th graders 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 raised almost \$15,000, and many students had already said



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they wanted to use the bulk of it to establish this project. One of them had reached out to the local Jewish Council for the Aging 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. 8th graders 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, Ayla and Ethan had written two separate petitions — one petitioning the head of school to cancel the rules and the other petitioning her to keep them. By the end of the school day, the majority of students in the class had signed one petition or the other. Both Ayla 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. 8th grade teachers 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 rule of allowing students to distribute the Bnai Mitzva Tzedaka fund monies only to local Jewish organizations or change/cancel the rules? She has turned to you, the 8th grade students, to help figure out this issue through engaging in constructive conflict /*mahloket l’shem shamayim*.

Arguments in favor of keeping the school’s *bnai mitzva tzedaka* fund policy:

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

Our group’s proposal:

