

## 9ADAR RESOURCE: Leadership and Crime Prevention

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### Educator's Guide

#### Goals

1. To facilitate constructive disagreement (*mahloket l'shem shamayim*) and dialogue around a controversial topic.
2. To demonstrate that Jewish texts and Jewish wisdom are relevant to contemporary issues and debates.
3. To provide an opportunity for intellectual challenge, personal growth, and character development.

#### Background

One fact people across political divides today may still agree upon is that civil discourse is turning less and less civil. Indeed, the sheer lack of desire to try to understand those with opposing political opinions and to disagree constructively over critical questions is posing an existential threat to democracies around the world. In response, Pardes created *Mahloket Matters: How to Disagree Constructively*.

A befitting time to engage in *Mahloket Matters* programming is during the week of *9Adar: Jewish Week of Constructive Conflict*, a related Pardes project. Two thousand years ago on the 9th of the Hebrew month of Adar, the typically constructive disagreements between Beit Hillel and Beit Shammai turned destructive. *9Adar* serves as a powerful reminder of what can happen when the values and skills of *mahloket l'shem shamayim* are neglected.

Since 2013, schools, campuses, synagogues, Jewish organizations, and conflict resolution organizations have taken the time during the week of *9Adar* to study and practice cultivating a culture of constructive conflict across personal, political and religious divides.

The resources presented here have been created to address some of the current debates whose clash of values have been present throughout the ages. Each unit takes on a “central question” and presents Jewish text study, commentaries, and/or related historical events before addressing the issue in modern times. Every unit consists of a source sheet with guiding questions, educator's guide (this document) and accompanying podcast.

# MAHLOKET MATTERS

## HOW TO DISAGREE CONSTRUCTIVELY



At the end of the session, we ask that both you and the participants complete a feedback form:

- For educators: <http://www.pardes.org.il/MM9Adar-Educ-feedback>
- For participants: <http://www.pardes.org.il/MM9Adar-feedback>

Your feedback is important to us and to our sponsors, so we appreciate you taking the time to submit it.

### For additional *Mahloket Matters* and *9Adar* resources, see the following:

- **The Sanhedrin Way** [https://elmad.pardes.org/register/mm\\_sanhedrin\\_way/](https://elmad.pardes.org/register/mm_sanhedrin_way/)

A 60–90 minute educational workshop for use in your community. Participants study Jewish texts about the ancient Sanhedrin’s guidelines for engaging in constructive *mahloket* and practice constructive controversy by engaging in an exciting and interactive mock-Sanhedrin exercise.

- **The Beit Midrash Way** [https://elmad.pardes.org/register/mm\\_beit\\_midrash\\_way/](https://elmad.pardes.org/register/mm_beit_midrash_way/)

A five-part educational workshop series where each unit examines a central question currently under political debate, such as “When do we agree to meet with our political adversaries, and when do we refuse?” These central questions are first analyzed through a biblical conflict story. After carefully analyzing the biblical story and their ambiguities, various interpretations of these facts are then introduced through the study of classic commentaries on the story. Each unit then examines contradictory historical precedents that can be used to support or refute opposing responses to the central question of the unit. The units each conclude with an activity involving reading contradictory news from a recent event.

- **Mahloket Matters for schools**

Materials on constructive disagreement adapted for middle school or high school students. For information about bringing this to your school, contact Sefi Kraut at [sefik@pardes.org.il](mailto:sefik@pardes.org.il).

- **9Adar: Jewish Week of Constructive Conflict** <https://www.9adar.org/resources/>

More information for studying, practicing and commemorating *9Adar*.



# MAHLOKET MATTERS

## HOW TO DISAGREE CONSTRUCTIVELY



### Preparation for Facilitating the Session

1. Carefully review this document and the accompanying source sheet.
2. Consider factors specific to your setting - how much time you have for the session, availability of projector, room setup, etc.
3. Consider the participants' background with Jewish text and deep, group conversation. Adjust the introduction and the body of the session accordingly.
4. Decide if you will use the G-dcast video "[Disagreements for the Sake of Heaven](#)".
5. Print out your source sheets, gather any required materials, advertise, etc.

### Introduction (5–15 minutes)

1. Welcome participants and, if time permits, invite them to introduce themselves and share one sentence as to why they came. You might want to acknowledge that constructive disagreement is not easy, and you appreciate everyone's willingness to listen without judgement, engage constructively, and learn with an open mind. You may share why you as the facilitator see constructive disagreement as an important personal and Jewish value.
2. Introduce *mahloket l'shem shamayim* (disagreement for the sake of Heaven). You may do this by showing the 3-minute G-dcast video "[Disagreements for the Sake of Heaven](#)" and/or a short text study from the G-dcast source sheet. You may also choose to share a personal anecdote.
3. Explain the components of a *Mahloket Matters: 9Adar Resource* session. We explore sources from classical Jewish texts that reflect genuine disagreement and differing perspectives as a means of engaging in contemporary conflicts and debates with an open mind. That means we study one (or more) classical Jewish text and related commentaries on that text. We may look at pertinent historical events, and we end with a discussion/exercise on the issue in today's world.
4. Present the goals for the session. In addition to the general goals listed above, you may want to talk about specific goals that relate to this particular topic and how it is affecting your community. For example, is your goal greater space for diversity within your community, more openness to those outside your community, or greater appreciation of the complexity of the issue under discussion?
5. Give an overview of *havruta* study. *Havruta* study is the study of text in pairs, where the text is read aloud and then discussed. Each partner is tasked with both expressing their own view, and listening carefully to the view of their partner. Studying in *havruta* can itself be an experience that fosters an environment of openness, dialogue, and respectful disagreement. For those participants who came expecting a lecture or debate-style format, explaining



*havruta* upfront is particularly important.

6. Introduce the central question of the session: What is the most effective way to address crime – punishment or social intervention? People tend to agree that leaders have a duty to protect their citizens. But to whom and how should that protection be extended? What is the appropriate leadership response when some citizens are a threat to the safety of others? We will explore different ways that our texts relate to crime prevention and violence.

### Biblical Text

1. Before reading Text 1, you may want to ask the group the following question: What is particularly disturbing or haunting about an unsolved murder?

The group may respond by saying that it is scary that the murderer is still free to commit other horrible acts or that it is disturbing that justice has not been served. Whether or not the group raises it, it is important to highlight that society becomes anxious and loses confidence in its leaders and institutions of justice if they can neither prevent crime nor punish the perpetrators.

Tell the group that you are about to explore a Torah text that deals with the case of an unsolved murder. (2–3 minutes)

2. Read Text 1 with the whole group. It may be helpful to diagram the scenario in the Biblical text using a white board or cut-outs. Discuss the *havruta* questions with the group. Your goal here is two-fold:
  - A. To show that this strange *egla arufa* (broken-necked heifer) ritual is intended to publicly highlight the value of every human life. Society must take seriously the loss of every life; apathy and indifference are unacceptable whereas accountability is crucial.
  - B. To emphasize the fact that the highest levels of leadership - judges from the High Court in Jerusalem, priests, elders of the city closest to the location of the victim - all play a role in this public ritual. In particular, focus on the declaration of the elders in verse 7. Tell the group that they are going to explore what exactly the elders are declaring in verse 7 and why they say it. (8–10 minutes)

### Conflicting Rabbinic Approaches

3. Ask the participants to break up into *havrutot* (study pairs). Have them study Texts 2–3 and discuss the related questions. If they have time, they should continue with Texts 4–6. (10–12 minutes)

4. Bring the group back together to reflect on the *havruta* study in Texts 2–3. (12–15 minutes)
  - A. Mishnah Sotah (Text 2) rejects the notion that the elders were declaring themselves innocent of *literally* murdering the victim. Instead, the *mishnah* claims that they are declaring themselves innocent of a different (yet related) crime: “**Rather, he did not come to us and we dismissed him, and we did not see him and let him go.**”
  - B. Talmud Yerushalmi (Text 3) tries to explain the ambiguous statement of the *mishnah*. This text presents 2 different explanations of the *mishnah* - one from the Rabbis of Eretz Yisrael and the other from the Rabbis of Bavel. Both explanations agree that the elders are declaring themselves innocent of the crime of NEGLIGENCE. However, they disagree about the SPECIFIC BEHAVIOR for which the elders are denying neglect.

The Rabbis of Eretz Yisrael interpret the murderer as the subject of the *mishnah*. When the *mishnah* says, “**Rather, he did not come to us and we dismissed him, and we did not see him and let him go,**” it means that the murderer never came to the attention of the elders and they simply let him go. In other words, the elders are declaring that that they did not neglect to quash criminal behavior nor did they neglect intelligence signaling a security threat. For if the elders had had any indication of a security threat, they would have acted to stop it. In modern terms, we might say that the elders are declaring that they are “not soft on crime.”

On the other hand, the Rabbis of Bavel interpret the victim as the subject of the *mishnah*. When the *mishnah* says, “**Rather, he did not come to us and we dismissed him, and we did not see him and let him go,**” the elders are declaring that they did not neglect the basic needs of the victim, particularly the victim’s need for food or an escort out of the city. For if elders had been aware of this person’s plight, they would have provided him with his basic needs so that he would not have been a vulnerable target.

- C. The Rabbis of Eretz Yisrael and the Rabbis of Bavel BOTH believe that leadership is responsible to protect the people in their city. However, they disagree about the primary method for protecting the people. According to the Rabbis of Eretz Yisrael, leaders should be vigilant on cracking down on dangerous people. According to the Rabbis of Bavel, the leaders should be vigilant in providing people with their basic human needs in order to eliminate the vulnerability of potential victims.

**\*This *mahloket* (conflict/debate) provides the frame for the rest of the session.**

5. Guide the group in reading and discussing Texts 4–6. (8–12 minutes)

Key takeaways from Texts 4–6:

- A. The Seforno (Text 4) is aligned with the approach of the Rabbis of Eretz Yisrael. Seforno's first comment interprets "Our hands did not shed this blood" to refer to the hands of the elders, meaning that the elders take suspicious activity and security intelligence seriously.

Seforno's second comment interprets the phrase, "Nor did *our* eyes see it done" to refer to *society at large*. The elders are declaring that they have created a culture in which violence is unacceptable. Therefore, citizens would have intervened to stop the assault if they had seen it happening. At the very least, they would have "called 911!"

This Seforno reflects some of the arguments that are often raised in the "crime prevention" debate today:

- It is the job of the authorities to follow up on any suspicious behavior and to crack down on crime.
  - It is the job of the citizens to take an active role in creating a safe and just society.
- B. The Malbim (Text 5) is aligned with the approach of the Rabbis of Bavel. He argues that the murderer AND the victim are tragic casualties of neglect:
- Murderer: societal neglect (no food) → criminalization due to desperation → commits murder
  - Victim: societal neglect (not provided with an escort out of the city) → murdered
- C. Since the Rashi (Text 6) here appears as commentary on the Talmud Bavli source, his approach is obviously aligned with the Bavli. In a creative twist, Rashi claims that the aggressor and the victim are the same person! He argues that we're dealing with a case in which the elders neglected a starving man's request for food so that man, in his desperation to acquire food, was forced to try and rob someone. But the robbery went badly and the starving man was killed during his attempted robbery.
- Elders neglect basic needs of Hungry Henry → criminalization of Hungry Henry → violent death of Hungry Henry

# MAHLOKET MATTERS

## HOW TO DISAGREE CONSTRUCTIVELY



This Rashi reflects some of the arguments that are often raised in the “crime prevention” debate today:

- Neglect of basic human needs drives the people who are deprived of those human needs to commit crimes.
- Violence breeds violence; those who perpetuate violence often become the victims of violence.

[\*\*\*Tips for the Malbim and Rashi sources:

- Both sources align with the Rabbis of Bavel. Each source adds a different wrinkle, but you might decide to teach only one of those sources depending on time restrictions or your specific group.
- It is helpful to use visuals or draw on the whiteboard in order to more easily demonstrate the various scenarios described by the commentators. For example, you could name 1 stick-figure Hungry Henry and the other Drifter Dan and show who attacks whom, etc.]

### Bringing this *Mahloket* into the Present (8–12 minutes)

We discussed that both the Rabbis of Eretz Yisrael and the Rabbis of Bavel believe that the leaders of a city have a responsibility to keep the city safe. Therefore, in the case of the *egla arufa*, the elders must reflect on their accountability for the murder that took place near their city. And they must publicly declare that they were not neglectful of their duty to keep the city safe. However, this begs the question of how leaders should ensure the safety of their citizens. This difficult question is one that societies still struggle with today.

We’re going to use a case study to reflect on several different approaches to this question. Have a member of your group read the case study out loud while everyone else follows along on the source sheet. Then turn to the “Models of Crime Control” chart and highlight the following aspects of the chart:

- Explain that Approach #1 focuses on the key concept of ‘crime control.’ Ask the group for some examples of that strategy (e.g. more cops on the street, surveillance cameras, motion detectors, bars on windows).

Ask the group to give examples of the *benefits* of this approach (e.g. effective deterrent, quick solution). Ask the group to come up with some shortcomings of this approach (e.g. the criminals will just move somewhere else so the underlying problem has not been addressed; expensive solution). Ask whether Approach #1 aligns more closely with the perspective of the Rabbis of Eretz Yisrael or the perspective of the Rabbis of Bavel.



# MAHLOKET MATTERS

## HOW TO DISAGREE CONSTRUCTIVELY



- Explain that Approach #2 focuses on the key concept of ‘social problem.’ Ask the group for some examples of that strategy (e.g. after-school programs, community recreation centers, free food banks).

Ask the group to give examples of the *benefits* of this approach (e.g. addresses some of the core reasons for the crime, generates positive community involvement). Ask the group to come up with some shortcomings of this approach (e.g. takes a long time to get off the ground so the shop owners are going to continue to suffer until this is put in place; expensive; requires community buy-in and volunteers; may not address root problem). Ask whether Approach #2 aligns more closely with the perspective of the Rabbis of Eretz Yisrael or the perspective of the Rabbis of Bavel.

- Explain that Approach #3 focuses on the key concept of ‘social justice.’ This approach says that real and lasting change requires overhauling the organization of basic social institutions to confront major systemic problems like unfair distribution of wealth. Ask the group for some examples of that strategy (e.g. large-scale protests in front of government buildings, strikes in the work-force). Ask the group to give examples of the *benefits* of this approach (e.g. reduces inequality on a massive scale, empowers the people as change agents).

Ask the group to come up with some *shortcomings* of this approach (e.g. takes a very long time for change to take root; need to mobilize a lot of people). Ask whether Approach #3 aligns more closely with the perspective of the Rabbis of Eretz Yisrael or the perspective of the Rabbis of Bavel.

Now that the group has discussed the 3 approaches, take a vote of the “city council” members. Pose the following question to the group: “Each of you is a city council member. You have to vote for one ‘crime prevention’ approach to clean up the mall. The city council will fund the approach that gets the most votes with the \$100,000 from Marcia Smith’s donation. Raise your hand if you vote for Approach #1. Raise your hand if you vote for Approach #2. Raise your hand if you vote for Approach #3.

### Tips for the Case Study:

- A. It is important to state explicitly that none of the approaches is perfect; every approach has its benefits and shortcomings.
- B. Group members will likely ask if they can vote for more than one approach. Tell them that it is certainly reasonable if they would like to address this problem from more than 1 approach. However, the challenge here is prioritization of resources. Therefore, they need to choose which approach should receive the bulk of the financial resources.
- C. The case study can also be read and discussed in groups of 3–4 people.



# MAHLOKET MATTERS

## HOW TO DISAGREE CONSTRUCTIVELY



### Conclusion (5–15 minutes)

1. Ask participants to share how the study session affected their views of the *mahloket* concerning approaches to crime. Did participating in the session help them understand why someone would hold a view that opposes their own?
2. Ask participants to write down 1 takeaway that they will want to use the next time they find themselves in a disagreement.
3. Thank everyone for participating! Please ask them to share their feedback at [www.pardes.org.il/MM9Adar-feedback](http://www.pardes.org.il/MM9Adar-feedback).
4. Please complete the Educator's feedback form at <http://www.pardes.org.il/MM9Adar-Educ-feedback>.