



The Holiness of Israel and the Dignity of the Disabled

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When Leviticus lays out its vision for how Israel is to live a life of holiness, it includes the following charge: “You shall not insult¹ (*tekallel*) the deaf, or place a stumbling block before the blind, but you shall fear the Lord your God; I am the Lord” (Leviticus 19:14).



On the face of it, the two injunctions make for an odd pairing. As Robert Alter notes, “there is both a common denominator and a logical discrepancy between these two prohibitions.” On the one hand, both the deaf person and the blind person suffer from a disability that prevents them from “perceiving that someone is exploiting [their] weakness in a nasty way.” Yet on the other hand, “abusing or verbally insulting a deaf [person] gratuitously humiliates him in a fashion that he himself, unhearing, may never become aware of, whereas placing a stumbling

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block before a blind [person] causes him hurt of which he will immediately become aware.”² I would suggest that the disparity

¹ *Killel* can also mean to curse, but, as Jacob Milgrom explains, “it also possesses a wider range of meaning, including ‘abuse, disrespect,’ and it is the antonym of *kibbed*, ‘honor, respect.’” Most modern translators render “insult” or “revile” rather than “curse.” In contrast, most traditional Jewish sources take *killel* to mean curse. For his part, Milgrom avers that “the literal meaning of the text is a prohibition against playing cruel practical jokes, saying mean things in front of the deaf, or tripping the blind.” Jacob Milgrom, *Leviticus 17-22* (2000), pp. 1638-1639.

² Robert Alter, *The Five Books of Moses: A Translation with Commentary* (2004), p. 627. It is worth pointing out that for people who are deaf, sometimes the greatest anxiety comes from knowing that they are being spoken about (or being made fun of) but not knowing what is actually being said. I am grateful to Emily Fishman for our discussion of this point.

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between the two cases may be intentional: Whereas one prohibition (placing a stumbling block before the blind) is concerned with physical harm, the other (insulting the deaf) is focused more broadly on disrespect.

Rabbinic tradition reads the prohibitions expansively, such that the deaf and the blind serve at least in part as illustrations of broader principles. To take the first part of the verse as an example,³ the core prohibition is not on cursing the deaf person in particular, but on cursing any member of the Jewish people. A midrash teaches: “‘You shall not curse⁴ the deaf.’ Here I only learn about the deaf. From where do I know that it is forbidden to curse any person? ‘Nor put a curse upon a ruler of your people’ (Exodus 22:27).” Since the phrase “of your people” seems superfluous, the Sages conclude that any member of “your people” is included in the prohibition (Sifra Kedoshim 2:13). The Talmud derives the same lesson differently; as Nahmanides (Ramban, 1194-1270) understands it, the Talmud says that the Torah prohibits cursing both the most eminent (judges and rulers) and the least fortunate (the deaf) members of society. The mention of those highest and lowest in the social hierarchy implies that the entire society is included: No one may be cursed (Comments to Leviticus 19:14, interpreting BT, Sanhedrin 66a).⁵

³ In the interests of space, I focus here on traditional interpretations of the prohibition on insulting the deaf. As far as the prohibition on placing a stumbling block before the blind, R. Samson Raphael Hirsch (1808-1888) eloquently summarizes the thrust of traditional interpretation: “This is a sentence of the most far reaching import. It warns against carelessness in word or deed through which the material and spiritual well-being of our fellow men could in any way be endangered. By [blind person] is understood not only the actual blind, but also those who are, in any way, spiritually or morally blind, dazzled by passion or ignorance” (comments to Leviticus 19:14).

⁴ In citing the midrash, I render *lo tekalel* as “do not curse” because I assume that is how the midrash understands the verse.

⁵ Nahmanides’ interpretation of the Talmudic passage is not without difficulties. Cf. n 44 to his commentary in the Torat Hayyim edition of Mikra’ot Gedolot.

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Maimonides (Rambam, 1135-1204) codifies this expansive interpretation. He begins by emphasizing the prohibition on cursing a judge or a ruler, but then adds, “It is not only forbidden to curse a judge or a ruler, but rather

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anyone who curses a member of the Jewish people [is punished], as Scripture says, ‘You shall not curse the deaf.’ Why, then, does the Torah mention the deaf in particular? To teach that even though he does not hear the curse and is therefore not distressed by it,⁶ the one who curses is nevertheless [punished]” (Mishneh Torah, Laws of Sanhedrin, 26:1). Maimonides’ conclusion is striking: On his interpretation, Leviticus invokes the deaf person to show that cursing *even* a deaf person is forbidden. And yet I wonder: Might the point of the verse be the opposite—namely that cursing a deaf person *especially* is forbidden?

On one level, of course, the expansive interpretation of the verse seems noble: After all, no one should be subject to being cursed⁷ (or ridiculed). And yet this inclusive approach runs the risk of effacing the Torah’s main concern, which is to protect the powerless and easily exploited.⁸ (This raises a basic exegetical problem: How do you read and interpret expansively without losing sight of the primary parties being spoken about?) The conclusion

⁶ Cf. what I have written in n2, above.

⁷ But cf. BT, Sanhedrin 85a, and Nahmanides’ comments, cited above.

⁸ R. Isaac Abravanel (1437-1508) ties our verse conceptually to the one preceding it: “You shall not defraud your neighbor; you shall not commit robbery. You shall not hold back the wages of a laborer overnight” (19:13). Since v. 13 deals with “the oppression and the theft that the strong inflict upon the weak, and the wealthy upon the laborer, simply because they are stronger,” the Torah goes on to teach that “one who can hear should not curse the deaf and one who sighted should not lead the blind person astray.” More generally, according to Abravanel, what is at stake in all this is that the strong should not oppress the weak.

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of the verse, I think, is telling: “But fear the Lord your God” (*ve-yareita m’eilohekha*). Jacob Milgrom observes that this phrase appears only in verses dealing with “the exploitation of the helpless”: the elderly (19:32) and indebted Israelites vulnerable to usury and enslavement (25:17, 36, 43). To bolster the point, Milgrom points out that *yere min*, which is used here, is not synonymous with *yere et*, which is frequently used elsewhere: Whereas the latter means to revere, the former means to fear punishment.⁹ Mayer Gruber goes one step further, suggesting that *min* may imply *lifnei*, in the presence of: “Your crime, which you think is committed surreptitiously, is known by God.”¹⁰ The point in each case is that although the vulnerable are often politically impotent, they do have a protector: God. In our verse, the

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Torah wishes to remind us that “although the deaf does not know he was insulted or the blind who hurt him, God does know and will punish accordingly.”¹¹

This approach, too, understands the deaf and the blind as representative of a broader category—but the broader category is those who are potentially defenseless—not humanity

⁹ Milgrom, *Leviticus 17-22*, p. 1641. On *yere min* suggesting fear of punishment, cf. also Abravanel, comments to Leviticus 19.

¹⁰ Mayer I. Gruber, “Fear, Anxiety, and Reverence in Akkadian, Biblical Hebrew, and Other North-West Semitic Languages,” *Vetus Testamentum* 90 (1990), pp. 411-422; relevant passage cited is on p. 419, n29.

¹¹ Milgrom, *Leviticus 17-22*, pp. 1641, 1639. The Torah’s ideal is obviously that people care for one another and treat one another with dignity and respect because that is what it means to be a human being and a member of God’s covenant with Israel. But people sometimes fall short of the ideal, and the Torah is willing to use the language of threat in order to elicit decent, upright behavior. Since the Torah’s first and most important project is to protect the vulnerable from exploitation, it pulls out all the stops to safeguard their well-being. But we should be careful not to confuse behaving well for fear of being punished with Judaism’s ideal, which is behaving well because that is what is entailed in being human and in serving God. Cf., e.g., the ways Deuteronomy 15 asks the Israelites to open their hearts to the poor but also threatens to bring down the wrath of God if they fail to treat them decently. Cf. what I have written in “Opening Our Hearts and Our Hands: Deuteronomy and the Poor,” CJLI Parashat Re’eih 5774, available [here](#).

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(or the Jewish people) as a whole. As Bible scholar Jay Sklar writes, in our verse, the deaf person and the blind person “represent all those at some physical or social disadvantage, whether physically or mentally challenged, poor, widowed or displaced.”¹² As we have just seen, this interpretation is much more in keeping with the thrust of the verse itself than the more universalizing approach.

By now, some readers may be tempted to protest: Does the Torah really need to tell us not to insult the deaf or trip the blind? What kind of human being would do that,

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anyway? In this day and age, at any rate, haven't we progressed beyond that kind of deplorable behavior? Maybe not. Karen Fiser writes that “people with disabilities are often easy targets for physical and verbal abuse. Shocking as it is, many are victimized in their own homes. On the street, it is not unusual for wheelchair users to be taunted, beaten, and robbed. Even when disabled people are not overtly abused, their dignity and personhood are continually assaulted. They are ignored, infantilized, treated as if they weren't there, spoken about in the third person: ‘Will you look after him? Will his chair fit in the elevator?’”¹³ Fiser's final point is essential: Even when we do not actively denigrate or ridicule someone who is deaf or blind, we may still be complicit, consciously or otherwise, in seeing them as less human than the able-bodied, or as less than human altogether. One of the most anguished complaints I have heard over the years from students living with disabilities is that

¹² Jay Sklar, *Leviticus* (2014), p. 246.

¹³ Karen Fiser, “Philosophy, Disability, and Essentialism,” in Lawrence Foster and Patricia Herzog, eds., *Defending Diversity: Contemporary Philosophical Perspectives on Pluralism and Multiculturalism* (1994), pp. 83-101; passage cited is on p. 91.



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they are consistently rendered invisible by others—often, it is important to add, by others who would be horrified at the thought that they had been guilty of mistreating others.

Being well-intentioned and being oblivious to

the actual lives, experiences, and needs of people living with disabilities are not mutually exclusive—which is why learning to listen to the voices of those so often rendered voiceless is a crucial moral and religious imperative.

In cataloging the 613 commandments, Maimonides interprets the prohibition on cursing the deaf as a signature example of the Torah’s concern with human character and virtue.¹⁴ “We might have thought,” he writes, “that the Torah prohibits cursing another Jew only when the one who is cursed hears it, because of the shame and pain he endures. But since a deaf person does not hear [the curse] and is not pained by it, there is no sin involved in that case.” Our verse works to undercut that line of thought, specifically prohibiting cursing the deaf. Why? Because the Torah “is concerned not only with the one who is cursed, but also with the one who curses.” The potential character flaw the Torah worries about in this instance, according to Maimonides, is “gearing oneself up for revenge and growing accustomed to being angry” (Sefer Ha-Mitzvot, Negative Commandment #317).

There is something powerfully compelling about Maimonides’ insistence that the Torah in general, and our verse in particular, are concerned with human character. And yet I am not sure that the character failing the Torah works against here is a proclivity to anger and

¹⁴ Cf. what I have written about Judaism and virtue in “Why Stubbornness is Worse than Idolatry: The Importance of Character,” CJLI Parashat Ki Tissa 5774, available [here](#).

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vengeance. In light of what we've seen, it seems more likely that the Torah's focus is on the temptation to see people with disabilities (and, perhaps, the vulnerable more generally) as less human than "we,"¹⁵ and therefore as less deserving of dignity and protection.¹⁶

In this context, it is important to pay careful attention to the Hebrew word for insult, *killel*. The root *k-l-l* also means to be light. In its prohibition on verbally abusing the deaf, the Torah is also making a stronger, deeper point, warning us not to treat the deaf person "lightly," as if he or she has "no importance."¹⁷ The opposite of *k-l-l* is *k-v-d*, to treat as weighty, or, more conventionally, to treat with respect. What the Torah seeks to instill, in other words, is *kavod*, respect, for the deaf, the blind, and those with any one or more of countless other disabilities.

Shabbat Shalom.

See Shai Held's other *divrei Torah* on parashat Aharei Mot and Kedoshim:

- [Aharei Mot 5774](#) – *Yom Kippur: Purifying the Tabernacle and Ourselves*
- [Kedoshim 5774](#) – *Loving Our Neighbor: A Call to Emotion and Action*

¹⁵ Of course, the (often unconscious) notion that people with disabilities are other than, and thus not part of, the communal "we" is itself a major part of the problem making their mistreatment possible.

¹⁶ In a similar vein, Abravanel sees the character trait the Torah worries about in this context as the temptation to oppress those who are weak (comments to Leviticus 19). Cf. n8, above.

¹⁷ Baruch A. Levine: *Leviticus* (1989), p. 128. And cf. what I have written about treating parents "weightily" (*k-b-d*) rather than lightly (*k-l-l*) in "Honoring Parents: (Sometimes) the Hardest Mitzvah of All," CJLI Parashat Yitro 5775, available [here](#).

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