PARASHAT KEDOSHIM

"You Shall Not Place a Stumbling Block Before the Blind": Chazal's Metaphoric Approach

by Rav Elchanan Samet

1. Four Interpretations of the Prohibition

> "You shall not curse the deaf, and you shall not place a stumbling block before the blind. You shall fear your God; I am the Lord."

These two prohibitions, of cursing the deaf and leading the blind to stumble, both involve the protection of those particularly vulnerable due to physical disability. Indeed, these two crimes are linked by the single admonition towards the end of the verse: "You shall fear your God." Nevertheless, we will devote our discussion entirely to the second prohibition, addressing the first half of the verse only insofar as it affects our understanding of the second.

We present here the four interpretations that have been offered to this verse, in the sequence of their deviation from the simple, straightforward meaning, from closest to furthest:

1. "Blind" refers to an individual who cannot see, and "stumbling block" denotes a physical object, such as a stone or beam, that physically endangers the unsuspecting blind person as he walks. This is the interpretation of the Kuttim, who rejected the Oral Law's extrapolation of Biblical verses. (See Nida 57a, Chulin 3a.)

The prohibition according to this approach involves taking unfair advantage of the handicap of another. The earlier prohibition against cursing the deaf would presumably be explained in a similar manner.

2. "Blind" here means anyone, even without any handicap, who does not see the stumbling block placed before him. With respect to this specific danger, he may be considered figuratively "blind." "Stumbling block" refers to a physical trap lying innocuously in one's path, such as a pit with an indiscernible covering.

In other words, this approach maintains virtually the same interpretation of the term "stumbling block," and only minimally expands the definition of the word "blind," to include a person with operative vision but who cannot see the stumbling block before him. The prohibition thus comes to forbid taking unfair advantage of not only the handicapped, but anyone in a situation where they cannot detect a given threat to their well-being. Similarly, the ban against cursing the deaf would include not only the deaf, but anyone incapable, for whatever reason, of responding to the slur.

This appears to be the approach of Targum Onkelos, who translates "deaf" and "blind" in our verse as "one who does not hear" and "one who does not see," while elsewhere he invokes the Aramaic terms for "deaf" and "blind" in his translation of these words (see Shemot 4:11; Vayikra 21:18; Devarim 15:21, 27:18 and 28:29). Onkelos here translates the word "mikhshol" (stumbling block), which appears nowhere else in the Torah, as "takala," meaning, something upon which people stumble.

3. "Blind" here refers to one lacking certain information or a proper understanding regarding a given situation, and "stumbling block" means misleading counsel given to that individual. This approach interprets both "blind" and "stumbling block" figuratively, as referring to intellectual "blindness" and a mistake resulting in some form of loss in one area or another.

   This is the approach taken by the Sifra in its comments on our verse. The Sifra provides three examples of such a "stumbling block": telling a kohen that a prospective spouse is permissible for him, when in fact she is forbidden to him (such as a divorcee, etc.); advising one to leave on his trip at a time when he is exposed to certain dangers, such as thieves early in the morning and sunstroke in midday; advising one to sell his field and purchase a donkey instead, only to be able to personally purchase the field. (Rashi interprets the verse likewise, citing as an example the third instance mentioned in the Sifra.) The Rambam (Lo Ta'aseh 299, Hilkhot Rotzei'ach 12:14) and Chinukh (232) adopt this view, as well.

   In order to appreciate the significance of the prohibition according to this approach, let us carefully examine the motives of the misleading counsel in each of the three cases introduced by the Sifra. In the first case, the violator apparently looks after the woman's interests. So as not to interfere with her marriage prospects to the recommended bachelor, he advises the latter that she is in fact permissible. While his concern for her well-being is laudable, this interest does not justify misleading the kohen. In the third instance, the advisor deceives the victim for his own personal

gain. This prohibition thus outlaws misleading others for either one's own interests or those of a third party.

In the second case, however, no motive seems to have prompted the deceit. No one benefits from the victim's miscalculated departure. Why, then, did the advisor set this trap? Apparently, this prohibition involves misguiding one for the sheer joy of watching another fail. If so, then this approach bears some similarity with the second interpretation, and the relationship between this prohibition and the earlier one concerning the deaf becomes clear.

4. The most surprising interpretation of the verse appears in a twice-repeated Beraita in the Talmud (Pesachim 22b, Avoda Zara 6b) and occupies a substantial portion of halakhic literature to this very day. That is, one may not assist one in committing a sin or cause him to sin. The examples presented in the Beraita are giving wine to a nazir to drink and offering meat taken from a live animal to a gentile for his consumption.

The figurative meaning of "stumbling block" according to this interpretation resembles its meaning according to the previous approach. The meaning of "blind," however, is far from clear. Both the culprit and victim know full well what's at stake; no one is misled. How, then, does this approach understand the word "blind" in the verse?

The Rambam addresses this issue in several places in his works, and explains that the one assisted in his sinning is considered blind because his desire "obscured his vision," and "he does not see the truthful path." (See Lo Ta'aseh 299 and Hilkhot Rotzei'ach 12:12-14.) According to his interpretation, "blind" here refers not to visual impairment (as in the first two approaches) nor to a misunderstanding of a given situation (as in the third approach). Rather, it connotes "moral blindness," suffered by one whose drives and inclinations lure him off the proper path. Needless to say, this approach steers quite a distance from the straightforward interpretation of the verse.

In any event, the significance of the prohibition according to this approach is clear. One may not assist another in committing a sin, even if he offers his help out of camaraderie, good manners, or any other noble motive.

2. The Halakhic Status of the Four Interpretations

The issue of the halakhic status of these approaches essentially translates into a different question: which of these four interpretations of the verse do Chazal view as correct?

All the sources in Chazal indicate that they viewed the figurative interpretation, that one may not lead one to "stumble" in the metaphoric sense, as binding on the Biblical level ("m'de'oraita"). Clearly, they approached this interpretation as a primary explanation of the verse and rejected the position of the Kuttim who limited the verse's implication to placing a physical stumbling block before a blind person. However, as some Acharonim indicate, this does not preclude the possibility that Chazal viewed all four approaches as primary interpretations of the verse. Both Rav Meir Simcha of Devinsk ("Meshekh Chokhma") and Rav Barukh Epstein ("Torah Temima") are of the opinion that the prohibition includes all four interpretations mentioned above. Chazal disagreed with the Kuttim only regarding their rejection of the figurative approach; they conceded, however, that the literal approach is legally relevant. The Minchat Chlikewise raises such a possibility.

, the omission of any mention of such a prohibition - the placement of a physical obstacle before the blind - in halakhic literature from Chazal onward casts serious doubts on such a possibility. Furthermore, if indeed Chazal accepted the literal interpretation as legally binding, it is hard to imagine that the figurative approach would likewise apply on a Biblical level. In the presence of the literal interpretation, we must relegate the figurative meaning to the lower level of "derash."

It would seem, therefore, that Chazal outright rejected the literal interpretation of the verse upheld by the Kuttim. They did not merely add an additional level of interpretation; they believed that the figurative approach to the verse is the only plausible explanation of the prohibition. Indeed, this is the view of a wide array of commentators and halakhic authorities, some of whom we will encounter in the course of our discussion.

Two obvious questions emerge from this conclusion. First and foremost, as Rav Yerucham Perlow (in his work on Rav Sa'adia Gaon's enumeration of the mitzvot, p. 107) asks, why did Chazal refute the straightforward interpretation? To this we may add, why and how did Chazal choose a metaphoric interpretation of the prohibition? This second question raises a more general, fundamental issue: may we approach mitzvot metaphorically?

3. Metaphoric Interpretation of the Mitzvot: The Rule and the Exceptions

A Beraita entitled "Beraita D'lamed-bet Midot" enumerates thirty-two literary guidelines employed by Chazal in their exegesis of Biblical verses. The twenty-sixth principle establishes that while parables and metaphors are employed in the Nevi'im and Ketuvim, "regarding the words of the Torah and mitzvah you may not interpret them as allegories." The Beraita then proceeds to provide three exceptions, instances where Rabbi Yishmael explained a mitzvah figuratively.

The basis for such a principle is clear: legal code must be clear and straightforward. Approaching the mitzvot metaphorically may lead one to strip them of their original meaning and reach conclusions far from the intent of halakha.

Is there any rational explanation behind the exceptions to this rule? Could we perhaps determine the basis for Chazal's interpreting them figuratively? How does their interpretation of our verse accommodate this principle?

4. Two Types of Metaphor

In his dictionary of literary terms, Professor Yosef Eban distinguishes between two types of metaphor. The first type features two words or groups of words, one of which maintains its original, literal meaning, while the second receives an entirely new meaning through its association with the other word or words. For example, we may describe an inspiring, soul-stirring speech as "breaking down the walls of indifference among the audience," meaning that it significantly transformed their emotional or mental mindset. The expression "breaking the walls" has been borrowed from its natural habitat - a battle waged against a besieged city - and infused with an entirely new meaning through its introduction into the context of a persuasive lecture.

The second group of metaphor, by contrast, consists of a word or group of words that loses its literal meaning without any textual association with a foreign context. Rather, purely external circumstances change the meaning of the words(s) and advise the listener to reinterpret the word(s) accordingly. For example, someone recently relieved of some financial or personal crisis might say, "I have finally arrived at safe shores." While a stranger might conclude from this remark that the individual has just returned from a stormy voyage at sea, those familiar with his situation know that he had been on dry land, only caught in a mire of tension and anxiety.

With this background, let us proceed to examine the instances where Rabbi Yishmael approaches a mitzvah with a figurative interpretation. We begin with the second example, the case of a thief who breaks into a home (Shemot 22:2). The Torah writes, "If the sun shone upon him [the thief], he [the homeowner] is held accountable [if he kills the thief in alleged self defense]." Rather than interpreting "the sun shone upon him" literally, Rabbi Yishmael understands this phrase as referring to a case where the intruder clearly intends no harm to the homeowner. It would seem that this metaphor belongs to the first category. As the Beraita notes, the sun shines not only upon the thief, but upon the whole world. Thus, the association of the sun's shining with the specific expression, "upon him" forces us to consider an allegorical interpretation of the sun's shining. We may conclude, then, that the Torah itself requires that we approach this verse as an allegory.

The other two examples in the Beraita, however, are of the second type of metaphor. The Torah addresses a situation where the victim of a beating recovers from the blow: "If he then gets up and walks outdoors upon his staff, the assailant shall go unpunished□" (Shemot 21:19). The Beraita observes that "staff" cannot be understood literally, for we are dealing with a case where the victim has been completely cured, thus relieving the aggressor of punishment. Therefore, "his staff" here means his body, and the verse thus refers to a healthy individual capable of walking independently. Nothing in the verse itself compels us to adopt a figurative interpretation. Rather, the legal consideration of acquitting the attacker only upon the victim's complete recovery leads us to a metaphoric reading. (We do not deal here with the third instance, the investigation of a bride whose husband accuses her of a premarital affair [Devarim 22:17], where the compelling reason for the figurative reading is unclear.)

To which of these two categories would we place our verse - the prohibition against placing a "stumbling block" before "the blind"?

5. Three Attempts to Prove the Metaphoric Interpretation

Several attempts have been made throughout the ages to identify a textual basis within the verse for Chazal's rejection of the literal meaning. Rav Yerucham Perlow cites the various suggestions and subjects them to his rigorous critique. We will generally follow in his footsteps.

The first approach is that of Rav Eliyahu Mizrachi, who authored a classic work on Rashi's commentary: "It seems to me that the reason why they interpreted in this way [in the Sifra] is

because we cannot say that 'blind' here implies the straightforward meaning, since 'blind' must resemble 'deaf' [in the first half of the verse]. Just as 'deaf' does not refer specifically to the deaf, so does 'blind' not refer specifically to the blind." However, if this was the sole concern, then Chazal should have interpreted the verse according to the second approach listed above, that "blind" here refers to anyone who cannot see a given obstacle placed in is path. There would be no need to steer even further from the simple meaning and arrive at the allegorical interpretation of the third and fourth approaches.

The Maharal of Prague, in his commentary on Rashi entitled "Gur Aryeh," identifies the source of the allegorical interpretation in the conclusion of the verse: "You shall fear your God." He writes, ""You shall fear your God' is stated only with regard to something given over to one's heart [i.e. a sin not indiscernible from the outside, thus requiring genuine fear of God to refrain therefrom - see Rashi on our verse]. This instance [placing a physical obstacle before the blind], however, is not given over to one's heart, for at times the blind person will discover who placed the stumbling block before him, or others will see, or he will be recognized by his voice, etc." The obvious problem with this interpretation is that according to the literal approach to the verse, this prohibition clearly refers to a situation where one would hurt a helpless person in such a way that he would never be discovered. In a situation where the blind victim or anyone else could identify the perpetrator, no one would attempt the prank, and theis no need for the prohibition. Thus, given that we are dealing with a situation whthe perpetrator would never be discovered, there is no context more suitable than this one for the admonition, "You shall fear your God."

A third suggestion was posed by Rav Aharon Ibn Chayim, in his commentary on the Sifra, "Korban Aharon." He notes that the verse describes the "placing" of the stumbling block with the word "titen," which generally means, "give," rather than the Hebrew word for "place," "tasim." He argues, "One who places an obstacle upon which for another to stumble will not be called, 'giving.' What or to whom is he giving? He would rather be called 'placing,' and the verse should have therefore stated, 'Do not PLACE ['tasim'] a stumbling block before the blind.' On account of this Chazal were compelled to interpret the verse in a manner that would accommodate [the use of the verb] 'giving,' that he gives someone this stumbling block, meaning the advice that he gives." However, as Rav Perlow already notes, in Biblical Hebrew the verb form "netina" is often used in reference to placing, particularly when followed by the word, "lifnei" (before), such as inShemot 30:36 and Vayikra 5:11.

Thus, none of the three attempts satisfactorily provides a textual basis for the rejection of the literal meaning of the verse.

6. Establishing Chazal's Metaphoric Interpretation in Three Stages

We must therefore look for an external factor - outside the text - that led Chazal to their figurative approach to the verse. Since external considerations are generally less compelling than internal, textual ones, it would be worthwhile to look for some textual support for the allegorical interpretation. If we can establish Biblical precedents for the metaphoric usage of the terms "blind" and "stumbling block" and verify the widespread usage of their allegorical meaning, we can increase the likelihood of their figurative meaning in our context. Our third and final step will then be to explain why the Torah selected metaphor as the means by which to present this specific prohibition.

As we explained at the outset of our presentation, the literal approach to the verse yields a prohibition against taking unfair advantage against the handicapped. It forbids one from causing harm to a helpless individual by capitalizing on his handicap such that he cannot guard himself or identify the antagonist. Such a warning would be directed to an audience with an inclination towards such sadistic tendencies, generally young children who relish the opportunity to watch others fail. However, the Torah prohibits only those crimes against others that people are led to commit by reasonable motives. One might steal out of desperate poverty or desire for a higher economic standard; a person may kill out of uncontrolled vengeance. The Torah warns against following through on these motives.

Placing a stone before the blind, however, involves sadism for its own sake. Chazal presumed that the Torah would have no need to address such conduct with an explicit prohibition, as this behavior falls far short of the basic moral standards of the audience towards whom the Torah directs itself. They therefore interpreted the prohibition as outlawing the deception of others for personal gain and assisting sinners, even when prompted to do so by understandable social interests. In these instances, where the potential violator may have reasonable interests or concerns at stake, the Torah must explicate a prohibition.

We now proceed to the second step, our search for similar usage of "blind" and "stumbling block" throughout Tanakh. The word "iver" (the word for "blind" in our verse) appears twenty-six times in Tanakh, and an additional five times in the verb form. In at least ten of these instances it is used

metaphorically, mostly in Yeshayahu. Particularly noteworthy is one example appearing twice in the Torah, where bribes are said to "blind ['ye'aver'] the eyes of the wise." This figurative usage of the term fits beautifully with the Rambam's aforementioned explanation of "blind" in our verse. Regarding the second term, "mikhshol" - stumbling block, in each of its fourteen appearances in Tanakh - plus the two instances of the related term, "makhshela" - it emerges as a metaphor. In fact, half of these metaphors involve spiritual "stumbling blocks," i.e. sins. Thus, Chazal's figurative approach to the verse implies no irregular usage of Biblical terms.

In conclusion, we turn our attention to the issue of why the Torah invokes metaphoric usage in its presentation of this prohibition, rather than employing straightforward terminology suitable for legal code. One answer may lie in the fact that this verse includes two distinct prohibitions: offering misleading advice and assisting sinners. The Rambam (Sefer HaMitzvot, Shoresh 9) cites this verse as an example of a "lav sheb'klalot," a negative commandment that subsumes multiple prohibitions. The Rambam writes that we must consider all the various prohibitions included within one verse as just one of the 365 negative commandments of the Torah. As such, the Torah needed to present these two prohibitions - against misleading counsel and assistance in sin - in a form that would include both under a single category. Were the Torah to have articulated these prohibitions in a straightforward manner, it would have had to separate them into two negative commandments.

Alternatively, the use of metaphor generates an association between the present context and the one from where the metaphor is borrowed. The Torah sharpens our awareness of the severity of these crimes - offering unsound advice and helping to facilitate a Torah violation - through the image of the placement of an obstacle before the unsuspecting, helpless, blind person. With this metaphor, the Torah teaches us that there exist various levels of "blindness," and one who leads one to stumble in the figurative sense is considered to have placed an actual stumbling block before a blind person.

Translated by David Silverberg