

ACHAREI MOT-KEDOSHIM
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On April 1st, in a dramatic conclusion to what was described as the largest cheating scandal in United States' history, a jury convicted eleven educators for their roles in a standardized test cheating scandal in Atlanta. Eleven of the twelve defendants were convicted of racketeering and Judge Jerry Baxter literally threw the book at them, giving many of them up to seven years in jail. Although the sentences are being reviewed, the initial punishment was truly very drastic.

The scandal itself began in 2009 when the *Atlanta Journal-Constitution* published analyses of Criterion-Referenced Competency Test results which showed statistically unlikely test scores, including extraordinary gains or losses in a single year. In July 2011, the Georgia Bureau of Investigation found that 44 out of 56 schools cheated on those tests. One hundred and seventy-eight teachers and principals were found to have corrected the answers of the students. The District Attorney's office said that more than 250,000 wrong answers were changed. During the investigation it was stated that the educators cheated out of pride, to earn bonuses, to enhance their careers, or to keep their jobs.

While everyone has been concerned with the conduct of the teachers, I am also concerned with the future of the students. By the dishonest activities of the educators, the students received the short end of the stick and, in their own way, are being punished as well. While they may have thought they progressed academically, that was not the case.

In our Torah reading of this morning, Chapter 19 of the Book of Leviticus, known as the Holiness Code, we are instructed: "You shall not insult the deaf, or place a stumbling block before the blind. You shall fear your G-d: I am the Lord." Although these commandments seem straightforward enough, Jewish law understands the prohibition against placing a stumbling block before the blind metaphorically, that is, the Torah prohibits giving misleading advice or extending a prohibited item to someone else.

Why would anyone trip a blind person? It is true that people with disabilities are often easy targets for physical and verbal abuse. A cruel person might be inclined to trip other people, but fear to do so lest the injured party see who harmed him. This is not the case with a blind person. He won't know who hurt him and the deaf person will not hear the curse directed against him. It is true that people with disabilities are often easy targets for physical and verbal abuse. Perhaps that is the reason that the verse concludes with the admonition: "You shall fear your G-d: I am the Lord." Even if there are no witnesses, the Torah warns us, G-d sees.

However, later Rabbis understood this statement metaphorically to refer to more than just the simple meaning of the verse itself. Rashi, the Biblical commentator, states that metaphorically the verse wants us to understand that we should not give advice to one who is blind to the truth. For example, we should not tell him, "Sell your property

and buy a donkey,” just because we want to finagle him out of the property. Maimonides expands the prohibition even further by writing that, “Anyone who strengthens the hands of a sinner about which he is blind and does not see the truth because of the desires of the heart - this person violates a negative commandment.” We are forbidden, therefore, from creating a situation that strengthens the hands of a sinner making it easier for him to sin. For instance, we should not tempt the Nazarite, who is sworn from wine and alcoholic beverages, by offering him a glass of wine. We should not prey on someone’s weaknesses, his “blindness” so to speak, or mislead one who cannot properly “perceive” the facts of a situation. To lead someone astray purposely, to tempt an individual inappropriately, is considered by Jewish law to be *lifnei iver*, putting a stumbling block in front of the blind.

In many ways, that is exactly what these teachers did. The students felt they had done well and were ready to proceed with their academic careers. However, because of the cheating teachers and administrators the students were short-changed. The students have been cheated out of knowing their academic progress or lack thereof. I would like to see a follow-up study of those students and their future progress after the cheating scandal.

This was not the only scandal of that type. In February 2013, Harvard University experienced its largest cheating scandal in its history. Harvard wouldn’t say how many students had been disciplined for cheating on a take-home final exam given in May 2012 in a government class, but at least 70 students were forced out of the University. Professor Dan Ariely of Duke University, a recognized expert on cheating, suggested that the student’s behavior may have stemmed from the undefined rules of the take-home exam. He writes, “In general, lack of clarity and expectations is a great instigator of dishonesty, after all, when no one tells you what you can and can’t do, it becomes much easier to decide for yourself what probably is, and isn’t okay.” In other words, putting otherwise honest people in an ambiguous situation where they can cheat may encourage them to do just that. While this is no excuse whatsoever for the cheating of the students, with ill-defined expectations and the wish for the students to get ahead academically and professionally, there is at least a tinge of the rule of the *lifnei iver* in this case.

This law alerts us to many possibilities of incorrect behavior. If you know someone who is an alcoholic, don’t offer them a drink. If you know someone who is on a diet, don’t tempt them with food. If you are with someone who has stopped smoking, don’t offer them a cigarette. If you are with someone who loves to tell tales, is a gossip, don’t give them some juicy gossip. This means that we have to be appropriate in our behavior, words, and actions with everyone lest we, too, be blamed for the misdeeds and the incorrect behavior that will ensue.

A recent analysis by the AIPAC Synagogue Initiative has suggested that this holds well for international issues too. In the current debate over the Iran nuclear issue, it should be recognized that Iran has a long history of lying, cheating, and failing to uphold its agreements with the international community. It has already suggested that it is unwilling to accept inspection of its military sites. There have been disagreements as to

what was agreed upon during the talks between the P5+1 and the Iranian negotiators. Sanctions relief has been demanded by the Iranians but there is a serious disagreement between Iran and the P5+1 with the latter insisting that it will be gradual, and the Iranians insisting that it must be immediate.

One must wonder with the history of Iran, whether any kind of agreement which is not ironclad in its total openness to inspection will ever be successful. Are we merely giving Iran an opportunity to cheat as it has done in the past if we lessen the pressure of sanctions? Perhaps the concept of *lifnei iver* should teach us about the terms of the agreement and the strength of its commitments.

There has been much discussion concerning what occurred in Baltimore this week. The justice system must hold everyone to account. However, there is no excuse for the rioting that took place and the destruction of personal and communal property. There are some who are blaming the Mayor for not bringing out the National Guard immediately to restore order. Others have stated that the police were not prepared properly at the outset of the rioting as they were not ready to contain the violence. The Mayor claimed that she faced a very delicate balancing act and had to be careful about “not escalating and increasing the problem” by creating a militarized atmosphere that could further inflame tensions. That was, she said, the case in Ferguson, Missouri. Whether proper decisions were made will be evaluated after the fact. But, the concept of *lifnei iver* may also apply in these types of situations as well.

The verse, both in its literal and its metaphorical sense can teach us a great deal about the proper treatment of our fellow human being, about our responsibility one to another, about our obligations to society and community, and our responsibilities to the world at-large. The phrase ends with the words: “I am the Lord.” It reminds us that this is not simply good moral behavior, it also has a theological meaning.

The Ha’Ameck Davar, a commentary on the Torah by Rabbi Naftali Tzvi Yehuda Berlin, states: “Should you curse a deaf person or put a stumbling block before the blind, then you are ultimately hurting the image of G-d. And anyone who acts in this manner decreases G-d’s image in the world which leads to a lack of peace amongst all humanity.” These are tough words. But this is a very important injunction.

Let us lead the type of words that will be a credit to G-d, to our families, to our people, to our community. Let it never be said about us that we attempt to destroy the Divine image in the world, but instead attempt to enhance it in our lives and in the lives of all those in our community.

*After this sermon was delivered a number of people commented at the Kiddush that the teachers, too, in the Atlanta case, also are presented with the dilemma of *lifnei iver*. They are expected to have their students do well, and they are held to account if they do not. Thus, the pressure upon them might also lead to some of the abuses of the system. Clearly, there is no excuse for the cheating. As the same time, the

system is putting the teachers under great pressure. The principle of *lifnei iver* has implications here as well.