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Table of Content

Acknowledgements	iii
Abbreviations	v
1. INTRODUCTION	1
1.1. Defining the framework	3
1.2. Research questions and categories	5
1.3. Working definition of disability.....	9
1.4. Normate hermeneutics.....	12
1.5. First-order logic	14
2. CLASSIFICATIONS OF DISABILITY	15
3. DISABILITIES AS מום.....	20
3.1. The cultic מום	21
3.1.1. Head.....	24
3.1.2. Limbs.....	26
3.1.3. Trunk	27
3.1.4. Skin or hide.....	28
3.1.5. Genitals.....	29
3.1.6. Conclusion of Cultic מום.....	30
3.2. The legal מום	31
3.3. The moral מום	35
3.4. The formalization of מום.....	37
4. DISABILITIES AS טמא.....	38
4.1. Cutaneous טמא.....	41
4.2. Sexual טמא.....	45
4.3. Parturition	49
4.4. Uterine Prolapse.....	52
4.5. The formalization of טמא.....	53
5. NON-מום AND NON-טמא: A CATEGORY OF ITS OWN?	54

5.1. Mental disabilities	55
5.2. Deafness and muteness	57
5.3. Infertility	59
5.4. Uncircumcision.....	63
5.5. Formalization of non-מרים and non-טמא-ה disabilities	68
6. FORMALIZATION OF THE CLASSIFICATION.....	72
7. CAUSES AND CONSEQUENCES OF DISABLING CONDITIONS.....	73
7.1. Origin of disabilities.....	73
7.1.1. The etiology of disability.....	74
7.1.2. Irritants to the divine sight.....	78
7.1.3. Curse.....	80
7.2. Marginalization and stigmatization	83
7.2.1. Consequences of מרים disabilities.....	83
7.2.2. Consequences of טמא-ה disabilities	87
7.2.3. Consequences of non-מרים and non-טמא-ה disabilities	92
7.2.4. Gender representations of disability	96
7.3. Formalization of the causes and consequences	100
8. CONCLUSION	103
BIBLIOGRAPHY	108
ATTACHMENT 1: ENGLISH ABSTRACT	113
ATTACHMENT 2: GERMAN ABSTRACT	114

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Abbreviations

1 Kgs	1 Kings
2 Kgs	2 Kings
2 Chr	2 Chronicles
2 Sam	2 Samuel
AB	Anchor Bible
AThANT	Abhandlungen zur Theologie des Alten und Neuen Testaments
CBQ	The Catholic Biblical Quarterly
D	Deuteronomic
Deut	Deuteronomy
Dtr	Deuteronomistic literature
DtrH	Deuteronomistic history
Exod	Exodus
Ezek	Ezekiel
Gen	Genesis
H	Holiness Code
Hag	Haggai
HeBAI	Hebrew Bible and Ancient Israel
HThKAT	Herders Theologischer Kommentar zum Alten Testament
Interpretation	Interpretation: A Journal of Bible and Theology
Isa	Isaiah
JAJ	Journal of Ancient Judaism Supplements
JBL	Journal of Biblical Literature
JRDH	Journal of Religion, Disability und Health
Jer	Jeremiah
Judg	Judges
JSOT	Journal for the Study of the Old Testament
JSOTS	Journal for the Study of the Old Testament Supplement Series
Lam	Lamentations
Lev	Leviticus
LHBOTS	The Library of Hebrew Bible Old Testament Studies
LXX	Septuagint
Mic	Micah
NJPS	Tanakh: The Holy Scriptures: The New JPS Translation according to the Traditional Hebrew Text
Num	Numbers
OTL	The Old Testament Library
P	Priestly Source
P ^g	Priestly Grundschrift
Ps	Psalms
Prov	Proverbs
SGMOIK	Schweizerische Gesellschaft Mittlerer Osten und Islamische Kulturen
ZAR	Zeitschrift für Altorientalische und Biblische Rechtsgeschichte (Journal for Ancient Near Eastern and Biblical Law)
ZAW	Zeitschrift Für die alttestamentliche Wissenschaft
Zech	Zechariah

1. Introduction

The Hebrew Bible is filled with stories of persons with disabilities and with debilitating imagery. Yet, only recently biblical scholars have grown interest in the critical examination of disability in their field of research, benefiting from the interdisciplinary discourse that has characterized disability studies in the past decades. As Dan Goodley phrases it, “the field of disability studies is a broad arena of theory, research, activism and practice that contests the popular view that disability equates with human failing.”¹ It is not an easy task to enter this contemporary “broad arena” with a focus on ancient biblical literature. The methodological framework and the focus of the investigation must be defined clearly in order to avoid introducing contemporary biases, blurring lines between the imagery presented by the text and personal beliefs or experiences, and drawing speculative conclusions. Those biblical scholars that are not accustomed to the general debate in disability studies may struggle to distance themselves from the Western representation of disability—or from their own uncritical notions of disability—and find it difficult to accept certain conditions as debilitating (cf. chapter 1.2. and 1.3.). Hence some scholars who relax their vigilance against the introduction of misconceptions about disability may make uncritical use of the equation of disability with weakness or simplemindedness through ableist interpretations (cf. chapter 1.4.). Furthermore, the ancient view of debilitating conditions is often associated with representations of the deity that may contrast starkly with our personal belief; yet it is advisable to refrain from smoothing out the less palatable images of disability and attempt to overemphasize the few positive instances that recall our familiar notion of God. I am aware that I can hardly evade my personal situation and may not always be free of certain biases. Therefore, for the sake of transparency, I would like to inform the reader that I am investigating a specific section of an ancient Israelite religious text as a white male with a Christian background who has lived with a disability in Western Europe between the 20th and the 21st century CE.

It goes without saying that the present work is indebted to a great number of scholars for their investigations on the topic of disability in the Hebrew Bible. In fact, the idea for the present thesis first arose when I had read Saul M. Olyan’s work “Disability in the Hebrew Bible: Interpreting Mental and Physical Differences.” Olyan correctly highlights the stigmatization and marginalization linked to disabilities and offers a broad classification based

¹ Dan Goodley, *Disability Studies: An Interdisciplinary Introduction*, 2nd ed. (Los Angeles: SAGE Publications, 2017), xi.

primarily on dyads. Although Olyan is certainly a prolific writer on disability in the Hebrew Bible, he is definitely not the only one. I have often resorted to monographies like Rebecca Raphael's "Biblical Corpora: Representations of Disability in Hebrew Biblical Literature," to commentaries such as "The Bible and Disability: A Commentary" edited by Sarah Melcher, Mikeal C. Parsons, and Amos Yong, and to collections of articles like "Disability Studies and Biblical Literature" edited by Candida R. Moss and Jeremy Schipper, or "This Abled Body: Rethinking Disability in Biblical Studies" edited by Hector Avalos, Sarah J. Melcher, and Jeremy Schipper. I have greatly appreciated David Tabb Stewart's methodology and analysis, which reflects my personal preference for schemes and overviews; my classification of disability is based mainly from Olyan's insights and Stewart's further development. Generally, articles have been the best means of investigation along with the analysis contained in the commentaries; for a comprehensive list I cannot but revert the reader to the bibliography. My emphasis on English literature should not come as a surprise; as disability studies have been developed in the English-speaking academic world, so also their introduction into biblical studies has primarily interested American and British scholars. Yet, monographies such as the dissertation "The Blemished Body: Deformity and Disability in the Qumran Scrolls" by the Dutch scholar Johanna H. W. Dorman demonstrate a growing interest beyond the Anglo-Saxon world. Whenever possible, I have also taken into consideration the few German studies on the topic, mainly by Angelika Berlejung. However, their focus lies on the construction of the body in ancient Near East cultures rather than on the notion of disability in the Hebrew Bible.

All the aforementioned investigations present different nuances on the same topic; my thesis aims to consolidate their research with a particular emphasis on the underlining conceptualizations of disability in the Pentateuch. I am voluntarily making use of the plural for two reasons. Firstly, when I define disability, I am not implying that all biblical authors share the same conception, although I do think that they had a rough unexpressed idea of bodily variations and mental conditions and considered some as less ideal than others. Hence, a very general formal structure is implied by all authors in all sources: bodily and mental differences. Secondly, the culturally less acceptable alterations are mostly attested in clusters scholars define as "classifications" or "categories." To investigate these classifications as I will do in chapter 2., does not presume I am able to synthesize the variegated pictures into a homogenous system where, like in a jigsaw puzzle, all pieces fit together. Quite the contrary is true. I will try to find common features and correlate them according to their formal structure, not with respect to an allegedly shared content. In other words: when I sort out all instantiations of disabilities in the Pentateuch, I am grouping them like pieces of a jigsaw puzzle that do not

always fit; I am only sorting them according to their color, dimension, or other parameters. Although the pieces of the jigsaw puzzle do not always fit together, they invariably remain pieces of a jigsaw puzzle—i.e., all instantiations refer to disability—and they still display common formal features—i.e., they show unideal bodily alterations or mental behaviors.

1.1. Defining the framework

Disability studies arose from the disabled people's movement and was established as an academic discipline in Great Britain and in the USA in the late 1970s and early 1980s. While British disability studies have traditionally focused its efforts on eradicating social barriers (social model of disability), Northern American disability scholars have adopted a distinctive approach from a minority group perspective (minority model of disability).² Both models seek to redirect the attention away from the individualized treatment and cure of the impairment (medical model of disability) toward the systemic and societal discrimination persons with disabilities face; the issues at stake are “the social and political structures that prevent people with impairments from full access to and participation in our social and political structures.”³ Social model theorists distinguish sharply between a disability and an impairment: an impairment refers to the mental, physical and sensory anomaly that hinders the body or the mind of an individual to function normatively; a disability refers to the systemic and societal limitations and barriers a person with a disability is confronted with.⁴ So, while impairments are linked to an individual medical diagnosis, disabilities denounce the discrimination of social and political structures.

In the 1990s, Northern American and Canadian humanities scholars developed a third, new model based on the cultural and literary analysis of disability: the cultural model of disability.⁵ Some of the most influential works were delivered by Rosemarie Garland-Thomson,⁶ “who posits that disability is a cultural trope and historical community that raises questions about the materiality of the body and the social formulations that are used to interpret bodily and cognitive differences.”⁷ Consequently, the strict distinction between impairment

² Goodley, *Disability Studies*, 11–13.

³ Nyasha Junior and Jeremy Schipper, “Disability Studies and the Bible,” in *New Meanings for Ancient Texts: Recent Approaches to Biblical Criticisms and Their Applications*, ed. Steven L. McKenzie and John Kaltner (Louisville: Westminster John Knox Press, 2013), 35.

⁴ Cf. Goodley, *Disability Studies*, 9; Junior and Schipper, “Disability Studies and the Bible,” 35.

⁵ Goodley, *Disability Studies*, 14–15.

⁶ Cf. Rosemarie Garland-Thomson, *Extraordinary Bodies: Figuring Physical Disability in American Culture and Literature*, Twentieth anniversary edition. (New York: Columbia University Press, 2017).

⁷ Goodley, *Disability Studies*, 15.

and disability was abandoned as the cultural stance presumes, and goes beyond, the biological and societal conceptualization of the body;⁸ any definition of disability is “the byproduct of a complex variety of cultural factors that shape and reinforce cultural understandings of mental and physical normality and abnormality.”⁹

When biblical scholars first entered the field of disability studies, they intuitively made use of the cultural model as the most appropriate.¹⁰ Since the medical approach focuses on medical and healthcare issues, which are of no great concern to biblical authors, it does not offer helpful tools for the study of disability in ancient Israel. The social model is characterized by the distinction between impairment and disability, but the biblical literature does not provide a clear picture of the social and political structures and norms around impairments and hence, like the medical model, its methodology is not easily applicable. Conversely, the cultural model of disability has offered the best analytical framework to biblical and theological scholars: “the cultural model analyzes how a culture’s representations and discussions of disability and nondisability help to articulate a range of values, ideals, or expectations that are important to that culture’s organization and identity.”¹¹ In other words: biblical literature does not deliver diagnostical means for body anomalies nor does it describe social and political structures that discriminate against persons with disabilities, but it does offer a vivid imagery of debilitating conditions, and of the ideals and values connected to them in ancient Israel. Accordingly, the main goal of the present investigation is to analyze the use of the disability imagery in the Pentateuch and to examine how disability is conceptualized from the perspective of the cultural model of disability.

The cultural approach offers some advantages for the biblical scholar.¹² First, the imagery the biblical literature assumes does not rely on any universal representation of disability. The categories it uses to define different debilitating conditions are *native*¹³ to the Bible, i.e., they are brought about by its own narrative and do not need to correspond to the

⁸ The present work, too, will use both terms impairment and disability synonymously.

⁹ Junior and Schipper, “Disability Studies and the Bible,” 35.

¹⁰ Junior and Schipper, “Disability Studies and the Bible,” 21–25; cf. Junior Nyasha and Jeremy Schipper, “Mosaic Disability and Identity in Exodus 4:10; 6:12, 30,” *Biblical Interpretation* 16.5 (2008): 431–33.

¹¹ Junior and Schipper, “Disability Studies and the Bible,” 23.

¹² Cf. Junior and Schipper, “Disability Studies and the Bible,” 25.

¹³ The juxtaposition of native vs. non-native categories is treated in Saul M. Olyan, *Disability in the Hebrew Bible: Interpreting Mental and Physical Differences* (Cambridge: Cambridge University Press, 2008), 12–13; Stewart prefers the term “indigenous” (cf. David Tabb Stewart, “Sexual Disabilities in the Hebrew Bible,” in *Disability Studies and Biblical Literature*, ed. Candida R. Moss and Jeremy Schipper [New York: Palgrave Macmillan, 2011], 69–71).

notion of disability other cultures—including ours—have developed.¹⁴ Secondly, the scholar is freed from the task to deliver an exact translation of the medical vocabulary used to described debilitating conditions. The investigation of diagnostics and treatments can be delegated to the “study of medicine and healthcare in ancient Israel” and are not of concern for the study of disability conditions in biblical literature; what the biblical study of disability focuses on are the cultural values and ideas associated with the disabilities. Finally, the cultural model of disability helps the biblical scholar distinguish between the contemporary notion of disability, which may influence her or his own preconception, and the picture offered by the biblical data. Although the question about disabilities in the Bible may per se arise from a modern concern, the answer to that question must find sufficient support from, and within, the biblical texts. Biblical scholars will be able to find answers as long as they focus on how disabilities were conceptualized in the ancient Israel within the textual evidence.

The limitations in length and focus of a master’s thesis forces me take some decisions that narrow the scope of my investigation. Consequently, I have decided to concentrate my analysis on the disability imagery offered in the Pentateuch with some mentions of further biblical texts only when strictly needed. My analysis of the Pentateuchal data will benefit from the insights of source criticism, without engaging in its internal debates, and base its interpretations on the widely accepted views, unless stated otherwise. The historical analysis will show differing representations of disability in the different strata and yet it will also reveal surprising correlations so that a common treatment is justified. Accordingly, it will take into consideration both diachronic and synchronic interpretations—although, admittedly, with a greater emphasis on the latter.

1.2. Research questions and categories

By posing the question how disabling conditions are represented in the Pentateuchal literature, we enter quite a rugged terrain of research. Debilitating traits are generally linked to the lack or alteration of body parts and to certain physical impairments or mental disorders, i.e., they are generally understood as deviations from a *normate* imagery. The narrative around which disability is construed in a given culture shapes a specific binary preconception of disability and non-disability. By doing so, the narrative also affects the way in which members of that

¹⁴ Although the conceptualization of disability or disabilities in ancient Israel has its own characteristics, this does not imply that it cannot be compared with the way other cultures have developed their culture around impairments; this is something I will advocate for in chapter 5.2.

culture understand and evaluate standards; thus, the narrative itself becomes a means of interpretation from the stance of a *normate* imagery. Garland-Thomson coined the term “normate” to describe “the social figure through which people can represent themselves as definite human beings”¹⁵, i.e., a society sets up its own norms by which it identifies the ideal member against the “abnormal” other. By forging a narrowly defined identity, some members of the society “can step into a position of authority and wield the power it grants them”¹⁶ against others who are considered to deviate from the *normate* and hence experience various levels of marginalization. The consequence of a *normate* image is an ableist stance toward those who do not meet the ideal requirements. The society creates an “intersectional Same against which many (devalued) Others are judged”¹⁷, which in the Western, especially Northern American, culture has more often than not been “associated with being white, able-bodied, heteronormative, high income, property owning, WENA (Western European and North American) and WASP (White Anglo-Saxon Protestant).”¹⁸

However, when we engage with the concepts of disability in ancient Israel, we encounter several difficulties, as the Pentateuchal literature does not explicitly describe the parameters for a *normate* body, let alone explain systematically its understanding of deviations. There is no clear terminology or set of rules that may cast some light on how ancient Israelites conceived disability; as Julia Watts Belser points out, “there is no single term in the Hebrew Bible that encompasses the modern notions of disability, itself a fractious and complex classification.”¹⁹ Yet, this does not imply that the notion of disability would have been totally alien to the authors of the Pentateuch; in fact, we are provided a great number of indications that certain physical and mental conditions were indeed understood as stigmatized deviances from the *normate* imagery and that a general abstract concept may underpin all instances. According to Junior and Schipper, “the idea of disability would have made sense to ancient Israelites even if the physical and cognitive traits and associations that they may have connected with disability would be different than the traits and associations that we might

¹⁵ Garland-Thomson, *Extraordinary Bodies*, 8.

¹⁶ Garland-Thomson, *Extraordinary Bodies*, 8.

¹⁷ Goodley, *Disability Studies*, 57.

¹⁸ Goodley, *Disability Studies*, 56–57.

¹⁹ Julia Watts Belser, “Priestly Aesthetics: Disability and Bodily Difference in Leviticus 21,” *Interpretation* 73.4 (2019): 356.

connect with disability.”²⁰ It is of note that the vast majority²¹ of these lexemes are attested in the *qittēl* internal noun pattern (e.g., גִּבּוֹן, פֶּסֶחַ, אֵלֶם, חֲרָשׁ, עִוֵּר): “this noun pattern suggests that the biblical authors did not see these particular traits as isolated or unrelated physical features but rather instances of a larger conceptual category that helped organize and narrate physical differences.”²² An internal pattern is a feature shared by all Semitic languages in which the sequence of generally three consonants that compose a root is combined in a regular way to express a certain semantic function; another example is the pattern *qōṭēl* for professions as in the lexeme כֹּהֵן (priest).²³ Semantically, it is quite noteworthy that “many of the adjectives in *qittēl* refer to bodily defects,”²⁴ although the *qittēl* noun pattern is not limited exclusively to this usage.

Junior and Schipper further observe that most lexemes for debilitating conditions are attested in “clusters,” suggesting “that ancient Israelites did not understand these particular conditions as isolated occurrences but as belonging to a larger concept or idea.”²⁵ These clusters are formed according to specific criteria or for a specific purpose and can be best understood as *classifications* or *categorization*.²⁶ Categorization is the cognitive ability to sort different entities—in our case different physical and mental conditions—and to attribute them to corresponding overarching notions (categories) based on certain common features.²⁷ Sometimes, I will refer to the overarching notion or category as the “lowest common denominator.” This process may happen consciously or unconsciously. The classification of the different instances of disability in the Pentateuch appears to be construed rather arbitrarily

²⁰ Junior and Schipper, “Disability Studies and the Bible,” 32; cf. Nyasha and Schipper, “Mosaic Disability,” 440, n. 25; for an extensive treatment of the notion of disability in the ancient Near East: cf. Jeremy Schipper, *Disability Studies and the Hebrew Bible: Figuring Mephibosheth in the David Story*, LHBOTS 441 (New York: T & T Clark, 2006), 60–87.

²¹ This does not posit that all lexemes in *qittēl* are disabilities (cf. שְׁלֵשִׁים, third, and רְבָעִים, fourth generation; Exod 20:5; 34:7; Num 14:18; Deut 5:9); however, “in most cases, it [the *qittēl* noun pattern] appears in the context of a discussion of a physical anomaly” (Schipper, *Figuring Mephibosheth*, 66, n. 11); cf. Olyan, *Disability*, 147–48, n. 5.

²² Schipper, *Figuring Mephibosheth*, 65; David Tabb Stewart also suggests a second pattern of the type *qatṭelet*; unfortunately, he does not discuss it further and fails to refer to further researches (David Tabb Stewart, “Leviticus–Deuteronomy,” in *The Bible and Disability: A Commentary*, ed. Sarah J. Melcher, Mikeal C. Parsons, and Amos Yong [London: SCM Press, 2018], 67).

²³ Schipper, *Figuring Mephibosheth*, 65, n. 10.

²⁴ Joshua Fox, *Semitic Noun Patterns* (Winona Lake, IN: Eisenbrauns, 2003), 265.

²⁵ Junior and Schipper, “Disability Studies and the Bible,” 32.

²⁶ In the present investigation I will use the terms classification, categorization, and category synonymously; I am aware that categorizations are a product of an involuntary process by which different concepts are grouped together based on some common features, while categorizations imply voluntary process; however, the difference—although useful in other contexts—is not relevant in the case of the study of disability in the Pentateuch.

²⁷ Cf. Douglas L. Medin and Cynthia Aguilar, “Categorization,” *The MIT Encyclopedia of the Cognitive Sciences*, 104–6.

for pragmatic purposes by different authors; certain classifications bear a distinct terminology, while others do not. The common feature is the allegedly deviating mental or physical condition and its marginalizing and stigmatizing consequence. As I will explain in the next chapter, what condition is construed as debilitating is decided at the discretion of the authors. For the sake of the present investigation, I define *classification* or *category* as the grouping of different physical and mental conditions which deviate from the authors' *normate* imagery and yield similar stigmatization and marginalization strategies; these strategies are deployed against a minority group of persons who is affected by those physical and mental conditions.²⁸ To my knowledge, no biblical scholar that investigates on disability in the Hebrew Bible denies the existence of classifications, but there are some divergent views on the type and general scheme. Curiously, there is no debate around the classification per se. Although I will treat the modes of classifications in depth in chapter 2., I would like to clarify what I have just described with some examples.

For instance, one of the aforementioned clusters is attested in Lev 21:16–24. The passage classifies various impairments as a מום (blemish, defect) and excludes an impacted group of persons (male Aaronites) from a specific task (officiating) and locus (the altar).²⁹ Similarly, the cluster found in Lev 13:1–46 names a further category of disabilities טמא (impurity),³⁰ which is also deployed to stigmatize the persons affected and, in some instances, to ban them from the community. Yet, in this case, the general term טמא is attested in other contexts as well, e.g., in Lev 11, where it does not refer to impairments; a disability study of this category needs to take into account this specific use. Finally, there are clusters,³¹ such as the frequent combinations of the terms עור (blind), חרש (deaf), and פסח (lame),³² that are found across different materials (e.g., Exod 4:11; Lev 19:14; cf. Deut 15:21) but lack a distinct overarching terminology. Although the group of persons involved is not always specified, these classifications nevertheless posit the deployment of stigmatization and marginalization strategies and therefore can also be counted as some sort of categorization for impairments. This is also proven by the fact that these clusters often associate unclassified disabilities with others categorized as a מום or a טמא.

²⁸ Cf. chapter 7.

²⁹ Cf. chapter 3.

³⁰ Cf. chapter 4.

³¹ Cf. chapter 5.

³² Rebecca Raphael, *Biblical Corpora: Representation of Disability in Hebrew Biblical Literature*, LHBOTS 445 (New York: T & T Clark, 2008), 14, n. 34.

In short, a study of disabilities in the Pentateuch is sufficiently justified for semantic reasons and by the attestations of clusters, although a single term for disability is not attested, nor treated systematically in the Hebrew Bible.³³ From chapter 2. onward, I will discuss the possible classifications of these clusters; in chapter 7., I will elaborate on the possible causes and consequences of each category. At last, I am still left with the task to offer a working definition of disability that encompasses all debilitating conditions attested in the Pentateuch.

1.3. Working definition of disability

As stated before, biblical Hebrew has no general term that groups together all impairments, like our English *disability*. However, the situation is comparable to other notions, such as *poetry* and *religion*; “biblical Hebrew lacks terms equivalent to our abstractions, but it has abundant terms for the ingredients and the groupings that go into our abstractions.”³⁴ Even if one is completely unaware of any type of notion of poetry and religion, he or she may still be able to write poems, appreciate poetical writings, say prayers, or distinguish a religious text from a mundane one. Similarly, ancient Israelite authors did not describe their concept of disability in order to list or operate with impairments, and, as I have mentioned in the previous chapter, ancient Israelites did have a notion of undesirable bodily and mental deviances. However, unlike the poet, the believer or a biblical author operating with disabilities, the scholars who study poetry, religion or disability in the Hebrew Bible will have to provide a clear definition of their subject, lest they become prone to blurry ideas or even fallacious arguments.

Curiously, most biblical scholars have evaded the difficulty to provide a definition of what they refer to when they treat disability and elusively delegate the task by treating the cultural model of disability. However, this is not sufficient; it is the main argument of the cultural model that disability is construed, i.e., defined, differently in the corresponding cultural setting. One of the few exceptions is provided by Sarah J. Melcher: “if a physical, mental, or emotional condition significantly impairs a person’s daily life, that condition is disabling.”³⁵ The definition is broad enough to entail different experiences of disabling conditions, but it fails to specify what is really disabling about an impairment. Moreover, it is not clear what she means by “emotional” that is not already entailed in “mental.” In a later article, Melcher

³³ Cf. Raphael, *Biblical Corpora*, 14.

³⁴ Raphael, *Biblical Corpora*, 15.

³⁵ Sarah J. Melcher, “Genesis–Exodus,” in *The Bible and Disability: A Commentary*, ed. Sarah J. Melcher, Mikeal C. Parsons, and Amos Yong (London: SCM Press, 2018), 29.

broadens the definition of disability “to include injury, congenital impairment, chronic illness, cognitive impairment, and, in one instance, death.”³⁶ She does so by adapting Garland-Thomson’s notion of disability as “an overarching and in some ways artificial category.”³⁷ However, it is questionable what advantages the second definition can offer compared to the first and why “death” should be considered a disabling condition, unless we accept that the negative outcome of the ordeal of the bitter water would be a death sentence (cf. chapter 4.3.). Olyan’s definition compensates for these shortcomings and defines disability as “a physical or mental condition or state impacting negatively on affected categories of persons especially on account of the social meaning and significance attributed to the condition or state in the biblical context.”³⁸ The definition is sufficiently broad apart from the specification “especially on account of,” which introduces an unnecessarily narrowing condition; there is nothing “especial” about the “social meaning and significance,” it is exactly that specification that construes an impairing condition “negatively.”

Hence—still leaning on Olyan’s definition—I define a disability as a physical or mental condition construed in such a way that the imagery and the values a specific culture has developed around that condition impact the affected group of persons negatively. The definition needs some clarifications: I call *conceptualization* the way a disability is construed; the physical and mental conditions do not necessarily equal what we consider a disability nowadays; the culture is obviously the ancient Israelite culture as represented in the Pentateuch; the imagery and the values may vary considerably according to the different sources; the negative impact is represented by the deployment of stigmatization and marginalization strategies.

The definition I have offered is quite broad and entails conditions that nowadays we may not consider a disability, but this should not disturb the reader. As mentioned before, the cultural model of disabilities informs us that impairments are construed by a given culture and are not built on a universally accepted concept. Suffice it to recall the history of homosexuality in the Western world; homosexuality had been considered, i.e., culturally construed as, a psychiatric disorder until it was removed from the Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association in 1986. Nowadays, it would be

³⁶ Sarah J. Melcher, “With Whom Do the Disabled Associate? Metaphorical Interplay in the Latter Prophets,” in *This Able Body: Rethinking Disabilities in Biblical Studies*, ed. Hector Avalos, Sarah J. Melcher, and Jeremy Schipper, vol. 55 of *Semeia Studies* (Atlanta: Society of Biblical Literature, 2007), 116.

³⁷ Garland-Thomson, *Extraordinary Bodies*, 13.

³⁸ Olyan, *Disability*, 3.

extremely derogatory and socially unacceptable to define homosexuality as a disorder. Moreover, my definition shows a further advantage against the strict distinction between disease and disability. Although it may be useful for the medical model of disability, it is not always the case for the cultural model of disability; the line between the two can often be blurry. As Raphael points out, “Polio is a disease; loss of the use of one’s legs on account of polio is an impairment; further, limitations that result from the body-environment misfit are disabilities. Some diseases do not cause impairments or disabilities, and some impairments and disabilities occur independent of diseases. Or disease, impairment, and disability can co-exist as different experiential aspects of a single condition.”³⁹ Furthermore, most diseases are temporary, while disabilities are generally permanent (but not only!), although, again, the line is not easy to draw; as this temporal aspect is not mentioned in the definition, it encompasses all conditions regardless of their duration. I have done so intentionally, the reason behind it will be clear in chapter 2. and 4.

Finally, I would like to spend some words on the relation between the notion of disability and its classifications. As “disability” is not defined explicitly by any biblical author and its notion is induced from, and not deducted by, the Pentateuchal passages, any definition of disability in the Hebrew Bible cannot but be formulated as a hypothesis that must be confirmed, or refuted, by the available data. As mentioned above, I—along with all biblical authors that engage with disability studies in the Hebrew Bible—find enough evidence to prove the existence of disability. The concept of disability represents an overarching notion, as Thomson-Garland has rightly pointed out,⁴⁰ that can be easily proven by the existence of a *normate* imagery of physical and mental conditions against instances of deviations. The question I would like to answer with the present work is whether the concept of disability does or does not entail subgroups, i.e., further notions that are categorically dependent on it and logically yielded by the addition of a specification. This hypothetical structure does not have to be explicit, let alone consciously construed by the biblical authors, but it is not immediately evident and must be sufficiently supported from the Pentateuchal data. This may sound quite theoretical to the biblical scholars, but it is nothing they have not done in the past centuries. Neither the notion of genre nor that of poetry—which can be both understood as categories—

³⁹ Rebecca Raphael, “Things Too Wonderful: A Disabled Reading of Job,” *Perspectives in Religious Studies* 31.4 (2004): 401; cf. Bruce C. Birch, “Impairment as a Condition in Biblical Scholarship: A Response,” in *This Abled Body: Rethinking Disabilities in Biblical Studies*, ed. Hector Avalos, Sarah J. Melcher, and Jeremy Schipper, vol. 55 of *Semeia Studies* (Atlanta: Society of Biblical Literature, 2007), 189.

⁴⁰ Garland-Thomson, *Extraordinary Bodies*, 13.

are found in the Bible; also, the various groupings of Psalms—which can be understood as subcategories—can be induced from indications in the text but must be corroborated by further investigation.⁴¹

Thus, the question I would like to answer in this investigation is whether one or multiple conceptualizations of disability, i.e., subcategories, can be inferred from the text, how these conceptualizations are to be classified, and whether we can identify a common imagery and set of values in the form of a matrix. Like Raphael, it is my intention to investigate systematically on a wide set of representations of disability and not to engage in detailed analysis of single passages.⁴²

1.4. Normate hermeneutics

Kerry H. Wynn⁴³ points out that the *normate* bias—although more subtle—is also observable in contemporary biblical hermeneutics and provides two examples drawn from the non-P narratives: Isaac’s blindness and Jacob’s limping. If we grant that Exod 4:11 is the non-P conception of disability, then those interpretations that misconstrue impairment as a negative feature contradict “the disability theology of the Yahwist, who understands disability to be a part of God’s created order.”⁴⁴ In light of the texts, disability cannot be correctly interpreted as a native metaphor for the lack of authority or for a defeat; such an interpretation sneaks in a *normate* bias of Western culture. The narratives per se does not yield any negative judgement on Isaac’s blindness and Jacob’s limping. However, the *normate* image of visual impairment associates blindness with weakness and lack of power, which has prompted several feminist theologians, e.g. Thompson, Niditch, and Rosenblatt,⁴⁵ to identify Isaac’s disability with his loss of patriarchal authority. However, Wynn observes that a close analysis of the text shows that any negative metaphor of blindness is not applicable to the narratives but rather a product of a *normate* bias. The weakness of Isaac’s family is disconnected to his visual impairment and predates the loss of vision, which is described as a fact and by no means ridiculed in Gen 27. Despite his disability, Isaac retains his social status and his patriarchal authority; in fact, “the

⁴¹ Cf. Harry P. Nasuti, *Defining the Sacred Songs: Genre, Tradition, and the Post-Critical Interpretation of the Psalms*, JSOTS 218 (Sheffield: JSOT Press, 1999), 214–18.

⁴² Cf. Raphael, *Biblical Corpora*, 18.

⁴³ Kerry H. Wynn, “The Normate Hermeneutic and Interpretations of Disability within the Yahwistic Narratives,” in *This Abled Body: Rethinking Disabilities in Biblical Studies*, ed. Hector Avalos, Sarah J. Melcher, and Jeremy Schipper, vol. 55 of *Semeia Studies* (Atlanta: Society of Biblical Literature, 2007), 91–101.

⁴⁴ Wynn, “Normate Hermeneutic,” 101.

⁴⁵ Wynn, “Normate Hermeneutic,” 93–94; cf. Garland-Thomson, *Extraordinary Bodies*, 19.

status of Isaac as patriarch and his power to grant the blessing are never brought into question in light of his age or his blindness.”⁴⁶ By contrast, Rebekah’s alleged authority relies on her becoming Jacob’s “co-trickster” and as such “she is powerless to protect him [Jacob] save by sending him away.”⁴⁷ The text depicts a patriarch who has learnt to provide himself accommodations for his impairment by using his ability to reason (Gen 27:18–20) and his other senses (Gen 27:21–22), a condition Rebekah and Jacob exploit fraudulently. Hence, the weakening of the patriarchal figure due to his visual impairment is not corroborated by the narratives but rather an eisegesis based on the *normate* image of the visually impaired.

Similarly, Jacob’s limping is interpreted by some scholars as a negative consequence of his encounter with the deity. Brueggemann, for instance, defines the encounter as a “crippling victory” in which the disability serves as a negative reminder that Israel, i.e., Jacob’s new identity, “has been peculiarly “victimized” by the assault of God.”⁴⁸ Hence the limping represents a partial defeat, the blessing achieved by the patriarch a partial victory; both are two sides of the same coin. Brueggemann goes on asserting that Jacob’s thigh may refer to his genitals and, consequently, the disability may also stand for a “mark left on his very manhood and future.”⁴⁹ On this point, Wynn protests that the *normate* image of disability has often been associated with the metaphorical castration of disabled men associating their bodies with the alleged weakness of female bodies—a modern *normate* bias that is not attested in the Yahwistic narratives. He refers to Garland-Thomson’s observation that in the Western culture “both the female and the disabled body are cast as deviant and inferior; [...] both are defined in opposition to a norm that is assumed to possess natural physical superiority” and that “the discursive equation of femaleness with disability is common, sometimes to denigrate women and sometimes to defend them.”⁵⁰ By contrast, Wynn⁵¹ suggests that Jacob’s disability may be better interpreted as a covenantal sign in a similar way as circumcision is the covenantal sign for Abraham (Gen 17), as in both cases the sign is associated with a blessing. Although the latter comparison may not be as evident as Wynn would like it to be, he is still correct when he affirms that Jacob’s disability cannot be associated with a defeat. His blessing is neither the cause nor the consequence of the disability, although it is clearly associated with his limping, which is not mentioned any more throughout the narratives. Hence, Wynn concludes, “the

⁴⁶ Wynn, “Normate Hermeneutic,” 96.

⁴⁷ Wynn, “Normate Hermeneutic,” 96.

⁴⁸ Walter Brueggemann, *Genesis, Interpretations* (Atlanta: John Knox Press, 1982), 270.

⁴⁹ Brueggemann, *Genesis*, 270.

⁵⁰ Garland-Thomson, *Extraordinary Bodies*, 19.

⁵¹ Wynn, “Normate Hermeneutic,” 100.

difference with Isaac's disability is that while Isaac's blindness did not hinder his authority as the patriarch, Jacob's disability is the sign and vindication of his authority."⁵²

Wynn's observations raise a crucial awareness of the risk to interpret the texts via the contemporary *normate* image of disability; the contemporary cultural biases may be introduced unconsciously through eisegesis. My hope is that a first-order logics approach to the texts may diminish the risk and treat disability in all its complexity within the Pentateuchal narratives without adding unnecessary discourses which are alien to its authors.

1.5. First-order logic

My previous studies in analytic philosophy have taught me that first-order logic is a remarkable tool to analyze one's argument and to prove its validity. For the biblical scholars, it will feel awkward to see it applied to their own disciplines, however I am still convinced of its efficacy. Admittedly, philosophy and biblical studies are quite different; biblical studies make less use of the formal analysis of arguments than philosophy. Regardless, it is part of the academic praxis that one's thesis must be corroborated with sound arguments. I am not too pretentious, I am sure that good theology has been developed without recurring to logical analysis, but, in the present work, I would like to make an attempt and apply it to the following investigation. At the end, the reader will have to evaluate how useful it has been. Be that as it may, I am making use of the Irving M. Copi's "Introduction to Logic",⁵³ although I am going to change the connectors to those I am more accustomed to: $\neg$ (negation: not), $\wedge$ (conjunction: and), $\vee$ (disjunction: or), $\rightarrow$ (material implication: if...then): $\leftrightarrow$ (biconditional: if and only if).

⁵² Wynn, "Normate Hermeneutic," 100.

⁵³ Irving M. Copi, Carl Cohen, and Victor Rodych, *Introduction to Logic*, 15th ed. (New York: Routledge, 2019).

2. Classifications of disability

Although the Pentateuch as a whole does not present one unique coherent and comprehensive classification system of all impairments, “highly categorial terms” for disabilities can be attested for both P and non-P⁵⁴: “whatever tensions appear in these systems, they seem to assume, so deeply as to be unaware of the assumption, that everything about the body *can* be categorized in religiously relevant terms.”⁵⁵ They both do so while remaining loyal to their own ideologies, but the lists of clusters mentioned in chapter 1.2.—albeit quite arbitrary—and the general presence of distinct terms under which the single instances of the clusters are subsumed underpin implicit categorial groupings of disability. In the Pentateuch, these general terms can be either מום (blemish, defect) or טָמֵא (impure). Admittedly, as I will explain in the following chapters, these lexemes do not only refer to debilitating physical conditions, but, when they do, they suggest a category for disability. I am aware that the reader will have to continuously keep in mind some premises while following the investigation below, but I am confident that, at the end, the resulting picture will be well worth the effort. One of the premises is the working definition of disability offered in chapter 1.3.; while a general implicit notion of disability can be assumed for the Pentateuchal authors, my working definition is somehow artificial and narrows the meaning of מום or טָמֵא to encompass only impairments and includes further lexemes not attributed to neither term. Similarly, although the definition of classification I have proposed in 1.2. is not explicitly mentioned in the texts, which are not interested in any metanalysis, it can be legitimately assumed by the usage of the terms. This point will be clear when I now turn to the distinction between native and non-native categories.

As Olyan⁵⁶ points out, a categorization of disabilities may use both a native and a non-native mode of classification.⁵⁷ A native mode of classification is construed by the biblical authors through the implementation of binary oppositions such as מום and תָּמִים, or טָמֵא and טָהוֹר,

⁵⁴ According to the documentary hypothesis, the Pentateuch was composed through the combination of different strands or documents indicated by the repetitions, doublets, inconsistencies, and stylistic differences within the texts. Traditionally, J or Y (Yahwist) and a much less probable E (Elohist) labelled two narrative sources delineated by the name they use to name the deity; more recently they are referred to by the more generic term “non-P material” or simply “non-P.” P refers to the priestly strand mainly concerned about worship, sacrifice, and purity; H stands for the Holiness Code, a group of laws integrated into the P material supposedly by authors influenced by P. D stands for the Deuteronomistic source, a strand roughly corresponding to the core of the Book of Deuteronomy, Dtr refers to a group of texts added to D by authors influenced by D (cf. note 61), and DtrH to the so-called Deuteronomistic History.

⁵⁵ Raphael, *Biblical Corpora*, 29.

⁵⁶ Olyan, *Disability*, 12–13.

⁵⁷ Stewart uses a slightly different terminology and refers to “indigenous categories.” (Stewart, “Sexual Disabilities,” 69)

which are applied to group together certain lexemes.⁵⁸ They are called *native* as they are attested explicitly in the texts and, although further dyads can be encountered, such as honored and shamed or cursed and blessed,⁵⁹ the two oppositions I have just mentioned are the relevant pairs for the study of disabilities in the Pentateuch. The treatment of native modes of classification yields a better understanding on how the biblical authors conceptualize the single impairments and on the type of stigmatization they deploy, but it does not provide an exhaustive picture. The Pentateuchal paucity of a clearly structured classification system can be compensated, if at all, by means of a non-native mode of classification. A non-native mode of classification is a category of analysis that is not attested in the texts and is introduced by the biblical scholar with the aim to better contextualize and categorize the native taxonomy in its cultural setting.⁶⁰ Biblical research is already accustomed to such distinctions; so, while “poetry” may be defined as an overarching non-native category, the different forms of Psalms can be understood as native subcategories, such as תְּהִלָּה for the individual songs of thanksgiving. An artificial mode of classification provides, or expands, a conceptual framework by which the contemporary reader may sort the fragmentary representations offered by the native modes of classifications more effectively. A non-native mode of classification of disability is also brought about by certain dyads, such as abled and disabled, and refers either to disability as a wide-ranging cultural category or to a type of unnamed category like the one I will discuss in chapter 5. While a native mode of classification is mentioned explicitly in the text, the application of any non-native mode of classification—due to its somehow artificial character—must be justified by the investigation and is more prone to be revised by further analysis.

Further distinctions must be made with respect to the different sources, namely P, H, D and Dtr,⁶¹ due to the presence of “different emphases that create tensions between different books and textual strata.”⁶² For instance, D never applies neither מִום nor טִמָּא to humans, and Dtr makes use of מִום only once, i.e., when it juxtaposes God’s faithfulness and the apostasy of his children, who are described as מִוּמִים without any reference to an impairment (Deut 32:5). D

⁵⁸ Saul M. Olyan, *Rites and Rank: Hierarchy in Biblical Representations of Cult* (Princeton, NJ: Princeton Univ. Press, 2000), 12–13; Olyan, *Disability*, 5; cf. Jacob Milgrom, *Leviticus 1-16: A New Translation with Introduction and Commentary*, AB 3 (New York: Doubleday, 1991), 616–17; Stewart, “Sexual Disabilities,” 69–71; Stewart, “Leviticus–Deuteronomy,” 79, table no. 3.

⁵⁹ Olyan, *Disability*, 5.

⁶⁰ Olyan, *Disability*, 12–13.

⁶¹ Cf. note 54: in the interests of clarity and conciseness, D refers to the legal core of Deut 6:4–5; 12–26; 28, while the rest of Deut is considered to be part of Dtr (cf. Stewart, “Sexual Disabilities,” 82, n. 5); the law of retaliation will be treated in chapter 3.2.

⁶² Stewart, “Sexual Disabilities,” 69.

seems to be less concerned with a detailed list of disabilities than P and H to the point that it punishes two essentially different conditions with the same social exclusion, namely: genital damages (Deut 23:2, Engl. 1), which are permanent and considered a מום by H (Lev 21:20), and scale diseases (Deut 24:8–9), which may be temporary and referred to as a נִסְחָר in P (Lev 13–14). Accordingly, while H would allow an Aaronite with crushed testicles to eat from the holy foods (Lev 21:22), D excludes him from the congregation altogether (Deut 23:2, Engl. 1).⁶³ Hence, from the attestations in P, H, D, and Dtr, it can be rightly inferred that there is no unitary way to systemize disabilities and the resulting incoherence yields to different native categories or the lack thereof. So, while the purpose of the present investigation is to sort the Pentateuchal *fundus*, I will address the different sources whenever they imply differing understandings of some categories—and they generally do. Nevertheless, a common treatment is justified by the main common subject—disability—, which is used to serve a similar purpose—the deployment of marginalization and stigmatization strategies.

Concerning the types of classification, mainly two different proposals have been put forward, which—although not always adopted—have never been questioned by any scholar. Olyan⁶⁴ defines three different groupings: (1) defects, (2) non-defects, such as deafness, muteness, and skin diseases, and (3) mental disability. Defects or blemishes have always been regarded as an undisputed category, while other disabilities have either been ignored or treated differently. It is noteworthy that Olyan’s study has identified and investigated further impairments that are not categorized as defects by the Hebrew Bible, such as some impurities, deafness, muteness, and mental diseases. However, it is not clear why deafness and muteness should be viewed differently than mental diseases since both share a certain level of nonchalance by the biblical authors, while impurities are treated extensively. Hence, the major shortcoming of Olyan’s analysis concerns the fact that he ignores his own emphasis on oppositions; impurities, like defects, are marked by the native dyad purity vs. impurity, while the other conditions are not characterized by any terminological pair other than the non-native abled vs. disabled. Stewart’s four-fold scheme⁶⁵ is coherently construed around the aforementioned oppositions; thus, it specifies Olyan’s second group as impurity, but by doing so, he appears to ignore, or somehow squeeze into his system, all those disabilities that are

⁶³ Stewart, “Sexual Disabilities,” 69.

⁶⁴ Olyan, *Disability*, 26–77.

⁶⁵ Stewart, “Sexual Disabilities,” 70; Stewart, “Leviticus–Deuteronomy,” 79, table no. 3; cf. Raphael, *Biblical Corpora*, 14–15.

neither a defect nor impure. On the other hand, Stewart's analysis is even more remarkable as it also investigates the various representations offered by the different Pentateuchal sources.

In the following chapters, I will adopt and adapt the benefits of both schemes and try to offer a comprehensive picture of the classification of disabilities in the Pentateuch including both native and non-native classifications. As I have already explained before, I do not assume that the biblical authors are positing this system, or any system at all, but I am attempting to sort out the evidence and make sense of the scattered representations. Hence, I will focus my investigation on the treatment of מום, טִמְאָה,⁶⁶ and on the categorial status of all other disabilities.

The tables below show the different possible groupings of disabilities the Pentateuch offers. By analyzing the possibilities, I will attempt to answer the following research questions: how is a מום or a טִמְאָה conceived, when it refers to a disability? Are all non-ום and non-טִמְאָה disabilities loose instances? Is there a 3rd unnamed category, which lacks a characteristic dyad? Can we assume an overarching super-category and how can the subcategories be represented?

⁶⁶ In the next chapters, I will rather use the noun טִמְאָה instead of the adjective טָמֵא, although the concept behind both lexemes is the same.

מום
טמאָה
infertility
mental disabilities
deafness muteness
etc.

Table 1: categorization of the type 1

מום
טמאָה
3 rd unnamed category?

Table 2: categorization of the type 2

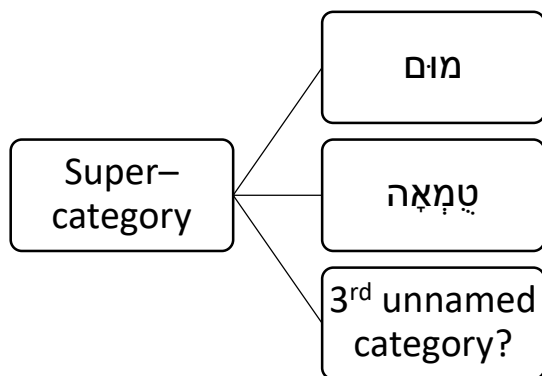


Table 3: categorization of the type 3a

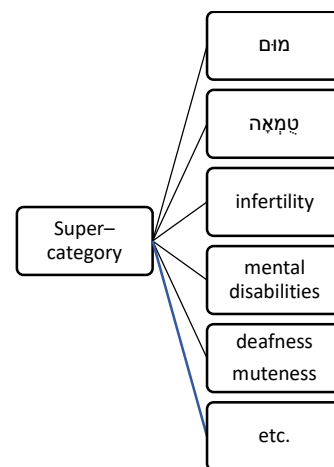


Table 4: categorization of the type 3b

3. Disabilities as מום

The term מום (also מאום or מָאום) is often translated into English with “defect” or “blemish”,⁶⁷ its antonym is תָּמִים (blameless, whole; cf. e.g., Lev 22:19–20).⁶⁸ In the Pentateuch, the LXX uses the homophonous μῶμος (fault) instead of κολοβός (blemished), probably because the latter is generally associated with pagan cults.⁶⁹ The term is a native category of classification in the Hebrew Bible, i.e., it denotes several somatic traits shared by a minority group, which can be congenital or acquired in both humans and animals; in either case they are construed negatively as attributes deviating from a *normate* ideal. The negative association is also confirmed by its derogatory use in Deut 32:5 (Dtr), where it describes a “crooked, perverse generation” (NJPS). In this chapter, I will focus my investigation only on those passages where מום applies to human disabilities and I will only analyze those texts that deal with defects in animals (Lev 22:17–25; Num 19:2; Deut 15:21–23; 17:1) as far as they provide relevant information for the conceptualizations of human impairments. Although Deut 32:5 does not refer directly to disability—as it can also be the case outside the Pentateuch (e.g., Job 11:15; Prov 9:7)—, its deployment as a stigmatization strategy is still remarkable for the purpose of my work.

The Pentateuchal texts that deal with מום are found primarily in the so-called Holiness Code⁷⁰ (H), where its use focuses on the cult and its restrictions;⁷¹ the consequence for those affected by a מום can be described as “ritually disabling.”⁷² Interestingly, H also attributes the term to the legal sphere, where it integrates the Leviticus version of the talionic formula. Outside of H, מום is only attested in the Deuteronomistic Literature (Dtr) where it exemplifies an ableist use of the term. In short, the Pentateuchal passages that deal with מום in connection with human disabilities are:

- Lev 21:16–24 (H) excludes Aaronites from altar service based on certain physical conditions;

⁶⁷ Watts Belser distinguishes between a defect and a blemish; the latter is a less harsh term, while the former has established an “architecture of disenfranchisement” (Watts Belser, “Priestly Aesthetics,” 356–57), which she has experienced in her own life.

⁶⁸ Raphael, *Biblical Corpora*, 34–35; while it can be stated that the antonym of מום is תָּמִים, it is not always the case that the opposite of תָּמִים is מום; in fact, תָּמִים is a term with various meanings, ranging from the cultic, as in e.g. Lev 21, to the ethical realm, as in e.g. Job 12:4 (cf. Benjamin Kedar-Kopfstein, “תָּמִים,” *TDOT* 15:699–711).

⁶⁹ Milgrom, *Leviticus 1–16*, 1823.

⁷⁰ Saul M. Olyan, “Defects, Holiness, and Pollution in Biblical Cultic Texts,” in *Sibyls, Scriptures, and Scrolls*, 2017, 1019.

⁷¹ Olyan, *Disability*, 27.

⁷² The consequences of disabilities will be the main topic of chapter 7.

- Lev 24:19–20 (H) defines three injuries as a serious מום that must be compensated by retaliation;
- Deut 32:5 (Dtr) makes use of מום with a moral acceptance.

Therefore, the Pentateuchal use of מום as a human disability comprises three *Sitze im Leben*: a *cultic* setting (Lev 21:16–24), which I will treat in chapter 3.1., a *legal* setting (Lev 24:19–20), which will be the topic of chapter 3.2.—both settings are found in H—, and finally a *moral* setting (Deut 32:5), which I will deal in chapter 3.3.3. However, before continuing with the specific uses, I would like to spend some words on the general notion of a human מום. Firstly, Angelika Berlejung⁷³ agrees that a human being is conceived by the biblical authors as a psychosomatic unity of all its emotional, bodily, social, cognitive etc. aspects; consequently, she specifies, any damage to the body or deviation from the *normate* bodily ideal interferes with the social and cultic tasks the community would expect a person to fulfil. This point will be particularly relevant when I address blemishes in the legal setting because the infliction of a מום leads to far-reaching consequences for the life of a person. Interestingly, while acquired blemishes are attested quite frequently, congenital alterations of the body are never treated explicitly,⁷⁴ they are only implied in the cultic setting. Secondly, Tracy Maria Lemos⁷⁵ correctly points out that although some blemishes are the consequence of mutilations, the terms “blemish” and “mutilation” are not synonymous. In fact, when a מום is linked to the cultic setting, it can and cannot posit a mutilated part of the body, but the act of maiming is not mentioned explicitly. However, when a מום is associated with the legal sphere, it refers to the mutilation brought about by an external agent to either a victim or, as a retaliation, to the perpetrator. Self-mutilation is not mentioned anywhere, neither in the cultic, nor in the legal setting.

3.1. The cultic מום

In this chapter, I will treat the relevance and consequence of a מום for the cultic setting, as it is described in Lev 21:16–24 (H); whenever needed, I will compare the text to the list of animal defects contained in Lev 22:22–24 (H) and evaluate verses from other sources, such as Deut 15:21 and Deut 23:2 (Engl. 1). The primary purpose of the priestly literature, in which Lev 21:16–24 is embedded, is to set out different regulations yielding “a set of concepts about God,

⁷³ Angelika Berlejung, “Normkörper und behinderte Körper im Alten Orient und im Alten Testament,” *SGMOIK*.40 (2015): 15–16.

⁷⁴ Berlejung, “Normkörper,” 17.

⁷⁵ Tracy Maria Lemos, “Shame and Mutilation of Enemies in the Hebrew Bible,” *JBL* 125.2 (2006): 226.

the holy, and the human”, which “cast the entire world in highly value-laden terms”⁷⁶ The priestly literature envisages the world in a manner characterized, among other things, by binary oppositions,⁷⁷ such as the ones used for the representation of disabilities, which give rise to categorial differentiations (cf. Lev 10:10),⁷⁸ and by different grades of personal holiness, of which the priests head the list.⁷⁹ In this context, Lev 21:16–24 defines the H representation of a *normate* priestly body apophatically.

Before addressing defects, Lev 21 opens with a noteworthy use of שִׁנְיָא. According to Jacob Milgrom,⁸⁰ the שִׁנְיָא in Lev 21:2 premises indirectly that a specific age and gender are prerequisites for officiating at the altar. Correspondingly, both age and gender could be understood as physical conditions and, as such, the term מִוּם may also apply correctly to a minor of age—here rabbinic literature suggests a priest should at least be twenty years of age—or to a woman.⁸¹ The text does not provide any reason why a male adolescent could not officiate as a priest, but, according to Thomas Hieke,⁸² it can be inferred that a young Aaronite would still be prone to mistakes due to the lack of education and experience. Concerning the exclusion of women, Hieke suggests that it is most probably based on the fear to pollute the sanctuary through menstruation (cf. Lev 15) or the discharge of lochia in the postpartum period (cf. Lev 12); the sudden, yet regular occurrence of menstruation would lead to the woman’s incapacity to fulfil priestly duties in about two thirds of every month according to the purity prescriptions. It is also noteworthy that, similarly to priests, only male animals are “cultically eligible” (Lev 22:19) and that the feminization of disabled men is a stigmatization strategy attested but, admittedly, rarely deployed in the Hebrew Bible (e.g., Jer 31:7–9).⁸³ So, the Pentateuchal notion of disability could be extended to age and gender as two further physical conditions construed in such a way that the imagery and the values attached to them impact some individuals negatively (cf. chapter 1.2.). However, neither age nor gender are listed directly as

⁷⁶ Raphael, *Biblical Corpora*, 31.

⁷⁷ For an in-depth analysis of binary oppositions or dyad pairings: cf. Olyan, *Rites and Rank*.

⁷⁸ Raphael, *Biblical Corpora*, 33.

⁷⁹ Philip P. Jenson, *Graded Holiness: A Key to the Priestly Conception of the World*, JSOTS 106 (Sheffield: JSOT Press, 1992), 146.

⁸⁰ Milgrom, *Leviticus 1–16*, 1823.

⁸¹ According to Erhart Gerstenberger the office of a priest was the prerogative of male members of a hereditary sacerdotal in most temples of the Middle East and the Graeco-Roman world; any form of female ritual participation in the Israelite religion—if it had ever existed—must have been suppressed latest during the exilic period (Erhard S. Gerstenberger, *Leviticus: A Commentary*, First American ed., OTL [Louisville: Westminster John Knox Press, 1996], 318).

⁸² Thomas Hieke, *Leviticus: Zweiter Teilband: 16–27*, HThKAT (Freiburg: Herder, 2014), 836–37.

⁸³ Olyan, *Disability*, 82–83; cf. Thomas Hentrich, “Masculinity and Disability in the Bible,” in *This Abled Body: Rethinking Disabilities in Biblical Studies*, ed. Hector Avalos, Sarah J. Melcher, and Jeremy Schipper, vol. 55 of *Semeia Studies* (Atlanta: Society of Biblical Literature, 2007), 82–84.

a מום; consequently, as interesting as this implicit specification may sound, any conclusion appears to be too hypothetical.

Lev 21:16–24 continues specifying twelve somatic blemishes (cf. table 4), which Raphael⁸⁴ correctly defines as operative and non-exhaustive in alignment with most scholars who consider the list to be a representative number.⁸⁵ The same term for priestly blemishes is also used to describe defects in sacrificial animals offering the possibility to draw some noteworthy parallels, although both lists do not equally match. Milgrom goes so far as to consider the list of priestly blemishes derivative from the list of defects in sacrificial animals; this is evident, so the argument runs, from the fact that the crushed testicle is an artificial addition to the blemishes of Aaronites “in order to correspond to the list of blemished animals, where injured (and exposed) genitals appear in four different forms.”⁸⁶ However, Schipper and Stackert rebut that the list in Lev 21:16–24 is “fully coherent internally and [...] concordant with the larger Priestly religious myth, both apart from and alongside the list of animal blemishes.”⁸⁷ Their argument appears to be conclusive if we take into account that disabilities must only be perceivable to the divine sight,⁸⁸ which is capable to see through priestly garments, and that both groupings of human and animal impairments also make sense to the reader independently of each other. Finally, a question may arise on the subject of Lev 21:23. Milgrom⁸⁹ and Hieke⁹⁰ argue that, based on the similar structure in Lev 21:1–15 and on the specification אֶל־הַפָּרֹכֶת (to the veil), the prohibition from officiating can only apply to a high priest who must have suffered from a debilitating injury, which disqualifies him from the service. Olyan disagrees: “The reference to approaching the altar in v. 23 simply recapitulates the restriction on the priest stated in v. 21 using slightly different rhetoric.”⁹¹ Accordingly, he interprets the particle אֶל at the beginning of Lev 21:23 to include both the priests, already mentioned in Lev 21:22, and the high priest. Be that as it way, the question about the high

⁸⁴ Raphael, *Biblical Corpora*, 35.

⁸⁵ Hieke, *Leviticus 16–27*, 835–36; in the Talmud (bBekhorot 43ab) the list in Leviticus was understood as illustrative and expanded to 142 blemishes (Jeremy Schipper and Jeffrey Stackert, “Blemishes, Camouflage, and Sanctuary Service: The Priestly Deity and His Attendants,” *HeBAI* 2.4 [2013]: 461); Milgrom defines the list as “arbitrary” as a means to “match the twelve animal defects with equivalent ones for the priests” (Jacob Milgrom, *Leviticus 17–22: A New Translation with Introduction and Commentary*, AB 3A [New York: Doubleday, 2000], 1826).

⁸⁶ Milgrom, *Leviticus 1–16*, 1839.

⁸⁷ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service,” 462–63.

⁸⁸ As I will discuss thoroughly in chapter 7.1.2., the priests’ disabilities irritate the divine and not the human sight; further, God’s almighty senses imply the divine gaze is capable to see through the sacerdotal vestments.

⁸⁹ Milgrom, *Leviticus 17–22*, 1830–31.

⁹⁰ Hieke, *Leviticus 16–27*, 839–40.

⁹¹ Olyan, “Defects, Holiness, and Pollution,” 1020–21, n. 10.

priest does not add any new information to the cultic מום, apart from the fact that it must include acquired defects as well, otherwise an Aaronite would have never been consecrated to the office of a high priest.

Stewart⁹² sorts the list of disabilities according to the part of the body affected and parallels it to the list of animal defects contained in Lev 22:22–24. He identifies five major somatic regions, as shown in the following table.

Head	עֵוֶר (blind) חִבְלֵל בְּעֵינָיו (spot in the eye) חֲרָם (split nose?)
Limbs	פֶּסֶחַ (lame) שְׂרֹיץ (limb too long or too short) רֵגֶל שֶׁבֶר (broken leg) יָד שֶׁבֶר (broken arm)
Trunk	גִּבֵּן (hunchbacked) דָּק (small or stature, dwarf?)
Skin or hide	גֶּרֶב (boil, scar?) יִלְפָת (scab?)
Genitals	מְרוּחַ אֶשְׁחָ (crushed testicle)

Table 4: priestly blemishes (Lev 21:18–20)

3.1.1. Head

The first term in the list of blemishes is עֵוֶר (blind). It is the *qittel* form of the root עוּר commonly denoting blindness on one or both eyes; the LXX translates עֵוֶר in the Pentateuchal passages with the synonymous τυφλός. The root occurs 31 times in the Hebrew Bible, of which 10 are in the Pentateuch. A variety of uses is attested. The carrier of blindness can be a human being (cf. Lev 21:18) or an animal (Lev 22:22; Deut 15:21). When it is connected to aging, its meaning is neutrally descriptive (e.g., Gen 27:1), although sight is preferable (Deut 34:7); this stands in striking contrast to the marginalizing language used when the texts exclude the Aaronites with מום from officiating (cf. Lev 21:18). Although its literal use prevails, the figurative meaning is also attested; in the latter case, the connotation is generally negative, like in Exod 23:8 (non-P?)⁹³ and Deut 16:19 (D), where a bribe is said to blind a judge prejudicially.⁹⁴ Moreover, impaired vision through the loss of an eye is mentioned in the law of retaliation (Exod 21:24,26; Lev 24:20; Deut 19:21) as both an injury suffered by a victim

⁹² Stewart, “Leviticus–Deuteronomy,” 67–69.

⁹³ William H. C. Propp, *Exodus 19–40: A New Translation with Introduction and Commentary*, AB 2A (Garden City, NY: Yale University Press, 2006), 147.

⁹⁴ Olyan, *Disability*, 35.

and the perpetrator's blinding. I will discuss this point in the next chapter. The relationship between blindness and curse is much more complex. The God of Leviticus curses whoever places "a stumbling block before the blind" (Lev 19:14 NJPS; cf. Deut 27:1, Engl. 2) granting his protection over the visually impaired. On the other hand, it is also YHWH who strikes with blindness those who disobey the commandments (Deut 28:29) putting the wrongdoer in the same vulnerable state as the one who is protected in Deut 27 (cf. chapter 7.1.3.). Finally, עֵינֶיךָ is considered a מוֹם only in connection with Aaronites (Lev 21:17–23), with animals (Lev 22:17–25; Deut 15:21), and with an inhabitant of Israel as part of the law of retaliation in Lev 24:20. In the other instances of the law of retaliation (Exod 21:24,26; Deut 19:21) and concerning God's creation (Exod 4:11), blindness is not defined as a מוֹם and the subject is not specified, other than being human.

The second term that concerns the head is the hapax תִּבְלֵל בְּעֵינָיו (Lev 21:17–23), which is only stated about Aaronites. It may refer to a discoloration of the pupil or of the iris⁹⁵ or a white spot in the eye.⁹⁶ The LXX translates with πτίλος τοὺς ὀφθαλμοὺς (suffering from an infection of the eyelids) and thus identifies a more specific disease on both eyes. However, "discoloration" seems to be a better translation based on the meaning of the root בלל (to mingle).⁹⁷

The last term of the list that concerns the head is the hapax חָרַם (Lev 21:18), which also concerns only Aaronites. It is a *qal* participle passive of the root חָרַם, probably related to the Arabic root خرم (to split nostrils, ears, lips).⁹⁸ Hieke⁹⁹ and Gerstenberger¹⁰⁰ tentatively suggest an orofacial cleft, which would lean toward the LXX translation with κολοβόρριν (slit-nosed, with a disfigured nose); Milgrom¹⁰¹ and Dorman¹⁰² prefer the more general rendering "disfigured".

⁹⁵ Hieke, *Leviticus 16–27*, 838.

⁹⁶ S.v. תִּבְלֵל, in: Wilhelm Gesenius, *Hebräisches und Aramäisches Handwörterbuch über das Alte Testament*, ed. Buhl Frants, 17th ed. (Berlin: Springer-Verlag, 1962), 870.

⁹⁷ Milgrom also mentions that the similar Akkadian term *balālu* means "to be spotted" (Milgrom, *Leviticus 1–16*, 1828); Gerstenberger translates with "eye flecks" (Gerstenberger, *Leviticus*, 317).

⁹⁸ S.v. חָרַם (II), in: Gesenius, *Hebräisches und Aramäisches Handwörterbuch*, 260.

⁹⁹ Hieke, *Leviticus 16–27*, 838.

¹⁰⁰ Gerstenberger, *Leviticus*, 317.

¹⁰¹ Milgrom, *Leviticus 1–16*, 1827.

¹⁰² Johanna Helena Wilhelmina Dorman, "The Blemished Body: Deformity and Disability in the Qumran Scrolls" (PhD diss., University of Groningen, 2007), 27.

3.1.2. Limbs

The adjective פֶּסֶחַ is the *qittel* form of the verb פָּסַח (to be lame, to limp). In the LXX it is rendered with χολός (lame). Milgrom¹⁰³ observes that the Targums¹⁰⁴ translate the term with חָגֵר and the Qumran texts distinguish between the synonyms חָגֵר and פֶּסֶחַ (limping, lame).¹⁰⁵ Milgrom also points out that it is not clear whether פֶּסֶחַ refers to one or both legs, since Mephibosheth is described in 2 Sam 9:13 (cf. 2 Sam 4:4) as וְהוּא פֶּסֶחַ שְׁתֵּי רַגְלָיו (“and he was lame in both feet” NJPS) suggesting that, without a qualifier, פֶּסֶחַ may refer only to the condition of being lame in one leg. Finally, פֶּסֶחַ is used in the Pentateuch only with reference to Aaronites (Lev 21:18) and sacrificial animals (Deut 15:21).

The pair שֶׁכַּר רֶגֶל (broken leg or foot) and שֶׁכַּר יָד (broken arm or hand) refer to fractures of the limbs. As Dorman observes, “Injuries like these were normally permanent in ancient times”, as they would often not heal properly and leave “a visible disfigurement or function limitation.”¹⁰⁶ Also Milgrom¹⁰⁷ argues that the conspicuousness of both types of fracture may be the reason, why only break of limbs are mentioned.

שָׁרִיעַ is a *qal* passive participle of the root שָׂרַע, which is only attested in two forms: once in *qal* (Lev 21:18; 22:23) and once in *hithpael* (Isa 28:20) with the meaning “to extend” (cf. Arabic أَشْرَعَ, long-nosed).¹⁰⁸ The LXX translates it with ὠτότμητος (with ears cut off), which would concord with the Syriac ܫܪܝܥ, “malformed or injured in any way, slit, bored through esp. of the ear.”¹⁰⁹ Accordingly, the word could refer to an abnormally long limb or a deformation. The translation “abnormally long limb” would better explain the usage for sacrificial animals in Lev 22:23 and “limbs of uneven length”¹¹⁰ is also the translation preferred by Olyan. “deformation” would pair שָׁרִיעַ with the aforementioned חָרָם linking both terms to a facial

¹⁰³ Milgrom, *Leviticus 1–16*, 1826.

¹⁰⁴ In the postexilic period, Aramaic replaced Hebrew as the Jewish vernacular so that the biblical lections in the synagogues often had to be translated; the translations into Aramaic from the Talmudic period are called *Targum* (pl. *Targumim*). However, the translations—far from being literal renderings—were often interpretative with a distinctive hermeneutical approach and delivered deeper insights into the corresponding text; these insights are frequently utilized by contemporary scholars in their analysis of a given text; cf. Philip S. Alexander, “Targum, Targumim,” *The Anchor Yale Bible Dictionary* 6:320–31.

¹⁰⁵ S.v. חָגֵר and פֶּסֶחַ, in: Marcus Jastrow, *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature: With an Index of Scriptural Quotations*, 1 vols. (London; New York: Luzac & Co.; G. P. Putnam’s Sons, 1903).

¹⁰⁶ Dorman, “Blemished Body,” 28.

¹⁰⁷ Milgrom, *Leviticus 1–16*, 1827.

¹⁰⁸ S.v. שָׁרִיעַ, in: Gesenius, *Hebräisches und Aramäisches Handwörterbuch*.

¹⁰⁹ S.v. ܫܪܝܥ, in: Robert Payne Smith, *A Compendious Syriac Dictionary: Founded upon the Thesaurus Syriacus of R. Payne Smith*, ed. Jessie Payne Smith (Oxford: Oxford University Press, 1902); cf. s.v. שָׁרִיעַ, in: Gesenius, *Hebräisches Und Aramäisches Handwörterbuch Über Das Alte Testament*.

¹¹⁰ Olyan, *Disability*, 18.

disfiguration. Milgrom chooses the safest “conjecture” and translates it with “deformed.”¹¹¹ In either case, שָׁרוּעַ is a מום applied to both Aaronites and sacrificial animals. Curiously, sacrificial animals who are שָׁרוּעַ represent an exception and can still be used for certain offerings (Lev 22:23).

3.1.3. Trunk

The hapax גִּבֵּן is generally translated with “hunchbacked”;¹¹² the LXX translates with the synonymous κυρτός. Without any further critical comment, Milgrom¹¹³ mentions a different interpretation in Rabbinic literature, which sometimes relates גִּבֵּן to a disfiguration of the eyebrow(s). In either case, the term is a מום and is only used in reference to Aaronites barred from the altar service.

The adjective דָּק (thin, small, fine) is attested 14 times in the Hebrew Bible, 11 times solely in the Pentateuch. The LXX translates with λεπτός (thin). In Gen 41:3–7, דָּק defines the seven “gaunt” cows and the seven “thin” ears of grain; in Exod 16:10 the manna is described as a “fine and flaky substance,” similarly to the description of the “finely ground aromatic incense” in Lev 16:12. Only in Leviticus, דָּק is used for the human body; in Lev 13:30 it describes “thin yellow hair,” and it functions as a diagnostic for a צִרְעָתָה (infectious cutaneous disease), thus relates the term to an impurity (cf. chapter 4.1.). According to Dorman,¹¹⁴ the biblical attestation suggests “thin” as the best translation. However, Milgrom¹¹⁵ mentions two further alternatives. The Rabbinic authors coherently link דָּק to their interpretation of גִּבֵּן and to תִּבְלָל בְּעֵינָיו—all three terms are listed together in Lev 21:20—and understand them as different types of blemish of the eye or the eyebrow. Nevertheless, Milgrom prefers the rendering of the Targums, which translate with נָנֵס (dwarf)¹¹⁶ and corresponds to the Akkadian *daqqu* (small).¹¹⁷ Gerstenberger¹¹⁸ and Hieke¹¹⁹ agree with Milgrom and translate respectively with dwarf and *Kleinwüchsiger* (dwarf).

¹¹¹ Milgrom, *Leviticus 1–16*, 1827.

¹¹² Dorman, “Blemished Body,” 28–29.

¹¹³ Milgrom, *Leviticus 1–16*, 1827.

¹¹⁴ Dorman, “Blemished Body,” 29–30.

¹¹⁵ Milgrom, *Leviticus 1–16*, 1827.

¹¹⁶ S.v. נָנֵס, in: Jastrow, *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature*.

¹¹⁷ Cf. Dorman, *Blemished Body*, 29.

¹¹⁸ Gerstenberger, *Leviticus*, 317.

¹¹⁹ Hieke, *Leviticus 16–27*, 838.

3.1.4. Skin or hide

The term גָּרַב denotes a rather unclear skin disease. Gesenius defines it as “eine Art Aussatz”¹²⁰ (a kind of infectious skin disease) and links the substantive to the Assyrian *garabu*, the Syriac ܓܪܒܐ,¹²¹ and the Arabic جَرَب, which are all translated with “scab.” The Akkadian cognate *garabu* as a broad designation for “scab” prompts Milgrom¹²² to understand גָּרַב, too, as a collective term for several scale diseases. His observation, which he supports with the absence of גָּרַב in Lev 13, is particularly noteworthy, for it would presume that an impurity such as צָרַעַת (cf. 4.1.) is included in the same subcategory as יִלְפֶּת, which is not a טִמְאָה but a מוּם. However, Dorman rightly objects that גָּרַב and צָרַעַת may very well be two opposite labels for different diseases: “the difference between the terms צָרַעַת and גָּרַב is that the latter is a different type of skin disease than the first and does not render a person impure.”¹²³ She also points out that LXX renders ψώρα ἀγρία (a wild itch) which appears to indicate a more specific condition. גָּרַב occurs three times in the Pentateuch; in Lev 21:20 is one of the hindrances for a blemished priest to officiate, similarly in Lev 22:20 an animal affected by גָּרַב cannot be sacrificed, and in Deut 28:27 it is listed among the curses against those who disobey the commandments. The association of skin diseases (Deut 28:27), with mental disabilities (Deut 28:28) and blindness (Deut 28:29) is not attested in any other passages of the Hebrew Bible and is best explained by a D incorporation of the Sîn and Šamaš curses in the Vassal Treaties of Esarhaddon,¹²⁴ as I will evidence in chapter 5.1.

The term יִלְפֶּת is only attested in Lev 21:20, where it refers to blemished Aaronites, and Lev 22:22, which prohibits affected animals from being sacrificed; in both cases it is associated with גָּרַב. The LXX translates with λιχην (lichen), which is also the translation favored by Dorman.¹²⁵ As mentioned above, Milgrom suggests that is a specific type of גָּרַב, a view some scholars do not follow.

¹²⁰ S.v. גָּרַב, in: Gesenius, *Hebräisches und Aramäisches Handwörterbuch*.

¹²¹ Payne translates ܓܪܒܐ with leprosy, s.v. ܓܪܒܐ in: Payne Smith, *A Compendious Syriac Dictionary*.

¹²² Milgrom, *Leviticus 1–16*, 1828.

¹²³ Dorman, *Blemished Body*, 30; similarly, Hieke, *Leviticus 16–27*, 838.

¹²⁴ Eckart Otto, *Deuteronomium 1–11: Zweiter Teilband: 4,44–11,32*, HThKAT, ed. Ulrich Berges (Freiburg: Herder, 2012), 1997–98; The Vassal Treaties of Esarhaddon with Baal of Tyre describe an Assyrian treaty between the Neo-Assyrian King Esarhaddon, who reigned between 681 and 669 BC, and King Baal I of Tyre; the treaty is interesting for it contains severe curses in case of violation, among others, those named after the deities Sîn, Šamaš, and Gula, which have been partly adopted by the authors of Deuteronomy (cf. Moshe Weinfeld, “Traces of Assyrian Treaty Formulae in Deuteronomy,” *Biblica* 46.4 [1965]: 417–27).

¹²⁵ Dorman, “Blemished Body,” 30–31.

3.1.5. Genitals

The hapax אֶשְׁךָ is related to the Akkadian *išku* and Ugaritic *ušḱ*, which both mean “testicle.”¹²⁶ The adjective מְרוֹת probably derives from the root מרה (to rub) and suggests that the testicle was crushed; however, some Rabbinic authors also propose the root רוח (to become wide), in which case it may mean “swollen.”¹²⁷ The LXX renders μόνορχις (having one testicle).¹²⁸ In any case, the expression refers to a priestly מום, which most scholars interpret as a genital impairment that leads to have only one testicle. Dorman¹²⁹ conjectures that מְרוֹת אֶשְׁךָ may be a testicular torsion, but it is questionable whether an unclear expression can deliver such a diagnostic. Two points are still worthy of note with respect to אֶשְׁךָ. Firstly, Deut 23:2 (Engl. 1) uses the expressions פְּצוּעֵ-דָבָא (someone whose testes are crushed) and כְּרוֹת שְׁפָכָה (someone whose penis is cut off) for those who are forbidden to enter YHWH’s congregation; but why not מְרוֹת אֶשְׁךָ? Since the LXX also translates פְּצוּעֵ-דָבָא with θλαδίας (eunuch)—and not μόνορχις—, Dorman¹³⁰ correctly suggests that there must be a difference, although it cannot be reconstructed any more. In any case, D goes further than H and excludes not only Aaronites but anybody with mutilated genitals from the קהל יְהוָה (YHWH’s congregation).¹³¹ Secondly, מְרוֹת אֶשְׁךָ finishes off the list of priestly blemishes, although the difference to the previous eleven is striking—it is the only not immediately visible מום. Milgrom argues rather summarily that “this defect proves that the common denominator of the list is not an aesthetic or a visual criterion” and that “this defect was arbitrarily chosen to match its equivalent number in the animal list.”¹³² As I have already mentioned above and will discuss further in chapter 7.1.2., Schipper and Stackert have offered a convincing counterargument.

One last question about פְּצוּעֵ-דָבָא, כְּרוֹת שְׁפָכָה, and מְרוֹת אֶשְׁךָ must be discussed: can the terms be equaled to סְרָסִים (castrati)? Deut 23:2 (Engl. 1) forbids the entrance to the קהל יְהוָה (YHWH’s congregation), which Deut 23:15 describes as holy and pure due to the divine presence, to those men whose genitals have been mutilated. Eckhart Otto¹³³ observes that the terminology for the castrati in Deut 23:2 (Engl. 1) does not fit the description of the סְרָסִים (eunuch, court-officials) and is most likely connected to a cultic and not to an administrative

¹²⁶ Dorman, “Blemished Body,” 31.

¹²⁷ Milgrom, *Leviticus 1–16*, 1828.

¹²⁸ Milgrom, *Leviticus 1–16*, 1828.

¹²⁹ Dorman, “Blemished Body,” 31.

¹³⁰ Dorman, “Blemished Body,” 31.

¹³¹ Olyan, “Defects, Holiness, and Pollution,” 1024–25.

¹³² Milgrom, *Leviticus 1–16*, 1828; cf. Raphael, *Biblical Corpora*, 35–36.

¹³³ Eckart Otto, *Deuteronomium 12–34: Erster Teilband: 12,1–23,15*, HThKAT, ed. Ulrich Berges, Christoph Dohmen, and Ludger Schwienhorst-Schönberger (Freiburg: Herder, 2016), 1752–53.

setting (cf. Gen 39:1), and hence nearer to Lev 21:20. Thus, in the Pentateuch, קָרִים is not applied to a person affected by a disability, let alone attributed to a מוֹם.

3.1.6. Conclusion of Cultic מוֹם

With this short taxonomy, I have just tried to show that the list of priestly blemishes also contains some *curiosa* with the result that a common underlying principle is not easily defined; the disabilities are simply too diverse. We are only left with the suggestion advanced by some scholars that all twelve blemishes appear at least to affect “the exterior of the priest’s body,”¹³⁴ an argument I will discuss again in chapter 7.1.2. However, other serious impairments like deafness¹³⁵ or mental disabilities are not taken into account, while an injury with mild degrees of subsequent complications, such as a broken arm or leg, debars the Aaronite from officiating at the altar.

It is also not clear what the relation between a מוֹם and the holiness of the sanctuary might be. Olyan draws an interesting parallel between sacrificial animals that are שָׂרוּעַ וְקָלוּט (“with a limb extended or contracted,” Lev 22:23 NJPS) and Aaronites with a מוֹם: like the former do not threaten the holiness of a נִדְבָה (free will offering), unless it serves for the fulfilment of a vow, so the latter do not represent a profanation of the sanctuary, as long as they do not make an offering. Consequently, H grants two exceptions so that “one cannot speak with justification of a general incompatibility of holiness and defects according to the Holiness Code.”¹³⁶ Furthermore, H does not describe any contamination of the sanctuary by blemished priest and does not include any purgation rite.¹³⁷ By contrast, Deut 15:21 takes quite a stricter stance and seems “to dissociate holiness and the defects of sacrificial animals without qualifications, suggesting that defects are always incompatible with holiness and may well profane it.”¹³⁸ In analogy to the parallel drawn for H, Olyan suggests that the authors of the

¹³⁴ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service,” 461; Watts Belser points out that “visibility” may be considered the best explanation at hand, but it does not account for impairments, such as blindness, which are not immediately conspicuous (Watts Belser, “Priestly Aesthetics,” 358–59); Milgrom argues that the crashed testicle “[...] does not fit the criterion of appearance,” (Milgrom, *Leviticus 1-16*, 1839) as genitals would be covered by the priest’s vestments.

¹³⁵ Hieke follows Milgrom’s juxtaposition of human blemishes and animal defects, and argues that deafness and muteness would break the symmetry of the juxtaposition if listed, as neither can be diagnosed in animals (Hieke, *Leviticus 16–27*, 838).

¹³⁶ Olyan, “Defects, Holiness, and Pollution,” 1022.

¹³⁷ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service,” 466.

¹³⁸ Olyan, “Defects, Holiness, and Pollution,” 1023–1024.

texts in Deut 23:2 (Engl. 1) may also have had more rigid viewpoints about Aaronites with a מום and possibly barred them from accessing the sanctuary sphere.¹³⁹

Finally, the recurring juxtaposition of blindness and lameness in the Hebrew Bible, which heads the list in Lev 21, may be understood as a general reference to disability, i.e. the combination of the two terms can be interpreted as a synecdoche,¹⁴⁰ in which the two hyponymies עוֹר and פֶּסֶח refer to the hypernymy disabled in the absence of an overarching term for all disabilities in Biblical Hebrew.¹⁴¹ It is a common feature of Semitic languages, especially of Hebrew, to form word pairs that “can function as an A-to-Z merism or a quick way to sum things that make a category.”¹⁴² Stewart¹⁴³ highlights three word pairs in the *qittēl* noun pattern that are linked to disability: עוֹר אוֹ פֶּסֶח (blind and lame; e.g., Lev 21:18; Deut 15:21); אֵלֶם אוֹ חֵרֶשׁ (mute and deaf; e.g., Exod 4:11); חֵרֶשׁ ... עוֹר (deaf... blind; e.g., Lev 19:14). In the last case, so Stewart’s argument, if we take “blind” to stand for all מום-type of disabilities, i.e., for the category described in this chapter, and “deaf” to represent non-מום impairments we may have a word pair that stands in for all types of disabilities. If Stewart’s proposal is correct, we may have a further argument for an implicit classification of disabilities in the Hebrew Bible.

3.2. The legal מום

A further debilitating use of the lexeme מום is found in the so-called law of retaliation, also known as *lex talionis* or more briefly as *talio*. The law of retaliation is attested in three distinct passages of the Pentateuch: Exod 21:22–27; Lev 24:17–22; Deut 19:16–22. All three texts require a compensation for an injury willfully inflicted by a perpetrator and aim to establish a proportionality between the offense and the punishment. The legal principle underlining all these texts indicate that the disability caused to a victim can only be adequately compensated by an equal disability imposed to the culprit.

However, according to many scholars and rabbinical authors, the first of the texts, Exod 21:24, seems to rather suggest financial reparations. The casuistic part of the Covenant Code,¹⁴⁴

¹³⁹ Olyan, “Defects, Holiness, and Pollution,” 1024; Olyan also refers to the loss of priestly holiness, but, as I will argue further below, it is questionable whether they have ever hold it.

¹⁴⁰ Olyan makes a similar point about 2 Sam 5:8b (Olyan, *Disability*, 29).

¹⁴¹ Cf. Gerstenberger, *Leviticus*, 316–17.

¹⁴² Stewart, “Leviticus–Deuteronomy,” 73.

¹⁴³ Stewart, “Leviticus–Deuteronomy,” 73–74.

¹⁴⁴ Christoph Dohmen, *Exodus 19–40*, HThKAT (Freiburg: Herder, 2004), 149–50; cf. Christophe Nihan, “Murder, Blasphemy and Sacral Law. Another Look at Lev 24,10–23,” *ZAR* 17 (2011): 230.

in which the verse is embedded, entails some provisions—the *mišpāṭîm* corpus—that treat the violation of the bodily integrity and are applicable only to free male Israelites (Exod 21:1).¹⁴⁵ In the immediate context around the *talio* (Exod 21:21–25; 21:26–27), the נֹזֵק (damage) is inflicted to a pregnant woman or to a slave. Since the case of the pregnant woman begins with a similar formulation as Exod 21:18–19, which examines a case of indemnification, Christoph Dohmen¹⁴⁶ proposes that Exod 21:21–25, too, should be interpreted in terms of monetary compensation. Similarly, Nahum M. Sarna¹⁴⁷ argues, in agreement with rabbinic authors, that the purpose of the *talio* is not vengeance, as it might be inferred *prima facie* but rather a suitable financial compensation of the damage inflicted. However, he admits that the text is difficult to interpret for mainly two reasons. Firstly, quite in contrast to the impersonal wording of עֲנֹשׁ יָעֲנֶנּוּ (“he shall be definitely fined,” my translation) in Exod 21:22 and of other casuistic texts, the retaliation formula in Exod 21:23 is introduced with נתן (generally: to give; here probably: to pay) in the second person singular. Remarkably, the same verb נתן is also used in Exod 21:22 for a monetary compensation in the third person singular.¹⁴⁸ Secondly, the list of damages in the talionic formulation hardly corresponds to the circumstances the text describes. The נֹזֵק in Exod 21:22 is a miscarriage of the child and is punished with a fine, but, apart from the first provision “life for life”, the further types of נֹזֵק—i.e., eye, tooth, hand, foot, burn, wound, bruise—in Exod 21:23 are irrelevant in the case of a pregnant woman, not to mention the fact that Exodus never lists physical mutilations as a penalty. Based on these two points, Sarna suggests that originally Exod 21:23–24 was not part of the wider section; should the *talio* have been adopted from a Near Eastern legislation prior to the Hammurabi’s collection,¹⁴⁹ it would be a further argument in favor of monetary compensation, as this had been the rule for similar cases.¹⁵⁰

The talionic formulation in Lev 24:19–20 adopts Exod 21 but surprises with the mention of a מוֹם. I will call this subcategory legal מוֹם.¹⁵¹ It is widely accepted that H has drawn its legal material from the Covenant Code, specifically from the *mišpāṭîm* corpus, and has further

¹⁴⁵ Dohmen, *Exodus 19–40*, 166.

¹⁴⁶ Dohmen, *Exodus 19–40*, 165.

¹⁴⁷ Nahum M. Sarna, *Exodus: The Traditional Hebrew Text with the JPS Translation*, The JPS Torah Commentary (Philadelphia: Jewish Publication Society, 1991), 125–27.

¹⁴⁸ Nihan, “Murder,” 225, n. 47.

¹⁴⁹ The Code of Hammurabi or Hammurapi is a collection of legal texts composed in the 18th century BC and written in Akkadian, reportedly by the king Hammurabi.

¹⁵⁰ “Prior to Hammurabi, monetary compensation, not physical retaliation, was the rule for inflicting bodily injury. This principle is operative in the laws of Ur-nammu, Eshnunna, and the Hittites, as well as in the Middle Assyrian laws” (Sarna, *Exodus*, 126).

¹⁵¹ Olyan calls this type of “punitive defects,” “judicial,” or “jurisprudential mutilations” (Olyan, *Disability*, 42).

elaborated it to serve its theological thought.¹⁵² These innovations include, among others, the belief that the land of Israel, per se not holy,¹⁵³ is nevertheless to be preserved pure and that holiness is present outside the sanctuary—possibly to a lesser degree¹⁵⁴—also in the divine name and in the *צֶלֶם אֱלֹהִים* (image of God).¹⁵⁵ However, by expanding the sphere of the sacred and by endorsing the purity of the land, the Holiness authors are confronted with the challenging side effect that both the *אֶזְרָה* (native) and the *גֵּר* (alien) can constitute a source of defilement and pollution.¹⁵⁶ Accordingly, when H reaffirms the already well-established *mišpāṭîm*,¹⁵⁷ it is compelled to adapt the talionic formula of Exod 21:22–27; on one hand, it must include the alien into the scope of liability (Lev 21:22), on the other it has to take into account its concern for both sanctity and purity. These two points best explain why H incorporates terms from the cultic sphere, namely *מִזֵּם* and *שָׂכָר*,¹⁵⁸ to the law of retaliation and why it is here applied to any *עֲמִית* (fellow citizen),¹⁵⁹ and not solely to Aaronites.

Hieke¹⁶⁰ puts forth a noteworthy parallel. He points out that the wider context (Lev 24:10–23), in which the *talio* is embedded, revolves around the case of a blasphemy, i.e., the desecration of the divine name, and its punishment by death. Similarly, it should be kept in mind that the reason why a *מִזֵּם* excludes a priest from officiating in the sanctuary, or an animal from being sacrificed, is also the risk of the sanctuary’s defilement, although Lev 21–22 does not mention any penalty for a potential violation. Moreover, the narration of the blasphemy in Lev 24, to which Christophe Nihan accurately refers as “legal fiction,”¹⁶¹ artfully reminds the reader that H’s deity is not only present in the sanctuary but also in the Israelite society through the divine name and in every human being through the *צֶלֶם אֱלֹהִים*. From these observations Hieke¹⁶² infers that as the *מִזֵּם* of a priest or of a sacrificial animal bars him from officiating in the sanctuary or prohibits its use in the cult, so also the *מִזֵּם* inflicted to a person jeopardizes his

¹⁵² Jonathan Vroom, “Recasting Mišpāṭîm: Legal Innovation in Leviticus 24:10–23,” *JBL* 131.1 (2012): 44.

¹⁵³ Nihan argues convincingly against Weinfeld and Milgrom that the land is not holy but pure (Nihan, “Murder,” 232, esp. n. 65).

¹⁵⁴ Cf. Jenson, *Graded Holiness*, 113–14.

¹⁵⁵ Nihan, “Murder,” 235; S. Tamar Kamionkowski, “Leviticus 24,10–23 in Light of H’s Concept of Holiness,” in *The Strata of the Priestly Writings: Contemporary Debate and Future Directions*, ed. Sarah Shectman and Joel S. Baden, *AThANT* 65 (Zurich: Theologischer Verlag Zürich, 2009), 80–82.

¹⁵⁶ Cf. Milgrom, *Leviticus 1–16*, 1419; Moshe Weinfeld, *Deuteronomy 1–11: A New Translation with Introduction and Commentary*, AB 5 (Garden City, NY: Yale University Press, 1995), 1231–32.

¹⁵⁷ Vroom, “Recasting Mišpāṭîm,” 44.

¹⁵⁸ Both terms are linked to the prohibition of a priest to officiate in Lev 21; cf. Nihan, “Murder,” 224–25, n. 46.

¹⁵⁹ Hieke, *Leviticus 16–27*, 970.

¹⁶⁰ Hieke, *Leviticus 16–27*, 968–71.

¹⁶¹ Nihan, “Murder,” 229.

¹⁶² Hieke, *Leviticus 16–27*, 970–71; Hieke’s and Nihan’s interpretations of Lev 24 agree on the major points, but they develop a different understanding of mode of retaliation; I will follow Nihan’s view.

or her sanctity in everyday life and, consequently, the culprit must be made liable for the harm he or she has caused.¹⁶³ What is here at stake is not the injury per se but the defilement of God's presence in his image, as Nihan pinpoints it: "like blaspheming the name, murdering the *šelem* *ʾelohîm*, or even merely injuring it, is thus a form of sacral offense, or sacrilege."¹⁶⁴ The defilement of God's presence brings about a debilitating condition that matches my working definition of disability (cf. chapter 1.2.), as it impacts the affected individual negatively.

Hence, the offense against the deity requires retaliation but what type? Contrary to views such as those held by Milgrom¹⁶⁵ and by Hieke¹⁶⁶, Nihan¹⁶⁷ argues that Lev 24 demands a literal interpretation. His reading fits well with Jonathan Vroom's view that H adopts and reinterprets the Covenant Code to establish its new theological agenda. While "the *mišpāṭîm* are built on the legal ideal of restoration and balance in interpersonal relationships,"¹⁶⁸ Nihan makes a valid point for a shift from the restoration of the interpersonal relationship to the offense against the deity. He observes that Lev 24:19 and Lev 24:20b function as interpretative brackets, suggesting that תַּחַת (under, instead of), unlike in Exod 21:24–25, must be understood literally: "the punishment for injuries must be *quantitatively* proportioned to the crime, and not only *qualitatively*."¹⁶⁹ The phrase נֶפֶשׁ תַּחַת נֶפֶשׁ (life for life) rounds off Exod 21:23 and Lev 24:18, but H isolates it out of the original formulation in the Covenant Code and specifies that the implied compensation refers only to animals, as reiterated again in Lev 24:21a. Lev 24:19–20 goes on to clarify that for human beings "no financial compensation whatsoever is possible, and punishment must take the form of a retaliation."¹⁷⁰

For reasons I will explain in depth in chapter 7.1.2., H is concerned with the irritation that blemished bodies may provoke to the deity, which is a plausible cause for the marginalization and stigmatization strategies deployed for certain disabilities. Schipper and Stackert¹⁷¹ describe this point very well for the case of members of the priestly family affected

¹⁶³ According to Hieke (Hieke, *Leviticus 16–27*, 968), the perpetrator could be a man or a woman.

¹⁶⁴ Nihan, "Murder," 235.

¹⁶⁵ Weinfeld, *Deuteronomy 1–11*, 2138.

¹⁶⁶ Hieke, *Leviticus 16–27*, 970; however, Hieke also allows that, whenever the financial reparations were not possible, the literal understanding had to be applied: "Auch wenn dieser Vorschlag aus heutiger Sicht abschreckend erscheint (und eine abschreckende Wirkung war sicher auch immer schon intendiert), ist doch anzunehmen, dass dann, wenn ein materieller Ausgleich nicht möglich ist, das wörtliche Verständnis der offenen Formulierung anzuwenden ist" (Hieke, *Leviticus 16–27*, 971).

¹⁶⁷ Nihan, "Murder," 225–27, 233–35; Olyan seems to have a similar literal understanding of Lev 24:19–20 (Olyan, *Disability*, 39, 42).

¹⁶⁸ Vroom, "Recasting *Mišpāṭîm*," 39; however, Vroom applies the same principle to Lev 24, which Nihan's argument refutes.

¹⁶⁹ Nihan, "Murder," 225.

¹⁷⁰ Nihan, "Murder," 226.

¹⁷¹ Schipper and Stackert, "Blemishes, Camouflage, and Sanctuary Service."

by a מום. Not unlike Hieke, Nihan¹⁷², too, draws an interesting parallel between the blemished Aaronite and the persons injured or disfigured as described in Lev 24; in both cases, H appears to posit a connection between sanctity and physical integrity. Thus, as explained above, the disfiguration is not only a matter of interpersonal equity but a heinous offense against “the deity’s holiness and completeness.”¹⁷³ In any event, according to Gerstenberger,¹⁷⁴ this is merely theory that may have never been applied in practice. It is evident that H is trying to reinterpret the Covenant Code in a way it fits its theological views, but the attempt fails due to H’s lack of jurisdictional knowledge. This can be observed, as Gerstenberger suggests, in the case of the compensation for killed animals. The laconic reference does not mention any factual circumstances, its treatment is too simplistic and blatantly void of any legal experience. To him, the *Sitz im Leben* of these passages are clearly spiritual and moral admonitions to the congregation, and not the establishment of legal procedures: “only a person having nothing to do with adjudication can speak with such sparse understanding of actual legal proceedings. Hence this verse derives quite clearly (as do presumably all the preceding verses as well) from the congregational assembly, where spiritual and moral admonishment is offered up, rather than actual legal principles.”¹⁷⁵

3.3. The moral מום

In the Book of Deuteronomy מום is attested only three times: Deut 15:21 and Deut 17:1 (both D) refer to acceptable sacrificial animals, while Deut 32:5 (Dtr) represents the only moral use of the term in the Pentateuch, i.e., the description of a moral shortfall through the use of lexemes that generally refer to impairments. As I have already shown, disabilities are mentioned throughout non-P texts, however the implied notion of disability is quite different to the one we encounter in H or P. Both enumerate disabilities and—as I will explain later—things that ritually pollute meticulously; Aaronites, women or Israelites are enabled or disabled according to a strict scheme based on binary oppositions and appear to tackle off a new “implicit

¹⁷² Nihan, “Murder,” 234.

¹⁷³ Nihan, “Murder,” 234.

¹⁷⁴ Gerstenberger, *Leviticus*, 367; similarly, Stackert contends that “there is no evidence that the biblical legal collections were used as normative, practiced law in the original contexts or, in some cases, that they were even meant to be” (Jeffrey Stackert, “The Holiness Legislation and Its Pentateuchal Sources: Revision, Supplementation, and Replacement,” in *The Strata of the Priestly Writings: Contemporary Debate and Future Directions*, ed. Sarah Shectman and Joel S. Baden, AThANT 65 [Zurich: Theologischer Verlag Zürich, 2009], 199).

¹⁷⁵ Gerstenberger, *Leviticus*, 367.

understanding that disability is the normal bodily state of affairs.”¹⁷⁶ Nevertheless, *normality* is according to P unstable and ephemeral, susceptible to changes, although P still “takes steps to enable, protect, and dignify.”¹⁷⁷

Passages that are generally not attributed to P or H show quite a different and less articulated conceptualization of impairments; God declares disability as part of the creation (Exod 4:11), punishes with disability (Num 12:9–14; Deut 24:8–9) and blesses with the lack of impairments (Exod 23:25–26, D?).¹⁷⁸ A further text such as Deut 28 (D) maintains this unsophisticated use and instrumentalizes a derogatory connotation of impairments as an instrument of God’s wrath. The passage contains a list of punishments which includes conditions that P may consider either profaning or polluting, but for D authors they rather “set the stage for use [*sic*] of the term *mûm* to cover moral blemishes (Deut 32:5).”¹⁷⁹ As I have already explained before, D and Dtr texts refer to a very rudimentary classification of disabilities compared to P categories and appear to deal with impairments in rather acerbic terms. Not only Deut 28 utilizes disabilities as curses in a manner unknown to P or H, but also Deut 23:2 (Engl. 1) debar[s] any person with a genital disability from entering YHWH’s congregation.

Consequently, it should not come as a surprise that Deut 32:5 uses the term מום derogatorily as a moral blemish. This usage is also attested in the wisdom literature (cf. Job 11:15; 31:7), which may have influenced the text in Deut.¹⁸⁰ Deut 32:5 is difficult to interpret, as the text is corrupt,¹⁸¹ and most probably should be translated as: “The[ir] corrupt doing [מוֹמָם] of his nonchildren [לֹא בְנָיו] has outraged him [YHWH], a perverse and crooked generation.”¹⁸² The moral blemish, which is introduced abruptly in contrast to YHWH’s greatness of the previous verses, refers quite succinctly to Israel’s apostasy with a pejorative and moral acceptance of the term מום. If I understand the passage correctly, it suggests that, since the sacrificial animals with a defect (cf. Deut 15:21; 17:1) are not acceptable to YHWH, so also Israel’s perverted behavior undermines the parental relationship between God and his children. Independently on how one may want to interpret Deut 32:5 and other D or Dtr passages about disabilities, the use of מום and the conceptualization of any disability in the Book of

¹⁷⁶ Stewart, “Leviticus–Deuteronomy,” 88.

¹⁷⁷ Stewart, “Leviticus–Deuteronomy,” 88.

¹⁷⁸ Cf. Propp, *Exodus 19–40*, 147.

¹⁷⁹ Stewart, “Leviticus–Deuteronomy,” 80.

¹⁸⁰ Eckart Otto, *Deuteronomium 12–34: Zweiter Teilband: 23,16–34,12*, HThKAT (Freiburg: Herder, 2017), 2175.

¹⁸¹ Otto, *Deuteronomium 23,16–34,12*, 2146.

¹⁸² Cf. Otto, *Deuteronomium 23,16–34,12*, 2143.

Deuteronomy is anything but clear and coherent; Deut 27:18 (Dtr), for instance, stands out for its concern for the visually impaired, although Deut 28:28 (D) deploys blindness as a curse, a derogatory strategy I will treat again in chapter 7.1.3.

Finally, two texts such as Exod 23:8 and Deut 16:19 (D) deploy a derogatory discourse of blindness, a מום according to other sources; in both texts, which may be considered legal with respect to the context, the verb עור (to blind) is used with a moral acceptance to express “bad judgment and corruption”¹⁸³; a bribe can blind the eyes of a wise judge and jeopardize the situation of a just person. Although the term מום is not explicit, the moral stigma attached to a disability that H refers to as a blemish is remarkable as it will be implemented throughout the Hebrew Bible (e.g., Isa 6:9–10; Ps 82:5).¹⁸⁴

3.4. The formalization of מום

The Pentateuchal texts that make use of the term מום suggest the following formalization. As I have mentioned in the last chapter, the conceptualization of disabilities in non-P passages is not unequivocal.

Dxy: x is affected by a disability of the type מום m

$x \in \{p, i\}$

i: Israelite

p: Aaronite

$m \in \{m^1, m^2\}$

$m^1 \in \{\text{עִוְרָה, תְּבִלָּה, בְּעִינֵי, חֶרֶם, פֶּסֶת, שְׂרוּעַ, שִׁבְרַת, רִגְלֵי, שִׁבְרַת, יָד, גִּבּוֹן, זָקָה, גִּבּוֹן, יִלְכָּת, גִּבּוֹן, יִלְכָּת, מְרוֹם, יִלְכָּת}\}$

$m^2 \in \{\text{loss of an eye, loss of a tooth}\}$

$\exists p \exists m^1 \exists m^2 (Dpm^1 \vee Dpm^2)$

$\exists i \exists m^2 (Dim^2)$

$\forall i \forall m^1 (\neg Dim^1)$

¹⁸³ Olyan, *Disability*, 7.

¹⁸⁴ Cf. Olyan, *Disability*, 35.

4. Disabilities as טְמֵאָה

The term טְמֵאָה (impurity) is a further native category of classification for disabilities, when and only when it refers to physical conditions that require exclusion from the community in accordance with the definition I have provided in chapter 1.3. This specification is necessary, as the adjective טָמֵא is generally translated with “impure,” “unclean,” or “polluted,” and can be applied to a variety of different situations.¹⁸⁵ That is: it is not unique to the realm of physical conditions as מוֹם mostly is. טָמֵא forms a binary word pair with the term טָהוֹר (clean, pure; cf. e.g., Lev 14:57) or with the verb טָהַר (to be clean, pure; cf. e.g., Lev 12:2,7). But is impurity really a category of its own? Olyan¹⁸⁶ classifies the disabilities in the Hebrew Bible into two groups (cf. chapter 2.): מוֹם and non-מוֹם; the latter category comprehends deafness and muteness and impurities such as skin diseases, genital flows, menstruation, and parturition. As useful as Olyan’s treatment may sound, the Pentateuch offers more nuanced distinctions, which are better described by Steward.¹⁸⁷ Although Steward does not disagree on the single instances that are to be considered disabilities and virtually agrees with Olyan, he offers a more detailed four-fold system that takes into consideration the aforementioned binary oppositions מוֹם vs. non-מוֹם and טָמֵא vs. טָהוֹר.

Even though the binary opposition is reason enough to justify a further category, the need for a more nuanced classification is also explained by the distinction between profanation and pollution.¹⁸⁸ Olyan defines profanation of a holy item or a holy place as “the loss of its holiness, and its consequent transformation into something common or profane (חֵל).”¹⁸⁹ Thus, an Aaronite who is affected by a מוֹם does not represent a general threat to the holiness of the sanctuary, as he may still eat from holy as well as most holy foods (Lev 21:22), which according to Num 18:11,¹⁹⁰ a further H text, are to be consumed in the most holy place. However, the priest with a מוֹם is barred from offering (Lev 21:21) and from coming near the curtain or the altar; if he did approach them, he would profane (חָלַל) the holiness of the sanctuaries.¹⁹¹ Quite a different case is made for uncleanness. Anybody considered unclean, whether he be a priest or any member of his household, is not allowed to eat holy or most holy

¹⁸⁵ Gunnel André and Helmer Ringgren, “טָמֵא,” *TDOT* 5:330–42.

¹⁸⁶ Olyan, *Disability*, 47–61.

¹⁸⁷ Cf. Steward, “Sexual Disabilities,” 75, table no. 4.4.

¹⁸⁸ Cf. Raphael, *Biblical Corpora*, 36–37.

¹⁸⁹ Olyan, “Defects, Holiness, and Pollution,” 1019.

¹⁹⁰ Olyan, “Defects, Holiness, and Pollution,” 1021, n. 11.

¹⁹¹ It is unclear why the Hebrew text uses the plural, while the LXX reads “τὸ ἅγιον τοῦ θεοῦ αὐτοῦ”; according to Milgrom, מִקְדָּשִׁי may refer to “the previously mentioned veil (sanctums of the shrine) and (outer) altar” (Milgrom, *Leviticus 1-16*, 1832).

foods (Num 18:11; Lev 22:4).¹⁹² Consequently, while a מום prohibits a priest from sacrificing, it does not represent a hindrance from eating holy as well as most holy food, i.e. a מום does not presume a profanation of any sort, at least not according to Lev 21:16–24. On the other hand, whoever is struck with a טִמְאָה is banned from consuming most holy food—in the best case temporarily—, and hence eating them is linked to חלל (cf. Lev 22:9).

As mentioned above, the word pair טִמְאָה and טָהוֹר may concern persons, animals as well as objects, but, while animals are irremediably unclean, persons and objects can undergo certain rites to reacquire purity. The main objective of the biblical authors is to safeguard the sanctuary and cultic settings from defilement and regulate its admission or exclusion: “all persons and things classed as unclean are banned from the sanctuary sphere, from contact with holy items, and from quasi-cultic rites requiring purity.”¹⁹³ As clear as the purpose of purity regulations may be, its reasons are just as obscure. Lemos¹⁹⁴ has argued, that the quest for one “purity system” in the Hebrew Bible has not yielded any convincing results; the considerable disparity of purity constructions suggests different competing systems across traditions, time and locations. The emphasis on specific texts to define a common rationale for all impurity systems may rather distort, than deepen our understanding of the Israelite culture. Lemos’ approach encourages “[...] a more historicized perspective assessing how different authors and different communities made use of purity constructions, and also manipulated these constructions in different contexts and as a response to different historical situations.”¹⁹⁵

Let me get back again to the distinction between a מום and a טִמְאָה. Two further significant differences concern the duration of the condition and their spatial separation within the camp. While a מום debars a priest from officiating at the sanctuary permanently without any possibility to undergo a habilitation process,¹⁹⁶ theoretically a טִמְאָה can be healed and it thus allows the possibility to reintegrate the person previously affected into the community through certain rites. Consequently, a striking difference between the category of מום and that of טִמְאָה is immediately evident: nowhere do the texts about blemishes mention the duration of the disability, while the passages about impurities are replete with temporal limitations and rehabilitation rites. However, this does not render a טִמְאָה any less impairing than a מום; it is a wrong misconception about disabilities in general to consider them as permanent conditions.

¹⁹² Olyan, “Defects, Holiness, and Pollution,” 1020–1021.

¹⁹³ Olyan, *Rites and Rank*, 38.

¹⁹⁴ Tracy Maria Lemos, “Where There Is Dirt, Is There System? Revisiting Biblical Purity Constructions,” *JSOT* 37.3 (2013): 265–94.

¹⁹⁵ Lemos, “Where There Is Dirt,” 292.

¹⁹⁶ Cf. Jenson, *Graded Holiness*, 146.

Both “able-bodiness”—the *terminus technicus* is *temporary able-bodied people* (TAB)¹⁹⁷—and disability can be temporally limited.¹⁹⁸

The second distinction concerns the *locus* of the condition; a מום debars an Aaronite, and only an Aaronite, from officiating in the sanctuary, but it poses no further spatial restriction; a נִזְמָה, on the other hand, prohibits any Israelite, including an Aaronite, from entering the sanctuary or, according to the condition, from residing in the camp altogether.¹⁹⁹ This last point presupposes a further subgrouping within the נִזְמָה category, namely between minor and major impurities.²⁰⁰ Philip P. Jenson describes how the type of נִזְמָה “determined the range of areas in which he or she was able to move.”²⁰¹ Minor impurities, such as entering an unclean house (cf. Lev 14:46–47) or having had sexual intercourse (cf. Lev 15:58), do not require any segregation of the person concerned; however he or she is prohibited to touch sacrificial food or to approach the sanctuary, generally for one day. Other than bathing or washing one’s clothes, the corresponding texts do not impose any specific purification procedure. Conversely, major impurities cause a longer period of impurity and have a massive impact on everyday life. The defiled person must be isolated, marked out as unclean or even banned from the camp, as in the case of a malign skin disease; the segregation is imposed for the whole duration of the impurity (cf. Num 5:2–3). The end of the isolation period or separation from the camp is sanctioned by a prescribed sacrifice. Interestingly, major impurities show a strong nexus with death: “a person in this state is akin to a dead one in that he or she had to withdraw from the normal activities of life, both social and cultic.”²⁰² The *locus* of the confinement is among the graves, which were also places outside the camp.²⁰³ I will return to this point when I mention cutaneous impurities in chapter 4.1.

In sum, נִזְמָה can be applied to a variety of different conditions and situations (e.g., defilement through an unclean house, contact with a corpse, etc.), but only two cases are related to a person’s physical condition so that the definition of disability can be applied: cutaneous diseases and discharges of the reproductive system; parturition and uterine prolapse represent

¹⁹⁷ Goodley, *Disability Studies*, 2.

¹⁹⁸ Cf. Bryce Ward et al., “Disability Items From the Current Population Survey (2008-2015) and Permanent Versus Temporary Disability Status,” *American Journal of Public Health* (1971) 107.5 (2017): 706–8.

¹⁹⁹ Cf. André and Ringgren, “נִזְמָה,” esp. 337.

²⁰⁰ Jenson, *Graded Holiness*, 138–41; as I will show, both cases, i.e., minor and major impurities, can be linked to a disability; Olyan uses a similar scheme and distinguishes between “simple” and “grave or “serious impurities” (Olyan, *Rites and Rank*, 51).

²⁰¹ Jenson, *Graded Holiness*, 138.

²⁰² Jenson, *Graded Holiness*, 139.

²⁰³ Jenson, *Graded Holiness*, 139.

two special conditions of the last subgroup.²⁰⁴ I will follow this order in the next chapters. Accordingly, the primary material that deals with *טִמְאָה* linked to a disability is found in the following passages:

- Lev 12:1–8 (P)²⁰⁵ treats the impurity after parturition;
- Lev 13–14 (P)²⁰⁶ provides with an extensive description of various skin diseases;
- Lev 15 (P)²⁰⁷ is an extensive treatment of discharges in both men (Lev 15:1–18) and women (Lev 15:19–30);
- Num 5:2–3 (H)²⁰⁸ commands to remove anybody impure from the camp;
- Num 5:11–31 (P)²⁰⁹ describes the ordeal of the bitter water against an allegedly adulterous wife and the subsequent uterine prolapse if she is found guilty.

Finally, the passages in Lev do not appear to have been arranged according to a structural principle other than the length of the impurity: “the various impurities of persons in chaps. 12–15 may have been ordered according to the decreasing length of their purification: birth (forty to eighty days), scale disease (eight days), genital discharges of male (eight days, one day), of female (seven days, eight days).”²¹⁰ In the following chapters, I will first treat the cutaneous *טִמְאָה* as the most evident form of disability and then continue with the various impurities concerning genital organs, of which parturition and uterine prolapse seem to be two special cases.

4.1. Cutaneous *טִמְאָה*

Lev 13–14 revolves around numerous skin diseases of which one deserves particular attention as it causes the expulsion from the community and hence it is to be considered a disability

²⁰⁴ David P. Wright lists four classes of “tolerated impurities,” of which only two can be related to disabilities, although he does not categorize them as such: “sexual impurities” and “disease related impurities” like discharges and certain skin diseases (David P. Wright, “The Spectrum of Priestly Impurity,” in *Priesthood and Cult in Ancient Israel*, ed. Gary A. Anderson and Saul M. Olyan, JSOTS 125 [Sheffield: JSOT Press, 1991], 154).

²⁰⁵ Olyan, *Rites and Rank*, 44.

²⁰⁶ Olyan, *Rites and Rank*, 45.

²⁰⁷ Olyan, *Rites and Rank*, 42; cf. Christophe Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus*, Forschungen Zum Alten Testament: 2. Reihe 25 (Tübingen: Mohr Siebeck, 2007), 282; Hieke assumes that Lev 15:31 is to be considered an addition by H authors based on to its different style (switch to the 2nd person plural) and the mention of the sanctuary (Thomas Hieke, *Levitikus: Erster Teilband: 1–15*, HThKAT [Freiburg: Herder, 2014], 528).

²⁰⁸ Olyan, *Rites and Rank*, 39.

²⁰⁹ Olyan, *Rites and Rank*, 47.

²¹⁰ Milgrom, *Leviticus 1–16*, 743.

according to the definition presented in chapter 1.3.: צֶרַעַת (a malignant skin disease).²¹¹ Hieke²¹² identifies three keywords that characterize the passage: נֶגַע (mark, stroke, sign, onset of a cutaneous illness), צֶרַעַת, and רָאָה (to see; here more properly: to inspect closely). The term נֶגַע, which is attested 47 times in Lev 13, refers to a mark on the human skin, a textile or a leather item and requires examination by a priest. The priest must assess whether the mark should be considered an impurity and his judgement determines the further procedure; the נֶגַע per se does not yet imply uncleanness and thus does not lead to the exclusion from the camp. Etymologically, it belongs to an uncommon Semitic root which refers to a blow or strike;²¹³ the deity “strikes” a human with an illness or an impairment not unlike, for instance, the unknown fighter who hits (וַיִּגַע, Gen 32:36) Jacob on the hip joint, who consequently carries a permanent injury.²¹⁴ The term צֶרַעַת, whose root has an unclear meaning, shows a *qatṭal* noun pattern also attested for further medical terms including: סַפְחָת, בְּהֶרֶת (both in Lev 13:2), יִלְפָת (Lev 21:20; 22:22; a מוֹם!), יִבְלָת (Lev 22:22; a מוֹם!), גָּרַב (a מוֹם in Lev 21:20; 22:22; cf. Deut 28:27), קָרַחַת, and גְּבַחַת (both in Lev 13:42).²¹⁵ צֶרַעַת has often been translated with leprosy, but, as Gerstenberger²¹⁶ has shown persuasively, this rendering is incorrect; although the attestation does not provide a full clinical picture, the few symptoms described in Leviticus do not match those caused by the *mycobacterium leprae*. However, it is difficult to define what skin disease the passage is referring to and most probably the description applies to a wide range of various cutaneous conditions (e.g., impetigo, favus, leukoderma, etc.). The vagueness of the term leads Jenson to affirm that in P texts צֶרַעַת “is treated as a ritual disorder rather than a disease or a punishment for sin.”²¹⁷ Jenson’s functional definition does justice to the other uses of צֶרַעַת in the same passage; fabrics (Lev 14:1–32) and houses (Lev 14:33–53) can also be affected. For the sake of the present investigation, I will only discuss צֶרַעַת as a cutaneous condition. The third key term, רָאָה, is attested 32 times in the same passage, mostly in the *qal wəqātāl* form; the subject is always the priest who alone has the competence to scrutinize and pronounce the

²¹¹ P treats צֶרַעַת also in Lev 22:4 and Num 5:2; texts unrelated to P that discuss צֶרַעַת are found “in Exod 4:6–7; Num 12:10–15; Deut 24:8; 2 Sam 3:29; 2 Kgs 5:1–27; 7:3–10; 15:5 = 2 Chr 26:16–21. It is unclear if Job’s ailment (Job 2:7–13) is to be considered *šāra ‘at* (cf. 18:13)” (s.v. Leprosy in: David P. Wright and Richard N. Jones, “Leprosy,” *The Anchor Yale Bible Dictionary* 4:277).

²¹² Hieke, *Leviticus 1–15*, 473–74.

²¹³ Ludger Schwienhorst-Schönberger, “נֶגַע,” *TDOT* 9:203.

²¹⁴ Hieke, *Leviticus 1–15*, 473.

²¹⁵ Cf. Theodor Seidl, “צֶרַעַת,” *TDOT* 12:469.

²¹⁶ Gerstenberger, *Leviticus*, 156–58; cf. Hieke, *Leviticus 1–15*, 473–75; Jenson, *Graded Holiness*, 140.

²¹⁷ Jenson, *Graded Holiness*, 140;; for the same reason Jenson does not translate צֶרַעַת with “malignant skin-disease” (Jenson, *Graded Holiness*, 140, n. 1).

verdict: “*ṣāra‘at hî*” (it is a malignant skin disease) or “*mispaḥat hî*,”²¹⁸ (it is a benign skin disease).

As Hieke²¹⁹ points out, the interpretative key of Lev 13–14 are not the dermatological conditions, nor their cure, which is mentioned only in few cases, but the priestly binary system of טָמֵא vs. טָהוֹר; according to Lev 13–14, an impurity can only be determined based on its appearance through the authoritative and detailed scrutiny by the priests. The deep fear for defilement is also shown by the fact that the passage takes into account analogous spots, discoloring etc. detectable on surfaces other than skin, such as textiles and leather (cf. Lev 13:47–59). One reason for such a fear may be the “aura of death”²²⁰ associated to some skin diseases, in particular erosions and flaking, as they are reminiscent of the decomposition of a body; as I will explain below, whoever is struck by a צָרַעַת is treated like a corpse and must be separated from the camp. This is not peculiar to P texts only; in fact, also in Num 12:12 (non-P)²²¹ Miriam is told to be like “one dead, who emerges from his mother’s womb with half his flesh eaten away” (NJPS). Furthermore, the rituals of purification for those who suffer from a צָרַעַת (Lev 14:4–7) are very similar to those who have defiled themselves with a corpse (Num 19:1–13). This last point is particularly noteworthy.

Lev 13:45–46 establishes the required behavior for a person whose verdict has been: “it is צָרַעַת.” Hieke²²² comments these verses superbly. The introductory *qal* passive participle הַצָּרוּעַ from the root צָרַע along with the specification אֲשֶׁר-בּוֹ הַנִּיחַ (on whom the sign is) sum up, and refer to, all preceding cases in Lev 13, not just to the bald head. Therefore, the first words contain two key terms which have been repeated multiple times throughout all investigations by the priest. The instructions are related to the signs of mourning as they are described in Lev 10:6 (cf. Lev 21:10), probably because “the person in mourning is also in an uncultured sphere, as it were in the forecourt of death, where other behavioral patterns obtain.”²²³ The purpose of covering of the שָׂפָם (moustache; mouth?) should most likely prevent contamination from the leper’s breath.²²⁴ The warning call טָמֵא טָמֵא (unclean, unclean) is also intended at keeping

²¹⁸ Gerstenberger, *Leviticus*, 159.

²¹⁹ Hieke, *Leviticus 1–15*, 474–75.

²²⁰ The expression “aura of death” is borrowed from one of Wenham’s articles (cf. Gordon J. Wenham, “Why Does Sexual Intercourse Defile (Lev 15 18)?,” *ZAW* 95.3 [1983]: 432–34); Wenham views the word pair clean vs. unclean related to the opposition life vs. death, especially when impurity concerns sexual discharges. Although the opposition is evident in the case of a צָרַעַת, I do not think it is also applicable to sexual impurities (cf. next chapter).

²²¹ Stewart, “Leviticus–Deuteronomy,” 80.

²²² Hieke, *Leviticus 1–15*, 487–88.

²²³ Gerstenberger, *Leviticus*, 167.

²²⁴ Cf. Milgrom, *Leviticus 1–16*, 803–4; a similar mourning rite is also found in Ezek 24:17,22; Mic 3:7 (Milgrom, *Leviticus 1–16*, 803).

people away from those affected and thus preventing the impurity from being transmitted.²²⁵ Finally, Lev 13:46 explicitly excludes the מְצֹרֵעַ (the person who suffers from a צָרַעַת) from the camp for the whole duration of his impurity, “since a permanently unclean place was allowed in the wilderness but not in the camp.”²²⁶ The segregation of the מְצֹרֵעַ along with the mourning signs equals a separation from the community of the living and “such outcasts probably often vegetated away in tombs and caves (cf. Mark 5:2f.).”²²⁷ Num 5:2–3 (H) is much stricter and expels from the camp both men and women who suffer from a malignant skin disease, a discharge or have become defiled through contact with a corpse and it does not mention any reintegration rite.²²⁸ On the other hand, in P, if a מְצֹרֵעַ is pure again, he may reenter the tent and resume all his cultic responsibilities; this is marked by the offering of three sacrifices and “once this is done, there is no further question about the rights and status of the purified person.”²²⁹

In general, P is the source that offers the most thorough treatment of צָרַעַת, but it is not the only one. Also, two non-P passages mention the malign skin disease, although they do not elaborate the details as P does. In Exod 4:6–7,²³⁰ צָרַעַת is brought about by YHWH on Moses’s hand as a sign of divine power. In Num 12:11,²³¹ Miriam is struck with צָרַעַת as a punishment for questioning Moses’s authority. No more details are provided, however it is remarkable that Miriam must leave the camp for seven days, although she is not said to be “unclean.” Unfortunately, to my knowledge, no scholar has investigated the curious similarity between the marginalizing consequence of the skin disease in Lev 13 and Num 12:11. A last point should be added about the non-P verses: in striking contrast to P, in both non-P passages God is said to bring about צָרַעַת as a sign of his power or wrath; in Exod, he also explicitly heals from the skin disease.²³² As mentioned above, P does not view God as the source of צָרַעַת.

From what I have just attempted to explain, it should be evident that צָרַעַת cannot but be treated like a disability²³³ according to the working definition offered above; it refers to a

²²⁵ Cf. Milgrom, *Leviticus 1–16*, 804–5; Gerstenberger, *Leviticus*, 167.

²²⁶ Jenson, *Graded Holiness*, 168; “But it [צָרַעַת] did result in the exclusion of the sick from the community, something stipulated with incisive severity in vv. 45f.” (Gerstenberger, *Leviticus*, 166).

²²⁷ Gerstenberger, *Leviticus*, 167.

²²⁸ Gerstenberger, *Leviticus*, 167; cf. Baruch Levine, *Numbers 1–20: A New Translation with Introduction and Commentary*, AB 4 (New York: Doubleday, 1993), 184–86.

²²⁹ Jenson, *Graded Holiness*, 169.

²³⁰ Cf. Nyasha and Schipper, “Mosaic Disability,” 431.

²³¹ Cf. Stewart, “Leviticus–Deuteronomy,” 79–80.

²³² Cf. Melcher, “Genesis–Exodus,” 48.

²³³ Cf. Moisés López, *An Old Testament Theology of Disability*, PhD Diss. (Pasadena, CA: Fuller Theological Seminary, 2016), 92.

physical condition—although potentially temporary²³⁴—construed negatively in such a way that the person affected is separated from the community. The association with the aura of death only aggravates the awful stigmatization linked to the disability.

4.2. Sexual טְמֵאָה

Sexual impurities, referred to with the general term זִבּ (discharge), are treated as impairments in two passages: Lev 15 (P) and the already mentioned Num 5:2–3 (H). The latter specifies the consequence, i.e., exclusion from the camp, for those who suffer from a cutaneous or a sexual טְמֵאָה, along with those who have become impure through contact with a corpse. The more interesting passage Lev 15 assesses in detail cultic pollution caused by the secretion of fluids from the genitourinary system of both men and women; a distinction is also made between regular, normal, and thus temporary discharges on the one hand, and long-lasting pathological phenomena on the other.²³⁵ Apart from further two texts (Lev 22:4; 2 Sam 3:29), the noun זִבּ and the verb זָבַח are primarily used in Lev 15 and Num 5:2–3. In Lev 15:2–17,32–33, it can refer to either a pathological discharge or to a normal “seminal emission”; the latter is also referred to as שְׂכָבֶת־זֶרַע. In Lev 15:19–30, the noun and the verb are applied to both the menstrual period, also called נִדָּה, or a pathological genital bleeding. It is of note that the authors of Leviticus are not interested in all types of secretions and that only discharges that can somehow be linked to reproduction are addressed; “feces, urine, breast milk, sweat, pus, spittle, sputum, vomit, mucus, and tears, do not give rise to impurity.”²³⁶ Similarly, the authors are not interested in blood discharges in general either; “nowhere are bodily wounds, cuts or nose bleeds deemed to create impurity.”²³⁷ Conversely, seminal discharges are considered impure, although they cannot be associated with any type of bleeding. Hence, it can be correctly assumed that discharges in 15—and, as I will explain later, also in Lev 12—are only associated with the “physiology of the reproductive system.”²³⁸

²³⁴ The reader should keep in mind that *duration* was not a condition in the aforementioned definition of disability; the obstinate misconception that disability is permanent or chronic ignores the experience of impairments.

²³⁵ Hieke, *Leviticus 1–15*, 526.

²³⁶ Richard Whitekettle, “Leviticus 12 and the Israelite Woman: Ritual Process, Liminality and the Womb,” *ZAW* 107.3 (1995): 395.

²³⁷ Whitekettle, “Leviticus 12,” 395.

²³⁸ Whitekettle, “Leviticus 12,” 395.

Stewart²³⁹ points out that all disabilities related to sexual organs, be they a מום, a טִמְאָה or neither of both,²⁴⁰ represent impediments to the fulfilment of the first commandment: פְּרוּ וּרְבוּ (“be fertile and increase” NJPS; Gen 1:28; 9:1,7). Concerns about reproduction pervade the biblical narrative and more often than not shape the representation of disabilities. According to the type of the underlying impairment, they can be attributed to any of the categories treated in the present investigation,²⁴¹ but, ultimately, they all share the apprehension to ensure the continuity of life and lineage through reproduction. This does not posit, as Milgrom²⁴² suggests, that the common denominator of all genital discharges is death;²⁴³ although it may be true for the loss of blood in general, yet no woman has ever died due to a regular menstruation, even less has a man ever passed away after a seminal emission.²⁴⁴ The impurity of the discharges, as I will explain below, may rather be attributed to the waste of creative power: “reproductive discharges do not suggest “life out of place = death” but simply the sacredness of life—the creative power to reproduce a being in the image of God.”²⁴⁵ This last point will be clearer with the following analysis of the text.

The single elements in Lev 15 show a striking parallel treatment of both male and female discharges—in this order—and suggest that the composition was arranged in a palindromic ring structure²⁴⁶ by the same P authors. Richard Whitekettle²⁴⁷ offers the following structure of Lev 15, in which he also distinguishes between pathological genital discharges, i.e., conditions where the physiological integrity of the individual is compromised, and non-Pathological genital discharges that do not ensure human reproduction, i.e., conditions in which the physiological condition is not compromised but the discharge does not correspond to the systemic function.

²³⁹ Stewart, “Sexual Disabilities,” 75–78.

²⁴⁰ Stewart’s article is an inter-categorical and inter-source investigation on different sexual disabilities; although he distinguishes clearly between a מום or a טִמְאָה and the different sources, he also finds striking correspondences which justify a common treatment.

²⁴¹ That is: crushed testicles (מום); sexual discharges, impurity after parturition, uterine prolapse (טִמְאָה); female infertility and uncircumcision might belong to a 3rd unnamed category (non-מום and non-טִמְאָה).

²⁴² Milgrom, *Leviticus 1–16*, 1002.

²⁴³ Consequently, death cannot be considered a rationale behind all conceptions of impurity; although it is linked to a malignant cutaneous disease, as I have shown in the last chapter, it cannot be associated with sexual defilement.

²⁴⁴ Richard Whitekettle, “Leviticus 15:18 Reconsidered: Chiasm, Spatial Structure and the Body,” *JSOT* 49 (1991): 33.

²⁴⁵ Stewart, “Sexual Disabilities,” 78.

²⁴⁶ Hieke, *Leviticus 1–15*, 527; cf. Milgrom, *Leviticus 1–16*, 904–5; Whitekettle, “Leviticus 15:18,” 34–37.

²⁴⁷ Whitekettle, “Leviticus 15:18,” 38; According to Jenson’s distinction in minor and major defilements, the impurity is to be considered a minor defilement when it involves an *indirect* contact (touching, being in contact with the defiled person) or sexual intercourse, while all other *direct* cases are sources for major defilement (cf. Jenson, *Graded Holiness*, 225–26).

		Physiological Integrity	Systemic Function
A	vv. 2b–15	Abnormal	Abnormal
B	vv. 16–17	Typical	Dysfunctional
C	v. 18	Normal	Normal
B′	vv. 19–24	Typical	Dysfunctional
A′	vv. 25–30	Abnormal	Abnormal

Table 5: chiastic structure of Lev 15 (Whitekettle)

Sections A and A′ describe pathological conditions of the reproduction system; both sections are associated with infertility, as they do not ensure reproduction, and the authors are anxious about defilement through contact. Sections B and B′ are not pathological conditions, yet they are to be considered dysfunctional based on the impossibility to procreate; although they can be counted as normal, i.e., non-Pathological, “section B is systematically dysfunctional because the discharge, though typical, cannot bring about reproduction.”²⁴⁸ Both sections A/A′ and B/B′ cause *ṭāḥṭ* and require a purification procedure; however, while for section B/B′ cleansing with water is sufficient, the cultic rite described in section A/A′ involves a sacrifice. The structure shows a clear graduation of impurity, which decreases toward its central section; “note, however, that impurity only decreases towards the center. It does not disappear.”²⁴⁹ Sexual intercourse is hence represented by the ideal section C; the reproductive system does not show any pathological signs and the discharge is functional to reproduction. The question remains unanswered why Lev 15:18 still prescribes cleansing after the sexual intercourse. Whitekettle conjectures that the motive has to be found in the ambiguous genitourinary function of the penis: “as an anatomical structure it is functionally ambiguous, confusing features of both the production of life and production of waste, features of the center and of the periphery.”²⁵⁰ With “center” and “periphery” he is referring to the structure of the camp, but his thesis holds only if Lev 15:31 is taken into account.

Lev 15:31 (H) is considered a later addition, as it directly addresses the priests in the 2nd person plural (וְהִגַּדְתֶּם, you shall guard) and has God speak in the 1st person singular (אֶשְׁכַּחֵם,

²⁴⁸ Whitekettle, “Leviticus 15:18,” 38.

²⁴⁹ Whitekettle, “Leviticus 15:18,” 39.

²⁵⁰ Whitekettle, “Leviticus 15:18,” 44.

my sanctuary).²⁵¹ This addition clarifies the reason for the pollution, which has not been mentioned in the verses before and links the impurity to the realm of death (וְלֹא יָמָתוּ, and they may not die), i.e., to the extirpation of Israel by divine agency due to deliberate impurity.²⁵² The real issue at stake is the pollution of the sanctuary. Whitekettle sees a “homology between body and tabernacle in Leviticus 15,”²⁵³ between cultic and corporeal purity, between life and reproduction vs. non-life and waste of semen. Whitekettle may be right, although the terminology sounds a bit too Christian, when he states that “absolute and lasting purity was impossible to bring about in the fallen world,”²⁵⁴ i.e., outside of the sanctuary. However, he fails to provide further reasons for the structural homology between corporeal purity and cultic space, so that his thesis appears to be too speculative.

In the case of the present study of disabilities, the mention of the sanctuary is still noteworthy; Lev 15:31 posits that the sanctuary represents the center of purity and life, while the periphery, by contrast, implies impurity and death.²⁵⁵ The link between sexual purity and the tabernacle is provided by a cross reference between Lev 12 and Lev 15, which are linked together through the word נִדָּה (menstruation).²⁵⁶ Lev 12:2,5, which refers explicitly to prescriptions mentioned in Lev 15:19–24,²⁵⁷ bars the woman from approaching the sanctuary due to her impurity. The cross reference justifies a simple analogy between both passages; in both texts, a physical condition is construed by the narrative in such a way that ostracizing strategies are deployed, i.e., the impure is excluded from the cultic community. Due to the chiasmic structure around male and female discharges in Lev 15, it can be inferred that the debilitating character of a נִדָּה can be applied to all pathological or dysfunctional conditions described for both sexes, i.e., what is said for the impurity of women with respect to menstrual discharges is also valid for the impurity of men with respect to seminal emissions.

²⁵¹ Hieke, *Leviticus 1–15*, 545; Nihan, *Priestly Torah*, 282–83.

²⁵² Milgrom, *Leviticus 1–16*, 945–46; Hieke, *Leviticus 1–15*, 545–47.

²⁵³ Whitekettle, “Leviticus 15:18,” 40.

²⁵⁴ Whitekettle, “Leviticus 15:18,” 42.

²⁵⁵ Cf. Hieke, *Leviticus 1–15*, 547.

²⁵⁶ According to Milgrom, etymologically, נִדָּה may derive from the root נָדָה (to depart, to flee, to wander) or from נָדָה (to chase away, to put aside); however, the meaning “to chase away, to expel” is common to both roots; eventually, נִדָּה came to denote the discharge or elimination of menstrual blood and, thence, the menstruant herself who was discharged and excluded from the society (Milgrom, *Leviticus 1–16*, 744–45).

²⁵⁷ Hieke, *Leviticus 16–27*, 445–46.

4.3. Parturition

Lev 12:1–8 is a short passage that deals with the reintegration of women into the cultic community after childbirth. Similar to the menstrual cycle (cf. Lev 15:19–24), the parturient is to be considered impure and has to be ostracized from the cultic community²⁵⁸ during a circumscribed period of time, which varies according to the gender of the child. After her impure period, a sacrifice reenables the woman to participate in the cult. Some points should be highlighted before deepening the debilitating status of the woman's postnatal condition. First, only the postpartum condition is considered impure for a certain period of time, while the pregnancy itself corresponds to the "normal state" of cultic purity.²⁵⁹ Second, like most discharges in Lev, the locus of the postnatal impurity is the female reproductive system. Third, according to Whitekettle²⁶⁰, the postpartum discharge, although an integral part of the postnatal impurity, cannot be regarded as its cause, since the period of the impurity does not match the factual period of the lochia, which may last up to sixty days. Finally, and linked to the previous point, Whitekettle calls the duration of the postnatal impurity a "*legislative construct* [emphasis added] which lasted for the standardized period of time of forty days";²⁶¹ The preset duration of the impurity poses the unanswered question how a *pure* woman would have been treated if the *impure* discharge persisted.

The time of impurity is divided into "two differently qualified postpartum periods."²⁶² Dorothea Erbele Küster views the first period of 7 or 14 days as a "static condition of impurity," which represents a "separation ritual," while the second period of 33 or 66 may be regarded as "a process of purification," i.e., a "transformational ritual."²⁶³ Hieke²⁶⁴ highlights a close analogy between the postnatal and the menstrual impurities (cf. Lev 12:2,5); both conditions imply the impossibility of procreation and blood loss. Ultimately, Lev 15:19–24 deals with an indicator for the capacity or incapacity to procreate. As, in the case of menstruation, reproduction is temporarily not possible, a woman in such a condition does not have her full

²⁵⁸ Theoretically, the first phase after parturition is a major impurity and, coherently, the woman should be excluded from the camp although; it is very unlikely this has ever been the case; cf. Jenson, *Graded Holiness*, 139, n. 1.

²⁵⁹ Whitekettle, "Leviticus 12," 398–99.

²⁶⁰ Whitekettle, "Leviticus 12," 397.

²⁶¹ Whitekettle, "Leviticus 12," 397; Whitekettle only refers to the period of forty days, which is the one prescribed for a male newborn, it is not clear to me why he does not also mention the period of eighty days, which is the one imposed on a woman for a female newborn.

²⁶² Dorothea Erbele-Küster, *Body, Gender and Purity in Leviticus 12 and 15*, LHBOTS 539 (New York: T & T Clark, 217AD), 39; cf. Jenson, *Graded Holiness*, 142–43.

²⁶³ Erbele-Küster, *Body, Gender and Purity*, 39.

²⁶⁴ Hieke, *Leviticus 1–15*, 446–48.

Lebenskraft (vital force);²⁶⁵ a condition that stands in contrast to the God of life she worships in the cult. In order to protect the weakened woman, P declares her “impure”, i.e., excludes her from the cult or exempts her from ritual duties. Similarly, a woman in a postnatal condition is temporarily not able to conceive, an impairment that is indicated by the postpartum hemorrhage in P’s view; “because the dysfunctional condition of her womb was antithetical to the vivific character of the divine realm, the menstruous or postpartal woman was declared to be impure.”²⁶⁶ Purity can only be restored after a certain period of time, which however is not related to the end of the concrete bleeding. A considerable amount of blood is already lost at birth; further hemorrhage (lochia) takes place in the course of uterine regeneration. This also explains the analogy with the menstrual bleeding; the consistency and appearance of the lochia and the menstrual bleeding are similar, which explains the analogous treatment of the woman during menstruation and childbirth. Hieke²⁶⁷ also points out that, although further usages of impurity, e.g., in relation to forbidden animals (Lev 11), may be associated with *רָשָׁע* (abomination), this is not true in the case of the menstruation or postnatal condition; neither is to be considered as a moral blemish.

The duration of the impurity depends on the sex of the newborn. Although the text makes use of the terms *זָכָר* (male) and *נְקֵבָה* (female) echoing Gen 1:27, the egalitarian treatment of the Priestly creation account is supplanted by a clear gender hierarchy.²⁶⁸ The period of impurity for a woman bearing a female (Lev 12:5; 14 + 66 days) is twice as long when compared to a male (Lev 12:2,4; 7 + 33 days); the symbolic nature of the numbers is a clear reference to the “socio–religious structure of the society.”²⁶⁹ However, the text does not provide any explicit justification for the difference; Erbele-Küster conjectures that bearing a female child “causes a greater impurity because she will have the ability to create life and therefore in patrilineal society she has an ambiguous role.”²⁷⁰ Unfortunately, she does not expand on her

²⁶⁵ Cf. Whitekettle, “Leviticus 12,” 405.

²⁶⁶ Richard Whitekettle, “Levitical Thought and the Female Reproductive Cycle: Wombs, Wellsprings, and the Primeval World,” *Vetus Testamentum* 46.3 (1996): 390.

²⁶⁷ “Die »Unreinheit« der Menstruierenden und der Wöchnerin impliziert im System der gestuften Heiligkeit und der klaren Regeln für die Kommunikation und den Kontakt mit Gott keinerlei *moralischen Makel* [emphasis added] und keine Abwertung. Das muss ausdrücklich festgehalten werden, denn mit »unrein« werden ja auch andere Dinge und Umstände bezeichnet, die man sehr wohl spontan mit »abscheulich« oder »schrecklich« assoziiert (z. B. das in Lev 11 erwähnte Kleingetier oder die Berührung einer Leiche, Num 5,2; 6,11)” (Hieke, *Leviticus 1–15*, 449); cf. Erbele-Küster, *Body, Gender and Purity*, 46.

²⁶⁸ Erbele-Küster, *Body, Gender and Purity*, 35.

²⁶⁹ Erbele-Küster, *Body, Gender and Purity*, 38; cf. Jenson, *Graded Holiness*, 143; as Erbele-Küster points out, some scholars consider the male provision to be original and the doubling for the female as a later addition to the text.

²⁷⁰ Erbele-Küster, *Body, Gender and Purity*, 38.

thought and fails to provide further arguments. Be that as it may, the difference only concerns the temporal course, while all further provisions in Lev 12:6–8 do not expressly depend on the gender of the child.²⁷¹

The processual transformation of status, behavioral restrictions, and ritual enactments can be compared to what anthropologists define as “rite of passage”: “the rite of passage is a ritual complex which demarcates the transition of an individual from one clearly defined status within a social structure to another.”²⁷² Following childbirth, the woman was separated from the community for a postnatal period of forty or eighty days, during which certain restrictions were imposed on her, most remarkably the separation from the sanctuary—as Erbele-Küster phrases it, she is “cult-disabled.”²⁷³ Only after the purification offering, the woman is reintegrated into the ritual community: “the ritual act aims for cultic purity, which restores access to the sanctuary, since impurity threatens the sanctuary and with it the holiness and presence of God.”²⁷⁴ The state prior to such an offering meets all conditions of our definition of disability; in Lev 12, the physiological condition of a postpartum woman is culturally represented and socially constructed in such a way that ostracization from the community, i.e., marginalization, is imposed on her for a preset period of forty or eighty days. The negative impact on the woman is given by the contagion she may cause on further individuals and objects, which is implied in Lev 12:2, and by the prohibition to touch anything holy and to enter the sanctuary (Lev 12:4). The last point is particularly remarkable: “in essence, she was denied access to the deity and the divine realm.”²⁷⁵ A question remains unanswered by the text: what is the state of the newborn? A male newborn is circumcised on the eighth day implying that “she can no longer ritually contaminate her son”²⁷⁶ after the first period of seven days. Then, is a newborn during the first period of seven or fourteen days to be considered “disabled” according to my definition? As interesting as this question may be, we cannot but speculate about the answer, as the passage in Lev 12 does not offer any indication.

²⁷¹ Hieke, *Levitikus 1–15*, 457.

²⁷² Whitekettle, “Leviticus 12,” 399.

²⁷³ Erbele-Küster, *Body, Gender and Purity*, 49.

²⁷⁴ Erbele-Küster, *Body, Gender and Purity*, 45.

²⁷⁵ Whitekettle, “Leviticus 12,” 401.

²⁷⁶ Erbele-Küster, *Body, Gender and Purity*, 37.

4.4. Uterine Prolapse

Num 5:11–31 describes an unusual trial against a married woman who is suspected of adultery by the husband, in the lack of further evidence and probably due to an unexpected pregnancy. The suspicion “was sufficient to threaten the purity of the Israelite community, if the matter were not actively pursued until the guilty party—if, indeed, guilt existed—was punished,” for “sexual misconduct was considered a form of impurity.”²⁷⁷ In fact, the passage repeats multiple times that the woman, if she were found guilty, would be impure (Lev 5:13–14.20.27–29).²⁷⁸ Hence, the husband is allowed to bring the wife in front of a priest to undergo a trial by ordeal, which is carried out by the priest himself in front of the sanctuary. The husband must bring a *מִנְחַת קִנְיָאָה* (offering of jealousy), a type of grain offering made of barley instead of wheat, but without the usual oil and frankincense (Num 5:15). The priest then mixes sacral water with some earth taken from the floor of the Tent of Meeting, pronounces a spell with the charge on the woman and writes it down. The cursing words (the ink?) are washed into the mixture of sacral water and earth, called *מֵי הַמֶּרִיב* (water of bitterness). Finally, the woman has to drink the water of bitterness. If the wife has lied, the liquid would cause toxic somatic effects; her belly would distend and her thigh, i.e., her genitals,²⁷⁹ would sag (cf. Num 5:27).²⁸⁰ Curiously, Num also indicates that the wife would become a curse (*אָלָה*) among her people (Num 5:27), a *topos* unknown to P—in fact, the priestly literature links a curse to a disability only in this passage—but is often deployed in Deut (cf. Deut 30:7). As Stewart points out, her reputation is at stake.²⁸¹ The effect of the cursed water affects the region of the body in which the alleged offense has taken place, i.e., the female genitals, and induces a disability.

The passage applies certain concepts of impurity, which “stigmatized the suspected wife who, if she protested her innocence when actually guilty instead of settling for an unremunerated divorce, might risk an abortion or worse—a permanently disabling condition, not to speak of disenfranchisement from her rights as an Israelite.”²⁸² Only if the ordeal fails, she will be considered as pure (cf. *לֹא נִטְמָאָה*, she did not make herself impure, unclean; Lev

²⁷⁷ Levine, *Numbers 1–20*, 181.

²⁷⁸ Olyan, *Rites and Rank*, 47; cf. Lev 18:20 (H), where adultery is also associated with defilement (Olyan, *Rites and Rank*, 59).

²⁷⁹ “*Yārēk* can function as an euphemism for genital on the principle that linguistic substitutions are made for unmentionable body parts from nearby anatomy” (Stewart, “Leviticus–Deuteronomy,” 77).

²⁸⁰ According to Levine, the description may “refer to a condition known as pelvic prolapse, one wherein the uterus protrudes from the enlarged vagina, indicating a collapse of the pelvic structure that holds the uterus in its proper position, especially during pregnancy” (Levine, *Numbers 1–20*, 201).

²⁸¹ Stewart, “Leviticus–Deuteronomy,” 78.

²⁸² Levine, *Numbers 1–20*, 212.

5:28) and she will retain her reproduction capacity (cf. וְנִזְרְעָה זָרַע, and she will retain the seed; Lev 5:28).²⁸³ The uterine prolapse caused by the ordeal meets all conditions of the working definition for disabilities I have offered in chapter 1.3., apart from the exclusion from the community. Stewart²⁸⁴ affirms that the negative outcome of the ritual would permanently impair the woman's body and completely disable her socially. Unfortunately, Stewart fails to support his statement with evidence. In reality, Num 5 does not mention the fate of the adulterous woman, but, according to Lev 20:10, she should be condemned to death by stoning.²⁸⁵ Therefore, strictly speaking, although the outcome can be considered a disability, if she were to be condemned and really put to death, she would not survive the ordeal.

4.5. The formalization of טִמְאָה

The Pentateuchal texts that make use of the term טִמְאָה when and only when טִמְאָה refers to a debilitating physical condition suggest the following formalization:

Dxz: x is affected by a disability of the type טִמְאָה z

$x \in \{v, w\}$

v: male Israelite

w: female Israelit

$z \in \{z^1, z^2, z^3, z^4\}$

$z^1 \in \{\text{צָרַעַת}\}$

$z^2 \in \{\text{שְׁכַבְת־זָרַע, גִּדָּה, זִזָּב}\}$

$z^3 \in \{\text{parturition}\}$

$z^4 \in \{\text{uterine prolapse}\}$

$\exists v \exists w \exists z^1 \exists z^2 (Dvz^1 \vee Dvz^2 \vee Dwz^1 \vee Dwz^2)$

$\exists w \exists z^3 \exists z^4 (Dwz^3 \vee Dwz^4)$

²⁸³ Stewart, "Leviticus–Deuteronomy," 78.

²⁸⁴ Stewart, "Sexual Disabilities," 74.

²⁸⁵ Cf. Levine, *Numbers 1–20*, 203–4.

5. Non-מִוּם and non-טִמְאָה: a category of its own?

The categories of מִוּם and טִמְאָה, which are mainly deployed and developed in P and H texts, do not cover the entire spectrum of disabilities mentioned in the Pentateuch. There are several physical and mental conditions that deviate from a normative ideal and hinder the person affected to fully participate in the social life of ancient Israel. These conditions are not classified in any way anywhere in the Hebrew Bible, but they are indeed mentioned. So, how are they to be understood? I would like to recall the simile already used in chapter 1. My investigation rather resembles various pieces of the jigsaw puzzle that cannot produce a complete picture; some pieces fit each other, while others do not. Nevertheless, they are all pieces of a jigsaw puzzle that can be arranged according to some features—color, shape, dimensions, etc. Similarly, the intent of my investigation is not the production of a fully coherent and comprehensive picture of disability in the Pentateuch, even less am I presuming that Pentateuchal authors shared a common classification of impairments. I am aware that the disparate concepts of disability cannot be harmonized and there may also be aspects of debilitating conditions that did not find their way into the Hebrew Bible. Nevertheless, I am convinced that all the attestations I have dealt with point to the existence of “a larger concept or idea,”²⁸⁶ some sort of lowest common denominator which resembles our contemporary concept of disability. That is: the attestations revolve around physical and mental deviations from an ideal *normate* representation and as such they are linked to marginalization and stigmatization strategies.

While for certain clusters we are given terms to name them, i.e., מִוּם or טִמְאָה, there are loose attestations of impairments without any “key term.” The question is now: how are we supposed to treat all alleged disabilities that are attested in the Pentateuch and somehow meet the conditions of the working disability but are not attributed to either the clusters named מִוּם or טִמְאָה? For the sake of simplicity, I am calling all these cases non-מִוּם and non-טִמְאָה disabilities, because it cannot be stated with certainty whether they can be conceptualized as (1) not belonging to any category, (2) to a category of their own (3) or whether there is an implicit or explicit overarching super-category that entails all disabilities. In the latter cases, can all non-מִוּם and non-טִמְאָה disabilities be classified as a separate third sub-category (3a) or loosely belong to the overarching super-category (3b)? I am obviously referring to the tables 1, 2, 3, and 4 in chapter 2. As if this were not confusing enough, it is clear—and the biblical

²⁸⁶ Junior and Schipper, “Disability Studies and the Bible,” 32.

scholar did surely not expect otherwise—that the classifications implied by the different sources differ from each other. The following chapters will show the complexity behind the conceptualization of non-**מִיָּד** and non-**טִמְאָה** disabilities and I will propose an overview in chapter 5.5. Hence in the following chapters, I will treat the following passages:

- Deut 28:28,34 (D) mentions mental disabilities;
- Exod 4:11 (non-P)²⁸⁷; Lev 19:14 (H)²⁸⁸ are the only Pentateuchal attestations of deafness and muteness;
- Deut 7:14–15 (Dtr), an adaptation of Exod 23:25–26 (D?), is one of the main passages that treats infertility, which is also mentioned in stories narrated around Gen 11:30; 20:17; 25:21; 29:31;
- (un)circumcision is treated in various texts, among them: Exod 12:43–49 (H)²⁸⁹; Deut 23:2 (Engl. 1, Dtr).

5.1. Mental disabilities

In this chapter, I will finally deal with mental disabilities, which are mentioned in the working definition but have not been treated until now. The Hebrew vocabulary that defines mental disabilities is replete with difficulties due to our limited understanding of the terminology and the lack of a neutral term for mental conditions. In the Pentateuch, terms that refer to mental disabilities are only attested in a list of curses against those who disobey the commandments in Deut 28 (D)—a passage I have already discussed in the previous chapters. Its authors make use of the terms **שָׁגֵעוֹן** (madness) and **תְּמָהוֹן לֵב** (confusion of the heart) in Deut 28:28, and **מְשֻׁגָּע**, (driven mad) in Deut 28:34, a *pual* passive participle of the rare verb **שָׁגַע** (to be mad). Mental disabilities do not appear to be viewed either as a **מִיָּד** or a **טִמְאָה**,²⁹⁰ but they are nevertheless constructed as a curse to punish the disobedience of the Israelites. The consequence of the curse posits stigmatization and marginalization strategies which are common to other disabilities.

A closer look at the origin of the verses in question may cast some further light. Otto²⁹¹ points out that Deut 28:27–29 adopts the Sîn curses and, as of in Deut 28:28–29, incorporates

²⁸⁷ Olyan interprets the text to be “an H supplement to earlier Passover legislation” (Olyan, *Disability*, 38; cf. Milgrom, *Leviticus 17–22*, 1343–1344); traditionally it is considered to be part of P^e; cf. Albert de Pury, “The Jacob Story and the Beginning of the Formation of the Pentateuch,” in *Die Patriarchen Und Die Priesterschrift : Gesammelte Studien Zu Seinem 70. Geburtstag*, ed. Jean-Daniel Macchi, Thomas Römer, and Konrad Schmid, AThANT 99 (Zurich: Theologischer Verlag Zürich, 2010), 142.

²⁸⁸ Milgrom, *Leviticus 17–22*, 1319.

²⁸⁹ Cf. Milgrom, *Leviticus 17–22*, 1343–1344.

²⁹⁰ Olyan, *Disability*, 71.

²⁹¹ Otto, *Deuteronomium 4,44–11,32*, 2008–9; cf. Weinfeld, “Assyrian Treaty Formulae.”

the blindness and the straying drawn from the Šamaš curses; both lists of curses are entailed in the Vassal Treaties of Esarhaddon.²⁹² Deut 28:34 is an adoption of the Gula curse, also contained in the Vassal Treaties, which explains why bewilderment is here described as a consequence of “what the eyes will see”; It is worthy of note that nowhere else in the Hebrew Bible bewilderment arises from the sight of a divine punishment. Through the adoption of an Akkadian text, D espouses a different theology where impairments are viewed as a penalty for a sin, namely for the infringement of a treaty.²⁹³ By contrast, a מום is never construed as a consequence of a sin in H texts, and a טמא functions as an explicit instrument of divine wrath in Num 12:9–15 (non-P) and as a consequence of sin primarily in the ordeal of the bitter water in Num 5:11–31 (P); in neither case they are linked to the breaching of the covenant.

D’s association of mental disabilities with blindness²⁹⁴ further supports their function as punitive instruments. Blindness is referred to in Deut 28 with two different terms: עִוְרֹן and עִוֵּר. However, only the attestations (Deut 28:28; Zech 12:4) of the rare lexeme עִוְרֹן (blindness, blinding) are constructed as a punishment for transgressions and instrument of divine wrath, be it against the Israelites or against their enemies. It is noteworthy that mental disabilities are associated with exactly this term in Deut 28:28, which suggests a metaphorical interpretation of עִוְרֹן. The much more common עִוֵּר (blindness) is not directly connected to a punishment and only describes its consequence in the simile in Deut 28:29; here the blind is not said to be per se cursed, but the cursed will share the marginalizing effect of sight loss for he has disobeyed God’s commandments. Further non-Punitive uses of blindness by D are attested in Deut 15:21, where עִוֵּר is categorized as a מום, a classification that D applies only to animals that are unsuitable for offerings,²⁹⁵ and in Deut 16:19, where a bribe is said to blind (עוֹר) the eyes of the wise. Interestingly, also מְשֻׁעָע is linked to vision in Deut 28:34 but quite in the opposite way: it is by maintaining sight that the cursed will be inflicted with a mental disability. The context in which שָׁעָעוֹן לֵב, תִּמְהוֹן לֵב, and מְשֻׁעָע are embedded evidently conceptualize mental disabilities as being closely connected to sight. Does this tell us something about their classification?

According to Olyan,²⁹⁶ Deut 28 combines the terms שָׁעָעוֹן (madness) and תִּמְהוֹן לֵב (bewilderment of the heart) with blindness in a way that the stigmatization and marginalization strategies deployed for the latter are also adopted for mental disabilities, suggesting a

²⁹² Cf. n. 118.

²⁹³ Stewart, “Leviticus–Deuteronomy,” 80.

²⁹⁴ Cf. 3.1.1.

²⁹⁵ Cf. Olyan, “Defects, Holiness, and Pollution,” 1023–24.

²⁹⁶ Olyan, *Disability*, 77.

derogatory connotation. That is: D authors appear to combine עֲנָוֹן and לֵבָב with עֲנָוֹן based on the result of the disability, i.e., helplessness, and may suggest the assignation of debilitating mental conditions and blindness to a common mode of classification, which the text does not define. The stigmatization and marginalization strategies are a device that D applies also to other disabilities in Deut 28: e.g., גִּרְבִּי, which is listed as a מוֹם in Lev 21:20 (cf. Lev 22:22), and שֹׁחֵיץ, (inflamed spot), which is connected to a טִמְאָה in Lev 12:18–20. The correlations indicate that all terms related to a disability and contained in Deut 28 may imply a distinctive unnamed classification. Is this classification only unique for D? I do not think so, as passages from other sources point out to similar associations (e.g., Exod 4:11; Lev 19:14). In conclusion, I assume that non-מוֹם and non-טִמְאָה disabilities are implicitly conceptualized either as a category of their own (2) or as a separate third sub-category of an overarching, unnamed super-category (3a).

5.2. Deafness and muteness

As Mike Gulliver and William J. Lyons²⁹⁷ highlight, the concept of *deafness* can refer to a wide range of experiences: it can be a temporary, intermittent, or life-long condition; it can range from a mild hearing loss to profound deafness; it can affect only one ear or be bilateral with different degrees on both sides; it can be congenital or acquired. In ancient times, the cause of deafness may be related to different factors: genetics; birth complications; certain ear infections; prolonged exposure to loud noises, such as music instruments or metallurgical work; physical traumas to the ear acquired, for instance, during wartime or a fight but also through natural incidents like the proximity to a thunder; ageing. Deafness also unveils a social factor if it is acquired due to the loud work environment: a smith is more likely affected by hearing loss than a scribe. If total, bilateral deafness is congenital or has been acquired before learning a spoken language, then this person will also grow up mute. For all these experiences of deafness and muteness, the Hebrew vocabulary is very concise and makes use of only two terms: חֵרֵשׁ (deaf) and אֵלֵם (mute), which in the Pentateuch are only attested in Exod 4:11 (non-P)²⁹⁸ and Lev 19:14: “the Hebrew terminology in use—or at least what is available to us—is too unrefined to do justice to the complex and multiple social realities of hearing loss.”²⁹⁹

²⁹⁷ Mike Gulliver and William J. Lyons, “Conceptualizing the Place of Deaf People in Ancient Israel: Suggestions from Deaf Space,” *JBL* 137.3 (2018): 544–45.

²⁹⁸ Cf. William H. C. Propp, *Exodus 1–18: A New Translation with Introduction and Commentary*, AB 2 (Garden City, NY: Yale University Press, 1999), 191; Wynn, “Normative Hermeneutic,” 91.

²⁹⁹ Gulliver and Lyons, “Deaf People,” 545.

Based on Carol L. Meyers' research,³⁰⁰ Gulliver and Lyons³⁰¹ sketch out deaf experiences of those women and men who are born deaf or acquire a total hearing impairment before learning a spoken language in ancient Israel. Their insightful investigation goes beyond Olyan's textual analysis and not only takes into account gender differences but also the diverse economic, sociological, and cultural contexts. They adopt Meyers' conclusion that the household was "the immediate and determinative social context for everyone, sustaining and shaping daily existence for its members", and, from an economic and social stance, "the basic unit of production and consumption."³⁰² Accordingly, the ancient Israelite household represents a relatively safe place for both deaf women and deaf men where, on one hand, they enjoy the family's protection and support, and, on the other, they have to contribute actively to the household activities. However, the gender differences should not be underestimated.³⁰³

Israelite deaf women would live within the household carrying out domestic chores, e.g., cooking, making clothes, cleaning. They might also leave the household temporarily to collect water, help with the harvest, and for urination and defecation. If a deaf woman cannot be married to someone, she still may have sexual experiences within the household. If the household collapsed, the deaf woman would be "little worse off than any other rootless women left to eke out a difficult existence on the margins of the Israelite society."³⁰⁴ In such a case, prostitution would be one of the few possibilities to survive.

The situation of deaf Israelite men is dependent on the family's social status and on the urban context. In small villages, deaf men may contribute to the household's subsistence and fulfil horticultural tasks, such as growing, harvesting and possibly trading crops or fruits. Duties related to the care of sheep, goats, or cattle outside the household, e.g., in the fields, would not be possible as he would only be able to rely on his sight. In larger villages, a deaf man may work with hearing others or alone in manual tasks like digging cisterns or constructing buildings, or even in skilled crafts, such as metallurgy or production of jewelry. Unlike a deaf woman, a deaf man would survive better the loss of the household support; however, dealing with legal issues without family support would be nearly impossible.

³⁰⁰ Carol L. Meyers, *Rediscovering Eve: Ancient Israelite Women in Context* (Oxford: Oxford University Press, 2012).

³⁰¹ Gulliver and Lyons, "Deaf People," 545–49.

³⁰² Meyers, *Rediscovering Eve*, 103.

³⁰³ Gulliver and Lyons's study adopt the insights from a further investigation carried out on a woman and a man from Burundi who were born deaf and developed their own informal sign language to communicate with their respective families; according to Gulliver and Lyons, the situation of these two deaf Burundians is similar to that of deaf persons in ancient Israel; for the sake of space, I will highlight only the conclusions from this comparison.

³⁰⁴ Gulliver and Lyons, "Deaf People," 548.

Gulliver and Lyons' analysis cast a more benevolent light on the situation of deaf women and men in ancient Israel. Although they agree with Olyan that some stigmatization strategies apply, they do not assume that deaf Israelites are imposed with more restrictions than hearing Israelites or that they would not have a "positive route through life."³⁰⁵ Gulliver and Lyons go on analyzing the situation of deaf priests from a D perspective,³⁰⁶ but there is no reason why their insights should pertain to only one source. In order to carry out his duties, a priest may need verbal skills that an Aaronite who has been born deaf would never acquire; however, such a position assumes that a priest officiates alone and does not take into account the "relational settings"³⁰⁷ in which priests celebrate. As long as another priest who is able to hear and speak is present, Gulliver and Lyons do not see any reason why a deaf priest cannot co-officiate relying on his other senses.

Gulliver and Lyons base their research partly on Olyan's treatment of deafness and muteness from a cultic perspective.³⁰⁸ Unlike in the case of persons affected by a מום or a טמא, deaf persons are not subject to any exclusion from the community, nor barred from entering the sanctuary and there is no restriction imposed on deaf priests. Unfortunately, this does not assume that deaf Israelites are privileged compared to other persons with blemishes. Several texts associate the deaf and the mute with other persons affected by a מום like the blind and the lame (Exod 4:11; Lev 19:14), suggesting that biblical writers may implicitly refer to a super-category that entails both, מום and any other disability not constructed as a מום. Olyan goes on arguing that the frequency with which the Hebrew Bible links the deaf and mute to the blind and other persons affected by blemishes indicates that the overarching native classification is "based on somatic dysfunction and a common vulnerability to oppression."³⁰⁹

5.3. Infertility

The case of infertility is rather complex. In the present study, I differentiate between natural infertility, which is the topic of this chapter, and induced sterilization, which I have already treated before (cf. genital castration in chapter 3.1.5. and prolapsed uterus in chapter 4.3.). The

³⁰⁵ Gulliver and Lyons, "Deaf People," 549.

³⁰⁶ Gulliver and Lyons treat only Deuteronomic texts, as they offer a thorough critique of Avalos' article (cf. Hector Avalos, "Introducing Sensory Criticism in Biblical Studies: Audiocentricity and Visiocentricity," in *This Abled Body: Rethinking Disabilities in Biblical Studies*, ed. Hector Avalos, Sarah J. Melcher, and Jeremy Schipper, vol. 55 of *Semeia Studies* [Atlanta: Society of Biblical Literature, 2007], 47–59).

³⁰⁷ Gulliver and Lyons, "Deaf People," 550.

³⁰⁸ Olyan, *Disability*, 48–53.

³⁰⁹ Olyan, *Disability*, 49.

Hebrew term for infertility is עָקָר, which is used twelve times in the Hebrew Bible, and six times in the Pentateuch; interestingly, in Deut 7:14, where it refers to women, men and animals, we find the only attestation of the male form. It derives from the root עָקַר which is related to “root” or “plot of land” (cf. the Syriac ܥܩܪ, root, and the Arabic عَقَرَ, to extirpate).³¹⁰ The etymology fits quite well to Stewart’s observations.³¹¹ In line with Levine and Whitekettle, and contrary to Milgrom, Stewart favors an agricultural notion of reproduction according to which a man plants his seed in the woman’s “field with a wellspring”³¹² (מִקְוֶה). He argues that מִקְוֶה is a central term in P’s, and especially H’s, understanding of sexuality; it is related to the menstruous woman (cf. Lev 12:7; 20:18)³¹³ and it evokes the myth of creation by referring to the streams in Eden (cf. Gen 3:20).³¹⁴ The Pentateuchal data for infertility—contrary to castration—does not link the incapacity of reproduction neither to a מוֹם nor to a טִמְאָה.³¹⁵ It is a condition that can affect male and female, humans and animals, without any direct social consequence for the affected.³¹⁶

Nevertheless, Schipper³¹⁷ argues that infertility must be considered a disability in the Hebrew Bible and draws his conclusion by reviewing biblical, ancient Near Eastern and rabbinic data. In Deut 7:14–15 (Dtr), which the authors adopted³¹⁸ from Exod 23:25–26 (Dtr), Moses promises to the Israelites that among them there will be no sterile man (עָקָר), barren woman (עֲקָרָה), or any infertile cattle, as there will be no sickness or Egyptian disease; the association of infertility with a sickness suggests that in Deut 7 infertility may be viewed negatively as an impairing health condition. Two further points support Schipper’s interpretation. First, in Gen 20:17, Abimelech’s court is healed (רָפָא) from infertility on Abraham’s request; in Deut 28:27 (D) the same verb רָפָא, that Gen uses for infertility, is also used for גִּרָב, a condition that is considered a מוֹם in H (Lev 21:20; 22:22), and for שָׁחִין, a skin

³¹⁰ S.v. עָקַר, in: Gesenius, *Hebräisches und Aramäisches Handwörterbuch*.

³¹¹ Stewart, “Sexual Disabilities,” 77–78.

³¹² Stewart, “Sexual Disabilities,” 77–78; cf. Erbele-Küster, *Body, Gender and Purity*, 47–48.

³¹³ Cf. 4.2.

³¹⁴ Stewart makes also reference to Pr 5:18 and to Jdg 1:15, where Ashsah’s implores Caleb to give her “springs of water” (גִּלְתָּ מַיִם); cf. Stewart, “Sexual Disabilities,” 77.

³¹⁵ Cf. Stewart, “Sexual Disabilities,” 71; curiously, two P texts I have already discussed in 4.2. and 4.3. deal with unnatural discharges in women and uterine prolapse, i.e., two conditions that produce infertility; however, the texts in question do not mention infertility neither directly, nor indirectly; hence, while for non-P passages infertility may be considered a disability unrelated to any other groups of impairments, P might view barrenness as some sort of impurity; due to the lack of further evidence, I will not consider עָקָר as a טִמְאָה.

³¹⁶ For a different interpretation, cf. chapter 7.2.3.

³¹⁷ Jeremy Schipper, “Disabling Israelite Leadership: 2 Samuel 6:23 and Other Images of Disability in the Deuteronomistic History,” in *This Abled Body: Rethinking Disabilities in Biblical Studies*, ed. Hector Avalos, Sarah J. Melcher, and Jeremy Schipper, vol. 55 of *Semeia Studies* (Atlanta: Society of Biblical Literature, 2007), 105.

³¹⁸ Weinfeld, *Deuteronomy 1–11*, 380–82; Otto, *Deuteronomium 4,44–11,32*, 873.

disease indirectly linked to a cutaneous טִמְאָה in P (Lev 13:18–20,23). This suggests that disabilities and infertility share common features with respect to their curability vs. incurability and can be viewed as comparable health conditions across the sources.³¹⁹ Second, the considerable correspondence between the blessings in Deut 7 and the list of blessings and curses in Deut 28 prompts Otto³²⁰ to view the latter as a hermeneutical key for the former. Specifically, Deut 28 provides a link to Deut 7:15 through two expressions related to illness: sickness (תָּלַי) in Deut 7:15 and Deut 28:59,61 and the disease(s) of Egypt in Deut 7:15 (מַדְוֵי (מַצָּרִים) and in Deut 28:60 (מַדְוֵה מַצָּרִים). Hence, although disabilities are not explicitly mentioned in Deut 7, the cross reference with Deut 28 indicates that infertility is to be viewed as a disability in the same way as גָּרָב and, indirectly, שָׁחִין in Deut 28:17 are. In other words: if we accept the multiple cross references from a first cursory examination of Deut 7:14–15—and Exod 23:25–26—in light of its relation to Deut 28 and of the healing in Gen 20:17, it can be inferred that the Pentateuchal sources consider infertility as a debilitating condition, without attributing it to any other native category. However, the texts offer only a probable hint and cannot be considered indisputable.

In sum, it seems probable that the Hebrew Bible treats infertility as a disability but what type? Joel S. Baden³²¹ categorizes the attestation of (female) barrenness in the Hebrew Bible in two ways: in individual terms, as a recurrent trope in the stories of the matriarchs Sarah, Rebekah and Rachel, and in communal terms with reference to both the Israelites and non-Israelites. Only the latter group does not make distinction with regard to the gender, while the former is specifically *female*.³²²

In the first category, infertility is not linked to any sin or punishment, but it is often the defining characteristic through which a female figure is introduced (e.g., Sarai in Gen 11:30).³²³ Barrenness is implemented as a “narratological device”³²⁴ within a similar literal pattern, particularly in the non-P narratives,³²⁵ to demonstrate God’s fulfilment of his promise in spite

³¹⁹ As described (cf., e.g., chapter 1.), the various sources treat disabilities differently with respect to the consequences; yet, if we compare the attestations, some inferences can still be drawn by means of inductive reasoning, i.e., without full assurance of the conclusion, provided a *tertium comparationis* can be identified.

³²⁰ Otto, *Deuteronomium* 4,44–11,32, 873–74.

³²¹ Joel S. Baden, “The Nature of Barrenness in the Hebrew Bible,” in *Disability Studies and Biblical Literature*, ed. Candida R. Moss and Jeremy Schipper (New York: Palgrave Macmillan, 2011), 20.

³²² For a different interpretation, cf. 7.2.3.

³²³ Cf. Melcher, “Genesis–Exodus,” 35.

³²⁴ Baden, “Barrenness,” 21.

³²⁵ Baden observes that the trope of God’s power to fulfill his promise is attested in J, E and P, but only in J it is explicitly linked to barrenness; in the case of Sarah and Abraham, E and P focus on the age of both parents as an obstacle to the fulfilment of the promise; age is also the impediment in J, but the story revolves also around her barrenness (Baden, “Barrenness,” 21); for the meaning of J and E, cf. note 54.

of initial barriers; YHWH's promise of a great nation is jeopardized by the barrenness of a matriarch, who becomes fertile through divine intervention, proving the deity's power over her body and over history. Eventually, she gives birth to one of the Patriarchs and God's promise is fulfilled. Baden goes on to argue that "why the women are barren, the issue of blessing and curse, or the cultural treatment of the barren women is not mentioned, nor is it relevant."³²⁶ According to Baden, the matriarchs are never made responsible for their infertility, their disability is only a means by which divine power is demonstrated through direct intervention.

The second category treats infertility in communal terms. Baden³²⁷ lists the three texts I have treated earlier: Gen 20:17–18 tells of YHWH's curse against Abimelech's court, from which they are healed; Exod 23:25–26 and Deut 7:14–15 relate the lack of infertility to YHWH's blessing on the Israelites. In all three passages, barrenness is used as a rhetorical device to show the deity's response to human disobedience or obedience implying that, although God is the ultimate cause of barrenness, humans have indirect control over infertility through their behavior.³²⁸ This stays in contrast with the conceptualization of infertility as framed in the first category, in which the matriarchs are not made accountable for their condition. As Baden further observes, all three passages of the second category seem to suggest indirectly that the natural state of a community is a mixture of fertile and infertile individuals and that the infertility as well as the fertility of the entire community is an unnatural condition brought about by God's direct intervention due to human obedience or disobedience.

In both categories, barrenness is deployed as a rhetorical device to show YHWH's power over history, in general, and over the human body, in particular. Baden correctly affirms that "it is either the logical mechanism by which Yahweh's promise of progeny is challenged or a single element among others used to claim Yahweh's power to alter the normal course of life."³²⁹ The latter case—i.e., infertility in individual terms—should not mislead us to think that it is void of any social component. According to Melcher,³³⁰ the concern for the establishment of an Israelite nation permeates the stories of female infertility in the Pentateuch emphasizing the importance of procreation and a pure lineage granted through endogamous marriages. The expectations of the Israelite society must have exerted an enormous pressure on women who apparently were willing to submit for the "higher good." So, Hagar is ready to return to Sarah's

³²⁶ Baden, "Barrenness," 22.

³²⁷ Baden, "Barrenness," 22–23.

³²⁸ Cf. Melcher, "Genesis–Exodus," 53.

³²⁹ Baden, "Barrenness," 23.

³³⁰ Melcher, "Genesis–Exodus," 53.

harsh treatment after that YHWH's angel has promised her a fertile line of descendants (Gen 16:9–10). When Rebekah's sisters bless her before she willingly leaves her family to become Isaac's wife, their only concern is her fertility (Gen 24:60). Finally, Rachel refers to her infertility as a disgrace (חַרְפָּה), a culturally imposed shame from which she can be relieved through childbirth (Gen 30:22–23). Accordingly, although Baden's observation that the cultural treatment of barrenness is nowhere mentioned in the Hebrew Bible is correct,³³¹ Melcher's more subtle analysis shows the burden of infertility Israelite women had to bear.³³²

I would like to conclude this chapter and spend some words on the case of male infertility in Deut 7:14–15. As I have mentioned before, Deut 7:14–15 adopts the blessing in Exod 23:25–26; interestingly, Deut removes the miscarriage of Exod and expands the scope of the blessing from the barren woman (עֲקָרָה) in Exod to both the sterile male and the infertile woman (עֶקֶר וְעֲקָרָה).³³³ The expansion is even more astonishing as the male form of עֶקֶר is only attested in this verse; in every other human context the term refers to women only.³³⁴ This is why I am inclined to somehow link עֶקֶר in Deut 7:15 to the exclusion of the castrati in Deut 23:2 (Engl. 1). I do not consider it implausible that the authors of Deut 7:15 (Dtr) may have drawn their promise from an interdiction such as the one contained in Deut 23:2 (Engl. 1, Dtr) and rephrased positively in more general terms. To my knowledge, no investigation has ever discussed the correlation, but, if my—admittedly quite speculative—assumption is correct, Deut 7:14–15 assumes that Israel is blessed by the absence of castrated males.

5.4. Uncircumcision

Olyan³³⁵ shows persuasively that a מום is best conceived as a constructed category that does not follow general principles such as “if a body has been altered, then that body is to be considered blemished.” In fact, although blemishes may result from the alteration of some body parts, e.g., the loss of an eye or a tooth (Lev 24:19–20) or the fracture of a hand or a foot (Lev 21:19), other alterations like piercings are nowhere mentioned. The case of circumcision vs. uncircumcision (עָרֵל) is even more peculiar. While I am aware that circumcision is primarily to

³³¹ Baden, “Barrenness,” 22.

³³² Melcher, “Genesis–Exodus,” 37, 39, 41–42, 45–46.

³³³ Propp points out that Ibn Ezra understands the passage in Exod to include both women and cattle (Propp, *Exodus 19–40*, 289).

³³⁴ Rebecca Raphael, “Whoring after Cripples: On the Intersection of Gender and Disability Imagery in Jeremiah,” in *Disability Studies and Biblical Literature*, ed. Candida R. Moss and Jeremy Schipper (New York: Palgrave Macmillan, 2011), 116, n. 13.

³³⁵ Olyan, *Rites and Rank*, 114.

be interpreted as a sign of the covenant (Gen 17:11) and of ethnic identity (cf. Gen 34), it may be useful to allow an aside and to view it, for once, from the perspective of disability studies. All Pentateuchal sources are quite attentive about the integrity of sexual organs and their functions, however “there is nothing about cutting off the male foreskin that suggests that the act should not be constructed as blemishing.”³³⁶ Circumcision could be viewed as an alteration inflicted on the male body that would function similarly to any other מום like having one testicle (מְרוֹת אֶשְׁרֵי) or other genital mutilations,³³⁷ but quite the opposite is true. In the Hebrew Bible, circumcision is construed as an “emblematically enabling and even normative”³³⁸ rite; by contrast, uncircumcision follows the stigmatization and marginalization strategies applied for most disabilities. Accordingly, circumcision may be treated as a counter-מום based on its enabling character and—which is more striking—uncircumcision as a מום, with all the consequences this may imply. However, neither statement is attested in the Hebrew Bible, and any parallelism or *argumentum e contrario* should be drawn with caution. If there is one thing that the case of circumcision vs. uncircumcision shows indisputably is the fact that, in accordance with the cultural model of disability, a מום is to be viewed as a phenomenon specific to the sociocultural development of the Israelite society and cannot be defined as a transcultural universal.³³⁹

Before analyzing uncircumcision as a disability, it may be useful to provide an overview of its use in the Pentateuch. It is immediately evident that several passages cast a negative light on uncircumcision and the uncircumcised.³⁴⁰ Uncircumcision often serves as a metaphor with a pejorative meaning: Moses’s lips are said to be uncircumcised (Exod 6:12, P³⁴¹), although his speech impairment is not associated with a מום; the fruits of young trees are prohibited to the Israelites and called “uncircumcised” (Lev 19:23); conversely, obedience to YHWH is compared to the circumcision of the heart (Deut 10:16). Uncircumcision is linked to disgrace (תְּרָפָה) in Gen 34:14 like female infertility in Gen 30:23, which is also a debilitating condition without being explicitly either a מום or a טְמֵאָה. Furthermore, (un)circumcision is a gender marker as it affects only males as well as a boundary marker between Israelites and non-Israelites.³⁴² However, while the uncircumcised Israelite is punished with the extinction of his

³³⁶ Olyan, *Rites and Rank*, 114.

³³⁷ Cf. chapter 3.1.5.

³³⁸ Cf. Olyan, *Disability*, 46.

³³⁹ Cf. Olyan, *Disability*, 46; Olyan, *Rites and Rank*, 114.

³⁴⁰ Olyan, *Disability*, 36–38.

³⁴¹ Propp, *Exodus 1-18*, 266.

³⁴² Olyan, *Rites and Rank*, 67–68; the opposition circumcision vs. uncircumcision is based on the general binary system on which also other pairs like מום vs. תְּמִים, and טְמֵאָה vs. טָהוֹר are construed.

lineage (Gen 17:14), the non-Israelite male can overcome the boundary through circumcision (cf. Exod 12:48; Gen 34:15–17).

Let me now turn to the main question: is uncircumcision a disability? Olyan cites Exod 12:43–49 (H)³⁴³ as evidence for his claim that circumcision is an “enabling rite.”³⁴⁴ The text concedes the participation in the Passover central rites to slaves and sojourners (גֵּרִי) provided they are circumcised before the festivity. By means of their circumcision, they become part of the Israelite community in opposition to the uncircumcised, who may not eat of the Passover offering (Exod 12:48). From the stigmatization and the exclusion of the uncircumcised, Olyan³⁴⁵ infers that uncircumcision can be considered a condition similar to a מום. He supports his argument by comparing the exclusion of the uncircumcised in Exod 12:43–49 with the proscription to enter the sanctuary for castrati in Deut 23:2 (Engl. 1, Dtr) and for the blind (עִוֵּר) and the lame (פֶּסֶחַ)—both a מום according to Lev 21:18 (H)—in 2 Sam 5:8b (DtrH).³⁴⁶ However, as Olyan points out himself, D/Dtr texts “foreground integration through subordination to an Israelite patron”³⁴⁷ and do not base inclusion on circumcision like H texts do. I am hesitant to accept his argument, as the cross references seem too speculative;³⁴⁸ Exod 12:48; Deut 23:2 (Engl. 1); 2 Sam 5:8b have different referents and are embedded in different contexts. Moreover, Exod 12:48 may rather be linked to an impurity, but, to my knowledge, no scholar has yet investigated on uncircumcision as a טִמְאָה disability.³⁴⁹ Be that as it may, exclusion alone does not appear to be compelling enough.

An interesting scheme is offered by Stewart. Stewart³⁵⁰ suggests a common category for uncircumcision and castration. To belong to this category, a disability must satisfy two conditions: it must be a (1) מום, and a (2) טִמְאָה or have social exclusion as a consequence. The second condition is not as self-explanatory as it may seem; the consequence of a טִמְאָה is generally social exclusion, but not everything that causes social exclusion is a טִמְאָה (cf. מִמְזֹר, a child born of a culturally mixed marriage, in Deut 23:3, Engl. 2). Unfortunately, Stewart fails to explain why he combines the two concepts in one single condition. On the other hand, the first condition is much more interesting. Stewart draws on Olyan’s argument and infers per

³⁴³ Olyan, *Disability*, 38.

³⁴⁴ Olyan, *Disability*, 38; cf. Stewart, “Sexual Disabilities,” 72.

³⁴⁵ Olyan, *Disability*, 37; Olyan, *Rites and Rank*, 114.

³⁴⁶ Cf. Olyan, *Disability*, 28.

³⁴⁷ Olyan, *Rites and Rank*, 102.

³⁴⁸ Dorman is also reluctant to accept Olyan’s linking of the two verses, although she does not challenge the attribution of the uncircumcised to the category of מום (Dorman, “Blemished Body,” 211).

³⁴⁹ Cf. Günter Mayer, “עָרֵל,” *TDOT* 11:360.

³⁵⁰ Stewart, “Sexual Disabilities,” 75, table no. 4.4.

induction that due to its exclusive character uncircumcision must be considered a מום. However, it is not clear (1) whether inclusion suffices to rule out a מום and (2) what the difference between the two conditions is if both ultimately refer to social exclusion. In this regard, my refutation of Olyan's argument applies to Stewart's interpretation, as well. Interestingly, *en passant*, Stewart brings forth a further point, which may change the whole picture. Before commanding the practice of circumcision, God tells Abraham, to “walk in my ways and be blameless (תמים)” (Gen 17:1).³⁵¹ Stewart does not develop this point further, but, if תמים is to be interpreted as the one and only antonym of מום—which I doubt it is—and if the blamelessness in Gen 17:1 directly refers to being circumcised, then it may suggest an *argumentum e contrario* for treating uncircumcision as a מום. However, it is improbable that תמים can be view as an antonym of מום in this context. Benjamin Kedar-Kopfstein points out that the root תם is rather ambiguous. The basic meaning suggests complete conclusion, but it does so by revolving around two poles; “around one pole are grouped the positive senses of perfection and completion, while around the other are gathered the antonymic senses of cessation, decline, and total destruction.”³⁵² He goes on identifying a cultic and a moral acceptation and suggests that Gen 17:1 applies the term to illustrate a way of life, and not bodily integrity, as it is often the case in syntagms with הלך (cf. תם in conjunction with הלך in *hithpael*: Gen 17:1; Ps 101:2; Prov 20:7).³⁵³

One question has not been answered yet: why is a mutilation such as circumcision not treated as a blemish? The case of circumcision is best explained with God's royal engagement with the world and his aesthetical predilection.³⁵⁴ P's initial deistic characterization of the deity is replaced—latest as of Gen 6—with a creator genuinely concerned, and directly involved, with the well-being of his creation. However, as Schipper and Stackert³⁵⁵ observe, God's interventions are rather reactive and more often than not triggered by a conspicuous circumstance. It is the sight of corruption that will lead God to flood the earth (Gen 6:12) and it is the cry of the Israelites that will prompt him to liberate them from the Egyptian bondage (Exod 3:9). In both cases, God perceives a disorder, which urges him to intervene; and in both cases a visible sign accompanies his action, either a rainbow (Gen 6:12) or the blood at the doorposts and lintel of a house (Exod 12:7). God's engagement with his creation is determined by his sensorial, generally visual, perception.

³⁵¹ Stewart, “Sexual Disabilities,” 72.

³⁵² Kedar-Kopfstein, “תם,” 15:706.

³⁵³ Kedar-Kopfstein, “15:708,” תם.

³⁵⁴ I will discuss this point in chapter 7.1.2.

³⁵⁵ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service,” 476.

As I will elaborate in chapter 7.1.2., P also depicts God like a Near Eastern sovereign with a predilection for certain principles, such as human bodily integrity; whatever does not meet his preference is a source of disturbance and must be removed from his presence. This is evident in the case of the Aaronites affected by a *מום*, who are disallowed to officiate. But why is circumcision not considered a blemish? It can be argued that both circumcision and a *מום* present a certain similarity; the *tertium comparationis* is given by the somatic variance, which, “as a deviation from the *status quo* of human anatomy”³⁵⁶ we would expect to attract God’s disfavor. However, while circumcision is described as a non-disabling, mandatory ritual sign, a blemish is a congenital, acquired, or inflicted impairment, which God does not tolerate in his immediate presence.³⁵⁷

Schipper and Stackart observe that the sight of the divine sovereign is indeed disturbed by both anomalies, but the difference lies in the reaction. While a *מום* offends the deity’s preference for bodily integrity and is unacceptable in his presence, circumcision is an admissible exception, because it functions “as a reminder to the deity that he has committed himself to bestow a blessing of fertility upon the Israelites.”³⁵⁸ Circumcision, although a mutilation, is understood as a visible reminder, an “aide-mémoire”—“the deity exploits his own, usual response to physical blemishes to counteract his natural inattentiveness.”³⁵⁹ To my view, one further essential observation integrates Schipper and Stackart’s analysis; while circumcision does not affect reproduction, i.e., it is not a bodily dysfunction, and thus can very well be linked to the promise of progeny, any other genital mutilation makes procreation impossible. I have already explained in chapter 4.2. that also the impairments that deal with sexual *טמא* revolve around procreation. Therefore, circumcision can effectively be used as a device to draw divine attention “for the Israelites’ benefit,”³⁶⁰ without arousing the deity’s ire or jeopardize fertility, as may be the case for any other genital *מום* that impedes reproduction.

³⁵⁶ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service,” 476.

³⁵⁷ Stewart shows that in the Hebrew Bible there are also two instances of a negative use of circumcision that are not linked to any inclusive rite, e.g., as a revenge for Dinah’s rape and as David’s bride price for Michal (Stewart, “Sexual Disabilities,” 72).

³⁵⁸ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service,” 460.

³⁵⁹ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service,” 476–77; the unfortunate formulation “natural inattentiveness” may give the wrong impression that after the Floods’ account the deity returned to his state of indifference toward the human fate, which is clearly contracted by the subsequent narrative. (cf. Annette Schellenberg, *Der Mensch, das Bild Gottes? Zum Gedanken einer Sonderstellung des Menschen im Alten Testament und in weiteren altorientalischen Quellen*, AThANT 101 [Zurich: Theologischer Verlag Zürich, 2011], 373).

³⁶⁰ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service,” 476.

5.5. Formalization of non-מִוּם and non-טִמְאָה disabilities

The classification of all non-מִוּם and non-טִמְאָה disabilities is not an easy task due the lack of a clear and explicit terminology. As I have already mentioned in chapter 1.2, Schipper ascertains that the *qittēl* noun pattern is generally, but not only, linked to physical anomalies, which are often attested in clusters; based on his analysis of the taxonomy, he concludes that “disability was a meaningful conceptual category in the ancient world.”³⁶¹ Accordingly, the clusters indicate a rudimentary grouping of some sort. Stewart goes a step forward and inventories the terms associated with physical impairments, which he sorts out into four groups: מִוּם, non-מִוּם and non-טִמְאָה, טִמְאָה and disabilities that exclude permanently from the community.³⁶² Raphael agrees with Schipper’s and Stewart’s finding and reckons that “the linguistic and textual evidence does support the existence of abstractions that grouped various impairments together, even though a single term does not exist.”³⁶³ Olyan’s monography on disability also distinguishes between different “native classifications,” namely between מִוּם and non-מִוּם disabilities.³⁶⁴ The latter category entails deafness and muteness, skin diseases, parturition, menstruation, and mental disabilities. In the present investigation, I have only focused on the Pentateuchal attestations and I have organized my research according to Stewart’s and Olyan’s studies. The attribution of disabilities to native categories such as מִוּם and טִמְאָה can be corroborated by the texts I have analyzed so far. However: how are we supposed to understand impairments that are neither מִוּם nor טִמְאָה?

The conditions I have treated in this chapter are remarkable for three reasons. First, some physical conditions show the *qittēl* noun pattern like הָרֵשׁ and אֵלֶם, indicating a link to other terms with the same noun pattern that define impairments. Second, some attestations alleged non-מִוּם and non-טִמְאָה disabilities are found grouped together with at least a condition that H describes as מִוּם; blind and deaf, for instance, are associated in a variety of passages attributed to different sources (e.g., Exod 4:11; Lev 19:14; also outside of the Pentateuch, e.g., in Isa 29:18), which Raphael interprets as “evidence of higher-level concepts.”³⁶⁵ Similarly, mental diseases are associated with blindness (metaphorically in Deut 28:28; physically in Deut 28:29) or with sight (Deut 28:34), suggesting that mental disabilities are analogous to physical

³⁶¹ Schipper, *Figuring Mephibosheth*, 67; Olyan argues that the pattern refers more specifically to a “somatic dysfunction” and hence “the implicit native classification suggested by the morphological pattern is less broad than Schipper suggests.” (Olyan, *Disability*, 147–48, n. 5).

³⁶² Stewart, “Leviticus–Deuteronomy,” 79; cf. Stewart, “Sexual Disabilities,” 75.

³⁶³ Raphael, *Biblical Corpora*, 14.

³⁶⁴ Olyan, *Disability*, 26–77.

³⁶⁵ Raphael, *Biblical Corpora*, 14.

impairments or at least somehow linked with physical conditions. The associations indicate that the different conditions are comparable. Third, some of the cases analyzed in this chapter meet the definition of disability, particularly the deployment of marginalization and stigmatization strategies. It is hence out of the question that non-*מִוּם* and non-*טְמֵאָה* disabilities are indeed to be considered impairing conditions. The question is rather how they are linked to the other two categories.

Based on the evidence gathered until now, I suggest the following conceptualization of impairments: the Pentateuch presumes a general and vague notion of disability that, as Raphael phrases it, is “governed by subcategories other than ours.”³⁶⁶ This general notion of disability can be described as an implied, and hence non-native, super-category of all undesired physical and mental conditions that do not fit the ideal *normate* representation of a body. The subcategories of disability have been developed differently by the various Pentateuchal authors, although P and H texts present a more nuanced taxonomy. A general overview must take into account—and unfortunately this has often been neglected or not emphasized clearly—how disability is instantiated according to the corresponding source. Accordingly, I suggest a non-*מִוּם* and non-*טְמֵאָה* category, i.e., a notional and non-native “basket” that entails all those conditions that are nowhere classified as a *מִוּם* or a *טְמֵאָה* by the sources (cf. scheme 3a at the end of chapter 2.; however also 3b is possible).

Some texts will exemplify what I have just suggested. Visual impairment is a *מִוּם* according to Lev 21:18 (H). In Exod 4:11 (non-P); Lev 19:14 (H) and Deut 28:28 (D) blindness (*עִוְרָה* but *עִוְרֹן* in the latter verse, which is most probably metaphorical) is linked to disabilities that are generally not construed as a *מִוּם*, suggesting that the authors combine comparable categories of physical dysfunctions and mental disorders, although a common classification is not mentioned explicitly.³⁶⁷ However, the fact that they are grouped together is an indicator for the existence of a “lowest common denominator” that strongly resembles, but not equals, the contemporary concept of disability.³⁶⁸ Similarly, in Exod 4:11 (non-P), blindness (*עִוְרָה*) as well as muteness (*אֵלֶם*) and deafness (*חֵרֶשׁ*) are listed in correlation and attributed to God’s sovereign will; all three impairments are viewed as analogous debilitating conditions that share a common origin. Although the text does not name a common classification, it is highly probable that an overarching category—again as a lowest common denominator—is implied. In Lev 19:14 (H),

³⁶⁶ Raphael, *Biblical Corpora*, 14.

³⁶⁷ Olyan, *Disability*, 49.

³⁶⁸ I have explained what I refer to as an overarching notion or category in chapter 1.2.; there I have also mentioned that they can thought of as a “lowest common denominator.”

too, blindness and deafness are combined in one single legal formula. According to Olyan, they appear to “[...] share a common classification based on somatic dysfunction and a common vulnerability to oppression.”³⁶⁹ All these groupings would not make sense if they had not some degree of comparability as debilitating conditions.

The case of Deut 28:28 (D) is even more noteworthy. The combination of blindness (עִוְרִין) and two mental conditions (תְּמָהוֹן לֵב and שִׁנְעוֹן) underlines the marginalizing effect of the curse: the cursed will be abandoned in a state of “weakness, vulnerability to oppression, victimization, and dependence on a stronger patron.”³⁷⁰ Here, too, the text seems to posit a common category, something we can base on the ableist misconception that links disabilities to marginalization and stigmatization. As in the case of deafness and muteness, it is of note that this passage also relates impairments with blindness, suggesting that deafness, muteness, and mental disabilities are to be viewed as debilitating conditions comparable to conditions I have treated as מום or טְמֵאָה for other sources. All these verses seem to indicate a categorial system of the type 3a or 3b, but it should be kept in mind that any inference is drawn per induction.

The categorization of infertility and uncircumcision is more complicated. While the ableist treatment of female infertility is undeniable, the texts consider it a disability only indirectly, that is: it is never associated with either a מום or a טְמֵאָה in the nearer context. In chapter 5.3., I have mentioned multiple cross references that indicate how infertility is construed as an impairment across the sources. However, the lack of an explicit combination of barrenness with either a מום or a טְמֵאָה raises reasonable doubts about its classification. If, like in the case of uncircumcision, the association is not attested, it is improbable—although not entirely indisputable—that the health condition in question is to be viewed as a disability in a way comparable to מום or טְמֵאָה.

Finally, I am inclined to agree with Olyan and assume the existence of an unnamed category of the type 3a (also 3b is possible). A disability belongs to this category if it meets all the following conditions:

- (1) it is a physical or mental dysfunction in accordance with the working definition of disability;
- (2) it is nowhere listed explicitly as a מום or a טְמֵאָה so that it can be indeed treated as a different condition;

³⁶⁹ Olyan, *Disability*, 49.

³⁷⁰ Olyan, *Disability*, 73.

(3) it is attested in combination with either a מום or a טמאָה to assure that the authors consider it a debilitating condition analogous to other debilitating conditions;

(4) marginalization and stigmatization strategies apply, which is part of the working definition. While conditions (1), (2), and (4) are either drawn from the working condition or self-explanatory, condition (3) narrows the range of contemplable impairments considerably and may be reconsidered.

Mental disabilities, and deafness and muteness fulfil all conditions and thus may be considered as disabilities other than מום or טמאָה. The classification of infertility is disputable; while it meets conditions (1), (2) and (4), condition (3) is fulfilled only indirectly through cross references and a similar use of the predicative pair curable vs. incurable. In the case of uncircumcision, I consider its categorization as a disability much more improbable; it meets conditions (2) and (4), and culturally it may be viewed as a physical dysfunction and thus meeting condition (4), but it certainly does not meet the third condition. Possibly, uncircumcision can be understood as a disability-like condition, adding even further complexity to the conceptualization of impairments in the Pentateuch. If we leave out condition (3), then all impairments discussed in this chapter are likely to be conceptualized as a disability according to our working condition.

The formalization would be as follows:

Dxn: x is affected by a non-מום and non-טמאָה disability n

$x \in \{p, i\}$

i: Israelite

v: man

w: woman

$n \in \{n^1, n^2, n^3, n^4\}$

$n^1 \in \{\text{mental disabilities}\}$

$n^2 \in \{\text{deafness, muteness}\}$

probable $n^3 \in \{\text{infertility, castrati}\}$

improbable $n^4 \in \{\text{uncircumcision}\}$

$\exists i \exists s^1 \exists s^2 (Dis^1 \vee Dis^2)$

$\exists w \exists v \exists s^2 (Dvs^2 \vee Dws^2)$

$\exists v \exists s^3 (Dvs^3)$

6. Formalization of the classification

At last, I would like to summarize the findings of chapters 3 to 5 in the same logical way as I have done in the previous chapters. In the following formalization I have added the sources, as it is quite interesting to see that P and H are those most concerned with disabilities, while D or Dtr deal with them quite summarily. Also, while P and H make more nuanced distinctions between male and female, other sources do not seem to be as concerned with gender.

Mxv: x is affected by a mûm m

Sxy: x is affected by a non-מום and non-טמאה disability s

Txz: x is affected by a tūm'â t

$$x \in \{i, m, p, w\}$$
$$i: m \wedge w$$

n: male Israelite

w: female Israelite

p: Aaronite

$$m \in \{m^1, m^2\}$$

$m^1 \in \{\text{אֶשֶׁר מְרוֹת, יִלְפֶּת, גָּרֵב, דֶּק, גִּבּוֹן, יָד שֹׁבֵר, רֶגֶל שֹׁבֵר, שְׁרוּעַ, פֶּסֶת, חֶרֶם, בְּעֵינָיו, תִּבְלֵל, עוֹר}\}$

$$m^2 \in \{\text{loss of an eye, loss of a tooth}\}$$
$$s \in \{s^1, s^2, s^3\}$$
$$s^1 \in \{\text{אֵלִים, חֵרֶשׁ, שְׁגֵעוֹן, לִבָּב תִּמְהוֹן, מִשְׁגָּע}\}$$

probable: $s^2 \in \{\text{עָקָר}\}$

improbable $s^3 \in \{\text{עָרַל}\}$

$$t \in \{t^1, t^2, t^3, t^4\}$$
$$t^1 \in \{\text{צָרַעַת}\}$$
$$t^2 \in \{\text{נִדָּה, זֹב, שְׁכֵב־זֶרַע}\}$$
$$t^3 \in \{\text{parturition}\}$$
$$t^4 \in \{\text{uterine prolapse}\}$$
$$\exists p \exists m^1 \exists m^2 (Mpm^1 \vee Mpm^2)$$

Lev 21:16-24 (H)

$$\exists i \exists m^2 (Mim^2)$$

Lev 24:19-20 (H)

$$\forall i \forall m^1 (\neg Mim^1)$$

by contrast to Lev 21:16-24 (H)

$$\exists i \exists s^1 (Sis^1)$$

Exod 4:11 (non-P); Lev 19:14 (H); Deut 28:28,34 (D)

$$\exists n \exists w \exists s^2 (Sns^2 \vee Sws^2)$$

e.g., Exod 23:25–26 (Dtr); Deut 7:14–15 (Dtr);

$$\exists n \exists s^3 (Sns^3)$$

e.g., Exod 12:43–49 (H); Deut 23:2 (Engl. 1)(Dtr)

$$\exists n \exists w \exists t^1 \exists t^2 (Tnt^1 \vee Tnt^2 \vee Twt^1 \vee Twt^2)$$

Lev 13-14 (P); Lev 15 (P);

Num 5:2-3 (H)

$$\exists w \exists t^3 \exists t^4 (Twt^3 \vee Twm^4)$$

Lev 12:1-8 (P); Num 5:11-31 (P)

7. Causes and Consequences of Disabling Conditions

Until now I have treated the causes and the consequences of disability in the Pentateuch *en passant*. This is particularly true for the consequences; although they are a condition in the working definition of disability offered at the beginning, I have not yet elaborated on the negative consequences the conceptualization of impairment supported by Pentateuchal authors yields. Similarly, when I have mentioned the causes of disabling conditions, I have repeatedly referred to later chapters and now the time has come for those chapters. This final part of my investigation about causes and consequences will wrap up and integrate the present study. I will first discuss the causes, which is mostly an analysis of non-P texts such as Exod 4:11 and Deut 28, and the divine irritants, which are based primarily on an article by Schipper and Stackert³⁷¹ about Lev 21:16–24. Finally, I will deal with the consequences of disabilities; I will draw my analysis primarily from Olyan’s insights offered in his two monographies “Disability in the Hebrew Bible” and in “Rites and Ranks,” but I will adapt them in accordance with the more detailed classification of disabilities I have offered throughout the present study.

7.1. Origin of disabilities

In accordance with the purpose of the present study, I define the cause of a disability as the ultimate *quid* responsible for the impairing condition from a theological perspective. Most Pentateuchal authors seem to identify it with the deity; yet, only some sources do so overtly, others are more implicit, and there are passages that show no interest in any cause whatsoever. When God is made accountable for the impairment, the reason why he brings about a disability is not always evident; generally, the question why some are born or struck with impairments is answered differently by each source and yields, or is originated in, a specific representation of God. In chapter 7.1.2., I will elaborate on those instances where the rationale behind the ostracism of the impaired seems to be rooted in the divine will to keep the disabled out of sight due to the irritation their condition provokes to the deity. In the following two chapters, I will only focus on the etiological link between God and the disability. That is: I will not touch on the incidents that bring about an impairing condition from a medical perspective, neither will I discuss any course of events that may lead to a legal sentence and consequently, to a mutilation; my concern is purely theological.

³⁷¹ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service.”

7.1.1. The etiology of disability

Olyan's brief analysis³⁷² of Exod 4:11 (non-P)³⁷³ introduces us to one of the roles the deity plays in the Pentateuchal conceptualizations of disabilities. In Moses's quest to be excused from the service, YHWH makes himself accountable for the function and dysfunction of eye, tongue, and ears; more specifically, he is said to be the one who has made (שׁים) disabilities, which in the text are exemplified with the lexemes אֵלֶם, חֲרָשׁ, and עֵוֶר. Most probably, the terms are deployed as a merism and refer to any debilitating condition (cf. chapter 3.1.6.), suggesting that non-P may already hold a rudimentary general notion of impairments based on a common somatic dysfunction. Furthermore, the merism includes two types of disabilities one of which (עֵוֶר) is often mentioned across the sources (e.g., Lev 19:14; 21:18; Deut 27:18; 28:29) and explicitly classified as a מום by H; a similar word pair (חֲרָשׁ, עֵוֶר) is also attested in Lev 19:14 (H), where it addresses social oppression, but, in opposition to Exod 4:11, here H shows no interest in identifying the cause. Lastly, while other passages consider disabilities as a sign of God's disfavor or deploy them as an instrument of divine wrath, Exod 4:11 does not allude to either; Moses's disability is a product of YHWH's creative power, but it is not interpreted negatively as a punishment.

Olyan fails to elaborate on further non-P texts (e.g., Exod 4:6³⁷⁴; Num 12:10³⁷⁵) that imply a divine origin of disabilities; it is noteworthy that these texts refer to conditions that other sources classify as a טִמְאָה. In Exod 4:6, YHWH renders Moses's hand מְצֹרֶעֶת (struck with a malign skin disease) but heals it immediately as a sign of his power. In Num 12:10–15, YHWH withdraws his presence from the tent and Miriam is punished with a צִרְעָה; she becomes מְצֹרֶעֶת like a stillborn child, alluding to a similar “aura of death” that surrounds cutaneous conditions and is also attributed by P (cf. chapter 4.1.). In both cases, YHWH is said to bring about a צִרְעָה presuming his power over disabilities in alignment with the statement in Exod 4:11. However, both cases show a derogatory representation of disabilities; they are deployed as a negative sign of God's power or as instruments of a punishment. In sum, although the non-P classification of impairments is by far less nuanced than in other sources, a rudimentary general notion of impairment as a dysfunction can be inferred and, in any case, attributed to the divinity. Curiously, while blindness and deafness are not linked with YHWH's punishment

³⁷² Olyan, *Disability*, 49.

³⁷³ Cf. Propp, *Exodus 1–18*, 191; Wynn, “Normative Hermeneutic,” 91.

³⁷⁴ Propp, *Exodus 1–18*, 191.

³⁷⁵ Levine, *Numbers 1–20*, 311.

in Exod 4:11, a צָרַעַת, as highlighted in the other non-P passages, seems to be. This hints to the type of conceptualization of disability other sources offer in comparison to P or H.

A similar understanding of the etiology of disabilities is also held by D (e.g., Deut 24:8–9; Deut 28:27–28; Deut 28:35) and, outside the Pentateuch, by DtrH (e.g., 1 Sam 16:14; 2 Sam 3:29).³⁷⁶ The warning given in Deut 24:9 includes a direct reference to Num 12:9–15 (non-P); D mentions God’s punishment against Miriam with a צָרַעַת without any substantial reinterpretation. The deployment of diseases as an instrument of divine wrath is then resumed in the curses contained in Deut 28, in which the authors list both skin diseases and other debilitating conditions as punishments for disobedience (cf. Deut 28:27, 35). Remarkably, two of these skin diseases are also found in P and H: שִׁחִי (skin inflammation; however, without the specification “from Egypt”) is inflicted as the sixth plague against the Egyptians in Exod 9:8–12 (P),³⁷⁷ but it is treated as a non-polluting skin disease in Lev 13:18–23 (P) without any reference to either an agent or a punishment; גָּרַב is listed as a מוּם in Lev 21:20 (H), where no cause whatsoever is mentioned. However, generally, P and H are not very keen on interpreting disabilities as an instrument of God’s wrath with some notable exceptions, such as Exod 9:8–12 (P) and Num 5:21 (P). It is also noteworthy that—and I ask the reader to pardon the excursus into DtrH—, while the evil spirit that torments Saul is said to be sent by God (1 Sam 16:14–15), the lameness of his grandchild Mephibosheth is a mere result of an accident (2 Sam 4:4).³⁷⁸

The ambiguous usage of certain disabilities by the different sources exemplifies how, just as complex the biblical conceptualization of impairing conditions can be, so too their etiology cannot be easily traced to one factor alone, such as divine sovereignty. In the conclusion of his investigation, Olyan correctly asserts that “the viewpoint of Exod 4:11, that all disabilities are the result of divine action, represents only one of a number of perspectives in the biblical anthology on the etiology of disability.”³⁷⁹ Moreover, also in those cases where the impairment can be traced back to the deity, the rationale behind its origin is not easily identified. Infertility is the best example for this multifaceted understanding of disability.

In her commentary of Genesis and Exodus, Melcher raises the interesting question about the relationship between God’s sovereignty and disability and concludes that the theme of “God’s sovereignty over reproduction and disability” is “common to all the pentateuchal

³⁷⁶ Cf. Joel S. Baden and Candida R. Moss, “The Origin and Interpretation of Šāra’at in Leviticus 13-14,” *JBL* 130.4 (2011): 643–44.

³⁷⁷ Propp, *Exodus 1–18*, 331.

³⁷⁸ Olyan, *Disability*, 125–26.

³⁷⁹ Olyan, *Disability*, 126.

sources in Genesis and Exodus.”³⁸⁰ Although she is not totally wrong when she states that “if someone has become disabled, God is the ultimate source of disability,”³⁸¹ the overall picture seems to be more detailed. As I have already mentioned in chapter 5.3., infertility is deployed as a rhetorical device in the stories of the Matriarchs where barrenness is attributed to the divine will by the female characters who are affected (Gen 16:2; 25:21; 29:31; 30:2,22) and not explicitly by the text. Baden’s analysis of the attestations shows that only infertility in communal terms seems to be linked directly to a divine punishment, while “nowhere is barrenness [in individual terms] ascribed to disobedience; it is out of humanity’s control.”³⁸² Consequently, Baden concludes that infertility is subject to “Yahweh’s control, explicitly in the case of its removal, implicitly in the case of its existence.” This state of affairs prompts him to distinguish between “natural,” i.e. related to a condition that is not linked to divine action, and “of divine origin,” i.e. related to a condition that is explicitly linked to a divine intervention; hence, barrenness “is natural, insofar as it is part of human existence and does not derive from direct divine action, but it is of divine origin also, insofar as ‘nature’ is inseparable from divine creation and control.”³⁸³ In the latter case, God’s intervention may be interpreted as a blessing or as a punishment. Although the two categories may not add any new insights to the conceptualizations of disabilities, they offer a set of categories by which the attestations of disabilities can be further classified.

Further examples of a “natural” condition are the blemishes in Lev 21:16–24 (H) and all impurities contained in Lev 12–15 (P). The latter passage is worthy of note. According to P, “none of these events are attributed to sin,” let alone to a divine intervention, but they are rather “natural and largely unavoidable parts of human activity.”³⁸⁴ Lev 13:34 is the only verse where a *צָרַעַת* is inflicted on a house by YHWH, however the pericope does not articulate the reason for the punishment and Lev 13:33–34, if not the whole passage (Lev 14:33–57),³⁸⁵ is generally considered to be an addition by H.³⁸⁶ Specifically, in the case of a *מַצֵּרֶת*, P does not mention any activity from YHWH, any supplication of relief, or any intermediary role of removal of the malign skin disease by the priest, who is only in charge of the diagnosis.³⁸⁷ Admittedly, in contrast to the other impurities, a *זֶבַח* (guilt-offering) is prescribed (Lev 14:12)

³⁸⁰ Melcher, “Genesis–Exodus,” 54.

³⁸¹ Melcher, “Genesis–Exodus,” 46.

³⁸² Baden, “Barrenness,” 19.

³⁸³ Baden, “Barrenness,” 20.

³⁸⁴ Baden and Moss, “*Šāra’at* in Leviticus 13–14,” 645.

³⁸⁵ Milgrom, *Leviticus 1–16*, 886–87.

³⁸⁶ Baden and Moss, “*Šāra’at* in Leviticus 13–14,” 652.

³⁸⁷ Baden and Moss, “*Šāra’at* in Leviticus 13–14,” 646.

for the purpose of כפר (*piel*: to atone, to purify), indicating something distinctive about the צָרַעַת; on the other hand, a צָרַעַת related to a house (Lev 14:34–53) or to fabric (Lev 13:47–59) seems to dissociate the condition from sin.³⁸⁸ In other words: P impurities highlight two points the conceptualization of disabilities, which—with all due precaution—can also apply to other Pentateuchal sources: first, a sharp distinction between a natural condition and a divine intervention, be it a blessing or a punishment, cannot be supported convincingly; second, “although not everything that comes from YHWH is necessarily a reward or punishment, everything does come from YHWH.”³⁸⁹ It is clear that this view gives rise to new questions for which we may have no answers. The priestly perspective puts much less emphasis on the creational aspect of impairments and appears to acknowledge disabilities as natural, although not ideal, conditions; these non-ideal conditions are best understood as a “deviation from the ideal order” and as “the resurgence of the original chaos of the primordial deep,”³⁹⁰ which must be hidden from God’s sight.

In conclusion, the question about the etiology of disability cannot be answered clearly. Baden correctly asserts that the Hebrew Bible has too often been read through the lens of the religious model of disability where “disability is the result of divine anger and punishment and is therefore imbued with negative connotations, with the disabled person being demonized and ostracized for their disability.”³⁹¹ Although this type of view may be justified by some passages, it is not true in all cases and it is not valid for all sources, as I have tried to highlight above. There are passages like, for instance, the detailed list of disabilities in Lev 21:16–24 (H) where God is not mentioned as the creator of the impairment, nor there is any indication of a punishment, but nonetheless the disabled Aaronite is to be hidden from the divine sight. In discussing the etiology of impairments in the Hebrew Bible, every scholar is advised to exercise caution, for “biblical understandings vary from the Yahwistic view in Exod 4:11 that maintains that disability is part of God’s intended creation to the Priestly perspective that disability is primordial chaos breaking into God’s created order.”³⁹² This last point will be the subject of the next chapter, which deals with a possible rationale behind those texts that separate the disabled from God’s presence.

³⁸⁸ Baden and Moss, “Šāra’at in Leviticus 13–14,” 650.

³⁸⁹ Baden and Moss, “Šāra’at in Leviticus 13–14,” 652.

³⁹⁰ Kerry H. Wynn, “The Invisibility of Disability at Qumran” (Paper presented at the annual meeting of the American Academy of Religion, Nashville, Tennessee, 2000), <https://web.archive.org/web/20050228054619/http://www6.semo.edu/lec/wynn/qumran.html>.

³⁹¹ Baden, “Barrenness,” 20.

³⁹² Wynn, “Normative Hermeneutic,” 91.

7.1.2. Irritants to the divine sight

Although some passages (e.g., Lev 19:14; Deut 27:18) suggest that God takes the defense of the disabled, “in at least some circles, if not many, Yhwh was believed to abominate persons with ‘defects.’”³⁹³ Although the Pentateuch is characterized by a variety of contrasting approaches toward impairments, there is a general negative attitude that cannot be ignored. The exclusion from cultic settings, as it is the case in texts like Lev 21:17–23 or Deut 23:2 (Engl. 1), overtly demeans persons with “defects”; the rationale behind this marginalization strategies is not clear, but their concealment from the divine presence suggests “[...] that YHWH despises such persons, even though it not stated explicitly.”³⁹⁴ Most probably, persons with disabilities may have been considered “ugly and repellent” by some authors and hence “unfit to enter the presence of a deity who is believed to esteem the beautiful and the ‘whole.’”³⁹⁵ In Lev 21:23 the text makes it clear that a disabled Aaronite profanes (חלל)—however, not pollutes (!)—the sanctuary. The reason behind this prohibition in H has been analyzed in depth by Schipper and Stackert.

Schipper and Stackert³⁹⁶ argue that most attempts to find a definite number of common denominators for all priestly blemishes have failed due to the scholars’ general tendency to focus only on the lists provided in Lev 21:16–24 and 22:17–25. By reexamining the question to whom the blemishes are visible, they make an interesting point about shifting the focus away from the description and intratextual comparison of the different types of מום to its external appearance to the deity; in other words: from what is noticeable to humans to the “divine gaze.”³⁹⁷ P and H make extensive use of divine anthropomorphisms³⁹⁸ and often ascribe sight (e.g., Exod 2:25), hearing (e.g., Exod 2:24) and smell (e.g., Lev 26:31) to God, indicating that divine perception is by far more formidable than human senses.³⁹⁹ In the case of sight, for instance, everything appears to be transparent to the “divine gaze,” which has the extraordinary capability to see through any material, including fabrics, and to body-scan humans for imperfections.

³⁹³ Olyan, *Disability*, 127.

³⁹⁴ Olyan, *Disability*, 35.

³⁹⁵ Olyan, *Disability*, 127.

³⁹⁶ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service.”

³⁹⁷ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service,” 465, n. 19.

³⁹⁸ For a treatment of anthropomorphisms in the Hebrew Bible and ancient Near Eastern texts: cf. Schellenberg, *Bild Gottes*, 250–59.

³⁹⁹ For further examples of divine perception in P: cf. Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service,” 463; for a thorough description of divine senses: cf. Yael Avrahami, *The Senses of Scripture: Sensory Perception in the Hebrew Bible*, LHBOTS 545 (New York: T & T Clark, 2012).

Why blemishes provoke the deity's reaction is best explained by his sovereignty, so the argument. Schipper and Stackert draw on, and expand, Gerstenberger's claim⁴⁰⁰ that what causes an offence to the "sovereign's eye" is the "visible disfigurement" of the officiant; such a "divine irritant"⁴⁰¹ appears to be the only communality for all priestly blemishes.⁴⁰² This observation fits well to the general tendency attested in the Hebrew Bible⁴⁰³ to compare the deity to a monarch, although, so Schipper and Stackert acknowledge, neither P nor H refer to YHWH as a מֶלֶךְ. Yet, they point out that "its [of the Priestly literature] characterization of this deity, his behavior, and his requirements, including the cultic instructions, are strongly shaped by monarchic models and norms."⁴⁰⁴ Thus, not unlike in any other human courts of the ancient Near East,⁴⁰⁵ YHWH prohibits the blemished Aaronite to serve in his presence with the aggravating circumstance that, due to his superhuman sight, also genitals become a disqualifying criterion. The prohibition of blemished officiants may stem from the fact that they represent a visible divergence from the YHWH's creation, which he visually inspects (וַיִּבְרָא) and deems good (טוֹב, six times in Gen 1:4–25) or very good (טוֹב מְאֹד, Gen 1:31).⁴⁰⁶ Schipper and Stackert's argument explains persuasively why crushed testicles, in the case of disabilities, or even circumcision, more generally in the case of cultically prescribed mutilations (cf. chapter 5.4.), are a matter of utmost concern to YHWH, although not perceptible to the human eye.

Finally, Watts Belser⁴⁰⁷ elaborates further on Schipper and Stackert's view and brings up an interesting point; she agrees that Lev 21 appears to consider blemishes as visually disturbing to the divine, but she also highlights that rabbinic literature calls attention to the disturbance caused to the "community gaze." Unfortunately, she fails to elaborate on the connection between God's and the community's view on impairments. Although the reception history of Lev 21 is out of the scope of the present work, Watts Belser's consideration of the community of readers may cast some light on the culturally specific understanding of impairments; it seems to me out of the question that the denigrative way in which the

⁴⁰⁰ "The sovereign's eye should not be offended by disfigured persons, [...] Apparently this [i.e., the list of blemishes in Lev 21:16–23] involves in a general fashion visible disfigurements arising on the body either at birth or through poorly healed accidental wounds (broken bones)." (Gerstenberger, *Leviticus*, 316)

⁴⁰¹ Schipper and Stackert, "Blemishes, Camouflage, and Sanctuary Service," 460.

⁴⁰² Olyan rejects visibility as a common denominator for all blemishes, but, as Schipper and Stackert point out, he only (and correctly) refutes human perception (cf. Olyan, "Defects, Holiness, and Pollution," 28–29; Schipper and Stackert, "Blemishes, Camouflage, and Sanctuary Service," 463, n. 10).

⁴⁰³ Schipper and Stackert, "Blemishes, Camouflage, and Sanctuary Service," 465.

⁴⁰⁴ Schipper and Stackert, "Blemishes, Camouflage, and Sanctuary Service," 465–66.

⁴⁰⁵ Gerstenberger, *Leviticus*, 316.

⁴⁰⁶ Schipper and Stackert, "Blemishes, Camouflage, and Sanctuary Service," 468–70.

⁴⁰⁷ Watts Belser, "Priestly Aesthetics."

Pentateuchal authors often represent disabilities may have prompted the readers to endorse a similar stance. More extensive research on the shift from Leviticus' "disturbance caused to the divine" to the rabbinic "disturbance caused to the community" would greatly improve our understanding of blemishes.

7.1.3. Curse

One of the stigmatization strategies attested in the Pentateuch is the association of defects with a punishment formulated as a curse. Indirectly, such a curse casts a negative light on an impairment and stigmatizes the disabled even further because, in this way, the debilitating condition is linked to other derogatory categories, such as weakness, ignorance, and bad judgment.⁴⁰⁸ Deut 28:15–69 (D) epitomizes this type of stigmatization strategy. As already mentioned in the chapter 5.1., the passage entails a list of divine curses against the Israelites in which YHWH is said to strike those who disobey his commandments with different diseases and disabilities, in particular: with various (skin) diseases in Deut 28:27 such as שָׁחִין מִצָּרִים (Egyptian skin inflammation; שָׁחִין is mentioned again in Deut 28:35), עֲפָלִים (boils?, hemorrhoids?), גָּרֵב (a מום according to H, cf. chapter 3.1.4.), and חֲרִס (itch?, scabies?); with שְׁגֵעוֹן (mental impairments) and עִוְרוֹן (blinding) in Deut 28:28; Deut 28:29 also utilizes עִוְרָה (blindness; a מום according to H) in a simile (cf. Deut 16:19) that revolves around the vulnerable condition of an impairment. Each curse is introduced with the *qal* passive participle of the verb אָרַר (to curse); the rarer *piel* participle of אָרַר is also used by P in Num 5:18–27 where it is linked to a טִמְאָה (cf. chapter 4.3.) and describes the effect of the water of bitterness: מֵי הַמָּרִים הַמְאָרְרִים (the water of bitterness that condemns).⁴⁰⁹

As Olyan⁴¹⁰ points out, Deut 28:27–29 is remarkable for various reasons. First, the reiterated mention of sightlessness posits the stigmatization blind persons have to face and stresses it even further; in addition, the subsequent marginalization based on their blindness is unequivocally related to, and justified by, divine rejection. Second, the reader of the curse may have understood blindness to represent emblematically all disabilities; a similar synecdoche is also attested in other D texts such as Deut 15:21 and Deut 19:21 and is probably also deployed in Lev 21:18 (H; cf. chapter 3.1.6.). If עִוְרָה in Deut 28:29 really stands for all impairments, then

⁴⁰⁸ Olyan, *Disability*, 33.

⁴⁰⁹ The verb אָרַר is used in key passages in Genesis (Gen 3:14,17; 4:11; 5:29; 12:3; 27:29; 49:7), Numbers (Num 5; 22), and in the curses in Deut 27 and 28; interestingly, H does not mention it while P uses it only to specify the effect of the water of bitterness (cf. Levine, *Numbers 1–20*, 196).

⁴¹⁰ Olyan, *Disability*, 33–35.

all disabilities “will share these negative associations of transgression, culpability, divine punishment, divine rejection, and vulnerability and weakness.”⁴¹¹ Finally, Olyan raises the question whether the divine punishment with disabilities presumes that anybody disabled is to be understood as punished or rejected by God, as it is the case for sacrificial animals with defects (Deut 15:21, D). Further passages, albeit partly from other sources, such as the already treated Lev 21:17–23 (H); Deut 23:2 (Engl. 1, Dtr), and 2 Sam 5:8b (DtrH), remove the disabled from God’s sight completely and appear to corroborate a stricter stance. It goes without saying that this has a dreadful consequence for the disabled. Yet, although some Israelites may have certainly implied a curse behind every disability, this does not infer logically from the curse. The case of blindness exemplifies what I have just explained. Although blindness, among other disabilities, is listed as a punishment in Deut 28:28, some other instances, such as Isaak’s (Gen 27:1) or the priests’ (Lev 21:18) visual impairment, do not appear to presume any curse, i.e. the texts do not confirm a biconditional connective. So, possibly, such a view is specific only to D?

The relationship between an impairment and a curse is rather complex. Two texts—Lev 19:14 (H) and Deut 27:18 (Dtr)—stick up for the blind and the deaf and forbid to play treacherous pranks on them like insulting who cannot hear and tripping who cannot see. In both passages, God is said to take the defense of the weak. Stewart⁴¹² suggests that the word pair חָרָשׁ and עֵוֶר (cf. Isa 35:5) may function as an merism for all disabilities: עֵוֶר for all disabilities of the מום type and חָרָשׁ for all other disabilities. Hence, both together would stand for all impairments that do not pollute as no טְמֵאָה disability is mentioned. Although Stewart does not provide any reason why YHWH would not protect individuals affected by impurities, the risk of contamination may justify the omission. It is also of note that Deut 27:18 only mentions the blind; is this a further proof that deafness was really not regarded as a disability by some sources, or does the passage presume that the deaf were not as marginalized as the blind?

Out of the two passages, only Lev 19:14b provides a rationale behind the prohibition in the form of a commandment: וְיִרְאַתָּה מֵאֱלֹהֶיךָ (“and you shall fear your God” NJPS; cf. Lev 19:32; 25:17,36,43).⁴¹³ Even if the deaf does not hear what is said about him and the blind does not see what has deliberately been put in his way, God, who is on the side of the helpless, does hear and see it. The formula is thus the recognition of YHWH’s omnipotence and

⁴¹¹ Olyan, *Disability*, 34.

⁴¹² Stewart, “Leviticus–Deuteronomy,” 73–74.

⁴¹³ Hieke, *Leviticus 16–27*, 725; Milgrom, *Leviticus 17–22*, 1641.

omnipresence; the wrongdoer should not assume God does not perceive the wrongdoing.⁴¹⁴ Hieke⁴¹⁵ observes that the curse serves to remind the perpetrator of God's punishment despite the absence of a trial; since the blind cannot see who is misleading him or her, there will be no witnesses and hence no legal action, but God, who does see everything, can hold the wrongdoer accountable.

Finally, the curse in Deut 27:18 (Dtr) is inverted if compared to Deut 28 (D) and challenges the nexus between a curse and a disability in D and Dtr. Milgrom⁴¹⁶ views Deut 27:18 as a logical consequence of the prohibition in Leviticus: אָרִיר ("cursed be ..."), i.e., whoever infringes a divine prohibition is put under the curse by YHWH. Furthermore, it is worthy of note that the deaf is mentioned in Lev 19:32 but is absent in Deut 27:18 or in the curses in Deut 28. This is remarkable if we consider the importance the Deuteronomists attributed to hearing.⁴¹⁷ It is also interesting that, despite the inversion of the curses, the same terms are attested in Deut 27:18 and in Deut 28 (אָרַר for cursing, cf. Deut 28:16; עֵוֶר for the blind, cf. Deut 28:29). In sum, while the God of Leviticus prohibits—but not curses!—whoever “places a stumbling block before the blind” (Lev 19:14) granting his protection over the visually impaired, in Deuteronomy, the infringement is punished by the divinity. Yet, the curses that follow in the Book of Deuteronomy create a contradiction that is not easy to solve. On the one hand, visual impairment belongs to a vulnerable category protected by God, but, on the other, the same vulnerability serves as a curse for disobedience. In other words, YHWH curses whoever “misdirects a blind person on the way” (Deut 27:18, my translation) and, by doing so, puts the visually impaired under divine protection based on his or her defenselessness. At the same time, it is also YHWH who strikes with blindness those who disobey the commandments (Deut 28:29) putting the wrongdoer in the same vulnerable state. In short: YHWH curses who infringes his prohibition to play a prank on the blind and curses with blindness who infringes his commandments. Admittedly, the former does not fully contradict the latter and the two passages belong to different sources, but the vicious circle of protection and curse we are presented with results in a malevolent, not easily explicable arbitrariness and no editor has made the effort to harmonize both passages.

⁴¹⁴ Hieke, *Leviticus 16–27*, 724.

⁴¹⁵ Hieke, *Leviticus 16–27*, 724.

⁴¹⁶ Milgrom, *Leviticus 17–22*, 1639.

⁴¹⁷ Cf. Avalos, “Sensory Criticism,” 50–55.

7.2. Marginalization and stigmatization

The definition of disability I have offered in chapter 1.3. entails an important condition for the conceptualization of impairments in the Pentateuch; a disability must yield a negative impact on the person affected by a disability, i.e., stigmatization and marginalization strategies are deployed by the majority upon a minority group, which is considered to deviate from a *normate* bodily and mental ideal. Olyan’s monography “Disability in the Hebrew Bible” is a superb study on the matter; hence, I will draw my arguments from his investigations and rearticulate them based on the different, more nuanced classification I have offered in the present work. In the following chapters, I will elaborate on the consequences of impairments according to the categories I have proposed. I will end this section with some points on the gender representations of disabilities as they cast some light on the severity of the consequences.

7.2.1. Consequences of מום disabilities

In this chapter, I will attempt to show how the concept of מום is linked to the stigmatization and marginalization of persons with disabilities in the Pentateuch, although the different sources do not equally affect the same groups of individuals and often deploy distinct strategies. I will elaborate on the subcategories of מום I have offered in chapter 3., namely: the cultic מום, the legal מום, and the moral מום. Admittedly, some passages do not belong to the same source and may be unrelated to each other, but they show significant correlations with respect to the exclusion strategies from cultic settings that are worth being highlighted.

One of these correlations is found in two passages of what I have called the cultic מום: Lev 21:16–24 (H) and Deut 23:2 (Engl. 1, D). They differ in the severity of the stigmatizing and marginalizing they deploy; while the restriction imposed in Lev 21:16–24 concerns only the officiating activity, Deut 23:2 (Engl. 1, D) takes up an extremely strict stance on male individuals with a genital mutilation and excludes the person affected from the congregation altogether. It is worthy of note that both passages refer to male individuals, a point I will discuss again in chapter 7.2.4. For now it suffices to point out that Lev 21:16–24 mentions only the male Aaronite with a blemish and debars him from performing any sacrifice—“he shall not enter behind the curtain or come near the altar” (Lev 21:23a NJPS)—, but it still grants him some prerogatives that non-Aaronite do not enjoy, such as eating from the holy and the most holy food (Lev 21:22). As Schipper and Stackert⁴¹⁸ observe, the passage fails to describe any

⁴¹⁸ Schipper and Stackert, “Blemishes, Camouflage, and Sanctuary Service,” 466.

purgation rite in case of violation. Lev 21:22 is not dissimilar to Lev 22:23, where H also mentions an exceptional case and allows certain blemishes in sacrificial animals for a נִדְבָה (free-will offering); here, too, no purification rite is mentioned, should an animal with a defect be sacrificed despite the restriction. The rationale behind the prohibition for an Aaronite with a מום is given at the end of the pericope (Lev 21:23b); due to his impairment, he would profane (חלל) what the YHWH has sanctified (קדש), i.e., H does not consider a disability compatible with the divine holiness and keeps the Aaronite with a disability out of God's irritable sight. Olyan highlights that the exclusion of an Aaronite with a מום represents a stigmatization and a marginalization strategy—or an employment discrimination, as we would define it nowadays—for “his potential to profane the sanctuary's holiness is greater than that of his fellows who lack ‘defects,’ and an ever-present threat.”⁴¹⁹

As mentioned before, D adopts a much stricter stance. A couple of chapters before addressing a human impairment, Deut 15:21 (D) forbids the sacrifice of animals with a defect—here the מום is also qualified as רע—and allows no exception whatsoever. Thus, similarly, Deut 23:2 (Engl. 1) treats the case of any man, not only an Aaronite, who is פְּצוּעֵ-דָבָא (someone whose testes are crushed) or כָּרוּת שְׁפָכָה (someone whose member is cut off) and debars him from entering קהל יְהוָה (YHWH's congregation). The rationale behind the interdiction lies, according to Olyan,⁴²⁰ in the incapability to procreate. He observes that the larger pericope (Deut 23:2–9, Engl. 1–8) contains further prohibitions and permissions, namely for a מְזֻזָּר (illegitimate child?, child of a mixed marriage?) and for male Ammonite, Moabite, Edomite, and Egyptian descendants—all nations that practiced circumcision.⁴²¹ The prohibitions are extended until the tenth generation (Deut 23:4, Engl. 3; Deut 23:4, Engl. 3), the permissions until the third (Deut 23:9, Engl. 8). In the case of the פְּצוּעֵ-דָבָא or כָּרוּת שְׁפָכָה, this generational formula is left out most probably because they are incapable to reproduce. Olyan also backs up his interpretation with the reaction to the Eunuch's lamentation in Isa 56:3–5; “thus, at least one later writer responding to the interdiction of Deut 23:2 (Eng. 1) understood the ban to be based on a lack of reproductive ability, and that, coupled with the lack of a tenth-generation formula in Deut 23:3 (Eng. 1), suggests that inability to reproduce children lies behind the

⁴¹⁹ Olyan, *Disability*, 31.

⁴²⁰ Olyan, *Disability*, 32–33.

⁴²¹ Saul M. Olyan, “‘Sie sollen nicht in die Gemeinde des Herrn kommen’: Aspekte gesellschaftlicher Inklusion und Exklusion in Dtn 23,4–9 und seine frühen Auslegungen,” in *Social Inequality in the World of the Text: The Significance of Ritual and Social Distinctions in the Hebrew Bible*, by Saul M. Olyan, JAJ 4 (Göttingen: Vandenhoeck & Ruprecht, 2011), 177.

prohibition.”⁴²² Although the reason for the ostracisms in Lev 21:16–24 and Deut 23:2 (Eng. 1) are different, they both lead to the stigmatization and marginalization of an Aaronite with a blemish, one of which refers to a genital mutilation, or of an infertile man; furthermore, both texts are linked to a parallel treatment of sacrificial animals, showing a common linkage to the cultic setting.

Though beyond the scope of the present investigation, i.e., Pentateuchal texts, it would be a gross negligence not to integrate Lev 21:16–24 (H) and Deut 23:2 (Eng. 1, D) with a brief excursus into 2 Sam 5:8b (DtrH). The three texts are attributed to different sources, however, similar marginalization strategies, i.e., exclusion from an office, place, or community, are deployed by all three with respect to persons with disabilities. 2 Sam 5:8b mentions an apparently well-known saying—“No one who is blind or lame [עִוֵּר וּפְסָח] may enter the House” (2 Sam 2:8b NJPS)—and raises two interesting questions: what is meant by הַבַּיִת (the house) and who is excluded? The phrase “into the house” refers most probably to the Temple of Jerusalem (cf. 1 Kgs 6:5,37; 7:12; Mic 3:12; Hag 1:8), as the LXX translates explicitly (εἰς οἶκον κυρίου).⁴²³ The second question concerns “the blind and the lame”; the text may make a reference to the blemished Aaronites alone—in which case Lev 21:16–23 is the closest text for comparison—or, more generally, to all worshippers with a disability—then Deut 23:2 (Engl. 1) is the closest text for comparison.⁴²⁴ Olyan⁴²⁵ opts for the second interpretation; the phrase in Deut 23:2 (Engl. 1) יִהְיֶה לֹא־יָבֹא... בְּקִהְלֵי יְהוָה (he shall not enter... the congregation of YHWH, my translation) alludes most probably to the sanctuary (cf. Lam 1:10), an interpretation that is also supported by Isa 56:3–7. In sum, if Olyan is correct, both passages, 2 Sam 2:8b and Deut 23:2 (Engl. 1), refer to persons with a certain kind of disability—פְּצוּעֵ־דָבָא and פְּצוּעֵ־דָבָא in Deut and עִוֵּר וּפְסָח in 2 Sam—and exclude them from the place of worship. Now, as I have already suggested in chapter 3.1.6., if the last pair “blind and lame” is to be understood as a synecdoche for any impairment—and most probably it is—, then 2 Sam 2:8b excludes anybody with a disability from the Temple. Olyan concludes: “if the defective persons mentioned in 2 Sam 5:8b and Deut 23:2 are understood as emblematic of all blemished persons, then these texts suggest that some circles in ancient Israel advocated a ban on worshipers with a variety of physical defects, just as some circles prohibited the entry of mutilated and otherwise

⁴²² Olyan, *Disability*, 33.

⁴²³ Saul M. Olyan, “‘Anyone Blind or Lame Shall Not Enter the House’: On the Interpretation of Second Samuel 5:8b,” *CBD* 60.2 (1998): 219–20.

⁴²⁴ Olyan, “Anyone Blind or Lame,” 221–22; Olyan, *Disability*, 32.

⁴²⁵ Olyan, “Anyone Blind or Lame,” 220–22.

imperfect sacrificial animals into the cultic sphere, and at least one group (represented by H) restricted the cultic activities of blemished priests.”⁴²⁶

Why is the analysis of 2 Sam 5:8b relevant? When I have treated the legal מום, I have mentioned that Nihan understands retaliation in Lev 24:17–22 (H) literally because “injuries disfiguring humans destroy their likeness to the divine.”⁴²⁷ and thus no monetary compensation is possible. Nihan highlights an interesting point; H integrates the list in Exod 21:24 with the term שָׁבֵר (fracture; Lev 24:20), which H also mentions in the case of blemished Aaronites (Lev 21:19). In fact, within the Pentateuch, the lexeme שָׁבֵר appears only in these two H passages and Nihan understands the nexus to lie in the fear of profanation (חלל)—once inside the sanctuary and once in צֶלֶם אֱלֹהִים (image of God), i.e., outside the sanctuary.⁴²⁸ He concludes that “harming or killing another human being thus represents a capital offense against the deity’s holiness and completeness.”⁴²⁹ Now, the *talio* in Lev 24: 17–22 does not explicitly mention any type of stigmatization or marginalization as a cause of the retaliation; however, should any male Aaronite be the perpetrator, the infliction of the punishment would prohibit him to officiate as a priest according to Lev 21:16–24. Does a מום always have a direct or indirect association with the cult? A version of the *talio* is also attested in Deut 19:21 (D), yet the injuries that exemplify the retaliation are not linked to the genital damages mentioned in Deut 23:2 (Engl. 1, Dtr), which are the only ones that resemble a מום. Similarly, 2 Sam 5:8b does not speak of a מום and is not related to D or H, but it mentions exactly the same pair of impairments that head the list in Lev 21:18. In spite of all differences, the striking similarity between H, D, and DtrH suggests that all sources deploy comparable devaluing strategies of some or all persons with disabilities. The incompatibility of a disability with the deity seems to be common to all Pentateuchal sources. Maybe any inference is purely conjectural, but the fact that Lev 21:16–24, Deut 23:2 (Engl. 1), and 2 Sam 5:8b mention blemishes in connection to the sanctuary, the קֹהֵל יְהוָה, or the Temple may be a noteworthy indication that the stigmatization and marginalization of persons with disabilities were widely deployed, religiously justified, and culturally accepted.⁴³⁰

Finally, the last point explains why the mention of impairments may work as a negative metaphor, a point I have treated in the chapter about the moral מום. The use of blemishes

⁴²⁶ Olyan, “Anyone Blind or Lame,” 226.

⁴²⁷ Nihan, “Murder,” 234.

⁴²⁸ Nihan, “Murder,” 234.

⁴²⁹ Nihan, “Murder,” 234.

⁴³⁰ Cf. Olyan, *Disability*, 34–35, 123; cf. chapter 7.2.4.

associated with the profanation of cultic sites underlies, and indirectly justifies, further devaluing strategies “through association with divine curse and punishment, vulnerability, weakness and dependence, hatred, ignorance, and bad judgement.”⁴³¹ The attribution to the category of a מום seems to instrumentalize the fear of profanation and link anything casted as inferior to an impairment equating the potential of defilement with denigration—also in metaphorical speech.⁴³²

7.2.2. Consequences of טמאָה disabilities

While a מום generally comprehends chronic or permanent conditions mostly in male individuals, a טמאָה can potentially be healed and disables both female and male temporarily in the course of their life. Both categories of disabilities ostracize the individual spatially; however, while a blemish mainly impacts the individual’s access to the cultic sphere, the regulations for impurities provide not only for the cultic exclusion but also for the separation from the community. The temporal marginalization is much more detailed in impurities than in blemishes. In some cases, the pollution occurs regularly (e.g., discharges, menstruation, parturition); in other cases, it affects the individual for an undetermined period of time (e.g., צָרַעַת, from which however an individual may never recover). Furthermore, an impurity has a greater negative impact on women than on men; as Olyan states unequivocally: “women experienced a number of the most burdensome impurities.”⁴³³ I will now treat these factors in detail with special attention to the different sources.

Olyan⁴³⁴ observes that the exclusion from the sanctuary or other semi-cultic contexts, like the Passover celebration, must have had a significant impact on the social, economic, and religious life of an individual affected by an impurity. Cultic or semi-cultic contexts were the primary sites for the distribution of meat and food, the interaction within and outside clans, the establishment of hierarchy and social order. The temporary exclusion from such settings would *de facto* debar an individual from the full participation in all these activities during the time of one’s impurity for “one cannot earn a living or maintain a network of social relations if one is spatially separated from the loci of communal life (home, workplace, public space).”⁴³⁵ Furthermore, the exclusion from the sanctuary would prevent the individual from entering the

⁴³¹ Olyan, *Disability*, 33.

⁴³² Olyan, *Disability*, 121.

⁴³³ Olyan, *Rites and Rank*, 57.

⁴³⁴ Olyan, *Rites and Rank*, 55.

⁴³⁵ Olyan, *Rites and Rank*, 55.

primary locus of veneration of the deity, prayers, fulfilment of vows, and ritual reparation for offences. It is also noteworthy that not all impurities are linked to the same type of spatial and temporal separation; according to P, while a malign cutaneous טִמְאָה involves the total segregation from the community, anybody with a sexual טִמְאָה is excluded from the sanctuary—but not from the community—for a comparably short period of time. In Lev 13:1–46, the individual that has not yet been diagnosed with a צָרַעַת is examined by the priest and quarantined (סגר) for seven days. Yet, the passage does not specify where. Milgrom⁴³⁶ rules out a confinement at home for the pollution would be transmitted to anything around the afflicted; he rather suggests an isolation either outside the camp (cf. Num 12:14–15) or, more probably, in special quarters (cf. 1 Kgs 15:5; 2 Chr 26:21) adding a third type of spatial confinement.

H (Num 5:2–3) is much stricter than P and summarily expels (שלח) everybody impure from the camp, i.e.: every male and female suffering from a צָרַעַת, from a bodily discharge, and everybody who has become impure through contact with a corpse.⁴³⁷ Surprisingly, while H does not mention any purification rite nor any limitation in time, P appears to sort the different types of טִמְאָה in Lev 12–15 according to the duration of the impurity and the requirements for the rite of purification.⁴³⁸ This is why Wright suggests that H recapitulates all major P impurities that are “communicable to other persons” in order to “make the Priestly Torah’s principle of exclusion more theoretically consistent.”⁴³⁹ In addition and in contrast to P, H also provides the rationale for the exclusion: וְלֹא יִטְמְאוּ אֶת־מִקְדָּשִׁי אֲשֶׁר אֲנִי שֹׁכֵן בְּתוֹכָם (“put them outside the camp so that they do not defile the camp of those in whose midst I dwell”, Num 3:5b NJPS). Wright goes on affirming that “the presence of the deity has a sanctifying effect” and that “it is God who ultimately provides sanctification.”⁴⁴⁰ Consequently, the segregation from the camp for anybody with a טִמְאָה disability, i.e., with the potential to desecrate the cultic space, involves the spatial separation from the deity.

Individuals affected by a צָרַעַת are segregated from the community altogether. Some passages, such as Lev 13:45–46 and Num 12:12, compare such polluters with the dead⁴⁴¹; “for it would not be too much to say that those who have been removed from the camp are, for all intents and purposes, symbolically dead, cut off from both community and cult.”⁴⁴² The

⁴³⁶ Milgrom, *Leviticus 1–16*, 779.

⁴³⁷ Cf. Levine, *Numbers 1–20*, 184–86.

⁴³⁸ Cf. Milgrom, *Leviticus 1–16*, 743.

⁴³⁹ David P. Wright, “Holiness in Leviticus and Beyond,” *Interpretation* 53.4 (1999): 356–57.

⁴⁴⁰ Wright, “Holiness,” 357.

⁴⁴¹ I have already elaborated on this point in chapter 4.1.

⁴⁴² Olyan, *Rites and Rank*, 56.

comparison with the dead is probably based on the fact that both groups are barred from the cult to YHWH and from the interaction with the community, i.e. both were condemned to perpetuate some kind of existence at the edge of society for an undetermined period of time. Although communal arrangements are attested (cf. 2 Kgs 7:3; 2 Chr 26:21),⁴⁴³ the isolation and the subsequent solitude inflicted on the individual affected by a *צָרַעַת* cannot be emphasized enough: *יָשָׁב מִחוּץ לַמַּחֲנֶה מִן־שָׁבוֹ* (“he is unclean; he shall live alone, his living shall be outside the camp,” Lev 13:46, my translation). In sum, the type of confinement varies according to the source; while P is much more nuanced and mentions only the case of a *מְצָרַע*, H (cf. Num 5:2–3) adopts a stricter attitude bringing about a fairly large amount of “symbolically dead” at the periphery of Israel’s society.⁴⁴⁴

The duration of the impurity and the type of purification rites differ significantly according to the gender of the person affected and involve various degrees of effort and expense; Olyan highlights that “the expense of purification is greater for the parturient than for the woman or man who has recovered from a discharge, and it is greater still for the individual who formerly had a skin affliction.”⁴⁴⁵ So, the passages not only bear witness to a hierarchy of impurities, but they also suggest that a *טְמֵאָה* is related to the construction of gender and its different treatment. As Erbele-Küster points out, the gender distinction starts with the very birth: “since the rules [i.e., purification rites after childbirth] distinguish two sexes from the very beginning of human existence along with two distinctive periods of cultic disability, gender is constructed with birth.”⁴⁴⁶ The different stigmatizing and marginalizing effects of *טְמֵאָה* disabilities are thus generally related to the gender of the individual involved and imply “a sexual category, a form of gender pollution.”⁴⁴⁷ In other words, a sexual *טְמֵאָה* does not simply pertain to a specific corporeal region, but it also gives rise to the gender difference and the dissimilar, mostly discriminatory, treatment between men and women. In fact, no physiological explanation can account for the great discrepancy between the time of impurity for an emission of semen and for menstruation or between the parturition of a male and female offspring. If these rules were really practiced, preadolescent and postmenopausal women “would have spent a substantial amount of time cut off from cultic and quasi-cultic settings in comparison to men.”⁴⁴⁸ The different stigma attached to female impurities prompts Olyan to

⁴⁴³ Olyan, *Disability*, 149, n. 21.

⁴⁴⁴ Olyan, *Rites and Rank*, 56.

⁴⁴⁵ Olyan, *Rites and Rank*, 53.

⁴⁴⁶ Erbele-Küster, *Body, Gender and Purity*, 53.

⁴⁴⁷ Erbele-Küster, *Body, Gender and Purity*, 54.

⁴⁴⁸ Olyan, *Rites and Rank*, 57.

identify a hierarchy of gendered impurities from which he infers that, “among persons in their reproductive years, the purity constructions represented in the biblical texts clearly privilege men over women.”⁴⁴⁹ I will discuss this topic again in chapter 7.2.4.

The following table⁴⁵⁰ gives an overview of the consequences for an impurity according to P:

⁴⁴⁹ Olyan, *Rites and Rank*, 58.

⁴⁵⁰ Cf. Hieke, *Leviticus 1–15*, 404.

Table 6: Consequences of impurities

cutaneous טְמֵאָה	diagnosis of a skin disease (Lev 13:1–46)	7(+7) days	washing of clothes	man and woman	quarantine in special quarters?
	צָרַעַת (Lev 13:45–46; 14:1–32; Num 5:2–3)	impure until healing; 8 days during the rite	purification rite 4 sacrifices anointing with oil	man and woman	segregation from the camp (P, H)
sexual טְמֵאָה	abnormal seminal discharge (Lev 15:2b–15)	impure until healing + 7 days	washing of clothes bathing of own body 2 sacrifices	man	cultic exclusion (P) segregation from the camp (H)
	abnormal vaginal discharge (Lev 15:25–30)	impure until healing + 7 days	2 sacrifices	woman	cultic exclusion (P) segregation from the camp (H)
	seminal discharge (Lev 15:16–17)	1 day	bathing of own body no sacrifice	man	cultic exclusion (P) segregation from the camp (H)
	menstruation (Lev 15:19–24)	7 days	no sacrifice	woman	cultic exclusion (P) segregation from the camp (H)
	sexual intercourse (Lev 15:18)	1 day	bathing of own body no sacrifice	man and woman	cultic exclusion (P) segregation from the camp (H)
parturition	male childbirth (Lev 12:1–4,6–8)	7+33 days	2 sacrifices	woman	exclusion from the sanctuary
	female childbirth (Lev 12:5–8)	14+66 days	2 sacrifices	woman	exclusion from the sanctuary
uterine prolapse	(Num 5:11–31)	immediate?	ordeal of the bitter water	woman	death sentence? ⁴⁵¹

⁴⁵¹ More precisely, the death sentence is the consequence of the negative outcome of the ordeal and not the consequence of the ordeal.

In summary, טִמְאָה disabilities differ significantly from מוֹם disabilities: impurities are generally limited in time, cause the segregation from the society, provide for purification rites, and are mostly construed around gender differences. Also, unlike מוֹם disabilities, an “aura of death”⁴⁵² surrounds some impurities and the polluter is confined outside the camp, among the graves,⁴⁵³ while a person affected by a מוֹם is “at worst” separated from the sanctuary. Furthermore, in contrast to persons affected by a מוֹם, polluters are “never stigmatized through association with groups such as the poor and the ‘defective,’ or with devalued personal characteristics such as weakness and dependency.”⁴⁵⁴ Apparently, the level of marginalization and stigmatization of טִמְאָה disabilities does not need to be backed up by the comparison with other devalued social groups. Lastly, apart from the clear gender differences, the impure do not belong to a homogeneous social group, like the Aaronites in the case of a cultic מוֹם; interestingly, the “gradation of uncleanness, implicit in texts describing cultic rites, differentiate among those subject to impurities just as degrees of holiness produce distinctions among those who are classed as holy.”⁴⁵⁵ This hierarchy of impurities can be best identified by the duration and the locus of the confinement and, although not part of Lev 12–15, Stewart is probably right by claiming that for P uterine prolapse is “the worst sexual disability of all.”⁴⁵⁶

7.2.3. Consequences of non-מוֹם and non-טִמְאָה disabilities

Non-מוֹם and non-טִמְאָה disabilities differ significantly from the other groups of impairments with respect to the type of cultic and social marginalization they are associated with. As I have already shown, some sources impose certain restrictions to persons affected by a מוֹם, such as the prohibition to office for Aaronites in Lev 21:16–24 or the access to the sanctuary for male individuals with a genital mutilation in Deut 23:2 (Engl. 1). Persons affected by a טִמְאָה are placed in confinement either within or outside the camp, which makes it impossible for them to enter the sanctuary or participate in semi-cultic contexts.⁴⁵⁷ However, in the Pentateuch, spatial or cultic marginalization is not deployed directly to those affected by non-מוֹם and non-טִמְאָה disabilities—if we exclude uncircumcision (cf. chapter 5.4.)—, as they are not construed in a way that jeopardizes God’s sanctity or the purity of the camp. The negative discourse about these impairments revolves around other strategies, in particular stigmatization, and they are

⁴⁵² Cf. Wenham, “Sexual Intercourse,” 432–34.

⁴⁵³ Jenson, *Graded Holiness*, 139.

⁴⁵⁴ Olyan, *Disability*, 122.

⁴⁵⁵ Olyan, *Rites and Rank*, 61.

⁴⁵⁶ Stewart, “Sexual Disabilities,” 74.

⁴⁵⁷ Cf. Olyan, *Disability*, 122–23.

often mentioned in combination with a מום or a טִמְאָה to increase the impact; for instance, non-מום and non-טִמְאָה disabilities are either implemented as a curse along with skin diseases (cf. chapter 7.1.3.), associated with vulnerability and weakness along with blindness (Lev 19:14; cf. Exod 4:10–11), or—without being linked to any other category—they carry an implicit social stigma as it is the case with barrenness (cf. chapter 5.3). It is remarkable that, even though the third category of impairments often occurs along with one or multiple instances from the other two categories, they do not take on their defiling or polluting effect. As the type of stigmatization strategy deployed varies according to the type of disability, I will treat the conditions mentioned in chapter 5. separately. I will leave out uncircumcision for mainly two reasons: first, its status as a disability is not conclusive; second, I have already discussed in detail the ostracism against the uncircumcised in chapter 5.4.

Deafness and muteness are attested only in two verses in the whole Pentateuch: Exod 4:11 (non-P); Lev 19:14 (H). It is worthy of note that no cultic restrictions are imposed on deaf and mute persons; deaf and mute Aaronites are not barred from officiating (cf. Lev 21:17–23) and deaf and mute Israelites are not prohibited from entering the sanctuary (cf. Deut 23:2 [Engl. 1]).⁴⁵⁸ Yet, Exod 4:11 clearly associates blindness, a מום, with non-מום conditions such as deafness and muteness implying that they are attributable to YHWH's control like any other impairment and that “they share with blindness a common somatic dysfunction and a common classification.”⁴⁵⁹ A similar conclusion can be inferred from Lev 19:14; here, the passage points out that both the blind and the deaf can be victims of scorn, i.e., they both experience a similar “vulnerability to oppression.”⁴⁶⁰ Outside of the Pentateuch, the word pair “blind and deaf,” or similar idioms, is frequently mentioned in metaphorical phrases with a negative connotation, suggesting that the denigratory discourse is a recurring theme across the whole Hebrew Bible, e.g.: in Isa 56:10, it is used to “construct an image of prophetic inadequacy and failure”⁴⁶¹; in Isa 6:9–10 they are associated with ignorance⁴⁶²; in Jer 10:5 and Ps 115:5–8, “blindness and muteness of the ‘idols’ are grounds for denigrating them as well as those who made them and those who worship them”⁴⁶³; in Ps 137:5–6, muteness is stigmatized as a curse.⁴⁶⁴ In conclusion, although deafness and muteness are not classified as neither a מום nor as a טִמְאָה and despite the

⁴⁵⁸ Olyan, *Disability*, 48.

⁴⁵⁹ Olyan, *Disability*, 49.

⁴⁶⁰ Olyan, *Disability*, 49.

⁴⁶¹ Olyan, *Disability*, 51.

⁴⁶² Olyan, *Disability*, 51.

⁴⁶³ Olyan, *Disability*, 51.

⁴⁶⁴ Olyan, *Disability*, 53.

poor attestation in the Pentateuch, it is of note that they share a similar stigmatizing discourse with other somatic dysfunctions.

The case of mental disabilities is not dissimilar to that of deafness although such conditions are only mentioned as a curse against those who contravene YHWH's covenant (Deut 28:27–29). It is of note that they, too, are associated with an instance of another category of impairments, namely blindness. I have already discussed the deployment of curses as a special stigmatizing strategy in chapter 7.1.3.; here, it suffices to remind the reader that vulnerability and weakness are the pivot of the negative discourse about mental conditions.⁴⁶⁵ The association of the terms שָׁעוֹן and תְּמָהוֹן לֵב with עֵרֶוֹן (Deut 28:28) and with עֹרֶר (Deut 28:29) aims to degrade mental disabilities to the same level of helplessness and incapacity experienced by the blind. The D's hyperbole illustrates the devastating consequences that will result from Israel's disobedience, but the figure of speech could not evoke strong feelings and fears if it were not based on two factors: first, a common construction of mental impairments and blindness as dysfunctional conditions subject to vulnerability and, second, a negative understanding of vulnerability as a severe stigma brought about by socially demeaned conditions.

“Stigma” is also the major negative effect associated with infertility; as I have already elaborated in chapter 5.3., female Israelites often feel branded negatively by the community based on their incapability to bear children. Susan Ackermann⁴⁶⁶ goes one step further and, based on Olyan's analysis, attributes the proscription for the castrati to enter the sanctuary (Deut 23:2, Engl. 1) to barren women, as well. Castrati are prohibited from entering the sanctuary sphere, as Olyan suggests, “presumably because the men with genital damage cannot reproduce.”⁴⁶⁷ In that regard, the argument does not sound any different than the incapacity to reproduce an image of God in the case of a sexual טְמֵאָה (cf. chapter 4.2.) and has some parallel with the damage caused to the image of God in the case of a legal מוֹם (cf. chapter 3.2.). Ackermann broadly agrees with Olyan who backs up his interpretation with Isa 56:3 where the eunuch despairs for his condition and the proscription for the castrati is rejected by YHWH.⁴⁶⁸ By reference to Gen 25:21–26 (non-P); Judg 13:2–25 (DtrH); 2 Kgs 4:8–37 (DtrH), she goes

⁴⁶⁵ Olyan, *Disability*, 71.

⁴⁶⁶ Susan Ackermann, “The Blind, the Lame, and the Barren Shall Not Come into the House,” in *Disability Studies and Biblical Literature*, ed. Candida R. Moss and Jeremy Schipper (New York: Palgrave Macmillan, 2011), 30.

⁴⁶⁷ Olyan, *Disability*, 33.

⁴⁶⁸ Olyan also observes that, although the ban yields a marginalization and stigmatization of the eunuch, the rationale is not based on the fear for pollution or profanation of the sanctuary like in the case a מוֹם or a טְמֵאָה (Olyan, *Disability*, 33).

on to argue that, like castrati, infertile women were also excluded from the sanctuary. Yet, she has to concede that 1 Sam 1:1–20 seems to refute her thesis, but she cautions to interpret the passage in the light of all further anomalies it entails, e.g., Samuel’s non-Levitical lineage, which characterize Shiloh’s sanctuary and—so Ackermann suggests—eventually led to its destruction by the Philistines.⁴⁶⁹ Back to the Pentateuch: here, she points out that, in Gen 25:21, Isaak has to make supplication to YHWH in the stead of the barren Rebekah, while, in Gen 25:22, i.e., after the resolution of her infertile condition, she went to consult the deity (וַתֵּלֶךְ לְדָרֹשׁ אֶת־יְהוָה, my translation) directly. Although the sanctuary is not stated explicitly, according to Ackermann,⁴⁷⁰ both lexemes עֵתֶר (Gen 25:21)⁴⁷¹ and דֶּרֶשׁ (Gen 25:22)⁴⁷² may refer to a cultic space, that is: Rebekah could not enter the cultic space as a barren woman, but she could do so when her condition was resolved. If Ackermann’s analysis is correct—although based on scant and indirect evidence—, not only the impure and the castrati were excluded from the sanctuary, but it seems possible that the cult also “marginalized barren women as a particular subgroup on account of their reproductive inability.”⁴⁷³

One last point is worthy of note; a stigmatization strategy may or may not be successful, and—although this adds more complexity to the whole picture—I suggest this is true for all the consequences I have described in the last chapters. Let me explain what I mean by taking as an example a special case of infertile male: the קָרִים (eunuch). Lemos argues convincingly that the lexeme most probably refers to an “eunuch” or to an “officer who was a eunuch,” rather than just a general officer. She does so—along with the majority of the scholars—by deriving the term from the Akkadian allegedly synonymous *ša rēši*.⁴⁷⁴ Lemos also observes that “much like in Assyrian sources, in ancient Israel eunuchs often held positions of privilege,”⁴⁷⁵ as proven by, e.g., Gen 37:36; 39:1; 2 Kgs 25:19; Jer 52:25. The fact that eunuchs may have held “positions of privilege,” i.e., belong somehow to the royal court, may lead to the conclusion “that it was no stain upon a person in ancient Israel to be a eunuch.”⁴⁷⁶ This stands in contrast to other verse I have already examined before such as Deut 23:2 (Engl. 1) and Lev 21:20, where castrati are banned from the cultic sphere. However, so Lemos’ argument, the two things do

⁴⁶⁹ Ackermann, “The Blind, the Lame, and the Barren,” 30, 40–43.

⁴⁷⁰ Ackermann, “The Blind, the Lame, and the Barren,” 31–32.

⁴⁷¹ Cf. Erhard S. Gerstenberger, “עֵתֶר,” *TDOT* 11:458–59.

⁴⁷² Cf. Siegfried Wagner and Helmer Ringgren, “דֶּרֶשׁ,” *TDOT* 3:302–4.

⁴⁷³ Ackermann, “The Blind, the Lame, and the Barren,” 43.

⁴⁷⁴ Tracy Maria Lemos, “‘Like the Eunuch Does Not Beget’: Gender, Mutilation, and Negotiated Status in the Ancient Near East,” in *Disability Studies and Biblical Literature*, ed. Candida R. Moss and Jeremy Schipper (New York: Palgrave Macmillan, 2011), 48,51; cf. Benjamin Kedar-Kopfstein, “קָרִים,” *TDOT* 10:345.

⁴⁷⁵ Lemos, “Like the Eunuch,” 51.

⁴⁷⁶ Lemos, “Like the Eunuch,” 52.

not necessarily contradict each other: one may be considered a eunuch and hold a high office, but be ostracized culturally for his condition: “while the dominant discourses of the ancient Near East expressed the superiority of those with unblemished bodies in general and men with undamaged genitals in particular, for various reasons men with damaged testicles did in reality hold positions of authority in this region.”⁴⁷⁷ It goes without saying that by holding such positions they were also superior to unblemished, i.e., fertile, men, very much to the dismay of those who stood rather below in the hierarchy. Lemos points out that “the work of sociologists and social psychologists, like that of anthropologists, has provided evidence that status is much more situational and negotiated than many biblical scholars seem to assume.”⁴⁷⁸ In conclusion, assuming that the employment of eunuchs by the Israelite monarchy predates texts such as Deut 23 and Lev 21, Lemos does not consider it improbable that they may be “a product of the resentment that high status, priestly men felt at their [the eunuchs’] privileged position in the society.”⁴⁷⁹ Lemos’ argument cannot be proven unrefutably, but it definitely puts forth a valid point about an allegedly confused reality that the authors of works such as Lev and Deut would like to put in order; “in this disordered, complicated reality, sometimes women had a higher status than men, and sometimes the mutilated and disabled had a higher status than those whose bodies were normative and idealized.”⁴⁸⁰ And this is also my point for the present investigation; the conceptualizations of disabilities by the different Pentateuchal authors is nothing but an ideological construct, a *normate* imagery the authors suggest in the light of the reality they would like to make sense of. Sometimes, it is indeed a comfort that the dichotomy between theory and practice seems to have accompanied humanity from ancient times down to the present day.

7.2.4. Gender representations of disability

The last point about marginalization and stigmatization that needs to be addressed stems from the fact that disabilities in the Hebrew Bible are mostly related to gender.⁴⁸¹ This starts with the very same terminology used to refer to persons with disabilities, which is predominantly male-centered. That it can be done otherwise is shown by Deut 7:14; here, both the male as

⁴⁷⁷ Lemos, “Like the Eunuch,” 54.

⁴⁷⁸ Lemos, “Like the Eunuch,” 56.

⁴⁷⁹ Lemos, “Like the Eunuch,” 59.

⁴⁸⁰ Lemos, “Like the Eunuch,” 59.

⁴⁸¹ Stewart suggests that “the biblical stress on two genders would not be necessary if knowledge of the anomalies did not exist” (Stewart, “Sexual Disabilities,” 80); however, his elaboration on the “third gender” involves extrabiblical analysis and rabbinical interpretations going beyond the scope of the present study.

well as the female terms for “infertile” are named explicitly, in all further passages the gender of the person affected is mostly masculine, unless the impairment (e.g., parturition, menstruation, etc.) can only affect a woman.⁴⁸² My attention to gender-neutral language throughout the present investigation should not conceal this matter. But why is this the case?

According to Hentrich, the biblical ideal of masculinity represents “ancient Israel’s patriarchal society including the dominant male images of YHWH” and, hence, “when the Bible addresses disability issues, it does so mostly with a male disabled person.”⁴⁸³ This should come as no surprise; the *normate* imagery I have mentioned before does not only presume parameters for “able-bodiedness” but it appears to be also essentially gendered, connoting both the societal and the cultic sphere of the male individual. Hentrich observes that a strong nexus links the *normate* imagery of the able-bodied male individual to the way the deity is conceptualized and to those who are considered to represent him: “since the image of any god is a product of the society it comes from, and since ancient Israel was definitely a patriarchal society, therefore not only is God portrayed in masculine terms, but also ‘His’ representatives are male.”⁴⁸⁴ But what happens if the *normate* imagery is challenged by less than perfect representatives? I see two ways out of the dilemma. One solution is the correction, downplay, or concealment of the impairment: while Exod 4:11 (non-P); 6:12 (P)⁴⁸⁵ draw attention to Moses’s speech impairment but do not consider it an impediment for his calling, Deut 34:7 emphasizes that Moses is in best physical condition at his death (cf. Isaac’s dim eyes in Gen 27:1); Jacob’s limping is a consequence of his wrestling with an angel, but the impairment is not mentioned outside the pericope in Gen 32:22–32 nor does it have any impact on the life of the Patriarch. As shown in chapter 7.1.2, another solution to the dilemma is the separation of the person affected from the deity’s—and ultimately from the community’s—sight. Yet, I have just scratched the surface of an inherently gendered view of disability throughout the whole Pentateuch. Let me start with the most obvious cases.

The gender of impairments is evident in the case of *טמא* disabilities which display the worst discriminatory distinction to the detriment of women. Admittedly, the language used by P for the cutaneous is very generic; the term *אדם* (human being; Lev 13:2) does not imply any gender specification and refers to both men as well as women alike. Similarly, Num 5:2–3 (H) explicitly expels *מִן־הַמַּחֲנֶה עַד־נִקְבָּהּ* (male as well as female) affected by an impurity from the camp.

⁴⁸² Cf. Birch, “Impairment,” 192.

⁴⁸³ Hentrich, “Masculinity,” 75.

⁴⁸⁴ Hentrich, “Masculinity,” 78.

⁴⁸⁵ Propp, *Exodus 1–18*, 266.

However, Miriam's punishment in Num 12:9–16 (non-P) is emblematic; apart from the Matriarchs' infertility, she is the only female disabled character mentioned in the Pentateuch and, if we exclude YHWH's sign of his power on Moses's hand (Exod 4:6–7), she is the only individual struck with a *צָרַעַת*. The apex of the discrimination against disabled women is reached with what I called “sexual *טִמְאָה*.” As Erbele-Küster has shown, Lev 12:15 deal “with the gendered body mainly with respect to sexuality and reproductivity from a gender perspective.”⁴⁸⁶ It is beyond serious dispute that sexual impurities entail some of the most onerous and oppressive consequences for disabled female individuals,⁴⁸⁷ out of which the ordeal of the bitter water is most probably the worst of all.⁴⁸⁸ I have already touched on the gender difference of impaired bodies in chapter 7.2.2.; it suffices to remind the reader that the construction of gender disabilities starts from the very birth of any individual and affects men and women throughout their whole existence blatantly demeaning the latter for no other reason than their sex.

A *מוֹם*, on the other hand, seems to be a predominantly, although not exclusively, male concern, as is evident in the following three cases. Since only male Aaronites can serve as priests, the exclusion of women based on a cultic *מוֹם* is not contemplated by Lev 21:16–24; hence, the prohibition would be doubly discriminatory from the stance of a disabled female individual insofar it is based on a sexist as well as an ableist ostracism. However, “predominantly male” does not mean “exclusively male.” The legal *מוֹם* entailed in Lev 24:17–22 is embedded in a case of a blasphemy committed by a half-Israelite man, i.e., it is related to the discrimination based on the ethnicity of the male blasphemer. Admittedly, the formulation of the *talio* is quite generic and treats the killing of *כָּל-נֶפֶשׁ אָדָם* (a whole *nephesh* of a human being; Lev 24:17) or *אָדָם* (a human being; Lev 24:21). On the other hand, the other two *talio* formulations in Exod 21:22–27; Deut 19:16–22, which do not mention the lexeme *מוֹם*, are both examined from a male stance and construed around fights between two men. In Exod, nothing is said about the well-being or the right of the pregnant woman, although, surprisingly, Exod 21:26–27 touches on the compensation of both a male and a female slave. Finally, concerning the moral *מוֹם* mentioned in Deut 32:5, it is doubtful whether it refers only to males. *בָּנָיו* (his sons) is indisputably a male term but generally also implies females and a couple of verses later (Deut 32:19) the authors do specify *בָּנָיו וּבָנוֹתָיו* (his sons and his daughters). Therefore, women may be included in the following *מוֹמָם* (Deut 32:5) and this is not excluded by the context (cf.

⁴⁸⁶ Erbele-Küster, *Body, Gender and Purity*, 1.

⁴⁸⁷ Olyan, *Rites and Rank*, 57.

⁴⁸⁸ Cf. Stewart, “Sexual Disabilities,” 74.

עַם, people, in Deut 32:6), throwing into doubt any exclusively male connotation of the lexeme מִיּוֹם. In sum, a מִיּוֹם appears to be construed around, and from the stance of, male individuals, but it is not limited to them alone.

With respect to non-מִיּוֹם and non-טְמֵאָה disabilities, only the case of infertility is relevant.⁴⁸⁹ As I have discussed in chapter 5.3., female fertility is linked to the establishment of an Israelite nation and Pentateuchal stories of the Matriarchs emphasize the importance of procreation and a pure lineage. The importance of female fertility must be analyzed in a wider context. Carole R. Fontaine⁴⁹⁰ draws attention to the absence of the representation of female disability in the ancient Near Eastern art. What is attested, and confirmed by Fontaine's analysis of 1 Sam 4:9, are feminized representations of war enemies; "the desire to make one's enemy into a female, suitable for the destruction or enslavement, becomes the hallmark of such 'military' art."⁴⁹¹ So, while maleness is construed with qualities such as potency, activity, agency, etc., femaleness must be, by inference, the epitome of "the binary opposite, and, for the male worldview, to be female is to be handicapped in all essential ways."⁴⁹² On the one hand, Pentateuchal authors do not consider it necessary to tell the story of any female character that is affected by injuries, mutilations, congenital or acquired physical or mental conditions, with the exception of Miriam's punishment; on the other, they are most concerned with the only relevant dysfunction that can affect the female body: infertility, the "ultimate handicap in a cultural performance as woman."⁴⁹³ As shown in chapter 5.3., the Hebrew Bible understands infertility in communal terms as an instrument of divine wrath, while it shows pity for the fate of the barren Matriarch. But that's about it: the conceptualization of female disability revolves about her capacity of giving birth.

Having said that, one should not equate the gender representations of disabilities with the feminization of the disabled male; such a stigmatization strategy is rarely deployed in the Hebrew Bible, not even in the case of the castrati. Olyan⁴⁹⁴ observes that, apart from two passages outside the Pentateuch (Jer 317–9; Isa 33:23), the Hebrew Bible does not represent

⁴⁸⁹ Mental disabilities, deafness, and muteness are not gendered in the few attestations where they appear; female circumcision is a late Egyptian practice and, fortunately, "there is no real evidence that ancient Israelite or Second Temple women ever practiced female circumcision" (Stewart, "Sexual Disabilities," 73).

⁴⁹⁰ Carole R. Fontaine, "'Be Men, O Philistines!'" (1 Samuel 4:9): Iconographic Representations and Reflections on Female Gender as Disability in the Ancient World," in *This Abled Body: Rethinking Disabilities in Biblical Studies*, ed. Hector Avalos, Sarah J. Melcher, and Jeremy Schipper, vol. 55 of *Semeia Studies* (Atlanta: Society of Biblical Literature, 2007), 61–72.

⁴⁹¹ Fontaine, "Iconographic Representations," 66.

⁴⁹² Fontaine, "Iconographic Representations," 67.

⁴⁹³ Fontaine, "Iconographic Representations," 71.

⁴⁹⁴ Olyan, *Disability*, 128; cf. Lemos, "Like the Eunuch," 53–54.

disabled male individuals with women nor does it effeminate them in any way. He concludes that “feminization, although attested in the biblical anthology as a strategy to stigmatize disabled males, is a seldom attested strategy at best,” unlike the “much more frequent associations with the alien, the poor or the afflicted.”⁴⁹⁵

7.3. Formalization of the causes and consequences

Why did I formalize the findings? Possibly, I am too influenced by my previous studies in analytical philosophy, but I have also yearned to find a way to sort—but not harmonize!—all the different and perhaps unmatching pieces of this jigsaw puzzle. I finally would like to present an overview of my findings and discuss them in the conclusion. In the next table, it is evident that P and H have the greatest number of nuanced cases, pay more attention to the gender of the disabled, and are most concerned with segregating the person affected from the camp or the Aaronite from the office. However, disabilities are never utilized as curses by P and H, apart from the uterine prolapse. Non-P seems to be less concerned with the consequences of disabilities, but both non-P and D instrumentalize some disabilities as curses. Dtr is rather concerned with infertility and applies exclusion summarily.

Axm $\vee$ Axn: x mistreats someone with a disability m or n

Cxgn: x is cursed by God with n

$Dxm \vee Dxn \vee Dxz$: x suffers from a disability of the type m, n, or z

Kxgm $\vee$ Kxgn $\vee$ Kxgz: x is created by God with a disability of the type m, n, or z

0x: x is banned from officiating

Exy: x is excluded from the cult for a certain period of time y

Px: x is put to death

Sx: x is segregated from the camp

$$m \in \{m^1, m^2\}$$

$m^1 \in \{\text{אשף מרוח, ילפת, גרב, דק, גבן, יד שִׁבַּר, רגל שִׁבַּר, שרוע, פסח, חרם, בעינו, תבלל, עור}\}$

$$m^2 \in \{\text{loss of an eye, loss of a tooth}\}$$
$$n \in \{n^1, n^2, n^3, n^4\}$$
$$n^1 \in \{\text{mental disabilities}\}$$
$$n^2 \in \{\text{deafness, muteness}\}$$
$$n^3 \in \{\text{infertility, castrati}\}$$
$$n^4 \in \{\text{uncircumcision}\}$$
$$x \in \{a, i, v, w\}$$

a: Aaronite

i: Israelite

v: male Israelite

w: female Israelite

⁴⁹⁵ Olyan, *Disability*, 128–29.

$y \in \{t, p\}$

t: temporarily

p: permanently

$z \in \{z^1, z^2, z^3, z^4\}$

$z^1 \in \{\text{cutaneous impurity}\}$

$z^2 \in \{\text{sexual impurity}\}$

$z^3 \in \{\text{parturition}\}$

$z^4 \in \{\text{uterine prolapse}\}$

Table 7: Overview of consequences

	Non-P	P	H	D	Dtr
all disabilities	$(Kxgm^1 \wedge Kxgn^2)$ $(Kxgm \wedge Kxgz \wedge Kxgn)?$				
מום			$((a \wedge Dm^1) \rightarrow Oa)$ $(Axm \rightarrow Cxg)$		$(Axm^1 \rightarrow Cxg)$
טמא	$(Cx \rightarrow Dxz^1)?$	$((Dvz^1 \wedge Dwz^1) \rightarrow Svt \wedge Swt)$ $((Dvz^2 \wedge Dwz^2) \rightarrow (Evt \wedge Ewt))$ $(Dwz^3 \rightarrow Ewt)$ $(Dwz^4 \rightarrow Pw)?$	$((Dv \wedge Dw) \rightarrow Svt \wedge Swt)$ $((Dv \wedge Dw) \rightarrow Svt \wedge Swt)$		
non-מום and non-טמא	$(Cx \rightarrow Dxn^3)$	$(Axn^2 \rightarrow Cxg)$		$(Cx \rightarrow Dxn^1 \wedge Dxn^2)$	$(Dvn^3 \rightarrow Evp)$ $((Dvn^3 \wedge Dwn^3) \rightarrow (Evp \wedge Ewp))?$

8. Conclusion

In chapter 1.3., I have defined a disability as a physical or mental condition construed in such a way that the imagery and the values a specific culture has developed around that condition impact the affected group of persons negatively. In the present study, I have tried to identify different ways the sources represent impairments and I can conclude now that the passages do not bear witness to one single conceptualization of disability; too varied are the imagery and the values of the various schools of thought that contributed to the composition and redaction of the Hebrew Bible. I still hold the opinion that the authors have an overarching general notion of “impairment,” which matches my working definition; I am also certain that my efforts to classify the different conditions have not been in vain. In any event, the classification per se was not the goal of my investigation, but rather I have attempted to flesh out the cultural and social causes and consequences that gave rise to certain conceptualizations (mind the plural!) of “disability.”

In a worldview laden with theological concepts, judgements, and bias as the ancient Israelite culture was, it should come as no surprise that we find different representations of disabilities that are somehow associated with the divinity. The associations can be either indirect through the prescriptions that regulate the possibility or impossibility to participate in the cult, be it as an officiant (Lev 21:16–24) or as a simple believer (Lev 12:4), or direct. I have dedicated some chapters to the direct associations; both the causes and the consequences of disabilities can be linked with the deity in a negative (e.g., Gen 20:17–18), neutral (e.g., Exod 4:11), or positive way (e.g., Lev 19:14; Deut 27:18). More often than not, the type of association seems to be quite arbitrary, but the attestations in the different sources are not too dissimilar from each other. God is said to bring about virtually every disability, either as a creator without any demeaning connotation (Exod 4:11) or as the punisher (e.g., Num 12:5–12), in which case an awful stigma is attached to the impairment. Furthermore, God curses with a disability not only those who disobey his commandments (e.g., Deut 28:27–29,35) but also curses those who oppress the disabled (e.g., Lev 19:14; Deut 27:18). Finally, not all disabilities are treated alike; there seems to be an implicit hierarchy of impairments as shown, for instance, by the different spatial and temporal prescriptions. Undoubtedly, the prescriptions impact women more often and more severely than men.

Olyan concludes his investigation with two important points: (1) what is YHWH’s view of disability and (2) what may be the authors’ motives to represent disability in such a way? The answer to the first question depends heavily on the portrayal of impairments the source in

question offers; the texts “present a variety of views on Yhwh’s attitude toward disabled persons; some are favorable, others much less so.”⁴⁹⁶ For instance, H’s deity requires the offering and the priest to be without blemish, while P’s deity does not want to be approached by anybody impure. Similarly, D requires the offering to be without defects and it can be inferred that “in at least some circles, if not many, Yhwh was believed to abominate persons with ‘defects’ as well.”⁴⁹⁷ It can be added that other circles, such as some non-P authors, have considered God to create humans with a wide range of variations, some of which are attached with a neutral or even positive connotation, others are understood as a curse.

The second question about the authors’ motives is much more interesting, but, since direct statements are missing, we can only hazard a guess. Olyan suggests that the association of “defects” with ugliness and abomination along with the lack of human characteristics deemed essential might have led the authors to stigmatize and marginalize persons with disabilities. The observation is definitely correct, but probably it is only one part of the truth. More generally, disabilities and non-disabilities seem to be closely connected with the values, ideals, and expectations at the core of the authors’ worldview. Hence, while wholeness and beauty may play a role for certain types of *מִדּוֹת* disabilities, they cannot be the only factors; not every cause of blindness is immediately visible, some non-disabling skin diseases can be considered as unaesthetic as a *צָרְעָה*, there is no reason why the birth of a male child should be found less ugly than the birth of a female. Thus, considering the importance biblical authors generally give to the establishment of a nation, a pure lineage, social hierarchy, and their understanding of the divine preferences—just to name a few examples—the motives behind the variegate representations of disabilities are simply too disparate and cannot be easily distilled into only one reason. Rather, impairments seem to be instrumentalized by the different circles to carry out their ideological programs with the fatal consequence that, by doing so, they stigmatize and marginalize the persons affected. At last, there is one fundamental question that Olyan does not pose and may cast some further light on the conceptualizations of “disability”: what is the image of the deity the Pentateuchal conceptualizations imply?

Melcher posits that “God has created the human being in order to be in relationship”⁴⁹⁸ and that the implication of such a relationship, which embraces deity, creation, and humanity, is the creation of humanity in the image of God. By induction, she infers that “if human disability is an unsurprising aspect of being human, it could imply that God, too, shares that

⁴⁹⁶ Olyan, *Disability*, 127.

⁴⁹⁷ Olyan, *Disability*, 127; cf. Olyan, *Disability*, 35.

⁴⁹⁸ Melcher, “Genesis–Exodus,” 33.

aspect of disability, since humanity represents the image of God.”⁴⁹⁹ In other words: creation entails “able-bodiedness” as well as disability and, if humans are created in the image of God, we can assume—so the argument runs—that the divinity represents the whole spectrum of human variation.⁵⁰⁰ Melcher concludes that the triangular relationship headed by the deity may have “very positive potential for disability theology.”⁵⁰¹ Although she admits that the question of God’s providence and his control over disability needs some further research,⁵⁰² Melcher still seems to favor a very positive representation of the deity. In the light of what I have tried to describe in chapter 7.1.2., I wonder if Melcher’s understanding of the image of God is not too compassionate; do the texts not support a less omnibenevolent construction of the deity?

Raphael suggests that “disability plays a significant, perhaps even indispensable role in the Hebrew Bible’s articulation of God’s power and holiness, and Israel’s election.”⁵⁰³ Let me start with power. Raphael argues that God is the true *normate*, the “Normal” as she calls it, the non-disabled *par excellence*, but also the one that disables through his power: “being chosen by God disables precisely because the human bodies must show God to be powerful.”⁵⁰⁴ It is exactly through the counter-figure of the barren Matriarch or the limping Jacob that the deity testifies and exercises his control over creation, i.e., his almightiness. There is a nexus between human ability and divine power that should not be underestimated,⁵⁰⁵ that is: human ability is the model for divine hyper-ability, which is exaggeratedly magnified, and, by contrast, disability becomes the epitome of human weakness. Raphael concludes that “the Hebrew Bible represents God with the abilities it most values in the human (male) body.”⁵⁰⁶ It may depict them in hyperbolic terms, but the model of reference is the same. The second quality, holiness—and I would add purity—is as important as the first one. By asserting that some bodies desecrate or pollute the sanctuary or any other semi-cultic place, the texts imply that “other kinds of bodies better model holiness.”⁵⁰⁷ The approved (male) bodies that can approach the deity are without any blemishes and impurities; the disapproved ones are kept at the edge of the society or mistreated as metaphors for inferiority or even rejection. Raphael⁵⁰⁸ is aware of the Priestly efforts to avoid anthropomorphisms, but anthropomorphic attributes, such as the

⁴⁹⁹ Melcher, “Genesis–Exodus,” 34.

⁵⁰⁰ Cf. Melcher, “Genesis–Exodus,” 49–50.

⁵⁰¹ Melcher, “Genesis–Exodus,” 34.

⁵⁰² Cf. Melcher, “Genesis–Exodus,” 53.

⁵⁰³ Raphael, *Biblical Corpora*, 132.

⁵⁰⁴ Raphael, *Biblical Corpora*, 132.

⁵⁰⁵ Cf. the “idol polemics” found in some prophetic texts and the Psalms (Olyan, *Disability*, 7–9).

⁵⁰⁶ Raphael, *Biblical Corpora*, 137.

⁵⁰⁷ Raphael, *Biblical Corpora*, 135.

⁵⁰⁸ Raphael, *Biblical Corpora*, 135.

embodiment of hyper-ability, are not the only way to represent the deity; the materiality of the cult, its regulations, performance, and spatial prescriptions are symptomatic for the *normate* imagery of the divine. In sum: in the Israelite conceptualization of the *normate*, regardless of the source in question, the disabled falls victim to the right representation of the deity.

Finally, I must admit the present study has challenged my own representation of the divine. I have repeatedly wondered: what type of image of God am I left with after investigating the Pentateuchal conceptualizations of the disability? Not entirely a positive one. I had a similar feeling a couple of years ago while reading an interesting article by James A. Metzger. Although possibly not the most supported approach, Metzger suggests reclaiming “a dark and malefic sacred” when we are to portray God in biblical passages about disability: “suffused with ableist law codes that stigmatize and disenfranchise disabled people as well as prophetic eschatological and apocalyptic traditions that insist on normalization, there is little in the Bible that might be used to promote positive disabled subjectivities or a strong disability rights agenda.”⁵⁰⁹ Metzger is influenced by the works of other scholars, such as Wesley J. Wildman who puts forth a type of “ground-of-being theism” that entails “all structures and possibilities of reality,”⁵¹⁰ also the less pleasant one. Wildman does not offer a further theory to solve the problem of evil; instead, he takes the reality of suffering for granted and explores the possible approaches to a coherent notion of God. He identifies an approach, the “ground-of-being theism,” that, in his opinion, best represents the deity in the light of the existence of suffering. Wildman, however, does not touch on impairments directly; it is rather Metzger’s intention to make the “ground-of-being theism” fruitful for the study of disabilities in the Bible. Metzger does not propose a new metaphysics of the divine that embraces all aspects, but he does suggest that our representations of God can take into account those aspects we would not associate with an omnibenevolent divinity. Hence, he goes on attesting that, apart from the loving and caring representation of the deity, the “Bible is also saturated with portraits that highlight a plethora of competing divine qualities: sadistic, murderous, capricious, vengeful, amoral, indifferent, ethnocentric, misogynist, ableist, among others.”⁵¹¹ The Biblical negative conceptualization of God should not surprise us if we consider that the authors—quite in contrast to most

⁵⁰⁹ James A. Metzger, “Reclaiming ‘a Dark and Malefic Sacred’ for a Theology of Disability,” *JRDH* 15.3 (2011): 303.

⁵¹⁰ Wesley J. Wildman, “Incongruous Goodness, Perilous Beauty, Disconcerting Truth: Ultimate Reality and Suffering in Nature,” in *Physics and Cosmology: Scientific Perspectives on the Problem of Natural Evil*, ed. Nancey Murphy, Robert J. Russell, and William R. Stoeger (Vatican City State: Vatican Observatory Foundation, 2007), 282.

⁵¹¹ Metzger, “Reclaiming ‘a Dark and Malefic Sacred’ for a Theology of Disability,” 304.

contemporary Westerners—were acquainted with dreadful phenomena, such as war, exile, oppression, famine, diseases, etc.; the representation of their deity somehow mirrors their reality.⁵¹² Metzger concludes that “these are not necessarily constructions of the deity that I would wish to actively promulgate; rather, as metaphor or mythopoesis, they reflect a given *experience* of disability and the cosmos as a whole that should be acknowledged—and not, importantly, rendered ancillary to today’s dominant models of God but treated as genuine, good-faith intuitions as truthful as any other.”⁵¹³ Obviously, neither Metzger nor I are suggesting Pentateuchal authors were some sort of ground-of-being theists—if anything, they were theists who instrumentalized disability for their own purposes—, but ground-of-being theism opens up an interpretative key for those who do not come to grips with the flattering way God is sometimes described and might prefer constructions of the deity that accept suffering as part of the ultimate reality.

⁵¹² Metzger, “Reclaiming ‘a Dark and Malefic Sacred’ for a Theology of Disability,” 305.

⁵¹³ Metzger, “Reclaiming ‘a Dark and Malefic Sacred’ for a Theology of Disability,” 311.

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Attachment 1: English abstract

The present master's thesis investigates what type of conceptualizations of disability the Pentateuch bears witness to, if and how the attestations can be categorized, and how the authors explain the causes and consequences of impairments. This investigation does not aim to present a complete and coherent classification; too diverse are the representations offered by the authors. Nevertheless, the evidence of lexical clusters allows us to identify specific categories, which suggests an implicit rudimentary notion of disability.

My method of classifying the attestations revolves around the terms מוֹם (“blemish”) and טְמֵאָה (“impurity”); it also includes those cases which can be considered an impairment but are not directly associated with either term. The investigation offers an in-depth analysis of these three categories and examines their subgroups. Moreover, special attention has been given to the different understandings of disability held by the Pentateuch sources.

The study then investigates the possible etiology of disabilities and explains what type of stigmatization and marginalization strategies are deployed. The findings suggest that disabilities were often instrumentalized to promote a specific theological agenda and could depend on the gender of the individual affected. The final chapter raises the question about the implication for the representation of God.

Attachment 2: German abstract

Die vorliegende Masterarbeit untersucht, welche Konzeptualisierungen von Behinderung im Pentateuch auffindbar sind, ob und wie die Befunde kategorisiert werden können und wie die Autoren die Ursachen und Folgen von Beeinträchtigungen erklären. Die Untersuchung zielt nicht darauf ab, eine vollständige und kohärente Klassifizierung von Behinderungen zu präsentieren; zu unterschiedlich sind die Darstellungen der verschiedenen Autoren. Dennoch ermöglicht der Nachweis von Begriffsklustern die Identifizierung von bestimmten Kategorien und legt eine implizite rudimentäre Vorstellung von Beeinträchtigungen nahe.

Methologisch geht die Klassifizierung der Befunde von den Begriffen מום („Makel“) oder טמא („Unreinheit“) aus und schließt jene Fälle mit ein, die als beeinträchtigend betrachtet werden können, aber mit keinem der zwei genannten Begriffe in Verbindung gebracht werden. Es werden nicht nur diese drei Kategorien behandelt, sondern auch eventuelle Untergruppen. Darüber hinaus wurde den unterschiedlichen Auffassungen der Pentateuch-Quellen Rechnung getragen.

Die Studie untersucht weiters die mögliche Ätiologie von Behinderung und erklärt, welche Stigmatisierungs- und Marginalisierungsstrategien zum Einsatz kommen. Die Ergebnisse legen nahe, dass Behinderungen oft instrumentalisiert wurden, um eine spezifische theologische Agenda umzusetzen, die u.a. vom Geschlecht der betroffenen Person abhängt. Schließlich wirft das letzte Kapitel die Frage nach den Implikationen für die Gottesvorstellung auf.