

Shabbat Shuvah D'var: Haazinu, Vayyelech—Jewish Values on Inclusion of People with Disabilities, by Randy Phelps, MD, PhD

The parshah for this Shabbat Shuvah is Haazinu, the song Moshe was commanded by G-d to have written down, and then read every 7 years to an assembly of all the people Israel, including men, women, children, and strangers in their midst. The stated purpose of this song and of reading it to the people, is to serve as a reminder that people can do t'shuvah; that even when they have gone astray, and have turned away from G-d, that they change their mind and can turn back to G-d. The rabbis, as they often did, went far beyond the literal commandment. Rather than just reading this one section of Deuteronomy once every 7 years to the people, they expanded this practice to the public reading of the entire Torah, first one parshah weekly, to accomplish the reading of the Torah every 3 years, and later 3 parshot per week, so that the Torah is read in its entirety annually. Obviously, this parshah, a song to remind us that we can always do t'shuvah, is an appropriate Parshah to read on Shabbat Shuvah.

If you'll allow me, I would like to leave the discussion of Haazinu to tomorrow, when it will actually be read. Tonight, I would like to back up a bit, to the previous parshah, Vayyelech, as preparation for the reading of Haazinu tomorrow. In Vayyelech, Moshe, at 120 years old, is at the end of his life. He has already been told, in no uncertain terms, that he is not going to enter The Land, but is to die outside the land. Now, that prophesy is to come to pass. G-d appears to Moshe inside his tent, in the form of a pillar of white smoke. This is a very powerful and poignant scene—with G-d appearing to Moshe in his tent—it seems a particularly intimate meeting. G-d appears to Moshe and tells him 3 things, 2 pieces of bad news, and then finishes up with one piece of good news. First, G-d tells Moshe that he will die very soon. Second, G-d confirms Moshe's worst fears; that, upon his death, the people will go astray. G-d tells Moshe that the people, his children, will grow prosperous in the land that they inherit, will forget their obligations, and will forget G-d. Finally, G-d does lighten the burden of all this terrible news, with the explanation of shuvah, that there is a mechanism by which the people may be redeemed, that they can come back to G-d even after going astray.

This scene in Moshe's tent really resonates with me. Reading it, in preparation for this talk, gave me a strong sense of déjà vu. I realized that the reason it seems so familiar, and so powerful to me, is that I have lived a similar scene about every week for the past 10 years. As a Developmental –Behavioral

Pediatrician, I mostly work with children, but I do meet with adolescents or young adults and their parents on about a weekly basis. The young adults I meet with have developmental disabilities or significant behavioral problems, or both. The parents of these young adults often have fear in their eyes, the way I imagine Moshe must have had. Moshe was 120 and had little time left. Knowing the dismal track record of his children, the children of Israel, he feared that without his guidance they would go irrevocably astray. Moshe wanted some reassurance from G-d. The parents of these young adults that I meet with in clinic express to me their awareness that their children will outlive them, that their children are already getting in trouble or are excessively dependent on them, and they come to me for some kind of a plan or for reassurance.

Now, please don't get carried away with the notion that this analogy would put me in the role of G-d. I do not mean to make any grandiose suggestions that I am god-like, or that I am yet another doctor with a god-complex. Please don't go there—that's not where we're headed with this talk. Actually, quite the contrary, what I want to emphasize here are the contrasts between my experience in clinic and this scene in Vayyelech. G-d does confirm Moshe's mortality and impending death, and does confirm Moshe's worst fears, that the people will continue in their established pattern, of going astray, even in the land of Israel, after his death. But, G-d does relieve this terrible news with the reassurance that the people can do shuvah, so that there is hope. In contrast, when parents tell me that they are worried about their children's welfare after their death, I have much less to offer. I often meet young adults who can qualify for vocational rehabilitation but are not currently enrolled, and so I facilitate that referral, perhaps by documenting diagnosis or level of disability. Or, I meet young adults who may benefit from various behavioral health interventions. Facilitating or prescribing these interventions can help these youths with their transition to adulthood. But, parents nevertheless face the future with understandable fear, as: entitlement programs for their children evaporate as these individuals become adults; as programs to support successful transition face ever more draconian budget cuts; and as society's tolerance of a young child's misbehavior changes to fear of adult misconduct.

As I say, I am confronted with this situation about weekly, which, over 10 years, means I've encountered this scenario about 500 times. Of course, every situation is unique, but there are some recurrent patterns. To illustrate what I am talking about, I would like to tell you a story about one of my clients. But, please keep in mind, that, while I am going to talk about just one family, many thousands

of people are facing similar situations right now. For the sake of patient confidentiality, I would like to point out that this young man does not live in this community, and actually lives quite far away. For the sake of clarity, I'll make up a name for this young man—"Lenny"—as an ironic nod, of course, to Steinbeck's Lenny and George, in Of Mice and Men.

Lenny is a gregarious, twenty-something young man, with a great enthusiasm for sports cars and for food and coffee, and who has a couple of extra X chromosomes per cell, and associated intellectual disability. When I first met Lenny, a couple of years ago, he was just being fired from his job in a restaurant. This was a supported job, with regular job-coaching, but it was apparently not enough support for Lenny to be successful. There had been concerns for some time about Lenny's job performance. He would often take 45 minute coffee breaks or bathroom breaks, during which time he would play with his phone. He told a lot of fibs at work, mostly about the many fancy sports cars he owned, but he also lied about the length of his bathroom breaks. The straw that broke the camel's back was the day Lenny licked the chocolate frosting bowl in the kitchen. His employer had tried to be patient with Lenny, but this was intolerable behavior—after all, they could lose their license over an employee licking a bowl in the kitchen.

Lenny's developmental disabilities care coordinator and his mentor worked hard to find alternative work placement for Lenny. They found a spot for Lenny at a bank, which had the advantage that he would not be working with food, and that he would have more direct supervision. This higher level of supervision, plus some medication I prescribed to help reduce Lenny's impulsivity and focus on food, worked well, and Lenny was very successful at the bank for the better part of a year. However, Lenny didn't like the medication I prescribed, because he could not take it and drink coffee, so he stopped the medication. Over the next few months, Lenny started getting in trouble; first, he started sneaking candy from the candy bowls which were intended for bank patrons; second, he was continuing to take extended and unexcused coffee breaks; and third, the most egregious of the crimes in his reign of terror, Lenny took a doughnut from the cafeteria without paying for it. This was the last straw, and Lenny was fired immediately. His mother expressed concern to the bank, to Lenny's mentors, and to me, that firing him for a doughnut seemed rather harsh. I agreed with Lenny's mom, but she was told by bank personnel that the bank was being very generous by just firing Lenny and for not calling the police. It was explained that were they

not to fire him, the bank risked destroying the morale of other employees at the bank, as a standard of acceptable behavior has to be upheld by all employees. When I called Lenny's mentor to inquire about this, what seemed to me to be rather severe punishment, she, too, defended the bank, stating that they have to uphold a certain standard of behavior. In this context, she cited Lenny's pattern of inappropriate behavior, even before the infamous doughnut caper. Ironically, I later learned that, not long before he was fired, Lenny had found a \$100 bill, lost inside a stack of paper which he had been instructed to shred. Taking the \$100 would have been the perfect crime, and would have bought a lot of doughnuts, but Lenny gave the \$100 to his supervisor. This suggests that Lenny's behavior did not reflect a complete disregard for rule of law or morality, but that he clearly knows right from wrong, can be a valuable employee, and that his problem behaviors, are, when really examined, more annoying than truly dangerous to the well-being of the company or to employee morale.

By contrast, some investment bankers in this country have stolen and lost billions through avaricious practices, and have tended to escape consequences for their actions, by conveniently being "too big to fail". Furthermore, this illegal and immoral behavior greatly contributed to the recession that we are still working our way out of, a recession that has led local, state, and federal government to slash funding for developmental disabilities programs, special education, etc. Surely, this kind of behavior at the top is worse for the morale at a bank than a low-level employee taking a doughnut without paying for it.

Taking a doughnut is not quite the moral equivalent of making a golden calf, or off toppling the global economy; and yet the ancient Hebrews long ago, and the leaders of major financial institutions lately, have all been offered repeated chances at redemption, in contrast to Lenny. So this raises the question, was Lenny really sacked because we, as a society, have a high standard for the upholding of law and morality, or because we, as a society, have low tolerance for somewhat weird, annoying, or immature behavior? The answer to this rhetorical question lies in the statistics which show that, as we have closed the institutions where people with disabilities and mental illness were warehoused for over a century, we are now housing a huge number of people with disabilities and mental illness in our prisons.

I tried to reach people at the bank, to discuss an alternative to firing Lenny, while acknowledging the fact that what he had done was wrong and that there needed to be some sort of consequence for his misdemeanor. I was going to suggest that, perhaps, they might dock his pay for the doughnut, and perhaps to

have him pay an additional penalty, and/or to increase his supervision, etc. I never received a call back from the bank. I'd like to give them credit for being too ashamed of themselves to call me back, but maybe they just felt that they were too busy to call me, or that it just wasn't important. I wanted to ask them if Lenny's original sin was stealing those extra chromosomes, back when he was just a zygote—but the bank never called me back, depriving me of the opportunity of using that line, until now.

So, what happened to Lenny? I saw him back in clinic last month, with his mom. He is now at home during the day. His parents give him an allowance, for movies, bowling, recreational activities he does through the Developmental Disabilities program. He is able to earn extra money by doing extra chores around the house. His mentors are looking for work opportunities, which, given the past two firings, will probably be in some type of sheltered workshop. So, Lenny lives at home, does chores at home, and participates exclusively in segregated recreational activities. Other than his mentors, doctors, and parents, Lenny has only brief, superficial interactions with the general population. But, segregation and isolation of adults with developmental disabilities is, surely, a small price to pay for our doughnut security!

So—why am I telling you this story? Isn't this a digression from the parshah? Well, honestly, one reason I am sharing this story is that I feel a strong need to share it, and I don't have that many opportunities to share stories like this one, and, hey, here's a captive audience! But, in fact, Lenny's story is directly relevant to this parshah and to Shabbat Shuvah. First, it's relevant to the parshah because Moshe is commanded to include all of the people Israel, all the men, women, and children, and the strangers living in their midst, in the reading of Haazinu. The commandment is to be inclusive. I don't think this is an overstatement, a reading in of my particular slant, or a stretch of any kind. In fact, the reason given for reading the Torah out loud is specifically to include those who can't read, which could be due to disability or to lack of education.

In Mishle, there is a quote that a person is to be educated “according to his path, for the lesson to endure”—an explicit reference to the fact that different people have different learning styles and needs. We are obligated to include everyone in study of Talmud and Torah, and are obligated to adapt curriculum accordingly. One example of how this is carried out today that you are all surely familiar with occurs in the Pesach Seder. It is the tradition to include all children, even those with different learning styles, in the Seder. We are enjoined to explain, even to those who are “unable to ask”, about the exodus and about how all the

people were liberated together from Egypt. Parenthetically, I am not too crazy about the diagnostic labels of “wicked child” or of “simple child”, but I like the label “unable to ask”, and, surely, this example of a very early attempt at Individualized Educational Planning, for people with learning or behavioral problems, is very enlightened and was developed far ahead of its time.

Two more reasons that Lenny’s story fits for Shabbat Shuvah are that: one, it is uncomfortable, and two, that it is unresolved. This time, of Shuvah, is about recognizing what we need to improve. So, if Lenny’s story had a happy ending, it wouldn’t be a very fitting tale for Shabbat Shuvah. On the other hand, if Lenny’s fate were irrevocably sealed, if he were doomed at 25 to spend the rest of his life segregated from society, it would not be a good story for Shabbat Shuvah, either. Lenny’s story is fitting because it is just beginning. He is a young man, with resourceful parents, who is capable of learning how to better check his impulses, to think of potential consequences of his actions, to learn from mistakes, and to learn new skills.

Our society needs to do a better job of valuing inclusion and to actually realizing that goal, by being more tolerant of trivial errors, and by continuing to fund vocational/educational programs and mentoring programs—rather than continuing the current trend of defunding these programs, with the threadbare excuse that we can’t afford to fund them. In Vayyelech, G-d comforts Moshe, telling him that, although the people are bound to make mistakes, that they can also make Shuvah. Surely, this knowledge gave Moshe some peace as he died. We owe it to young adults with disabilities and mental health conditions, and to their parents, the reassurance that they are to be included in society, that we value them and value their participation in society. Therefore, we need to create adequate supports to enable these young people to be successfully included. We also need to strive to adopt attitudes of tolerance for merely odd behavior which is not criminal. And, when the misconduct of a person, who has difficulty understanding appropriate behavior, or who has significant difficulty curbing impulses, rises to the level of criminality, rather than just locking these people away, we need to create a justice system which fosters redemption, or shuvah.

Thanks, and L’shanah Tovah!