

TESHUVAH: RETURN

## The Metzora as a Model for Welcoming Returning Citizens

“Once leprosy had gone, and the figure of the leper was no more than a distant memory, these structures [the medieval European leprosaria or lazar-houses] still remained. The game of exclusion would be played again, often in these same places, in an oddly similar fashion two or three centuries later. The role of the leper was to be played by the poor and by the vagrant, by prisoners and by the ‘alienated’ [i.e., the insane], and the sort of salvation at stake for both parties in this game of exclusion is the matter of this study.”

– Michel Foucault, *History of Madness* (emphasis added)

*Joe Loya served seven years in prison for bank robbery. Reflecting on an encounter with a cashier at a 7-Eleven the day of his release, he writes,*

*Instinctively, I feared that the sludge of my life would besmirch this boy. (Like all the self-despising men I knew in prison, I willingly chose to play the unclean leper to his spotless vulnerability.)*

– Loya, Joe. *The Man Who Outgrew His Prison Cell: Confessions of a Bank Robber*. 2004, p. 345



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The skin condition that the Torah calls *tzara'at* is not the medical condition of leprosy, though as Rabbi Nancy Fuchs Kreimer writes, this old-fashioned translation “vividly communicates the text’s fear of the disease and of the stigmatized individual who is stricken with it.”<sup>496</sup> A person with *tzara'at* is called a *metzora* and is sent outside the camp for a period of recovery. As Foucault notes, today’s incarcerated person is the descendant of yesterday’s leper; Rabbi Fuchs Kreimer goes on to observe, “In America today, one in one hundred people are living ‘outside the camp,’ behind bars, in city, state and federal prisons.” When released from prison, these returning citizens are hampered by stigma, difficulty finding jobs or housing, disruptions in medical and mental health care, and a host of other challenges. Leviticus 14 describes the lengthy process by which a *metzora* is purified and returned to normal life in the camp. The Torah’s process can teach us important lessons about how our society can reintegrate returning citizens and help them succeed in rebuilding their lives:

<sup>496</sup> <http://truah.org/resources-91356/divrei-torah/561-reintegration.html>

## Leviticus Chapter 14

(Translation: NJPS)

**Verse 3:** The priest—the upper echelon of society, the keeper of sanctity, whose whole job is to remain holy so that he can serve God—is the one who goes outside the camp to examine and care for the *metzora*. Rabbi Jonathan Wittenberg writes, “[The priest] is at once the guardian of the many against infection by the few and the healer who reintegrates people into society.” Rather than maintaining the *metzora*’s stigma, this shows how important his or her reintegration is to the society. Why is it that Barack Obama was the first sitting President to make an official visit to a prison?

**Verse 3-4:** Terminology. After verse 3, the term “*metzora*,” here translated leper, does not appear again. Instead, the person is referred to as the “*mittaher*,” the “one who is to be cleansed.” Continuing to call people ex-offenders emphasizes their past, rather than their future, and transgresses the Talmud’s dictum, “If someone has repented, do not say to him, ‘Remember your past misdeeds.’” (Bava Metzia 58b)

**Verses 4-7:** The two birds. Rabbi Samson Rafael Hirsch, the 19th century German father of Modern Orthodoxy, observes that the two identical birds—one to be sacrificed, one to be set free—echoes the two goats of the Yom Kippur ritual. Further, because birds are not subject to human authority, he also links them to the calf of the *eglah arufah* ritual (Deut. 21:1-9), which must have never been used to plow a field or carry a burden. The scapegoat ritual atones for the sins of the entire community; the *eglah arufah* is performed when a person is found murdered outside a town and there is no suspect, as an atonement for any oversight or negligence on the part of the authorities that may have endangered the victim. In other words, how do we broaden the focus on a returning citizen to include not only his or her personal *teshuvah*, but also the question of how society might be responsible for creating the conditions for the crime?

<sup>1</sup>The Lord spoke to Moses, saying: <sup>2</sup>This shall be the ritual for a leper at the time that he is to be cleansed.

When it has been reported to the priest, <sup>3</sup>the priest shall go outside the camp. If the priest sees that the leper has been healed of his scaly affection, <sup>4</sup>the priest shall order two live clean birds, cedar wood, crimson stuff, and hyssop to be brought for him who is to be cleansed. <sup>5</sup>The priest shall order one of the birds slaughtered over fresh water in an earthen vessel; <sup>6</sup>and he shall take the live bird, along with the cedar wood, the crimson stuff, and the hyssop, and dip them together with the live bird in the blood of the bird that was slaughtered over the fresh water. <sup>7</sup>He shall then sprinkle it seven times on him who is to be cleansed of the eruption and cleanse him; and he shall set the live bird free in the open country. <sup>8</sup>The one to be cleansed shall wash his clothes, shave off all his hair, and bathe in water; then he shall be clean. After that he may enter the camp, but he must remain outside his tent seven days. <sup>9</sup>On the seventh day he shall shave off all his hair — of head, beard, and eyebrows. When he has shaved off all his hair, he shall wash his clothes and bathe his body in water; then he shall be clean. <sup>10</sup>On the eighth day he shall take two male lambs without blemish, one ewe lamb in its first year without blemish, three-tenths of a measure of choice flour with oil mixed in for a meal offering, and one log of oil.

**Verses 8-10:** Phased reentry. The *mittaher* is not abruptly returned to normal life but spends a week in an interim state, living in the camp but outside his tent, before completing his reentry. What can society do to help make reentry a guided, staged process rather than an abrupt, unsupported transition?

**Verse 9:** Shaving the beard is usually forbidden (see Lev. 19:27), being a key marker of Israelite identity. Being incarcerated challenges our basic ideas about who we are—as does release after a long incarceration. How do we navigate these fundamental changes? What parts of our identity remain rock-solid through these traumatic transitions and what parts are shed or transformed?

11These shall be presented before the Lord, with the man to be cleansed, at the entrance of the Tent of Meeting, by the priest who performs the cleansing.

12The priest shall take one of the male lambs and offer it with the log of oil as a guilt offering, and he shall elevate them as an elevation offering before the Lord. 13The lamb shall be slaughtered at the spot in the sacred area where the sin offering and the burnt offering are slaughtered. For the guilt offering, like the sin offering, goes to the priest; it is most holy. 14The priest shall take some of the blood of the guilt offering, and the priest shall put it on the ridge of the right ear of him who is being cleansed, and on the thumb of his right hand, and on the big toe of his right foot. 15The priest shall then take some of the log of oil and pour it into the palm of his own left hand. 16And the priest shall dip his right finger in the oil that is in the palm of his left hand and sprinkle some of the oil with his finger seven times before the Lord. 17Some of the oil left in his palm shall be put by the priest on the ridge of the right ear of the one being cleansed, on the thumb of his right hand, and on the big toe of his right foot — over the blood of the guilt offering. 18The rest of the oil in his palm the priest shall put on the head of the one being cleansed. Thus the priest shall make expiation for him before the Lord. 19The priest shall then offer the sin offering and make expiation for the one being cleansed of his uncleanness. Last, the burnt

**Verses 14-18:** Sanctification rituals. Dabbing the blood on ear, thumb, and big toe mirrors the ritual by which Aaron and his sons were consecrated as priests (Lev. 7:24). Pouring oil on the head was similarly part of that ritual (Lev. 7:12) and of the crowning of Israelite kings. In the course of purification, the *mittaher* is treated like priestly royalty. How can we strive to elevate the returning citizen to her proper place in society?

**Verse 21:** “If, however, he is poor”—a different set of sacrifices is allowed. Poor people leaving prison face much steeper challenges than wealthier people, because they are denied many public benefits. How can social services be tailored to help the individual, rather than a one-size-fits-all approach?

offering shall be slaughtered,<sup>20</sup>and the priest shall offer the burnt offering and the meal offering on the altar, and the priest shall make expiation for him. Then he shall be clean. 21If, however, he is poor and his means are insufficient, he shall take one male lamb for a guilt offering, to be elevated in expiation for him, one-tenth of a measure of choice flour with oil mixed in for a meal offering, and a log of oil; 22and two turtledoves or two pigeons, depending on his means, the one to be the sin offering and the other the burnt offering... [The Torah repeats almost verbatim the sacrificial instructions of verses 10-20.]



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