LET OUR PEOPLE GO:
Mass Incarceration, Liberation and the Passover Seder

This Passover seder supplement was written by eight Princeton students, two rabbis, and a civil rights lawyer. Some of us had never studied the issues of mass incarceration closely and others, inspired by volunteering in prison, will devote their careers to ending the mass incarceration crisis in the United States. Professor Udi Ofer, Director of the ACLU’s Justice Division, and Rabbi Julie Roth, Executive Director of Princeton’s Center for Jewish Life, co-taught our six-week class.

We were inspired to take this class by grandparents who survived the Holocaust and by conversations with incarcerated people. We have grown our knowledge, considered Judaism’s relationship to blackness, and seen how Jews of all backgrounds define cultural Judaism. We took this class because we had never studied important social and political issues through a Jewish lens or we have been troubled by the contradiction between mass incarceration and the seder that celebrates freedom.

The United States is in the midst of a mass incarceration crisis. There are 2.3 million people in our nation’s jails, prisons, and detention facilities. The U.S. incarcerates more people, by volume and by rate, than any other nation in the world. Today, one out of every two adults has been, or has an immediate family member who has been incarcerated. Ending mass incarceration is a racial justice issue: one in three young Black men will serve time in prison if current trends continue. These racial disparities are inextricably linked to past and current racism and white supremacy in the United States.

Every year, Jews come together to remember the bitterness of slavery and to remind ourselves no matter how free, how prosperous, and how happy we are, we were once slaves. As we reflect on the story of Passover, we must consider not just the Israelites who escaped from slavery, but the Egyptians who allowed slavery and oppression in the first place. The story in Exodus guides people to seek justice where none exists, inspiring action instead of accepting the world as it is. It urges us to look within ourselves and our society for the same kind of oppression from which the Israelites were lucky enough to escape.

In the coming pages, we present commentaries on three passages from the Exodus story which explore the themes of suffering and freedom inherent to both mass incarceration and Passover. On each page, we pose discussion questions in the hopes of eliciting meaningful conversations and motivating activism. We hope that this supplement inspires empathy for the millions of Americans living behind bars, deprived of their freedom, separated from their families and loved ones.

Descent Into Slavery

A new king arose over Egypt who did not know Joseph

How does systemic oppression begin? How do free people become enslaved? Our text provides a roadmap: 1. Oppression begins with ignorance caused by a lack of communication and understanding. People start seeing their own groups as distinct from others. 2. A political leader creates or promotes fear of a hated subgroup to justify oppression. 3. Systemic oppression begins, with the consent and even participation of society. 4. Finally, systemic oppression becomes normalized and entrenched. We have seen this same progression unfold in American society. For generations, black and brown Americans have been viewed as “the other,” discriminated against and considered somehow less human. Out of fear and hatred, they were kept at the bottom of the social hierarchy; slavery gave way to Jim Crow, and Jim Crow slowly became the mass incarceration crisis we struggle with today. Prison walls have become physical manifestations of the divisions created and inflamed throughout our history.

He said to his people

Exodus 1:8-14

A new king arose over Egypt who did not know Joseph. And he said to his people, “Look, the Israelite people are much too numerous for us. Let us deal shrewdly with them so that they may not increase; otherwise, in the event of war, they may join our enemies in fighting against us and rise from the ground.” So they set taskmasters over them to oppress them with forced labor, and they built garrison cities for Pharaoh: Pithom and Raamses. But the more they were oppressed, the more they increased and spread out so that the [Egyptians] came to dread the Israelites. The Egyptians ruthlessly imposed upon the Israelites the various labors that they made them perform. Ruthlessly they made life bitter for them with harsh labor at mortar and bricks and with all sorts of tasks in the field.

Questions:

How do we break the cycle of fear and oppression?

Who is culpable for societal injustices?
Reconsidering "Fair Punishment" Through Moses

Identity:
Some time after that, when Moses had grown up, he went out to his kinsfolk and witnessed their labors. He saw an Egyptian beating a Hebrew, one of his kinsmen. 

Exodus 2:11

Throughout the Passover Seder we say 'we were slaves', that it was us, not just our ancestors who were slaves in Egypt. This is a practice of radical empathy: to create a personal connection with our ancestors who were enslaved in Egypt. Here, Moses expresses his personal kinship to Hebrews. Note that Moses spent his life raised as an Egyptian. It is not trivial for him to feel a strong kinship with the Hebrews, as his only connection to them was by birth. Our kinship towards him as part of our group leads us to either forgive his actions or deem them justifiable.

Questions:
How do our relationships impact the way in which we judge people?
Do we only pay attention to human suffering when it is ours or that of our people?

Crime:
He turned this way and that and, seeing no one about, he struck down the Egyptian and hid him in the sand. When he went out the next day, he found two Hebrews fighting; so he said to the offender, “Why do you strike your fellow?” He retorted, “Who made you chief and ruler over us? Do you mean to kill me as you killed the Egyptian?” Moses was frightened, and thought: Then the matter is known!

Exodus 2:12-14

Moses is celebrated as a hero in the Jewish tradition, however in this passage we observe that Moses has committed homicide. Jews do not remember Moses as someone who committed a murder. Is it because we feel an affinity to him or that it was justified? Or because he was underage and therefore was not mentally culpable? Here we see Moses as a punisher. What gives him the right to punish? The Israelites told him he was one of them. Moses then had this power and took it upon himself to decide how to exercise it.

Questions:
How do we expect Moses to respond to witnessing this act?
Are we surprised by his violence?

Punishment:
When Pharaoh learned of the matter, he tried to kill Moses; but Moses fled from Pharaoh. He arrived in the land of Midian, and sat down beside a well. 

Exodus 2:15

Prior, Moses accused his kinsmen of using excessive force in a form of communal punishment. Now we witness two more forms of punishment: state punishment—the threat of Pharaoh—and self punishment—Moshe’s self-imposed exile. We know that Pharaoh tried to kill Moses. Is this a fair punishment? Is it right to impose the death penalty, to take a life for a life? Imagine Moses had not fled and that he had been put to trial. If he was tried today, he likely would’ve been incarcerated pretrial even before he was convicted of anything (like about half a million people on any given day), and that if convicted he would have likely received a life sentence (like hundreds of thousands of people) or the death penalty (which is still legal in 28 states), and tried like an adult. More than 50,000 people in the United States are in prison for life without the possibility of parole.

Questions:
What does this teach us about accountability, even for acts of violence?
What do we want justice to look like?
What would Judaism look like today if Moses was tried and convicted under our current system?
Pharaoh’s Change of Heart

Pharaoh and His Courtiers

Each incarcerated person may have their own Pharaoh: legislators who wrote tough-on-crime policies, prosecutors who pushed for a harsher sentence, practices in prison that make incarceration even more painful. But those Pharaohs are powerless without the “courtiers” and “men” who allow them to execute those policies. In the U.S. criminal justice system, Pharaoh may not just be an individual but also the system itself. Just as Pharaoh needed public support, a system does not operate without the endorsement, or at the very least, the consent of many other people. With this power dynamic between a system and individuals, responsibility for mass incarceration cannot be placed equally on individuals. Nonetheless, political leaders derive their power from the people, so individuals, as voters and activists, can use their voices to dismantle this institution.

God stiffened the heart of Pharaoh

God stiffening Pharaoh’s heart makes us consider external forces that cause our leaders to uphold mass incarceration. Fear can drive seemingly well-intentioned people – governors, prosecutors, prison wardens – to contribute to the oppression of those who are incarcerated. Some fear those who are incarcerated because they define people by their worst moments. Others are motivated by “public safety” even if their policies do not make communities safer. Many fear not getting re-elected; “tough on crime” rhetoric has been a fixture of U.S. politics for decades. Many fear losing their white privilege. All of these fears can coalesce, stiffening leaders’ hearts in the way God stiffens Pharaoh’s heart.

Pharaoh commits his final wrongdoing of pursuing the Israelites because God hardens his heart. Like Pharaoh, many people are pushed to wrongdoing because of external conditions, like poverty, lack of access to an education, or mental health needs. Then, when God drowns the Egyptians, God also acts as punisher. As God both contributes to Pharaoh’s final wrongdoing and punishes him, society both contributes to people’s wrongdoings and punishes them. This dual role challenges our conception that punishment is the proper response to a person’s wrongdoing. Instead, a person’s wrongdoing can be viewed as a cry for help and a chance for society to rectify the ways in which it has failed the individual.

Questions

In what ways do we contribute to systems of oppression and in what ways can we take action to change that?

What is the purpose of punishment as we currently define it and is it necessary?