

Why a Social Justice Seder?

Contributed by [Eli Allen](#)

Source: Baltimore Social Justice Seder

The Passover seder serves many purposes. First and foremost it is a ritualized celebration of the Israelites' dramatic journey from slavery to freedom. But even early on, the seder was never just about our history. As the format of the seder was finalized in Mishnaic and Talmudic times, rituals were included to make each participant feel as if they personally were experiencing the journey from slavery to freedom. This theme of the seder goes beyond the Jewish people's flight from Egypt and into the recurring fight for justice and freedom, a fight that is persistent throughout history and across the globe. The Passover seder tells us that just as our people experienced slavery, and just as we could not free ourselves, we have an obligation to also fight for freedom. The injustices of the world are many, but the Passover motif reminds us of the words of Pirkei Avot: "It is not your duty to complete the work, but neither are you free to desist from it." Together, this Passover, let us use our collective power to further the cause of justice and freedom.

Why the Criminal Justice System?

In the Book of Deuteronomy we are told "tzedek, tzedek terdof" (justice, justice, shall you pursue). The commentaries explain that the word tzedek (justice) is repeated twice to tell us that just as important as the act of pursuing justice is the methodology of how justice is pursued. A criminal justice system that pursues justice in an unfair manner is, in fact, not a just system at all.

The injustices of our criminal justice system are most evident in the war on drugs. Over the 40 years since this war was launched, we have seen a radical shift in our criminal justice policy. The U.S. prison population has quintupled in size over this period (compared with population growth of 66%), and drug convictions have constituted more than half of this growth. Our current system focuses disproportionately on non-violent drug offenses in African American communities. While African Americans use drugs at roughly the same rate as whites, they are more than twice as likely to be arrested for a drug offense, three times as likely to be incarcerated for a drug offense, and face 20% longer sentences than their white counterparts.

This discrimination at each step of the criminal justice system, from politicians directing policing resources, to beat officers choosing who to stop on the street, to prosecutors deciding which charges to bring, to judges' sentencing decisions, has had a devastating impact on African American communities in Baltimore and across the country. Baltimore City puts a higher proportion of its citizens behind bars than any other city in the United States. In Baltimore, over 50% of African American men in their 20's are currently under the control of the criminal justice system—either in prison, on parole, or on probation. ii As many as 80% of African American men in most major cities, such as Baltimore, have a criminal record.

Once convicted, African American men are branded criminals or felons for life. They then enter a parallel social universe in which many of the rights supposedly won during the Civil Rights Movement no longer apply to them. It can be said that while it is no longer acceptable to explicitly discriminate on the basis of race, our criminal justice system accomplishes the same end by labeling a disproportionate number of African Americans as criminals and then subjecting them to the same discriminatory practices used during the Jim Crow era: employment discrimination, housing discrimination, denial of student aid, denial of food stamps and other public benefits, and exclusion from jury service. The effect of our criminal justice system is that we have not ended Jim Crow—we have simply redesigned it. As Michelle Alexander powerfully puts in *The New Jim Crow*, "As a criminal, you have scarcely more rights, and arguably less respect, than a black man living in Alabama at the height of Jim Crow."iv This discrimination is in direct contrast to our Jewish values, which teach us that once a person has served their sentence, they return to being full-fledged members of society. The Book of Deuteronomy warns us against degrading criminals, and distinguishes

between a guilty person awaiting punishment and the “brother” who has received his punishment and should now be considered an equal member of the community (Deuteronomy 25: 1-3).

The disproportionate emphasis that our criminal justice system places on minorities and non-violent drug offenses is detrimental to the entire community. Our community would be stronger if we spent fewer resources arresting and incarcerating people for drug offenses, and more resources preventing and addressing violent crime. Our community would be stronger if returning citizens could find legal, family sustaining jobs that did not force them back into the underground economy. Our community would be stronger if drug addiction were treated as a medical condition, instead of a crime worthy of incarceration and the permanent stigma of a criminal record. The prophet Ezekiel reminds us that we have a responsibility to help returning citizens to reshape their lives, not to punish them indefinitely (Ezekiel 33:11). Through criminal justice reform we are working towards a system that does not discriminate against minority communities, focuses on the prevention of violent crime, and uses strategies grounded in research, rather than emotion. Criminal justice reform makes society safer for us all.

Just as we remember our ancestors' journey from slavery to freedom, let us spend this Passover expanding our awareness of the parallel fights for freedom within our own community. No one should be forced into a life sentence without the possibility of parole for a non-violent drug offense, as over 2,500 Americans are today. No one should be forced to choose between feeding their children and staying out of the drug trade. No one in today's age of justice and freedom should be permanently stripped of their basic rights of citizenship after serving their prison sentence. The Talmud teaches that those of us with the ability to protest injustice are responsible to do so (Shabbat 54b). Tonight we raise our voices and pens so that we can bring justice back to our criminal justice system.

Welcome (Eli Allen)