

The First Presbyterian Church of Birmingham

“Alive in Creation: Freedom?”

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Exodus 3:1-12, Luke 4:16-21

I want to begin with a multiple choice test this morning; a test consisting of only one question. Here is the question. When was slavery outlawed in the United States. The possible answers a) is with the Emancipation Proclamation b) when the House and Senate passed the 13<sup>th</sup> Amendment c) when the states ratified the 13<sup>th</sup> Amendment or d) none of the above? So let's see a show of hands. How many of a), b), c) or d)? for those of you who voted for d), you are correct. The answer is none of the above because slavery was never completely outlawed in the United States. I say this because the first clause of the Amendment reads this way. *“Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”* Note, slavery still exists as a punishment for crimes. And what this means is that every prisoner within the United States is a slave of the state, and as we will see is used as a slave by major corporations within our nation. Let me explain.

When people are arrested and become prisoners of the state they lose the vast majority of their rights. And one of the rights is the ability to say no to work. That being the case, prisoners are forced to work. If they do not they can be, and usually are, placed in solitary confinement or lock in their cells 24/7. And when I say work I don't mean, work to cook in the kitchens, or clean up the prison. I mean they are forced to work for for-profit corporations who have contracted with the prisons for convict labor. A brief list of those corporations include Microsoft, Nike, Honda, AT&T (call centers), Whole Foods, McDonalds (sew uniforms), and Wendy's (package meat patties). Wages generally range from 4 to 74 cents an hour. Some states, such as Texas, do not pay anything at all. In addition, there are no rules governing the safety of the work environment. One state had slaves, or inmates if you prefer, destroying CRT monitors with hammers, exposing them to all of the harmful chemicals those monitors contain. Let me be clear though, the corporations who use prison labor did not create the system; there was no grand conspiracy to find free labor. So the question then becomes this morning; how did we get here?

As a nation that prides itself on freedom; in a nation that professes to be people of the Book, the Bible; in a nation in which more than 90% of its population checks off the “Christian” box, how do we still have slavery? I would argue that there are several reasons, the first being that the scriptures are really OK with slavery. This becomes apparent when we follow the Exodus story that we began reading this morning. God has heard the cry of God's enslaved people. God calls Moses to go and set God's people free. The people are freed through God's mighty acts. Then the people make slaves of other people. We know this because the Law which is given to Moses on Sinai is filled with rules and regulations about slavery. Thus, slavery was OK. We might expect that when we move to the New Testament, things will change. But they don't. The Apostle Paul never advocates for the release of slaves. Instead in several of his letters he tells slaves to be obedient to their masters, serving them like they would Christ, and for masters to be kind to their servants. Which, by the way, is why the Southern States believed that slavery was OK, because it was OK in the Bible.

The second way in which we got here was that we as a nation, and as people of faith, were more than willing to ignore the treatment of black Americans after the Civil War and into the present moment. When the

Civil War ended the agricultural economy of the South was in tatters. They needed workers. Rather than hire freed blacks, the states realized that the 13<sup>th</sup> Amendment allowed them to use prisoners as slaves. The states then began to enact laws such as vagrancy laws, which allowed states to imprison blacks who were not employed and loitering laws, which allowed states to imprison blacks who were just hanging around. These black men were then leased out to private farmers who once again had virtually free slave labor, a practice that lasted until the 1970s. As Michelle Alexander documents in "The New Jim Crow," over the years as some of these laws were struck down, others were implemented, including Jim Crow Laws, three strikes, mandatory minimum sentencing and truth in sentencing, meaning that once a person was sentenced they had to serve a large percentage of their time. What happened then was that the prison population, which had been stable from 1900 to 1980, climbed from 300,000 to its current 2.3 million, meaning that the United States which has 5% of the world's population, houses 25% of the world's prisoners, 86% of which are in prison for non-violent offenses.

This is where we are and the reality is that we got here by walking this road together. Democrat and Republican, rich and poor, black and white, liberal and conservative, inner city resident and suburban dweller, we all willingly walked this road together. We walked this road with the news media and Hollywood that ramped up our fears. We all walked the road where we decided that the only way to protect ourselves was by creating a justice system that locks up one in seventeen white men and one in three black men. We believed that the only way to protect ourselves was to create a new slave class and a new class of second-class citizens; namely those who had been sent to and released from prison. Rather than making careful decisions about who really needed to be locked up, those who are true dangers to life and limb, we walked a road of mass incarceration, willingly labeling millions as criminals, rather than remembering that they too are children of God; remembering that in them, just like in us, the image of God resides.

The question for us this morning then is, is this the road we still want to walk down? Is this still the road upon which we believe Jesus is leading us? Is this the road trod by the Jesus who proclaimed good news to the poor? Is this the road trod by the Jesus who proclaimed release to the captives? Is this the road trod by the Jesus who said he wanted to give sight to the blind? Is this the road trod by Jesus who said let the oppressed go free? Is this the road trod by the Jesus who proclaimed the year of the Lord's favor in which all debts were forgiven and the world's relationships were reset? Is this the road we really believe Jesus is calling us to walk down where one out of every seventeen white men will find their way to prison; where one out of every three black men will do the same; where one out of every twenty-eight children have a parent in prison? Is this the road, or is there another one Jesus would have us walk? I know the answer to this for myself, but I cannot make it for you. Each of us must choose the right road for ourselves.

Here then are my challenges to you for this week; First it is to learn. It is to do your own research into our criminal justice system and our own version of modern day slavery. There are great resources which will introduce you to this issue; books such as The New Jim Crow and the documentary on Netflix entitled 13<sup>th</sup>. In other words, don't just take my word for it. Discover for yourselves and make up your own minds. Second, learn about the Sentencing and Reform Corrections Act of 2016 being considered by Congress. It is a bi-partisan bill, supported by national associations of police, sheriffs and District Attorneys. While not perfect, it is a start at helping us walk a different road. Third, I ask you to pray; to pray for the children of prisoners who are without their parents. To pray for the spouses and parents of prisoners who miss their loved ones. To pray for the prisoners that their lives might be made whole and they find freedom.