



**UU FaithAction NJ urges support for the New Jersey concurrent resolutions which:
Amends State Constitution to prohibit slavery or involuntary servitude.**

[SCR135/ACR125](#)

Slavery was never fully abolished in the United States.

The 13th Amendment of the U.S. Constitution, ratified in 1865, states “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.”

Some states include similar language in their Constitutions. New Jersey is one of the states that doesn’t have a similar amendment, therefore defaulting to the loophole that exists in the U.S. Constitution legitimizing slavery and involuntary servitude within our criminal justice system.

Federal legislation has been introduced to amend the U.S. Constitution to eliminate the exception. The New Jersey Legislature has introduced Senate Concurrent Resolution [SCR135](#) and Assembly Concurrent Resolution [ACR125](#) in the 2022-2023 legislative session to modify the New Jersey state constitution. (Similar bills from the previous legislative session in NJ languished while four other states approved ballot measures, bring the total number of states abolishing slavery in their state constitutions to seven.)

If passed into law, what would this resolution do?

This resolution seeks to add a ballot question in the next general election to approve amending Article I in the New Jersey Constitution to add the following paragraph:

24. No person shall be held in slavery or involuntary servitude in this State, including as a penalty or a punishment for a crime.

The following question would be added to the ballot in the next general election 3 months or more after the resolution is passed:

CONSTITUTIONAL AMENDMENT TO PROHIBIT SLAVERY AND INVOLUNTARY SERVITUDE

Do you approve amending the Constitution to prohibit slavery and involuntary servitude? This would include involuntary servitude as a penalty for a crime.

Involuntary servitude is when a person is forced to work for another person.

INTERPRETIVE STATEMENT

Currently, the State Constitution does not prohibit slavery or involuntary servitude. This amendment would prohibit slavery and

involuntary servitude. Involuntary servitude means forcing a person to work against their will for the benefit of another.

Currently, inmates in this State have to work while in prison. An inmate is paid a minimal amount for that work. This amendment would prohibit forcing an inmate to work as a penalty for a crime, even if they are paid. This amendment would not prohibit inmates from working voluntarily.

Unitarian Universalist/UU Faith Action NJ Position on this Resolution:

We, as Unitarian Universalists affirm and promote our 1st principle, the inherent worth and dignity of every person and our 2nd principle, justice, equity and compassion in human relations. A criminal conviction should in no way devalue the humanity of those impacted or be used to perpetuate a system of indignity and injustice.

Because systemic racist policies and institutions that continue to undermine these principles still exist today, some Unitarian Universalist Congregations have adopted or are in the process of adopting an 8th principle: “We, the member congregations of the Unitarian Universalist Association, covenant to affirm and promote: journeying toward spiritual wholeness by working to build a diverse multicultural Beloved Community by our actions that accountably dismantle racism and other oppressions in ourselves and our institutions.”

The exception which allowed legal slavery to continue has perpetuated an inhumane and racist criminal justice system, beginning with Black Codes through Jim Crow laws and the racially biased “War on Drugs”, resulting in continued police brutality and mass incarceration primarily of Black and Brown people. New Jersey prisons continue to have the highest racial disparities in the country.

Abolishing slavery has always been a moral issue. Profitability and economics, especially when profits are made on the shoulders of those enslaved being forced to work against their will, are why slavery existed and still exists today. There is no moral justification for any form of slavery and no defense can be made in the name of economics. Abolishing slavery can make way for efforts to reduce the number of people in prisons and to provide fair treatment and meaningful work and rehabilitative opportunities to people who have been convicted and have been sentenced to prison.

This amendment in the New Jersey Constitution would be one step towards dismantling the racism and oppression that is a shameful part of our nation’s and our state’s history, and a demonstration of our commitment to our principles.

To learn more about this issue and the New Jersey proposed resolutions:

<https://endtheexception.com/>

https://www.njleg.state.nj.us/bill-search/2022/ACR125/bill-text?f=ACR&n=125_I1

“The New Jim Crow: Mass Incarceration in the Age of Color-Blindness” by Michelle Alexander.

“Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II” by Douglas A. Blackmon

“Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary” by Dennis Childs

“13th” (A documentary film by director Ava DuVernay)