

“IT WAS ON ROSH HASHANA THAT YOSEPH WAS FREED FROM PRISON”:

THE DAY OF JUDGMENT AS A DAY OF FREEING THE INCARCERATED

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Parashat Mikketz begins with Yoseph in prison. Despite his stunning good looks, his charisma, and talents, in the land of Egypt, he is alone, destitute, and vulnerable. Framed for a sexual assault he didn't commit by someone who actually tried to assault him, but powerless to do anything about it with no clout, Yoseph learns what so many poor people, immigrants, and members of unfavored ethnic groups learn living in widely respected superpowers: truth does not matter in the justice system. The last line of the previous parasha highlights Yoseph's abandoned and seemingly hopeless state, when his one potential friend, a prison-mate who knows his story, is freed and restored to his post as Phara'oh's butler: “But the chief butler did not remember Yoseph, and he forgot him” ([Genesis/Bereishit 40:23](#)). How must Yoseph have felt, already in prison for ten years (according to reasonable, Rabbinic calculation), knowing no one, receiving no guests, having no contact with the outside world? So many people in this country must have raw insight into what that may have felt like and how he coped.

And then, he gets his chance. [Two years after the butler's release](#), Phara'oh has disturbing dreams and is dissatisfied with the interpretations of all his court experts, who are probably used to telling him what they think he wants to hear. The butler finally remembers his prison buddy and tells Phara'oh about this Hebrew convict who's good at interpreting dreams. The rest is dramatic history: Yoseph is brought out, interprets the dreams convincingly as a premonition of the next 14 years of agricultural yield for the region, takes a risk and offers a suggestion for how to manage plenty followed by famine. Phara'oh is impressed and makes him Prime Minister, which will surprisingly end up re-uniting him with his family. It's all so thrilling that it's tempting to jump ahead, but I want to dwell on the liberation from prison. “Phara'oh tells Yoseph, ‘Inasmuch as God has made you know all of this, there is no one as insightful or wise as you’” ([Genesis/Bereishit 41:39](#)). He had that insight and wisdom all along, but they didn't prevent the state from incarcerating him; dumb luck led the state to pay attention.

“It was on Rosh HaShanah that Yoseph was released from prison” ([Talmud Bavli, Rosh HaShana 10b-11a](#)). The 2nd-Century all-star Sages, Rabbi Eli'ezer and Rabbi Yehoshu'a argue over the timing of numerous, significant, mythic events, such as the creation of the universe and the birth and death dates of the Patriarchs, but there is consensus that Rosh HaShana commemorates Yoseph's liberation from prison. The Talmud's stated source for this dating is [Psalm 81](#), which equates the festival of shofar blasts with the day Yoseph began his rule over Egypt, leaving behind the slave labor of prison:

(4) Blow the shofar on the new moon, at the covered time of our festival day.

(5) For it is a law for Israel, a ruling of the God of Jacob;

(6) As testimony upon Yoseph [God] placed it when he went forth over the land of Egypt; a language that I knew not I now could hear.

(7) I relieved his shoulder of the burden, his hands were removed from the cauldron.

It is tempting to jump to metaphor, as much of our tradition has richly done: Rosh HaShana is the time of rebirth, of possibility, the day “pregnant with eternity”, as we discussed in [another d'var torah in this collection](#), and we will find meaning by seeking release from the “prisons” of bad habits and hurtful choices if only we engage in teshuvah/repentance. That is all true and important, but, I think, inadequate when we do not stay grounded in the literal basis of the metaphor: release from prison.

Prison is always a threat to life itself. In the Talmud, Rav Yehuda taught in the name of Rav that people having survived four different experiences must say the blessing praising God for life-saving “bestowing of lovingkindness” (*Birkat HaGomel*): seafarers returning from a journey, travelers returning from the desert, one who recovered from a serious illness, and “someone who was incarcerated in prison, and left” -- seemingly regardless of whether they

were released or escaped ([Talmud Bavli, Berakhot 54b](#)). Being alive and safe for people with those experiences is not continuous with life the day before. The fact of being alive means something very different for someone who was incarcerated than it does for people who were not. Leaving prison is a rupture and a rebirth, because in those conditions, death was always lurking. Prison, in that sense, is a contingent, capital punishment. The significantly [higher rates of infection and death from COVID](#) among incarcerated people is only another, contemporary example of a phenomenon that has been true for generations. Escaping the kind of mortal threat posed by prison requires a special, unusual blessing capturing the feeling that life, in that case, feels not natural, but supernatural.

One influential sage there, Abaye, even added that this blessing must be said publicly. Perhaps the reborn person needs that public affirmation to verify that they are truly, and not metaphorically, alive. Perhaps the community at large needs to confront some hard truths about mortality by hearing and validating the dangerous experiences we'd like to hide in the shadows, none more than prison. This burden does not fall just on those who have survived these trials, though. The liturgy records a list of blessings to be recited by every Jew every morning upon waking and getting ready for the day (*Birkot HaShahar*). One of these blessings is "Praised are You, YHWH our God, Cosmic Majesty, Releaser of the Imprisoned (*matir assurim*).” Yes, sleep is a kind of metaphorical prison, when we are vulnerable. But the grounding of that metaphor is the familiar experience of actual prison. The source from which we draw understanding of our constant vulnerability is the literal experience of incarceration.

The second blessing of the 'Amidah prayer, recited three times daily, praises God for "reviving the dead" (*mehayeh ha-meitim*). Much ink was spilled in the prosaic, Jewish 20th Century about whether that blessing should be said by those who don't literally believe in a supernatural God who literally restores literal dead people to literal life. Lost in those discussions was the Biblical and Rabbinic recognition of states of "walking dead", of the experience of being left for dead, yet sometimes, somehow surviving. The three phrases capturing this reality in the blessing are clauses recognizing the Holy One for "supporting the fallen, healing the sick, and releasing the imprisoned (*matir assurim*)". Will dead people come back to life from the grave one day? I don't know. But we, the living, willingly leave other living people for dead in prison. When they make it out, it's the stuff of miracles, and I can't understand the meaning of life without facing up to the reality of prison. At least one early midrash identifies release from prison as *the* basic expression of our needs, the stand-in for all requests for human well-being, if we boil all the requests of the 'Amidah done to their core:

“Even the 18 blessings that the first prophets established for Israel to pray every day, they didn't open with the needs of Israel until they opened with the praise of God: 'The great, mighty and awesome God. Holy are you and awesome is your name.' **Afterward: 'Who releases the imprisoned'**, and afterward: 'who heals the sick' and afterward: 'We are grateful to you'” (Sifrei Devarim #343).

God frees incarcerated people. That's Who we say God is and who God expects us to be. As Rabbi Elie Kaunfer put it (unpublished manuscript shared with me in personal correspondence):

“This phrase also offers us another example of God modeling something that we can do in the world before it is redeemed: freeing the captives. God tells us that we are a light unto the nations, and that involves freeing those who are in prison.” Rabbi Kaunfer quotes the prophet Isaiah: “I, YHWH, have summoned you in justice, and I have grasped you by the hand. I created you, and appointed you a covenant people, a light to nations, opening eyes deprived of light, **Rescuing prisoners from confinement**, from the dungeon those who sit in darkness” ([Isaiah 42:6-7](#)). The entire Jewish concept of being a light unto the nations has its origins in freeing prisoners from incarceration.

Today, *Hayom*, 155 years after the ratification of the 13th Amendment to the U.S. Constitution, which prohibits slavery, but codifies its legitimacy as punishment for crime, let's get to work on repairing a justice system that operates on the most expansive system of slavery in world history. On this day, Rosh HaShana, when we commemorate and celebrate our ancestor, Yoseph, leaving the death of prison and being reborn, let us take to heart the teaching of our Sages, that it is the *release* from prison that constitutes the Day of Judgment, a central name for Rosh HaShana. Building a righteous justice system means proliferating life and releasing the incarcerated.