

# Mikdash

## A Jewish Guide to the New Sanctuary Movement

EXPANDED EDITION



By Rabbi Lev Meirowitz Nelson  
and Rabbi Salem Pearce





## Acknowledgments

Thanks to T'ruah interns Rabbi Lauren Tuchman (JTS '18) and Liz Appel (NYU '19) for their contributions to this resource. We have learned so much from our partners in the field, including Rev. Noel Andersen of Church World Service, Rev. Alison Harrington, Rabbi David Levy, Julia Paley of Sanctuary DMV, Ravi Ragbir of the New Sanctuary Coalition of NYC, and Rev. Alexia Salvatierra, as well as the many T'ruah *chaverim* who have contributed ideas, experiences, texts, and stories. Special thanks to Rabbis Avi Killip, Daniel Kirzane, and Victor Reinstein for pointing us to texts on *mezuzah* and *sukkah*. Thank you to James Borod, Emily Goldberg, Moses Silverman, and the pro bono team at Paul, Weiss, Rifkind, Wharton & Garrison LLP for sharing their legal expertise on sanctuary and immigration. Of course, any mistakes in this volume are T'ruah's responsibility alone. Much appreciation goes to Rabbi Rachel Kahn-Troster, Deputy Director, for leading T'ruah's work on sanctuary and guiding the creation of this resource; Ayelet Hines, former Director of Communications, for help with the first edition; Julie Wiener, Director of Communications, for invaluable input on the revised edition; and Rabbi Jill Jacobs, Executive Director, for her vision, leadership, and making everything we do possible.

Graphic design by Ari Evergeen. **First published August 2017. Revised and expanded February 2019.**

### LEGAL DISCLAIMER

Some activities of the Sanctuary Movement may carry a legal risk of prosecution; others are clearly legal. **This guide to *Mikdash: The Jewish Sanctuary Movement* is not intended, and should not be construed, as legal advice.** Any individual or organization intending to participate in sanctuary activities should consult their own lawyers, who have familiarity both with the relevant laws and with the organization and its intentions.

We gratefully acknowledge Lippman Kanfer Foundation for Living Torah for partly funding this revised and expanded edition.





# Introduction

Why do we call this resource guide, and the Jewish Sanctuary Movement as a whole, *Mikdash*?

- 1 *Mikdash* comes from the Hebrew root *kadosh*, holy. *Mikdash* reminds us of the holy work we do when we act as allies to immigrants, standing against xenophobia and hate, and for the preservation of families and communities.
- 2 The second-to-last line of the Song of the Sea, recited during the traditional daily *Shacharit* service, links *mikdash* with dwelling and safety:  
**You will bring them and plant them in Your own mountain, The place You made to dwell in, O LORD, The sanctuary, O LORD, which Your hands established.** (EX. 15:17, NJPS TRANSLATION)  
America from its earliest days has viewed itself as a city on a hill; now it is time to make sure those who dwell here can stay safe on that mountaintop. Walking in God's ways, we commit to reestablishing America as a country that lives up to the best of its ideals and welcomes today's immigrants, just as it welcomed many Jews in previous generations and today.
- 3 *Mikdash* is the Hebrew word for sanctuary—as in, the *Beit HaMikdash*, the Temple that stood in Jerusalem. One of the lessons of the *Beit HaMikdash* relates to spiritual architecture: we put our most sacred values at the center of our communities and our lives. *Mikdash* encourages us to orient ourselves towards living out these values.
- 4 We refer to modern synagogues as *mikdash me'at*—the “small sanctuary.” We may imagine our congregations to serve primarily ritual or pastoral roles. *Mikdash* reminds us that we do equally valuable, and perhaps more crucial, work when we live out our values in the public sphere as well.

“Many of us ask our parents where they were when Kennedy was assassinated, how they dealt with the Vietnam draft, or what they did during the civil rights era. Our kids are going to ask us two questions: Where were you during 9/11? and What did you do during this current tumultuous period of American history? I wanted to be sure that I could look my children in the eye 10, 20, 30 years from now and say that I did something, that I showed up.”

— RABBI JOSH WHINSTON, TEMPLE BETH EMETH, ANN ARBOR, MICHIGAN, ABOUT HIS ACTIVISM TO CLOSE THE TENT CAMP THAT HOUSED THOUSANDS OF MIGRANT CHILDREN IN TORNILLO, TEXAS; DECEMBER, 2018.



PHOTO BY GILI GETZ

## The Big Picture: Where U.S. Immigration Policy Is Headed

President Trump has made anti-immigrant policies a key feature of his administration since he took office in January 2017, beginning with the first version of his Muslim ban just four days after his inauguration. While the blizzard of different policies may seem haphazard or just an expression of xenophobia, we submit that there is a more dangerous ideology that ties them all together. The seemingly disparate parts of the administration's immigration policies come together to form a coherent plan that aims to transform the U.S. into a white nationalist state.



PHOTO COURTESY OF BEND THE ARC

to a framing of immigration as a national security issue. But the Trump administration has greatly intensified and expanded these efforts. Stephen Miller, the driving force behind many of Trump's policies, has characterized the administration's extreme attempts to get money for a border wall as a question of whether "the United States remains a sovereign country."<sup>2</sup>

“We Jews have chosen our history to be our mandate. We choose to remember and underscore that the quintessential experience of the Jewish people is both the slavery in and the exodus from Egypt. We are all refugees.”

— RABBI NEIL COMESS-DANIELS, BETH SHIR SHALOM, SANTA MONICA, CALIFORNIA, IN A HIGH HOLIDAYS SERMON, SEPTEMBER, 2018.

Eric Ward, Executive Director of the Western States Center and a longtime researcher and activist against white nationalism, explains this movement and the difference between it and white supremacy:

**“If white supremacy is a system of disparities and bias used to exploit and maintain control, white nationalism seeks the complete removal of Jews and people of color from the United States altogether. White nationalists seek to dismantle the current state and replace it with a white-only ethno-state. In short, ethnic cleansing.”<sup>1</sup>**

To be sure, many current immigration policies were in effect under both the Bush and Obama administrations—born out of the nationalist impulse after the 9/11 attacks that led

<sup>1</sup> <https://popcollab.org/white-supremacy-falls-white-nationalism-stands/> It is important to note that Ward continues, arguing that anti-Semitism animates white nationalism. “Unlike white supremacy, white nationalism is rooted in the anti-Semitic belief that Jews are responsible for the defeat of white supremacy and seek to destroy the ‘white race’ through mass immigration, gay marriage, and a host of inclusionary policies.” For more, see JFREJ’s resource on anti-Semitism: <https://jfrej.org/understanding-antisemitism/>

<sup>2</sup> [https://www.washingtonpost.com/world/2018/12/19/reminder-trumps-needless-cruelty-migrants/?utm\\_term=.30d2d31ff8fd](https://www.washingtonpost.com/world/2018/12/19/reminder-trumps-needless-cruelty-migrants/?utm_term=.30d2d31ff8fd)





Consider this roster of policies, which—taken together—aim to remove non-white people from America or prevent them from entering:

- The **Muslim ban**, about which Justice Sonia Sotomayor wrote, “Taking all the evidence together, a reasonable observer would conclude that the proclamation was driven primarily by anti-Muslim animus.”
- Rescinding **Temporary Protected Status (TPS)** for more than 300,000 people who fled violence and disaster in Haiti, Sudan, Nicaragua, and El Salvador. In his ruling blocking the administration’s decision, U.S. District Judge Edward Chen said there were “serious questions as to whether a discriminatory purpose was a motivating factor” and as to whether it was based on “animus against nonwhite, non-European immigrants.”<sup>3</sup>
- Seeking to add a **citizenship question** to the 2020 census, which has been revealed as a blatant—and Cabinet-level—attempt to reduce the political power of Latinx communities.<sup>4</sup>

- Setting historically low limits for **refugee admission**—and then admitting fewer than half of the 45,000 maximum for 2018. In 2015–2017, the top five countries from which refugees fled were Syria, Afghanistan, South Sudan, Myanmar, and Somalia, with five other African countries rounding out the top 10.<sup>5</sup>
- Reducing the number of **visas** available for immigration, with a particular focus on reducing family-reunification immigration (which the administration derides as “chain migration”). In 2018, the State Department denied 620,311 visas, green cards, and other legal immigration statuses, an increase of 37 percent from 2016.<sup>6</sup>
- Interfering with **asylum procedures** on the southern border by processing only a handful of asylum claims each day at legal points of entry, making asylum seekers wait in Mexico while their cases are being considered, and attempting to deny people crossing the border between ports of entry the right to seek asylum.
- Threatening to end **birthright citizenship** via Executive Order.
- Proposing, via a rule change in the Department of Homeland Security, to amend the definition of who constitutes a “**public charge**,” which in effect would function as a wealth test for immigrants seeking to get a visa to enter the U.S. and would penalize immigrants already in the U.S. who receive non-cash government benefits for which they are legally eligible.

White nationalists “reframe the rejection of white superiority as an attack on patriotism,” writes Eric Ward. **That is why one of our crucial tasks is to tell our story of America—a multicultural America—over and over again, loudly and proudly and publicly, in a thousand different ways, and to work to make it a reality.** Because even when this administration comes to an end, the social movement of white nationalism that helped bring it to power will not simply go away.



3 [https://www.washingtonpost.com/news/morning-mix/wp/2018/10/03/federal-judge-citing-trump-animus-against-nonwhites-blocks-removal-of-haitians-salvadorans-and-others/?utm\\_term=.c43e7ef454e7](https://www.washingtonpost.com/news/morning-mix/wp/2018/10/03/federal-judge-citing-trump-animus-against-nonwhites-blocks-removal-of-haitians-salvadorans-and-others/?utm_term=.c43e7ef454e7)

4 <https://www.nytimes.com/2018/09/19/opinion/columnists/wilbur-ross-census-trump.html>

5 [https://www.hias.org/sites/default/files/handout\\_-\\_definitions\\_and\\_top\\_5\\_facts.pdf](https://www.hias.org/sites/default/files/handout_-_definitions_and_top_5_facts.pdf)

6 <https://www.vox.com/policy-and-politics/2019/1/19/18123891/trump-immigration-statistics>

# The Bottom Line: What You Need To Know About Undocumented Immigrants in America<sup>1</sup>



In 2016 (the most recent complete figures), America was home to about 10.7 million undocumented immigrants, down from a peak of 12.2 million in 2007. They live in 5.2 million households, about one in every 23 U.S. households. For contrast, 34.4 million documented immigrants live in the U.S., including naturalized citizens and those holding visas.



Among undocumented immigrants arriving in the last five years, most are likely<sup>2</sup> in the U.S. as a result of overstaying a legal visa, rather than entering the country without documents.



Two-thirds of adult undocumented immigrants have lived in the United States for more than 10 years.



43 percent of undocumented adult immigrants live in households with U.S.-born children. 5 million U.S.-born children have an unauthorized immigrant parent.



About half the undocumented immigrants in the U.S. pay income taxes. In 2015, the last year for which data are available, these taxes totaled \$23.6 billion.<sup>3</sup>



58 percent of undocumented immigrants are concentrated in six states: California, Texas, Florida, New York, New Jersey, and Illinois.

## THE ALLEGED BORDER CRISIS



**2007 was the last year with a significant influx of undocumented immigrants into the United States.<sup>4</sup> Since 2012, some 400,000 undocumented immigrants have left the U.S. of their own accord.<sup>5</sup>**



The number of immigrants caught crossing a U.S. land border (with Canada or Mexico) not at an official point of entry peaked in 2000 at about 1.7 million per year before declining sharply. In fiscal year 2017 (October 2016–September 2017), there were about 310,000 border apprehensions.<sup>6</sup>



Roughly half of the total undocumented immigrant population comes from Mexico.



However, 2013–2018 saw a marked shift, with those arriving from Mexico and the “Northern Triangle” (El Salvador, Guatemala, Honduras) eclipsed by Asia and the rest of the world, 42 percent Latin/Central America to 58 percent everywhere else.

MAP AND PINS COURTESY OF VECTEEZY

1 Information from the Pew Research Center, <http://www.pewhispanic.org/2018/11/27/u-s-unauthorized-immigrant-total-dips-to-lowest-level-in-a-decade/>, unless otherwise noted.

2 These caveats are due to data issues that make precision difficult.

3 <https://www.vox.com/2018/4/13/17229018/undocumented-immigrants-pay-taxes>

4 <https://www.bloomberg.com/view/articles/2017-02-21/the-myth-of-the-u-s-immigration-crisis>

5 <https://www.bloomberg.com/opinion/articles/2017-02-21/the-myth-of-the-u-s-immigration-crisis>

6 Congressional Research Service, <https://fas.org/sgp/crs/homesec/R45020.pdf>, p. 15. The number of apprehensions only approximates the number of people trying to cross, as the same person may be caught and returned to the other side of the border several times.

# What is Sanctuary?

Put simply, sanctuary is the movement and the work of defending immigrants and standing up for their rights. It nearly always works simultaneously on two levels:<sup>1</sup>

1. The local level is where the primary work of protecting immigrants occurs. It is impossible to be involved in sanctuary as a solo congregation; **the first step** to becoming a Sanctuary Community is to develop relationships with the local sanctuary network. Such a network may include:
  - Sanctuary coalitions
  - Immigrant-led churches
  - Workers' centers
  - Immigration policy institutes or advocacy groups
  - Local chapters of Church World Service, Cosecha, Faith In Action, or other congregational organizing networks

Collaborating with these local groups serves at least three purposes:

- It puts the **communities most directly affected** by deportations at the center of the movement. Ally congregations should be taking their cues from immigrants and immigrant-rights leaders.
  - Our activism is most effective when we know **what the particular local networks want** us to do. Sanctuary is a decentralized, national movement that has evolved differently in every community where it is practiced. This means that sanctuary—both its definition and what synagogues and churches are asked to do—can vary widely from city to city, based on the needs of the local community; the local Immigration and Customs Enforcement (ICE), police, and municipal leadership; and what efforts are already in place. Coordinating also reduces redundancy.
  - Developing relationships with immigrant communities **strengthens the fabric of our interfaith, interracial, interclass society**. Having thick relationships makes it harder for confounding issues to drive a wedge between communities that should be allied in the current historical moment. The collaboration and the work itself also demonstrates our understanding of immigrant communities as neighbors and friends—not as an “other.”
2. On top of local work to protect immigrants, the Sanctuary Movement may also focus on changing the public's hearts and minds, with an eye towards federal policy. This is true for any public action taken by sanctuary communities (a list of suggested possibilities is on page 9). In the case of offering “public sanctuary,” government and media are expressly told that an immigrant is taking sanctuary in a given faith institution—though in the atmosphere of fear created by the Trump administration, immigrants may opt for sanctuary that is not publicized. In the long term, only a wholesale reorientation of our society, away from racism and xenophobia and towards inclusion and love, will offer true, lasting protection.

We should keep both goals at the forefront of our minds.

## What makes sanctuary space work?

Communities participating in sanctuary should be clear in their understanding that the law does not protect an immigrant who takes sanctuary inside a house of worship. ICE agents or police officers with a warrant can enter a congregation and make arrests as the warrant indicates. This is the reason some sanctuary is offered privately, in order not to disclose a vulnerable person's whereabouts.

It is, rather, a policy<sup>2</sup>—call it a *minhag* (custom)—that ICE does not enter houses of worship, based on public perceptions and American (largely Christian) values about churches. The theory is that government will prefer to avoid the spectacle of uniformed officers forcibly removing someone from a church or synagogue. (Mosques and other religions' sacred spaces are, unfortunately, likely viewed less favorably by ICE.)

Sanctuary can be successful even if an arrest and deportation does occur, through the impact on the family of the arrested person and on the wider public. Action by faith communities sends a powerful message that protecting the vulnerable lies at the moral core of our traditions, and that we are ready to deploy the power of our communities to stop deportations.

1 According to Reverend Alexia Salvatierra, a national leader in the sanctuary movement.

2 <https://www.ice.gov/ero/enforcement/sensitive-loc> (accessed February 5, 2019).

### TALMUD BAVA BATRA 11A

The Sages taught: King Munbaz liberally gave away his treasures and the treasures of his ancestors in the years of drought [distributing the money to the poor]. His brothers and his father's household joined together against him, and they said to him: Your ancestors stored up and added to [the treasure] of their ancestors, and you are liberally distributing it. [King Munbaz] said to them: My ancestors stored up below, whereas I am storing above, as it is stated: “Truth will spring out of the earth and righteousness will look down from heaven” (Psalms 85:12).



# What does it mean to be a sanctuary congregation?

“Sanctuary” as defined by the contemporary New Sanctuary Movement has a variety of different meanings, all of which relate to protecting immigrants and preventing deportation. Many people, upon hearing the word “sanctuary,” imagine an immigrant living in a church or synagogue. This is just one means of providing sanctuary. Other activities that fall into sanctuary include:<sup>1</sup>

- Change federal public decisions by changing hearts and minds
- Create a local safety net
- Advocate for local policy
- Advocate for specific individuals and families
- Provide pastoral and practical support, including being part of a shelter-cluster
- Engage in rapid response
- Offer physical shelter

The New Sanctuary Coalition of New York has identified the following forms of congregational participation. We offer these as a sample; **contact your local sanctuary coalition to learn what efforts your community most needs.**

## SERVING AS A SANCTUARY SPACE

This can mean providing:

**1. Short term sanctuary – “Safe Space”:** If an immigrant has not been named as an ICE target for immediate deportation but feels at risk, taking sanctuary in a house of worship may be useful for a short time (a few hours, one day, or a short overnight stay). This brief respite will help the person feel safe and calm, overcome panic, and get information on next steps, while making contingency plans. Short-term sanctuary may be precipitated by immigration raids (or rumors of raids) or acts of hate occurring in the area. Fewer amenities may be required in order to provide short-term sanctuary, as the stay is intentionally brief.

**2. Long term sanctuary – “Physical Sanctuary”:** If an immigrant with a final deportation order has been named for immediate deportation, going into Physical Sanctuary may be a way to avoid deportation for an indefinite period, which could last for weeks or months or even years. The immigrant moves into the house of worship and lives there full-time until some agreement can be made with ICE to let the person live outside the house of worship without fear of being immediately deported. A congregation offering long-term sanctuary should provide a private, separate space, whose amenities may include a full bathroom and kitchen. Some long-term sanctuary is public (meaning the press is alerted and the intent is to change the narrative around deportations), but in some cases, long-term sanctuary is private (meaning there is no publicity).

**Public, long-term sanctuary always results from a process of consultation that includes the immigrant in question and their family, lawyers, congregational members and leaders, and other stakeholders. It is never a surprise, spur-of-the-moment decision.**

Note that a congregation that provides public social services—such as a soup kitchen, homeless shelter, or drop-in center—may very well have undocumented immigrants among its clients, and therefore may find itself encountering ICE even without intending to be a sanctuary congregation. We encourage such congregations to seek legal advice, develop a plan for how to respond if ICE agents show up, and make sure all relevant volunteers and staff are trained to react appropriately. *T’ruah has collected several sample policies; please contact us at [sanctuary@truah.org](mailto:sanctuary@truah.org) if you would like to see them.*

“Hosting a family for sanctuary is the hardest, holiest mitzvah our shul has ever engaged in. The sanctuary leadership team and volunteers, along with staff, are working round the clock to support our guests. We are blessed by their presence even as we are furious at a corrupt, immoral, and busted immigration system that threatens them with harm. Just as our ancestors were welcomed into a tent open on all sides, we pray we are doing what is just, loving, and compassionate. It is a painful responsibility to be a sanctuary synagogue—a sacred trust. As the children of Abraham and Sarah, we pray our hospitality is nothing less than Divine.”

— ANONYMOUS RABBI WHOSE SYNAGOGUE IS HOSTING AN IMMIGRANT FAMILY IN PRIVATE SANCTUARY

<sup>1</sup> Thanks to Reverend Alexia Salvatierra for offering this framework.



## TALMUD BAVA BATRA 7B

Is the Mishnah teaching it is beneficial to build a gatehouse [that might keep poor people out of a courtyard]? But wasn't there once that pious man, whom Elijah the Prophet used to visit regularly? One day, the man built a gatehouse and Elijah did not visit him again! This is not a contradiction—it is beneficial if the gatehouse is inside the courtyard; it is not if it is outside [completely blocking access]. What if in both cases the gatehouse were outside? There is still no contradiction—it is harmful if the gatehouse has a door [so the poor cannot even be heard]; it is not if the gatehouse has no door...

*The Talmud continues with several more sub-cases, all pointing to the same conclusion: one may adopt measures for the safety of a community, so long as there remain points of access for the vulnerable.*

## SUPPORTING THE “SANCTUARY NETWORK”

A congregation can declare itself part of the Sanctuary Network and provide support to the network in a number of ways. Some of the following may require consultation with your local immigrant-led organization for guidance and training:

1. Provide **accompaniment training** and send volunteers to accompany those at risk of deportation to their ICE check-ins.
2. Have congregational leaders attend **meetings with elected officials**, participate in public events, attend immigration hearings, etc.
3. **Advocate** for immigrant defense, including: participating in local and national campaigns, signing petitions, and engaging your congregation in support of immigration policies.
4. **Organize professionals** in your community who might be able to provide valued services pro bono, such as lawyers, social workers, or healthcare professionals.
5. **Share resources** with local immigrant-led groups, such as offering space for community meetings or trainings (for instance, “Know your rights” trainings) free of charge, or volunteering to provide childcare during these programs so immigrant parents can participate without distraction.
6. **Display signage** in your congregation that provides information about what an immigrant can do if ICE shows up at their door.
7. Display a “**Sanctuary Movement**” **symbol** in your congregation, including the “Sanctuary Mezuzah” (on page 17 of this booklet).
8. Provide **material support** to individuals and their families who have taken sanctuary in another house of worship.
9. Participate in **Rapid Response** actions.



## REUNITED AT LAST

IKAR and Leo Baeck Temple in Los Angeles have together been assisting an immigrant family since August, 2018. Delmi, her 5-year-old son Ernesto, and her partner Miguel (not their real names) arrived in the U.S. in June, 2018. They fled domestic violence in El Salvador—they have a credible fear of being murdered if they return home—and also had to seek better medical care for Ernesto, who has diabetes. Delmi and Ernesto eventually were able to find a home with distant relatives, but Miguel was incarcerated for six months at Adelanto Immigration Detention Center, about 100 miles northeast of Los Angeles. He was finally released in early December, 2018, and he and Delmi are getting married, with the two congregations helping fund the wedding festivities. Their journey is not over, but being together makes each step easier.

<http://tinyurl.com/ImWithDelmi>

<https://www.facebook.com/imwithdelmi/>

DELMÍ AND ERNESTO REUNITED WITH MIGUEL;  
PHOTO COURTESY OF IKAR

## A Brief History of Sanctuary

The Sanctuary Movement began in response to a surge of refugees from Latin America seeking asylum in the U.S. in the 1980s. Facing an unwelcoming federal government, faith leaders and groups began to organize and act on their own. In 1982, the first of what would become more than 500 congregations declared itself a public sanctuary—Southside Presbyterian Church in Tucson, Ariz. By April, 1987, this number would include at least 60 synagogues. The movement eventually succeeded in changing U.S. asylum law so it did not discriminate against Latin Americans.

The movement waned but never really died out and reemerged in 2007 as the New Sanctuary Movement. Under the Obama administration, pressure from the movement secured policies on prosecutorial discretion and protections such as Deferred Action for Childhood Arrivals (DACA) that mitigated the effects of deportations. In 2014, the first people since the 1980s went into public sanctuary, in part due to increased policing in Arizona under Sheriff Joe Arpaio.<sup>1</sup> Despite some victories for immigrant communities and their allies, the Obama administration presided over the removal of some five million undocumented immigrants, a number comparable to the George W. Bush administration and unprecedented before the 21st century.<sup>2</sup>

It is also crucial to note that 2007 was the last year with a significant influx of undocumented immigrants into the U.S.<sup>3</sup> Since then, most years have seen a net departure of immigrants. Many low-wage jobs traditionally held by migrant workers have shifted to temporary guestworker programs.<sup>4</sup>

With President Trump's moves to cancel protections and step up deportations, the New Sanctuary Movement is once again stepping up to the plate to protect immigrants and their families, counter xenophobic and false messaging, and advance the cause of a multicultural America. As of January 2019, more than 1,100 faith communities have declared themselves part of the New Sanctuary Movement.<sup>5</sup>

The makeup of the immigrant population has also changed. In the 1980s, most of those seeking sanctuary were recent arrivals with little to no resources or connections in this country. They also faced an imminent threat of persecution and death if they were deported, so taking sanctuary inside a church made sense for them. In contrast, today's undocumented immigrants have often lived in the U.S. for years, even decades. They have homes, jobs, families, communities. Displacement from the lives they have built here is therefore one of their main concerns, though many may also face a threat of violence upon their return to their countries of origin. Physical sanctuary often will not make sense, except as a last resort. The movement and its strategies are evolving, led by the people who need sanctuary most.

The Sanctuary Movement in part draws inspiration from the abolitionists of the 18th and 19th centuries and the Underground Railroad. They believed the law of the land—slavery—was profoundly immoral, and they were willing to violate the law in order to rescue individual people who suffered under it. Their ultimate goal, though, was not just to bring a given slave to freedom but to change law and culture so that slavery would forever be abolished. So, too, the Sanctuary movement seeks to protect individual immigrants while pushing for a wholesale change in American policies and attitudes.

- 1 <http://www.thedailybeast.com/this-church-is-reviving-the-sanctuary-movement-to-shelter-undocumented-immigrants-from-deportation>  
<https://www.thenation.com/article/inside-new-sanctuary-movement-thats-protecting-immigrants-ice/>
- 2 Definitions and record-keeping practices changed towards the end of the George W. Bush administration and continued under Obama, making a precise comparison complicated. See <http://www.snopes.com/obama-deported-more-people/>
- 3 <https://www.bloomberg.com/view/articles/2017-02-21/the-myth-of-the-u-s-immigration-crisis>
- 4 [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2914424](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2914424)
- 5 <http://www.sanctuarynotdeportation.org/>





# Jewish Involvement in the Sanctuary Movement

Though the Sanctuary Movement began in the church and included mostly Christian communities, Jews have been involved almost from the very beginning. Temple Emanu-El B'nei Jeshurun of Milwaukee, WI, was the first synagogue whose board approved a resolution involving the synagogue in legal sanctuary activities, in February 1983.<sup>1</sup> In 1984 the Rabbinical Assembly (the Conservative movement's rabbinical association) passed a resolution supporting sanctuary<sup>2</sup>; the Reform<sup>3</sup> and Reconstructionist<sup>4</sup> movements (CCAR and RRA, respectively) did the same in 1985.

When leaders of the Sanctuary Movement began talking about holding a symposium in 1985, which ultimately became the First Inter-American Symposium on Sanctuary, Temple Emanu-El of Tucson hosted it. About 1,300 people participated, including Nobel laureate Elie Wiesel, who was a keynote speaker.<sup>5</sup>

In April 2017 T'ruah began mobilizing Jewish communities to join the New Sanctuary Movement in the immediate aftermath of the 2016 election. More than 70 synagogues are members of the Mikdash Sanctuary Network, and as of this writing T'ruah has trained over 500 Jewish clergy and lay leaders who are interested in contributing to the movement. In April 2017, the Union for Reform Judaism passed a resolution endorsing the movement<sup>6</sup>, and the Rabbinical Assembly included a reference to it in a larger resolution<sup>7</sup>.

1 *Providing Sanctuary: The Jewish Role*. By Sarah Goldstein and Glenn Stein; edited by Rabbi David Saperstein. UAHC; 1987. Digital copy available upon request from T'ruah.

2 [http://www.truah.org/wp-content/uploads/2017/06/RA\\_res\\_Central\\_American\\_Refugees\\_1984.pdf](http://www.truah.org/wp-content/uploads/2017/06/RA_res_Central_American_Refugees_1984.pdf)

3 <http://www.urj.org/what-we-believe/resolutions/refugees-and-sanctuary>

4 <http://www.truah.org/wp-content/uploads/2017/06/RRA-sanctuary-res-1985.pdf>

5 Read more about the symposium in the preface to *Sanctuary: A Resource Guide for Understanding and Participating in the Central American Refugees' Struggle*, 1985, online at <http://www.sanctuaryweb.com/Portals/0/2017%20PDFs/Sanctuary%20Movement/1985%20Sanctuary%20A%20Resource%20Guide.pdf>

6 <https://thinkprogress.org/nations-largest-jewish-denomination-encourages-congregations-to-protect-undocumented-immigrants-da309634624a>

7 <https://www.rabbinicalassembly.org/story/resolution-immigration-united-states>

## TALMUD SHABBAT 127A

Rabbi Yochanan taught: Hospitality is as important as Torah study, for [the Mishnah used the same phrasing], "Because of guests" and "Because of the cancelling of Torah study." Rav Dimi of Neharde'a taught: Hospitality is more important than Torah study, because [the Mishnah first] said "Because of guests" and then later said "Because of the cancelling of Torah study." Rav Yehudah taught in the name of Rav: Hospitality is more important than receiving the Divine Presence, for Abraham interrupted his visit with God (Gen. 18:3) to greet guests.

"This isn't about politics, or the First Amendment. This is about our faith. We felt that based on our own history, as immigrants, as refugees, as survivors of the Holocaust, it would be sinful for us to remain silent. We understand what the risks are, but the risk of not acting is much more perilous."

— **RABBI MONA ALFI**, CONGREGATION B'NAI ISRAEL, SACRAMENTO, CALIF., ON HER CONGREGATION BECOMING A SANCTUARY SYNAGOGUE; MAY, 2017.





# A Select History of U.S. Immigration Policy

We sometimes get so stuck in the present headlines and the way things are now that it becomes hard to remember that our world has not always looked like this. To that end, we offer a brief summary of some points in immigration history as a reminder of the wide variety of possibilities that are out there.

Into the **late 19th century**, at least 22 states and territories allow non-citizens to vote, if they intend to become citizens in the future.<sup>1</sup>

**1924** Congress passes the National Origins Act, establishing visa requirements and an annual immigration ceiling for the first time. “When people say their ancestors came legally, if they came before 1924, everybody was legal. It wasn’t a choice they had to make,” says Columbia University historian Mae Ngai. “Before World War I, we had virtually open borders.”<sup>2</sup> In the passage of the act, eugenicists for the first time play an important role in the Congressional debate as expert advisers on the threat of “inferior stock” from eastern and southern Europe. This clear dig at Jews and other ethnic minorities is inspired by the eugenic belief in the racial superiority of “old stock” white Americans as members of the “Nordic race.” In the years after passage of the new immigration law, fewer than 10,000 European Jews are able to enter annually.

**1929** Senator Coleman Livingston Blease, a white supremacist, leads Congress in passing a law—aimed primarily at Mexicans—that for the first time makes unauthorized entry into the U.S. a crime.<sup>3</sup>

**1958** The Supreme Court, in *Leng May Ma v. Barber*, notes regarding immigration that “physical detention of aliens is now the exception, not the rule,” pointing out that “certainly this policy reflects the humane qualities of an enlightened civilization.”<sup>4</sup>

**1965** The Immigration and Nationality Act sets up the framework for U.S. immigration policy that remains largely in effect to today.

**1980** The Mariel Boatlift brings approximately 125,000 Cubans to the United States, sparking fears of entering criminals and leading to changes in attitudes and policies towards refugees. Stanford University historian Ana Raquel Miriam has argued this is a key turning point for American attitudes towards immigration detention.<sup>5</sup> By **1982**, the INS (Immigration and Naturalization Service, precursor to ICE) has reversed its policy of the prior 25+ years and begun detaining all migrants lacking visas, with few parole exceptions.

**1984** CoreCivic (then known as Corrections Corporation of America) opens the first modern private prison in America, to be used for immigration detention. Immigration becomes the gateway to America’s increasingly widespread use of for-profit prisons.

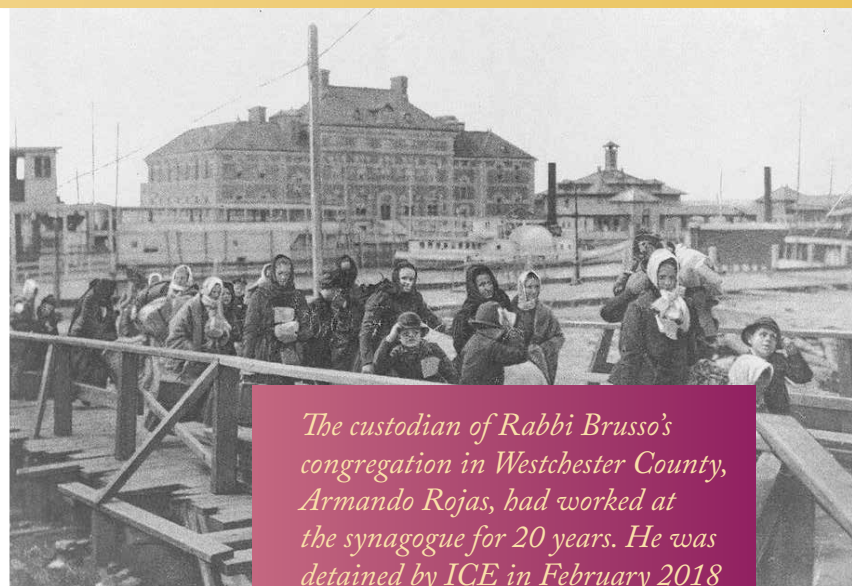
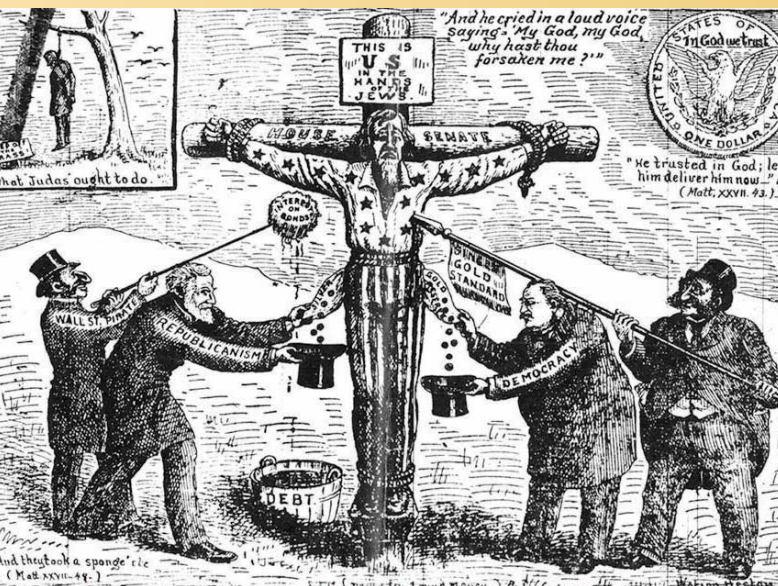
**1986** President Reagan signs the Immigration Reform and Control Act, which among other policy changes gives legal status to 2.9 million undocumented immigrants (giving them “amnesty”)—a policy that 21st-century conservatives will staunchly oppose.<sup>7</sup>

**1989** The Lautenberg Amendment allows Jews and other European minorities to come to America as refugees because of a “credible fear of persecution,” resulting in the influx of more than 400,000 Soviet refugees. (Compare that to the 3,024 Syrian refugees allowed into the U.S. in 2017.<sup>8</sup>)

**Aug. 1, 2001** The Development, Relief and Education for Alien Minors (DREAM) Act, to give Dreamers (those who arrived in the U.S. without documents as children) legal status, is introduced for the first time as a piece of bipartisan legislation, by Senators Dick Durbin (D-IL) and Orrin Hatch (R-UT).

“200,000 Communist Jews [are] at the Mexican border waiting to get into this country. If they are admitted, they will rape every woman and child that is left unprotected.”

—1940S ANTI-IMMIGRANT SPOKESPERSON<sup>6</sup>



LANDING AT ELLIS ISLAND, 1902. PHOTO CREDIT: LIBRARY OF CONGRESS

- 1 <https://scholarship.law.umn.edu/cgi/viewcontent.cgi?article=1013&context=lawineq>
- 2 <http://www.philly.com/philly/news/breaking/your-immigrant-ancestors-came-here-legally-are-you-sure-20170625.html>
- 3 <http://theconversation.com/how-crossing-the-us-mexico-border-became-a-crime-74604> In 2015, 49 percent of all federal prosecutions were for unlawful entry.
- 4 <https://www.nytimes.com/2018/12/01/opinion/sunday/border-detention-tear-gas-migrants.html>
- 5 *ibid.*
- 6 [https://www.washingtonpost.com/local/obituaries/leonard-dinnerstein-distinguished-historian-of-anti-semitism-in-america-dies-at-84/2019/02/01/06c29680-25d8-11e9-90cd-dedb0c92dc17\\_story.html?utm\\_term=.036d9d60e6d1](https://www.washingtonpost.com/local/obituaries/leonard-dinnerstein-distinguished-historian-of-anti-semitism-in-america-dies-at-84/2019/02/01/06c29680-25d8-11e9-90cd-dedb0c92dc17_story.html?utm_term=.036d9d60e6d1)
- 7 <https://www.npr.org/templates/story/story.php?storyId=128303672>
- 8 <https://www.npr.org/sections/parallels/2018/04/12/602022877/the-u-s-has-welcomed-only-11-syrian-refugees-this-year>

## A CENTURY OF U.S. INTERFERENCE IN CENTRAL AMERICA

As we consider U.S. immigration and refugee policy, we cannot forget that a century of U.S. political and military intervention in Central America helped lay the foundations for those countries' current conditions. We must face this history and accept our share of the responsibility for the violence, corruption, autocracy, and poverty that drives people to leave home and seek safety in the United States—and we cannot debate immigration policy as if it happens in a vacuum, unrelated to any other American behavior.

After the 2018 election, Rep. Lou Correa (D-CA) called for a Marshall Plan-style program of heavy investment in Central America to redeem America's past sins and stabilize those countries so as to reduce the need for refugees to flee.<sup>9</sup> Such an idea, while unlikely to be implemented in today's political climate, must be part of our discourse about immigration policy.

For details about U.S. interference in Central America, visit this timeline compiled in 2018 by Medium: <http://bit.ly/US-in-CentralAm>

- 9 <https://www.cbsnews.com/news/rep-lou-correa-calls-for-central-american-marshall-plan-after-border-visits/>

*The custodian of Rabbi Brusso's congregation in Westchester County, Armando Rojas, had worked at the synagogue for 20 years. He was detained by ICE in February 2018 and deported back to a country he had not lived in for decades. After almost a year of effort by the rabbi and synagogue members, Armando was granted an asylum hearing and was able to return to his family.*

“The detention facility is one of the most mechanized forms of processing human beings and their stories I have ever encountered. Everything about it is meant to insulate the people who work there, the judges, and even those of us visiting from seeing human beings. . . . We entered a part of our country that is hidden away. When people function knowing they are not being observed, it becomes much easier not to see but to simply process human beings. To devalue their lives, constrain their liberty and ignore their happiness by taking away that which should be unalienable and simply calling them “alien.” Out of sight, it also becomes easy to avoid seeing the consequences our immigration policy visits upon broken families.”

— RABBI AARON BRUSSO, BET TORAH, MOUNT KISCO, N.Y. ON TRYING TO HELP THE CUSTODIAN OF HIS SYNAGOGUE; NOVEMBER, 2018.



# Definitions

## FEDERAL AGENCIES AND PROGRAMS

- **ICE**—Immigration and Customs Enforcement—the federal agency responsible for immigration enforcement.
- **CBP**—Customs and Border Protection—the federal agency tasked with protecting America's borders, including preventing terrorists, terrorist material, and undocumented immigrants from entering the country. It claims to be one of the world's largest law enforcement agencies. Unlike ICE, which can operate anywhere in the country, CBP can operate only within 100 air miles of a land or sea border. Within that zone, which includes 65.3 percent of the U.S. population and roughly 75 percent of the Latinx population, CBP has expanded powers."<sup>1</sup>
- **ICE check-in**—Undocumented immigrants who are known to immigration officials but not a priority for deportation may be required to check in several times a year with their local ICE office. Under the Obama administration, check-ins were routine and benign; under the Trump administration, they often have led to arrest and deportation.<sup>2</sup>
- **DACA**—Deferred Action for Childhood Arrivals—an Obama-era program established in 2012 that offers work permits and protection from deportation to immigrants who arrived in the U.S. as children (also called Dreamers, after the DREAM Act introduced in 2001 to protect them). The Trump administration seeks to end DACA, while several federal judges blocked it from doing so throughout 2018. The program's future remains uncertain, but as of this writing, it remains in effect.
- **Sensitive Location**—An area such as a school, hospital, or church that ICE policy directs agents not to enter except under special circumstances. Part of prosecutorial discretion, see below.
- **Guestworker**—Worker brought to the U.S. legally and temporarily to fill a job that employers are not able to hire for locally. The Trump administration has suggested relaxing restrictions on guestworkers to make up for any labor shortfall caused by deportations. Guestworker programs (such as the H-2 visa type) are problematic, because they leave workers open to exploitation and human trafficking. Guestworkers can legally work only for the employer who has sponsored them, and they are housed by their employers, often on company property; these features of the programs make it nearly impossible for them to leave (or even report) abusive conditions.<sup>3</sup>



1 <https://www.citylab.com/equity/2018/05/who-lives-in-border-patrols-100-mile-zone-probably-you-mapped/558275/>

2 <https://www.dhs.gov/news/2017/09/05/rescission-deferred-action-childhood-arrivals-daca>

3 <http://www.motherjones.com/politics/2017/03/trump-guestworker-h2a-visa-farmworkers-immigration/>  
<http://www.guestworkeralliance.org/>

## WHAT IS PROSECUTORIAL DISCRETION, AND WHAT'S JEWISH ABOUT IT?<sup>4</sup>

It is impossible to enforce 100 percent of the laws 100 percent of this time; that would require, for instance, ticketing every single jaywalker and speeding driver. Prosecutorial discretion is a legal term that acknowledges that part of law enforcement's job is to apportion its finite resources and decide what their priorities will be. It has been wrongly caricatured as "choosing not to enforce the law"; in fact, all governments exercise such discretion. The question is just what philosophy or priorities will guide their discretion. For instance, a dollar spent on apprehending and deporting undocumented immigrants is a dollar not spent on domestic violence or white collar financial crimes.

Under Jewish law (*halacha*), we similarly exercise "*halachic* discretion." This is why responsa—legal writings in question-and-answer format—far outnumber law codes in Jewish intellectual history and are generally considered more authoritative; they do the hard work of applying law codes to the unique situation of each questioner. Rabbi Benay Lappe has brought newfound attention to this process of *halachic* discretion by reanimating the ancient Talmudic term *svava*, moral intuition.<sup>5</sup>

4 Our gratitude to Rabbi Cantor Hillary Chorny for suggesting this analogy.

5 <https://forward.com/shma-now/chidush/362689/chicken-stories/>



## LANGUAGE MATTERS

We are generally familiar with the way that our language, particularly when it comes to describing people, both expresses and shapes how we see them. Some people like to refer to “illegal aliens” or “criminal aliens.” “Undocumented immigrant” is a more neutral term. “Person without legal status” follows the “people-first” convention, reminding us that first and foremost—before referring to any aspect of one’s status or place of origin—a person is a person.

The Obama administration’s efforts to protect categories of immigrants from deportation proceedings had an unfortunate side effect: It accepted the false premise that there are “good immigrants”—those who are law-abiding and contribute to American society—and “bad immigrants” who are a threat (either to our economy or to our public safety) who need to be removed. So as not to fall into that trap or reinforce the distinction, many of our partners at immigrant-led organizations simply refer to “immigrants” without modifier. This helps highlight the Trump administration’s overall animus towards immigrants, as discussed on pages 3-4, but also has the effect of potentially blurring who faces the more immediate and extreme threat.

T’ruah’s convention is to distinguish documented from undocumented immigrants, for the sake of clarity, while maintaining that this distinction on the government’s part is discriminatory. We affirm that all immigrants deserve to have their human rights protected and to be treated with dignity and respect, regardless of status.

## HUMAN TRAFFICKING

Human trafficking is an extreme form of labor exploitation where an employer uses force, fraud, or coercion to maintain control over a worker. Contrary to common misconceptions, human trafficking does not have to involve crossing an international border—U.S. citizens are trafficked within the U.S. every year—and when it does, it often follows the use of a legal visa. Nevertheless, border policies can dramatically affect trafficking. The ATEST coalition (Alliance To End Slavery and Trafficking), of which T’ruah is a member, is “deeply concerned” about efforts and rhetoric to militarize and further seal the U.S.’s southern border, since given such measures “those desperate to cross the border will take more risks, increasing their vulnerability to traffickers.” New limitations and restrictions on children seeking asylum in the U.S. also make them more vulnerable.<sup>6</sup> For more on trafficking, visit <https://www.truah.org/campaign/slavery-and-trafficking/>

<sup>6</sup> See examples here: <https://www.themarshallproject.org/2017/06/19/how-sanctuary-cities-are-helping-immigrants-outwit-ice>

## THE VOCABULARY OF THE MOVEMENT

- **Sanctuary City**—A city that has adopted policies of non-cooperation with federal immigration authorities. There are a variety of approaches.<sup>7</sup> Some activists are also calling for “**expanded sanctuary**,” meaning a broader reform of policing and judicial policies to increase public safety, reduce discrimination, and end mass incarceration for all residents of the city, not just the undocumented. For more information, see, e.g., <https://mijente.net/expanding-sanctuary/>
- **Sanctuary Neighborhood**—Where the city government has not adopted sanctuary policies, neighborhood leadership may declare a Sanctuary Neighborhood, drawing on local organizations and communal resources to make the neighborhood more supportive to undocumented immigrants.
- **Sanctuary Congregation**—A congregation that has officially declared its commitment to and involvement with the Sanctuary Movement. Some sanctuary congregations are hosting or prepared to host immigrants in their buildings. Others are dedicated to supporting the host congregation or to other kinds of advocacy. In some areas, these congregations call themselves a “cluster,” which forms around the host congregation at the core. To date, the vast majority of synagogues declaring themselves sanctuaries are in the support category, not the host category.
- **Accompaniment**—Citizen allies, particularly faith leaders or other community leaders, can escort immigrants to their ICE check-ins. In addition to bolstering the immigrant’s confidence and self-worth, their presence can sometimes change ICE’s decision to arrest. If an arrest is made, the accompanying ally can at least provide information to the arrested person’s family and friends.

<sup>7</sup> <https://endslaveryandtrafficking.org/atest-and-heal-trafficking-urge-congress-to-preserve-safeguards-for-vulnerable-migrant-children/>

- **Sanctuary in the Streets**—A variation on accompaniment, where community leaders get word of an immigration raid underway and arrive on the scene. Their presence may deter ICE from making an arrest; if not, they may document the arrest to ensure no excessive force is used, as well as ensure that the arrestee's wishes are followed regarding care of any children s/he may have.
- **Rapid Response**—A series of strategies that include "Sanctuary in the Streets," vigils outside ICE offices and detention centers, and other forms of community mobilization. Could be considered a form of "emergency accompaniment."
- **Refugee**<sup>8</sup>—Formal legal status describing a person who has been forced to flee their home country due to persecution because of their race, religion, nationality, political opinion or membership in a particular social group (e.g., members of the LGBTQ community). The persecution a refugee experiences may include harassment, threats, abduction or torture. A refugee is often afforded some sort of legal protection, either by their host country's government, the United Nations High Commissioner for Refugees (UNHCR) or both.
- **Asylum seeker**<sup>8</sup>—An asylum seeker is a person who has fled persecution in their home country and is seeking safe haven in a different country, but has not yet received any legal recognition or status.
- **Migrant**<sup>9</sup>—A migrant is a person who chooses to move from their home for any variety of reasons, but not necessarily because of a direct threat of persecution or death. Migrant is an umbrella category that can include refugees but can also include people moving to improve their lives by finding work or education, those seeking family reunion and others.

#### SUGGESTIONS FOR USING THE "SANCTUARY MEZUZAH" (OPPOSITE):

- Print it in color and hang it just inside your building's main entrance, near where a *mezuzah* would hang.
- Laminate it and hang it just outside the main entrance.
- Hold a public ritual of hanging the *mezuzah*. Invite guests, including leaders of the local sanctuary coalition and supportive leaders in city or state government.
- The *mezuzah* quotes a short excerpt from a Talmudic story. Study the full passage with your community (see page 19).

8 Thanks to HIAS for providing these explanations.

9 Definition from UNHCR.







## POLITICAL RETRIBUTION<sup>10</sup>

Enrique Balcazar, Zully Palacios and Alex Carillo are organizers with Migrant Justice, a dairy farmworkers rights group in Vermont with which T'ruah works. All three are undocumented. In March 2017, the three were arrested—two shortly after leaving the Migrant Justice office—and detained for deportation proceedings. “It’s clear to us this is political retaliation,” said Will Lambek, another Migrant Justice organizer. In the days that followed, hundreds of supporters, including T'ruah rabbis, rallied in person; thousands sent emails to the director of the Boston regional ICE office. Enrique and Zully were released on bail, while Alex was held longer and ultimately deported to Mexico, leaving his 4-year-old child and pregnant wife behind.

Three months later, a similar story: Yesenia Hernández-Ramos and Esau Peche-Ventura, also both undocumented, were arrested right after they finished leading a 13-mile march to Ben and Jerry’s headquarters to demand the company sign onto the “Milk with Dignity” program. (The company signed in October, 2017.) Yesenia and Esau ultimately had their removal proceedings terminated in 2018. In November 2018, Migrant Justice filed a lawsuit against ICE for infringing on activists’ First Amendment rights by deliberately targeting leaders of the organization.<sup>11</sup>

<sup>10</sup> <http://www.burlingtonfreepress.com/story/news/local/2017/03/28/aclu-ice-arrests-jeff-sessions-defunding-threats-migrant-justice-rally-burlington/99704610/>  
[http://www.truthdig.com/eartotheground/item/demonstrators\\_protest\\_arrest\\_of\\_immigrants\\_after\\_ben\\_jerrys\\_march\\_20170620](http://www.truthdig.com/eartotheground/item/demonstrators_protest_arrest_of_immigrants_after_ben_jerrys_march_20170620)

<sup>11</sup> <http://migrantjustice.net/MJ-v-ICE>



## TEXT STUDY: WHEN THE GOVERNMENT COMES TO TAKE YOU AWAY

### A NOTE FOR THE FACILITATOR:

This Talmudic story is excerpted on T'ruah's Sanctuary Mezuzah. It features a powerful government forcefully removing a vulnerable person—in this case, a Roman convert to Judaism—from a place of refuge. When considered in the context of sanctuary, it becomes almost eerily analogous to modern ICE raids. As you explore the text, consider some of the following questions:

- How is Onqelos as a convert similar to and different from an undocumented immigrant in the United States?
- Why do you think Caesar wants Onqelos back?
- What does this story say about the power and dangers of speech? Can you imagine some biblical verses that Onqelos might have used to convert the first troop of soldiers?
- What does this story have to say about hierarchy and power?
- Where do you envision this story taking place? Might we imagine it as a proto-“sanctuary synagogue”?
- What role do the verses from Exodus and Psalms play? Do they conjure any larger images or narratives?

# When The Government Comes To Take You Away

## BABYLONIAN TALMUD, AVODAH ZARAH 11A

Onqelos bar Kalonymous converted [to Judaism]  
Caesar sent a troop of Roman soldiers after him.  
He enticed them with biblical verses and they converted.  
[Caesar] again sent another troop of Roman soldiers after him, saying to them:  
Do not say anything to him.  
When they were taking [Onqelos] away he said:  
Let me tell you a simple word about the world—  
The torchbearer carries the light before the royal litter, the litter[-bearer] before the duke, the duke before the hegemon, the hegemon before the Chief Minister.  
Does the Chief Minister carry the torch before the people?  
They said to him:  
No.  
He said to them:  
The Holy Blessed One carries the torch before Israel, as it says, “The ETERNAL walked before them by day as a pillar of smoke, to show them the way, and by night as a pillar of fire...” (Ex. 13:21)  
They all converted.  
[Caesar] sent a third troop of Roman soldiers after him, saying:  
Do not have any conversation with him!  
When they were taking him away, [Onqelos] saw a *mezuzah* on the doorpost. He touched it with his hand and said to them:  
What is this?  
They said:  
You tell us.  
He said to them:  
The way of the world is that a human king sits within and his servants guard him from without.  
But the Holy One puts [us, the] servants at the center and protects us from without, as it says,  
“The ETERNAL will guard your comings and your goings, now and forever.” (Ps. 121:8)  
They converted.  
[Caesar] sent after him no more.

אונקלוס בר קלונימוס איגייר  
שדר קיסר גונדא דרומאי אבתרי  
משכינהו בקראי איגיור  
הדר שדר גונדא דרומאי [אחרינא] אבתריה אמר להו  
לא תימרו ליה ולא מידי  
כי הוו שקלו ואזלו אמר להו  
אימא לכו מילתא בעלמא  
ניפיורא נקט נורא קמי פיפיורא פיפיורא לדוכסא דוכסא  
להגמונא הגמונא לקומא  
קומא מי נקט נורא מקמי אינשי  
אמרי ליה  
לא  
אמר להו  
הקב"ה נקט נורא קמי ישראל דכתיב  
(שמות יג, כא) וה' הולך לפניהם יומם וגו'  
איגיור [כולהו]  
הדר שדר גונדא אחרינא אבתריה אמר להו  
לא תשתעו מידי בהדיה  
כי נקטי ליה ואזלי חזא מזוזתא [דמנחא אפתחא] אותיב  
ידיה עלה ואמר להו  
מאי האי  
אמרו ליה  
אימא לן את  
אמר להו  
מנהגו של עולם מלך בשר ודם יושב מבפנים ועבדיו  
משמרים אותו מבחוץ  
ואילו הקב"ה עבדיו מבפנים והוא משמרן מבחוץ שנאמר  
(תהלים קכא, ח) ה' ישמר צאתך ובואך מעתה ועד עולם  
איגיור  
תו לא שדר בתריה



# "Know how to respond..."

(PIRKEI AVOT 2:14)

## "WE HAVE TO SECURE THE BORDER."

Which border? It is a racist assumption to think only about the land border with Mexico. In addition to the Canadian border, all U.S. ports of entry—including airports (which have their own racist and Islamophobic security procedures to contend with)—are legally considered borders.

## "SECURING THE BORDER IS A MATTER OF NATIONAL SECURITY AND FIGHTING TERRORISM."

This adds an inaccurate and unnecessary (yet frightening and therefore politically effective) national security lens to what has historically been an economic argument (and we consider primarily a moral argument) about immigration. In fact, in 2017, most of the 2,554 people on the terrorist watch list who were encountered by U.S. officials tried to enter through airports (2,170) or by sea (49).<sup>1</sup> As of July 2017, the State Department said there was "no credible information that any member of a terrorist group has traveled through Mexico to gain access to the United States." Furthermore, undocumented immigrants are less likely to commit crimes than native-born Americans, and legal immigrants are even less likely to.<sup>2</sup>

## "WE HAVE TO SECURE THE BORDER FIRST; THEN WE CAN TALK ABOUT A MORE JUST IMMIGRATION SYSTEM."

This is a fallacy that both Democrats and Republicans have accepted as self-evident. In fact, having a 100 percent secure border where we control absolutely everything is impossible. Experts across the political spectrum<sup>3</sup> have said as much; there is even lack of clarity around what it would mean to have a secure border, making this a moveable goalpost. (Blas Nuñez-Neto of the RAND Corporation writes, "...[D]espite the billions that have been spent on securing the border since 9/11, the U.S. still struggles to define what a secure border looks like."<sup>4</sup>) The question should instead be what constitutes reasonable border security and to what lengths are we willing to go to achieve it. Demanding 100 percent security as a precondition for any reform is code for never considering reforms.

1 [https://www.washingtonpost.com/politics/2019/01/07/trump-administrations-misleading-spin-immigration-crime-terrorism/?utm\\_term=.4dfb454ac7f4](https://www.washingtonpost.com/politics/2019/01/07/trump-administrations-misleading-spin-immigration-crime-terrorism/?utm_term=.4dfb454ac7f4)

2 <https://www.washingtonpost.com/news/wonk/wp/2018/06/19/two-charts-demolish-the-notion-that-immigrants-here-illegally-commit-more-crime/>

3 See, e.g., <https://www.foxnews.com/politics/border-impossible-to-secure-experts-says> and <https://www.npr.org/templates/story/story.php?storyId=126887021>

4 <https://www.usnews.com/opinion/world-report/articles/2017-12-05/the-us-needs-a-better-understanding-of-border-security>



## AN ANTI-IMMIGRATION AGENDA INCLUDES A WELL-HONED SET OF ARGUMENTS THAT COLLAPSE UNDER CLOSE SCRUTINY.



### **“PEOPLE JUST NEED TO STOP COMING HERE ILLEGALLY.”**

We shouldn't pretend that people come here on a lark; leaving one's home to start a new life is not a light undertaking but often an act of desperation. There are some 68 million displaced people worldwide, mostly living in countries neighboring those from which they escaped. Rather than simply focus on what happens when people get here, we need to look broadly at the connections among foreign policy, economics, climate change, and international migration. Furthermore, when people arrive here seeking asylum or refugee status, we have an obligation to respond to them in a humanitarian fashion, in line with our international treaty agreements.

### **“MY FAMILY CAME HERE LEGALLY. WHY CAN'T THEY GO TO THE BACK OF THE LINE AND WAIT THEIR TURN?”**

As noted on p. 12, before 1924, nearly all immigration was legal, so there was not a choice to be made. For many immigrants today, there is no “line” to go to the “back” of, because there simply is no path to citizenship, even for people who have lived here for decades. Those who are eligible can still face multi-year backlogs and painfully inefficient and complex processes.

### **“DEFUNDING OR ABOLISHING ICE WOULD LEAD TO CHAOS AND LAWLESSNESS.”**

ICE is a young federal agency, created in 2002 in the aftermath of the 9/11 attacks, and it has come to embody an ethos of terrorizing immigrant communities. There is no reason it could not be disbanded and replaced by a new agency with a different orientation and culture. Perhaps we could reimagine ICE along the lines of the Coast Guard—a generally well-respected agency whose main work includes helping people in unsafe conditions at sea and intercepting drugs being smuggled into the country.

### **“YOU'RE CALLING FOR OPEN BORDERS.”**

Border control is not an all-or-nothing proposition. A country can control its borders without being inhumane or spending excessive taxpayer dollars on border security.

# A Jewish Textual and Theological Grounding for Sanctuary

The New Sanctuary Movement, which has thrived primarily among churches, draws much strength and inspiration from the Bible, in particular the New Testament's Matthew 25:34-46:

For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in... Then the righteous will answer him, 'Lord, when did we see you hungry and feed you, or thirsty and give you something to drink?... The King will reply, 'Truly I tell you, whatever you did for one of the least of these brothers and sisters of mine, you did for me.'

This article examines a number of Jewish sources and justifications that Jewish communities may rely on as we enter the movement.

## I. FROM MY VERY ALTAR

Even Christians in the New Sanctuary Movement draw initially on the Torah, beginning with Exodus 21:14:

One who fatally strikes a person shall be put to death. If s/he did not do it by design, but it came about by an act of God, I will assign you a place to which s/he can flee. **When a person schemes against another and kills her/him treacherously, you shall take her/him from My very altar to be put to death.** (Translation: NJPS, modified)

This is the verse that led to the medieval concept of sanctuary, where people could take refuge in certain churches.<sup>1</sup> The verse's emphasis on such a heinous crime—cold-blooded, premeditated murder—leads us to conclude that, for lesser acts, we would not think that we could remove a criminal from the altar for punishment. In other words, the Torah seems to be suggesting that the altar offered sanctuary, except in extreme cases.

Such a conclusion is borne out by the biblical stories of Adoniyah (I Kings 1:50-53) and Yoav (I Kings 2:29-34), both of whom seek sanctuary after rebelling against King Solomon. Both are ultimately removed forcefully—Adoniyah's life is spared, while Yoav is executed—but their stories indicate that the concept of sanctuary was alive in the culture. Two other stories point to a similar tradition, albeit in private homes: Lot's defense of his two guests (Genesis 19:8) and Rahav's sheltering of the two spies (Joshua ch. 2). Neither, of course, is a perfect moral example: Lot's offer to turn his two daughters over to the mob, in defense of his guests, is deeply troubling, and Rahav is at least partially motivated by self-preservation in the face of the incipient Israelite attack.

Most of the later commentators narrow the focus of our verse, interpreting it to mean that a priest who is in the middle of performing a sacrifice can be removed from the altar to be tried for murder (see, e.g., Rashi). One exception is the *Ha'amek Davar*, Rabbi Naftali Yehudah Tzvi Berlin (1817-1893), who writes explicitly in his commentary on Leviticus 27:29 that the altar does provide sanctuary for one who rebels against the king. This might provide a good analogy to the actions of contemporary undocumented immigrants seeking sanctuary.

This source text is challenging, because it requires that we accept that undocumented immigrants have committed a crime, which the movement denies. (It may technically be true in some cases but is morally quite problematic; in any case, the legal status of unauthorized entry has changed over time. See p. 12 for a short history and the texts about Sodom on p. 30-31 for a reflection on how "crime" gets defined by a society.) It does, however, offer a sense of the sanctity involved in protecting someone.

### HA'AMEK DAVAR ON LEV. 27:29

...It seems, according to the plain text of *parshat Mishpatim* (Ex. 21:14) that the king can execute a murderer without formal warning [unlike a *beit din*, a Jewish court], and for this reason it says, "From My very altar you shall take him to die." **This is not similar to the case of one who rebels against the king, where the altar provides sanctuary**, for here it adds that if the king has decreed that he be executed, anyone who encounters him should kill him.

העמק דבר על ויקרא כז: כט  
כל חרם וגו'... ונראה עפ"י הפשט כמש"כ בפ' משפטים  
ע"פ וכי יזיד איש וגו' שהמלך יכול להרוג את הרוצח בלי  
התראה, וע"ז כתיב מעם מזבחי תקחנו למות, ואינו דומה  
למורד במלך שהמזבח קולטו, וכאן הוסיף המקרא שאם  
נחרם מן המלך שיהרגנו כל מוצאו בשביל רציחה...

<sup>1</sup> See <http://aleteia.org/2017/02/19/seeking-sanctuary-in-a-church-what-does-it-mean-today/> for a brief history.

## II. REFUGE AND DUE PROCESS

Exodus 21:13 (above) is developed later in the Torah into a system of Cities of Refuge, where manslaughterers could flee and be protected from blood vengeance **until they received a fair hearing**. This is the aspect of Cities of Refuge emphasized by Rev. Alexia Salvatierra, a leader of the sanctuary movement: Sanctuary congregations cannot provide permanent housing and security but can offer protection until the immigrant can receive a fair legal hearing. Later *halachic* literature (see, e.g., Talmud *Makkot* 10a)<sup>2</sup> also elaborated at length how these cities were to be thriving, holistic communities, not penal colonies—another reminder that when a person is in sanctuary, they are being supported by a communal effort.

It is also noteworthy that two *talmidei chachamim*, disciples of the rabbis, would escort the manslayer on his/her way to the City of Refuge (see Mishnah *Makkot* 2:5). We will return to this below (see section VII).

## III. PROTECTING THE GER

Another source frequently referenced is the many biblical verses that enjoin us to treat the *ger* well. We take a deep dive into this body of *mitzvot* on page 27. Here we offer one note of caution about the common translation “stranger.” In the vast majority of cases, undocumented immigrants are not strangers or new arrivals but people who have been living in the United States, as integral parts of their communities, for years. While the injunction to love and protect the stranger may resonate with us emotionally, we need to avoid inadvertently creating an “us vs. them” distinction that equates immigrants with strangers.

Our reading of *ger* may be informed by its similarity to another biblical Hebrew word, *gur*, meaning fear or dread. For instance, in Numbers 22:3 we read that the nation of “Moav was in exceeding dread (*vayagor*) before the people, since they were so many; they feared the Children of Israel.” (Everett Fox’s translation) This fear may cut in two directions: perhaps the *ger* is one who arrives fearing for their life, and/or the *ger* may inspire fear in the community where they seek refuge, as the Israelites did for the Moabites. Part of our task, then, is to manage our own fear and understand its origins so we can deal with it appropriately.

We also note that all of us human beings on Earth are *gerim* in God’s land: “But the land must not be sold beyond reclaim, for the land is Mine; you are but *gerim* resident with Me.” (Leviticus 24:23)



2 For a fuller treatment of Cities of Refuge see T’ruah’s Handbook for Jewish Communities Fighting Mass Incarceration: <http://www.truah.org/prisons>



## IV. THE FUGITIVE SLAVE

Some activists and teachers, including Christian leaders of the Sanctuary Movement, have suggested the commandment in Deuteronomy of protecting a fugitive slave as another strong support:

You shall not turn over to her/his master a slave who seeks refuge with you from her/his master. S/he shall live with you in any place s/he may choose among the settlements in your midst, wherever s/he pleases; you must not ill-treat her/him. (Deut. 23:16-17, Translation NJPS, modified)

In this formulation, the federal government is equated with the master and the immigrant is a runaway slave—not a glamorous category but much less problematic than “criminal” or “stranger.” Rabbi Shai Held, President and Dean of Hadar, points out that this law stands in stark contrast to other Ancient Near Eastern civilizations, which mandated returning runaway slaves. He goes on to explain how the Torah’s specific phrasing about “choosing a place to dwell” completely transforms how we should view the arriving person: “Despite his status as a slave somewhere else, now that he has arrived in the land, the runaway slave is utterly free—as free as God, as it were. The whole land is a sanctuary, and the entire people is summoned to welcome those who arrive in search in freedom.”<sup>3</sup>

The challenge here is, as with the altar, the line of *halachic* interpretation over the years limited this verse to a narrow context: that of a non-Jewish slave owned by an idol-worshiper who escapes to the land of Israel in order to convert to Judaism<sup>4</sup>. In the particular case in which a Jewish member of the community is undocumented and needs sanctuary—and T’ruah knows of at least two cases like this in the country—this text does provide a powerful *halachic* and moral grounding for extending that protection. In more general cases, however, the justification may come apart under closer scrutiny.

Building on Ibn Ezra’s formulation (below), we might ask ourselves if we would simply rely on the principle of *Kiddush HaShem*—sanctifying God’s name in public—when engaging in sanctuary work.

### IBN EZRA ON DEUT. 23:16

“You shall not return a slave”—when [the Israelites] go out to war it is likely that a slave will escape to their camp, and he will not be an Israelite. “From his master”—Even though [the slave] is not an Israelite, he comes for the glory of the Name that is called upon Israel. And if an Israelite returns this slave to his master, it is a desecration of the Name...

## PART OF THE TRIBE NOW

A large Reform synagogue in a major metropolitan area has an Iranian member who converted to Judaism. She is married to a citizen, has children who are involved in the congregation, and is herself an active member. She is in the country without legal status; if she is deported to Iran, she faces indefinite detention and, most likely, the death penalty. Since Trump’s election, the congregation has been working to get her legal support so she can stay in this country and stay safe. Her rabbi reflects,

**“I never thought that, as a rabbi, I would be called upon to protect one of my own congregants from the government of the United States of America.”**

אבן עזרא על דברים כג: טז

לא תסגיר עבד - בלכתם במלחמה יתכן שיברח למחניהם עבד ואיננו ישראל. מעם אדוניו - גם הוא איננו ישראל, כי הוא בא לכבוד השם הנקרא על ישראל. ואם העבד יסגירנו ישראל אל אדוניו, הנה זה חלול השם...



<sup>3</sup> <https://www.hadar.org/torah-resource/let-him-live-wherever-he-chooses>; select “Download Source Sheet” for the full text of Rabbi Held’s commentary, p. 3.

<sup>4</sup> See, e.g., Rabbeinu Bachya

## V. A DEBATE FROM THE 1980S

In 1987, the Union of American Hebrew Congregations published an extraordinary 148-page document called *Providing Sanctuary: The Jewish Role: A Practical Guide for Congregations and Individuals*.<sup>5</sup> It includes part of a responsum by Rabbi Dr. Michael Chernick, in which he analyzes the *halachic* grounding for sanctuary. From Rabbi Chernick's perspective, the principle of *dina demalchuta dina*—the law of the land is the law—basically holds in this instance; that is, he does not find a *halachic* basis for offering sanctuary. He rejects the escaped slave argument from Deuteronomy, except perhaps if the immigrant is Jewish, in which case the situation borders on *mesira*—the sin of handing over a fellow Jew to the (unfriendly) authorities. He also finds that there may be an exception if deportation equals certain death, as it did for many refugees from Latin America in the 1980s; in the present context, we might use that opening to offer sanctuary to those fleeing oppressive regimes, gang violence, and other forms of warfare. In the last paragraph of the excerpt, Rabbi Chernick does leave open the possibility that individuals might commit civil disobedience, under the principle of *middat chasidut* (the attribute of piety), but he does not see that extending to the community as a whole.

Rabbi David Saperstein, then director of the Religious Action Center of Reform Judaism, follows Rabbi Chernick's article with a short response, in which he challenges him on two main points. First, Rabbi Chernick's analysis relies on federal law not being discriminatory, treating all people equally. If the law were to discriminate, then according to Rabbi Chernick there might be grounds for civil disobedience. Rabbi Saperstein points out that, in fact, immigration rules were discriminatory, treating those from Latin America differently from those from elsewhere, perhaps opening a *halachic* loophole that sanctuary congregations could adopt. In the present environment, with the administration's blatant anti-Islamic views, the same might hold true.<sup>6</sup> Secondly, Rabbi Saperstein ends by asking the question of which side American Jews want to find themselves on—the side of authority or the side that challenges unjust authority. This continues to be a live question today, particularly among those who bring a progressive analysis to the issue of anti-Semitism: will Jews cozy up to those in power in the hope that that will save us, or will we align ourselves with other minority groups who have experienced—and continue to experience—various kinds of oppression? While not a *halachic* argument, this does cut to the core of how Jews behave in the world.

## VI. A MEZUZAH ON THE DOORPOST

A different sort of justification for offering sanctuary may come from the *halacha* of placing a *mezuzah* on the synagogue door. Maimonides writes that synagogues generally are not required to have a *mezuzah*, because they are sacred places and thus exempt, but that village synagogues where travelers would spend the night must have them. (*Hilchot Tefillin uMezuzah* 6:6) This suggests a *halachic* and historical precedent for synagogues being a place of safety for those at risk. As times changed and travelers no longer were typically hosted overnight in synagogues, this requirement faded. (The *Shulchan Aruch*, YD 286:3, calls for a *mezuzah* on a synagogue only if it contains an apartment for dwelling.) Despite this, the memory of travelers lodging in synagogues is retained via saying *Kiddush* in synagogue on Friday nights, which was originally for the benefit of those who would be sleeping there. (SA OH 269)

“As a Jew, I call on God every morning as the power that “gives courage to the orphan and widow” (Psalm 146:9). I believe that we humans are created in the image of God, and therefore have a duty to emulate God’s love and compassion and righteousness. I grieve that my government willfully creates widows and orphans.”

— CANTOR VERA BROEKHUYSEN, TEMPLE EMANU-EL, HAVERHILL, MASS., WRITING IN *THE FORWARD* AFTER A T’RUAH- AND HIAS-SPONSORED DELEGATION TO SAN DIEGO AND TIJUANA, JULY, 2018.

Churches that extend sanctuary to an undocumented immigrant typically perform a public “liturgy of welcome” to ritually establish the person in the church. These texts on *mezuzah* suggest two loci where a Jewish “liturgy of welcome” might coalesce:

1. At the end of a Friday night service, when *Kiddush* is said.
2. Related to the *mezuzah* on the doorpost. For Maimonides concludes his chapter on *mezuzah* writing, “Every time one enters or leaves [a home], one should tap [the *mezuzah*], the unification of the Name of the Holy Blessed One, and remember one’s love for God and be awakened from one’s sleep in the vanities of time, and know that the only thing that endures for eternity is the knowledge of the Rock of the World—and immediately one will return to knowing [God] and walking in the ways of the upright.” (*Hilchot Tefillin uMezuzah* 6:13) This could serve as a powerful spiritual reminder of the congregation’s purpose in extending sanctuary.

5 Digital copy available from T’ruah upon request; email [office@truah.org](mailto:office@truah.org).

6 Despite changes to U.S. asylum law won by the Sanctuary Movement in the late 1980s and early 1990s, the U.S. still tends to be less disposed to taking in refugees from Central America than other parts of the world, as we saw in 2014 with the surge of unaccompanied children arriving on the southern border.

## VII. ACCOMPANIMENT

At this juncture, we should pause to reconsider what we mean by sanctuary and who needs it. In the 1980's, the majority of immigrants seeking sanctuary were recently arrived in the US, without roots, and feared for their lives if they were deported; thus, being offered sanctuary in a church or synagogue was welcome. As we noted above, today's undocumented immigrants have largely been living here for years. They are embedded in communities and have children who may very well be citizens. Holing up in a church or synagogue is, in most cases, not going to work for them. But accompanying them to regularly scheduled check-ins with ICE can be enormously helpful—and incredibly powerful for the volunteers doing the accompanying as well.

This aspect of sanctuary work can draw extensively from Jewish texts. We present several of these in full in the two text studies that follow, including:

- Accompaniment as part of hospitality, as per Abraham and the three angels.
- Accompaniment as a way of showing love and honor. Levi, whose tribe was selected to do the sacred work of serving God, was named for the act of accompaniment (*leviyah* in Hebrew; see Genesis 29:34). The modern Hebrew word for funeral—a final accompaniment—derives from the same root.
- Accompanying the divine image in people, according to the Maharal of Prague.
- Accompaniment as escort or protection from violence, as we see in the *eglah arufah* (heifer-whose-neck-is-broken).
- The great counter-example of nonhospitality in Jewish tradition is the people of Sodom, who decided to abolish the practice of hosting travelers because they believed it threatened their wealth.

The greatest challenge of this “accompaniment” framework is that it frames undocumented immigrants as “guests” in “our” country—a dynamic which, while less troubling than that of “stranger” or “criminal,” is still problematic. This may be alleviated somewhat by the halachic definition of a guest as someone from out of town (see the Rema on SA OH 333:1). Such a traveler is seen as vulnerable and benefiting from physical help and guidance, without making any judgment on their identity or belonging. Having members of the clergy accompanying an undocumented immigrant at an ICE check-in or during a raid has the potential to moderate the agents' behavior and increase the chances of a positive outcome.

## VIII. THE RIGHTEOUS GENTILES

We might also consider the righteous gentiles who hid Jews from the Nazis as a justification for engaging in sanctuary. The cultural memory—not to mention the historical fact—of vulnerable Jews being hidden from the powerful and oppressive authorities looms large in Jewish collective consciousness. In fact, the 1984 Rabbinical Assembly resolution supporting sanctuary explicitly referenced the Nazi regime. It would not be absurd to suggest that we feel moved to “pay it forward” out of gratitude for those who risked far greater sanctions than synagogues doing sanctuary work do today.

While today's situation is not the same as that of Nazi Germany, President Trump has demonstrated anti-democratic and proto-fascist<sup>7</sup> tendencies; he has attacked the press; scapegoated entire groups of people as threats to the “real” America; literally called himself a “nationalist”; purported an anti-corruption, anti-establishment stance while engaging in cronyism and self-enrichment; and has countenanced and encouraged the violence of his supporters. ICE has been increasingly documented as an agency whose culture and mission prioritizes terrorizing immigrant communities.<sup>8</sup> We must be vigilant about warning signs on the way to fascism, many of which are blinking red, and act with urgency before it is too late. If we demand that a situation be precisely like the Holocaust before we speak up, then we will be guilty of deliberately not learning the lessons of our history. ❁

7 According to Bosnian-American writer Aleksandar Hemon, “Fascism's central idea, appearing in a small repertoire of familiar guises, is that there are classes of human beings who deserve diminishment and destruction because they're for some reason (genetic, cultural, whatever) inherently inferior to ‘us.’” (<https://lithub.com/fascism-is-not-an-idea-to-be-debated-its-a-set-of-actions-to-fight/>)

8 See, e.g., [https://mijente.net/wp-content/uploads/2018/06/Mijente-Immigration-Policy-Platform\\_0628.pdf](https://mijente.net/wp-content/uploads/2018/06/Mijente-Immigration-Policy-Platform_0628.pdf) and <https://www.themarshallproject.org/2017/08/28/how-ice-uses-secret-police-databases-to-arrest-immigrants>





# Jewish Texts on Accompaniment Through the Ages

## I. BERESHIT: ORIGIN STORIES

GENESIS CH 21, TRANSLATION: NJPS

<sup>33</sup> [Abraham] planted a tamarisk [*eshel*] at Beer-sheba, and invoked there the name of the LORD, the Everlasting God. <sup>34</sup> And Abraham resided in the land of the Philistines a long time.

RASHI ON BABYLONIAN TALMUD, *SOTAH* 10A

“*Pundak* (inn/hostel)” —to lodge visitors there. The [Torah’s] word *eshel* is an acronym for food, drink, and accompaniment, for [Abraham] would feed them, give them drink, and then accompany them on their way.

GENESIS 29:34, TRANSLATION: EVERETT FOX

[Leah] became pregnant again and bore a son, and said: Now this time my husband will be joined [*yelaveh*] to me, for I have borne him three sons! Therefore they called his name: Levi/Joining.

FOR DISCUSSION:

- What is the role of accompaniment (or joining someone on a journey) in these two stories?
- What are the similarities and differences between Abraham’s accompaniment and the kind of accompaniment (“joining”) that Leah is seeking?

## II. THE *EGLAH ARUFAH*: COLLECTIVE RESPONSIBILITY

DEUTERONOMY 21, TRANSLATION: NJPS

<sup>1</sup> If, in the land that the LORD your God is assigning you to possess, someone slain is found lying in the open, the identity of the slayer not being known, <sup>2</sup> your elders and magistrates shall go out and measure the distances from the corpse to the nearby towns.

<sup>3</sup> The elders of the town nearest to the corpse shall then take a heifer which has never been worked, which has never pulled in a yoke; <sup>4</sup> and the elders of that town shall bring the heifer down to an everflowing wadi, which is not tilled or sown. There, in the wadi, they shall break the heifer’s neck.

<sup>5</sup> The priests, sons of Levi, shall come forward; for the LORD your God has chosen them to minister to Him and to pronounce blessing in the name of the LORD, and every lawsuit and case of assault is subject to their ruling. <sup>6</sup> Then all the elders of the town nearest to the corpse shall wash their hands over the heifer whose neck was broken in the wadi.

<sup>7</sup> And they shall make this declaration: “Our hands did not shed this blood, nor did our eyes see it done. <sup>8</sup> Absolve, O LORD, Your people Israel whom You redeemed, and do not let guilt for the blood of the innocent remain among Your people Israel.” And they will be absolved of bloodguilt.

<sup>9</sup> Thus you will remove from your midst guilt for the blood of the innocent, for you will be doing what is right in the sight of the LORD.

RASHI AD. LOC.

“Our hands did not shed”—Would it ever occur to you that the elders of the court are murderers? Rather, [they say]: We did not see him and [it was as if] we sent him off without food or accompaniment. And the priests say: This is an absolution for Your people Israel.

FOR DISCUSSION:

- Who are the different actors in this vignette? What role does each of them play?
- What responsibility does this text suggest we have to other members of our community and to visitors?
- How does this compare to your own beliefs or values?

### בראשית כא

(לג) וַיֵּטַע אֵשֶׁל בְּבֵאֵר שֶׁבַע וַיִּקְרָא שָׁם בְּשֵׁם ה' אֱלֹהִים עוֹלָם: (לד) וַיֵּגֶר אַבְרָהָם בְּאֶרֶץ פְּלִשְׁתִּים יָמִים רַבִּים:

### רש"י על תלמוד בבלי, סוטה י:א

פונדק - ללון שם אורחים ולשון אש"ל נוטריקון הוא אכילה שתיה לוויה שהיה מאכילן ומשקן ואח"כ מלווה אותן:

### בראשית כט

(לד) וַתֵּהָר עוֹד וַתֵּלֶד בֵּן וַתֹּאמֶר עֲתָה הִפַּעַם יִלְוָה אִישִׁי אֵלַי כִּי יִלְדֹתִי לוֹ שְׁלֹשָׁה בָנִים עַל כֵּן קָרָא שְׁמוֹ לֵוִי:

### דברים כא

(א) כִּי יִמָּצָא חָלָל בְּאֶדְמָה אֲשֶׁר ה' אֱלֹהֶיךָ נָתַן לְךָ לְרִשְׁתָּהּ נָפֵל בְּשָׂדֶה לֹא נֹדַע מִי הָכָהוּ: (ב) וַיָּצֵאוּ זִקְנֶיךָ וְשֹׁפְטֶיךָ וּמִדְדוּ אֶל הָעָרִים אֲשֶׁר סָבִיבַת הַחָלָל:

(ג) וְהָיָה הָעִיר הַקְּרִיבָה אֶל הַחָלָל וְלָקְחוּ זִקְנֵי הָעִיר הַהִוא עֹגְלַת בָּקָר אֲשֶׁר לֹא עָבַד בָּהּ אֲשֶׁר לֹא מָשְׁכָה בָּעַל: (ד) וְהוֹרְדוּ זִקְנֵי הָעִיר הַהִוא אֶת הָעֹגְלָה אֶל נַחַל אִיתָן אֲשֶׁר לֹא יַעֲבֹד בּוֹ וְלֹא יִזְרַע וְעָרְפוּ שָׁם אֶת הָעֹגְלָה בְּנַחַל: (ה) וְנָגְשׁוּ הַכֹּהֲנִים בְּנֵי לֵוִי כִּי בָּם בָּחַר ה' אֱלֹהֶיךָ לְשִׁרְתוֹ וּלְבָרָךְ בְּשֵׁם ה' וְעַל פִּיהֶם יִהְיֶה כָּל רִיב וְכָל נֶגַע:

(ו) וְכָל זִקְנֵי הָעִיר הַהִוא הַקְּרִיבִים אֶל הַחָלָל יִרְחֲצוּ אֶת יְדֵיהֶם עַל הָעֹגְלָה הָעָרוּפָה בְּנַחַל:

(ז) וְעָנוּ וַאֲמָרוּ יָדֵינוּ לֹא שָׁפְכוּ אֶת הַדָּם הַזֶּה וְעֵינֵינוּ לֹא רָאוּ: (ח) כִּפּוּר לַעֲמֹד יִשְׂרָאֵל אֲשֶׁר פָּדִיתָ ה' וְאַל תִּתֵּן דָּם נָקִי בְּקֶרֶב עַמֶּךָ יִשְׂרָאֵל וְנִכְפַּר לָהֶם הַדָּם:

(ט) וְאַתָּה תִּבְעֵר הַדָּם הַנָּקִי מִקֶּרְבְּךָ כִּי תַעֲשֶׂה הַיִּשָּׁר בְּעֵינֵי ה':

### רש"י

(ז) ידינו לא שפכה – וכי עלתה על לב שזקני בית דין שופכי דמים הם, אלא לא ראינוהו ופטרנוהו בלא מזונות ובלא לוויה. והכהנים אומרים כפר לעמך ישראל:

### III. MISHNAH: ESCORTING THE ACCUSED

*In ancient times, murders were commonly avenged by a "blood avenger" from the deceased's family. To mitigate this practice, the Torah instructs that a manslayer—one who kills by accident—flee to a designated "City of Refuge," where s/he would be protected from the blood avenger. The Mishnah in Tractate Makkot sets forth laws related to the Cities of Refuge.*

MISHNAH MAKKOT 2:5

They send [with the manslayer] two sages, so that if [the blood avenger tries to] kill him on the way [to the City of Refuge], they can speak to him. Rabbi Meir says: [The manslayer] speaks for himself, as it says (Deut. 19:4): "This is the word/law of the manslayer..."

FOR DISCUSSION:

- The Mishnah here lays out two opinions as to the role the sages play while accompanying the manslayer. What does each opinion teach about the purpose of accompaniment?

משנה מכות ב:ה

ומוסרין להן שני תלמידי חכמים שמא יהרגנו בדרך  
וידברו אליו ר' מאיר אומר אף הוא מדבר על ידי עצמו  
שנאמר (דברים י"ט:ד) וזה דבר הרוצח:

### IV. TALMUD: HOSPITALITY AND THE DIVINE PRESENCE

BABYLONIAN TALMUD, SHABBAT 127A

Rabbi Yochanan taught: Hospitality is as important as Torah study, for [the Mishnah used the same phrasing], "Because of guests" and "Because of the cancelling of Torah study."

Rav Dimi of Neharde'a taught: Hospitality is more important than Torah study, because [the Mishnah first] said "Because of guests" and then later said "Because of the cancelling of Torah study."

Rav Yehudah taught in the name of Rav: Hospitality is more important than receiving the Divine Presence, for Abraham interrupted his visit with God (Gen. 18:3) to greet guests.

FOR DISCUSSION:

- How might hospitality and Torah study be related?
- How does this text align or conflict with other attitudes towards hospitality that you have encountered (in your own life, in American culture, media, etc.)?

תלמוד בבלי, שבת קכ"ז:א

א"ר יוחנן גדולה הכנסת אורחין מהשכמת בית המדרש  
דקתני מפני האורחין ומפני בטול בית המדרש  
ורב דימי מנהרדעא אמר יותר מהשכמת בית המדרש  
דקתני מפני האורחין והדר ומפני בטול בית המדרש  
אמר רב יהודה אמר רב גדולה הכנסת אורחין מהקבלת  
פני שכינה דכתיב (בראשית יח, ג) ויאמר (ה') אם נא  
מצאתי חן בעיניך אל נא תעבור וגו'

### V. REMA: WHO COUNTS AS A GUEST?

REMA ON SHULCHAN ARUCH ORACH CHAYIM 333:1

All *shevut*<sup>1</sup> (work-like activities forbidden on Shabbat by the rabbis) that is permitted for the sake of a *mitzvah* is also permitted for the sake of welcoming guests. But they are only called guests if they are sleeping in your house, or if you invited them for a meal and they are sleeping in someone else's house. If you invite your friend to eat with you, s/he is not called a guest and it is not a *mitzvah*-meal, just an ordinary meal.

FOR DISCUSSION:

- The Rema both limits and expands the *halachic* scope of how we treat guests. What do you think is the significance of his ruling?
- How does this ruling make the Talmudic teachings above concrete and actionable?

רמ"א על שלחן ערוך אורח חיים של"ג:א

וכל שבות שהתירו משום צורך מצוה מותר ג"כ לצורך  
אורחים; ולא מקרי אורחים, אלא שנתארחו אצלו בביתו,  
או שזימן אורחים שנתארחו אצל אחרים (תרומת הדשן  
סי' ע"ב), אבל כשזימן חבירו לסעוד אצלו לא מקרי  
אורחים ואינו סעודת מצוה רק סעודת רשות.

The *Shulchan Aruch* ("Set Table") is the most authoritative Jewish law code, compiled by Rabbi Yosef Karo in the mid-16th century and reflecting Sephardic practice. A Polish rabbi called the Rema, Rabbi Moshe Isserles, wrote a commentary called the *Mappah* ("Tablecloth") that adapts the *Shulchan Aruch*'s rulings for Ashkenazi Jews.

<sup>1</sup> *Shevut* means actions that are not part of the 39 classical categories of work (such as lighting a fire) but that resemble such work. The Rema in effect is allowing us to violate Shabbat in order to welcome guests, but only up to a point.

## VI. MAHARAL: ACCOMPANYING THE DIVINE IMAGE

MAHARAL OF PRAGUE, *NETIVOT OLAM, NETIV GEMILUT CHASADIM* CH. 5

When someone sets out on the way and others accompany them, they give honor to the Divine Image by not letting them go alone. By accompanying them on their way, the Divine Image remains on the path. If people fail to do so, it is as if they had shed blood; they remove the Divine Image in which s/he was created, and this nullification is itself bloodshed. For it says (Genesis 9:6), “One who sheds a person’s blood, his/her own blood shall be shed by a person, for the person was made in the Divine Image.” That is, the essence of bloodshed is nullifying the Divine Image in a person. Whoever does not accompany a person and show the proper respect—that is, who allows a person to go out alone—nullifies the honor of the Image that a person needs on their journey.

### FOR DISCUSSION:

- In this passage, the Maharal adds a spiritual dimension to accompaniment, which prior generations had viewed as a quite physical form of protection. How does this affect your understanding of accompaniment work today?
- Have you ever had a spiritual experience while accompanying someone? Can you describe it?

The Maharal, Rabbi Judah Loew of Prague (16th–early 17th century), writes extensively about accompaniment in this section of his book *Netivot Olam*, “Ways of the World.”

נתיבות עולם (מהר"ל), נתיב גמילות חסדים פרק ה  
...ולפיכך כאשר יוצא לדרך ובני אדם מלוין אותו בדרך  
שהוא הולך עליו, דנותנין אל צלמו כבוד שאין מניחין  
אותו שיצא בלבדו וזהו שנותנין לו לוויה בדרך ולכך נשאר  
הכבוד בדרך הזה, ואם אין מלוים כאלו שופכי דמים,  
פירוש שנוטלים ממנו צלמו אשר האדם נברא בצלם  
אלהים, ובבטול הצלם זה עצמו שפיקות דם לגמרי שהרי  
יש בטול אל הצלם הזה וכתוב (שם) שופך דם האדם  
באדם דמו ישפך כי בצלם אלהים עשה את האדם, הרי לך  
כי עיקר שפיקות דם הוא בשביל שמבטל צלם האלהים  
שיש לאדם, ומי שאינו מלווה את האדם ואין נוהג בו כבוד  
ומניח אותו לצאת יחידי הרי מבטל את כבוד הצלם הזה  
שהאדם צריך לזה בדרך:



TEXT STUDY

## Our Common Humanity From The Very Beginning

**RABBI SHAI HELD, SPEAKING IN NEW YORK CITY AT A T'RUAH PROTEST AGAINST FAMILY SEPARATION, JUNE 21, 2018.**

Genesis 1, the first chapter of the Torah, is like a hymn to biodiversity. God does not just create animals, we learn; God creates animals of all kinds, *leminehem*. God does not just create birds; God creates birds of all kinds, *leminam*. God does not just create plants; God creates plants of all kinds, *leminehem*. God delights and revels in the sheer diversity of creation. And when you listen to Genesis 1 being read, you expect that when God creates the human being you will hear: *vayivra Elohim et ha'adam b'tzalmu lemino*—“And God created the human being in God’s image, in all its kinds.” But the word *lemino*, “in all its kinds,” is not there. And there is a reason for that. Because although the Torah will go on to defend cultural and linguistic diversity, it will not do that before first establishing that, in contrast to animals and in contrast to plants and in contrast to birds, there are no “kinds of” human beings. And so the fundamental lesson is—and it’s excruciating to [have to] say this—that Mexican immigrants are no less human than anybody else. That Central American asylum seekers are no less human than anybody else. That Muslim families seeking out a new life are no less human than anybody else.



PHOTO BY GILI GETZ



# The Sin of Sodom

## EZEKIEL 16:49

Only this was the sin of your sister Sodom: arrogance! She and her daughters had plenty of bread and untroubled tranquility; yet she did not support the poor and the needy.

הִנֵּה זֶה הָיָה עֲוֹן סְדוֹם אֲחוֹתֶךָ גְּאוֹן שְׁבַעַת  
לָחֶם וְשִׁלּוֹת הַשֶּׁקֶט הָיָה לָּהּ וּלְבָנוֹתֶיהָ וְיָד עָנִי  
וְאֶבְיוֹן לֹא הִחְזִיקָה :

## TALMUD SANHEDRIN

109a

The Sages taught: The people of Sodom became haughty due only to the excessive goodness that the Holy Blessed One bestowed upon them. And what is written concerning them?

“As for the earth, out of it comes bread, and underneath it is turned up as it were by fire. Its stones are the place of sapphires, and it has dust of gold. That path no bird of prey knows, neither has the falcon’s eye seen it. The proud beasts have not trodden it, nor has the lion passed thereby” (Job 28:5–8).<sup>1</sup>

They said: Since we [have] a land from which bread comes and has the dust of gold, why do we need travelers, as they come only to take away our property? Come, let us cause the proper treatment of travelers to be forgotten from our land, as it is stated: “[God] breaks open a watercourse in a place far from inhabitants, forgotten by pedestrians, they are dried up, they have moved away from men” (Job 28:4)...<sup>2</sup>

109b

They had a bed on which they would lay their guests; when a guest was longer than the bed they would cut him, and when a guest was shorter than the bed they would stretch him. Eliezer, servant of Abraham, happened to come there. They said to him: Come lie on the bed. He said to them: I took a vow that since the day my mother died I do not lie on a bed...

There was a certain young woman who would take bread out to the poor people in a pitcher [so it would be hidden]. The matter was discovered. They smeared her with honey, placed her on the city wall, and the bees came and ate her. Thus it is written, “The ETERNAL said: The cry of Sodom and Gomorrah is great [*rabbah*]” (Genesis 18:20). Rav Yehudah said in the name of Rav: because of the incident of the young woman [*riva*].

קט: א

ת"ר אנשי סדום לא נתגאו אלא בשביל טובה  
שהשפיע להם הקב"ה ומה כתיב בהם?

ארץ ממנה יצא לחם ותחתיה נהפך כמו אש  
מקום ספיר אבניה ועפרות זהב לו נתיב לא  
ידעו עיט ולא שזפתו עין איה לא הדריכוהו  
בני שחץ לא עדה עליו שחל. (איוב כח, ה-ח)

אמרו וכי מאחר שארץ ממנה יצא לחם  
ועפרות זהב לו למה לנו עובדי דרכים שאין  
באים אלינו אלא לחסרינו [מממונו] בואו  
ונשכח תורת רגל מארצנו שנאמר (איוב כח,  
ד) פרץ נחל מעם גר הנשכחים מני רגל דלו  
מאנוש נעו...

קט: ב

הויה להו פורייתא דהוו מגני עלה אורחין כי  
מאריך גיזי ליה כי גוף מתחין ליה אליעזר  
עבד אברהם אקלע להתם אמרו ליה קום  
גני אפוריא אמר להון נדרא נדרי מן יומא  
דמיתת אמא לא גנינא אפוריא...

הויה ההיא רביתא דהות קא מפקא ריפתא  
לעניא בחצבא איגלאי מלתא שפיוה דובשא  
ואוקמוה על איגר שורא אתא זיבורי ואכלוה  
והיינו דכתיב (בראשית יח, כ) ויאמר ה'  
זעקת סדום ועמורה כי רבה ואמר רב יהודה  
אמר רב על עיסקי ריבה :

- These excerpts come from an extended Talmudic discussion (a *sugya*), filling an entire page, about Sodom’s sins—mostly its greed. How do the first three paragraphs above focus the discussion?
- What do you make of the rabbis’ decision to quote extensively from Job? (Assume it is a deliberate artistic choice; they could have chosen other books to make their point.)
- How does the fourth paragraph up the ante? What do you make of that?
- How is it significant that the visitor to Sodom in the fourth paragraph above is from the household of Abraham?
- This last paragraph is the end of the *sugya*. How does knowing this is the point on which the Talmud chooses to end reshape your understanding of the entire *sugya*?

1 The next verse, which the rabbis do not quote but is certainly in their minds, helps make the link from this Job passage to Sodom, which is “overturned”: “[God] puts forth [God’s] hand upon the flinty rock, overturning the mountains by the roots” (Job 28:9).

2 Sifrei Devarim 43:10 offers another version of this text, in which God explicitly declares that Sodom will be destroyed for this sin of abusing travelers.

## PIRKEI D'RABBI ELIEZER 24

Rabbi Yehudah says: They declared in Sodom that anyone who supports a poor or needy person with bread shall be burned to death. Pleitah\*, Lot's daughter, was married to a leading citizen of the city. She saw a poor person passing in the city street and felt grieved for him, as it says in Job, "Did I not grieve for the needy? (30:25)" What did she do? Each day, when she went out to draw water, she would put in her pitcher some of every food she had in the house, and she would feed the poor person. The people of Sodom said: How is it that this poor person is still alive? When they learned of the matter, they took her out and burned her.

\*Her name can mean "Refugee" or "Remnant."

ר' יהודה אומ' הכריזו בסדום כל מי שהוא מחזיק בפת לחם עני ואביון ישרף באש, פליטת בתו של לוט היתה נשואה לאחד מגדולי העיר וראתה עני אחד מדקדק ברחוב העיר ועגמה נפשה עליו, שנ' עגמה נפשי לאביון, מה עשתה בכל יום היתה יוצאה לשאוב היתה נותנת בכד שלה מכל מזון ביתה ומאכלת לאותו עני, אמרו אנשי סדום העני הזה מאין הוא חי וכשידעו בדבר הוציאו אותה להשרף

- What does this elaboration of the Talmud's shorter version add to the story?
- In a third version, from *Bereshit Rabbah* 49:6, the young woman is described as a native of Sodom. How might her identity affect the meaning of the midrash?



## Why We Translate “Ger” As “Immigrant”

The Talmud reminds us that the Torah “warns against the wronging of a *ger* in 36 places; others say, in 46 places” (Bava Metzia 59b<sup>1</sup>). *Ger* can be understood in a range of ways; Bible scholar Christiana Van Houten<sup>2</sup> suggests that “immigrant” is the most accurate translation. Here’s some of her reasoning:

1. Van Houten cites Bible scholar Frank Spina, who identifies three word-roots related to *ger* in biblical Hebrew: **to sojourn, to stir up strife, and to be afraid**. Spina suggests “immigrant” best captures this full range of meaning—of someone who both arrives in a country afraid and who may make those who already live there fearful. (Van Houten, page 19)
2. Citizenship and nativeness are culturally-defined terms whose definitions can shift. Bible scholars disagree about who the *eizrach* (“native-born” in biblical Hebrew, as in Leviticus 24:22, “You shall have one law for the *ger* and the *eizrach*...”) was. Van Houten joins the group who believe, somewhat ironically, that *eizrachim* were the Judeans who returned from Babylonian exile to Israel—a term they used to distinguish themselves from those who remained in the land! (152) The fluidity of this term reminds us that we, too, can transform our ideas about who counts as “one of us.”

### “Prayer for Immigrant Children and Families [excerpts]

We are here to say yes...  
to the vital moral fabric of our lives.

To those who would tear that fabric apart,  
We are here to say—we will always show up to stitch it back together.  
We walk in the footsteps of our ancestor Abraham  
Who “stitched worlds together”  
Who saw connection everywhere  
Who was commanded to be a blessing to all the families of the earth.  
We know that it is so much easier—and faster—to tear things apart  
Than it is to stitch them together.  
But we will keep showing up for as long as it takes.

Because we are parents ourselves  
Because we are teachers  
Because we are witnesses  
Because we are weavers  
Because we are threads  
in the tapestry of Your creation.

— RABBI SHARON COHEN ANISFELD, PRESIDENT, HEBREW COLLEGE, NEWTON, MASS., ON A  
DELEGATION TO THE TEXAS BORDER ORGANIZED BY THE AMERICAN FEDERATION OF TEACHERS;  
JUNE, 2018.

1 It likely comes as no accident that this statement immediately follows the famous story of the oven of *akhenai* and the ostracism of Rabbi Eliezer ben Hyrcanus, who himself becomes a sort of *ger* in his own community.

2 *Alien in Israelite Law: A Study of the Changing Legal Status of Strangers in Ancient Israel*, The Library of Hebrew Bible/Old Testament Studies, 1991.



3. How the Torah views the *ger* evolved through three historical stages<sup>3</sup>:

- In the earliest stage (the “Covenant Code” of *Parshat Mishpatim*<sup>4</sup>), the focus was on offering **hospitality** to individual *gerim* who came to live among the Israelites. The Torah establishes some basic rights for *gerim*, but that framework of hospitality makes the *ger* a guest in someone else’s home.
- In the next stage (Deuteronomy<sup>5</sup>), caring for the *ger*—along with the widow and orphan—becomes a societal priority. Van Houten writes, “Rather than preeminently requiring hospitality, these laws would seem to be creating a system of support which would allow those on the fringes to be economically self-sufficient.” (161)
- In the final stage (the Priestly texts<sup>6</sup>, edited and compiled around the time of the Babylonian exile and return to Israel), “for the first time, the possibility will exist of an **outsider achieving insider status**” (118). These texts introduce circumcision as a route to joining the people and being able to offer the Passover sacrifice, a key ritual of belonging. (Exodus 12:48-49)<sup>7</sup>

The Torah therefore offers three models of how we might respond to immigrants today:

- With hospitality, allowing select ones to live in “our” country;
- With a structured system for supporting their basic needs, just as we care for our own poor, while maintaining the distinction;
- With a full option for acquiring citizenship.

The first and the second model may protect non-natives from exploitation. The third model allows for full integration—and for the *ger* to become an *ezrach*.

#### TALMUD *SHABBAT* 127A

Rav Yehuda bar Sheila said that Rabbi Asi said that Rabbi Yohanan said: There are six deeds which yield immediate fruit and continue to yield fruit in the world-to-come: **Hospitality toward guests**, and visiting the sick, and consideration during prayer, and rising early to the study hall, and raising children to engage in Torah study, and judging another favorably.



3 This follows the widely accepted Documenary Hypothesis of how the Torah’s text came together over time.

4 This section includes four references to protecting the *ger*: Exodus 22:20, 23:9, 23:12, and 20:8-11.

5 Deuteronomy includes 18 references to protecting the *ger*: 1:16; 5:14; 10:18-19; 14:21,29; 16:11,14; 24:14,17,19-21; 26:11-13; 27:19; 29:11; 31:12.

6 Van Houten identifies 34 references to protecting the *ger* in this body of text: Ex. 12:19,48-49; Lev. 16:29; 17:8,10,12,13,15; 18:26; 19:10,33-34; 20:2; 22:18; 23:22; 24:16,22; 25:23,35,47; Num. 9:14; 15:14-16,26,29,30; 19:10; 35:15.

7 See also the ritual of the red heifer, Numbers 19:10.

## Some Other Resources to Explore

**Violence, Poverty and Social Disintegration:  
The Root Causes of Central American Migration**  
(<https://genesisofexodusfilm.com>)

In response to 2014's surge in migration from Central America, the Presbyterian Church (U.S.A.) produced this 50-minute film with accompanying resources. Free streaming online.

**Migratory Notes** (<http://bit.ly/MigratoryNotes>)

Weekly "pop-up" newsletter on immigration that the T'ruah staff has found invaluable for keeping up-to-date.

**The Deported** (<https://www.hrw.org/blog-feed/the-deported>)

Human Rights Watch reports stories about people who have been deported from the U.S.

**How the 1965 Immigration Act Made America a Nation of Immigrants** (<https://www.npr.org/2019/01/16/685819397/how-the-1965-immigration-act-made-america-a-nation-of-immigrants>)

36-minute segment (also available in text) on the NPR-syndicated show "Fresh Air" on the history of U.S. immigration policy, especially since 1965.

### BOOKS

***The Line Becomes a River: Dispatches from the Border***, Francisco Cantú (2018)

Memoir by a Border Patrol agent who is himself an immigrant.

***Dear America: Notes of an Undocumented Citizen***, Jose Antonio Vargas (2018)

Memoir by a Pulitzer Prize-winning journalist offering a personal look at what it means to live in the U.S. without status.

***The Making of a Dream: How a Group of Young Undocumented Immigrants Helped Change What It Means to Be American***, Laura Wides-Muñoz (2018)

Tells the story, beginning in 2010, of four Dreamers who walked across the country to bring their situation to President Obama's attention.

***Impossible Subjects: Illegal Aliens and the Making of Modern America***, Mae Ngai (2014)

Traces the origins of the "illegal alien" in American law and society, beginning in the 1920's through today.

### KEY PARTNERS

**Mijente:** <https://mijente.net/>

"Pro-Latinx, pro-Black, pro-woman, pro-queer, pro-poor movement."

**United We Dream:** <https://unitedwedream.org/>

"The largest immigrant youth-led network."

**No More Deaths/No Más Muertes:** <http://nomoredeaths.org/>

Ministry of the UU Church of Tucson dedicated to preventing migrants' deaths.

**RAICES:** <https://www.raicetexas.org/>

"The largest immigration legal services provider in Texas."

**HIAS:** <https://www.hias.org/>

Jewish organization advocating for and resettling refugees.

**National Immigration Law Center:** <https://www.nilc.org/>

"One of the leading organizations in the U.S. exclusively dedicated to defending and advancing the rights of immigrants with low income"

**Al Otro Lado:** <https://alotrolado.org/>

"Bi-national, direct legal services organization serving indigent deportees, migrants, and refugees in Tijuana, Mexico."



# Notes



PHOTO COURTESY OF DAMAYAN

Larry is a Filipino immigrant who works at a 7-Eleven in Queens. One day in January, 2018, he and four other Filipinos were arrested by ICE. The other four were released the same day, but Larry was detained for over a month. Damayan Migrant Workers Association, an organization of Filipino/a domestic workers and a longtime T'ruah partner, mobilized its extended community on Larry's behalf. T'ruah contributed by writing to ICE on behalf of our members and sending a representative to Larry's detention hearing. After a month and a half of detention, Larry was released on bail.



*"The basic ways in which cultures and societies protected victims who were fleeing for their lives was to designate sacred sites as a place for sanctuary. With the rise of nation-states that responsibility got transferred to the nation-state in the function of asylum... The need for [religious based] sanctuary arises because nation-states have failed in their responsibility to provide asylum."*

— **REV. JOHN FIFE**, PASTOR EMERITUS,  
SOUTHSIDE PRESBYTERIAN CHURCH,  
TUCSON AZ AND CO-FOUNDER OF THE  
SANCTUARY MOVEMENT

*"The treatment accorded by a state to the non-citizens living within its jurisdiction is the most accurate indication of the extent to which justice and humanity prevail in the state."*

— **RABBI SAMSON RAPHAEL HIRSCH**

## About T'ruah

T'ruah: The Rabbinic Call for Human Rights brings a rabbinic voice to the most pressing human rights concerns of our time.

We mobilize 2,000 rabbis and cantors, along with our communities, to bring the wisdom of the Jewish tradition and the power of the Jewish community to the sacred work of protecting the human rights and dignity of all people in the United States and Canada, and in Israel and the occupied Palestinian territories.

