



Sanctuary for Immigrants and Refugees in Our Legal and Ethical Wilderness

Interpretation: A Journal of

Bible and Theology

2018, Vol. 72(2) 132–145

© The Author(s) 2018

Reprints and permissions:

sagepub.co.uk/journalsPermissions.nav

DOI: 10.1177/0020964317749541

journals.sagepub.com/home/int



Chad Thomas Beck

Basic United Methodist Church, Waynesboro, Virginia, USA

Abstract

Examining the “cities of refuge” in Numbers 35:9–28 and other key passages in the Torah, this essay argues that the social ethics in these passages point towards mercy and sanctuary for immigrants and refugees facing deportation. Ethical injunctions in the Hebrew Bible to welcome the resident alien and modern sanctuary movements are analyzed in relation to contemporary immigration issues. Like the wilderness generation of Numbers, immigrants and citizens wrestle with legal and ethical dilemmas that highlight the relevance of pivotal biblical texts for communities and churches.

Keywords

Cities of Refuge; *gēr*, *gērîm*; Immigration; Numbers, Book of; Refugees; Resident Alien; Sanctuary; Wilderness

Cities, churches, and faith communities have been wandering in a legal and ethical wilderness since President Donald Trump’s January 2017 executive order against sanctuary cities for immigrants.¹ This order blames sanctuary jurisdictions for “immeasurable harm to the American people and to the very fabric of our Republic” by their refusal to comply with the federal government’s “repatriation” of “removable aliens.”² Attorney General Jeff Sessions declared his intention to enforce compliance by blocking federal funds for local social services.³ Major cities vowed

1 Executive Office of the President, “Enhancing Public Safety in the Interior of the United States,” Executive Order 13768, 25 January 2017 (<https://www.federalregister.gov/documents/2017/01/30/2017-02102/enhancing-public-safety-in-the-interior-of-the-united-states>).

2 Ibid.

3 Reuters, “10 ‘Sanctuary Cities’ Face Loss of \$2.3B in Federal Funds, *Newsweek*, 26 January 2017, <http://www.newsweek.com/10-sanctuary-cities-face-loss-23-billion-federal-funds-548572>; Joseph Tanfani, “Trump Administration Toughens policy against Sanctuary Cities,” *Los Angeles Times*, 25 July 2017, <http://www.latimes.com/politics/washington/la-na-essential-washington-updates-sanctuary-1501017073-htmlstory.html>.

Corresponding author:

Chad Thomas Beck, Basic United Methodist Church, P.O. Box 2447, Waynesboro, Virginia 22980, USA.

Email: chadbeck@vaumc.org

resistance even at the cost of losing federal aid.⁴ A federal judge prevented the attorney general from withholding grant money from resistant jurisdictions.⁵ Meanwhile, churches and faith communities are debating biblical and theological perspectives as they seek to discern their responsibility to care for immigrants and refugees, including the offering of sanctuary.

To assist civic and faith communities in navigating this legal and ethical wilderness, this essay will explore the laws for cities of refuge in Num 35: 9–28, along with other key passages from the Hebrew Bible concerning the “resident alien.” I will argue that the social ethics in these passages point towards mercy for immigrants and refugees. Faced with an unjust human law against unauthorized border crossing or hiding in fear of deportation, many so-called illegals in the United States have chosen to obey a higher moral law of survival. It is crucial to put Scripture in conversation with this reality. Guided by the legal codes that depict a merciful God, especially in relation to the stranger among us, the city or church can function as a community of refuge that rescues the immigrant or refugee awaiting justice.

This essay first surveys the Hebrew Bible’s ethical injunctions to treat aliens with hospitality and mercy; the cities of refuge are revealed to be a situational application of those ethical injunctions. Second, the article illustrates the enduring relevance of the Bible’s sanctuary laws through a brief review of modern sanctuary movements whose members functioned as cities and congregations of refuge. Third, the discussion shows how the literary context and theology of Numbers invites us to offer sanctuary for immigrants. Fourth, this article explores the life-threatening dilemmas faced by immigrants and refugees as well as the complicity of citizens in the factors that push aliens to break unjust human laws while seeking refuge.

Hospitality and Mercy for the *gēr*

The Hebrew word *gēr* (pl. *gērîm*) refers to a “resident alien” who has left his or her home, either alone or with family, to seek refuge or livelihood in another land.⁶ English versions of the Bible usually translate *gēr* as “alien,” “foreigner,” “stranger,” or “sojourner.”⁷ The historical experiences of *gērîm* are perhaps best captured by translating *gēr* as “resident alien,” “immigrant,” or “refugee.” People migrated from their land, family, or clan because they found themselves in dire straits with scarce options for survival: they suffered famine (Ruth 1:1), fled wars (2 Sam 4:3), and sought legal protection and political asylum (Exod 2:22).⁸ Escaping life or death situations, resident aliens in the biblical world—just as most contemporary immigrants—are refugees who have made a desperate choice to leave family and homeland. Some have no choice. Joseph, whose brothers sold him to Midianite traders, was a victim of human trafficking and became a resident alien in Egypt

4 Aaron C. Davis, Peter Jamison, and Fenit Nirappil, “D.C., Other ‘Sanctuary Cities’ Defiant in the Face of Trump’s Threats,” *Washington Post*, 25 January 2017, https://www.washingtonpost.com/local/dc-politics/2017/01/25/65f15428-e315-11e6-a547-5fb9411d332c_story.html?utm_term=.169144817cf3; Phil McCausland, “‘Sanctuary Cities’ Vow to Resist Trump Order Despite Funding Threat,” NBC News, 26 January 2017, <http://www.nbcnews.com/news/us-news/sanctuary-cities-vow-resist-trump-order-despite-funding-threat-n712251>.

5 Maria Sacchetti, “Trump Blasts Federal Court Ruling That Blocks His ‘Sanctuary City’ Order,” *The Washington Post*, 26 April 2017, https://www.washingtonpost.com/local/social-issues/2017/04/25/c9e212c8-29f7-11e7-b605-33413c691853_story.html?utm_term=.1752eaec252b.

6 F. Brown, S. Driver, and C. Briggs, *The Brown-Driver-Briggs Hebrew and English Lexicon* (Peabody, MA: Hendrickson, 2014), 992–93; William L. Holladay, *A Concise Hebrew and Aramaic Lexicon of the Old Testament* (Grand Rapids: Eerdmans, 1988), 64.

7 See also Exod 18:3, Lev 16:29, Num 35:15 in the NRSV, NIV, NASB, and KJV.

8 Francisco O. Garcia-Treto, “‘El Señor guarda a los emigrantes,’” *Apuntes* 1 (1981): 3–9 (3).

(Gen 37:28). Some, like the Israelites escaping from Egypt, were leaving oppressive and often life-threatening circumstances (Exod 12:37–38). At stake in these biblical stories is a sustainable life, shelter, asylum, and sometimes mere survival.

In the biblical narratives about *gērîm*, citizens never demand an explanation for why aliens are among them. In contrast to modern immigration conflicts, where laws regulate a myriad of reasons for people crossing borders and their eligibility to stay, the relevant passages in the Hebrew Bible acknowledge that immigrants and refugees are already in the midst of the community. Their presence is a given. The biblical accounts do not suggest questioning or detaining these visitors, but instead exhort the Israelites to welcome *gērîm* as members of the community, even into their most sacred rituals and celebrations, such as the Passover: “If an alien who resides with you wants to celebrate the Passover to the Lord . . . then he may draw near to celebrate it; he shall be regarded as a native of the land” (Exod 12:48; c.f. Num 9:14).

When the wandering Israelites—themselves refugees in the narrative of Numbers—enter the land (Num 15:1–2), the Lord says:

An alien who lives with you, or who takes up permanent residence among you, and wishes to offer an offering by fire, a pleasing odor to the Lord, shall do as you do. As for the assembly, there shall be for both you and the resident alien a single statute, a perpetual statute throughout your generations; you and the alien shall be alike before the Lord. You and the alien who resides with you shall have the same law and the same ordinance” (Num 15: 14–16).

Here and elsewhere in the Torah, God instructs the Israelites to welcome resident aliens as full and equal members of the community.

These exhortations counter the common human tendency to fear aliens and treat them with suspicion and contempt. Francisco Garcia-Treto argues that the Hebrew Bible’s moral traditions contrast sharply with the xenophobia typical of ancient times.⁹ Egyptian texts, for example, often express disdain for foreigners.¹⁰ The Hebrew Bible’s legal statutes that safeguard the dignity and rights of aliens are largely unattested in other ancient Near East sources.¹¹ In contrast to many other ancient Near East law codes, the Torah mandates legal equality for immigrants and for Israelites: “You shall have one law for the alien and for the citizen” (Lev 24:22). The statutes protect aliens from violation of their legal rights: “Give the members of your community a fair hearing, and judge rightly between one person and another, whether citizen or resident alien. You must not be partial in judging.” (Deut 1:16–17a; c.f. 24:14).¹² Correcting the frequent human propensity to deny or infringe on the rights of outsiders, such laws consistently require fair treatment for the citizen and the alien.

The Torah recognizes that resident aliens do not have ancestral plots of lands, which was the principal means of survival in the ancient Near East. Therefore, the Torah commands provision for their basic human needs: “You shall not strip your vineyard bare, or gather the fallen grapes of your vineyard; you shall leave them for the poor and the alien” (Lev 19:10; c.f. Lev 23:22; Deut

9 Ibid., 4.

10 See William K. Simpson, ed., *The Literature of Ancient Egypt: An Anthology of Stories, Instructions, Stelae, Autobiographies, and Poetry*, 3rd ed. (New Haven: Yale University Press, 2003), 337–97.

11 Enzo Bianchi, cited in Garcia-Treto, “El Señor guarda,” 6.

12 Garcia-Treto, “El Señor guarda,” 4.

14:28–29; 24:19–20; 26:12–13).¹³ The instructions to treat resident aliens with justice originate in Yahweh’s compassion for the Israelites when they were sojourners as in Exod 22:21: “You shall not wrong or oppress a resident alien, for you were aliens in the land of Egypt.”¹⁴ Consequently, God calls Israelite citizens to be in solidarity with resident aliens: “The alien who resides with you shall be to you as the citizen among you; you shall love the alien as yourself, for you were aliens in the land of Egypt” (Lev 19:34).¹⁵ Citizens are commanded to treat immigrants and refugees with the same merciful love that they themselves have received from God.

God’s hospitality for all human beings is the decisive theological basis for hospitality for the alien. All peoples in every land are ultimately aliens who are welcomed by God: “the land is mine; with me you are but aliens and tenants (Lev 25:23; c.f., Deut 28:8).¹⁶ As the Creator who has concern for all peoples, God instructs Israelites to welcome the alien into their own extended families: “If any of your kin fall into difficulty and become dependent on you, you shall support them; they shall live with you as though resident aliens” (Lev 25:35).¹⁷ Welcoming the alien into one’s kinship group was a common practice.¹⁸ Samuel L. Adams explains that aliens frequently resided within the *bêt ’āb* (“house of the father”).¹⁹ This household structure was the norm in ancient Israel: most households were comprised of kinship networks headed by a patriarch who sought to maintain the viability of all members.²⁰ The solidarity of this system allowed the Israelites and the aliens who dwelled among them to survive.²¹ The members were mutually dependent on pooled resources, practiced a division of labor, or worked as guilds.²² While resident aliens did not have rights to inherited land, they were welcomed into kinship networks.²³ These individuals relied on the patriarch’s household to avoid abject poverty.²⁴ By rescuing the *gēr* from destitution, the Israelite family provided socioeconomic security for the immigrant.

In conjunction with welcoming the resident alien into the “house of the father” system, the Israelites established cities of refuge to “serve as refuge for the Israelites, for the resident or transient alien among them, so that anyone who kills a person without intent may flee there” (Num 35:15). Because the shedding of human blood defiled the holiness of the land, murder had to be expiated by the blood sacrifice of the slayer (35:33–34).²⁵ The expiation was executed by a close relative acting as the avenger of blood (35:19).²⁶ Distinguishing between premeditated murder and manslaughter, this legal concession compelled sanctuary for the unintentional slayer in the cities of refuge.²⁷ The congregation was obligated to respect the slayer’s legal right to a just hearing: “then

13 Ibid., 4–5.

14 Ibid., 7.

15 Ibid., 7.

16 Ibid., 6–7.

17 Ibid., 7.

18 Samuel L. Adams, *Social and Economic Life in Second Temple Judea* (Louisville: Westminster John Knox, 2014), 15, 53.

19 Ibid., 10, 15.

20 Ibid., 10, 15.

21 Ibid., 11, 14–15.

22 Ibid., 13–14.

23 Ibid., 14–15, 53.

24 Ibid., 53.

25 Dennis T. Olson, *Numbers*, Interpretation: A Bible Commentary for Teaching and Preaching (Louisville: Westminster John Knox, 1996), nook edition, “Numbers 34–36: Law as Promise.”

26 Ibid.

27 Ibid.

the congregation shall judge between the slayer and the avenger of blood, in accordance with these ordinances” (35:24). When the congregation adjudicated that the killing was unintentional (35:22–23), then “the congregation shall rescue the slayer from the avenger of blood. Then the congregation shall send the slayer back to the original city of refuge” (35:25a–b). The congregation was legally and ethically bound to provide sanctuary for the unintentional slayer in a city of refuge.

The striking aspect of the city of refuge legislation is that it was applied equally to citizens and resident aliens. Immigrants were to be welcomed and also guaranteed the same right to refuge, trial, and exoneration as any other member of the congregation. The provisions for the cities of refuge share the same sense of fairness and hospitality that one finds in other statutes involving the resident alien. Due process and sanctuary were offered to all members of the community, “for the Israelites, for the resident or transient alien among them” (Num 35:15). In contrast to some of the stringent laws being passed in the United States to bar refugees and deny certain rights, the Torah’s concept of a city of refuge offered refugees a remarkable array of rights—in this case, the alien was not barred or deported but had the right to seek sanctuary in the cities of refuge and to receive a just hearing (Num 35:24; c.f. Deut 1:16). Undergirding the cities of refuge was a sense of justice for both the Israelite and the resident alien.

Modern Sanctuary Movements

In modern history, many peoples have sought mercy and appealed to the Hebrew Bible’s sanctuary laws.²⁸ Yet such appeals are not granted automatically and often have been debated by interpreters. For example, James K. Hoffmeier argues that the Torah’s sanctuary laws were “limited to offenders who had accidentally or unintentionally killed someone . . . Consequently, American cities and churches who offer sanctuary for illegal immigrants cannot claim to be following the practice described in the Bible. Rather, they are twisting biblical statutes and subverting federal law.”²⁹ Hoffmeier’s interpretation overlooks the enduring relevance of these sanctuary laws. A compelling tradition vindicates offering refuge to those who, due to ethical conscience or personal survival, have broken laws, “though they were not enemies, and no harm was intended” (Num. 35:23). If the biblical narratives allow a fair hearing for manslaughter, how much more should our society offer a fair hearing for non-violent actions of desperate people fleeing untenable situations? Today’s immigrants are not seeking sanctuary for unwittingly committing a violent crime; rather, they are seeking refuge from destitution or in some cases violence against themselves.

And what about citizens who break the law to welcome and protect these refugees? People of conscience have broken what they consider to be unjust human laws in order to obey what they believe God commands. Striking manifestations have included providing safe haven for Jews during the Holocaust, conscientious objectors of the Vietnam War draft, and East German pro-democracy and pro-reunification advocates.³⁰

28 In addition to Num 35:9–28, see sanctuary laws in Exod 21:12–14; Deut 4:41–43; 19:1–13; 19:1–13; Josh 20; 1 Chr. 6:57, 67.

29 James K. Hoffmeier, *The Immigration Crisis: Immigrants, Aliens, and the Bible* (Wheaton, IL: Crossway, 2009), 84.

30 John H. Elliott, “Refugees, Resident Aliens, and the Church as Counter-Culture,” in *Liberating Biblical Study*, ed. Laurel Dykstra and Ched Meyers (Eugene, OR: Cascade, 2011), 197–212; Dennis T. Olson, “Commentary on Numbers,” in *The New Interpreter’s Study Bible* (Nashville: Abingdon Press, 1989), 239.

Consider the Underground Railroad, a sanctuary movement for fugitive African-American slaves. Historian Eric Foner explains that the “Underground Railroad” was an interracial network of abolitionists who facilitated escape and transportation, provided food and shelter, and set up paid employment.³¹ They gave sanctuary to an estimated 1,000 to 5,000 runaway slaves per year between 1830 and 1860.³² In one city, the New York Committee of Vigilance, in addition to sheltering fugitive slaves, provided legal assistance and fought against the kidnapping and selling of free blacks and runaway slaves.³³ Highlighting the legal disputes and ethical contestations, this committee had to meet in secret because pro-slavery mobs and the city’s pro-Southern authorities targeted abolitionists and fugitive slaves.³⁴ New York City functioned as a city of refuge. Making an ethical choice born from survival, fugitive slaves broke the law that forbade their escape to freedom. The New York Committee of Vigilance acted on their commitment to justice and risked their own prosecution by providing sanctuary.

In the 1980s, congregations in the southwestern United States began a sanctuary movement to give safe haven to Central American refugees fleeing from wars, torture, and genocides perpetrated by repressive military dictatorships.³⁵ The sanctuary movement openly defied the U.S. government, which supported these regimes and denied refugees from these countries status and asylum.³⁶ The Tucson Ecumenical Council, leading a network of churches, provided transportation from border and detention centers, humanitarian support, legal advocacy, and sanctuary.³⁷ Like the Underground Railroad, this sanctuary movement faced legal and ethical contestations. One of the leaders, John Fife, was convicted of a felony for transporting, harboring, and shielding undocumented immigrants.³⁸ Due to pressure from human rights organizations and this movement, the U.S. government eventually granted “temporary protected status” to welcome Central Americans as refugees.³⁹

In 2006, the “New Sanctuary Movement” was launched following proposed federal legislation to criminalize undocumented immigrants and those who help them.⁴⁰ This movement was a network of congregations in thirty-five cities who accompanied, sheltered, and defended immigrants facing deportation.⁴¹ The sanctuary congregations supported aliens, dubbed “prophet families,” who told their immigration stories, while activists advocated for just policies.⁴² Like the fugitive slaves and the Central American refugees, these twenty-first-century migrants fled imminent danger.

31 Eric Foner, *Gateway to Freedom: The Hidden History of the Underground Railroad* (New York: W.W. Norton, 2015), Kindle edition, ch.1, “Introduction: Rethinking the Underground Railroad.”

32 Ibid.

33 Ibid.

34 Ibid.

35 Matthew Colwell, “Reimagining the Underground Railroad: John Fife,” in *Our God Is Undocumented: Biblical Faith and Immigrant Justice*, ed. Ched Meyers and Matthew Colwell (Maryknoll, NY: Orbis, 2012), kindle edition.

36 Ibid.

37 Ibid.

38 Ibid.

39 Ibid.

40 Alexia Salvatierra, “‘Do Not Neglect to Show Hospitality’: Sanctuary and Immigrant Justice,” in *Liberating Biblical Study*, ed. Laurel Dykstra and Ched Meyers (Eugene, OR: Cascade, 2011), 213–20 (218–19).

41 Ibid.

42 Ibid.

Contemporary undocumented refugees and immigrants flee to the United States and other countries in order to survive, doing so “without enmity . . . they were not enemies, and no harm was intended” (Num 35:22–23). All of these modern sanctuary movements made a moral choice to be the welcoming congregation envisioned by Numbers 35:24–25 and the rest of the biblical laws that require comprehensive hospitality to the resident alien. They rescued fugitive slaves or immigrants, who intend no harm in their pursuit of justice, and they provided sanctuary pending a fair hearing (Num 35:24; c.f. Deut 1:16). For the fugitive slave, the just hearing came with the abolition of slavery. While Central American refugees eventually received a just judgment through their temporary protected status, many of today’s immigrants and refugees still await justice in our legal and ethical wilderness.

The Book of Numbers and Sanctuary in the Wilderness

The book of Numbers—fittingly titled in the Hebrew canon “In the wilderness” (Heb. *bāmīdbār*, Num 1:1)—offers guidance through our own wilderness of moral questions and legal consensus on immigration and sanctuary. Dennis T. Olson argues that Numbers tells the story of God’s people wandering in the wilderness of life and death, obedience and rebellion, slavery and the promised land.⁴³ Israel is an emerging nation with competing voices and conflicts over law and ethics.⁴⁴ As the narrative progresses, the Israelites learn how to employ a dialogical, situational theology that enables holy conversations among diverse peoples. They are empowered to discern and obey the will of God in uncharted, often contentious contexts.⁴⁵

Israel’s failures and eventual success in navigating competing interests are suggested by the structure of Numbers.⁴⁶ Chapters 1–10 detail the preparations that God’s people make before the march through the wilderness; chapters 11–25 feature the older generation’s distrust toward God and their refusal to compromise, which lead to repeated rebellions and death.⁴⁷ The pivotal moment comes in Num 13–14 when the LORD commands Moses to send men to spy out the land of Canaan. The spies are afraid and do not trust in the power of God; so they bring back a negative report (13:1, 27–28, 31).⁴⁸ The people reject Caleb’s trust in God’s promises and decide to choose from among themselves a “captain” to lead them back to Egypt (13:30–14:4, 24).⁴⁹ This cocky generation refuses Moses’s wise instruction from the LORD: they fight the Amalekites and the Canaanites and meet defeat (14:40–45), a precursor for this generation’s death in the wilderness.⁵⁰

In Num 26–36 the new generation is characterized by hope, compromise, and situational legal and ethical decisions.⁵¹ They have arrived “in the plains of Moab by the Jordan opposite Jericho” (26:3), at the border of the promised land.⁵² These chapters are framed by disputes that the congregation resolves through situational concessions.⁵³ These disputes involve land inheritance

43 Olson, *Numbers*, “Introduction.”

44 Ibid.

45 Ibid.

46 Ibid.

47 Ibid.

48 Ibid., Olson, “Numbers 13–14: The Decisive Rebellion.”

49 Ibid.

50 Ibid.

51 Ibid., Olson, “Introduction.”

52 Ibid.

53 Ibid.



Antoni Miró, "Gesto de Hambre," 1972. Acrylic. Album/Art Resource, NY.

rights.⁵⁴ The first compromise allows inheritance rights to be passed to a deceased man's daughters if he has no sons, or to the nearest kinsman if he has no daughter and no brothers (Num 27:1–11). The second stipulation declares that daughters who inherit their father's land have to marry within a clan of their father's tribe in order to protect each tribe's inheritance (Num 36:1–9).

Numbers commends the new generation's situational concessions and condemns the older generation's obstinate stances. Plagues and deaths (e.g., Num 17:46–50) function as a warning against the older generation, and the new generation's imminent entrance into the promised land (Num 36:13) serves as a commendation. Olson, therefore, asserts that Numbers endorses a "dialogical theology" in which diverse and conflicting voices, through dialogue and compromise, work out provisional legislation and situational concessions.⁵⁵

In Numbers 35, the Israelites establish cities of refuge in response to the ethical dilemma about what to do when a citizen or an alien has unintentionally broken the law. Since these sanctuary laws come in the latter half of the narrative and are accomplished through the new generation's dialogical approach, the theology of Numbers authorizes sanctuary. The book also commends sensitivity to new socioeconomic and political contexts and consideration of diverse voices and perspectives.

Ethical Dilemmas of Survival and Complicity

Our particular contexts, life experiences, and social locations shape our responses to aliens in our midst. Many North Americans are suspicious of immigrants because they believe these people are coming to the United States in search of a handout. U.S. citizens remain largely unaware of what

⁵⁴ Ibid.

⁵⁵ Ibid.

drives people to leave everything behind and risk dangerous crossings to come to a new land. Those who have never taken flight through a geographic wilderness to escape poverty, violence, or oppression often resist welcoming strangers because their own life experiences have not prepared them to understand why people become refugees and what they endure to escape the harrowing situations in their homelands. What might the Israelite migrants' wanderings look like in today's world?

Survival

Today's refugees are people who have been displaced by a variety of factors that make life untenable in their home countries. Some have escaped terror and extortion from drug cartels and organized gangs in Central America that have threatened the lives of their families.⁵⁶ There are 2.3 million refugee children from Syria, where the parents fear that they and their children will be bombed by the next shelling or air raid and worry about their children being "scarred for life with horrific consequences on their health, well-being and future."⁵⁷

Merely moving to the United States (or another country) for refuge does not end the tenuous nature of immigrant existence. Immigrants who have wandered in the U.S.-Mexican desert or the Syrian-Turkish border arrive in the U.S. or other countries where they work and worship for years, sometimes for many generations. Yet they still feel like they are wandering precariously in the borderlands as marginalized outsiders. As Jean-Pierre Ruiz puts it, "The moral clarity of the regulations in the Hebrew Bible regarding the treatment of aliens becomes considerably more muddled as these aliens themselves become implicated in the tension between disclosure and non-disclosure, between the truth and trickery that are essential to survival in the borderlands."⁵⁸ Given the options of extreme poverty, political persecution, chemical weapons attacks, or Immigrations and Customs Control (ICE) raids, immigrants and refugees are forced to make troublesome moral decisions. They are caught up in many legal and ethical jams. They must leave their homes to survive or provide a better life for their families. They face exploitation as they pay exorbitant fees to "coyotes," human traffickers who smuggle them across the border or take their money and abandon them. They enter nations without documents or overstay visas and must obtain forged birth certificates, social security cards, and drivers' licenses. They hide in the shadows from law enforcement, while seeking sanctuary in cities and churches that will provide them with the protection of shelter and the mercy of refuge.

Consider Javier, an undocumented immigrant from Mexico, who received sanctuary at Arch Street United Methodist Church in Philadelphia for eleven months before obtaining a waiver to defer deportation and grant eligibility for a visa.⁵⁹ ICE intended to deport Javier for illegal

56 Nicholas Kristof, "We're Helping Deport Kids to Die," 16 July 2016, *New York Times*, <https://www.nytimes.com/2016/07/17/opinion/sunday/were-helping-deport-kids-to-die.html>.

57 Bill Chappell, "2016 Was Worst Year Yet For Children Caught In Syria's War, UNICEF Says," *NPR*, 13 March 2017, <http://www.npr.org/sections/thetwo-way/2017/03/13/519961429/syrias-civil-war-killed-hundreds-of-children-in-2016-unicef-says>.

58 Jean-Pierre Ruiz, *Readings from the Edges: The Bible and People on the Move* (Maryknoll, NY: Orbis, 2011), kindle edition, ch. 4, "Abraham and Sarai Cross the Border: A Reading of Genesis 12:10–20."

59 Samantha Schmidt, "He Lived in a Philadelphia Church for a Year to Escape Deportation. Now He's Free," *Washington Post*, 12 October 2017, https://www.washingtonpost.com/news/morning-mix/wp/2017/10/12/he-lived-in-a-philadelphia-church-for-a-year-to-escape-deportation-now-hes-free/?utm_term=.9bc2a6a79c47.

border-crossings; he served prison sentences for illegal re-entry, a felony conviction.⁶⁰ Javier broke immigration laws simply to survive, doing so “without enmity,” and “no harm was intended” to others (Num 35:22–23). Following the principle of mercy underlying the cities of refuge, Arch Street UMC rescued Javier.

Since Javier and his long-time partner, Alma, have three children who were born in the U.S., Javier had to weigh his family’s survival against what the law designates “illegal re-entries.” He says, “We want a better life for our children. The situation in Mexico is very bad. There’s no work. No good school. Here, we have a future.”⁶¹ In 2013 in Mexico and Guatemala, respectively, 53.8 percent and 73.6 percent of jobs were informal (non-agricultural micro-entrepreneurship, street vending, etc.), offering low wages, meager career prospects, and no health insurance or pensions.⁶² In 2014, 3.8 million people in Mexico were living on less than \$1.90 per day; in Guatemala there were 3.9 million.⁶³ In 2016, 790 million people worldwide suffered from hunger due to food insecurity, natural and human-induced disasters, and political instability.⁶⁴ Regarding education, in 2013, fifty-nine million primary school-aged children and sixty-five million lower-secondary school-aged children were not in school, with poverty and rural locations decreasing access to quality education.⁶⁵ In 2015, twenty million of the 108 million youth ages fifteen to twenty-four in Latin America and the Caribbean had no access to education, training, or employment.⁶⁶ In Honduras, children such as eleven-year-old Elena are forced to be a gang member’s girlfriend, be intimate, and deliver drugs, or suffer the brutal consequences of gang rape, torture, or extortion, forcing families such as Elena’s to migrate to survive.⁶⁷ Worldwide in 2013, there were 19.5 million refugees fleeing war and violence, and there were 1.8 million persons requesting asylum.⁶⁸ Chronic unemployment, poverty and hunger, low access to education, and the constant threat of war and violence cause people like Javier and Elena and their families to make the troubling ethical decisions involved in migration.

By seeking to understand the life-threatening situations of aliens like Javier and Elena, citizens and faith communities can give immigrants a fair hearing, followed by rescuing them from being criminalized (Num 35:24–25). Today’s political rhetoric tends to blame immigrants for crimes as an excuse to bar entry and advocate deportation. Consider Attorney General Jeff Sessions’ unsubstantiated claims that blame our nation’s moral failures on racialized immigrants

60 Laurie Goldstein, “Houses of Worship Poised to Serve as Trump-Era Immigrant Sanctuaries, *New York Times*, 27 December 2016, https://www.nytimes.com/2016/12/27/us/houses-of-worship-poised-to-serve-as-trump-era-immigrant-sanctuaries.html?_r=0.

61 Ibid.

62 Americas Society/Council of the Americas, “Informal Employment in Latin America,” chart, 2 April 2015, <http://www.as-coa.org/articles/weekly-chart-latin-americas-informal-economy>.

63 The World Bank, “Poverty & Equity Data,” database, 2017, <http://povertydata.worldbank.org/poverty/home>.

64 United Nations Department of Economic and Social Affairs, “The Sustainable Development Goals Report: Goal 2: Zero Hunger,” 2016, <https://unstats.un.org/sdgs/report/2016/goal-02/>.

65 United Nations Department of Economic and Social Affairs, “The Sustainable Development Goals Report: Goal 4: Quality Education,” 2016, <https://unstats.un.org/sdgs/report/2016/goal-04/>.

66 International Labour Organization, “27 Million Latin American and Caribbean Youth in the Informal Economy,” 22 April 2015, http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_362985/lang--en/index.htm.

67 Kristof, “We’re Helping.”

68 United Nations Development Program, “Migration, Refugees, and Displacement,” 2017, <http://www.undp.org/content/undp/en/home/ourwork/sustainable-development/development-planning-and-inclusive-sustainable-growth/migration-refugees-and-displacement.html>.

and sanctuary communities: “DUIs, assaults, burglaries, drug crimes, gang crimes, rapes, crimes against children and murders . . . Countless Americans would be alive today—and countless loved ones would not be grieving today—if the policies of these sanctuary jurisdictions were ended.”⁶⁹

Over a century of empirical research, however, has consistently concluded that immigrants—regardless of documented status, country of origin, or education level—are less likely to commit violent or property-related crimes than native U.S. citizens.⁷⁰ Three government commissions and numerous studies have demonstrated that high immigration is inversely proportional to serious crime.⁷¹ Walter Ewing, Daniel E. Martínez, and Rubén G. Rumbaut explain:

Between 1990 and 2013, the foreign-born share of the U.S. population grew from 7.9 percent to 13.1 percent and the number of unauthorized immigrants more than tripled from 3.5 million to 11.2 million. During the same period, FBI data indicate that the violent crime rate declined 48 percent—which included falling rates of aggravated assault, robbery, rape, and murder. Likewise, the property crime rate fell 41 percent, including declining rates of motor vehicle theft, larceny/robbery, and burglary.⁷²

Employing data from recent U.S. Censuses on 18–40 year-old male immigrants in prisons, mental health institutions, and drug treatment centers, Kristin F. Butcher and Anne Morrison Piehl demonstrate that immigrants had lower rates of institutionalization than natives; in 2000 the gap was four natives to one immigrant.⁷³ While there have been periods that indicate higher rates of crime committed by immigrants, the overwhelming majority of such crimes are immigration infractions, followed by traffic violations and drug offenses rather than violent or property-related crimes.⁷⁴

Immigrants’ lower crime rate is related to reasons for migration: immigrants who have left home and family due to life-threatening circumstances have a greater tendency to work hard, avoid trouble, and strive to improve the lives of their families.⁷⁵ Immigrants also contribute to the U.S. economy: undocumented immigrants pay an estimated \$11.64 billion in taxes, made up 15% of the workforce in 2007, and currently comprise approximately three-fourths of agricultural jobs, which most native-born citizens will not take.⁷⁶ In 2013, small businesses owned by immigrants employed

69 Jessica Taylor, “Attorney General Orders Crackdown on ‘Sanctuary Cities,’ Threatens Holding Funds,” *NPR*, 27 March 2017, <http://www.npr.org/2017/03/27/521680263/attorney-general-orders-crackdown-on-sanctuary-cities-threatens-holding-funds>.

70 Walter Ewing, Daniel E. Martínez, and Rubén G. Rumbaut, “The Criminalization of Immigration in the United States,” (Special Report, American Immigration Council, July 2015), 1–25 (1). https://www.americanimmigrationcouncil.org/sites/default/files/research/the_criminalization_of_immigration_in_the_united_states.pdf; Ramiro Martinez, Jr., and Matthew T. Lee, “On Immigration and Crime,” *Criminal Justice* 1 (2000): 487–524, https://www.ncjrs.gov/criminal_justice2000/vol1_2000.html.

71 Ewing, Martínez, and Rumbaut, “Criminalization,” 6.

72 Ibid., 5.

73 Kristin F. Butcher and Anne Morrison Piehl, “Why are Immigrants’ Incarceration Rates So Low? Evidence on Selective Immigration, Deterrence, and Deportation,” (Working Paper, National Bureau of Economic Research, July 2007), 1–28, (24), <http://www.nber.org/papers/w13229>.

74 Ewing, Martínez, and Rumbaut, “Criminalization,” 8–9; Martínez, Jr. and Lee, “On Immigration,” 499.

75 Butcher and Piehl, “Immigrants’ Incarceration,” 3–5, 17, 25; Ewing, Martínez, and Rumbaut, “Criminalization,” 6.

76 Bread for the World, “Hunger and Poverty among Immigrants,” (Fact Sheet, Bread for the World, August 2016), 1–2, <http://www.bread.org/sites/default/files/downloads/immigrants-fact-sheet-2016.pdf>; Council of Economic Advisers, “Immigration’s Economic Impact,” (Report, Executive Office of the President of the United States, 2007), https://georgewbush-whitehouse.archives.gov/cea/cea_immigration_062007.

4.7 million workers and supplied \$776 billion to the U.S. economy.⁷⁷ Therefore, anti-immigration policies and public opinion are not based on evidence but on stereotypes, prejudices, and dubious research.⁷⁸ Attorney General Sessions' conclusion that eliminating sanctuary jurisdictions and increasing deportations would decrease violent crime is untenable. The research demonstrates that U.S. citizens are more likely to commit the crimes which the Attorney General attributes to immigrants.

Complicity

United States citizens tend to place a one-sided emphasis on the factors that “pull” immigrants to the U.S., such as opportunities for economic mobility and social welfare benefits.⁷⁹ United States citizens tend to disregard the factors that “push” immigrants and refugees toward our border and our complicity that lays bare our own blameworthiness for the suffering and displacement of others.⁸⁰ We conveniently overlook our foreign intervention and counter-insurgency warfare that have destabilized Central American and Middle Eastern nations, leading to situations in which the people of those countries face unending violence and poverty.⁸¹ We do not consider how neoliberal deregulation, privatization, and free trade agreements (e.g., NAFTA) foster foreign control of agriculture and the establishment of *maquiladoras* (foreign-owned export factories) that together escalate rural poverty and displace rural laborers.⁸² We benefit from informal or occasional labor of immigrant workers that prevents them from finding stable, long-term employment.⁸³ Our demand for drugs destabilizes nations, facilitates corruption, and fuels cartel and gang violence.⁸⁴

Honesty about these push factors contextualizes the stories of immigrants like Javier and Elena and can help those of us who have not roamed through the wilderness of survival to see our own complicity in factors that push aliens to break immigration laws. Hence, Emmanuel Lévinas rightly identifies torah as God's means not only for justice, but for mercy.⁸⁵ The torah principle of justice-mercy is why Numbers prescribes cities of refuge. The theology of Numbers would have us follow the divine spirit of mercy and shelter the undocumented immigrant in our own cities and churches of refuge.

The need for witness by faith communities is further underscored by the story of Guadalupe Garcia de Rayos. Guadalupe, who is thirty-five years old and a mother of two children who are

html; Lisa Christensen Gee, Matthew Gardner, and Meg Wiehe, “Undocumented Immigrants’ State & Local Tax Contributions” (Report, Institute on Taxation & Economic Policy, 2016), 1–22 (1), <https://itep.org/wp-content/uploads/immigration2016-1492632815.pdf>.

77 Bread for the World, “Hunger,” 2.

78 Martinez, Jr. and Lee, “On Immigration,” 487.

79 Ched Meyers, “Our God Is Undocumented: Sanctuary and Prophetic Hospitality,” in *Our God Is Undocumented: Biblical Faith and Immigrant Justice*, ed. Ched Meyers and Matthew Colwell (Maryknoll, NY: Orbis, 2012), kindle edition.

80 Ibid.

81 Ibid.

82 Ibid.

83 Ibid.

84 Ched Meyers, “Introduction: Church Without Borders,” in *Our God Is Undocumented*, ed. Ched Meyers and Matthew Colwell (Maryknoll, NY: Orbis, 2012), kindle edition; Ron Nixon and Fernanda Santos, “U.S. Appetite for Mexico’s Drugs Fuels Illegal Immigration,” *New York Times*, 4 April 2017, <https://www.nytimes.com/2017/04/04/us/politics/us-appetite-for-mexicos-drugs-fuels-illegal-immigration.html>.

85 Eisenstadt, “The Problem,” 476.

U.S. citizens, came to Arizona when she was fourteen to escape poverty in Nogales, Mexico.⁸⁶ She was arrested in 2008 in a workplace raid by the infamous Sheriff Joe Arpaio, and she was convicted for possession of false papers.⁸⁷ Guadalupe was permitted to stay in Arizona, provided that she met her scheduled check-ins with ICE.⁸⁸ But President Trump's executive order widened the scope of removal to any "illegal" immigrant convicted or charged with breaking any law.⁸⁹ When she arrived at her scheduled check-in in February 2017, ICE arrested and deported her.⁹⁰

In the official narrative about Guadalupe, she is the one who has broken the law, specifically crossing the border without documents and possessing false papers. Yet consistent with the wilderness ethics of Numbers, Guadalupe is entitled to sanctuary until she can receive a just hearing. As her teenage daughter asserted, "The only crime my mother committed was to go to work to give a better life for her children."⁹¹ According to Numbers, when the congregation judges that the law-breaker intended no harm, "the congregation shall rescue the slayer from the avenger of blood. Then the congregation shall send the slayer back to the original city of refuge" (35:24–25). In Guadalupe's case, the avenger was ICE, acting on behalf of President Trump and Attorney General Sessions.

The cities of refuge were a response to divine law for a situational ethical dilemma in the wilderness, discerned and applied by Israel's new generation precisely because they had remembered their own experience of God's mercy in the wilderness. As we journey through our legal and ethical wilderness, applying the passages about sanctuary from Numbers and welcoming the stranger from the torah requirement granting sanctuary until aliens in our communities can receive justice.

Suggestions for Sanctuary Churches and Communities

This essay has argued that the biblical and theological ethics that inform treatment of the resident alien compel contemporary cities, churches, and faith communities to welcome and provide sanctuary and assistance to the immigrant whose life is endangered by the threat of deportation. The literary and historical context of the passage command mercy, and the relevance of the passage endures through modern sanctuary movements. In our contemporary legal and ethical wilderness, we experience uneven ethical dilemmas: on the one hand, immigrants and refugees desperately cross borders without documents or hide from immigration authorities in order to escape situations, including deportation, that threaten their survival. On the other hand, citizens are complicit in the oppressive and life-threatening factors that drive refugees to break unjust laws.

How might cities, churches, and faith communities, guided by the law of the merciful and welcoming God of life, function as communities of refuge that rescue the immigrant or refugee awaiting justice? They may apply the equitable and benevolent treatment of the resident alien and the fairness of sanctuary laws by becoming the extended family, the *bê't 'āb*, that welcomes, rescues, and advocates for the alien facing deportation. Civic organizations and faith communities can partner together

86 Camila Domonoske, "After Years Of Uneventful Check-Ins, Arizona Woman Is Arrested, Deported," *NPR*, 9 February 2017, <http://www.npr.org/sections/thetwo-way/2017/02/09/514299631/after-years-of-uneventful-check-ins-arizona-woman-is-arrested-faces-deportation>.

87 Ibid.

88 Ibid.

89 Ibid.

90 Ibid.

91 Ibid.

to provide shelter, food, clothing, and basic needs. They may provide counseling and emotional and spiritual support for immigrants suffering from fear and trauma. They may offer or connect immigrants to supportive immigration legal services.⁹² Cities and faith communities may also create or join existing sanctuary networks or coalitions in their state or region, and many such networks and denominations have sanctuary toolkits with theological and practical guidance.⁹³ Such networks often are models for organized political advocacy for changing immigration laws.

Congregations may provide the immigrant community with safe meeting and worship spaces. Full welcome means accepting aliens into our extended family as one of our own and inviting their unique gifts and contributions. For Christian churches, our faith in the hospitable Christ calls us to welcome those who speak other languages and are “from every nation under heaven” (Acts 2:5) into the family of God, just as the early church did: “All who believed were together and had all things in common . . . praising God and having the good will of all the people” (2:44, 47a).

As faith communities and civic jurisdictions declare themselves sanctuary churches and communities, they can also partner to offer legal support, political advocacy, and solidarity until immigrants and refugees receive justice.⁹⁴ Just as the forty-eight Levitical cities and the six cities of refuge were spread throughout the land as a sign of God’s presence in all of Israel,⁹⁵ so the sanctuary jurisdictions, churches, and faith communities can join together in solidarity as a sign of God’s welcome and mercy for the immigrant and the refugee everywhere.

92 An example of such legal services is Just Neighbors in Annandale, VA, <https://www.justneighbors.org/>. Another one is Justice for Our Neighbors in Nashville, TN, <http://www.tnjfon.org/>.

93 An example of a sanctuary network is Central Virginia Sanctuary Congregation Network, supported by the Virginia Interfaith Center for Public Policy in Richmond, VA, <http://www.virginiainterfaithcenter.org/issues/welcoming-all/sanctuarynetwork/>. For examples of sanctuary toolkits and denominational resources, see Sanctuary Movement resource page <http://www.sanctuarynotdeportation.org/resources.html>; see also a toolkit from the Presbyterian Church USA, http://oga.pcusa.org/site_media/media/uploads/oga/pdf/sanctuary_toolkit-4.pdf.

94 For examples of sanctuary congregations, see links to member congregations of the New Sanctuary Movement of Philadelphia at <http://sanctuaryphiladelphia.org/who-we-are-new-sanctuary/>. For congregations needing resources for additional discernment, check with their denomination. For example, see The Office of Public Witness, PCUSA, “Sanctuary: A Discernment Guide for Congregations,” [http://www.pcusa.org/site_media/media/uploads/oga/pdf/pc\(usa\)_opw_sanctuary_final_6.21_edit.pdf](http://www.pcusa.org/site_media/media/uploads/oga/pdf/pc(usa)_opw_sanctuary_final_6.21_edit.pdf). Another denominational resource is New England Conference of the United Methodist Church, “Immigration Reform and Sanctuary Resources,” <http://www.neumc.org/sanctuary>.

95 Olson, *Numbers*, “Numbers 34–36: Law as Promise.”

Copyright of Interpretation: A Journal of Bible & Theology is the property of Sage Publications Inc. and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.