

## 1. Origins of “Sanctuary”

Exodus 21:12-14 is one origin for the dual use of “sanctuary” to mean both a sacred place and a place of refuge. The implication of verse 14 is that, for any crime less than premeditated murder, the altar/sanctuary creates a safe zone, protecting a person from prosecution. Being undocumented is not a crime, but this ancient tradition of shelter draws on a foundation in criminal law.

<sup>12</sup> One who fatally strikes a person shall be put to death. <sup>13</sup> 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.

<sup>14</sup> 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)

(יב) מִכָּה אִישׁ וְמַת מוֹת יוֹמָת : (יג) וְאִשֶּׁר לֹא צָדָה וְהֶאֱלֹהִים אָנָּה לְיָדוֹ וְשִׁמְתִי לָךְ מְקוֹם אֲשֶׁר יָנוֹס שָׁמָּה : (יד) וְכִי יִזְד אִישׁ עַל רַעְהוּ לְהַרְגוֹ בְּעַרְמָה מֵעַם מִזְבְּחִי תִקְחֶנּוּ לְמוֹת :

For discussion:

- Why do you think the altar, of all places, plays this role in Israelite society? What locations might play similar roles today?
- Who is protecting the person who flees to an altar?
- Would you use verse 13, about committing a crime unintentionally, as an analogy to the Dreamers who were brought here as children, or do you think this analogy would do more harm than good?

## 2. Loving the (Stranger?): Leviticus 19:33-34

<sup>33</sup> If a *ger* sojourns with you in your land, you shall not do her/him wrong. <sup>34</sup> The *ger* who sojourns with you shall be like the citizen among you, and you shall love the *ger* as yourself, for you were *gerim* in the land of Egypt. I, the ETERNAL, am your God. (Translation: NJPS, modified)

(לג) וְכִי יָגוּר אֶתְךָ גֵר בְּאַרְצְכֶם לֹא תוֹנוּ אֹתוֹ : (לד) כְּאִזְרַח מִכֶּם יִהְיֶה לְכֶם הַגֵּר הַגֵּר אֶתְכֶם וְאַהֲבַתְ לוֹ כְּמוֹד כִּי גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרַיִם אֲנִי ה' אֱלֹהֵיכֶם :

For discussion:

- The biblical word *ger* can have a variety of meanings and is often translated as “stranger.” Biblical scholar Jacob Milgrom has explained the *ger* as someone who can no longer return to his original home and so lives in limbo as a quasi-part of someone else’s society. More recently, Rabbi Jason Rubenstein of Mechon Hadar has suggested that the opposition between “*ger*” and “*ezerach/citizen*” suggests that the word must be understood as having political overtones (e.g., foreigner, minority, undocumented immigrant, refugee). Try inserting each of these translations, or another synonym of your choice, into the verses above. What effect does that have on your understanding of this commandment?
- How does Jews’ experience, past and present, of being outsiders shape your understanding of immigration issues today?

### 3. No Fugitive Slave Law: Deuteronomy 23:16-17

<sup>16</sup> You shall not turn over to her/his master a slave who seeks refuge with you from her/his master. <sup>17</sup> 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. (Translation: NJPS, modified)

(טז) לא תסגיר עבד אֶל אֲדֹנָיו אֲשֶׁר  
יָנַצַּל אֵלָיךָ מֵעַם אֲדֹנָיו :  
(יז) עִמָּךְ יָשֵׁב בְּקִרְבְּךָ בְּמִקְוֵם אֲשֶׁר  
יִבְחַר בְּאַחַד שְׁעָרֶיךָ בְּטוֹב לוֹ לֹא תוֹנְנוּ :

For discussion:

- If this text were the foundation for your commitment to Sanctuary, how would it frame your understanding of who undocumented immigrants are? What is appealing about this text? What is problematic about it?

### 4. *Hakhnasat Orchim*: Welcoming Guests

Study the following series of texts on the theme of welcoming guests and consider it as a possible framework for Sanctuary. What is appealing about this framework? What is problematic about it?

#### A. Talmud *Shabbat* 127a

Rav Yehuda said in the name of Rav: Hospitality toward guests is greater than receiving the Divine Presence, as [when Abraham invited his guests in] it is written: “And he said: ETERNAL, if now I have found favor in Your sight, please pass not [from Your servant]” (Genesis 18:3).

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'

#### B. Rabbi Moshe Isserles (16<sup>th</sup> century, known as Rema), comment on Shulchan Aruch OH 333:1

They are only called guests if they are staying over at your house, or if you invite guests who are sleeping at someone else's house [i.e. they are from out of town]. But if you invite your friends to eat with you, they are not called guests, and the meal has not the status of a ritual meal.

ולא מקרי אורחים, אלא  
שנתארחו אצלו בביתו, או  
שזימן אורחים שנתארחו אצל  
אחרים, אבל כשזימן חבירו  
לסעוד אצלו לא מקרי אורחים  
ואינו סעודת מצוה רק סעודת  
רשות.

#### C. Talmud *Sanhedrin* 109a: A Counter-Example

Our Rabbis taught: The people of Sodom were proud because of the good that the Holy Blessed One gave them. What is written of them? Job 28: “<sup>5</sup> Earth, out of which food grows, Is changed below as if into fire. <sup>6</sup> Its rocks are a source of sapphires; It contains gold dust too. <sup>7</sup> No bird of prey knows the path to it; The falcon's eye has not gazed upon it. <sup>8</sup> The proud beasts have not reached it; The lion has not crossed it.” (Trans: NJPS)

ת"ר אנשי סדום לא נתגאו  
אלא בשביל טובה שהשפיע  
להם הקב"ה ומה כתיב בהם  
(איוב כח, ה-ח) 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 שחף לא עדה עליו שחל.

They said: Since bread comes forth out of [our] earth, and it has the dust of gold, why should we suffer wayfarers, who come to us only to deplete our wealth? Come, let us abolish the practice [literally: the Torahs] of travelling in our land, as it says (Job 28:4): “They open up a shaft far from where men live, [In places] forgotten by wayfarers, Destitute of men, far removed.”

D. 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. Pleitat\*, 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.”

For discussion:

- In what ways does the counter-example of Sodom (text 4c) remind you of rhetoric used against immigrants in America today? What are the flaws in this analogy?
- How does text 4d strike you as a portrait of Sanctuary? What does it illuminate for you? What questions does it raise?

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

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, שני 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