

The Use and Abuse of the Bible In the Immigration Debate

By James K. Hoffmeier

Secularists and liberals, both political and religious, are typically loath to consult the Bible when it comes to matters of public policy. So it is somewhat surprising that in the current debate about the status of illegal immigrants, the Old Testament or Hebrew Bible is regularly cited in defense of the illegal. Debra Haffner, a Unitarian Universalist minister — a denomination not known for taking Scripture seriously — offered a recent critique of the Arizona illegal immigration law in the *Washington Post* online (May 25, 2010), saying “It’s as if the 70 percent of Arizonans who support the law have forgotten the Biblical injunction to ‘love the stranger for you were strangers in the land of Egypt.’” This verse and others like it are frequently quoted in the name of “justice” for the illegal immigrant. A left-wing Christian advocacy group Christians for Comprehensive Immigration Reform, which is affiliated with Sojourners, had this passage on its website: “When a stranger resides with you in your land, you shall not oppress the stranger. The stranger who resides with you shall be to you as the citizen among you.” (Leviticus 19:33)

A second area where advocates for illegal immigrants rely on the Bible (whether they know it or not) is the “sanctuary city movement” that defies the 1996 Illegal Immigration Reform and Immigrant Responsibility Act. Cities like New York, New Haven, Minneapolis, San Francisco, and Denver have declared themselves to be “sanctuary cities” and will not cooperate with federal authorities in matters related to illegal immigrants. Some churches have even permitted their facilities to be so-called sanctuaries for illegals.

As an Old Testament scholar I was first intrigued by the fact that the Bible was even being used in the immigration debate, and yet knew that the Bible was not being read seriously. So I decided to do just that. The result of my study was a small book, *The Immigration Crisis: Immigrants, Aliens, and the Bible* (Crossway, 2009). The observations made in this article summarize briefly some observations reached in that book.

The very positive statements about the treatment of strangers in the Bible, some of which were already quoted, show compassion for the alien in ancient Israel. The defenders of illegal aliens point to these passages as the rationale for rewriting current laws. The problem is that they make a simplistic correlation between the ancient Israelite social law and the modern situation as if the Bible was addressing the same problem. Three important questions must be raised before one attempts to apply Israelite law to the modern situation: 1) Was there such a thing as territorial sovereignty in the second millennium B.C. when these laws originated; 2) Within that socio-legal setting, what was a “stranger” or “sojourner;” and 3) How does one obtain this status?

Regarding the first, the answer is unequivocal. Nations small and large had clearly recognizable borders, typically demarcated by natural features such as rivers, valleys, and mountain ranges, much as they are today. Warring Egyptian Pharaohs often claimed that they went on campaigns to widen or extend Egypt’s borders. Wars were fought over where boundary lines would be drawn, and forts were strategically placed on frontiers to defend the territory and to monitor movements of pastoralists. Permits akin to the modern visa were issued to people entering another land. In the tomb of Khnumhotep, governor of central Egypt (from ca. 1865 B.C.), a band of foreign travelers are shown before the governor. An official presents him with a permit or visa, which spells out that there were 37 people from Syria-Canaan. At the key entry points of Egypt, forts would have issued such entry permits. Recent excavations in north Sinai have revealed a pair of such forts at Tell Hebua, located less than two miles east of the Suez Canal. Three miles southeast of the second Hebua fort is Tell el-Borg where I directed excavations between 1999 and 2008. There we uncovered two forts that guarded the road to Egypt between 1450 and 1200 B.C. The ancient Egyptians were very careful about who they allowed into Egypt.

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The Israelites were well aware of the need to respect territorial sovereignty. After the exodus from Egypt, Moses and the Hebrews lived a nomadic existence for 40 years in Sinai. Since no country, not even Egypt in those days, claimed hegemony over the peninsula, the Hebrews could move freely and required no permission. But when they left Sinai, they needed to pass through Edom in southern Jordan, and permission of the host nation was necessary, as Numbers 20:14-21 reports:

“Moses sent messengers from Kadesh to the king of Edom: ‘Thus says your brother Israel ... here we are in Kadesh, a city on the edge of your territory. *Please let us pass through your land.* We will not pass through field or vineyard, or drink water from a well. We will go along the King’s Highway. We will not turn aside to the right hand or to the left until we have passed through your territory.’ But Edom said to him, ‘You shall not pass through, lest I come out with the sword against you.’ And the people of Israel said to him, ‘We will go up by the highway, and if we drink of your water, I and my livestock, then I will pay for it. Let me only pass through on foot, nothing more.’ But he said, ‘You shall not pass through.’ And Edom came out against them with a large army and with a strong force. Thus Edom refused to give Israel passage through his territory, so Israel turned away from him.”

Despite politely seeking permission and offering to compensate the Edomites, the Israelites were refused; furthermore, Edom sent out their army to make sure the Israelites did not enter their territory. It is clear: foreigners had to obtain a permit to enter another land.

Secondly, what about the “stranger” or “alien”? The Bible is not “a living breathing document” that can mean whatever you want it to say. This question must be answered contextually and based on what the key words meant when they were written before we apply what that might mean in our own times. The most significant Hebrew word for our discussion is *ger*, translated variously in English versions, which creates some confusion, as “stranger” (KJV, NASB, JB), “sojourner” (RSV, ESV), “alien” (NEB, NIV, NJB, NRSV), and “foreigner” (TNIV, NLT). It occurs more than 80 times as a noun and an equal number as a verb (*gwr*), which typically means “to sojourn” or “live as an alien.” The problem with more recent English translations (e.g. TNIV and NLT) is that they use “foreigner” for *ger*, which is imprecise and misleading because there are other Hebrew terms for “foreigner,” namely *nekhar* and *zar*. The distinction between these two terms and *ger* is that while all three are foreigners who might enter another country, the *ger* had obtained legal status.

There are several episodes in the Bible that illustrate how a foreigner became a *ger*. The individual or party had to receive permission from the appropriate authority in that particular culture. Perhaps the best-known story has to do with the Children of Israel entering Egypt. In the book of Genesis, we are told of how during a time of famine in Canaan, the sons of Jacob did the natural thing under the circumstances — go to Egypt where the Nile kept the land fertile. Even though their brother Joseph was a high-ranking official who had recommended to Pharaoh that they be allowed to settle in the northeast delta of Egypt, they felt compelled to ask Pharaoh for permission:

“And they said to Pharaoh, ‘Your servants are shepherds, as our fathers were.’ They said to Pharaoh, ‘*We have come to sojourn in the land*, for there is no pasture for your servants’ flocks, for the famine is severe in the land of Canaan. And now, *please let your servants dwell in the land of Goshen.*’ Then Pharaoh said to Joseph, ‘Your father and your brothers have come to you. The land of Egypt is before you. Settle your father and your brothers in the best of the land. Let them settle in the land of Goshen.’” (Genesis 47:3-6)

Here we notice that they declare their intention “to sojourn” (*gwr*) and deferentially they ask “please let your servant dwell in the land of Goshen.” No less authority than the king of Egypt granted this permission. This means that the Hebrews, though foreigners, were residing in Egypt as legal residents, *gers*.

A second story illustrates how permission or an invitation to a foreigner to reside in a foreign land resulted in Moses becoming a “sojourner,” “stranger,” or “alien.” After Moses struck and killed an Egyptian taskmaster, he fled Egypt and crossed Sinai, ending up in Midian (most likely in northwestern Arabia). At a well he met the

Abbreviations

KJV — King James Version
RSV — Revised Standard Version
NRSV — New Revised Standard Version
ESV — English Standard Version
NASB — New American Standard Bible
NEB — New English Bible
NIV — New International Version
TNIV — Today’s New International Version
JB — Jerusalem Bible
NJB — New Jerusalem Bible
NLT — New Living Translation

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daughters of Jethro, the local priest, who had come to water their flocks. When they were harassed by other shepherds, Moses came to their aid and helped them, so that they were able to return from their chore earlier than normal. So their father asked:

“‘How is it that you have come home so soon today?’ They said, ‘An Egyptian delivered us out of the hand of the shepherds and even drew water for us and watered the flock.’ He said to his daughters, ‘Then where is he? Why have you left the man? Call him, that he may eat bread.’ And Moses was content to dwell with the man, and he gave Moses his daughter Zipporah. She gave birth to a son, and he called his name Gershom, for he said, ‘I have been a sojourner in a foreign land.’” (Exodus 2:18-22)

While the details are limited, it is apparent that Moses, after being invited to Jethro’s home (tent?) for a meal, made an arrangement in which Zipporah, the priest’s eldest daughter, was married to Moses who then took on responsibilities caring for Jethro’s flocks (see Exodus 3:1). Moses was thus able to call himself a sojourner (*ger*), not a foreigner (*nekhar*), even though he lived in a foreign (*nakhiriyah*) land. Gershom, his son’s name, contains the word *ger*, reflecting his change of status.

From the foregoing texts we can conclude that in the ancient biblical world, countries had borders that were protected and respected, and that foreigners who wanted to reside in another country had to obtain some sort of permission in order to be considered an alien with certain rights and privileges. The delineation between the “alien” or “stranger” (*ger*) and the foreigner (*nekhar* or *zar*) in biblical law is stark indeed. The *ger* in Israelite society, for instance, could receive social benefits such as the right to glean in the fields (Leviticus 19:9-10; Deuteronomy 24:19-22) and they could receive resources from the tithes (Deuteronomy 26:12-13). In legal matters, “there shall be one statute for you and for the stranger who sojourns with you, a statute forever throughout your generations. You and the sojourner shall be alike before the LORD. One law and one rule shall be for you and for the stranger who sojourns with you” (Numbers 15:15-16). In the area of employment, the *ger* and citizen were to be paid alike (Deuteronomy 24:14-15). In all these cases, no such provision is extended to the *nekhar* or *zar*. In a sense, the *ger* were not just aliens to whom social and legal protections were offered, but were also considered converts, and thus could participate in the religious life of the community, e.g. celebrate Passover (Exodus 12:13) and observe Yom Kippur, the day of atonement (Leviticus 16:29-30). They were, moreover, expected to keep dietary and holiness laws (Leviticus 17:8-9 & 10-12). It is well known that within Israelite society, money was not to be lent with interest, but one could loan at interest to a foreigner (*nekhar*). These passages from the Law make plain that aliens or strangers received all the benefits and protection of a citizen, whereas the foreigner (*nekhar*) did not. It is wrong, therefore, to confuse these two categories of foreigners and then to use passages regarding the *ger* as if they were relevant to illegal immigrants of today.

Finally, a brief word on the biblical practice of sanctuary. This had its origin in the wilderness period in Sinai after the exodus from Egypt. There, the entire community lived with the Tabernacle, Israel’s sanctuary, in the middle of the camp. Exodus 21:12-14 establishes the practice: “Anyone who strikes a person with a fatal blow is to be put to death. However, if it is not done intentionally ... they are to flee to a place I will designate. But if anyone schemes and kills someone deliberately, that person is to be taken from my altar (in the sanctuary) and put to death.” Cases of involuntary manslaughter or negligent homicide (Exodus 21:33-36) were not capital offenses. So to keep the *lex talionis* (law of retribution), “eye for eye, tooth for tooth ... life for life” (Exodus 21:23-25) from being carried out by family members, the offender was to run to the sanctuary where he would be safe and his case heard. Once the populace spread throughout their new homeland, it was impractical to have just one place of sanctuary. Consequently six cities of refuge were designated, three on either side of the Jordan River (Numbers 35:11-30; Joshua 20:1-6). Once again the conditions for sanctuary protection are plainly stated, “these six towns will be a place of refuge ... so that anyone who has killed another accidentally can flee there” (Numbers 35:15 – NIV). Sanctuary, then, is explicitly a place to get a fair hearing in the case of accidental death, but for no other crime. The cities of refuge were not a place to avoid trial or punishment. American cities that use their communities to circumvent the law to help the illegal alien in the name of justice are doing a gross injustice to the letter and spirit of the biblical law.

The intention of my above-mentioned book and this paper is not to discourage Americans from consulting the Bible or even using it to shape public policy and law, but to call attention to the abuse of Scripture and to urge that it first be read carefully and contextually.



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