



Haggadah Supplement

**The Immigration Crisis —
A Pesach Seder
Reflection for 2016**

**JSPAN
Jewish Social Policy
Action Network**

The Plight of Immigrants and Refugees Calls to Us

The plight of immigrants and refugees calls to us at this season of the Jewish year when we remember that we were exiled from our homeland and enslaved in Egypt for four hundred years, and then stateless nomads for forty years in the wilderness of Sinai, at the mercy of the elements, often losing faith as danger surrounded us. Indeed, throughout history, the Jewish people have so often been refugees that much of Jewish history can be characterized as a history of constant migration, forced and voluntary relocation, and resettlement.

Because of this history, the Torah demands that we be particularly mindful of the plight of the non-citizens among us, and the vulnerable status they face. We are reminded that we were once surrounded by a hostile majority people, with no rights, living in hardship and fear. We know the “heart of the alien” and therefore are commanded to treat them as brothers and sisters. We know what it is like to be abandoned and have no recourse under law, and so we must “not stand idly by” and be indifferent to the plight of our neighbor.

For years, JSPAN has called for fair and just reform of our immigration system. In 2016, Congress and the Administration are so polarized that they are unable to find a solution to a system that inflicts hardship upon our neighbors, “the alien among us.” Some states and municipalities make the plight of immigrants even harsher with onerous restrictions. Campaign rhetoric has whipped up a frenzy not heard since the Red Scare led to the restrictions on immigration in America in the 1920s. If the gates of America had been open to Jewish refugees during the Holocaust, who can know how many lives might have been saved?

Many of our nation’s leaders are not willing to be part of the solution to the greatest humanitarian refugee problem facing the world today in the Middle East. Refugees beyond number are fleeing from Syria, eastern Turkey and other Arab lands, striving to reach Europe or any safe haven they can find. Many are unable to return to their homes because they belong to a disfavored tribal or religious sect, or have fought for freedom with the wrong compatriots. Others are simply fleeing from the massive havoc that happens when a country falls into anarchy.

Over one million migrants and refugees, principally from Syria, Afghanistan and Iraq, crossed into Europe in 2015 and 2016, sparking a crisis as the countries of the European Union have struggled to cope with this massive influx. The migration continues despite efforts to block the paths of escape. Hundreds of thousands are surviving in camps, awaiting processing, not knowing whether they will achieve resettlement or be forced to return. The conflict in Syria continues to be by far the biggest driver of migration, but the ongoing violence in Afghanistan and Iraq, abuses in Eritrea, as well as poverty in Kosovo, are also leading people to look for new lives elsewhere.

The proposals of President Obama to take in a modest number of Syrian refugees have been met with hostility and xenophobia. Congress seeks to block his efforts. Many states have formally indicated that they will refuse to accept any Syrian refugees.

As we sit at our Seder tables this Passover, we feel obligated to recognize how the lessons of the past resonate in the present. We must take a stand for fair treatment, generous treatment, for the alien among us, and the refugee seeking shelter through our “golden door.”

Let us consider what obligation we bear to aid those who are suffering and in need of compassionate assistance, shelter, and protection. The Torah teaches:



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Do not deal basely with your countrymen. Do not stand idly by [or profit from] the blood of your fellow: I am the Lord. (Leviticus 19:16)

Based on this text, and echoing earlier Rabbinic teaching, Maimonides writes of an innocent bystander who finds himself or herself in the presence of some natural threat or catastrophe of human origin:

If one person is able to save another and does not save him, he transgresses the commandment “Do not stand idly by [or

profit from] the blood of your fellow” (Leviticus 19:16). Similarly, if one person sees another drowning in the sea, or being attacked by bandits, or being attacked by wild animals, and, although able to rescue him either alone or by hiring others, does not rescue him; ... or if one acts in any similar way – he transgresses in each case the injunction not to stand idly by the blood of your fellow.... [T]he offense is most serious, for if one destroys the life of a single Israelite, it is regarded as though he destroyed the whole world, and if one preserves the life of a single Israelite, it is regarded as though he preserved the whole world. (Maimonides, Torts, "Murder and Preservation of Life" 1:14, 16)

Today we ought to understand the command to apply for the benefit of all humankind, not just for the benefit of our own people.

How Far Must We Go?

To fortify the principle of Leviticus 19:16 (not standing idly by the blood of your neighbor), the rabbis of the Mishnah went further and enlisted the law of lost articles:

Whence do we know [that one must save his neighbor from] the loss of himself? From the verse (Deuteronomy 22:2) “and you shall restore it to him.” (B. Sanhedrin 73a)

Examining Mishnaic statements on the verse discussed by Maimonides (Leviticus 19:16) and the verse at Deuteronomy 22:2, later rabbis in the Talmud concluded that the verse, *you shall not*

stand idly by, broadens the duty from the person to the purse, i.e., it obligates the bystander to go to extraordinary lengths to save the victim—even to the extent of actually hiring help.

“Other medieval scholars add that the duty of rescue is not limited to circumstances creating a clear and present danger; even if the peril is somewhat obscure and doubtful, the duty to enter into a rescue operation is not thereby diminished.”* As Supreme Court Justice Benjamin Cardozo said in 1921:

Danger invites rescue. The cry of distress is the summons to relief. The law does not ignore these reactions of the mind in tracing conduct to its consequences. It recognizes them as normal. It places their effects within the range of the natural and probable. The wrong that imperils life is a wrong to the imperiled victim; it is a wrong also to his rescuer.

“These memorable words...may be used with equal effectiveness to express the spirit of Jewish law, which, regularly compelling active benevolence between man and man, makes it incumbent upon a bystander to come to the aid of someone in peril.”*

**Prof. Aaron Kirschenbaum, Interdisciplinary Center of Herzliah, Professor Emeritus, Faculty of Law, Tel Aviv University,
http://www.daat.ac.il/daat/kitveyet/assia_english/kirschenbaum.htm*

And so we learn: even if there is a cost or some personal risk, we remain obligated with the duty to relieve the sufferer in need of help.

The Seder

During the course of individual Seders, there are a number of moments, indeed, opportunities to discuss the immigration and refugee crisis and what we can do about it:

Ha Lachma Anya: The door is opened for the hungry and those in dire straits, including the stranger. The declaration, *Ha Lachma Anya* is recited, concluding “next year may all people be free.” This is an opportunity to discuss the what we can do to relieve the suffering among immigrants and refugees here and abroad.



Actions We Can Take

First, know what is happening.

- Excellent places to find out include the *New York Times*, www.nytimes.com, *The Economist*, www.economist.com, and the European Commission official accounts at http://ec.europa.eu/priorities/migration_en. (Subscriptions may be required.)

Second, we can join the organized efforts of the broader community, including these which are endorsed by JSPAN:

- HIAS (Hebrew Immigrant Aid Society) carries out our tradition and provides opportunities for both giving and volunteering. In Philadelphia, HIAS Pennsylvania sets up new households for arriving refugee families. Abroad HIAS operates a resettlement support center in Vienna, Austria, to assist Iranian refugees. In 2003 HIAS established an office in Kiev to provide legal protection services to refugees who have fled to Ukraine from more than 30 nations. www.hiaspa.org
- Jewish Family and Children's Services of Philadelphia helps refugees who have made it to the United States. www.jfcsphilly.org
- PICC (Pennsylvania Immigration and Citizenship Coalition) coordinates advocacy efforts on behalf of immigrants and refugees, including efforts that actually benefit all citizens, like fair funding for public schools. www.paimmigrant.org.
- New Sanctuary Movement of Philadelphia advocates for specific rules and laws that affect the daily lives of immigrants and refugees. www.sanctuaryphiladelphia.org.
- Finally, contact your Senators and Representatives in Congress. Watch carefully for announcements of bills that pertain to immigrants and refugees and be sure they are fair and just. Tell your elected officials to reform our immigration system and find ways to welcome refugees to our shores in a safe and timely manner. JSPAN will undertake to keep you informed, through our newsletter and action alerts, of specific actions you can take. You can find the names and contact information of your local officials at www.commoncause.org/take-action/find-elected-officials/. You can find comprehensive lists of U.S. Senators and Representatives by state at <http://www.contactingthecongress.org/>.

“Next year in Jerusalem,” the words with which we conclude a traditional Seder, is not a geographical goal but a spiritual aspiration, calling on us to relieve people who are needy and in danger, immigrants and refugees here and abroad.



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*Kenneth Myers, Esq. and Stephen Sussman, Esq.
Editors*

Jewish Social Policy Action Network
1735 Market Street, Suite A-417
Philadelphia, PA 19103