



A United Synagogue Resolution Implementation Packet

December 2007/Hanukkah 5768

”כי גר הייתי בארץ נכריה” IMMIGRANTS AND IMMIGRATION

For the last several years, there have been many attempts to pass immigration reform legislation. Inspired by this debate, United Synagogue has compiled this document, which presents many of the pertinent texts on this issue to assist congregations in discussing and dealing with this important issue. The first section addresses what Jewish tradition says about immigration. The second section presents what both Conservative Jewish organizations as well as other public policy groups have to say on the issue of immigration reform. Finally, we present a series of guiding questions to help facilitate communal debate and discussion. We hope that you will use this text to raise awareness in your communities on this important issue. If you would like additional information or have any questions please feel free to contact info@uscj.org.

The United Synagogue of Conservative Judaism

Commission on Public Policy and Social Action

Rabbi Morris Allen

William O. Bresnick

Co-chairs

Gayle Brill Mittler, Assistant Chair

Dr. Richard Lederman, Director

Written by Eytan Kenter, Rabbinic Intern

Immigrants and Immigration in Jewish Tradition

Jews and Immigration: For a significant portion of Jewish history, we have been strangers and non-citizens in the countries in which we resided. Biblically, Abraham left his home to find a better life in Canaan and Moses recognized this fact as he named his son Gershom, “for I was a stranger in a strange land” (Exodus 2:22). For centuries and in dozens of countries, we have sought the hospitality of a multitude of peoples, sometimes finding acceptance but more frequently oppression and rejection.

Even within the past century, Jews have suffered at the hands of the Nazis, Soviet Russia, and the Ethiopians just to name a few. Today, we are fortunate to feel at home in North America and are truly part of the nations’ characters. The Torah knew that after people achieve success and become full citizens of a country, their natural impulse is to forget that they were strangers. That is why we are constantly reminded that, “You too must befriend the stranger, for you were strangers in the land of Egypt” (Deuteronomy 10:19) and that, “The strangers who sojourn with you shall be to you as the natives among you, and you shall love them as yourself; for you were strangers in the land of Egypt” (Leviticus 19:33-34). We are commanded to treat the resident alien with dignity and we must, therefore, assure that all people in this country seeking a better life can find it here, just as we have.

General Human Dignity: Jews are not only commanded to behave this way to the strangers in our midst but to all people, we are instructed in Pirkei Avot 2:17, “Let the honor of your fellow be as dear to you as your own.” Additionally, the Torah teaches that all people must “...love your fellow as yourself” (Leviticus 19:18). We must always remember the importance of human dignity and that every person is made in the image of God. All people must be treated as we would like to be treated for all people are made in the image of God. No immigrant should ever have to work for an unlivable wage. No person should be forced to live a life that is below acceptable human standards. No person should be pulled over simply due to the color of their skin and deported if they do not have the proper paperwork.

Guest Workers: All people who want to become American citizens must be able to apply and work towards that end. In the Torah it is written, “If a stranger who dwells with you would offer the paschal offering to the Lord, all his males must be circumcised; then he shall be admitted to offer it; he shall then be as a citizen of the country...” (Exodus 12:48). Just as we are taught to permit the entrance of all people who are willing to undergo the full process of entering our community into the Jewish people, so too we must allow people the opportunity to apply and fulfill the obligations to achieve citizenship. Therefore, any guest worker program that does not allow the foreigners working here to apply for citizenship is contrary to the values of the Torah. Moreover, once they enter into the Biblical community, they are of equal status as everyone else. So too in America, all people who have been naturalized as citizens must be given equal status and rights regardless of their country of origin.

Refugees: There are people from all around the world who come to America in an attempt to escape an unsafe homeland. These refugees must have a place in our country. We are told to walk in God's ways. In Exodus Rabbah 19:4 it is written about the verse, "the stranger need not lodge outside" (Job 31:32) that "The Holy One declares no creature unfit-He receives all. The gates are always open, and he who wishes to enter may enter." Just as God allows all creatures to enter, we also must be open to people who seek refuge in our country. We are obligated to accept people who flee oppression and to create a place where all people can feel safe from fear of terror and persecution.

Border Protection: One significant way in which this can be accomplished is through border protection. It is our firm belief that our borders must be secure in order to assure the safety of all. Therefore, we pray for God's help in this endeavor as it is written in Psalm 147: "He has strengthened the bars of your gates; He has blessed your children within you." We hope and pray for peace in our days and that with God's help, we succeed in making peace within our borders (based upon Psalm 147).

Most Recent Proposed American Legislation

- The Secure America and Orderly Immigration Act (S. 1033), a bill proposed in May 2005 by Senators Ted Kennedy and John McCain, sometimes referred to as the "McCain-Kennedy Bill"
- The Comprehensive Enforcement and Immigration Reform Act of 2005 (S. 1438), a bill proposed in July 2005 by Senators John Cornyn and Jon Kyl, sometimes referred to as the "Cornyn-Kyl Bill"
- The Comprehensive Immigration Reform Act of 2006 (S. 2611), sponsored by Senator Arlen Specter, which was passed in the Senate in May 2006 but never passed in the House
- The Comprehensive Immigration Reform Act of 2007 (S. 1348), sponsored by Harry Reid.

This Comprehensive Immigration Reform Act of 2007 was built upon all of its predecessors and among the changes to immigration policy would be increased border security, the elimination of the mechanism by which foreign nationals are allowed to immigrate by virtue of the ability of previous adult immigrants who gain citizenship to send for their adult relatives, allowing current illegal immigrants to file for a Z Visa, pay a fine, and be on the path to U.S. citizenship, and the creation of a new guest worker program under which temporary guest workers could stay in the country for two years, after which they would have to return home.

Most Recent Canadian Immigration Legislation

Immigration and Refugee Protection Act. Implemented in 2002:

Some of the objectives of this Act include (these are copied from the Bill itself):

- To permit Canada to pursue the maximum social, cultural and economic benefits of immigration;
- To enrich and strengthen the social and cultural fabric of Canadian society, while respecting the federal, bilingual and multicultural character of Canada;
- To see that families are reunited in Canada;
- To protect the health and safety of Canadians and to maintain the security of Canadian society;
- To promote international justice and security by fostering respect for human rights and by denying access to Canadian territory to persons who are criminals or security risks;
- To fulfill Canada's international legal obligations with respect to refugees and affirm Canada's commitment to international efforts to provide assistance to those in need of resettlement;
- To offer safe haven to persons with a well-founded fear of persecution based on race, religion, nationality, political opinion or membership in a particular social group, as well as those at risk of torture or cruel and unusual treatment or punishment;
- To further the domestic and international interests of Canada.

Summaries of Pertinent Public Policy Statements

Public Policy Organizations:

Jewish Council on Public Affairs (JCPA):

Here are some highlights from their extensive statements on immigration:

Immigrants and Refugees

The JCPA supports an equitable immigration policy that protects the human rights of all newcomers and the civil liberties of every U.S. resident. The JCPA opposes "English-Only" initiatives, which can deny foreign-born citizens equal access to the rights of all citizens. We support increased availability of "English-as-a-second-language" and other training programs to help immigrants and refugees move into mainstream American life (JPP 1990-1991).

Comprehensive Immigration Reform

The JCPA believes that the United States should maintain support for fair and generous legal immigration policies as an expression of our country's core values of refugee protection, family reunification and economic opportunity. Comprehensive Immigration Reform proposals should respond to this challenge in a manner that respects the human dignity and human rights of those who wish to enter. Such efforts should include programs that will simultaneously recognize economic realities and apply the labor rights and legal remedies to documented and undocumented individuals. They should also create opportunities for undocumented workers to earn legal status while providing needed labor in the United States. New legislation should aim to actually penalize the employers who knowingly hire undocumented workers, rather than the current situation in which the greatest impact is jeopardizing the status of those workers. Finally, they should address the longstanding problem of unacceptable backlogs in the family reunification visa categories.

The JCPA believes that recognizing that nations have the right and need to secure their borders and that national security is of critical importance: a) The United States has a valid national interest in promoting the rule of law, securing borders and excluding those who engage in criminal or terrorist activity; b) The U.S. should develop effective, reasonable and consistent security standards, to be applied to those wishing to enter as well as to those who are already here, whether legally or illegally; and c) The U.S. should allocate sufficient resources for the enforcement of immigration laws. Recognizing the inherent value and uniqueness of all individuals, their diverse origins, and the contributions that they can and do make to this country, many who migrate to the United States, are, for the most part: a) Hardworking and willing to endure great personal sacrifice to improve their circumstances; b) Devoted to family values, seeking to provide a better future for their children, and committed to educating their children; and c) Open and eager to embrace American culture and values, while preserving the culture and values of their countries of origin. Recognizing that the United States was founded by individuals who came here in search of religious and political freedom and economic

opportunity, and based upon the ethical imperative to ‘welcome the stranger,’ United States policy should make every effort to: a) Institute uniform, compassionate and humane protocols and criteria to process refugee and asylum claims, so that those fleeing persecution are protected; and b) Be accessible and welcoming toward those who wish to come here to work and live.

A family reunification policy should be implemented to eradicate the prolonged and inhumane separation of family members: children and parents, spouses, and siblings.

Recognizing that the United States has an interest in economic growth and revitalization: a) A rational system of immigration fosters entrepreneurship, attracts productive workers, and helps the nation maintain its competitive edge; b) When those presently undocumented become “legal,” their contribution to the U.S. economy through work, paying taxes, and buying goods and services is enhanced; c) For the U.S. to remain on the cutting edge in the sciences, the humanities, and the arts, and to foster the cross- cultural exchange of ideas that enriches our society, U.S. policy should be welcoming to students, researchers, academics and artists.

The Jewish Community Relations field should work to ensure that the U.S. develops reasonable, consistent, and effective security standards that will promote U.S. national security; Participate in coalitions and partnerships with individuals and groups in the immigration reform process; Work to ensure that those entering the country legally with the intention to settle here permanently are afforded a reasonable, effective, and judicious process, and that a rational and timely mechanism be developed to establish immigrants’ status; Work to develop a family reunification policy to eradicate the prolonged and inhumane separation of family members, such as children and parents, spouses, and siblings; Work to ensure that U.S. policy will grant asylum and protection to refugees and be accessible to those who need refuge from persecution (Resolution adopted by 2007 Plenum).

RAC (Religious Action Center)/Union for Reform Judaism:

They support Comprehensive Immigration Reform and their biggest problems with the most recent bill are with the potential dismantling of the family immigration system and the implementation of a temporary worker program that does not provide for a path to earned legal status. They are concerned that Members of the Senate are failing to recognize the truly humanitarian aspects of this debate.

Hebrew Immigrant Aid Society (HIAS):

HIAS continues to advocate for Comprehensive Immigration Reform through various coalitions, and will continue to work with our partners within the Jewish community and our non-Jewish partners to push Congress and the White House to pass comprehensive reform this year. They were responsible for the sign on letter that USCJ signed on to in 2005. The major points of this letter are listed below under USCJ.

Conservative Jewish Organizations:

The Rabbinical Assembly

The RA's most recent statement on Immigration (2007) featured the following policy recommendations:

- To create opportunities for earned legalization and a path to citizenship for undocumented immigrants already living in the United States as supported by President George W. Bush and the current U.S. administration.
- To prevent the exploitation of immigrant workers by guaranteeing wage and safety protections.
- To ensure that those who provide needed support and services to undocumented immigrants are not criminalized.
- To reduce the backlog in the family reunification system to preserve family stability.
- To allow immigrants access to public services without fear of retribution;
- To guarantee due process in immigration proceedings and the protection of civil liberties.

United Synagogue of Conservative Judaism:

In 2005, USCJ supported the "Interfaith Statement in Support of Comprehensive Immigration Reform." It asked the government to enact Immigration legislation that included the following reforms and values:

- An opportunity for hard-working immigrants who are already contributing to this country to come out of the shadows, regularize their status upon satisfaction of reasonable criteria and, over time, pursue an option to become lawful permanent residents and eventually United States citizens
- Reforms in our family-based immigration system to significantly reduce waiting times for separated families who currently wait many years to be reunited
- The creation of legal avenues for workers and their families who wish to migrate to the U.S. to enter our country and work in a safe, legal, and orderly manner with their rights fully protected
- Border protection policies that are consistent with humanitarian values and with the need to treat all individuals with respect, while allowing the authorities to

carry out the critical task of identifying and preventing entry of terrorists and dangerous criminals, as well as pursuing the legitimate task of implementing American immigration policy

- While we support the right of the government to enforce the law and protect the national security interests of the United States, we recognize that our existing complex and unworkable immigration system has made it nearly impossible for many immigrants - who seek to support their families or reunite with loved ones - to achieve legal status. Reforming the immigration system to address this reality would allow the U.S. government to focus its enforcement efforts on real threats that face all Americans - citizens and immigrants alike.

Women's League for Conservative Judaism

Women's League for Conservative Judaism resolved at their last Convention (2006):

- The United States should support fair legal immigration policies as an expression of our country's core values of refugee protection, family reunification and economic opportunity.
- Immigration reform should address border protection policies that are consistent with humanitarian values, while allowing the authorities to carry out the critical task of identifying and preventing entry of terrorists and dangerous criminals.
- Legislation should provide hard-working immigrants who are already contributing to this country the opportunity to pursue an option to become lawful permanent residents and eventually United States citizens.
- Reforms are needed in our family-based immigration system to significantly reduce waiting times for separated families who currently wait years to be reunited. Legislation should not only address the pressing issue of undocumented migration, but should also promote citizenship, civic education and policies to assist immigrants and refugees to naturalize and integrate into American society.

Guiding Questions

For use in both formal and informal educational opportunities

On Jewish Texts

The Torah combines the concepts of being a slave in Egypt and a stranger in a new land. Are these two people related? What are the similarities and what are the differences? We are taught, “Love your fellow as yourself” (Leviticus 19:18). Is that possible? How does this concept relate to immigration?

The laws of the Torah that relate to immigration are for Israel many millennia ago. Are they still relevant today in North America? If so, why? If not, why not?

On Your Family

When did your family come to North America? From where did they come? Why did they come here? What were their biggest obstacles? What helped them succeed in this country?

On Today’s Immigrants

In “The New Colossus” by Emma Lazarus, which is inscribed at the Statue of Liberty, it is written, “Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!” Do you think this value still applies to America and its immigrants?

What do you think should be the standards for today’s immigration policy? Should the texts provided guide our decisions?

What do we do with the millions of illegal immigrants? How should they be treated?

Compare/Contrast

How is your ancestors’ immigration experience different from/similar to that of immigrants today?

There has been significant debate regarding who should receive priority for immigration. What factors should the United States consider while setting immigration policy? Should knowledge of the English language be prized? Do you think the ethnicity or religion of an immigrant should be relevant? What if the policy had been different 100 years ago? When have you felt out of place? How could people have been more welcoming to you?

Plan of Action

Support Comprehensive Immigration Reform by contacting your representatives.

Encourage learning opportunities on this subject within your congregation.

Support organizations that are working to assist new immigrants to this country.