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“James Hoffmeier brings the clarity and structure of biblical society to the confusion and chaos of modern America. He hears the Bible speaking about the true meaning of sanctuary and of being a part of a society rather than a stranger. As a rabbi, I have shared Hoffmeier’s conclusions with members of my Jewish community who are fascinated and open to hear the message of this provocative and intellectually stimulating book. For anyone who believes in the Judeo-Christian way of life, this book is essential reading.”

Rabbi Benjamin Scolnic, Temple Beth Sholom, Hamden, Connecticut; Adjunct Professor, Southern Connecticut State University

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You only need to turn on the news to realize that we have a problem. Some might even label it a crisis. It is not just an American issue—illegal immigration has become the major social and legal challenge facing the western world in the twenty-first century. By the middle of 2006, over eight thousand West Africans had sailed in small boats to the Spanish Canary Islands off the coast of Morocco, hoping to settle in Spain.¹ On June 20, 2006, a group of Afghan asylum-seekers took sanctuary in St. Patrick’s Cathedral in Dublin and began a hunger strike to draw attention to their demands, threatening suicide if the police tried to remove them. Neighboring Britain believes there are more than a half million illegal immigrants within its borders. And in Germany reports indicate there are more than one million “illegals.” Even distant Australia is experiencing what CNN.com called “a tide” of illegal immigrants.

But in America the numbers are even more staggering. An estimated twelve to fifteen million (some reports are as high as twenty million) now reside illegally in the U.S.A. In one border state, Arizona, 10 percent of the population is now made up of illegal aliens.² In April and May of 2006, millions of immigrants and their supporters took to the streets of New York, Los Angeles,

¹As reported in the International Herald Tribune, June 2, 2006, 3.
²As reported on Fox News, December 12, 2007.
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and other American cities to demand the rights of citizens. In the eyes of many, this was a polarizing development because illegal immigrants came out of the shadows in droves to press Congress for legal recognition and to protest a law passed by the House of Representatives that made entering America illegally a felony.

In 2007 the Senate, with the prompting of President George Bush, tried to pass a comprehensive immigration bill that sought a legal solution to the undocumented millions. That summer, however, the measure failed due to an outcry from angry constituents who did not want to give “amnesty” to those who enter America illegally, while others thought that the path to legalization was too severe and would pose excessive financial hardship on poor people. These polar opposite positions indicated just how divided the American people are on the problem of illegal aliens.

This is not the place to debate the problems or the merits of immigration for America. The pressing issue is what to do with the millions of illegal aliens already here. Furthermore, politicians have had a difficult time agreeing on how or whether to defend the southern border, although a consensus has emerged that defending that border is a necessary first step. The world’s longest undefended border, that between Canada and the U.S.A., has not been an issue because there has not been an onslaught of illegal entries from the north. Consequently, most of the current debate surrounds the border between the U.S. and Mexico.

While some argue over the economic issues of immigration, that is, whether it is good or bad for the economy, others focus on the moral and legal questions. As a result, the nation as a whole and politicians in particular are divided. Republicans in the House and the Senate support diametrically opposing bills on how to handle the status of illegal immigrants—amnesty versus none. Democrat leaders are less divided, but there are differences among them nonetheless. Similarly, the Christian community is also at odds regarding the proper response to the immigration problem. Christianity Today magazine in a recent article offered this gripping subtitle: “Evangelical leaders divided over moral, policy ques-
tions on immigration.”3 No doubt people who consider the Bible to be a source of moral and ethical authority want to know what it has to say on how the nation should respond to the presence of illegal immigrants.

We live in times when the clamor to separate church from state has become shrill. Appealing to the Bible to help arbitrate the rather hostile national discourse may not seem like the obvious thing to do at this time in our nation’s history. After all, some might appeal to the Bible because they wish to impose “biblical” law on America, an anathema to secularists who represent the opposite extreme and don’t want the Bible to have any role in public policy or law. Such objections notwithstanding, the reality is that various communities, human rights organizations, and churches are appealing to teachings, laws, principles, and practices from the Bible or are quoting Scripture as the basis for the positions they advocate regarding immigration and the treatment of illegal aliens.

As already mentioned, some churches offer sanctuary to illegal aliens within their walls, and some individuals occupy churches in hopes of obtaining asylum. One well-publicized case in the U.S. was that of Elvira Arellano, a woman who had been ordered deported by a judge because of her undocumented status. Along with her son who was born in the U.S.A., she took sanctuary in a Methodist church in Chicago for a year. The pastor of Adalberto United Methodist Church, Rev. Walter Coleman, posted a lengthy statement on the church website condemning American immigration laws and suggesting that Ms. Arellano’s sanctuary was divine protection. He explained that “God has protected Elvira from deportation so that the light of truth and love might come into this debate and replace both the vicious self-degradation of hate and the arrogant self-righteousness of paternalism.” In August 2007, however, she emerged from the precinct, was arrested a short time later, and was expatriated. The reaction was telling: some wept, others cheered.

Some city councils—San Francisco, Denver, Minneapolis, New

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York, New Haven to name a few—have declared their community to be a “sanctuary city.” This means that the city will not cooperate with or assist federal officials who want to arrest and deport aliens. The practice of sanctuary—a place of legal protection—is rooted in laws of the Torah or Old Testament law. Sanctuary is not a modern practice invented to aid illegal immigrants. It goes back over three thousands years! So whether people realize it or not, the Bible is influencing the immigration debate and even inspiring the actions taken by some individuals, organizations, and municipalities. A crucial question must be asked, however: Is the Bible being used correctly by those who offer and practice sanctuary? This matter will be addressed in Chapter 4.

Those who support illegal immigrants on moral grounds, like Christians for Comprehensive Immigration Reform and the Sojourners, appeal to Bible verses like “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. You shall love the stranger as yourself, for you were strangers in the land of Egypt. I am the Lord your God” (Lev. 19:33–34). In fact this verse is posted on their website.4

Meanwhile the law-and-order camp appeals to St. Paul’s teachings in Romans 13:1: “Everyone must submit himself to the governing authorities”—i.e., the laws of the land. As noted already, the sanctuary movement originates with the practice of taking sanctuary in the cities of refuge as established in the Old Testament law. However, sanctuary advocates seem totally unaware of the conditions prescribed in the Bible for receiving sanctuary protection. Then, too, most Americans simply do not know that the Bible has much to say about immigration and immigrants. Clearly what we need is a fair and balanced treatment of all relevant biblical material to examine how it addresses these issues and to see what wisdom it might offer us. The fact is, the Bible records many stories that deal with immigrants as well as containing many laws and

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4See the Sojourner’s website where this verse is quoted on a press release dated 12/17/2007: www.sojo.net/index.cfm?action=action.display&item=CCIR_main.
ethical principles that could guide America, its people, organizations, churches, and even lawmakers as this nation wrestles with one of the most vexing issues of our time.

In this book we shall carefully examine the relevant biblical texts that bear on the issue of immigration and aliens. The narratives and laws of the Bible did not take place in a cultural and historical vacuum. Consequently, we will need to look at other ancient texts from the world of the Bible to understand what was going on during the days of Abraham, Moses, and David that shaped the teaching of Scripture. In my view this contextual approach is essential for establishing the setting of biblical stories and laws, thus providing the basis for understanding them.

Migrations of peoples did not begin with the Americas in the early seventeenth century. They have been a part of human history since God expelled Adam and Eve from the Garden of Eden and they settled east of Eden (Gen. 3:22–24). When Cain murdered his brother Abel, he went in search of a new home, fearing that someone would avenge the death of Abel. So he immigrated to the land of Nod (“wandering”), where he built himself a new home (Gen. 4:14–17). From the early pages of Genesis onward, there are reports of families, clans, and tribes migrating to foreign lands. For example, the people who built the tower of Babel (Gen. 11:1ff.) had emigrated from the east and settled in the land of Shinar, present-day Iraq. Centuries later, Abraham and his family migrated from the same region to the land of Canaan (Gen. 11:31–12:9), and this is where the story of ancient Israel’s ancestors begins.

What can we learn from these stories? What do the biblical laws dealing with immigration say regarding the alien that could help us today? On the one hand they protect the immigrant, while on the other hand they safeguard the nation receiving the new aliens.

In the following chapters we shall look at the biblical stories and laws, while at the same time we must consider their cultural, social, and legal settings in order to glean information about how ancient peoples dealt with the age-old quandary of immigration
and aliens. The intended result is that readers will have a handle for opening the Bible and using it in a responsible way when considering the policies toward and treatment of aliens and illegal immigrants in America. Of course, the issues treated here will be germane to citizens of any nation who have to face these issues and are looking for some direction on one of the most complex ethical dilemmas of our time.

Warning! When I began thinking about this issue, I thought an easy answer would emerge—a single verse or teaching, a silver bullet to solve the problem once and for all. Well, it is not that easy. I was pleased to discover that the Bible goes further than I had expected to address some of the issues we face regarding immigration. It is also clear that Scripture can critique misguided positions that some people have taken. Furthermore, it clarified some questions I had not expected it to address, such as what constituted an alien and the circumstances under which one could settle in a different country. The passages we will consider have something to say to the judicial system, to religious and political leaders, to employers, and to immigrants, legal and illegal. These do not offer a simple answer to our thorny problems, but they do provide some helpful guidelines that can inform the debate and perhaps move the national discourse in a constructive direction.

APPLYING THE BIBLE TO PRESENT-DAY LAWS AND ISSUES

How do we apply biblical law to current issues? How do we apply the ancient Hebrew prophets’ call for justice in Israel to contemporary western societies? These questions must be thoughtfully considered because the hermeneutical issues are thorny. Four common approaches will be considered here.

One way of applying biblical law to modern issues and laws is to look for literal correlations between the two. While this way of viewing the Bible is common among very conservative readers of Scripture, this approach is seriously flawed. I think most readers of the Old Testament law, Christians or Jews, will agree that the Sinai
legislation of Exodus 20–Deuteronomy 34 constituted the legal code for Israel and not for the U.S.A, Canada, the European Union, or any other country, although Christians will affirm with the apostle Paul that the Hebrew Scriptures were “written down for our instruction” (1 Cor. 10:11, ESV) and that God’s word “remains forever” (Isa. 40:8; 1 Pet. 1:25), while at the same time concurring with the distinguished theologian Gerhard von Rad that Scripture is “the particular word relevant to a particular hour in history.” Consequently we must be very careful about literally applying ancient Israelite law to the present without fully understanding the setting and context of the passage in question.

First, we must recognize the vast differences that exist between the cultural, economic, and social milieu of ancient Israel three thousand years ago and present western culture. They are not the same, and it is misguided to make one-to-one, literal correlations. For example, a person considered poor by modern western standards would be viewed as very affluent in ancient Near Eastern economies. A poor person in America may not have medical insurance (although he or she may have Medicaid or access to public clinics), but the commoner in ancient Israel (most people were farmers or pastoralists) most likely never saw a doctor in his entire life, and his children neither had checkups nor received inoculations! The same is true when we go from those considered to be impoverished in western nations to the poor in parts of Asia or Africa today. So applying ancient biblical law and the prophet’s message to the modern western context is not a simple task.

A second approach to applying the Bible to current practices is to take seriously the demand for justice found in Israel’s prophets. This appeal is taken by some as a call to fairly apply and practice American law. Martin Luther King Jr., in fact, did this. In his “I Have a Dream” speech, Dr. King quoted Amos—“let justice roll down”—followed by an appeal to the Declaration of Independence when it refers to “unalienable Rights” and “Life, Liberty and the

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pursuit of Happiness.” He rightly pleaded that blacks were not benefiting from the “Rights” guaranteed in the Constitution. Certainly any fair-minded person will agree that the laws of any nation should be consistently and fairly applied to its population.

A third approach is to examine the legal material in the Torah in order to understand the theological or ethical principle behind the Law and use that doctrine to shape or critique federal, state, and local laws. A proponent of this approach is Walter Kaiser Jr. In this model one examines biblical injunctions as a standard and extracts the ethical principle at work in the Torah. Armed with the ethical teaching, one can then assess present-day statutes and legal precedents to correct or adjust the law, and where there are gaps in our laws, biblical law can offer ethical principles and moral guidelines for establishing new laws.

A fourth method insists that one take a more comprehensive view of the teaching of the Bible in theological, social, and economic areas and thereby establish a biblical worldview as a way of evaluating contemporary social and legal issues. A champion of this approach is Christopher Wright. The advantage to this approach is that one can “preserve the objective” of the biblical teaching “but change the context” to any culture or time. Thus we are not time-bound as in the first approach.

The literal, proof-texting method of the first approach should be avoided because it is simplistic and naive. Typically those who want to apply biblical law to the western context do so selectively, accepting laws they personally feel comfortable with and rejecting those that create unease. The second approach of only using the call for justice in the Bible to promote “American” or “Canadian” justice certainly has much to commend to a society where the laws themselves are generally equitable but are being ignored for whatever reason. Limiting “justice,” however, to the application of existing law fails to recognize that the Bible can also serve as

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6For a copy of this speech, see http://www.americanrhetoric.com/speeches/mlkhavedream.htm.
9Ibid., 114–116.
a moral sounding board for our laws and can serve as an ethical foundation to challenge immoral laws. Certainly we should take the call to justice (social or otherwise) seriously (i.e., apply existing laws), but we must go beyond that.

Where relevant, ethical, and moral principles in biblical law and the application of it by Israel’s prophets can serve as a standard by which to evaluate present-day laws, and where the Law is silent, one can employ theological principles in the Bible to shape new laws in a way that would, in the words of the preamble to the American Constitution, “establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty.” This is the contribution that the system promoted by Kaiser can make. What do we do, then, if the Bible is silent on an issue? For example, the Bible does not mention abortion at all as it was not an issue to ancient Israel. One can indeed make a very strong case against taking life in the womb, but this requires an all-embracing biblical and theological argument.10

Wright’s model allows one to look for ethical principles in the Bible. However, it is done in a more comprehensive manner by examining the entire canon of Scripture through the lens of the major biblical themes of creation, fall, redemption, and new creation.11 In the following chapters we shall attempt to use this comprehensive approach especially as it relates to the alien in ancient Israel and then see how it might be relevant to the present dilemma facing people who care about national laws and biblical justice too.

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11Wright, Walking in the Ways of the Lord, 14–21.
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