

Parashat Behar-Bechukotai 5777

Lev. 25:8 You shall count off seven weeks of years—seven times seven years—so that the period of seven weeks of years gives you a total of forty-nine years.⁹ Then you shall sound the horn loud; in the seventh month, on the tenth day of the month—the Day of Atonement—you shall have the horn sounded throughout your land¹⁰ and you shall hallow the fiftieth year. You shall proclaim release throughout the land for all its inhabitants. It shall be a jubilee for you: each of you shall return to his holding and each of you shall return to his family.¹¹ That fiftieth year shall be a jubilee for you: you shall not sow, neither shall you reap the aftergrowth or harvest the untrimmed vines,¹² for it is a jubilee. It shall be holy to you: you may only eat the growth direct from the field...

Lev. 25:18 You shall observe My laws and faithfully keep My rules, that you may live upon the land in security;¹⁹ the land shall yield its fruit and you shall eat your fill, and you shall live upon it in security.²⁰ And should you ask, “What are we to eat in the seventh year, if we may neither sow nor gather in our crops?”²¹ I will ordain My blessing for you in the sixth year, so that it shall yield a crop sufficient for three years.²² When you sow in the eighth year, you will still be eating old grain of that crop; you will be eating the old until the ninth year, until its crops come in.

Lev. 25:23 But the land must not be sold beyond reclaim, for the land is Mine; you are but strangers resident with Me.

8 וְסִפַּרְתָּ לָהּ שִׁבְעַת שָׁבָתוֹת שָׁנִים שִׁבְעַת שָׁנִים
 שִׁבְעַת פְּעָמִים וְהָיוּ לָהּ יְמֵי שִׁבְעַת שָׁבָתוֹת הַשָּׁנִים
 תִּשְׁעַת וְאַרְבָּעִים שָׁנָה: 9 וְהִעֲבַרְתָּ שׁוֹפָר תְּרוּעָה
 בַּחֹדֶשׁ הַשְּׁבִיעִי בְּעֶשְׂוֹר לַחֹדֶשׁ בְּיוֹם הַכִּפּוּרִים
 תַּעֲבִירוּ שׁוֹפָר בְּכָל-אַרְצְכֶם: 10 וְקִדַּשְׁתֶּם אֶת
 שָׁנַת הַחֲמִשִּׁים שָׁנָה וּקְרַאתֶם דְּרוֹר בְּאֶרֶץ לְכָל-
 יִשְׂרָאֵל יוֹבֵל הוּא תִהְיֶה לָכֶם וּשְׁבַתְּם אִישׁ אֶל-
 אֲחֻזָּתוֹ וְאִישׁ אֶל-מִשְׁפַּחְתּוֹ תָּשֻׁבוּ: 11 יוֹבֵל הוּא
 שָׁנַת הַחֲמִשִּׁים שָׁנָה תִהְיֶה לָכֶם לֹא תִזְרְעוּ וְלֹא
 תִקְצְרוּ אֶת-סִפְיֵיהֶּ וְלֹא תִבְצְרוּ אֶת-נִזְרֵיהֶּ: 12
 כִּי יוֹבֵל הוּא קֹדֶשׁ תִּהְיֶה לָכֶם מִן-הַשָּׂדֶה תֹאכְלוּ
 אֶת-תְּבוּאָתָהּ:

18 וַעֲשִׂיתֶם אֶת-חֻקֹּתַי וְאֶת-מִשְׁפָּטַי תִּשְׁמְרוּ
 וַעֲשִׂיתֶם אִתְּם וַיִּשְׁבַּתֶּם עַל-הָאֶרֶץ לְבֶטַח: 19
 וְנִתְּנָה הָאֶרֶץ פְּרִיָּהּ וְאָכַלְתֶּם לְשִׁבְעַת וַיִּשְׁבַּתֶּם
 לְבֶטַח עָלֶיךָ: 20 וְכִי תֹאמְרוּ מִה-נֹאכַל בַּשָּׁנָה
 הַשְּׁבִיעִת הֵן לֹא נִזְרַע וְלֹא נִאֲסַף אֶת-תְּבוּאָתֵנוּ:
 21 וְצִוִּיתִי אֶת-בְּרַכְתִּי לָכֶם בַּשָּׁנָה הַשְּׁשִׁית
 וַעֲשֵׂת אֶת-הַתְּבוּאָה לְשָׁלֹשׁ הַשָּׁנִים: 22 וְזָרְעֶתֶם
 אֶת הַשָּׁנָה הַשְּׁמִינִת וְאָכַלְתֶּם מִן-הַתְּבוּאָה יָשֹׁן
 עַד | הַשָּׁנָה הַתְּשִׁיעִת עַד-בּוֹא תְּבוּאָתָהּ תֹאכְלוּ
 יָשֹׁן: 23 וְהָאֶרֶץ לֹא תִמְכַּר לְצַמְתָּת כִּי-לִי הָאֶרֶץ
 כִּי-גֵרִים וְתוֹשְׁבִים אַתֶּם עַמְדִּי:

KEY KOSHI: What does it mean to be *gerim-v'toshavim* - 'strangers resident'? What treatment do they/we deserve?

בָּרוּךְ אַתָּה, יי אֱלֹהֵינוּ, מֶלֶךְ הָעוֹלָם, אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ לְעֲסוֹק בְּדִבְרֵי תוֹרָה.
 Baruch atah, Adonai Eloheinu, Melech haolam, asher kid'shanu b'mitzvotav v'civanu laasok b'divrei Torah.
 Blessed are you, Adonai our God, Sovereign of the universe, who hallows us with mitzvot, commanding us to engage with words of Torah.

REMEZ

Gen. 23:4 “I am a **גֵר־וְתוֹשֵׁב** – resident alien – among you; sell me a burial site among you, that I may remove my dead for burial.”

RASHI: **גֵר וְתוֹשֵׁב אֲנִי עִמָּכֶם I AM A STRANGER AND A SETTLER WITH YOU** — A stranger having come from another land, but I have settled down amongst you. A Midrashic explanation is: if you agree to sell me the land then I will regard myself as a stranger and will pay for it, but if not, I shall claim it as a settler and will take it as my legal right, because the Holy One, blessed be He, said to me, (12:7) “Unto thy seed I give this land” (Genesis Rabbah 58:6).

RADAK: **גֵר וְתוֹשֵׁב**, I describe myself first and foremost as a stranger, seeing that I have come from another country. Yet I also describe myself as a resident, seeing that I have lived among you for many years and I intend to continue to remain among you. This is why I am asking you to give me some place within your country as an inalienable place to be mine and my son’s after me. At the moment I ask for only enough to bury my dead.

ALTER: **Sojourning settler...**The Hebrew, which reads literally, “sojourner and settler,” is a legal term that means “resident alien,” but the bureaucratic coloration of that English equivalent misrepresents the stylistic decorum of the Hebrew. At the very beginning of Abraham’s speech, he announces his vulnerable legal status, a hard fact of institutional reality which stands in ironic tension with his inward consciousness that the whole land has been promised to him and his seed.

Lev. 25:23 **But the land must not be sold beyond reclaim, for the land is Mine; you are but strangers resident [גֵרִים וְתוֹשְׁבִים] with Me.**

IBN EZRA: **For the land is Mine.** That is one heavy-duty reason! Moses said the same thing in his prayer: “O Lord, You have been our refuge in every generation (Ps. 90:1). You are like a permanent refuge, though “One generation goes, another comes” (Eccles. 1:4). Just so, “the land is Mine” – **you are but strangers resident with Me.**

RAMBAN: **You are but strangers resident with Me** – do not imagine that you yourselves are the point of it all.

SARNA: The Israelites—merely God’s tenants in the land of Canaan—do not have the right to alienate the land.

BACHYA IBN PAKUDA: To be prepared for the journey and for moving on, and to not become comfortable and settled in, as it is written: “The land shall not be sold permanently: for the land is Mine; for you are strangers and sojourners with Me” (Vayikra 25:23) [Duties of the Heart, Eighth Treatise on Examining the Soul 3:238].

DRASH

RABBEINU BACHYA in Duties of the Heart, Fourth Treatise on Trust 4:61

A man is necessarily in either one of two situations: either he is a stranger or he is among his family and relatives. If he is a stranger, let his companionship be with G-d during his time of loneliness, and trust in Him during his period of being a stranger. And let him contemplate that the soul is also a stranger in this world, and that all people are like strangers here, as the verse says "because you are strangers and temporary residents with Me" (Vayikra 25:23). And let him reflect in his heart that all those who have relatives here, in a short time, will be left a solitary stranger. Neither relative nor son will be able to help him, and none of them will be with him.

SHA'AR HABITACHON 4:47

And let him reflect in his heart that all those who have relatives here, in a short time, will be left a solitary stranger. Neither relative nor son will be able to help him, and none of them will be with him. (*Marpe Lenefesh*: i.e. he should reflect in his heart that it is for his benefit that he has no relatives or friends that he can enjoy with, and it is good for him so that he makes his companionship with G-d and places his trust in Him alone since he has no one else to trust due to his being a stranger. Furthermore, all of us are strangers because the soul, which is of divine origin, is in this world like a stranger in a strange land. And in truth, the essence of man is his soul...

ALAN MORINIS in WITH HEART IN MIND, Ch. 38: Judging Others Favorably

So significant is this practice that many count judging others favorably as one of the 613 biblical commandments, based on the verse "Judge your friend righteously," which is interpreted to refer not only to judges in a court of law but also to each of us in our daily lives.

Even as you work on aspects of yourself where you could do better, make an effort to judge others favorably and to give them the benefit of the doubt. See yourself as a student who has so much more to accomplish, not someone who has "risen" above others...Irving Bunim points out that if you take into account the whole person, in his or her entirety, you are bound to find that there are redeeming features that ought to factor in, and maybe even displace, your impulsive negative judgments.

Union of Reform Judaism's Resolution on Protecting Individuals at Risk of Deportation from the United States [2017]

We are instructed in the Holiness Code to treat the strangers in our midst with justice and compassion: "When a stranger [*ger*] sojourns [*ya-gur*] with you in your land, you shall do him no wrong. The stranger who sojourns with you shall be to you as the native among you, and you shall love him as yourself for you were strangers [*ha-ger ha-gur*] in the land of Egypt" (Leviticus 19:33). This teaching permeates Jewish tradition and is echoed 35 times in the Torah – the most repeated of any commandment. The history of the Jewish people from Egypt through the Holocaust until today reminds us of the many struggles faced by immigrants throughout the world. As a community of immigrants, we are charged to pursue justice, seek peace and build a society that is welcoming to all of God's creatures, regardless of their immigration status. In Genesis, three strangers visit Abraham, and he welcomes them into his home and into his heart without question (Genesis 18:1-22). This virtue of *hachnasat orchim*, welcoming the stranger, drives both our commitment to protecting undocumented immigrants from deportation and our dedication to the hospitality and inclusion of all people.

Throughout the Reform Movement's history, we have worked to protect the rights and lives of those who are undocumented. In 1985, both the Union for Reform Judaism and the Central Conference of American Rabbis adopted resolutions urging congregations to provide sanctuary to undocumented Central Americans and other refugees fleeing violence and oppression. That example of supporting those fleeing oppression in search of safety and a more secure future, and opposing laws and actions that fail to uphold principles of hospitality and welcome, continue to inspire us today. As Union for Reform Judaism President Rabbi Rick Jacobs said in a 2013 Biennial address, "Audacious hospitality isn't just a temporary act of kindness so that people don't feel left out; it's an ongoing invitation to be part of a community where we can become all that God wants us to be - and a way to transform ourselves in the process. Audacious hospitality is a two-way street, where synagogue and stranger need each other. Hospitality is not just our chance to teach newcomers but, just as important, an opportunity for them to teach us."

Once again, we are called to respond to the need to protect the lives and well-being of undocumented immigrants fearing deportation. More than 11 million such individuals currently live within the United States, having entered without legal documentation or having overstayed the period for which they were granted legal status. As a result, they are at risk of deportation from the homes and lives they have built here.

In light of Congress's failure to comprehensively address immigration reform, the Obama administration took executive action. A 2012 executive order created the Deferred Action for Childhood Arrivals (DACA) program, allowing over 750,000 DREAMERS, undocumented immigrants who were brought to the United States as children, the ability to work and participate in American society without fear of deportation. There was also an attempt, through the 2014 Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) executive order, to allow deferred action status to undocumented

immigrants who have children that are either American citizens or lawful permanent residents. That program was never implemented due to challenges in the courts.

Today, the prospects remain dim for legislation establishing comprehensive immigration reform. Instead, in recent executive orders, the Administration has called for the construction of a border wall on the U.S.-Mexico border with an increase in border patrol forces and deportations of undocumented immigrants.

In response to the increased threat of deportations, over 200 cities across the United States have designated themselves “sanctuary cities.” (Some cities have used differing designations, including “welcoming communities” and “freedom cities.”) While there is no formal definition of what constitutes a sanctuary city, in general such cities limit their cooperation with federal enforcement of immigration law.

Houses of worship across the country have committed to taking various meaningful actions to assist undocumented immigrants facing deportation. Among these actions is the act broadly known as “offering sanctuary” to provide temporary physical shelter (sometimes known as "harboring"), legal assistance, material support, English and citizenship classes, financial support, public advocacy and education.

Some congregations, after serious discussion within the congregation and with legal counsel, have decided to offer temporary physical shelter to undocumented immigrants facing deportation, recognizing the legal risks of their action. In his challenge to King David, the prophet Nathan offers an exemplary biblical model for confronting a state authority that wields its power unjustly and abusively. To a show of might, Nathan responds with rights, with truth.

THEREFORE, BE IT RESOLVED THAT the Union for Reform Judaism:

1. Celebrates the many ways in which Reform congregations are responding to fix what is broken in the U.S. immigration system and to support undocumented immigrants who are in need;
2. Recommends that congregations, after discussion within their congregations and with legal counsel, respond to the need to protect the lives and well-being of undocumented immigrants at risk of deportation by adopting a plan that could include one or more of the following:
 1. Providing sanctuary in the form of temporary shelter within their facilities;
 2. Providing legal assistance to fight deportation cases; and
 3. Providing material, financial or educational support;
3. Urges our congregations that plan to provide physical sanctuary to thoroughly research, with the assistance of legal counsel as needed, the issues attendant to such a decision, such as:
 1. Potential liability for "harboring";
 2. Property and Board insurance coverage;

3. Implications for the congregation's 501c3 tax status;
 4. Local zoning and occupancy ordinances; and
 5. The vetting and approval process within the congregation to determine whether a specific individual will be provided sanctuary;
4. Commends our congregations that are currently providing sanctuary to undocumented immigrants;
 5. Urges our congregations to join with like-minded groups to encourage local governments to declare themselves "sanctuary cities" and to support local governments and states that are currently under attack by the federal government for having declared themselves "sanctuary cities;"
 6. Continue to offer guidance through the Religious Action Center to congregations wishing to provide sanctuary in one or more of its forms, such as template board resolutions and contacts to communities already engaged in this work;
 7. Reiterates its call for the federal government to adopt a comprehensive immigration reform plan that provides a pathway to citizenship for undocumented immigrants, a plan to address border security, a means to meet the needs of employers, and a method of keeping families together;
 8. Opposes the selective and/or harsh enforcement of immigration law including the deportations of undocumented immigrants who were brought to the United States as children (DREAMERS); and
 9. Supports the continuation of the Deferred Action for Childhood Arrivals (DACA) and the implementation of the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program.