

TORAT CHOVEVEI

A YCT Community Learning Project

Parashat Behar Study Guide

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What Exactly is Our Responsibility to Immigrants?

Resident Aliens

1. Vayikra, ch. 19	ויקרא י"ט
<p>33 And if a stranger sojourn with thee in your land, ye shall not do him wrong. 34 The stranger that sojourneth with you shall be unto you as the home-born among you, and thou shalt love him as thyself; for ye were strangers in the land of Egypt: I am the LORD your God.</p>	<p>לג וכי-יגור אתך גר, בארצכם--לא תונו, אתו. ליד כאזרח מכם יהיה לכם הגר הגר אתכם, ואהבת לו כמוך--כי-גרים הייתם, בארץ מצרים: אני, ה' א-לקיכם</p>

Questions:

1. Who is this “stranger” that the Torah is referring to? How does one become a “stranger” of this sort?
2. According to the text, what is the quintessential case of the “stranger”. How similar to this case must one be in order to be considered a “stranger” and thus entitled to the protections that the Torah prescribes for them?
3. What is the irony of the last line? What part of the Jewish experience must it be referring to?

2. Vayikra, ch. 25	ויקרא כ"ה
<p>39 And if thy brother be waxen poor with thee, and sell himself unto thee, thou shalt not make him to serve as a bondservant. 40 As a hired servant, and as a settler, he shall be with thee; he shall serve with thee unto the year of jubilee... 44 And as for thy bondmen, and thy bondmaids, whom thou mayest have: of the nations that are round about you, of them shall ye buy bondmen and bondmaids. 45 Moreover of the children of the strangers that do sojourn among you, of them may ye buy, and of their families that</p>	<p>לט וכי-ימוך אחיך עמך, ונמכר-לך--לא-תעבד בו, עבדת עבד. מ כשכיר כתושב, יהיה עמך; עד-שנת היבל, יעבד עמך... מד ועבדך ואמתך, אשר יהיו-לך: מאת הגוים, אשר סביבתיכם--מהם תקנו, עבד ואמה. מה וגם מבני התושבים הגרים עמכם, מהם תקנו, וממשפחתם אשר עמכם, אשר הולידו בארצכם; והיו לכם, לאחזה. מו והתנחלתם אתם לבניכם</p>

<p>are with you, which they have begotten in your land; and they may be your possession. 46 And ye may make them an inheritance for your children after you, to hold for a possession: of them may ye take your bondmen for ever; but over your brethren the children of Israel ye shall not rule, one over another, with rigour. {S} 47 And if a stranger who is a settler with thee be waxen rich, and thy brother be waxen poor beside him, and sell himself unto the stranger who is a settler with thee, or to the offshoot of a stranger's family, 48 after that he is sold he may be redeemed; one of his brethren may redeem him... 54 And if he be not redeemed by any of these means, then he shall go out in the year of jubilee, he, and his children with him. 55 For unto Me the children of Israel are servants; they are My servants whom I brought forth out of the land of Egypt: I am the LORD your God.</p>	<p>אֲחֵרִיכֶם, לְרֵשֶׁת אַחְזָה--לְעֵלָם, בְּהֵם תַּעֲבֹדוּ; וּבְאֲחֵיכֶם בְּנֵי-יִשְׂרָאֵל אִישׁ בְּאֲחִיו, לֹא-תִרְדֶּה בּוֹ בְּפָרֶךְ. מִזֹּכֵר וְכִי תִשָּׂיג, יָד גֵּר וְתוֹשֵׁב עִמָּה, וּמֶה אַחִיהָ, עִמּוֹ; וְנִמְכַר, לְגֵר תוֹשֵׁב עִמָּה, אוֹ לְעֵקֶר, מִשְׁפַּחַת גֵּר. מִח אַחֲרֵי נִמְכַר, גְּאֻלָּה תִהְיֶה-לוֹ: אֶחָד מֵאֲחִיו, יִגְאֹלנוּ... נֶה כִּי-לִי בְנֵי-יִשְׂרָאֵל, עֲבָדִים--עֲבָדֵי הֵם, אֲשֶׁר-הוֹצֵאתִי אוֹתָם מֵאֶרֶץ מִצְרָיִם: אֲנִי, ה' אֱ-לֹהֵיכֶם.</p>
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<p>3. Midrash Torat Kohanim, Behar, 6:8</p>	<p>תורת כהנים, בהר, פרש' ו' פרק ח'</p>
<p>“And if a stranger who is a settler with thee be waxen rich...” What caused them to grow rich? Their attachment to you. “and thy brother be waxen poor...” What caused them to grow poor? Your attachment to them.</p>	<p>א וכי תשיג יד גר ותושב עמך מי גרם לזה שיעשיר דיבוקו עמך ומך אחיך עמו מי גרם לזה שיעני דיבוקך עמו</p>

Questions:

1. What is the position of the “stranger” here? What is the irony of contrasting this text with the last one.
2. What seems to be the attitude towards “strangers” in the Torah thus far? What piece of information is significantly absent in these texts?

<p>4. Encyclopedia Mikrait, vol. p. 546</p>	<p>אנציקלופדיה מקראית ערך גר (עמ' 546)</p>
<p>Regarding their origins, not all of the “strangers” in the Bible are identical. Various sources tell about members of non-Israelite nations who joined the tribes of Israel who left Egypt...But the greater number of the “strangers” mentioned are from a different origin. It makes sense that the people who lived in the land who David and Solomon used</p>	<p>מבחינת מוצאת אין כל הגרים שבמקרא שווים. כמה וכמה מסורות מספרות על בני עממים לא ישראלים שנצטרפו לשבטי ישראל שיצאו ממצרים ונכנסו לארץ (שמ' י"ב, מ"ח. וי' כ"ד, י'. במ' י"א, ד'). אבל רוב</p>

<p>as porters and stone-cutters ... “they were all survivors from the Amorites, Hittites, Perezites, Hivites, and Jebusites who were not from Israel, their descendants who remained after them in the land who the Children of Israel were not able to annihilate them, and Solomon used them for forced labor until this day” (1 Kings 9:20-21)... It appears that the vast majority of “strangers in Israel were the former residents of the land that the Children of Israel were not able to banish.</p>	<p>מניינם של הגרים הנזכרים הם ממוצא אחר. מסתבר הדבר, שהאנשים הגרים אשר בארץ ישראל שעשו אותם דויד ושלמה סבלים וחוצבים (דה"א כ"ב, ב'. דה"ב ב, ט"ז-י"ז)... הם כל העם הנותר מן האמורי, החתי, הפרזי, החווי והיבوسی אשר לא מבני ישראל המה, בניהם אשר נותרו אחריהם בארץ אשר לא יכלו בני ישראל להחרימם, ויעלם שלמה למס עובד עד היום הזה (מל"א ט', כ'-כ"א ובקצת שינוי לשון גם דה"ב ח', ז'-ח'). ... נראים הדברים, שרוב מניינם ורוב בניינם של הגרים בישראל היו תושבי הארץ הקדמונים שלא הספיקו בני ישראל לגרשם...</p>
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<p>5. Ibid., p. 547</p>	<p>שם (עמ' 548)</p>
<p>Since the stranger was poor and lacking all, God loves them and protects them. The Torah was careful to protect them and has many mitzvot not to short their wages, not to oppress them, to let them rest on Shabbat, to include them in the joy of holidays, and to give them a part of the ma'aser. And even though the stranger was of low status, they were free people and they could sue for offences in court, and the Torah and the Prophets proclaim and warn not to corrupt their judgements...</p>	<p>הואיל והגר הוא עני וחסר כל, ה' אוהב אותם ושומר עליו (דב' י', י"ח. תה' קמ"ו, ט'). התורה שקדה להגן עליו והרבתה בצווים לא לקפח את שכרו (דב' כ"ד י"ד), לא להונות אותו (שמ' כ"ב, ב'. ועוד), ליתן לו מנוחה בשבת (שמ' כ"ג, י"ב. ועוד), לשתף אותו בשמחת החגים (דב' ט"ז, י"א, י"ד), ולתת לו חלק במעשר (דב' י"ד, כ"ט). ואף על פי שהגר שפל במעמדו הריהו בן חורין ויכול הוא גם לתבוע את עלבונו בדין (עי' בייחוד דב' א', ט"ז), והתורה והנביאים מתריעים ומזהירים על עושק משפטו...</p>

Questions:

1. If the thesis of the Encyclopedia Tanachit is correct, who are the strangers we're protecting in the Torah? How does this influence our attitude towards immigrants and immigration?
2. Considering the identity of the vast majority of resident aliens in the Tanach (based on the Encyclopedia Tanachit), is there a distinction between legal and illegal immigrants in the treatment they should receive?

6. Operation 'Welcome Sudanese' Begins in TA

David ben Yacov, Arutz Sheva Israel International News, 7/21/11

A parlor meeting entitled 'Welcome the Sudanese' will take place in the posh North Tel Aviv neighborhood of Neveh Avivim in the first week of August.

This is a continuation of the 'Ramat Aviv First' initiative by MK Dr. Michael Ben-Ari (National Union), which seeks to make liberal Israelis in upper class neighborhoods aware of what it is like to have African infiltrators living near their home.

The MK claims that liberal "do-gooders" protesting deportation of foreign workers or infiltrators do not have to deal with them in daily life, as do people in poorer areas where schools are overrun by non-Jews without a clue about Judaism and crime rates have jumped. At the parlor meeting, local residents will be invited and requested to share in the burden of Sudanese absorption and 'adopt' Sudani refugees.

"A democratic society of equality and tolerance that embraces foreigners' is not just a slogan. These are values to live your life by." Posters carrying this message will be put up in the Ramat Aviv neighborhood prior to the parlor meeting.

The local residents of Ramat Aviv are called upon to act and not merely talk. The ads directed at the Ramat Aviv population pose a (possibly tongue-in-cheek) humanistic challenge: "Embrace the Sudanese in Ramat Aviv and hold them close. Be a role-model for the whole country, so that all Israelis will know that in Ramat Aviv you mean what you say. You are a liberal neighborhood that welcomes the foreigner."

The residents are requested to 'adopt' one Sudanese infiltrator per family. Ben-Ari intends to personally phone and invite most of the locals to the meeting. His office says that this will be a test for the residents of Ramat Aviv, particularly for those of them who speak out for Sudanese rights.

Much of what is referred to as the Israeli secular 'elite' lives in North Tel Aviv. Ben-Ari is addressing this clique of liberal-minded politicians, doctors, lawyers, thespians and celebrities who have been quoted saying that the state must look after the thousands of African refugees who crossed the border with Egypt, and are seeking refuge in Tel Aviv and elsewhere. Ben-Ari wants them accommodated in nice areas and not in slums.

As part of this initiative, Ben-Ari recently purchased dozens of tickets to the 'Gordon' swimming pool at the Tel Aviv marina, a pool frequented by the aforementioned group, to be used by Sudan refugees. The tickets were honored by the pool administration, and the foreigners got a refreshing swim.

Question:

1. What is the point of the “Ramat Aviv First” campaign? What is Ben-Ari trying to convince people of? How does this jive with the Torah instructions on treatment of the stranger? What do you think of his message?

Immigration Policy

7. Isaiah 16	ישעיה ט"ו
<p>4 Let mine outcasts dwell with thee; as for Moab, be thou a covert to him from the face of the spoiler....</p>	<p>דָּגְגוּרוּ בְּדָגְחִי, מוֹאָב הָיוּ-סֵתֵר לָמוֹ מִפְּנֵי שׂוֹדָד: כִּי-אֶפֶס הַמָּוֶץ כָּלָה שָׂד, תִּמְנוּ רִמְס מֶן-הָאָרֶץ.</p>
8. Ibid. 21	שם כ"א
<p>14 Unto him that is thirsty bring ye water! The inhabitants of the land of Tema did meet the fugitive with his bread. 15 For they fled away from the swords, from the drawn sword, and from the bent bow, and from the grievousness of war.</p>	<p>יָד לְקִרְאֵת צָמָא, הִתְיִו מַיִם; יִשְׁבִּי אֶרֶץ תִּימָא, בְּלַחְמוֹ קִדְמוּ נִידָד. טו כִּי-מִפְּנֵי חֲרָבוֹת, נָדְדוּ; מִפְּנֵי חֲרָב נְטוּשָׁה, וּמִפְּנֵי קִשְׁת דְּרוּכָה, וּמִפְּנֵי, כְּבֹד מְלַחְמָה.</p>
9. Sotah 38b	תלמוד בבלי מס' סוטה ל"ח:
<p>R. Joshua b. Levi also said: [The necessity for] the heifer whose neck is to be broken only arises on account of the miserly of spirit, as it is said: "Our hands have not shed this blood." But can It enter our minds that the elders of a Court of Justice are murderers?! The meaning is, [The man found dead] did not come to us for help and we dismissed him, we did not see him and let him go — i.e., he did not come to us for help and we dismissed him without supplying him with food, we did not see him and let him go without escort.</p> <p>Thanks to Ben Greenberg and Sefaria.org for this translation.</p>	<p>א"ר יהושע בן לוי אין עגלה ערופה באה אלא בשביל צרי העין שנאמר וענו ואמרו ידינו לא שפכו את הדם הזה וכי על לבנו עלתה שזקני ב"ד שופכי דמים הם אלא לא בא לידינו ופטרנוהו ולא ראינוהו והנחנוהו לא בא לידינו ופטרנוהו בלא מזונות לא ראינוהו והנחנוהו בלא לוייה</p>
10. Mordechai, Baba Batra, sect. 519	מרדכי מסכת בבא בתרא פרק לא יחפור [רמז תקיט]

<p>And thus it appears to me: If they are fleeing to the settlement because of fear and danger, the members of the settlement cannot prevent them from lending and earning their livelihood and the expenses of their households until the crisis has passed. And proportionately to the amount of money that they do business with, they should be taxed with the members of the city as it says, “if they are included in the kings taxes, they cannot be prevented. And is no distinction between a case where you can’t prevent them ever and this case where they will leave when the crisis has passed. Because the tax is levied based on the population...</p>	<p>וכן נ"ל אם בורחים ליישוב מפני פחד וסכנה אין בני היישוב יכולין לעכב בידם מלהלוות ומלהרויח כשיעור חיותם וכפי טיפול ביתם עד שיעבור הזעם וכפי מיעוט ממנום שנושאים ונותנים בו יתנו עול עם בני העיר כדאמרי' ואי שייך בכרגא דמתא לא מצי מעכב ואין לחלוק בין היכא שאין יכולין לעכב בידו עד עולם לזה שיש לו לצאת כשיעבור הזעם שלפי רבוי העם מטיל עליהם המושל העול...</p>
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Questions:

1. What kind of immigrants do these sources deal with? What kinds of numbers are they dealing with? What kind of permanence do they suggest in terms of the solution? What kind of immigration is not dealt with?
2. Do these texts represent a comprehensive “Jewish” approach to immigration policy?

<p>11. Talmud Bavli, Tractate Baba Batra, 21b</p>	<p>תלמוד בבלי, מס' בבא בתרא כ"א:</p>
<p>Huna the son of Rav Yehushua said, 'It is obvious to me that the citizen of a city can prevent the citizen of another city [from immigrating to their city] but if they are included in the king's taxes, they can't prevent them...'</p>	<p>... אמר רב הונא בריה דרב יהושע פשיטא לי בר מתא אבר מתא אחריתי מצי מעכב ואי שייך בכרגא דהכא לא מצי מעכב...</p>
<p>12. Mordechai, ad loc, sect. 517</p>	<p>מרדכי מסכת בבא בתרא פרק לא יחפור [רמז תקיז]</p>
<p>“The citizen of a city can prevent the citizen of another city [from immigrating to their city] but if they are included in the king's taxes, they can't prevent them...” The Aviasaf wrote, “I saw in the explanation of Rabeinu Tam ‘if they are included in the king's taxes,’ means that if they want to be included in the king's taxes, to pay together with them and to carry the burden like the people of the city from here on in, they cannot prevent them, and they will be like the people of the city.</p>	<p>בר מתא אבר מתא אחריתי מצי מעכב ואי שייך בכרגא דמתא לא מצי ... כתב אביאסף וז"ל ראיתי בפירוש ר"ת ואי שייך בכרגא דמתא שרוצה להיות שייך בכרגא לתת עמהן ולישא בעול כמו בני העיר מכאן ואילן לא מצי מעכב ויהיה כבני העיר ולהכי נהגו לגזור הקדמונים חרם על ישוב שע"י חרם כופין ולא מן הדין כדפרישית:</p>

<p>And this is why early [authorities] decreed <i>cherems</i> on settlement, because by way of the decree, they could force people [not to immigrate] which they couldn't do from the strict letter of the law as I explained.</p>	
<p>13. Tur, Choshen Mishpat, ch. 156</p> <p>A question to my lord and father the Rosh: A Jew who wants to go to a town to live there to earn money. And the people of the town say, "You are decreasing our livelihood," and wish to distance them from their border. Answer: They cannot prevent them for the Talmud only talks about a person who lives in a different town and is coming to set up a mill or a store in a different place and they are not included in their tax, the citizens of that town can prevent them, but it is an obvious thing that a person can live wherever they want and the citizens of the town cannot prevent them, for did the original settlers acquire the land through legal acquisition?</p>	<p>טור חו"מ קנ"ו</p> <p>שאלה לא"א הרא"ש ז"ל יהודי שרוצה ללכת לכפר לדור שם להרויח וא"ל אנשי אותו כפר קמפסדת לחיותינו ורוצים להרחיקו מעל גבולם. תשובה אין יכולין למנעו דלא קאמר תלמודא אלא אדם הדר בעיר הזאת ובא להעמיד רחיים או חנות במקום אחר ואינו שייך במס שלהם יכולן בני אותה העיר לעכב עליו אבל דבר פשוט הוא שאדם יכול לגור בכל מקום שירצה ואין בני העיר יכולין לעכב עליו וכי קנו אותו הראשונים בחזקה:</p>
<p>14. Beit Yosef, ad loc</p> <p>The Mahari"k, in ch. 191 extensively discusses these rulings and writes that what the Rosh wrote in his answer, that a person can live wherever they want and the citizens of the town cannot prevent them. It is obvious that he meant to say that the citizens cannot prevent them by way of Beit Din, but if they are able to close the door in their face whether by way of the secular authorities or by way of any block, it is obvious that they have that option. And the only person who would disagree with this must be stubborn and twisted, uncomprehending and unfit to rule.</p> <p>Bedek HaBayit: His words are perplexing to me. How can he tell people to overcome this [immigrant] by way of the secular authorities and not by way of Beit Din?! And even though the Rabbi exaggerated in his condemnation of anyone</p>	<p>ב"י שם</p> <p>מהרי"ק בשורש (קצ"ד) [קצ"א] האריך מאד בדינים אלו וכתב שזה שכתב הרא"ש בתשובה שאדם יכול לדור בכל מקום שירצה ואין בני העיר יכולים לעכב עליו פשיטא שרוצה לומר שאין בני העיר יכולים לעכב עליו על פי בית דין אבל אם תגבר יד בני העיר לסגור דשא באפיה הן על ידי השר הן על ידי שום מונע פשיטא שהרשות בידם ולא יחלוק על זה כי אם העיקש והפתלתול אשר לא ידע ולא יבין ולא הגיע להוראה עד כאן לשונו. [בדק הבית] ודבריו תמוהים בעיני היאך יופקד זה להתגבר עליו על ידי השר ושלא על פי בית דין ואף על פי שהפריז הרב על מדותיו להתריס נגד החולק על דבריו לא בשביל זה אמנע מלכתוב הנראה לי דמלאכת שמים היא ואין</p>

<p>who disagrees, I will not hold back what I think because of this. For it is the work of Heaven and one may not fear in these things.</p>	<p>משוא פנים בדבר [עד כאן:]</p>
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Questions:

1. What is the difference between Rabeinu Tam and the Rosh? What difference might this reflect in their values regarding immigration policy?
2. Does the ruling of the Mari"k represent his values or a technical legal argument? Is there a difference between the two? What does the Beit Yosef think? Does his response to the Mahari"k seem to be a values discussion or a legal discussion or both?
3. Is there a reason to distinguish between Jewish immigrants and non-Jewish immigrants in terms of the values expressed here?

15. Arukh HaShulchan, ad loc	ערוך השלחן חו"מ קנ"ו
<p>Sec. 12 ...The Medieval authorities disagreed about one who wishes to settle and they want to be included from this moment in the taxes of the town and in all of its needs, if the citizens of the town can prevent them from the law of the Talmud. For there are those who say that they can prevent them because the presumption of authority over who settles in a town belongs to the citizens and they can prevent others. And this is the position of Rashi and many Medieval authorities. And there are those who say that when the Gemara said that they can prevent a person who is not included in the town taxes, this is when they don't want to be included in the yoke of the city, but when they want to be included in all of the taxes and all of the needs, they cannot prevent them, for how did they citizens acquire the presumption of authority over who settles in the town? This is the position of Rabeinu Tam and the Rosh ... It is among the decrees of the earliest authorities about the presumption of authority on settlement. And the reason is that in their time the Jewish settlement was extremely unstable and the barbarous non-Jews banished them from place to place and in the</p>	<p>סעיף יב ... נחלקו רבותינו במי שבא להתיישב ורצונו מעתה לשאת בכל משאות העיר ובכל הצרכים שלה אם יכולים אנשי העיר מלעכב עליהם מדינא דגמ' די"א דיכולים לעכב משום דחזקת ישוב של העיר שייך ליושבי העיר ויכולים לעכב על אחרים וזהו דעת רש"י ז"ל והרבה מראשונים וי"א דזה שאמרו בגמ' שהבאנו בסעי' ו' שיכולים לעכב כשאנו שייך בכרגא שבעיר זהו כשאין רצונו ליכנס בעול העיר אבל כשרצונו ליכנס בכל המסים ובכל הצרכים אין יכולים לעכב על ידו דבמה קנו יושבי העיר חזקת ישוב העיר וזהו דעת רבינו תם והרא"ש ז"ל ... מתקנת קדמוני קדמונים שגזרו על חזקת ישוב והטעם מפני שבימיהם היה הישוב מישראל מרופה מאד והגוים הפראים הגלו אותם ממקום למקום וברבות הישוב מישראל רבו הבלבולים ותקפו הצרות ולכן גזרו כן כמ"ש המהרי"ק שורש קצ"א משא"כ עתה שהממשלה הרוממה מנחת לבני ישראל להתיישב בכל מקום שרוצים לא שייכא תקנה זו כלל ומזה יש להבין להורות ולדון בכל מדינה ומדינה לפי העניין ואף</p>

<p>multiplicity of Jewish settlements chaos and disaster was prevalent and therefore they made these decrees as the Mahari”k wrote. This is not true today when the enlightened government allows Jes to settle wherever they want and these decrees are not appropriate at all. And therefore we should understand and teach and rule in every land individually even according to the second opinion.</p>	<p>לדיעה האחרונה:</p>
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Questions:

1. How does the Aruch HaShulchan contextualize the position of the Mahari”k? Do those conditions exist today in places that struggle with immigration?
2. What other conditions exist today to possibly support the reestablishment of a decree “strengthening the settlement”? What kinds of immigrants to these kinds of conditions apply to? Refugees or Laborers?

16. One country that won't be taking Syrian refugees: Israel

Batsheva Sobelman, Los Angeles Times, 9/6/15

Israeli Prime Minister Benjamin Netanyahu on Sunday rejected a call to host refugees from Syria and elsewhere, saying that while Israel is "not indifferent to the human tragedy of the refugees," it is not in a position to take them in.

Netanyahu was responding to Israeli liberals led by opposition leader Isaac Herzog, who said Jewish history demands that the nation show compassion. Having themselves felt the “world’s silence,” Herzog said, “Jews cannot remain indifferent” to the carnage in Syria and the refugees’ plight...

In responding to such statements, Netanyahu stressed Israel’s medical care for over 1,000 injured Syrians, as well as efforts to aid African nations and thus stem the flow of migrants. However, he said that Israel’s “lack of demographic and geographic depth” requires controlling its borders against both “illegal migrants and terrorism.”

His reference to demographics referred to oft-expressed concerns in Israel about the country's Jewish population being overwhelmed by non-Jews...

Even those in support of opening the gates to refugees say they mean 10,000 at the most, with some calling for a token action such as that taken by former Prime Minister Menachem Begin, who in 1977 took in about 70 refugees from Vietnam.

Nachman Shai, a lawmaker from Herzog's party, was among those who were adamant that Israel had an obligation to do something. "We will not be able to solve the refugee problem but we cannot plug our ears and look away," he said...

17. U.S. response to refugee crisis is nowhere near that of Europe

Carol Williams, Los Angeles Times, 9/3/15

As European leaders engage in a blame game over which nations have done too little to ease the plight of refugees from the world's deadliest conflicts, the U.S. response has come in for scrutiny and been found sorely wanting by human rights advocates...

"If there is even a whiff of a security concern, no consular officer or security officer [from the multitude of U.S. agencies vetting applicants] wants to be the one that has his name on the bottom of a form where someone turns out to have done something horrible," Frelick said of the asylum seekers from Syria, Iraq, Afghanistan and other Muslim countries in conflict. "There is every incentive to say no and very few incentives to say yes. This stigma of terrorism, the fear of a needle in the haystack, tends to hold the whole haystack back."

The tragedy of that calculus, he added, is that "these refugees are the very people fleeing actors like ISIS. They are people who want no part of that world and those ideologies and want to come with their children to have a decent life where they won't cower and live in fear."

Politicians involved in the shaping of asylum policy acknowledge that concerns about terrorist infiltration play a role in their decisions. Rep. Peter T. King (R-N.Y.), chairman of the House Homeland Security Counterterrorism and Intelligence subcommittee, said during a June

hearing that on-the-ground intelligence capabilities in Syria and Iraq are insufficient to identify asylum seekers with terrorist connections.

"Terrorists have made it known they want to manipulate the refugee program to sneak operatives to the West," Rep. Michael McCaul (R-Texas), who chairs the House Homeland Security Committee, said at the same hearing...

Nearly 70,000 refugees were granted U.S. asylum in 2013, the year in which Syrians — arguably the most qualified under U.S. policy on rescuing those in life-threatening environs — numbered a mere three dozen. The asylum quota that year included more than 19,000 Iraqis, 16,000 from Myanmar, 7,600 Somalis and more than 2,000 from Sudan...

Some scholars of terrorism chafe at the criticism that the U.S. doesn't do enough to help refugees from the Middle East's caldron of conflicts.

"I don't really agree with the premise that the U.S. is somehow being unresponsive," said Jeffrey Bale, a professor of nonproliferation and counter-terrorism at the Middlebury Institute of International Studies in Monterey. "On the contrary, the refugee resettlement program in the U.S. has already taken in hundreds of thousands of Somalis and a significant number of Iraqis, and is now recommending taking in tens of thousands of Syrians, even though those Somali refugees have since created lots of problems."

He was referring to increased crime rates and welfare dependency, as well as security threats posed by inadequate vetting of migrants to prevent Islamic extremists from gaining entry to the United States and other Western countries...

18. Shin Bet says Sudanese stabber was influenced by Islamic State

Kamel Hassan Mohammed, shot after attacking soldier at Ashkelon bus station, said to have photos of IS terrorists on phone

BY RAOUL WOOLIFF, Times of Israel, February 25, 2016, 3:21 pm

The Shin Bet security agency said Thursday that a Sudanese man killed while carrying out a recent stabbing attack had been influenced by the radical Islamic State group. Kamel Hassan Mohammed, 32,

stabbed and lightly injured a 20 yearold soldier near the Ashkelon bus station last month before fleeing the scene. Another soldier who witnessed the attack gave chase and shot Hassan when he ignored calls to halt. Mohammed was rushed to a hospital in serious condition and later declared dead. The Shin Bet said that the investigation into the incident, carried out in conjunction with the Israel Police, concluded that the attack was inspired by the brutal actions of the IS terror group. "Among other things," read a statement, "it was found that Hassan was a devout Muslim and had photos of Islamic State operatives from around the world on his phone."... Representatives of the Sudanese community said he had been suffering from untreated mental health issues and was not a terrorist ... Mohammed crossed into Israel illegally in 2008. He was picked up by law enforcement officers and taken to the Holot semi open detention center in April 2014. The Shin Bet said he escaped from Holot a few months later and had been living in the southern cities of Ashdod and Ashkelon. A large number of illegal immigrants have arrived in Israel from Sudan through Egypt's Sinai Peninsula. Official figures show 45,000 illegal immigrants are in Israel, almost all from Eritrea and Sudan...

Questions:

1. What are the considerations that prevent policy makers from universally opening their doors to Syrian and other refugees? How are these considerations different in Israel and in America?
2. What lesson should we learn from the case of Kamel Hassan Mohammed? Is this a story about the dangers of illegal immigration or about the miniscule proportion of one terrorist in 45,000 people?
3. What can we learn take from the sources above to affect our personal and communal positions on immigration policy?