

# *TAKUM PROGRESSIVI*

## **Asylum seekers, refugees and borders**

### **Session 1 – Classical Jewish Sources**

בראשית א:כז וַיִּבְרָא אֱלֹהִים אֶת-הָאָדָם בְּצַלְמוֹ, בְּצֶלֶם  
אֱלֹהִים בָּרָא אֹתוֹ: זָכָר וּנְקֵבָה, בָּרָא אֹתָם.

**Genesis 1:27** And God created the human being in God's own Image, in the Image of God, God created the human being: male and female God created them.

## Hebrew Vocabulary

Brown-Driver-Briggs and Encyclopedia Britannica

(for Torah verses)

3-letter root for 'to create,' 'shape,' especially for creation by God	ב.ר.א.
humanity, human being, linked to the first man's name ('Adam') root 'adamah' = earth (thus the name Adam could mean something like 'earthling')	הָאָדָם
image	צֶלֶם
stranger, sojourner, alien	גֵר
3-letter root for 'to oppress'	ל.ח.צ.
widow	אַלְמָנָה
orphan, fatherless	יָתוֹם
3-letter root = mistreat, ill-treat, abuse	ע.נ.ה.
3-letter root = to call to one's aid, to cry out (to God) utterance of horror, anxiety, alarm, distress, sorrow	צ.ע.ק.
3-letter root = to know, perceive, to know by experience, discern, recognise	י.ד.ע.
a soul, living being, life, self, person, desire, passion, appetite, emotion originally meant "neck" or "throat," and later came to imply the "vital spirit"	נֶפֶשׁ
justice, judgment, case, cause	מִשְׁפָּט

## אבן עזרא

כ **וְגֵר לֹא-תוֹנֶה וְלֹא תִלְחָצֶנּוּ כִּי-גֵרִים הָיִיתֶם בְּאֶרֶץ מִצְרַיִם.**  
כא **כָּל-אֱלֻמָּנָה וְיָתוּם לֹא תַעֲנוּן. כִּב אִם-עֵנָה תַעֲנֶנָּה אֹתוֹ כִּי אִם צַעֲקָה יִצְעַק אֵלַי שָׁמַע אֲשַׁמַּע צַעֲקָתוֹ.** (שמות כ"ב: כ-כ"ב)

כאשר יקבל הגר שלא לעבוד עבודת כוכבים לא תונהו בארצך. כעבור שיש לך כח רב ממנו. וזכור כי גרים הייתם כמוהו. וכאשר הזכיר הגר שאין לו כח, ככה היתום והאלמנה שהם ישראלים ואין להם כח. ואחר שאמר "לא תענון" לשון רבים, אמר "אם תענה". כי כל רואה אדם שהוא תענה יתום ואלמנה ולא יעזרם גם הוא יחשב מענה. **כ"ב "אם ענה"-** והנה העונש: אם אחד יענה ואין עוזר, העונש על כולם.

ט **וְגֵר לֹא תִלְחָץ וְאַתֶּם יִדְעֶתֶם אֶת נַפְשׁ הַגֵּר כִּי גֵרִים הָיִיתֶם בְּאֶרֶץ מִצְרַיִם.** (שמות כ"ג:ט)

גם עם השופט ידבר, בעבור שלא יחשוב השופט כאשר יריב הישראלי עם הגר לעזור תורת ישראל. גם דברי יחיד: אמר הכתוב "לא תלחץ" והעד "ושפטתם צדק בין איש ובין אחיו ובין גרו" (דברים א: ט"ז)

יט **"אָרוּר מְטָה מְשַׁפֵּט גֵּר—יָתוּם וְאֱלֻמָּנָה"** (דברים כ"ז: י"ט)  
כי אין להם עוז(ר) והנה גם הוא בסתר והזכיר הגר גם היתום והאלמנה כי אם יטה הדיין משפט אחרים, יערערו עליו ויפרסמוהו, והגר והיתום והאלמנה אין להם כח...

## **Ibn Ezra**

**You shall not wrong a *ger* or oppress him/her, for you were strangers in the land of Egypt. You shall not ill-treat any widow or orphan. And if you do mistreat them, I will heed their outcry as soon as they cry out to Me. (Exodus 22:20-22)**

When the *ger* agrees not to practice idolatry you will not wrong him/her in your land. For, you have much more power than s/he does. Remember that you were *gerim* in the land of Egypt. Just as the Torah mentions the fact that the *ger* has no power, it also mentions the orphan and the widow, who are Israelites, but have no power. After the Torah says, "And you shall not ill-treat" in the plural, it says "If you shall mistreat" (in the singular). For, anybody who sees somebody mistreating the orphan or the widow and does not aid them, s/he is also thought of as one who is mistreating.

**(22) "And if you do mistreat"-** And here is the punishment: if one person mistreats and nobody comes to help out, the punishment is collective/for everyone...

**You shall not oppress a *ger*, for you know the soul of the *ger* because you were *gerim* in the land of Egypt. (Exodus 23:9)**

This is also directed towards the judge, so that the judge will not think to (automatically) side with the Torah of Israel (the Jew) when an Israelite has an argument with a *ger*.

This is also directed towards an individual: [thus] the Torah says, "You shall not oppress" (in the singular) and also says, "And you shall judge (plural) justly, whether [the dispute is] between any person and his fellow Israelite or [any person and] a *ger*. (The *ger* living amongst the community.)" (Deuteronomy 1:16)

**Cursed be the one who subverts the rights of the *ger*, the fatherless and the widow. (Deuteronomy 27:19)**

For they have no power (*oz*. In some versions: *ozer* - nobody to help them). And s/he is hidden [isolated, unknown, undocumented]. The text specifies the *ger*, and also the orphan and the widow, because if the judge subverts the legal proceedings of others, they will appeal his decision and make the matter known publicly. However, the *ger*, the orphan and the widow have no power.