

Issue

- 1) Present United States immigration legislation no longer effectively deals in a fair and just manner with contemporary problems. To meet today's needs and avoid discrimination and injustice, it is necessary for the United States—and probably other countries, as well—to review and reform immigration policies and legislation.
- 2) The “sanctuary concept” involves questions of religious, moral and legal dimensions. Although present United States immigration laws permit refugees who are in fear of persecution to enter this country, present interpretations and policies are contrary to this provision, especially as it applies to Central and South America.

Background

Immigration

The United States and Canada, more than any other countries, are nations of immigrants. Except for native peoples, who were on this land when explorers and colonists arrived, every North American is either an immigrant or a descendent of an immigrant.

Each country has the right to control the flow of persons across its borders, but this right should be wisely and humanely developed.

Motivation for immigration can be economic, political, religious, or for family reunification. From 1820 to 1930 the United States received approximately 60% of the world's immigrants. The first restrictions against any particular group was the Chinese Exclusion Act of the United States in 1882. In the same year, restrictions were strengthened against paupers, diseased persons and others considered undesirable.

Laws were also passed for the deportation under certain conditions of aliens. Despite Emma Lazarus' ringing words on the Statue of Liberty in New York Harbor, where the Lady lifts her torch beside “The Golden Door,” other restrictions were adopted. These included a literacy test for all immigrants (1917), The National Origins Act (1924) which excluded all Asians and in 1952, The Immigration and Nationality Act known as the McCarran-Walter Act. This Act was amended in 1965, abolishing the national origins quotas but placing limitations on non-Western hemisphere countries and putting for the first time Western hemisphere nationals under quotas for immigrants. (It was 1943 before the Congress of the United States had repealed the Chinese Exclusion Act).

Another facet of complex United States immigration law and policy, is that, during the last twenty years, some of the world's distinguished persons have been denied visitors' visas to enter the United States. The denials were based on grounds in a 1952 law barring members of certain political persuasion.

In the past two sessions of the United States Congress, attempts have been made to rewrite United States immigration law. Representative Romano Mazzoli of Kentucky (Democrat) and Senator Alan Simpson of Wyoming (Republican) have been sponsors of different bills. Although each was passed in its house of Congress, the bills failed in conference Committee. In July '85 Congressman Peter Rodino, Jr., Chairman of the House Judiciary Committee, agreed to sponsor a comprehensive immigration bill. He as stated that if action isn't promptly taken there is danger of a psychology developing which says, “Don't let anyone in.”

Many problems are to be faced in such legislation, including: control of illegal immigration, funding for improved enforcement, increased penalties for violations, unlawful employment of aliens, agricultural worker provisions, legalization of status of certain illegal aliens and anti-discrimination provisions. These items are now covered in what is named The Immigration Reform and Control Act of 1985.

Sanctuary

The awesome and tragic problem of refugees at this time from Central and South America has grave implications of religious and moral consideration. Jewish religious teaching reminds us that we may never forget that we were in bondage in Egypt. Even more poignant is Judaic emphasis on the value of human life and the right to live it under dignity. Men, women and children are fleeing oppression, torture and murder and are seeking haven in the United States, Canada and elsewhere.

The United Nations Convention relating to the status of refugees states, "No contracting state shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership in a particular social group or political opinion." In addition to being a signatory to the United Nations Convention, the United States Congress in 1980 passed the refugee act that provides for the granting of asylum to any refugee demonstrating a "well-founded fear of persecution" based on the same United Nations tenets. Nevertheless under a strict and even questionable interpretation of United States law and policy, the United States does arrest and deport refugees from Central America despite their well founded fear of persecution.

It has been in response to this conflicting situation that numbers of churches and synagogues have offered "sanctuary" to Central Americans who are fleeing violence and oppression. The United States government has interpreted a number of sanctuary actions as violations of law, with resulting arrests and convictions. Thus each person, each congregation or each community or even city which undertakes sanctuary activities to meet great and critical human needs must grapple with the problems involved of legality or illegality and the religious and moral underpinnings of their decisions.

While the subject of this resolution is of necessity pointed toward the United States, it is hoped that Sisterhoods of other countries will adopt it in ways that make the material applicable to them and their governments.

Resolution

The National Federation of Temple Sisterhoods urges:

1. Sisterhoods and their members to study current or proposed immigration legislation toward the end of expressing to their governments informed criticism and sound judgment thereon,
2. United States members to call upon the Congress of the United States to adopt, and the President to sign, a humane, well constructed Immigration Reform and Control Act of 1985,
3. Sisterhoods and their members to seek open borders for visitors through prompt granting of visas irrespective of applicants' political opinions, especially when they apply to attend meetings in their fields of endeavor or for other legitimate purposes,
4. Develop in Sisterhoods and among members an increased sensitivity to the plight of refugees from whatever nation and find opportunities to help them not only through advocacy but also in other practical ways,
5. Sisterhoods and their members either by themselves or in cooperation with others to:
 1. Sponsor information sessions for refugees to explain all remedies available to them under the Immigration and Nationalization Act and other legislation;
 2. Offer programs of assistance to meet legal problems, psychological and emotional counseling and language training for refugees;

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3.Cooperate in citizens' efforts to urge appropriate United States government officials to interpret present immigration law provisions dealing with "fear of persecution" in a fair and equitable manner.