

# Toward a Theology of Statelessness

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## **Biblical Concept of the Alien**

The Den Dolder Consultation (Netherlands, 2014) called for theological reflection and awareness on statelessness.<sup>1</sup> One useful entry point into such a theology, still in its infancy, is through the biblical concept of the alien,<sup>2</sup> and a useful way of approaching this concept of the biblical alien is through the Abrahamic narrative (see Gen. 11:27-36). This legendary narrative may be observed at two levels: the visible-obvious and the hidden-substantial. The visible-obvious is that of Abraham the nomadic wanderer moving from place to place with his extended family and their flocks in search of pasture. For them there was no fixed territory or demarcated boundaries<sup>3</sup>; their security was located in the freedom of movement. The hidden-substantial level indicates that this movement was at the direction of Yahweh, the God who had revealed God's self to Abraham and called him to be the founding father of a nation in a land set aside for him and his ancestors (Gen. 12 1-3). In the yet unseen and yet unknown lay the promise of nationhood for these nomadic wanderers on the sole condition of faithfulness to this one God, Yahweh.

More settled socio-cultural groups at that time perceived nomadic wanderers as those from beyond. They were considered strangers because they were different and had no territorial identity. They were viewed with suspicion (Gen. 46:34b) and had no access to whatever rights and privileges the settled community enjoyed. Located at the social fringes of life, they were easily termed aliens.

But this was not all. If the alien was asked where home was, they would answer everywhere. But when others settled and claimed land for their own and defined their boundaries, the wandering ones of everywhere, now overtaken, had nowhere to call their own. This consequently pushed them to the physical fringes of life<sup>4</sup> to become twice disadvantaged people like today's stateless of the world.

The early biblical image of the alien is therefore of a wandering people moving under the direction of God toward nationhood and a prescribed land. But at the same time, they were pushed to the social and physical fringes of life in a climate of land acquisition and territorial definition by other people, who had also moved toward nationhood based on defined boundaries.

## **Law and the Prophets: Protection for the Alien**

The exodus provides the background to the Hebrew law on the alien. The status of the Hebrews settled in Egypt deteriorates drastically until they suffer the ultimate humiliation of slavery (Ex. 1:13-14; 2:23). The groans of these oppressed slaves are heard by Yahweh, who

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<sup>1</sup> Such a quest begins with questions such as where is God in this human tragedy, what is God saying and what direction and life-giving options is God provoking and so on.

<sup>2</sup> Not an intruder from Mars but the human outsider among us.

<sup>3</sup> The instances of temporary migration that occurred were either because of prosperity (Gen. 13.8-13), or in crises such as famine (Gen. 12:10, Gen. 42:1-3).

<sup>4</sup> So, as we read in Joshua and Judges, the Israelites had to fight for the land as others had settled ahead of them.

calls and commissions Moses to lead them out of bondage and away from Egypt. The movement from Egypt amounts to a reversal of status. The oppressed slaves are drawn into a covenant with God-Yahweh through Moses and resume their stalled journey toward the dignity and fulfilment of nation-identity (Ex. 12:37, 50; 133:17).

It is during this journey from movement-identity toward nation-identity that Yahweh discloses the holiness code to the Hebrews (Lev. 19). The essence of this code is that Hebrew conduct and lifestyle are to reflect the character of the holy God who has delivered them from bondage (Lev. 19:2). It is within this wider teaching on several aspects of holiness that instruction is given on the treatment of aliens among the Hebrews. The content of teaching resembles a charter. It offers insights on the status and rights of the stateless and is a high point in Hebrew spirituality.

A substantial change is noticed in the charter-text on how aliens are referred to. They are no longer called strangers but resident aliens. Further, there is a double emphasis on inclusion, as the Hebrews are to treat the resident aliens as equals among them. "Native among you," "native born," "citizen among you," and "own countryman"<sup>5</sup> are some of the terms used by various translations of the Bible that strive to convey the idea of full inclusion.

As if this is not enough, the charter text makes a categorical requirement that the resident aliens are to be loved as the Hebrews love themselves. This amounts to unconditional acceptance and the surest guarantee against oppression, since love gives of oneself while oppression takes for oneself. The clarity of the charter-text leaves no room for exclusion or abuse of the resident aliens; neither is there room for misunderstanding or neglect.

The charter-text also includes a rationale for the complete inclusion of the resident aliens. The Hebrews are to remember that they were slaves in Egypt and refrain from treating others similarly. The memory of alienation in Egypt is to provoke a contrasting behaviour of inclusion. Elsewhere this rationale is set out in empathetic language. The Hebrews are to include the resident aliens because "you know the heart of an alien" (Ex. 23:9). Even if individuals among the Hebrews behaved to the contrary or called for a different reaction, the collective historical pain was to prevail for proper conduct and inclusion.

Finally, the charter-text attaches a stamp of authority to the inclusive treatment of the resident aliens. "I am the Lord your God," is none other than the God experienced in distress (Ps. 18:6; 50:152). God is not an unknown God, but a God of generosity and saving power. The Hebrews are therefore to continue to trust God's requirement, as it can only be in line with the wider unfolding covenant promise.

A summary of this charter-text on the treatment of the resident aliens highlights four key features; the principle of total equality, the practice of total inclusion, the rationale of contrast hardship, and the authority of a God who delivered the Hebrews from bondage.

The collective Hebrew convention on the treatment of the resident aliens in their midst is set out briefly under different types of security. These are the following:

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<sup>5</sup> See RSV, ESV, NIV, Green Bible, Jerusalem Bible.

1. Food security (Lev. 19:9, 10; 23:22; Deut. 24:19, 20). Not all produce is to be gathered at harvest time. Some of it is to be left for the resident aliens.
2. Constitutional security (Lev 24:22; Ex. 12:49). There is to be one law for both the citizen and resident aliens.
3. Justice security (Deut. 1:16, 17). Both, citizens and resident aliens are to be given a fair hearing by judges.
4. Religious security (Num. 15:15, 16; Deut. 20:10-12). The citizen and the resident aliens are equal before the law, within the covenant and before God.
5. Moral security (Deut. 27:19; Mal. 3:5). The resident aliens is not to be thrust away from justice and those who deprive them of justice are cursed.
6. Social security (Ps. 94:3-7). There is protest when the resident aliens are subject to violence.
7. Spiritual security (Jer. 7:5-7). The absence of oppression in the treatment of the resident aliens facilitates the presence of God.

### **Interim Comments**

The cluster indicates an ascending grid ranging from physical protection offered the resident aliens to the gift of grace that the presence of the resident aliens brings. Since the inclusive treatment of the resident aliens ensures the collective integrity of Israel, there is value in the real presence of the resident aliens, now no more a liability. When the inclusion of the resident aliens is in place, there is a flourishing of democracy that spills over among the surrounding nations. This takes the form of cities of refuge and protection for fugitives from other nations (Josh. 20:2f; Is. 16:3-5). The mandate here is radically humane and has eschatological connotations, as outlaws from elsewhere are to be settled in Israel until oppressors and marauders are no more and a throne of righteousness is in place. There is a subversive side to this political hospitality too, as fugitives are to be hidden in order that they may be saved. Hebrew law and convention on the alien is therefore both progressive and life giving.<sup>6</sup> They offer a model of community integration for citizens by birth as well as those naturalized.

### **Return to Oppression**

This is, however, not the end of the story. The post-monarchical period paints a different picture. A census (2 Chron. 2:17f) during Solomon's reign numbers the aliens in Israel at 153, 600<sup>7</sup> and describes their work as hard labour and cutters of stone under the supervision of their very own overseers. Rather than remembering Egypt to avoid oppressing the alien, the Israelites had chosen to remember and do exactly likewise.

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<sup>6</sup> This inclusion of the alien is, however, based on two conditions: the rejection of idolatry and circumcision. The place of such religio-cultural neutralization in exchange for security and stability is an area for further investigation and study.

<sup>7</sup> Said to be a tenth of the total population of Israel.

The reason for this complete reversal is best explained through the territorial expansionism and unprecedented extravagant lifestyle of sections of the Israelites under Solomon (2 Chron. 8:1-10). Such advancements always come at a price, and this is usually the exploitation of the underclass. As the text describes, the exploitation of aliens in their midst<sup>8</sup> was necessary for the economic excesses and achievements under Solomon.

### **The Prophets**

Nevertheless God's just ways manifest through a resilient Hebrew spirituality yet provide a deterrent to the violation of the charter-text on the resident aliens. This comes with the emergence of the prophets and the prophetic tradition, which primarily and relentlessly called for economic justice and an end to exploitation.<sup>9</sup> This implies that charters, laws, and constitutions, however noble, cannot stand by themselves. They need voices that remind, interpret, and insist on the equal and just belonging of all.<sup>10</sup> Such voices, however, are to stand in line with the prophetic tradition and speak truth with courage.

### **Jesus and the Disadvantaged Outsider**

During the time of Jesus, there is no reference to aliens<sup>11</sup> as outsiders, but categories such as Samaritans and tax collectors were considered social outcasts (Luke 5:30; John. 4:7-9). Occasionally the outsider was referred to as the foreigner (Luke 17:18). The Jews considered these outcasts unworthy of covenantal membership.

Two memorable secular events that surrounded the birth of Jesus require some comment: the Roman census that took Mary and Joseph to Bethlehem and Herod's death sentence on male babies that resulted in the family seeking refuge in Egypt. These events – the calculative as well as the brutal – are different manifestations of styles of oppressive governance by civil authorities.

Nevertheless there are profound theological insights of an incarnational, redemptive, and eschatological nature that rise through these negative thrusts. Given the Roman practice of household registration at a census, the birth of Jesus is officially registered. This way, God's unique act of entering human history as a human is recorded among humans in human history. With this, birth registration, the right of every child and parent, becomes a human right enjoyed by the human Jesus in whom God was present in fullness.

Also, the ruthless murder of male babies at the birth of Jesus takes away any illusions of a protected incarnation. God does not merely enter human history through Jesus but plunges into the brutal realities of human power struggles, indicating that the new life being initiated through a new creation was compelled to rise out of the chaotic events of history. Hence the stage was set at the birth of Jesus for the encounter between sacrificial

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<sup>8</sup> From which the citizens were exempt

<sup>9</sup> The recurring call of the prophets of the 8th BCE was for an end to accumulation and oppression – both manifestations of economic injustice.

<sup>10</sup> It was voices that made the recent changes in Sri Lanka possible. This was in spite of a fairly inclusive constitution being in place. The antidote to modern manipulative politics is none other than the voice of the people.

<sup>11</sup> The term, however, takes on a purely theological connotation that refers to humans in sin as aliens from the household of God. See Eph. 2:7-20.

love that prompted the incarnation and the resistance and evil machinations of the greed for power at all cost. Consequently, windows open to the inevitability of the cross in the quest for a better world and with it a hope that the work of recovery begun at the incarnation will reach completion sometime in the future.

It is in this tension of God at work in the midst of human affairs (the incarnation) and the oppressive obstacles imposed by humans to this initiative of sacrificial love (the cross) that we are to craft a way forward to that day when just integration will be restored (eschatological hope) and all disadvantaged outsiders will be treated with equal dignity and justice.

This background facilitates a review of Jesus' attitude to the disadvantaged outsiders. Two face-to-face encounters and two parables adequately demonstrate this attitude.<sup>12</sup>

### ***The encounter with the Samaritan leper: Luke 17:11-18***

When this twice disadvantaged human returns to thank God for healing grace, Jesus draws attention to his covenantal behaviour by commending the Samaritan's demonstration of gratitude. The question "Where are the nine?" (Luke 17:17-18) contrasts this covenantal behaviour of the excluded with the absence of covenantal behaviour in those who claim allegiance within the covenant.

In this dual public stance of commendation and critique, Jesus reverses the false and hurtful assumptions of the day to reconstruct and announce that God includes the excluded and calls for a review of the hypocrisy of those who confer inclusion on themselves to the exclusion of others. If through behaviour the outcast is within the circle of grace, then the hypocrisy of hierarchical social exclusion comes under judgement.

### ***The encounter with the woman at the well: John 4:19-24***

As her self-confidence is restored by Jesus – a male Jew asking water of a Samaritan woman – the woman is able to rise to an equal conversation on the delicate question of traditions of worship. It is as the exclusive temple tradition of the covenant people and exclusive mountain tradition of the extra-covenantal Samaritans engage each other that the inclusive truth of worship is revealed. Indeed God is worshiped (in spirit and in truth) beyond these exclusive locations wherever there is a desire for truth over tradition and the freedom of the spirit over space.

In this encounter, Jesus' revelation comes in two connected steps: first, it is in the meeting of the limited understandings of all truth that an elevation into more substantial truth is possible; and second, the more radical step, that the truth perspective of the outcast brings a value of its own that adds clarification to the reservoir of truth within the covenant. In this instance, the truth is regarding the primary and unchanging purpose of all creation: the worship of the Creator. To leave the stranger cast out of the truth equation is consequently detrimental to the covenant and closes the door in the common human quest.

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<sup>12</sup> So do the several other encounters between Jesus and other disadvantaged outsiders recorded in the gospels.

In a nutshell these teaching encounters clearly convey that God is at work among all cultures and human endeavour, and that this reality extinguishes the superficial human distinction between inclusive and exclusive communities.

***The parable of the good Samaritan: Luke 10:25-37***

Continuing on these lines, Jesus shifts to his most radical teaching on the disadvantaged outsiders. The conversation and questions that precede and lead to the narration of this parable focus on the core kingdom spirituality of love for neighbour. Adherence to this command is an indispensable ingredient of the covenant. Its violation amounts to sin.

As the parable unravels it becomes clear that not only does the disadvantaged outsiders stranger demonstrate this essential covenantal spirituality, but that those within the covenant are to follow the example of those they have excluded if they are to recover their lost spirituality and remain in the covenant. Put differently, the parable asserts that God has kept alive the central spirituality of the covenant people among those excluded from the covenant because the covenantal people had come to compromise the essence of this spirituality by refusing to love and include the disadvantaged outsiders. The covenantal obedience of the excluded stranger is thus a life-giving, even sacramental, presence in circumstances of religious arrogance and sustains hope for the common good, unlike the chosen ones who spread contempt to dislocate human community. If the stateless were to be included in the beatitudes Jesus would announce; “Blessed are those at the margins for they point the way to truth and life.”

***The parable of the last judgment: Matthew 25:31-45***

This parable has been understood in a limited way across the generations to suggest that good works that relieve human suffering are the criteria for continuing communion in God. Its thrust goes far beyond this, however, to articulate a dramatic example of secular spirituality. The ones who respond to human need are surprised to learn that Jesus is present in an inseparable way with and among the world’s vulnerable, and it is consequently in this inseparable integration of the vulnerable and Jesus that communion in God is sustained and ensured.

Here then is another radical edge to the gospel; those who dwell among the vulnerable dwell in Jesus and those in Jesus cannot but be amidst the vulnerable. It is in the very excluded and shunned fringes of life – considered untouchable and contaminated and too lost, forlorn, and inappropriate for human dwelling – that God in Jesus dwells. This calls for a rearrangement of human values and relationships that eliminates distinctions of inclusion and exclusion and affirms the sharing and celebration of a common life in God and the other.

**Implications for Statelessness**

1. Even though exclusion, rejection, and humiliation characterize the wanderings of the stateless, God’s option for the vulnerable disadvantaged suggests that God is present at a more substantial level with the stateless. They have not been abandoned; rather God accompanies and journeys with the stateless toward the dignity and stability of nation identity.

2. What matters in this journey of encounter is the humanity of the vulnerable. It is this humanity above all else that justifies the dignity of nation-identity and is a corollary to being made as humans in the image of God.
3. God is the source of the law: a collective code for proper conduct that ensures just integration for all, both citizen and guest, within a socio-cultural entity. But the law cannot stand alone. It is to be held under constant scrutiny and review; if not, it can be compromised, manipulated, abused, and distorted to the advantage of some, usually the powerful and the greedy.
4. So God raises prophets: to draw attention to the compromise and call for a return to the objective of the law – just integration for all.
5. Since bad laws and distorted justice can become a way of life, the presence and voice of prophets too, as the conscience of a people, are to become a counter way of life. Consequently, an alert civil society is essential for just integration since the best laws in the world are of little use if there is no accompanying social surveillance.
6. Review and critique should be continuing features of the democratic society. These impulses for just systems and order come from within the human made in God's image. They are nourished and passed on through institutions and practices that uphold the values and vision of just integration for all. The protection of these institutions and practices is therefore a sacred task conferred on every generation.
7. When good laws are compromised or bad laws passed, people of conscience are to take sides, resist, and work for the restoration of just integration with truth and courage. The objective of social justice, however, is inclusive reconciliation: where there is healing space for both the grieved victim as well as the repentant oppressor.
8. The law is not infinite. As and when human need and contingencies change and new challenges emerge, the law is required to adapt through reform to meet the aspirations of humans caught up these complex realities. The law (international as well as domestic) has no other purpose apart from serving the common good. Prophets and advocates who stand with the stateless are to never grow tired of legal reform that will reverse the status and conditions of the vulnerable disadvantaged in our midst.
9. God works even through the devices and strategies of oppressive regimes to bring to completion God's designs for stateless disadvantaged outsiders. This includes birth registration: a right that can emerge from forces working for the wrong objectives. The Caesars and Herods of our world are passing stages of interference. They are never to be allowed to have the last word.
10. Jesus brings stateless disadvantaged outsiders to the centre of the discourse to highlight their plight as well as their value and dignity. He does this through incarnational association and prophetic teaching so that all may rise to a life of inclusion.
11. Long before postmodernism claimed that truth was at the periphery also, Jesus taught that truth is where there is human community, and in particular vulnerable human community. He much more emphasized that stateless disadvantaged outsiders have a resilience and spirituality that enrich others, specially their oppressors. When this is recognized all stand to be transformed and the common

good benefits. Sustained exclusion is consequently detrimental to those who exclude others.

12. Finally, Jesus' clear answer is a resounding yes to the protection, prevention, and reduction of statelessness. He however goes further. If we dare to immerse ourselves in the lives of the stateless disadvantaged outsiders, this will trigger a common rising and the elimination of statelessness.