

Asylum in Britain

Bible study

A Bible study in six parts by Revd Anthony Harvey, an active member of the steering committee of the Churches' Refugee Network and former Canon Theologian at Westminster Abbey

Introduction

These Bible Studies attempt to focus on themes that are prominent in the Bible and are related to the predicament of some of the most vulnerable and traumatized of the world's citizens – people who have been forced to flee persecution in their own countries and arrive here, as they are fully entitled to do under international law, seeking sanctuary from their persecutors and a welcome into a land of safety. These we call asylum seekers. Some twenty-five thousand of them arrive in this country each year, hoping to achieve the status of refugee and to remain here at least until conditions back home become safe and tolerable.

The Bible seldom speaks directly about refugees – though there is much about 'strangers in our land'. There is, of course, one famous refugee in the Bible: Jesus himself, fleeing with his family to Egypt from the persecution of Herod the Great.

An angel of the Lord appeared to Joseph in a dream and said, "Get up, take the child and his mother, and flee to Egypt, and remain there until I tell you; for Herod is about to search for the child to destroy him." Then Joseph got up, took the child and his mother by night, and went to Egypt, and remained there until the death of Herod. (Matthew 2.13–15)

But this story, which many believe to be legendary, is not told by Matthew in order to draw attention to the family's condition as refugees, but to make an Old Testament text come alive with a new meaning –

This was to fulfil what had been spoken by the Lord through the prophet, "Out of Egypt I have called my son." (Matthew 2.15; Hosea 11.1).

It was the fact they had to go to Egypt rather than that they were refugees which was important to the evangelist.

On the other hand the way we welcome, or fail to welcome, refugees; the standards by which we judge their stories and their characters; the treatment we give them while they wait to know their fate; the humanity, or lack of it, with which they are handled if it turns out they cannot be accepted – all these, and more, are matters to which the Bible is highly relevant. The six studies that follow explore passages that seem to have a real bearing, not just on the plight of refugees themselves, but on the rights and wrongs of their cases and the obligations that should be met by the government and responded to, whenever possible, by individuals.

To read these passages in this way implies some knowledge of what it is like to be seeking sanctuary in a foreign land, what rights the seekers have, and how in fact they are being treated. The biblical study is therefore placed alongside evidence that is mainly excerpted from the reports presented during the summer of 2008 by the Independent Asylum Commission, a team of expert and authoritative people who have compiled the first comprehensive survey of the asylum system in the United Kingdom. In their first report they were able to commend the efforts being made by the Home Office to make the system work more effectively and humanely; but at the same time they drew attention to shortcomings which bear very hard indeed on asylum seekers and may force them into destitution, despair and self-harm. The situation as they describe it is one that must trouble the conscience of every Christian. These studies are intended to lay some groundwork, both for further study of the Bible, and for an informed approach to one of the most urgent humanitarian issues of today.

Using the Bible studies

At various points you will find questions are posed. You may want to pause and reflect on your own answers before reading further.

1. Your right hand saves those who seek sanctuary

Although heaven and the heaven of heavens belong to the Lord your God, the earth with all that is in it, yet the Lord set his heart in love on your ancestors alone and chose you, their descendants after them, out of all peoples, as it is today. Circumcise, then, the foreskin of your heart, and do not be stubborn any longer. For the Lord your God is God of gods, and Lord of lords, the great God, mighty and awesome, who is not partial and takes no bribe, who executes justice for the orphan and widow, and who loves the strangers, providing them food and clothing. You shall also love the stranger, for you were strangers in the land of Egypt. (Deuteronomy 10. 14–19)

This passage, from the law-book which fashioned the lives of the people of Israel for hundreds of years, encapsulates the whole problem of those seeking sanctuary in this or indeed any country in which there is both a strong sense of nationhood and a respect for human dignity and human rights. On the one hand, the Israelites believed themselves to be uniquely privileged by their special relationship with God: they were 'chosen'. This meant that they felt (as most Jews still feel) an inherited responsibility to preserve and maintain a national character, and to foster and preserve those qualities and characteristics which are distinctive and of which the Jewish people are rightly proud. On the other hand, there was a stern and recurrent demand involved in their unique vocation: they must resist the temptation to close their community against strangers and newcomers, but instead must 'love the stranger'; they must recognize in those of other nationalities and races who sought to live among them a class of specially vulnerable people for whom, along with 'the orphan and the widow', God in his justice has a special concern.

Is this relevant to our own times?

Some of this rings true for the British people as much as for those Israelites. On the one hand most of us believe that there is indeed something special about our own nationality. We have a long and distinguished history, we have a legal and constitutional system of which we are justifiably proud, we have a cultural and social inheritance and a national character which (at least in its good aspects) we feel it our duty to foster and preserve; and this lays a primary responsibility on government to protect our values, control our borders and prevent an influx of unwanted immigrants. On the other hand this country has an honourable tradition, strongly supported by those with religious faith, of helping those who are destitute and giving sanctuary to those fleeing persecution.

Like other countries in the developed world, Britain is an attractive destination for those who struggle to survive in countries infinitely poorer than ourselves, or who are forced to flee their homes by reason of famine, civil war or persecution. Among those who arrive here for these reasons, asylum seekers – that is, those who claim that they have ‘a well-founded fear of persecution’ – attract a great deal of attention socially and politically, even though they constitute a relatively small proportion of the total number of immigrants (at present no more than 5%). The reason is that some of them undoubtedly abuse the system by claiming asylum when they have no valid claim, and considerable administrative and legal resources are required to distinguish them from genuine claimants, so adding to the burden on the taxpayer of providing for those who are genuinely fleeing persecution. The existence of these ‘refused asylum seekers’ – many of whom may be in equally acute need, but do not fall within the legal definition of those ‘with a well founded fear of persecution’ – tends to create a popular distrust of asylum seekers in general.

What are our own attitudes?

‘Most asylum seekers are economic migrants ...the system is played by immigration lawyers and NGOs to the nth degree’ (Government Minister, 2008).

‘The treatment of asylum seekers falls seriously below the standards to be expected of a humane and civilized society’ (Independent Asylum Commission, 2008).

Attitudes easily become polarized. Yet this is no black and white issue. The government has a duty to control our borders and regulate the flow of immigrants. It is within its rights to distinguish between those who can demonstrate a genuine claim for asylum on the grounds of persecution and those who merely seek economic betterment. It has only limited money to spend on verifying asylum seekers’ claims, providing for their immediate material support and accommodation, guaranteeing adequate legal representation throughout the process, returning them to their own countries if they cannot prove their claim or else assisting them to be integrated with British society if they are permitted to remain. At the same time it is required under international law to give them a fair chance to prove their claim and to respect their dignity and human rights. Balancing these claims and responsibilities is never going to be easy. Nevertheless,

The Commission has found that the UK asylum system has improved and is improving, but is not yet fit for purpose. The system still denies sanctuary to some who genuinely need it and ought to be entitled to it; it is not firm enough in returning those whose claims are refused; and is marred by inhumanity in its treatment of the vulnerable. (Independent Asylum Commission 2008)

Thus, in the matter of those who seek sanctuary in this country, we recognize the tension that is acknowledged in this passage of Deuteronomy. On the one hand there is the very proper concern to preserve our national character and institutions by limiting the number of 'strangers in our midst'; on the other there is the divinely authorized command (which accords with some of our deepest instincts) to show understanding and compassion towards these victims of injustice, violence and persecution – that is, to 'love them' in the way that we are commanded to 'love our neighbour as ourselves'.

What are our responsibilities?

Consider this prayer of the psalmist:

*Hear a just cause, O Lord; attend to my cry;
give ear to my prayer from lips free of deceit.
From you let my vindication come; let your eyes see the right.
If you try my heart, if you visit me by night,
if you test me, you will find no wickedness in me;
my mouth does not transgress.
As for what others do, by the word of your lips
I have avoided the ways of the violent.
My steps have held fast to your paths,
my feet have not slipped.
I call upon you, for you will answer me, O God;
incline your ear to me, hear my words.
Wondrously show your steadfast love,
O saviour of those who seek refuge
from their adversaries at your right hand. (Psalm 17. 1–7)*

Those who have worked with asylum seekers would recognize this as a prayer that many of their clients could utter with absolute sincerity. The persecution they have suffered has been for reasons of their race, their religion or their opinions, matters in which they know themselves to be perfectly innocent. Coming to this country, many have encountered disbelief, hardship and a continued threat of being returned to the situation which they fled, and which could result in their imprisonment, torture and even death. We, as Christians, believe that the God to whom the prayer is addressed is a God of justice who is opposed to all these things and who hears the cry of the innocent and defenceless. But it is not a prayer to be used only by others. The psalms are our own prayers, we pray them again and again in our worship. This one, along with many others, commits us to take these things to heart, and to do all in our power to see that such injustices are banished from the land.

2. No lasting city

By faith Abraham obeyed when he was called to set out for a place that he was to receive as an inheritance; and he set out, not knowing where he was going. By faith he stayed for a time in the land he had been promised, as in a foreign land, living in tents, as did Isaac and Jacob, who were heirs with him of the same promise. For he looked forward to the city that has foundations, whose architect and builder is God. ... Therefore Jesus also suffered outside the city gate in order to sanctify the people by his own blood. Let us then go to him outside the camp and bear the abuse he endured. For here we have no lasting city, but we are looking for the city which is to come. (Hebrews 11.8–10; 13.13–14).

Who are the people to whom this was written? We do not know for certain, but it seems that they were Jews, recently converted to Christianity and feeling acutely the loss of that sense of security given them by membership of the Jewish community, which they had been forced to leave when they accepted their new faith. The writer challenges them to understand that this is precisely what will enable them to experience solidarity with Jesus, who was deprived of all human security, even to the point of losing his life. In return, they inherit a community that knows no national boundary, necessarily fragmented now, but containing the promise of a universal reality in the future.

Now read Philippians 3.20:

But our citizenship is in heaven, and it is from there that we are expecting a saviour, the Lord Jesus Christ.

Here Paul has the same message, but addressed to quite different people. The new Christians in Philippi were citizens of a Roman colony, a settlement of retired Roman soldiers who placed great store by the fact that their city enjoyed privileged status in the Empire: their 'citizenship' was a source of pride. But these Christians too are being bidden to find their hope and security, not in any national identity (even that offered by being a Roman citizen), but in a new community, the new state of affairs already created by Christ but also still to be brought to completion by his final coming as Saviour of the world.

Is there a similar message for us?

We too have a community, a nation, to which we are attached and of which we are encouraged to be proud. We believe that the United Kingdom has a significant part to play in world affairs. But at the same time we are part of larger associations of peoples – the Commonwealth, the EU, NATO, above all the United Nations. To all of these we have to yield some part of our sovereignty. In certain respects we have already had to forfeit our right to manage our own affairs without interference – we have opened our borders, for instance, to all EU nationals. 'Nationality' is steadily becoming something less cut and dried.

As Christians we are challenged to go further: to subordinate nationality altogether to a greater loyalty – the community of all human beings under God, the City that is to come. We are challenged to see frontiers, visas, passports as contingent necessities, of no

ultimate value in comparison with the essential relatedness of all human beings and the promise of a universal community in which all find their dignity and their destiny.

How, then, do we react when our borders are used to bar the way against those who are suffering acute duress in their own countries? When passports and visas become an insuperable barrier between people and safety? When we find ourselves citizens of 'Fortress Europe', its walls sealed by frontier guards and immigration officers with full powers to return immigrants to where they came from?

'There is a sense in which the UK authorities assume, and wrongly so, that, when one flees persecution, they have all the time in the world to organise legal travel documents.'

Of course it might not help them if we abolished borders altogether: it is precisely the fact that they can cross a frontier which gives to the persecuted hope of safety from their persecutors. But when they find that the border seems impermeable; when there is no way that, as asylum seekers, they can enter the country legally; when they risk being charged with an offence and even imprisoned simply by virtue of not having the correct papers (how could they?) – can we say that 'borders' must always have priority? Must we not keep in mind our true citizenship that is in heaven?

Here is the experience of a Bolivian indigenous leader who arrived in Britain to claim asylum in 2003:

'When I arrived I was in a state that wasn't normal for me. My first problem was at the airport with the language. Then there was the interrogation. It is difficult to remember what was happening to me because of the psychological effects of what had happened to me ... I was really frightened that the information I was giving them would be passed on to the Bolivian authorities. It was like another interrogation ... it was another psychological trauma ... it seems like I was back in Bolivia. The only difference was they weren't beating me up ...'

Are borders sacrosanct?

Of course there is a great deal that border control does for us. It is a mechanism for limiting the size of the population, of preventing our schools and social services being overwhelmed by floods of immigrants, our jobs being taken by foreigners willing to accept lower wages. But we must watch the rhetoric – we are not going to be 'swamped' by the mere twenty-five thousand asylum seekers who come to this country each year. Certainly we may recognize the necessity of guarded borders in the world as it is; but should we use them as an excuse to exclude anyone whom we have not deliberately chosen to be here? Indeed, as Christians, must we not give national frontiers second place compared to the wider privileges and responsibilities of our citizenship in heaven?

In the ancient world there were few frontiers as we understand them today, other than those between the Roman Empire and its enemies. But there was one very strict barrier: that between Jews and gentiles. Gentiles could not enjoy full privileges of citizenship in a Jewish community; Jews could not mingle freely with Gentiles. The exclusion zone was as strict and impermeable as any national frontier today. So we can sense the radical novelty and stirring hope contained in these words addressed by a Jewish writer to Gentile hearers and readers:

But now in Christ Jesus you who once were far off have been brought near by the blood of Christ. For he is our peace; in his flesh he has made both groups into one and has broken down the dividing wall, that is, the hostility between us. He has abolished the law with its commandments and ordinances, that he might create in himself one new humanity in place of the two, thus making peace... So then you are no longer strangers and aliens, but you are citizens with the saints and also members of the household of God. (Ephesians 2.13–19)

3. See right done to the afflicted and destitute

*How long will you judge unjustly and show partiality to the wicked?
Give justice to the weak and the orphan, maintain the right of the lowly and the destitute.
Rescue the weak and the needy; deliver them from the hand of the wicked.
(Psalm 82. 2–4)*

The justice of God in the Old Testament is always disconcerting. When we think of justice, we usually have an image in our minds like the scales over the Old Bailey: the whole purpose of the judicial system is to be scrupulously fair, fair in assessing evidence, fair in sentencing. But God, we find, has different priorities. Certainly, justice must be evenhanded, incorruptible, accessible to all; but it must also lean towards the least protected, the most vulnerable, the weak and the poor, the widow and the orphan. The Hebrew law book was written in full consciousness of the way in which the rich and the powerful tend to get their way, even in the law court. Judges must be on their guard against them, and pay special attention to the most defenceless of those who come before them.

When asylum seekers arrive in this country, or when, already here, they make their claim for sanctuary, they are immediately confronted with a legal process. Before their very first full interview they are advised they need to consult a lawyer to help them present their case. *A lawyer?* That means the interview will not be with someone like a social worker who would help them tell their story. They must have their story ready and prepare to be *judged*. The chances are (at present at least 70%) that the judgment will go against them: their story will be disbelieved, their claim for asylum will be rejected. They can then appeal; but a lawyer must have advised them they can do so, and a lawyer must now prepare their case and represent them at a tribunal, where the proceedings are conducted as in a British law court, with counsel on the other side seeking to demolish their case. If they are fortunate enough to have a good lawyer, there is a good chance they will succeed; but lawyers are expensive. Legal aid, like other public services, is increasingly subject to economies, and good lawyers prepared to undertake the work have become scarcer. No wonder the Independent Asylum Commission took the view that 'the adversarial nature of the asylum process stacks the odds against asylum seekers'. Indeed the odds against them may be greater still: many asylum seekers are 'fast tracked', that is, judged to have cases that are unlikely to succeed and can be resolved quickly. They are taken into detention, and the entire process may be pushed through in as little as ten days, leaving lawyers barely time to prepare their case.

‘When I went through the detained fast-track I felt like they were giving me a direction – straight back to my own country. There was no way they could verify my story in two weeks.’

Is this the right way for claims to be decided?

In each case it may be a matter of life or death for the claimant. Suppose it is someone who has been tortured and whose case rests on that fact. Survivors of torture notoriously find it difficult to speak of their experiences. Is a formal interview within days of arrival, or a court case fought out between lawyers, an appropriate way to decide whether such a victim’s story is true?

Immigration officers or judges certainly have a difficult task: they have to decide whether the claimant is telling the truth, but there may be no witnesses, no supporting evidence, nothing but a man or woman’s own word – and not all asylum seekers are genuine. Yet if the story is true, the person may be in serious risk at home and has an absolute right under international law to be here. More than that, he or she deserves, not just the right to enter the country, but the compassion and help of others. Are the procedures that are in place at present the right way to establish the truth?

This is the experience of a woman from Cameroon appealing against an initial decision:

‘I thought that ... the interviewer at the Home Office obviously did not understand everything that I was saying. I thought at the court I will have more of a chance to explain my story. I had faith because I was telling the truth that it would be O.K.’. But she was disappointed. The judge at the appeal hearing “just concentrated on my health ... She made me feel I was here to receive medical treatment.”

‘Witnessing to the truth’ – a Christian vocation?

‘What is truth?’ said Pilate, and Jesus gave no answer. Or rather, he had already given an answer: ‘For this I came into the world, to testify to the truth’. Earlier he had said, ‘If you continue in my word, you are truly my disciples; and you will know the truth, and the truth will make you free. (John 18.37; 8.31–2)

Discipleship of Jesus means commitment to the truth; and this means not just the truth about God. It means the truth about people, about the stranger and the suppliant – not going by hearsay or first impressions or superficial enquiry, but the truth which comes of patient listening, sympathy, sensitivity to the embarrassment, the hurts and the fears which may prevent someone from revealing all the truth.

John’s gospel is a drama about truth. Again and again Jesus confronts those who doubt him, who fear his influence, who cannot accept him for what he truly is. Like an asylum seeker, he has no evidence he can put forward for his claims, no new witness he can call. The issue is simply whether he can be believed on his own word and in the light of his own deeds. And it is a drama played out on two stages. One is the scene in Jerusalem, where Jesus tries to persuade his adversaries of his true nature and mission. The other is where the author of the gospel implicitly addresses the reader over the heads of the characters. The challenge was not just to ‘the Jews’. It is also to the reader:

Now Jesus did many signs in the presence of his disciples, which are not written in this book. But these are written so that you may come to believe that Jesus is the Messiah, and that through believing you may have life in his name. (John 20.30–31)

The most precious thing asylum seekers have is their story. They are confronted by a system that seems set on discrediting them, disbelieving them. In the words of the Independent Asylum Commission, ‘a “culture of disbelief” persists among decision-makers’. To whom can they turn who will listen, understand, believe? Many voluntary agencies are doing what they can. But is it not those who have a passion for truth, for whom ‘witnessing to the truth’ is part of their Christian discipleship, who can best come forward – must come forward – and find means of bringing hope and confidence to these lonely tellers of their own stories? Some might recognize as their own this experience of Jesus:

‘If I testify about myself, my testimony is not valid. There is another who testifies on my behalf, and I know that his testimony to me is valid..... and the Father who sent me has testified on my behalf’” (John 5.31,37)

As followers of Jesus, we believe that God is indeed a God of truth, and is with those who testify to the truth. The task of our courts and tribunals is to get as close to the truth as is humanly possible. The asylum process is a system of interrogations, tribunals and courts. Do they achieve this level of truth? Are they, as the report of the Independent Asylum Commission asks in the title of its first report, “Fit for purpose yet?” And are there enough of us, ‘witnesses to the truth’, to help the individuals caught up in the system and to press for its mechanisms to be managed and adjusted so that they may reliably establish the truth?

[Note: Anyone living near Croydon, Harmondsworth or Yarl’s Wood would do well to visit the Asylum Support Tribunal in Croydon or the Immigration and Asylum Tribunals at the removal centres as a reminder that these are open to the public, and as an opportunity to ‘witness to the truth’.]

4. Remember those in prison

Let mutual love continue. Do not neglect to show hospitality to strangers, for by doing that some have entertained angels without knowing it. Remember those who are in prison, as though you were in prison with them; those who are being tortured, as though you yourselves were being tortured. (Hebrews 13.,1–3)

Prison is something that is simply not allowed for in the Law of God. It is never mentioned as a sentence for wrongdoers in the Law of Moses. The first books of the Bible are written as if it did not exist.

Of course it did exist. There were times that there was no other way to bring a criminal to court than to keep him, as we say, ‘on remand’. And then foreign rulers brought the practice of imprisonment with them. By New Testament times it was regular practice for debtors, for instance, to be sentenced to prison: the theory was that their friends and

relations would get together and pay off the debt in order to get them out. Otherwise they might be there 'until they had paid the uttermost farthing'.

Yet there was still a sense in people's minds that prison was something that should not exist. When Isaiah prophesied 'liberty to captives', he was giving voice to the conviction that in God's new age imprisonment would cease.

The spirit of the Lord God is upon me because the Lord has anointed me; he has sent me to bring good news to the oppressed, to bind up the broken-hearted, to proclaim liberty to the captives, and release to the prisoners.... (Isaiah 61.1)

Similarly, in modern times, one of the first acts in a revolution is the opening of prisons: in the new era that the revolutionaries are proclaiming prisons have no place – until, once again, they become necessary for incarcerating counter-revolutionaries!

Do we want to be an incarcerating society?

Prison, therefore, is something which should always make the Christian conscience uneasy. Surely, we believe, there must be another way – and indeed Christians are not alone in this. The doubling of the prison population in Great Britain in the last twenty years to a level that exceeds that in almost any other European nation causes widespread disquiet; there is increasing interest in alternatives such as community service and restorative justice.

So what are we to think of the way that asylum seekers, who have committed no offence and may be no threat to anyone, are routinely placed in detention camps, sometimes even in prisons?

'I was detained for eight months ... why is it that a terrorist can be detained for a maximum of only 28 days, and yet an asylum seeker, who has committed no crime but seeks protection, can be locked up indefinitely?'

This is a country in which *habeas corpus* is an ancient foundation of our laws, and in which human rights, including the right not to be imprisoned without charge, are incorporated into our own legal system. What right has the government to deprive so many innocent people of their liberty – over three thousand (and more promised) at any one time, and some thirty thousand in any one year? The answer (except in a small number of cases where the applicant is suspected of criminal intentions) is 'administrative convenience': if a person's case can be dealt with quickly, it makes sense to keep him or her in one place under supervision (the 'fast track' process); if a family whose claim has failed has to be removed and sent home, it may be necessary to have them under lock and key in case they disappear. Indeed, if it were always a matter of a few days, this might be quite acceptable. But some have been detained, in ignorance of any reason and without any stated time limit, for a matter, not of months, but of years.

An M.P. who has a large detention centre in his constituency, said this:

'The length of time that certain people have spent in Yarl's Wood is now becoming a serious issue. Some people have been there more than a year, yet we have no policy for keeping people in detention for that length of time ... there is increasing frustration at Yarl's Wood because appropriate legal services and advice are not available. The

frustration about that has caused additional problems within the centre. There has been an increase of cases of self-harm and in the number of people refusing food and being on hunger strike.'

An asylum seeker from Uganda said this:

'I spent a total of eight months in detention. On the day of arrest I was not interviewed, but detained and taken to Yarl's Wood. I was told I would be a Fast Track case, and would be interviewed at Yarl's Wood. On 17/05/05 I was interviewed. The solicitor attended. I told the Immigration Officer of my imprisonment and torture, giving him all the details, but they did not believe me. My solicitor requested that I be released because I was a torture victim and I should go to the hospital for treatment. They refused, with the Immigration Officer stating to me that I was "not credible" and that they would deport me.' But later he was helped to appeal, and his claim was accepted. He avoided deportation and gained the right to remain.

Is so much detention of refugees acceptable in a 'Christian' society?

This country is already one that resorts to the imprisonment of those convicted of crime to a greater extent than almost any other apart from the USA. Are we content that we should also detain so many thousands of asylum seekers in 'removal centres', depriving of their liberty some of the most vulnerable and traumatized people in the world – 'for administrative convenience'?

The Bible is clear on the matter:

first, prison ought not to exist; we must always work for more humane and constructive alternatives – and this must be especially true in the case of innocent asylum seekers;

secondly, since prison does exist, do all you can for the prisoners. For asylum seekers there are things you can do. If there is a detention centre near you, ask the chaplain how you may befriend them. Or contact BID (Bail for Immigration Detainees, 0207 247 3590) about standing surety so that someone may be let out on bail.

Remember those in prison, as if you were in prison with them. (Hebrews 13.1)

"I was sick and in prison and you did not visit me Truly, I tell you, just as you did not do it to one of the least of these, you did not do it to me." (Matthew 25.43,45)

5. There will never be any poor among you

There will be no one in need among you ... if only you will obey the Lord your God by diligently observing this entire commandment that I command you today... If there is among you anyone in need, a member of your community in any of your towns within the land that the Lord your God is giving you, do not be hard-hearted or tight-fisted toward your needy neighbour. You should rather open your hand, willingly lending enough to meet the need ... give liberally and be ungrudging when you do so, for on this account the Lord your God will bless you in all your work and in all that you undertake. Since there will never cease to be some in need on the earth, I therefore command you, "Open your hand to the poor and needy neighbour in your land". (Deuteronomy 15. 4–11)

It is important not to simplify what the Old Testament says about poverty and wealth. Superficially it might appear that it is a blessing to be rich, a misfortune to be poor. But the reality is less simple. Riches is a blessing only when it goes with hard work and honesty, and when the rich contribute to the needs of the poor; poverty may result in a purer, more god-fearing character and at times the poor may actually be favoured by God over the rich.

This chapter of Deuteronomy, which sets out a remarkably humane scheme for economic relations in society, appears nevertheless to contain a contradiction. "There will be no one in need among you ... there will never cease to be some in need on the earth." But what we have here is not so much a contradiction as the juxtaposition of an ideal with a reality. Poverty is always avoidable; it is no part of the calling and destiny of human beings. In God's purposes it must be true that "there will never be any poor among you". Yet to eradicate it is probably beyond the ability of any human society; to be realistic, we have to admit that "there will never cease to be some in need". All depends on how we react to this dismal fact of human existence.

In the small-scale rural economy that is the background to Deuteronomy, the solution was to encourage the rich to tide the poor over periods of bad harvest by generous loans – and the law did not allow excessive pressure to be exerted for repayment. In the more highly developed urban populations known to Jesus and his contemporaries, something more like a social security system was developed, funded by generous almsgiving. Rather to our surprise, this was motivated, not so much by the pitiable plight of the poor, as by the spiritual advantage accruing to the almsgiver. Giving to the poor had become, so to speak, institutionalized. The motive was no longer the wretched condition of the pauper, but the spiritual improvement of the donor.

Store up almsgiving in your treasury, and it will rescue you from every disaster

(Sirach 29.12).

And this, again, rather to our surprise, is the characteristic motive presupposed by Jesus, who vigorously commends almsgiving, sometimes to a quite radical level: the widow is commended for giving to the temple 'all she had to live on' (Mark 12.44)); the rich man is told to 'sell all that you own and distribute the money to the poor' (Luke 18.22). But

nowhere does Jesus mention the motive we might have expected: the plight of poor people themselves. The giving is for the sake of one's own personal salvation.

But alongside that we have to place the parable of the Good Samaritan and the parable of the sheep and the goats, the latter with its startling identification of the hungry and the destitute with Jesus himself, implying that a severe judgment will be passed on those who turn away from the misery of others. Jesus evidently took it for granted that his hearers would give alms (*'whenever you give alms ...'* Matthew 6.2). His challenge was to do something more personal, more demanding – stopping to save the life of a traveller, helping the destitute not just by giving money to a charity but by personally giving them shelter, food and clothing. In short, the Christian calling is to be engaged, to be committed, to do something about it when confronted by anyone who comes before us in need.

What does this mean today?

Here is a doctor's account of one asylum seeker's experiences:

'A forty year old African lady, the sole survivor of a massacre in her village who was then detained, beaten and multiply raped ... when I met her she had been living on the streets in the UK for two years, severely anaemic due to a restricted diet and having to walk approximately ten miles to report to the Home Office every week. Profoundly depressed and with symptoms of epilepsy, I would normally have referred her to hospital, but because she would have been faced with a bill she could not pay, a torture survivor was denied vital treatment.'

The Independent Asylum Commission confirmed that there are many thousands of asylum seekers who have had their claim refused, who are denied the right to work, who are given no financial support and are deprived of all but the most basic medical services. They are either too frightened to return home or unable to do so. Many of them are aided by charities; many are struggling to survive on the streets.

Is this an acceptable situation? The National Assistance Act of 1948 was passed much in the spirit of our verses from Deuteronomy. In a country such as ours, it was felt – even in the austere years after the Second World War – that no one should be reduced to destitution; there must be a safety net for society's casualties – the disabled, the permanently jobless, the fall-outs. But this Act, which is still in force, applies only to the *unwillingly* destitute. These asylum seekers, it can be argued, would be supported if they complied with the reasonable demand that they return home when their claim is proved to be unfounded. Hence the government is within its rights not to help them.

Yet the fact is they are here. Some of them will appeal again and gain the right to stay, some of them cannot get the necessary papers from their consulate to return home, many are too terrified to do so, and prefer destitution to facing the risks if they return. These conditions are a threat to their health, their dignity, their very survival.

Can we pass by on the other side?

'I couldn't go on living in destitution – I have no words to describe what it was like for me at that time. I tried to kill myself.'

The earliest Christians also were faced with destitution on the streets – the challenge is vividly described in James 2.1–4. But there was no doubt about how they should respond:

How does God's love abide in anyone who has the world's goods and sees a brother or sister in need and yet refuses help? (1 John 3.17)

6. In the image of God he created them

You must not deprive a resident alien or an orphan of justice; you shall not take a widow's garment in pledge. Remember that you were a slave in Egypt and the Lord your God redeemed you from there; therefore I command you to do this. When you reap your harvest in your field and forget a sheaf in the field, you shall not go back to get it; it shall be left for the alien, the orphan, and the widow, so that the Lord your God may bless you in all your undertakings. When you beat your olive trees, do not strip what is left; it shall be for the alien, the orphan, and the widow. (Deuteronomy 24.17–20)

The code of personal and civic obligations in Deuteronomy is impressive. The needs of the vulnerable and the poor are always kept in mind; the better-off are to use any superfluity in the harvest to provide them with the food they need. What we might call a civic conscience is assumed in everyone who is even moderately prosperous.

But notice what it does *not* say. The farmer should leave the gleaning for the poor; but there is no suggestion that this gives the poor a right to have it. Indeed 'rights' is a concept that is hard to find in the Bible. There is a great deal about obligations; but very little about what may be legitimately claimed from others, very little about 'rights'. Indeed the New Testament seems to shy away from them altogether. Jesus prescribed a radical renunciation of rights: do not retaliate; if someone takes one garment away from you, give him another; do not ask for the return of a loan. And Paul takes this still further. Not merely did he disapprove of the Christians in Corinth having lawsuits against one another in pagan courts; he challenged them by suggesting they should not pursue their cases at all: *'Why not rather be wronged? Why not rather be defrauded? (1 Corinthians 6.7)*

Do we believe in human rights?

Perhaps it is not surprising then that the churches have been slow in recognizing the importance of human rights: claiming one's own rights seems to be positively discouraged in the Bible, and those who have talked loudest about them have often been revolutionaries who have committed outrages against the church. But what about claiming or protecting *someone else's* rights? Since the Universal Declaration of Human Rights in 1948, and the legally binding Conventions which followed it, there has been a remarkable international consensus that human rights must be respected. And this has opened our eyes to new possibilities for helping 'the alien, the fatherless and the widow' – that is, all the most marginalized and vulnerable in society whom it is an absolute duty of Christians to befriend, succour and protect. When we try to do so, we find we now have a new and valuable resource – not just our own efforts at charity and assistance, but the strength of

the law of the land, forbidding attacks on the dignity of our fellow human beings and imposing punishment on those who violate their rights.

But now consider what have come to be called ‘failed asylum seekers’ – ‘refused asylum seekers’ is a more accurate and less insulting term. What rights do they have? The only ‘right’ they had of entry into this country was if they could prove that they had a justifiable fear of persecution. Now the officials and the courts have found that their claim was not valid; therefore they have lost any right they had to be here, and the government is entirely justified in removing them back to their own countries. This, as we have seen, may be difficult for technical reasons to do with documents, consulates and reports of danger in the home countries. But suppose the way is cleared, but individuals, out of sheer terror of what may await them at home, refuse to go. Suppose the process of testing their claims has taken years, the family is well established in the community and the children are progressing well at school. They may have no right to remain; but other rights – human rights – come into play. They have a right to privacy and family life; they have a right not to be subjected to cruel or degrading treatment. Hence our concern at reading reports like the following:

‘I have now met nine detainees who have been severely injured on removal...I’m a doctor and I go in to assess the extent of the injuries ...They are escorted by at least two guards, and trussed up at ankle and thigh. Handcuffs bite into their wrists; I have seen severe cuts on their wrists. They are forced into the back entry of the plane and held down in the seat, their heads pushed down behind the seat in front. If they try to shout they are gripped around the neck until they fear they will suffocate, and sometimes there is also a grip behind their ears. Some of them have told me they thought they were going to die ...We are behaving like the most brutal regimes from their own countries.’

‘The handcuffs were too tight. I tried to explain but the Home Office staff would not listen. It was incredibly painful. A flight attendant came to my rescue and asked the guards to take me off the plane when she saw the blood oozing from my wrists on to the floor.’

Mary, an asylum seeker from Uganda, twice experienced dawn raids in Glasgow. Woken up and forced to dress in front of the immigration officers, she and her family were transported to Yarl’s Wood detention centre in a cage at the back of a van, given no substantial food and little water. ‘My children and I were treated like animals in that cage. We were hungry and had to watch while the guards ate at a petrol station. But the detention centre was even worse – we felt like criminals.’

A matter of justice? A matter of religion?

Of course it may be said that there are times when force has to be used. If someone is simply obstructing a perfectly legal procedure the officers in charge may feel they have no alternative. But these reports, which mainly come from evidence given to the IAC, must trouble us all. It is not just that these appear to be cases of ‘cruel and degrading treatment’, such as is outlawed in human rights legislation; there is *prima facie* an offence against the fundamental dignity of the human being which Christians, along with Jews and Muslims, believe to be a universal possession; for all have been created ‘in the image of God’.

Then God said, let us make human kind in our image, according to our likeness ... So God created human kind in his image, in the image of God he created them. (Genesis 1.26–7)

And Paul takes this a great deal further. As Christians advance in the service and knowledge of God in Christ, they become more and more like Moses at those moments when he removed the veil that he had placed over his face and beheld the glory of God:

Now the Lord is the Spirit, and where the Spirit of the Lord is, there is freedom. And all of us, with unveiled faces, seeing the glory of the Lord as though reflected in a mirror, are being transformed into the same image from one degree of glory to another; for this comes from the Lord, the Spirit. (2 Corinthians 3.17–18).

Born in the image of God: this, we believe, is the inviolable status of every human being, the precious possession which enables us to advance towards knowledge of God and communion with him. If we see it being violated or defaced, have we any option but to deplore, to protest, even (if we have the opportunity) to intervene?

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