

Refugees and Asylum in Christianity and Islam

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04/23/2021

Introduction

Refugees and asylees constitute one of the major humanitarian and ethical issues on the international political scene. The politics of refugees and asylum inescapably intersects with the religious and ethical traditions of the countries involved. I have chosen to focus on Christianity and Islam because they are the majority or official religions of many countries on the globe today, including many countries that play host to refugees. I will first consider the history of the refugee issue, before examining the theory of refugees and asylum from the perspective of each religion. Thereafter, I will consider how countries of each religion are stacking up in light of their religious traditions.

History

The phenomenon of refugees and asylum involves a violation of the principle of sovereign nation-states containing their own particular populations within a specific territory. This global system reaches back to 17th century Europe and the Treaty of Westphalia. Drafted in 1648, this treaty established the modern state system as we know it.¹ Before the Treaty of Westphalia, the European realm consisted of a messier array of empires and principalities. With the Treaty of Westphalia, a sovereign state mapped onto a specific territory and population. Refugees and asylum seekers complicate this picture, as they constitute moving populations which host states may or may not be able to absorb effectively.

Refugees and asylum emerged as a major international issue within the context of early 20th century Europe and its generally Christian context. Two world wars fundamentally disrupted life in Europe and displaced millions of residents. Even during the relatively peaceful

¹ Skran, Claudena, *Refugees in Inter-War Europe: The Emergence of a Regime* (Oxford: Clarendon, 1995), 3.

Inter-War period, there were millions of refugees displaced in Europe. According to Skran, there were 9.5 million refugees in Europe in 1926.² “In terms of size and scope,” Skran writes, “refugee movements in inter-war Europe dwarfed all previous ones.” They were mass migrations that significantly affected both the refugee-producing countries and the refugee-receiving ones.³ A diverse array of Europeans (and others) including Germans, Poles, Baltic peoples, Magyars, Russians, Greeks, Turks, Bulgarians, Armenians, Jews, Czechs, Italians, and Spaniards, sought safety “in every country in Europe, and in many other countries around the world.”⁴

The main argument of Skran’s book is that refugee flows in the Inter-War Period led to the emergence of an international regime to deal with refugees and asylum. In international relations theory, “international regime” refers to “the governing arrangements created by a group of countries to deal with a particular issue in world politics.”⁵ The regime created to deal with refugees and asylum consisted of principles, norms, rules, and decision-making procedures. The principles were sovereignty and humanitarianism. Norms included asylum, assistance, and burden-sharing. One particularly important rule was “non-refoulement,” or the rule that a state should not send a refugee back to the country of persecution. Decision-making in the Inter-War Period revolved around the League of Nations.⁶ Skran credits the norm of assistance in particular to the “Judaean-Christian religious tradition.” Assistance meant an obligation on the part of states to help refugees “because of their particularly precarious

² Skran, Claudena, 4.

³ Skran, Claudena, 14.

⁴ Skran, Claudena, 14.

⁵ Skran, Claudena, 65.

⁶ Skran, Claudena, 65–78.

position... the assistance norm recognized the special problems of refugees and gave states obligations to refugees beyond those that they have to ordinary migrants and aliens.” The norm of burden-sharing meant that all countries, whether or not they hosted refugees, had an obligation to contribute assistance.⁷

In the course of the 20th century, several Muslim countries, or countries with significant Muslim populations, also became hosts to large numbers of refugees. Jordan⁸ and Lebanon⁹ have hosted large numbers of refugees for many years, and especially so since the beginning of the conflict in Syria. Sudan currently has more than a million refugees.¹⁰

Christianity in Theory

Much of the Biblical basis for assistance to refugees in Christianity revolves around the figure of the *ger*, plural *gerim*, which is a Hebrew word commonly translated as “stranger.”¹¹ Leviticus 19:34 commands the Israelites to love the “alien” as themselves, for they were once also aliens in the land of Egypt. This message is repeated in Deuteronomy 10:17-19:

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 the 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.¹²

⁷ Skran, Claudena, 70–71.

⁸ “UNHCR Jordan,” accessed April 17, 2021, [unhcr.org/jo/](https://www.unhcr.org/jo/).

⁹ “Lebanon: Events of 2018,” accessed April 17, 2021, <https://www.hrw.org/world-report/2019/country-chapters/lebanon#>.

¹⁰ “The World’s Refugees in Numbers,” accessed April 17, 2021, <https://www.amnesty.org/en/what-we-do/refugees-asylum-seekers-and-migrants/global-refugee-crisis-statistics-and-facts/>.

¹¹ Houston, Fleur S., *You Shall Love The Stranger as Yourself: The Bible, Refugees, and Asylum* (London: Routledge, 2015), 69–92.

¹² Coogan, Michael D., ed., *The New Oxford Annotated Bible: New Revised Standard Version*, Fifth Edition (Oxford: Oxford University Press, 2018), 268.

In the New Testament, Jesus himself is portrayed as a refugee in the Gospel of Matthew. In Matthew 2:13-15, Joseph rises in the middle of the night and takes Jesus and his mother off to Egypt, to avoid the killings of Herod. Even after the fall of Herod, Joseph and his family were unable to return to Judah, because Herod's son Archelaus was ruling there. Therefore, they were displaced to Galilee and Nazareth.

The story of the Good Samaritan in Luke 10:25-37 illustrates Jesus' own views on the stranger:

In Luke's version of the test-exchange between Jesus and the lawyer, the lawyer asks of Jesus, "what must I do to inherit eternal life?" (Lk. 10:25). Jesus replies with another question: "what is written in the law?" (Lk. 10:26). And the lawyer responds with the love command, love God and love your neighbor. Jesus agrees. The lawyer, however, has a supplementary question: "who is my neighbor?" (Lk. 10:29).

Then the tables are turned – the lawyer finds himself being tested. He soon learns that keeping the law requires more than merely repeating the double love command. Inheriting eternal life requires practical action. Jesus responds to his question with the Parable of the Good Samaritan (Lk. 10:25-37.) A man was beaten up by bandits on the Jericho road and left for dead. A priest, then a Levite, saw him and avoided him. No reasons are given. The next traveller to come along is a Samaritan. The Samaritan, the story continues, had compassion on the wounded man, treated his wounds, and brought him to an inn, where he took care of him; when he left, he promised to pay the innkeeper for any additional expenses. And Jesus concludes with a further question to the lawyer: "which of these three, do you think, was a neighbor to the man to feel into the hands of the robbers?"¹³

Of course, the picture is complicated by Jesus' behavior with the Syro-Phoenician woman in Mark 7:25-28, who begs Jesus to heal her daughter of a demonic possession. Jesus at first replies that his healing powers are for the Jews:

¹³ Houston, Fleur S., *You Shall Love The Stranger as Yourself: The Bible, Refugees, and Asylum*, 141–42.

He said to her, “Let the children be fed first, for it is not fair to take the children’s food and throw it to the dogs.” But she answered him, “Sir, even the dogs under the table eat the children’s crumbs.” Then he said to her, “For saying that, you may go – the demon has left your daughter.” So she went home, found the child lying on the bed, and the demon gone.¹⁴

Thus perhaps even Jesus needs some convincing on occasion that the scope of his ministry reaches beyond the Jews to Gentiles.

Overall, there is a strong case to be made in Christianity for assistance to the stranger, both from the Hebrew Bible as well as the New Testament. Jesus’ own history is suggestive of that of the refugee, and his teachings as well as passages in the Hebrew Bible call Christians to be charitable to refugees and asylees.

Islam in Theory

In theory, Islam provides greater protection to refugees and asylum seekers than does the current international system.¹⁵ This area of Sharia law is called Hijrah law. Hijrah law can be distinguished from modern international law in that it is focused more on the individual refugee than on states and their rights and responsibilities.¹⁶ In Islamic law, Muslim communities are obligated to assist migrants who are in need. Any person “has the right to enter an Islamic community and ask for protection.”¹⁷ This is not limited to Muslim refugees. In fact, non-Muslim refugees are guaranteed protection under the Qur’an (*Surah Al-Tawbah*, verse 6.)¹⁸

¹⁴ Coogan, Michael D., *The New Oxford Annotated Bible: New Revised Standard Version*, 1844.

¹⁵ Elmadmad, Khadija, “Asylum in Islam and in Modern Refugee Law,” *Refugee Survey Quarterly* 27, no. 2 (2008): 51.

¹⁶ Elmadmad, Khadija, 54, 56.

¹⁷ Elmadmad, Khadija, 54.

¹⁸ Elmadmad, Khadija, 54.

Abd al-Rahim associates the Muslim conception of asylum with the human dignity that

Allah has conferred on all people.¹⁹ This is rooted in the Muslim creation story:

Humans, the Quran points out, are creatures of lowly origins, but they have been blessed with many favours. God began the biological creation of humans out of dust and clay; then He caused them to be begotten of a humble drop of sperm which was eventually transformed by God's love and grace into a new creation, one that was physically and otherwise molded "in the best conformation". At a crucially important stage in the divine shaping of humans God "breathed into him of His spirit", thus making man a creature truly worthy of being His vicegerent on earth. Among the many favours that He conferred on Adam was that He imparted unto him "the names of all things" – namely knowledge and the power of conceptual thinking: a major attribute with which not even the angels had been blessed.²⁰

Furthermore, Allah has granted humans freedom of choice and conscience:

One of the greatest blessings that God has graciously conferred on humanity in addition, and one that is certainly more germane [sic] to the dignity which He conferred on the children of Adam entire, is that of moral autonomy or freedom of choice and conscience. Thus the evidently unparalleled Quranic ruling that "there shall be no compulsion in matters of faith" absolutely overrules coercion in religious matters, and Prophet Muhammad was accordingly instructed in the Quran to say "The truth [has now come] from your Sustainer; let then, him who wills, believe in it, and let him who wills, reject it." The freedom of choice that has thus been given to humans sets them apart from all nature. For while the heavens and the earth and all that is in between and beyond behave in accordance with set laws from which they cannot escape or deviate, humans have been given the ability to freely choose between belief and disbelief, good and evil, right and wrong.²¹

¹⁹ Abd al-Rahim, Muddathir, "Asylum: A Moral and Legal Right in Islam," *Refugee Survey Quarterly* 27, no. 2 (2008): 16.

²⁰ Abd al-Rahim, Muddathir, 16–17.

²¹ Abd al-Rahim, Muddathir, 17.

Thus the ability to think for oneself and the freedom to choose ethically are rooted in the Qur'an, and Muslim philosophy on asylum is a result of this. Muslim societies must respect human dignity by taking in refugees and asylees of all faiths:

It should be obvious therefore that, consistently with the teachings of the Quran, it is a moral as well as a legal obligation on all discerning persons, especially Muslims, of course – be they individuals, groups or states and governments – to treat all human beings, including refugees, and irrespective of differences in faith, race, culture or social status, with respect and due consideration for the rights and dignity which have been conferred on them by the Lord- Creator of one and all. A necessary corollary of this categorical imperative is that any oppression or maltreatment of human beings offends not only the individuals or groups directly concerned, but also humanity at large and, indeed, the Lord- Creator Himself. Not surprisingly therefore the Quran repeatedly and emphatically calls upon Muslims not only to desist from committing acts of oppression and injustice against people but also, and no less importantly, to actively and steadfastly resist such acts, whether the dehumanizing practices in question happen to be perpetrated against themselves or against others.²²

Moreover, the Prophet Muhammad was a migrant and perhaps a refugee himself, having traveled to Medina in 622 C.E.²³

Christianity in Practice

Arguably Christian and majority-Christian nations are falling short of their Biblical encouragement to love the stranger and help refugees. Recently, Pres. Biden declined to raise the Trump-era limit of 15,000 refugees to be admitted to the United States. Evidently a plan

²² Abd al-Rahim, Muddathir, 17–18.

²³ Abd al-Rahim, Muddathir, 19.

had been in place to raise the cap to 62,500. Drawing criticism from the Left, Biden stated that he would revisit the issue by May 15, 2021.²⁴

Australia has drawn significant criticism for its handling of refugees and asylees. In 2015 the United Nations High Commissioner for Human Rights criticized Australian policies, describing its approach as “hostile and contemptuous.”²⁵ Australia has been accused of turning back asylum seeker vessels at sea, and detaining asylum seekers on Nauru and Manus Island.²⁶

Almost unbelievably, in 2019 the United Kingdom refused asylum to an Iranian citizen who had converted to Christianity and had argued that Christianity was a more peaceful religion than Islam. The UK Home Office rejected this claim:

In the letter rejecting asylum, the Home Office pulled several verses from the Bible which it said showed that Christianity wasn’t peaceful, including verses from Exodus, Leviticus, and the Book of Revelation. “These examples are inconsistent with your claim that you converted to Christianity after discovering it is a ‘peaceful religion’ as opposed to Islam, which contained violence and rage,” the letter reads.²⁷

The fact that the UK bureaucracy would undercut its own official religion illustrates the lengths to which modern states will go to curtail refugee and asylee flows.

²⁴ Holland, Steve and Rosenberg, Mica, “Biden Keeps U.S. Refugee Cap at Trump-Era 15,000 for Now,” accessed April 17, 2021, <https://www.reuters.com/world/americas/biden-keeps-us-refugee-cap-15000-rather-than-raise-it-official-2021-04-16/>.

²⁵ Farrell, Paul, “Australia Is Hostile and Contemptuous to Asylum Seekers, Says UN Rights Chief” (The Guardian, June 16, 2015), <https://www.theguardian.com/australia-news/2015/jun/16/australia-is-hostile-and-contemptuous-to-asylum-seekers-says-un-rights-chief>.

²⁶ Farrell, Paul.

²⁷ Collins, Charles, “UK Denies Asylum for Iranian Christian by Saying Christianity Not a ‘Peaceful Religion,’” March 22, 2019, <https://cruxnow.com/church-in-uk-and-ireland/2019/03/uk-denies-asylum-for-iranian-christian-by-saying-christianity-not-a-peaceful-religion/>.

Islam in Practice

According to Elmadmad, “because of developments in the Muslim world and because of the division of dar al-Islam into many modern States governed in the majority of cases by modern law and often without any respect for human rights principles, the gap between theory and practice is deep in the Muslim world today²⁸... few of the Muslim States invoke Islamic principles relating to asylum and migration in their legislation, even when they declare openly that they are ruled by Islamic or Sharia law.”²⁹

Conflicts in Syria, Iraq, and Palestine have left countries such as Lebanon and Jordan shouldering an unequal burden, “hosting the highest number of refugees per capita worldwide.”³⁰ About 24 million displaced people, or 40 percent of the total worldwide, originate from the Arab world, mainly Syria and Palestine.³¹

Conclusion

One can only conclude from the preceding analysis that nation-states today are not living up to the ethics of their dominant or official religious traditions when it comes to refugees and asylum. Of course, accommodating refugees comes at a considerable expense. However, many of the Christian countries in particular are wealthy enough that they could accommodate more refugees than they do. Several Muslim and Muslim-majority states such as Jordan, Lebanon, and Sudan do host millions of refugees, but the international norm of burden-sharing should mean that the burden would be more equitably shouldered.

²⁸ Elmadmad, Khadija, “Asylum in Islam and in Modern Refugee Law,” 62–63.

²⁹ Elmadmad, Khadija, 60.

³⁰ Yahya, Maha and Muasher, Marwan, “Refugee Crises in the Arab World” (Carnegie Endowment for International Peace, October 18, 2018), <https://carnegieendowment.org/2018/10/18/refugee-crises-in-arab-world-pub-77522>.

³¹ Yahya, Maha and Muasher, Marwan.

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