

The roots and branches of the sanctuary movement

**“We weren’t trying to break the law. We were offering humanitarian assistance.”**

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Photo courtesy of Alexia Salvatierra / Prime Movers

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*New Sanctuary Movement, in which congregations around the country accompanied immigrant workers and their families facing deportation.*

### **How do you define *sanctuary*?**

The root of the meaning comes from the reference in Numbers 35 to cities of refuge. Numbers 35 concerns a prescription for dealing with a situation in which someone violated the law but where the punishment for the violation was not just. It was cruel and unusual punishment, to use modern language.

In Numbers 35, the crime was manslaughter. For that society, the natural punishment was a blood feud. The relative of the slain person would come and kill the person who had done the slaying. Numbers 35 sets aside certain cities that are to be places of refuge. Someone who has committed manslaughter can go to that city and be protected until that person can get a fair hearing.

That tradition has been carried forward this way: if someone has broken a law, either an unjust law or a law for which the typical punishment is unjust, the people of God have said, “We will shelter you until you can get a fair hearing.” That’s the core meaning of sanctuary.

### **What is the sanctuary movement?**

The contemporary sanctuary movement was formed in the United States from roughly 1980 to 1990 in response to refugees who were fleeing wars in Central America. At that time the United States had different criteria for political asylum for people who were fleeing countries that were our allies than for those fleeing countries that were our opponents. Since the United States was allied with the governments of Central America, it was very difficult for people fleeing those countries to gain asylum in the United States. Only about 5 percent of Guatemalans, for example, were granted political asylum, because they had to prove that they were being individually targeted.

When Central Americans got to this county, many who were Christian leaders asked churches for sanctuary—for refuge, in the language of Numbers 35. The churches responded.

I remember the story told by John Fife, a Presbyterian pastor in Tucson who was a leader in the movement, about driving by a detention center and seeing a sheet

hanging on a fence on which was written in blood, "Help us for the love of God." That message was written by Central American refugees who knew that if they were sent back, they would be killed. There was an enormous amount of evidence from Human Rights Watch and Amnesty International that this was happening. It was a very realistic fear.

The churches' first impulse was to help people get political asylum. They had really powerful cases. When churches found out that these people couldn't get asylum, they said, "We are going to shelter them until they can get a fair hearing." The legal justification for that sanctuary movement was international law: the United States had signed a pact after World War II with 64 other countries saying that it would shelter people fleeing violent persecution in their home country.

### **How large was the movement at that time?**

More than 500 churches participated over about a ten-year period, sheltering about 500,000 refugees.

### **What was the outcome?**

The movement was instrumental in changing asylum law. Now there are standard criteria for asylum seekers. It was also instrumental in stopping the wars in Central America.

### **How were you personally involved?**

I was a foot soldier in that movement. I was a young member of a Lutheran church in Berkeley when my pastor was indicted. He wasn't convicted, because it turned out that it is not illegal to harbor people. It is illegal to harbor people with the intent to break the law, but if your intent is humanitarian, it is not a crime. We were not trying to break the law, and we were not trying to help people break the law. We were offering humanitarian assistance and advocacy.

It was very powerful for me as a young woman and as a young Christian to see my pastor put his life on the line in the name of love: to say that we are brothers and sisters, and we are going to put ourselves at risk to help people understand the truth about the situation.

**Since then, the sanctuary movement has focused more broadly on the immigration system. What do you think it is important for people to know**

## **about that system?**

Most people know that our immigration system is ineffective. If you take a step closer to it, you find out that it is illogical, and if you take another step closer, you find out that it is inhumane. Many of us are not looking for open borders; we believe that a country has the right to an immigration system. But we want an immigration system that is effective, logical, fair, and humane, and ours is none of the above. It is a crazy patchwork of laws, many of which break apart families and penalize the kinds of people we want in our country.

For example, since 1995 the United States has allowed a total of 5,000 visas per year for unskilled workers. But for years this country has imported most of its agricultural workers. More than 80 percent of the agricultural workers are currently immigrants. But only 5,000 are allowed to come legally—plus there is a guest worker program that covers about 200,000 people. We need far more workers than that. As the Southern Baptist leader Richard Land has pointed out, we say, “Come, we need your labor” on the one hand, “but we are not going to give you any status” on the other.

As a result of these aspects of the system, about 12 million people are working in the shadows. Ninety percent of undocumented men are working. They are here because the country needs their labor. They’ve been here for decades and have kids who are citizens. In 1995, the United States decided that children could only petition for citizenship for their parents in extreme and unusual circumstances. So there are many families in which the parents are working but undocumented.

## **What happened to revitalize the sanctuary movement?**

In 2005, the Sensenbrenner immigration bill passed the House. This was a bill that would have made it a felony to be undocumented and to help or serve an undocumented person. That event sent shock waves through the immigrant community. Immigrants were afraid they were going to be felons and that anybody who helped them was also going to be a felon. There was a huge national reaction. Cardinal Roger Mahony, the archbishop of Los Angeles, said on national TV, “If this bill passes the Senate, I am calling on all Catholics across the country to continue to minister in humanitarian ways to undocumented people, to all people regardless of their immigration status, even if you have to go to prison for it.” People started asking how to respond to this new situation.

## **What was the outcome of that phase of the movement?**

The Sensenbrenner bill was defeated in the Senate. At the time many people were pressing for comprehensive immigration reform that would solve a lot of the problems. There was a comprehensive reform bill that was thoroughly bipartisan, and when presented to the American public in surveys, it got about 75 percent support.

But that bill never went anywhere. The average American doesn't call a congressperson unless the issue is personal. Those who did call were people who think that undocumented immigrants are a major problem in our society, and they called constantly.

After that defeat, the movement began to focus on regulatory change. The Morton Memo, which first came out in 2010, was a memo to field office directors suggesting that they use standardized criteria. If you had been in this country for a number of years, if you had been working, contributing, volunteering, doing well in school, if you were, in short, someone who was serving a useful purpose with your presence, then you could receive deferment of deportation. The Morton Memo helped field officers with the prioritization of cases.

About a year ago, we helped also establish sensitive zones. This means that churches, hospitals, and schools were declared sensitive zones where U.S. Immigration and Customs Enforcement would not go unless they had a judicial warrant for an individual person who had committed a crime.

## **What does the current sanctuary movement look like?**

We are moving very quickly to respond to what Donald Trump has said he will do regarding deportation. He has, for example, said that he will revoke DACA as one of his first actions—that is, he will take away the executive action that deferred deportation for 800,000 young people. We are also concerned about losing the regulatory gains won during the last phase.

The new administration has said that it will remove 3 million “criminal aliens.” But there are only about 800,000 undocumented people that we know of who have any kind of criminal record. The incoming administration appears to want to mandate that if you are stopped for any reason, you will be turned over to ICE.

People are talking about creating safe zones nationally that can re-create on a local level the policies that may be lost at a national level. That's the first goal—to work with local field officers and local governments. Local field officers will still have a considerable amount of discretion in how they implement federal legislation.

We are also looking at ways that people can get short-term sanctuary and legal assessment. If a person needs to get out of a danger zone and into a safety zone, they could transport themselves. Or there may be people who are willing to take them. This would be an underground railroad—which would be illegal. The one person who was convicted during the previous sanctuary movement was convicted for transporting someone across a state line.

### **What is a “sanctuary city”?**

In the United States, the phrase “sanctuary city” usually refers to cities that have created a firewall between local law enforcement officials and federal immigration officials. The aim is quite often to help police. Police want victims of crimes to come forward without fear of being deported. That helps police arrest the perpetrators.

### **How can churches be involved?**

We sense that there are a lot of churches that can't participate in the sanctuary movement because it is more radical than they are willing to be, including immigrant churches. We are creating something called the Matthew 25 Movement. It consists of individuals and congregations that pledge to protect and defend the vulnerable in the name of Jesus. This can mean a variety of things. There are churches that will pray and educate and give money. Others will participate in the creation of safe zones.

### **What is the ultimate purpose of the sanctuary movement?**

Sanctuary has always had a twofold purpose. On the one hand, it has a humanitarian purpose. It is an expression of love for people in need and in crisis. It is always about how we can protect and defend people who are dealing with unjust laws and are being hurt in the process.

Through our support and our ministry, we want to reveal that these immigrants are children of God. Whatever decision the larger society makes about how to treat immigrants, they should be recognized as our brothers and sisters in one human

family. Our willingness to stand with our brothers and sisters and to suffer with them wakes people up to reconsider the situation, to ask deeper questions, to pay more attention. That's why sanctuary can change policy.

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