

The Sanctuary Movement

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Between 1980 and 1991, nearly 1 million Central Americans crossed the U.S. border seeking asylum. Most were fleeing political repression and violence caused by civil wars in Guatemala and El Salvador, though some had fled Nicaragua in the wake of the 1979 Nicaraguan Revolution. In El Salvador, the military killed over 10,000 people by 1980, including the famous Archbishop Oscar Romero and four U.S. churchwomen. In Guatemala, government-backed paramilitary groups killed 50,000, disappeared 100,000 and perpetrated 626 village massacres.[1] Official policy under the Reagan administration greatly hindered Central Americans from obtaining asylum status, however. Congress forbade foreign aid to countries committing human rights abuses, and, at same time, the U.S. provided funds, training and arms to the Salvadoran and Guatemalan governments.[2] Because admitting these governments' abuses would bar the U.S. from providing further aid, the Reagan administration instead argued that Central Americans were "economic migrants" fleeing poverty, not governmental repression. Consequently, Central Americans stood little chance within the U.S. immigration system, where asylum is granted based on proof of "well-founded fear" of persecution. Just prior to the beginning of the Reagan Administration, Congress had passed the Refugee Act which incorporated this international definition of political asylum into US law – which formerly granted refugee status only to those "fleeing Communism." However, the Reagan Administration retained discretion under the law and prevented the legal recognition of Central American claims. Visa approval rates for Guatemalans and Salvadorans hovered somewhere under three percent in 1984, as compared to a sixty percent approval rate for Iranians, forty percent for Afghans fleeing Soviet invasion, thirty-two percent for Poles, twelve percent for Nicaraguans escaping the Sandinistas and one-hundred percent for Cubans. In 1983, one Guatemalan was granted asylum in the United States.[3]

Many Central Americans who found their way to the United States were placed in detention centers and sent home. Many protested this move, claiming that they would face severe dangers upon their return. An American Civil Liberties Union study in 1985 reported that 130 deported Salvadorans were found disappeared, tortured, or killed.[1]

Public sanctuary

The Sanctuary Movement formed as a reaction to these policies. It originated along the border with Mexico and Arizona, but was strong in Chicago, Philadelphia, California and Texas. In 1980, Jim Corbett, Jim Dudley, John Fife and other residents of Tucson, Arizona, began providing legal, financial and material aid to Central American refugees. As Corbett recounts, the tradition of his Quaker faith and its involvement in the Underground Railroad compelled him to take action. Gary Cook, associate pastor of the Central Presbyterian Church in Massillon, Ohio, cited the simple experience of personal interaction: "We're a very conservative group of folks politically. But once we encountered the refugees face to face, we couldn't justify not taking them in." [4]

For Dudley, one of Corbett's friends, it was his experience coming across a man on the side of the road on the outskirts of Tucson one afternoon. As he described in an interview, after picking up the hitchhiker, Dudley learned through broken Spanish that the man was a Salvadoran attempting to make

it to San Francisco. As they drove into town, Border Patrol agents stopped the car and identified the man as an illegal alien and promptly took him away. Dudley recalls the pleading look on the Salvadoran's face and the fear in his voice as he asked Dudley to lie to the patrol agents and tell them he was a friend and that they were going to Tucson together. Dudley left that day troubled and confused. Why was the man so afraid? Were the border agents going to send him back? What would happen to him if they did?[5]

On March 24, 1982, the second anniversary of Archbishop Oscar Romero's assassination, Fife, the minister of the Southside Presbyterian Church in Tucson, after sharing his concerns with leaders of his congregation, declared his congregation a public sanctuary. Outside the church building he posted two banners that read: "This is a Sanctuary for the Oppressed of Central America," and "Immigration: do not profane the Sanctuary of God." [6] A rush of churches, synagogues and student groups across the country followed suit, and by 1985 Sanctuary became a national movement with roughly five hundred member-sites across the United States.

Movement members likened Sanctuary to the "Underground Railroad" of the 19th century: Central Americans would flee their countries, often under extremely dangerous circumstances, travel up through Mexico and eventually find a safe haven in a sanctuary community in the United States or Canada. To give a picture of how this phenomenon worked in practice, refugees coming through Tucson would make it to Nogales (the nearest border town in Mexico), often on foot, and find refuge at El Santuario de Nuestra Señora de Guadalupe (Sanctuary of Our Lady of Guadalupe) Catholic Church. With help from Padre Ramón Dagoberto Quiñones, the head priest at Guadalupe, they would travel a short distance across the border to the Sacred Heart Catholic Church, whose steeple was visible from across the border in Mexico. There they could find shelter, food, legal advice and perhaps a little money. The two churches kept in constant contact, and priests and lay people traveled frequently between parishes.[5]

Over the years of the movement, which slowly died out after 1988, activists developed a number of coordinated routes for transporting individuals to designated Public Sanctuaries, the communities that accepted them. At first a part of the effort was to get those with credible claims to Canada, whose landed immigrant status became available once a refugee turned him/herself in on Canadian soil. But the U.S. government convinced the new conservative government to tighten the border and exclude more Central American refugees. This led to many more U.S. churches becoming welcoming sanctuaries. Prospective candidates or families were matched by numerous factors with a community that was prepared to house them and assist them to make political statements by recounting their personal history. Those who were not willing to do public speaking, for example, would be matched with a community that was not interested in doing that level of organizing or was located in a rural area where little public effort was possible. Volunteers drove refugees to exchange points where they would be transported to their next night's lodging, until they reached their destination. The system was highly decentralized; despite the pre-organization, it was fairly ad hoc; and different groups found varying methods for providing publicity or secrecy as protection.

Once the refugees found safe-haven in a Sanctuary community, U.S. congregations, student groups and activists often invited Central Americans to share their beliefs and experiences with the community. Refugees were invited to the pulpit to give their testimonies during church services, congregations held special Central American peace nights where stories were shared and information given, and Central

Americans and North Americans talked frequently and openly, whether through Bible studies, meetings or rallies. As one congregant of Tucson's Southside Presbyterian Church remembers:

On any given night there might be from two to twenty-five [refugees] sleeping in the church. The congregation set up a one-room apartment for them behind the chapel. When that was full, they slept on foam pads in the Sunday school wing.[5]

Although many[who?] associate Sanctuary with Catholics and Quakers, the denominational make-up of the movement was quite diverse. 36% of Sanctuary congregations were Catholic, 22% were Presbyterian, 36% were Quakers, 28% were Unitarian, 2% Jewish, 10% came from university campuses and 1% from seminaries.[clarification needed] The following are a sampling of official statements issued by major denominations within the U.S.[7]

The Presbyterian Church:

The Presbyterian Church recommends that 'That the General Assembly support congregations and individuals who provide sanctuary to asylum seekers as a way of showing Christian compassion for them and stressing the need for change in our government's policies and actions; and that other congregations be challenged seriously to take this stance.' 1983.

The American Lutheran Church:

Resolved, that The American Lutheran Church at its 1984 General Convention...offer support and encouragement to congregations that have chosen to become refugee sanctuaries. 1984.

The American Baptist Churches in the U.S.A.:

Therefore, we commend to American Baptist churches the following:...that we respect those churches that, responding to the leading of God's Spirit, are providing sanctuary for refugees fleeing certain suffering and death in central America. 1984.

The Rabbinical Assembly:

The Rabbinical Assembly endorses the concept of Sanctuary as provided by synagogues, churches and other communities of faith in the United States. 1984.

Secular groups also embraced the Sanctuary movement, such as Amnesty International, Americas Watch (which would later become Human Rights Watch), legal aid groups, liberal members of Congress and student organizations (the University of California was particularly active). Op-eds appeared frequently in major national periodicals such as The New York Times, The Washington Post and Time Magazine.[citation needed] The entire city of Berkeley, California, declared itself a sanctuary. Writer Barbara Kingsolver popularized the movement in her 1998 novel *The Bean Trees*, in which she provides a fictional account of a Sanctuary member housing refugees in her Tucson home.

This movement has been succeeded in the 2000s by the movement of churches and other houses of worship to shelter immigrants in danger of deportation. The New Sanctuary Movement is a network of houses of worship that facilitates this effort. The New Sanctuary Movement allows U.S. officials into Catholic churches without permission of Catholic officials.[citation needed]

From the late 1980s continuing into the 2000s, there also have been instances of churches providing "sanctuary" for short periods to migrants facing deportation from Germany, France, Belgium, the Netherlands, Norway, Switzerland, Australia, the United States, and Canada, among other nations. From 1983 to 2003, Canada experienced 36 sanctuary incidents.[8] The "New Sanctuary Movement" organization estimates that at least 600,000 people in the United States have at least one family member in danger of deportation.[9]

The movement itself was declared a 1984 winner of the Letelier-Moffitt Human Rights Award.[citation needed]

Historical parallels

The Sanctuary Movement traced its roots to the ancient Judaic tradition of Sanctuary. As movement member Mary Ann Lundy phrased it, "The idea comes from the original Judeo-Christian concept of Sanctuary, where persons fleeing the law could go to places of worship and be protected." In the Old Testament, God commanded Moses to set aside cities and places of refuge in Canaan where the persecuted could seek asylum. This concept can also be found in ancient Roman law, medieval canon law and British common law. Movement members also appealed to U.S. history, including the abolitionist movement and the Underground Railroad of the nineteenth century, the housing of Jews during World War II, the idea of the U.S. as a safe haven for immigrants and the civil rights struggles of the 1960s. For Sanctuary congregations, this provided justification for acting against federal laws, and many members saw themselves as part of a larger transnational community. As Corbett wrote in 1983:

Because the refugees are here, a new exodus has already begun. Those enforced exiles are being joined by North American religious people who are voluntarily exiling themselves from a civil law without justice. Undocumented refugees and outlawed Christians and Jews are together forming a new exodus community that takes seriously a God who acts in history. Public sanctuary is an act that refuses to leave foreign policy to ambassadors and generals and compassion to the limits of law. The new exodus community is beginning to live a love that demands justice and acts with the power and authority that love carries. It is an authority rooted deep in Judeo-Christian tradition and US history itself.[10]

Sanctuary Trials

The Immigration and Naturalization Service Agency (INS) decided to crack down on movement members by the mid-1980s, which culminated in a series of high-profile trials in Texas and Arizona.

In 1985, the INS launched a ten-month investigation dubbed Operation Sojourner, sending paid informants into sanctuary communities to gain the trust of members, find information and report back to federal officials. In 1985, the government initiated criminal prosecutions against two activists in the Rio Grande Valley—Catholic layman Jack Elder and Methodist Stacey Merkt, both of whom provided sanctuary to Central Americans at Casa Oscar Romero in Brownsville, Texas.[11]

In 1986, in the more publicized of the two cases, the Justice Department indicted sixteen U.S. and Mexican religious on 71 counts of conspiracy and encouraging and aiding "illegal aliens to enter the United States by shielding, harboring and transporting them." This group of indictees included Father Quiñones from Our Lady Church in Nogales, Catholic Reverend Anthony Clark, Jim Corbett, John Fife, Sister Darlene Nicgorski, and a handful of other Sanctuary members and lay religious from participating churches.

In what became known as “The Sanctuary Trials,” the defendants called upon their rights protected under both the U.S. constitution and international law. They employed First Amendment free exercise claims, arguing they were simply living out their faith by providing refuge to their fellow brethren in need; this was the call of the Gospel and an exercise of their religion. As Sister Nicgorski stated on the day of her arraignment, “If I am guilty of anything, I am guilty of the gospel.” Defendants referenced passages in the Old and New Testaments, such as Leviticus 19:34 (“The stranger who sojourns with you shall be to you as the native among you, and you shall love him as yourself) and the story of Exodus (“What answer is there for the envoys of the nation? This: that the Lord has fixed Zion in her place, and the afflicted among God's people shall take refuge there” [Isaiah 14:32]).

The defense also called upon international law to defend their actions. They argued that the U.S. administration's policy towards Central Americans violated the 1980 Refugee Act, a U.S. law enacted under Carter that reflected international norms set down in the 1951 U.N. Convention and 1967 Protocol Relating to the Status of Refugees.

The Sanctuary Trials spurred public outcry from many sympathetic to the movement. Demonstrations at INS facilities were held in San Francisco, Chicago, Milwaukee, Cincinnati, Philadelphia, New York City, and Tucson, among other places.

Though the court did find eight movement members guilty on alien smuggling charges, most received suspended sentences or underwent short house arrests. Supported by the Center for Constitutional Rights, a broad coalition of eight religious organizations also eventually brought suit against the U.S. Attorney General and head of the INS. Plaintiffs alleged, among other claims, that defendants violated domestic and international laws and movement members' First Amendment rights of free exercise. While the courts ruled in this case, *American Baptist Churches vs. Thurnburgh*, that international law did not apply and the government did not violate Sanctuary members' First Amendment rights, the movement won the public's sympathies and the government eventually granted asylum status to many of the refugees involved in the trial.

Furthermore, many Congressional Democrats took up the cause of the Central American refugees—due in large part to the lobbying and publicity efforts of Sanctuary members. In 1990, the House and Senate approved a bill granting temporary protected status (TPS) to Central Americans in need of safe haven, but not until the 1997 Nicaraguan Adjustment and Central American Relief Act did Congress allow fleeing Central Americans to apply for permanent residence.[12]

See also[edit]

Asylum (disambiguation)

Elvira Arellano

James B. Burkholder

Our Lady Queen of Angels Catholic Church

Right of asylum

Safe harbor

Safe haven (disambiguation)

Safe house

Sanctuary cities

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