



## SPECIAL SECTION 1 The Stakes of Sanctuary

Guest edited by Patti Tamara Lenard and Laura Madokoro

### The Stakes of Sanctuary

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■ **ABSTRACT:** This introductory article lays out the objectives for this special issue of *Migration and Society*. In focusing on the stakes of sanctuary, both this introduction and the special issue concentrate on the ways sanctuary is inspired by, connected to, and symbolic of larger political and social processes. To see what is at stake, we outline some of the myriad possible meanings of sanctuary and examine the justifications given by the actors who offer and take sanctuary including notions of justice, solidarity, charity, and resistance. In highlighting what is at stake in specific acts and practices of sanctuary, we explore the benefits of pursuing a multidisciplinary examination of sanctuary, such as the one offered by the articles collected in this special issue.

■ **KEYWORDS:** charity, hospitality, migrants, resistance, sanctuary, solidarity

On 8 November 1971, during the bloody and protracted American War in Vietnam, the City Council in Berkeley, California, declared that the city would be a refuge for “any person who is unwilling to participate in military action.” Following protest actions by local church leaders and war resisters, the council established what has been described as the first sanctuary city in North America (Ridgley 2008). In doing so, the Berkeley City Council issued a fundamental challenge to federal authorities about the ethics of sending unwilling soldiers to war. On 24 March 1982, in a different context, Southside Presbyterian in Arizona and several churches in California declared themselves sanctuaries for Central American refugees. Inspired by the liberation theology movement in Latin America, and dismayed at the Reagan administration’s response to refugees from Honduras, El Salvador, and Guatemala, dozens of other churches across the United States and Canada followed suit, drawing on a perceived tradition of church sanctuary (Bau 1985).

These two examples of historical events in the United States hint at the varied impulses, contingencies, practices, and subjects that characterize modern sanctuary efforts within a single national context. Both of these moments are regularly referenced in present-day discussions of sanctuary (Delgado 2018) suggesting—somewhat problematically as contributors to this special issue will explore—a direct line of resistance between the past and present. In each of the cases mentioned above, a different politics of resistance was at play, inspiring city officials and church



congregations, through their declarations of sanctuary for particular persons, to make demonstrations of moral authority out of their offers of protection. These variations multiply if one takes a multidisciplinary perspective, a global or a translocal one, as many of the contributors do here (Brickell and Datta 2011; McNevin 2012).

This special issue is the result of questions we have been asking about these variations, the prevalence of sanctuary discussions, the quotidian and exceptional nature of sanctuary practices and the relationship between what is said about sanctuary and the lived experience of sanctuary. The subject of sanctuary has certainly become more prevalent in recent years. Sanctuary is regularly referenced in popular literature (Rice 2018), in commercial advertisements, and in debates over the responsibility of states and civil society toward the displaced, which were amplified during the early days of the COVID-19 pandemic (Hudson 2020). As a result, there is an observable shift in both the practice and discussions of sanctuary. Throughout the 1980s in North America, the focus was simultaneously on individual cases and on US complicity in the violence and oppression that was plaguing Central America (Cunningham 1995). With the rise of the sanctuary city movement in the early 2000s, discussions of sanctuary have grown beyond individual cases to highlight structural issues around citizenship and belonging in North America and responsibilities toward refugees in Europe (Bauder 2016). These debates have grown more pronounced as the lines between “sending” and “receiving” nations have been drawn more clearly, manifested most explicitly in the language of “burden-sharing” (Thielemann 2003).

With language that presents refugees as a burden and insists that countries must do their share to assist, there is an implicit assumption that some countries offer refuge while others do not but should. This paradigm has been especially prominent in the United States. During the Cold War for instance, the country used the protection of refugees to advance its political standing in the global community and wage war against communism (Bon Tempo 2008). More recently, the Trump administration’s attack on refugee resettlement efforts and the issues raised by the Black Lives Matter movement highlighted the ways sanctuary has become elusive in the United States (even as President Joseph R. Biden Jr. has re-committed to refugee resettlement). Following police violence in Atlanta in the spring of 2020, rapper Killer Mike called on Black Americans to “be a house of refuge” in order to support protests for reforms more broadly (Lao 2020). Seen in this light, the estimated five hundred sanctuary cities in the United States alone suggest that sanctuary has become a meaningful way for people—lay and expert alike—to give voice to their concerns about citizenship, migration, borders, violence, and those who seek refuge (Carney et al 2017).

Given the variety of concerns and worries that animate contemporary sanctuary practices and the shift in the United States to connecting sanctuary with abolition (Paik 2017), this special issue explores the question of what is at stake in the search, offer, taking, and receipt of sanctuary. In asking about the “stakes of sanctuary” the contributors to this special issue provide innovative and original insights into the larger political, social, cultural, historical, and economic contexts in which sanctuary acts take place. Who is seeking sanctuary? What kind? How and why? Furthermore, why is sanctuary offered? To what end? Does anyone benefit from being in sanctuary? Is anyone harmed? And what does sanctuary imply about the health and well-being of any given society?

Sanctuary has meant different things to different people over time and understanding what is invested in any given offer of sanctuary is critical to understanding why and how people participated in such practices historically and now do so in the present. In ancient times, the roles and responsibilities in the offer and receipt of sanctuary were far more legally prescribed. In ancient Greece, asylum laws provided a degree of protection for those who traveled across vast regions

and sanctuary spaces were similarly controlled, often located in isolated areas (Sexton 2007: 54). The Old Testament prescribed the existence of six cities of refuge, “cities of intaking,” where people could seek sanctuary if they had unintentionally killed someone and in order to avoid the punishment of blood revenge. The terms and conditions of entry were clear, as was the purpose, namely to mitigate the more extreme aspects of the criminal justice system (Spencer 1992).

Similarly, in Medieval England and France, practices of sanctuary and abjuration (a form of exile) were clearly prescribed in law and in practice; in England, religious authorities were responsible for providing sanctuary. Designated churches, such as Beverley Minster, opened their doors to people who had admitted criminal wrong-doing, so long as they had the means to cover the costs associated with this sanctuary (Jordan 2017). Communities often provided support with food and material goods while other sanctuary seekers paid for their own keep (McSheffrey 2017). Over time, sanctuary became part of the contest between sovereign and religious authorities, meaning that the stakes of sanctuary evolved, shifting from an investment in mitigating crime and vengeance to a practice that was bound up with political power and questions of “good governance” more broadly (Shoemaker 2011: 6). As the purpose of sanctuary evolved, so too did the significance of the practice.

To understand the nature of this evolution, this special issue is framed around ideas about the subjects of sanctuary, the justificatory rationales for sanctuary and the implications that follow. Contributors focus on the points of intersection and dissension among various disciplinary approaches to studies of sanctuary. By bringing research by international relations scholars, political theorists, historians, philosophers, legal scholars, and cultural studies experts into conversation, the issue’s contributors point to the stakes of sanctuary in both rhetoric and practice. By way of introduction to the articles that follow, we set out three themes that cut across the contributions and reflect critical points of intersection between the language of sanctuary and the act of seeking, offering, taking, or receiving refuge. These include definitional issues around the question of what sanctuary is, who has sought it in the past, for whom it has been offered, and how it is justified in our current moment.

## What Is Sanctuary?

The term sanctuary comes from the Latin *sanctuarium*, suggesting a container in which to place something holy. In the Christian tradition, sanctuary was initially used to describe the physical and most sacred part of the church altar (Bagelman 2016: 21). As noted previously, in medieval England, sanctuary was also legally prescribed, beginning in 680 (Trenholme 1903). With the end of sanctuary as a legal practice in the seventeenth century, the idea of sanctuary evolved to refer to a place of refuge more broadly. Today, there is no real legal authority beyond customary law for the granting of sanctuary by religious authorities. Sanctuary is defined in law only in so far as jurisdictions have declared themselves sanctuary cities, states, and so on. In such cases, sanctuary is often defined in the negative. For instance, New York City’s sanctuary legislation, establishes that “no New York City resources can be used for federal immigration enforcement purposes” (Espinal 2017). According to this law, sanctuary is to be found in the act of refusing information on behalf of others.

As the contributors to this issue show, the diversity of contemporary sanctuary practices, not only within the spectrum of sanctuary city spaces but also beyond (Collingwood and Gonzalez O’Brien 2019), means that at present “sanctuary” is not a single thing, that is to say, when “sanctuary” is offered, or when an actor describes themselves as a sanctuary provider, there is no single accounting of what is being undertaken. Although sanctuary has evolved across the

centuries and has taken many forms beyond the original conceptions of sanctuary and criminal justice (Aranguiz and Fecteau 1998), today, the idea of sanctuary is closely connected to debates over asylum and protection for refugees and efforts to show solidarity with refugees and other migrants in precarious situations (Lenard 2019; Wilcox 2019).

Since World War II, immigration and refugee determination processes have become more complicated and time-consuming. There are now dozens of pieces of domestic, national, and international law, including the 1951 UN Convention Relating to the Status of Refugees, which govern the movement of migrants and refugees. Complicated immigration and refugee determination processes, along with a desire to control migration through criminalization, has led to a massive growth in detention regimes in North America, Europe, and Australia (Martin 2012; Silverman 2012). Evolving migration regimes, border controls, and the extent to which states are focused on deportation as an enforcement strategy, have changed the nature of sanctuary and how it is practiced (see the chapters in Lippert and Rehaag 2013).

Some sanctuary providers offer a physical space in which to harbor individuals who are in violation of immigration law or subject to deportation orders. Some sanctuary providers are part of movements to refuse cooperation with immigration enforcement agents; in the United States, mainly, and also in Canada to some extent, sub-state jurisdictions sometimes declare themselves to be sanctuary spaces, in which service providers will enact what are commonly known as either “Don’t ask; Don’t tell” policies or “non-cooperation” policies (Wilcox 2019). The former type of policy imposes on service providers of various kinds the requirement that they not collect information about a service recipient’s migration status; the latter formalizes the commitment that local law enforcement will not cooperate in a whole range of ways with state-level immigration enforcement. Globally, the ability of cities, or other forms of sub-state jurisdictions, to act independently in policy spaces is made possible in part by the existence of federal, or at least non-unitary, structures of governance (Manfredi-Sánchez 2020; De-Shalit 2018). In the United Kingdom, where sub-state jurisdictions possess very little power with which to resist immigration enforcement, “sanctuary” often means ensuring that cities are welcoming and inclusive of migrants regardless of their visa status. The Sheffield initiative, for example, has aimed at “creating a culture of welcome,” focused on “finding creative ways to include refugees in the life of the city” (Saunders 2017: 160–162).

As such, there are what we might call, degrees of sanctuary both in terms of how confrontational and interventionist a practice might be, and also in terms of the spaces of sanctuary. Over the past decade, the physical space of sanctuary has become diffuse, extending to an entire municipality or campus (Alonso 2017) or to sites such as hospitals, art spaces, and unions, as compared to the more limited and traditional physical confines of churches and their grounds. Still, this older practice has also endured. Being in a recognized church, for instance, makes it easier to draw attention to specific cases. In the winter of 2018–19, the Bethel Church in The Hague received extensive media coverage as it carried on days of nonstop sermons to protect the Tamrazyan family because Dutch law prohibits entry if there is an active service underway (Paris 2019). Moreover, even though church sanctuary no longer exists as a legal practice, states are loath to enter church grounds to apprehend those who are in violation of immigration laws; although, as in medieval times, they retain the power to do so. Nevertheless, on the rare occasions when law enforcement has entered the sacred space of a church, as the Quebec City police did in 2005 when they entered St. Pierre United Church to apprehend Algerian refugee Mohamed Cherfi, participants and observers have been profoundly shocked by this violation of customary law (Pednault 2004).

The varied uses of sanctuary highlight another complexity associated with attempting to define it, namely, who is its intended recipient. For some, and this is true mainly in the United

States, sanctuary is directed at irregular border crossers, including many Central American citizens who have crossed into the United States from Mexico, seeking safety and prosperity. This relatively narrow set of intended recipients has expanded in recent years, though debates about sanctuary in the United States remain focused on migration issues, rather than broader socio-economic concerns such as poverty and homelessness. For some, the list of those in need of sanctuary also includes asylum seekers and failed asylum seekers from around the world. For others, such as Solidarity Across Borders, the category is larger yet, including a wide range of migrants who reside within a community's borders in precarious statuses of various kinds, including individuals who are members of mixed families (where some members are legally in the country and others are not); individuals whose employment contracts are temporary, but who wish not to return "home" when the contract concludes; and so on. The announcement of Trump's "Muslim ban" in 2016 and its expanded variation in February 2020, led many jurisdictions to adopt or modify sanctuary legislation to include the protection from discrimination for residents of Muslim and Middle Eastern origin or appearance.

### **Sanctuary for Whom? And at What Cost?**

As more organizations choose to adopt "sanctuary" in some form, the question of who is offering and who ought to offer sanctuary at the sub-state level becomes more difficult to identify (Squire and Bagelman 2012). Declarations of sanctuary cities, or sanctuary campuses and hospitals, create the context in which sanctuary might be offered without ascribing individual responsibility to any one particular person. In jurisdictions with "Don't ask; Don't tell" policies for instance significant discretion is given to service providers and other officers of the state about the provision of sanctuary (Hudson 2020). And, simply adopting the status of "sanctuary" does not make a university campus fully safe for students with precarious migration status. All of these variances are a reminder of the important role that legal frameworks play in shaping the possibilities of sanctuary. However, as scholars have observed, legal frameworks are always in conversation with non-legal practices (Labman 2019) and the question of individual sanctuary seekers, and how they are perceived, is central to the kinds of sanctuary that may be offered.

The medieval practice of sanctuary for alleged crimes is a far cry from the present moment in which any hint of criminality can undermine claims to sanctuary (Feldman and Ticktin 2010). Indeed, critics of current asylum processes regularly decry their existence on the basis of the alleged criminality of those seeking refuge (*The Local* 2018). Defenders, meanwhile, proceed on the basis of innocence. Civil society actors, sub-state and state authorities typically insist on innocence as a minimum requirement for receiving sanctuary (an exception is noted below) and often demand an even more compelling case in order to offer refuge to those whom the state has marginalized and criminalized.

The elevated expectations placed on sanctuary seekers result from the profoundly divisive issue of refugee protection and asylum. Populist politicians around the globe have used anti-immigrant rhetoric to bolster their own popularity. Such tactics are not new but they have taken on fierce, and terrifying, dimensions. As activist Scott Warren observed, after his arrest for supplying water to migrants in the Arizona desert, "The Trump administration's policies—warehousing asylees, separating families, caging children—seek to impose hardship and cruelty. For this strategy to work, it must also stamp out kindness" (Warren 2019).

Despite the clear empathy that supporters have for people seeking refuge, the challenge of overcoming structural and state-imposed differences is profound. Sanctuary practices, some-

what paradoxically, reify the differences between “us” and “them,” even as they seek to break down these distinctions. Audrey Macklin explores this tension more fully in her article (this issue). For now, it is important to underscore that this unfortunate tendency results from the very framework we are exploring here where sanctuary, by definition, requires a provider and a recipient, a savior and a benefactor. And regardless of best intentions and of universalist humanist inclinations this structural reality means that there are deep power inequalities within the practice of sanctuary and this is as true of the historical past as it is of our contemporary moment (see also the inaugural issue of this journal, especially Berg and Fiddian-Qasmiyeh 2018).

These imbalances can be both elaborated and mediated in the everyday practice of sanctuary, further complicating the questions of what sanctuary is and what is at stake. As the foregoing suggests, sanctuary is a form of protection defined by legal frameworks and social relationships, but it is also a lived experience. Everyday practices of offering protection or hospitality also define sanctuary (Isayev 2018). Here, the bearings of an individual school-teacher who refuses to ask questions about the status of children in their classes or of a local parishioner who provides food and gardening supplies to people in sanctuary are crucial dimensions of how sanctuary is experienced. Sanctuary can literally change from day to day based on the nature of the providers and their outlooks. Even more fundamentally, however, sanctuary can change on the basis of those in sanctuary—based on their moods, their health, and their well-being. For some, the experience of sanctuary is profoundly disheartening, akin to a carceral experience rather than any kind of freedom (Salinas 2006).

Scholars and activists are now working to understand how people in sanctuary shape their own experiences under conditions where they must please layers of hosts and potential hosts in order to remain secure (see Rebecca M. Schreiber in this issue). Criticism and discontent have little play in spaces where one’s well-being is dependent on the sometimes fickle and subjective inclinations of others. Sanctuary often constrains agency or encourages it in strategic ways to fulfill larger ambitions. One aspect of being in sanctuary is therefore about figuring out when and how to exert one’s will, and to what extent. Part of what is at stake, is the possibility of living a full and flourishing human life. As a result, exerting one’s will might take the tangible form of influencing legal proceedings, taking language classes, developing community relations, or pursuing creative outputs. And understanding what is at stake requires theorizing the manner in which people in sanctuary have acted against the backdrop of social, legal, political, cultural, and economic structures that led them to seek sanctuary, or imagine sanctuary, in the first place.

## Justifying Sanctuary

Historically, sanctuary has typically signified some form of protection or shelter. In sanctuary, people were safe from prosecution, persecution, or blood vengeance. The idea of protecting people remains but at least since the US sanctuary movement in the 1980s, sanctuary’s *raison d’être* has been in resistance. Resistance can be understood as a refusal or clear reluctance to comply with something that someone asks; it can be mild or strong; it can be directed at multiple, distinct ends (Hollander and Einwohner 2004). Usually, it assumes a power imbalance, where the resistor possesses relatively few levers with which to demonstrate resistance or reluctance. The articles that follow this introduction showcase the ways sanctuary actors demonstrate resistance, against what and whom, and the ways sanctuary impacts all participants, providers, and recipients alike (Coutin 1993). This section outlines the four main justifications offered by sanctuary actors and their defenders in order to get at what is at stake in any given sanctuary

effort; many actors offer more than one of these justifications for their actions, but it is valuable to separate the distinct justificatory strands that are present, to understand the various reasons offered in favor of sanctuary actions. They are: sanctuary is demanded by justice; sanctuary is demanded by solidarity; sanctuary is demanded by charity; and finally, sanctuary is demanded as part of a commitment to resisting the encroachment of state authorities and a further commitment to a radically transformative global politics.

A central justificatory thread running through sanctuary action emphasizes the injustice of immigration policies themselves. There are expansive versions of this view. Some sanctuary providers follow the lead of so-called open border theorists, believing that, absent compelling reasons including health emergencies, all people should be permitted to cross borders freely (Carens 1987; Cole 2000). More often, justifications for sanctuary are rooted either in opposition to specific immigration policies or in allegedly improper application of a particular policy in a specific case rather than the idea of immigration control as a whole (Wilcox 2019).

In many recent sanctuary cases, the key problem requiring resistance is the injustice of refugee and asylum policies. This was a key motivation during the Vietnam War era and for many of the sanctuary actors of the 1980s, who were responding to US participation in Central American wars, which in turn generated refugees who were being denied asylum in the United States. In this latter case, the source of the need to provide sanctuary was twofold: first, the sanctuary providers felt the United States should take responsibility for having participated in the conditions that generated refugees in the first place, and second, the sanctuary providers felt the United States ought to take the responsibility for the refugees who arrived at US borders. The more recent, and general, variant on this justification argues that the global refugee/asylum regime is so deeply flawed that resistance is required by justice (Hidalgo 2016). Globally, states are making it more and more difficult for refugees to find safety (Gibney 2006), and as a result, responsible citizens have a duty of justice to do what they can to combat locally unjust immigration/asylum policies. The offering of sanctuary is thereby treated as a (small but real) way to combat a global environment that is increasingly unwilling to protect routes to refuge, and refuge itself, to those in need (Mendoza 2015).

A second justificatory strategy that sanctuary providers adopt situates their actions in terms of the importance of “solidarity” with refugees and asylum seekers. Solidarity is defined in many ways, including in terms of common values and goals among those who share solidaristic connections; in terms of the loyalty that members of a solidaristic community have toward each other; as well as in terms of the existence of mutual empathy and trust among them (Heyd 2007; Shelby 2002). In the sanctuary space, solidarity appears to refer mainly to the ways in which empathy, directed from sanctuary providers to individuals in need of sanctuary, underpins the motivation to provide this sanctuary. The capacity for empathy allows individuals to “feel” the experiences and emotions of others and to react accordingly (Lu 2000); it allows individuals to “understand the specifics of others’ concrete situation, and to imaginatively construct for oneself their feelings and needs” (Gould 2007: 156). So, those who act to provide sanctuary are exercising their capacity for empathy to motivate their actions.

Solidarity is not divorced from justice, a key factor in explaining the motivation to support the provision of sanctuary. There are those who link solidarity more clearly with justice, suggesting that the presence of solidarity is what motivates individuals, in the sanctuary case, to carry out what justice demands (Lenard 2010). In particular, both the solidarity frame and the justice frame emphasize the connection between the provision of sanctuary and the protection of human rights. Both views observe that those in need of sanctuary are at risk of having their basic human rights violated and justify the provision of sanctuary in terms of the need to protect these human rights, a matter that Beatrix Hoffman attends to in her contribution.

Leaving aside the question of whether border control is itself justified, justice-motivated and solidarity-motivated sanctuary providers are often focused on refugees and asylum seekers in cases where the application of border enforcement will affect their ability to access human rights protection, including, for example, access to education for children and emergency health care. In these cases, sanctuary operates as a kind of firewall, delineating specific spaces within which the human rights of those who are at risk of deportation can be protected (Carens 2008).

What makes justice-motivated and solidarity-motivated justifications distinct is that, typically, solidarity-motivated justifications deploy affective and empathetic terms to describe the emotional experience that drives some individuals to reach out to others in evident need and to help as they can, as elaborated by Vinh Nguyen in his piece. So, while solidaristic sanctuary providers are sometimes acting to resist sovereign state power that is being unjustly deployed, more often, the solidaristic justification for sanctuary is offered by those who aim to resist the implementation of policies that are harming others with whom they have come in contact. In other words, this justification for sanctuary usually has a local feel: “we” must offer hospitality or ensure that our community is a hospitable place (Challinor 2018); “our” community members require us to provide sanctuary; “our” community members are harmed by the enforcement of this particular detention and deportation policy. Think of communities that rally around neighbors who are targeted by immigration enforcement; these are individuals acting in solidarity with neighbors who, they believe, have just as strong a right to live freely as they do. It is often difficult for sanctuary providers to erase the sense of distance that exists between them and those whom they work to protect, but these shows of solidarity are evidence that this distance has been overcome. The focus on inclusivity has made its way into the opening of many recently adopted sanctuary policies, which begin with a statement about protecting all residents of a community from the impact of immigration enforcement (Burness 2017; City of Chicago 2012).

The solidaristic interpretative frame is worth separating from a related but distinct justification for sanctuary, as a form of charity or, in the religious space, mercy. Charity and solidaristic justifications share the fact that they are not focused primarily on the injustice of asylum policies and the modes of their implementation, but rather centrally on the needs of those who stand to be harmed by them; a charity-based justification for sanctuary might result, for example, in movements to provide food and accommodation for asylum seekers who are fighting or even evading deportation orders. Whereas solidaristic justifications are grounded in empathy, and often highlight the harms that members of “our” community face, charity-based justifications for sanctuary focus on the suffering of others, which they experience through no fault of their own. Charity-based justifications emphasize only the presence of need that can be met through generous and helpful action toward others; this may, as in cases of solidarity-based action, stem from empathy with those in need. Yet, charity-based justifications for sanctuary are the least clearly resistant, it may seem, and indeed are largely apolitical; they are the least likely of all forms to comment on whether those who are at risk of harsh treatment by the state are deserving of this treatment; they simply respond to human need as it is expressed before them.

Let us draw out this contrast. Justice-based and solidarity-based justifications for sanctuary typically focus on the belief that those who have sought asylum or crossed borders in an irregular way have done nothing wrong, at least from a moral perspective; such individuals are effectively coerced into violating laws in order to secure safety and so do not deserve punishment. They therefore deserve sanctuary at least in part because, since they were coerced into violating laws, they should not be held morally, or even legally, responsible for the consequences of their actions. They often emphasize, as well, that in seeking sanctuary, no harm has been done to others; rather, say especially justice-based justifications for sanctuary, those seeking sanctuary have themselves been harmed by a broken global asylum system or the application of unjust



immigration law. Correspondingly, they say, the “crime” of irregular border crossing or evading deportation orders does not deserve to be treated as such.

Charity-based justifications for resistance are therefore distinguished by their refraining from judgment about the specific actions of a recipient of charity and simply offer aid. Their central objective is to relieve suffering; they do not question the power dynamics that propel some to be in need of sanctuary and so do not explicitly criticize the political structures that cause some to seek and others to provide sanctuary. But they resist also: they resist the claimed imperative, increasingly in circulation in both the United States and Europe, that only some asylum seekers and refugees are entitled to support, while others can justifiably be permitted to suffer as a result of seeking safety in irregular ways.

Of late, some sanctuary actors have adopted a more radical justification as well, as part of a global transformative politics that aims at subverting a global institutional structure that renders many people poor and unsafe. This is “sanctuary” at its most expansive, more than a resistive movement, it is a constructive global effort that focuses on altering the structural conditions that divide the global space into the rich North and the poor South. It has a local dimension, certainly, manifest in treating sanctuary as a forceful way to turn “guests” into full and legal members of a state by instituting and defending their right to full inclusion. In this view, sanctuary is successful when it is no longer needed.

Its global dimension celebrates all acts claimed as sanctuary, arguing that they should be understood as part of a global effort to transform the ways borders are established and policed (Bagelman 2019). It aims to make plain the contradictions that permit all states, and especially relatively wealthy Western states, to proclaim a commitment to the Universal Declaration of Human Rights, all the while refusing to act in a way that would support the protection of even a subset of these rights globally. The global transformative sanctuary movement highlights the hypocrisies that persist as a result, to take just one example, in defending the right to life as sacrosanct, as boats are sinking in the Mediterranean and rescue boat captains are being prosecuted for saving the lives of those who would otherwise drown (*BBC News* 2019). The objective of sanctuary justified in this way is not necessarily to lobby for opening borders to all crossers, but it certainly requires a more equitable distribution of wealth across borders alongside more and better opportunities to cross borders.

The discussion above offers an account of the main justifications for the range of sanctuary policies that are adopted. Through these justifications, we get some sense of what is at stake in diverse sanctuary efforts: the need to fight injustice in the immigration system; the importance of demonstrating solidarity, by taking concrete actions, with those who suffer from an unjust immigration system; the importance of charitable actions in the face of human suffering; and the potential that sanctuary offers for the radical transformation of the global institutional environment to render it more hospitable to all of us. In practice, as the contributions to the special issue show, these justifications often travel together.

## A Multidisciplinary Approach

The contributions to this special issue reflect the results of a multidisciplinary conversation around the meaning, justification, instantiation, and long-term impact of sanctuary on those who are most vulnerable, both locally and globally. One of the insights that pursuing a multidisciplinary, rather than a purely interdisciplinary, perspective offers is understanding the importance of addressing the specific contingencies and politics that animate individual acts of sanctuary across time and place. Even within the “sanctuary movements” of the twentieth and

twenty-first centuries, the mix of the local and the global in very highly contingent ways means that individual sanctuary incidents or practices can be studied on their own terms, as well as against a landscape of connected, comparable practices. Using a multidisciplinary perspective, where disciplinary conventions endure alongside interdisciplinary insights, reflects the manner in which sanctuary practices should also be considered in our view, namely as a constellation of events. A multidisciplinary approach elevates, rather than disguises, disciplinary distinctions.

Indeed, the choice to put moral and philosophical discussions of sanctuary, complete with this discipline's preference to seek universalizing truths, in conversation with scholarship that focuses on the local practices and instantiations of sanctuary is borne from this recognition. The pull toward a global study of sanctuary travels with significant hesitation, on our part, about universalizing the language of sanctuary to the point where individual contingencies and particularities are lost in the desire to demonstrate the presence and significance of sanctuary globally. Our concern is that what is at stake at particular times, in particular societies and in particular places, is too easily overshadowed with an emphasis on the universal or the global. Sanctuary may not have the same resonance among diverse societies around the world and this unevenness needs to be recognized rather than subsumed into a project that highlights sanctuary practices without considering the ways they have been, and remain, limited and highly localized occurrences.

The emphasis on disciplinary diversity is further inspired by observations of how different sanctuary looks when considering even a few linguistic variations. Entire philosophies of practice are captured in the language used to describe sanctuary. In English, for instance, the *Oxford English Dictionary* describes *sanctuary* as follows: "To place in safety as in a sanctuary. Of a place: to afford protection or shelter." In French, *sanctuaire* only appears as a noun to describe a holy place, the more general *refuge* is the equivalent of the English version of sanctuary as an act of protection. In Spanish, the *Diccionario de la Real Academia Española* (Dictionary of the Royal Academy) defines the term only as a noun and only in relation to specific religious spaces: "a temple in which the image or relic of a saint is venerated" or "the part behind the church tabernacle, separated by a veil from the *sancta sanctorum*." Or, defined in its colloquial use, "a treasure of money or precious objects that is kept in a place."<sup>1</sup> The nuanced differences between languages hint at a far more complex linguistic relationship surrounding ideas of sanctuary, whether it be in terms of Indigenous epistemologies and political philosophies or linguistic traditions in the Global South.

## Exploring the Stakes of Sanctuary

We begin our exploration with a reflection piece entitled "Sanctuary says . . ." created by participants in a series of workshops organized by the New School in 2018. This interlude draws into high relief the various ways sanctuary is understood in our current moment and hints at some of what is at stake. From here, the dynamism at play in foregrounding disciplinary diversity is further highlighted by the two articles that bookend this special issue. Michael Blake's opening article invites readers to consider the philosophical resources available to explain why agents might have duties to offer sanctuary and what justifications they offer for doing so. Maybe, he says, we should treat sanctuary cities as refusing to comply with state immigration policy; this treatment of sanctuary takes the city as an agent that has duties to its residents, which are rendered difficult or impossible to carry out without adopting sanctuary status. Or, maybe, we should treat sanctuary cities as more focused on altering state immigration policies. Evidence of both objectives is available in most actual cases. At the normative level, neither

is a perfect model of sanctuary, although both offer important moral insight into the actions taken by sanctuary cities. By contrast, Alexandra Délano Alonso's concluding article encourages readers to re-conceptualize who is in need of sanctuary—the conventional understanding has been that those in need of sanctuary have crossed borders and are residing in a country in which they are not a citizen. Using three case studies from Mexico—the 2017 Mexico City sanctuary city declaration, directed at supporting returned migrants; La 72 Shelter's call to support all those traveling through the city of Tenosique to reach the United States, as “people in situations of forced mobility”; and the youth organization Otros Dreams en Acción's practice of sanctuary for deportees and returnees—Délano Alonso shows the limits of current understandings of sanctuary practice and the need for a transnational focus. Expanding the set of people offered sanctuary and the spaces where it is offered, she proposes, guides us to understand the global urgency that faces all those who aim to migrate in search of safety and a better life as well as the possibilities for practices of solidarity and resistance beyond countries of destination.

In between, contributors from a range of disciplines speak to the question of what is revealed through explorations and conversations about distinct and varied acts of sanctuary. Each article attempts to describe the texture of the different forms of sanctuary while at the same time contextualizing them against broader social, political, economic, and cultural conditions, particularly in terms of state and civil society relations. Audrey Macklin interprets the offering of sanctuary as resistance and contrasts it to the collaborative way Canadian citizens participate, as a partner with the state, in the resettlement of refugees in Canada. Macklin examines a (failed) sanctuary case in a downtown Toronto church, an attempt to shelter Roma refugees from deportation. Many of those offering sanctuary also had experience in the resettlement of refugees, and interviews with those involved have allowed Macklin to showcase that citizens acting in both cases are making choices among who is deserving of safety, some of which overlap with choices the government has made (in the case of resettlement) and some of which do not (in the case of sanctuary). In Macklin's interpretation, the offering of sanctuary is necessarily a step taken in opposition to the state.

Similarly, the proposal that sanctuary must be understood as a direct challenge to the state is fleshed out in Vinh Nguyen's article. Nguyen treats the offering of sanctuary as a form of refuge, offered by a range of actors, both formal (like cities) and informal (like individuals acting in accordance with their own conscience), who have a contentious relationship to the state. Nguyen's analysis of the film *Le Havre* (2011), directed by Aki Kaurismäki, tells the story of one lone sanctuary actor, whose choice reverberates through his community, which supports his choice. The result is a demonstration of the ways sanctuary actors, acting without authorization from the state and without an interest in state actions, can nevertheless have a profound impact on the lives of individuals who offer and receive sanctuary.

Yet where Nguyen is able to demonstrate a clear divide between the state and non-state actors, other contributors trouble such divisions. For instance, Beatrix Hoffman reminds us that the protection of basic human rights is often central to the mission of sanctuary providers, one of which is the right to access health care. As a result, health professionals are often key sanctuary providers. Hoffman therefore examines the history of health care provision to non-status migrants over the last 50 years in the United States, and as she demonstrates, there is a long and deep history of health care professionals providing care to individuals regardless of their immigration status. The Obama-era “sensitive locations” policy recognized hospitals as one among the many locations that immigration enforcement could not enter, so as to protect the access of all to this basic human right. Health care sanctuary providers defended their actions in many ways, including in relation to the ethics they were demanded to respect as health care providers,

as well as both disease and cost control. Most recently, and in these urgent times, defending these actions is made in terms of providing justice to undocumented migrants.

In thinking about the situation of undocumented migrants in the United States, one can see how sanctuary practices move from the specific, and the individually inspired, to efforts that are more structurally focused and, indeed, shift the premises that underpin questions about sanctuary as a practice of protection. As Rebecca M. Schreiber reminds us in her piece, there is danger in focusing only on the provision of safety, which propagates the idea that migrants are merely passive agents in need of protection. In her examination of art installations, created by Central American refugee youth under the guidance of Caleb Duarte, in Oakland, California, Schreiber brings the question of agency into sharp focus. These workshops provide space for refugee youth to tell their story in their own terms rather than in the terms demanded of them by the bureaucratic process of asylum-seeking. An examination of several installations allows Schreiber to showcase the ways in which these youths make demands for the protection denied them by national and institutional failures and to imagine their future in safety.

As a group, the articles in this special issue tell a story about the vulnerability and agency of those in need of sanctuary and the myriad ways individuals and communities respond to it. Many, though not all the articles, consider the stakes of sanctuary in the North American context, inviting readers to consider the limitations and possibilities of applying the contributors' methodologies and conclusions to conditions elsewhere. Certainly, there are many lessons to be drawn from the fact that the articles reflect different conceptions of who is in need of sanctuary. Not only do they offer different accounts of what is offered by way of sanctuary, they report different reasons for why sanctuary providers act as they do. What the articles share, aside from a focus on sanctuary, is the sense among those offering sanctuary that now, more than ever, there is an urgency to this form of protection and, especially, resistance; there are more and more diverse individuals at risk and an increasing number of individuals in need of sanctuary as a result of socio-economic inequalities, and global and national migration and asylum regimes that are unfair and sustained by wealthy, democratic states. There is, therefore, a great deal at stake in discussions, practices and experiences of sanctuary.

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## ■ NOTES

1. “1. m. Templo en que se venera la imagen o reliquia de un santo de especial devoción. 2. m. Parte anterior del tabernáculo, separada por un velo del sancta sanctorum. 3. m. Col. Tesoro de dinero o de objetos preciosos que se guarda en un lugar.”

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