

Faith Floods the Desert

Religious Dynamics in the Southern Arizona Sanctuary Movements, 1980-2019



Emma van Toorn
MA Thesis North American Studies
Supervisor: Dr. M.G. Valenta
Second Reader: Dr. J.H.H. van den Berk
Date of Submission: August 13, 2019

Radboud University



Front Cover: Pastor Emeritus and co-founder of the 1980s Sanctuary movement John Fife, during the Good Friday procession “Faith Floods the Desert,” pays tribute at two of over 800 crosses that mark locations where migrants’ bodies were found in the Sonoran Desert since 1980. Note that one of the crosses depicted has been vandalized. *Picture taken by the author on April 19, 2019.*

ENGELSE TAAL EN CULTUUR

Teachers who will receive this document:

Dr. Markha Valenta

Dr. Jorrit van den Berk

Title of document:

"Faith Floods the Desert: Religious Dynamics in the Southern Arizona
Sanctuary Movements, 1980-2019"

Name of course: MA Thesis

Date of submission: August 13, 2019

The work submitted here is the sole responsibility of the undersigned, who
has neither committed plagiarism nor colluded in its production.

Signed

Name of student: Emma van Toorn

Student number: 1005953

Abstract

This thesis is the result of historical and ethnographic research into the Southern Arizona Sanctuary movement of the 1980s, and its re-emergence in the same region at the turn of the 21st-century. It argues that, despite significant shifts in religio-political context, faith lies at the heart of Sanctuary activism and is the primary reason for its successes in both movements. Sanctuary's faith-based motivations, strategies, and perseverance under severe government repression are analyzed with a continuous foregrounding of the interfaith, progressive, and transnational dynamics that play a key role throughout the movements' activism. Different meanings of sanctuary, such as church asylum, a "New Underground Railroad," and radical accompaniment, will be analyzed along dichotomies of private/public and active/passive sanctuary. Zooming in on the 1985-86 Tucson Sanctuary Trials and the significance of religious interpretation of government repression, will expose new ways of looking at the sustainability of faith-based Sanctuary, that offer directions for understanding present-day repression of the movement. Lastly, the thesis will expose how the Sonoran Desert climate, the personal immediacy of Tucsonans to the historical and contemporary crises in the borderlands, and the city's overtly progressive political climate in stark contrast with the conservative political discourse of Arizona, make Tucson-based Sanctuary activism stand out among other chapters of what became a national phenomenon. It takes from socio-political historical research conducted at the University of Arizona Special Collections Archives and Library, as well as anthropological participant-observer field work with numerous Southern Arizona Sanctuary organizations and individuals during a three week research trip in April of 2019.

Key words: sanctuary, religion, activism, migration, refugees, transnationality, liberation theology, borderlands, United States, Central America, Arizona, Sonoran Desert, Tucson.

Acknowledgements

During six years of engaging with American Studies at one American and two Dutch universities, I have been particularly drawn to the study of American progressive politics and social movements. Both appear, especially since November, 2016, little-effective to non-existent to my European non-Americanist friends and family. What started with an interest in the tensions between federal militarization of the US-Mexican borderlands and criminalization of immigration on the one hand, and sub-federal and private efforts to limit the effects thereof on the other, turned into the most personally demanding and rewarding research project of my academic career so far. First off, I would like to sincerely thank Markha Valenta, my thesis advisor and instructor of several inspiring courses throughout my studies at Radboud University. Dr. Valenta's expertise in US religion and politics, her in-depth knowledge of the workings of social movements, and her personal connection to (New York) Sanctuary, translated into an invaluable source of inspiration and guidance throughout this research project. I also want to thank all staff and fellow participants at the Radboud University Duisburg Essen Spring Academy, where I was given the opportunity to present and improve my thesis ideas and research methods to an international, interdisciplinary group of established and aspiring Americanists.

Secondly, I am forever grateful to all who have supported me in my decision to travel to Tucson for three weeks of archival and field work on Sanctuary. Curator Verónica Reyes and librarian Patricia Ballesteros, along with the rest of the team at the Special Collections Library and Archives at the University of Arizona, have generously provided me with information beforehand, warmly welcomed me to Tucson, and assisted me with all the materials over the weeks that I was there. I thank all Sanctuary activists who included me in their community by so kindly inviting me to luncheons, after-meeting drinks, protests, and celebrations, and who insisted on giving countless rides to their European guest, who so naively depended on Arizona's public transportation system. My heartfelt thanks go to No More Deaths, Humane Borders, Tucson Samaritans, Southern Arizona Sanctuary Coalition, and End Streamline Coalition for inviting me to meetings and bringing me into the Sonoran Desert and to court hearings. I want to acknowledge all of their wonderful organizers and volunteers for the important, emotionally consuming, and at times risky work they perform out of faith and humanity. I am especially grateful to Pastor Emeritus John Fife, desert drop organizer Brian Best, Sanctuary Coalition coordinator Amy Beth Willis, End Streamline

Coalition member Kathy Altman, and survivor Dora Rodriguez for taking the time to share their knowledge and personal experiences with me.

Lastly, I want to thank my family, friends, and partner for tirelessly listening to my (initially incoherent) understandings of faith-based activism and the meanings of Sanctuary. This proved especially valuable when I needed to make sense of my (at times difficult) experiences and findings during my research in Tucson.

Table of Contents

Introduction.....	1
Chapter 1: Progressive Religious Activism: An American Tradition.....	11
1.1 Review of Literature	12
1.2 The American Arc of Sanctuary	21
Chapter 2: The Great Awakening of the 1980s.....	31
2.1 Religio-Political Context of the 1980s.....	32
2.2 Sparking a Movement.....	36
2.3 Faithful Border Crossings: Theology, Missionaries, and Stories of Martyrdom.....	41
2.4 Transnationalities of Sanctuary: Grounding the Movement.....	46
Chapter 3: Going to Trial: God v. Caesar in the Sonoran Desert.....	53
3.1 Legal Precedents and the Pre-trials.....	54
3.2 Media and the Tucson Eleven.....	59
3.3 Operation Sojourner and Other Legacies of the Trials	65
3.4 Religious Interpretation of Repression	69
Chapter 4: Present-Day Sanctuary in Southern Arizona	73
4.1 Arizona: The Opposite of a Sanctuary State?	74
4.2 The Tucson Samaritans, Part Two	79
4.3 What Do We Talk About When We Talk About Sanctuary?	86
4.4 Faith Floods the Courthouse: <i>United States v. Scott Daniel Warren</i>	92
Conclusion	97
Bibliography	106
Secondary Sources	106
Primary Sources	110
Appendices.....	116
Appendix A: Images	116
Appendix B: Prominent Biblical Cites for Sanctuary	123
Appendix C: SSPC Public Declaration of Sanctuary	125
Appendix D: Overview Tucson Eleven	126
Appendix E: Geographical Map Sonoran Desert.....	127
Appendix F: Humane Borders Death Map	128

Introduction

“Grueling Desert Search Finds 13 Alive, 13 Dead,” heads one of many newspaper articles reporting on a tragic Sonoran Desert incident that served as a catalyzer for the North American Sanctuary movement.¹ On July 3, ca 1980, a group of approximately 45 Salvadoran refugees crossed from the province of Sonora, Mexico into Pima County, Arizona. Initially accompanied by four coyotes², they were instructed to split up so as to draw less attention, and most were abandoned by their guides soon after the crossing. In Mexico, the coyotes had assured the group, consisting of mostly young, middle class people, that a helicopter would pick them up after a short walk across the border, and had therefore only given them one gallon of water each.³

One of the identified thirteen survivors is Dora Rodriguez, who at the time was a nineteen-year-old woman fleeing the Salvadoran government’s increasingly violent persecution of those involved in church organization and social work. Today, Rodriguez recalls the desperation of her group. They resorted to drinking aftershave lotion and putting urine in rags to wipe their faces.⁴ Even that was not enough: the desert heat was a record-breaking 115° Fahrenheit (46° Celsius) and life-threatening. One half of the group – thirteen people – succumbed to it before the surviving other half was found. Rodriguez now volunteers with local organizations, providing humanitarian aid to refugees attempting that same strenuous border crossing through the Sonoran Desert nearly four decades after her own journey. Profoundly aware of the role that chance had played in her survival, Rodriguez told me: “My American story started in the desert, and for some reason I was lucky enough to live and stay in America.”⁵

At that moment, the presidential election was nearing its high point. The candidates immediately latched onto the tragedy to position themselves in the political contest. For those

¹ Survivor Dora Rodriguez showed me clippings from *The Ajo Copper News* reporting on her story and its aftermath. These do not include the articles’ date, but they must have been published shortly after she was found, near the town of Ajo, Arizona on July 6, 1980. “Grueling Desert Search Finds 13 Alive, 13 Dead,” *Ajo Copper News* (Ajo, AZ), July 1980.

² A Coyote is a (most of the time Mexican) professional smuggler who asks an exuberant amount of money to prepare for and/or guide a migrant’s border crossing. The term is commonly used by all actors in US-Mexican border regions. As was the case with Rodriguez’ group, coyotes often abandon migrants right after the crossing or when the situation turns particularly dire.

³ “Dora’s Story: Woman Recounts Deadly Journey to Find New Life in America,” *KOLD News 13*, Video File, 2:06, May 9, 2019, <https://www.kold.com/2019/05/10/doras-story-woman-recounts-deadly-journey-find-new-life-america/>.

⁴ Dora Rodriguez in discussion with the author, April 16, 2019.

⁵ Ibid. See Appendix A1 for a recent picture of Rodriguez and her family, posing at the site where thirteen crosses now commemorate the tragedy.

living in the area, however, the issue was much more personal and immediate. As soon as the incident became public knowledge, 65 local residents met in Ajo's First Baptist Church to discuss how they could help the surviving Salvadoran refugees.⁶ Trying to understand what would drive them to risk their lives as they had, these increasingly concerned Americans educated themselves on the political situation in El Salvador. That situation, it turned out, was being deeply impacted by US foreign intervention in Central America, in El Salvador, but also in Nicaragua and Guatemala. As this became clear, many living in the local communities of Pima County, centered around the city of Tucson, became increasingly alarmed at the human consequences of US foreign policy in Central America.^{7,8} Meanwhile, a steady stream of new refugees shared stories of major trauma in the very same desert that the Americans called home. Several religious leaders rapidly organized a stronger network for aiding the refugees and, simultaneously, for challenging the American role in the conflicts that had driven the refugees from their own homes. The Sanctuary⁹ movement was born.

Unfortunately, Rodriguez' story was anything but an isolated incident. In the years that followed her tragic journey, thousands of refugees, often having consulted with a coyote, entered the US through the Sonoran Desert seeking safety from life threatening situations in their home countries. The particularly brutal climate of Southern Arizona and the conservative state's historically hostile attitude toward Sanctuary policies – relative to the more supportive attitudes of neighboring border states – have contributed to the peculiar status of activism in the Tucson region. Though sparsely populated and generally at the

⁶ At the time, Ajo was inhabited by just over 5,000 people, and the 65 concerned citizens came together in the church within a half hours' notice. They collected \$220.38 that same evening, and before midnight had sent a telegram to Arizona Senators and Representatives voicing their concerns regarding the survivors' potential deportations, and stating their willingness to temporarily house and care for them. "Ajo Trying to Help Rescued Refugees," *Ajo Copper News*, July 1980.

⁷ When President Carter ordered the deportation of the surviving thirteen Salvadorans, sparking outrage from all over the world, Reagan saw chance to use the tragedy as a campaign point and argued in favor of their asylum. Meanwhile, a number of lawyers and church people worked tirelessly to collect funds for bail, and to prevent their deportation. Miriam Davidson, *Convictions of the Heart. Jim Corbett and the Sanctuary Movement* (Tucson: University of Arizona Press, 1988), 12.

⁸ In the end, the surviving 13 were granted asylum. Rodriguez believes this had everything to do with the election and the survivors' role as witness in the prosecution of the coyotes. But it would likely not have been possible without the Southern Arizona religious organizations who, in the words of writer-activist Gary MacEoin worked "a crash program of medical and emotional aid." It remains unclear what happened to the other 19 Salvadoran refugees who crossed the border that day. Rodriguez in discussion with the author, April 16, 2019; Gary MacEoin, "A Brief History of the Sanctuary Movement," in *Sanctuary. A Resource Guide for Understanding and Participating in the Central American Refugees' Struggle*, ed. Gary MacEoin (San Francisco: Harper and Row, 1985), 15.

⁹ When referring to the Sanctuary movement (in the 1980s or today), or its activists' specific interpretations of sanctuary (i.e. "declaring Sanctuary"), the term will be capitalized. In all other cases, "sanctuary" will be written in all lower cases. Naturally, when using quotations, I will follow that author's decision regarding capitalization of the term.

margins of US social and political developments, the movement sparked by developments in this progressive, medium-sized university city near the Mexican border would come to have national ramifications whose effects continue into the present. It is particularly striking, then, that this history has not been extensively researched by scholars. Though references to the origins of the Sanctuary Movement abound, these have remained largely anecdotal and passing in the scholarly literature.

It was this paradoxical combination of historical significance and relative academic neglect that drew me to write my thesis on the history of the Tucson Sanctuary Movement. Having discovered that the Special Collections Archives at the University of Arizona holds a large and valuable collection of primary documents on the movement, I found myself in Tucson one day in April 2019, ready for three weeks of research. Completely unexpected, I also was warmly embraced by the current Sanctuary movement, so that my trip entailed an intense series of days alternating between the historical archive and meeting with contemporary activists. In the process, I was inspired to conjoin the project I had initially demarked as solely historical to a more ethnographic analysis of present-day Sanctuary efforts and meanings, as these build on that history.

No More Deaths (NMD), one of the region's youngest and most risk-taking Sanctuary organizations, invited me to their volunteer training on my second day in town. From there I kept learning about the community's diverse, primarily faith-based network of Sanctuary organizations. Soon, I had to correct my assumption, in part a result of my own largely secular Dutch background, that I would encounter some kind of secularized rendition of Sanctuary. Although the movement's body, like its 1980s precedent, consists of people with diverse, interfaith *and* secular motivations for participating, nearly all contemporary organizations I encountered are faith-based and/or come together in houses of worship, even as they (un)consciously engage with religious practices and symbolisms throughout their activism. Moreover, many of the individuals with whom I talked regarded their activism, at least to some degree, as an actualization of their spiritual beliefs. Within a week I had spoken with many people from different organizations, including John Fife – Pastor Emeritus and nationally known co-founder of the 1980s Sanctuary movement – who were all very willing to share their knowledge and experiences regarding both 1980s and present-day Sanctuary with me.

It was not, however, until after I had participated with a small group of Tucson Samaritans in a “desert drop” – where volunteers hike through the desert near the border to leave water for passing migrants and to investigate their trails by recording what they leave

behind – that I felt personally involved and for the first time truly experienced the challenges of anthropological participant-observation research. The border wall, the seemingly exorbitant number of Border Patrol (BP) officers, predator drones and watchtowers, and the checkpoints that have been set up along many roads and today reach far into the US, all left a deep impression on me. Coming across a site where a BP raid had apparently taken place recently, we found scattered personal items such as backpacks, medicines, and tooth brushes.¹⁰ Their journey to safety in America, which might have started as far south as Guatemala, had come to an end just past mile post one. This is when I decided to include an analysis of the current desert crisis, and those religious progressive communities that advocate in favor of migrants, into my research.

On a canvassing trip with another activist, I learned about the ongoing government repression of NMD volunteers, that started with littering charges (clearly referring to the water drops), and a BP raid of the NMD health care tent that provided medical aid to migrants in the middle of the desert. The repression has recently escalated into felony charges of trespassing on protected land, alien harboring, and conspiracy. Strikingly similar charges were brought against the activist members of the same community decades ago, during the lengthy, media-hyped 1985-86 Tucson Sanctuary Trials. The astonishing similarities in religious motivation and interpretation, movement strategies, and prosecution in this region required more in-depth research, which further prompted me to include a chapter on present-day Southern Arizona Sanctuary activism.

Throughout this thesis, I apply two main research methods, and flirt with a third. First and foremost, using some digital sources, but mainly original documents that I have researched at, and collected from, the Special Collections Archives of the University of Arizona (UA) in Tucson, I will apply historical analysis to create a better understanding of 1980s Sanctuary.¹¹ More specifically, working from within the fields of social and political history, my argumentation will be guided by research questions regarding the relationships between participants and migrants, differences in movement chapters, and transnational

¹⁰ See Appendices A2 to A5 for pictures of the author and Pastor Emeritus Fife, Tucson Samaritan Brian Best during a desert drop, the Sonora-Arizona wall, and a recently raided site in the Sonoran Desert respectively.

¹¹ During correspondence with librarians prior to my visit, I was informed that several boxes of this collection had been sealed by court order. This includes the trial transcripts of Operation Sojourner (OS), a crucial and highly controversial component of the prosecution's evidence that includes over 100 hours of tape recordings made by undercover agents who pretended to be sincere voluntary activists within the movement. The archivist was not certain about why they had been (and still are) sealed, but suspects that a mostly administrative reason lies behind this. The university is working on making them public, which would create significant opportunities for future Sanctuary research. Plenty of other sources that *were* available to me comment on OS, but I have therefore yet been unable to interpret these transcripts directly.

connections, particularly in terms of theology and movement grounding. For example: how is it that historical manifestations of sanctuary activism, such as the Abolitionists' Underground Railroad, have provided 1980s Sanctuary with strategies, as well as a novel way of asserting *religious* activism? Another prominent question relating the movement of the 1980s to that in present-day Southern Arizona regards the factors of faith-based makeup, organization, strategies and motivation through which the movement has proved able to sustain itself. How did their interfaith, nonpartisan, non-hierarchical character, and their serious attempts to ground their work, contribute to the movement's successes and perseverance despite severe government repression? The Sanctuary Trial Papers at UA holds primary documents indicative of the movement's makeup, organizational structures, and convictions. The collection includes a wide variety of sources, including meeting minutes, newspaper and magazine clippings, (pre-)trial transcripts and lawyers' notebooks, press releases, correspondence with (inter)national supporters (and some hate mail), photographs, sermon booklets, pamphlets and signs used in demonstrations, drawings and poetry, and much more miscellaneous materials.

At the same time, I will interpret phenomena in terms of their religio-political context, that has been directed by the foreign and migration policies of administrations over the past decades, and Sanctuary's responses to them. In order to do so, I will make use of the concepts of (religious) transnationality, grounding, and a private/public sanctuary dichotomy, as well as the fluidity between the religious and the secular realms within American politics. Moreover, to better analyze the religio-political nature of Sanctuary, I will borrow from the sociological concept of progressive religious activism. In order to point out the significance of the religious fundamentals, motivations, and strategies, I will apply four characteristics, that, according to recent scholarship, tend to appear in progressive religious movements, to the Sanctuary movement in Southern Arizona. By exercising this framework, this thesis will contribute to the acknowledgement of the academic reclamation of faith-based American activism, as a crucial progressive force in modern American history and politics.¹²

¹² I am aware of the large body of social movement sociology, but have been, due to time and length restrictions, unable to sufficiently assess overarching social movement theory for implementation in this research project. While I will keep it at flirtation with the field of sociology, New Sanctuary scholar Grace Yukich elaborately applies social movement sociology when making sense of her observations of the mid-2000s Sanctuary movement in New York. Particularly, Yukich looks into strategic dilemmas of collective actors, as theorized by sociologist James Jasper. James M. Jasper, *Getting Your Way: Strategic Dilemmas in the Real World* (Chicago: University of Chicago Press, 2008), referred to by Grace Yukich on page 81 in *One Family Under God: Immigration Politics and Progressive Religion in America* (New York: Oxford University Press, 2013). Another publication that is likely to be helpful in sociologically assessing the dynamics of Sanctuary as a social movement, especially in relation to social movement repression, is Lorenzo Bose, Marco Giugni, and Katrin Uba, eds., *The Consequences of Social Movements* (Cambridge: Cambridge University Press, 2016).

The second main research methodology applied in this thesis takes from the discipline of cultural anthropology. Where the historical and anthropological approaches often complement each other by exchanging conceptual frameworks from which to interpret findings, joint application can also raise research challenges. The two disciplines are directed by different aims and work with different tool kits. The historian's prime interest is to interpret *archival* – textual and contextual – material to present past phenomena, and often to reflect their legacies onto the present. Cultural anthropology, on the other hand, asks the researcher to immerse him or herself into a society or community other than their own, which must allow for the use of different sources, such as (participant) observation of *living communities*. In order to better understand the cultural mechanisms and relationships between the communities they observe, the anthropologist must then apply an (often interdisciplinary) theoretical framework, to make sense of their findings.

Certainly, the US Sanctuary movements lend themselves for research at the intersection of history and anthropology. A better understanding of Sanctuary requires insights into the religio-historical context in which it emerged, as well as movement dynamics, and transcultural, interfaith relationships between the people involved. The latter are best assessed with anthropological tools, such as the participant observer method. I will draw conclusions from discussions with key players in 1980s and present-day Tucson-based Sanctuary. During my field work, I participated in meetings and a variety of voluntary activities, and I observed an Operation Streamline court case. As opposed to my experience with archival research, I had never before conducted ethnographic work for an academic piece. Nevertheless, considering my physical presence in Southern Arizona and the willingness of the Tucson community to share their work and experiences with me, I decided to take on the challenge of interdisciplinary research.

Since the turn of the century, few extensive works on the origins of the movement have been published. With the signing of the Chapultepec Peace Accords in 1992, the waves of Central American refugees slowed down significantly, and the movement became less active as a result. Although some of the scholarship published already in the late 1980s and -90s provides an excellent description of Sanctuary in Southern Arizona, and certainly does not ignore the religious character of the movement, these are all written from the disciplines of anthropology, law, and journalism. Adding a historical narrative to this, interpreting the same events, but using new archives that have been growing since the 1990s,¹³ will provide

¹³ In the early 1990s, several parties involved with 1980s Sanctuary started to submit documents relating to the movement to the University of Arizona Special Collections Library and Archives. John Fife had urged members

new insights into (the legacies of) Sanctuary's religious, innovative, and highly dynamic character. Moreover, recent resurfacing of the movement under the same moniker raises questions in terms of continuity and differences. How does the current movement (fail to) address the rich, dynamic heritage of their organization? Does it (un)consciously break with the religious nature of Sanctuary, or must we instead interpret it as a continuation of the same values and strategies in a different religio-political context? The interpretation of recent developments can thus benefit significantly from a renewed look at the historical precedent, nearly four decades after Tucson's Southside Presbyterian Church publicly declared Sanctuary.

Now that the movement is again growing rapidly, and it is not unlikely that recent repression of activists in Tucson is an indicator of the Trump Administration taking notice thereof, more research is being conducted on 21st-century Sanctuary. New Sanctuary researchers mostly succeed in including a (short) history of the movement's Tucsonan roots. However, they tend to overlook generational parallels in terms of *religious* motivation, strategies, and repression of faith-based aid. They fail to note the striking fact that authorities today, similar to those in the mid-1980s in the same region, transcend prosecution of already criminalized migrants by going after those *aiding* criminalized migrants also. Instead, with the notable exception of sociologist Grace Yukich, they focus on what they consider to be "modern" interpretations of sanctuary, such as the sanctuary state, city, or campus. In this thesis, I will argue that these manifestations of *public* sanctuary must be distinguished from the understanding of faith-based *private* sanctuary, which, in its most narrow, spatial definition, refers to church asylum. My research will point out that the public sanctuary had already been considered and often practiced by Sanctuary activists of the first hour. Another particular paradox lies in the general feeling (which also captivated my consideration prior to this research) of a secularizing movement that nevertheless ties into a movement of a fundamentally religious heritage. I will counterargue the notion that "new" sanctuary practices are more dynamic and secular than 1980s manifestations of the same movement in the same region.

of Southside Presbyterian Church to collect and hand over any documents to UA for safekeeping and future research projects, which led to a particularly rich collection of primary sources relating to this church's involvement with the movement (MS 362: Series IX: Southside Presb. 1982-1992). Following their lead, local organizations emerging around the turn of the century, such as Humane Borders, have carefully collected documents and started submitting these to the Archives starting in 2010 (MS 471: Humane Borders Records, 2000-2010). With increased public and scholarly inquiry into these (and related) collections, UA has prioritized the digitizing of records and encouraged contemporary organizations to add primary sources to them for research purposes, to which many are currently responding. Verónica Reyes (curator Borderlands Studies UA Special Collections) in discussion with the author, April 8, 2019.

Another result of my direct ethnographic experience in Tucson is the realization of the distinct ways in which Sanctuary takes shape in this particular region. The overtly progressive political climate in the city stands in stark contrast with the conservative state in which it is located. Arizona has a particular history with anti-sanctuary policies, both at the state level, and as a result of federal policies that have disproportionately affected the state as a result of her geography and climate. This makes for a political discourse that is in itself inhospitable to the convictions of Tucsonan residents and active participants of Sanctuary. Moreover, migrants who accept Sanctuary aid in Tucson today are a mix of refugees who have recently crossed the desert *and* undocumented migrants who have resided in Arizona for a much longer time. Contrarily, in places farther removed from the US-Mexican border, long-term, unauthorized residents constitute the vast majority of Sanctuary recipients. Discrepancies in migrant makeup cause major dissimilarities in providing Sanctuary in different regions of the country, as migrant necessities range from emergency relief (food and water, shelter, transportation) to legal aid (translation, accompaniment at ICE check-ins, political advocacy). Whereas the growing academic body of Sanctuary research focuses on important beacons of the movement nationally, most notably New York City, Chicago, Philadelphia, and San Francisco, I have yet to encounter movement research that foregrounds the significance of present-day activism in the Sonoran Desert.¹⁴

In the first chapter of this thesis, I will provide an overview of existing literature on 1980s and present-day Sanctuary. This will show strengths and weaknesses in their approach that contribute to the framing of the research questions central to this thesis, most importantly the significance of religious dynamics within the 1980s Southern Arizona Sanctuary movement and the legacies thereof onto the Sanctuary's present-day manifestation in the same region. Chapter 1 continues with a history of American sanctuary practices preceding the 1980s, from the nation's Founding Myth, via Quaker-inspired Abolitionism, to churches sheltering Vietnam War draft dissenters in the 1960s and -70s. This will expose the often direct parallels between applications of religious meanings and strategies of sanctuary throughout US history and today. Most importantly, here I will argue how former generations of faithful Americans planted the seeds for American religious activism in general, which had a profound impact on the faith-based character of later manifestations of Sanctuary in particular.

In order to understand the objectives of 1980s Sanctuary activism, as well as the faith-

¹⁴ It appears that, up until now, investigative journalists and Tucson-based activists, most notably Humane Borders and No More Deaths, themselves have performed the bulk of this research.

based directions underlining the movement's strategies, we must understand why Central Americans fled north and why they needed American popular assistance in order to stay in the US. To this end, Chapter 2 will open with a terse introduction of the 1980s religio-political situation of Central America, US foreign policy, and the context of international and US-specific refugee laws.¹⁵ The section will then focus on Sanctuary's motivations, strategies, and early successes. This will expose the ways in which liberation theology, missionary networks and stories of martyrdom made countless border crossings that, as we will see, played a prominent role in the successes of the movement, and secured Sanctuary's unmistakably transnational qualities. This, then, raises a set of complicated questions in terms of the movement's ability to sufficiently ground itself. From these we can learn that the 1980s movement was not as old-fashioned or static as it is at times portrayed in contemporary Sanctuary literature.

In Chapter 3, I will zoom in on the high profile Tucson Sanctuary Trials of 1985-86, in which eleven church workers from Southern Arizona and Northern Sonora, Mexico were charged with dozens of felony counts. After analyzing prior, smaller cases of Sanctuary activist repression in the borderlands, and pre-trial court rulings that initially devastated the defendants' cases, I will focus on the movement's highly effective public affairs strategy. Although the Trials were remarkable for many reasons, the prosecutor's announcement that evidence against the Sanctuary workers obtained through Operation Sojourner, a long-term undercover operation that had, significantly, crossed the traditional church-state boundary by wiretapping inside churches, particularly sparked movement and public outrage. Chapter 3.3 will look into the consequences of Sojourner for the Sanctuary movement, as well as other legacies of the Trials. Lastly, I will consider the implications of *religious* interpretation of a social movement, applied to the most significant case of Sanctuary movement repression to date.

Having assessed the significance of religion, transnationality, and grounding for the successes and proper understanding of the 1980s movement, the fourth and final chapter shifts to the present-day Sanctuary movement in Southern Arizona, from which new Sanctuary takes much more than just its moniker. In order to comprehend the motivations, strategies, and, most recently, authoritarian backlash against Tucson-based activism today, I will first

¹⁵ Considering the limited scope of this research project, I will not get into all aspects of the Central American civil wars and US foreign policies involved. Instead, as my focus lies on the religious motivations, strategies, and makeup of the Sanctuary movement, I will foreground the theology and resulting oppression of religious organizing in Central America, as well as the Reagan administration's arbitrary performance regarding international and US refugee policies with regard to Central Americans.

analyze the political context of federal and statewide legislation that has particularly targeted migrants and volunteers in this region. With the recent rise in (regard for) *public* sanctuaries (at the state, city and campus levels) alongside continued growth in the number of *private* sanctuary congregations, it is more important than ever to clarify meanings of sanctuary. Besides the public/private dichotomy, I will discuss passive and active modes of sanctuary, as well as developments in the term's connotation. Furthermore, I will argue the peculiar status of Southern Arizona, in terms of the mixed status of Sanctuary recipients, their geography and climate, their overtly religious makeup, and their identification with the region's historical precedent, that separates Pima County activism from Sanctuary modes and connotations in other American cities in the network. A close look at contemporary Sanctuary organizations, their religiosity, strategies, and participant makeup, will expose both continuities and differences with 1980s Sanctuary. Importantly, as I will take from the movement's response to recent government repression in *United States v. Scott Daniel Warren*, the main continuity is the religious core and congregation-directed framework of New Sanctuary, despite arguable secularization of the region over the past decades.

Taking all of the abovementioned complexities into account, this thesis will seek an answer to the following, two-fold research question: How has progressive religion manifested itself in, and affected the results of, the 1980s Sanctuary movement, and what is the significance thereof for present-day Sanctuary activism in Southern Arizona? More than a fortuitous coincidence or a mere component of the movement, in this thesis, I argue that transnational, interfaith religion lies at the very essence and is the primary reason for successes and sustainability of the Southern Arizona Sanctuary movement, both in the 1980s and today. At a broader level, this thesis is my attempt to, as a European Americanist, make sense of the US as a land of proud pluralism with a particularly rich history of immigration, where, time and again, arbitrary exclusion is directed by xenophobic sentiments. The (re)emergence of the Sanctuary movement provides an excellent example of the crystallization of this paradox.

Chapter 1: Progressive Religious Activism: An American Tradition

People of faith in the United States – as generally throughout the world – have always responded to the needs that force themselves on their attention. They do not wait for governments to tell them what to do. They do not let governments stop them from doing what they have decided is dictated by their faith commitment.¹⁶

—Gary MacEoin, 1985

The concept of sanctuary is as American as apple pie. This is not to say that the Sanctuary movement ties into some version of American exceptionalism. Nor does it imply an exclusively domestic, as opposed to transnational, quality of sanctuary activism—quite the contrary is the case, as will unfold in Chapter 2. Here, “American” means to imply the existence of an American tradition from which the 1980s reinvention of sanctuary blossomed. At crucial moments throughout American history, faithful Americans have organized to help others in need, and deemed sanctuary a fit strategy for their cause. Although the 1980s saw the rise of an unprecedented American popular effort to aid Central American refugees, the movement’s faith-based motivations, strategies, and moniker were not very innovative at all. There already existed a rich American tradition of sanctuary philosophies and practices, that, to a more or lesser degree, proved emblematic to the movements of the 1980s and today.

This chapter will begin with an overview of existing literature on the Sanctuary movement, particularly in Southern Arizona. Following a consideration of the strengths and weaknesses in these works, I will position my own research within the multidisciplinary body of scholarship. Introducing Sanctuary as a prime example of progressive religious activism, will provide the conceptual tools necessary to analyze the relation between the movements and religion, that is central to this thesis. Then, I will get into the most prominent biblical and American historical precedents of sanctuary activism, from the nation’s Founding Myth, via Quaker Abolitionism, to church asylum for Vietnam War draft dissenters. This will demonstrate that American religious progressive activism has been able to sustain itself through conceptions and strategies of sanctuary for centuries. What did these conceptions and strategies entail, and how did religion play into them? And what is it about these specific

¹⁶ Gary MacEoin, “A Brief History of the Sanctuary Movement,” in *Sanctuary. A Resource Guide for Understanding and Participating in the Central American Refugees’ Struggle*, ed. Gary MacEoin (San Francisco: Harper and Row, 1985), 15.

manifestations of sanctuary that makes them so fundamental for Southern Arizona Sanctuary in the 1980s and present?

1.1 Review of Literature

In this section, I will convey the ways in which other scholars have assessed the 1980s and/or 21st-century Sanctuary movements. Organizing their contributions in relation to my own research questions, I will foreground the concepts of progressive religious activism, transnationality, grounding, and distinct understandings of sanctuary. In order to make sense of the rather fractured sum of publications that have, nevertheless, all been imperative to the body of existing literature on Sanctuary, I will link them by testing their (lack of) coverage of abovementioned concepts. At the same time, at close look, their arguments also portray shared issues, despite significant differences in methodology. These common foci represent multidisciplinary prioritization of issues such as challenges in Sanctuary's (trans)national organization and US foreign policy and legal arbitrariness. This thesis will take stock of these, adding to it a European, historical point of view. Using archival resources, I will, for example, look at the connections between these phenomena at the national level and the Southern Arizona religious community's interpretation and mobilization thereafter.

From this overview, I will conclude that there exists a significant shortcoming in historical assessment of the implications of the original Sanctuary movement's faith-based, transnational qualities onto its successes and perseverance during government oppression. My thesis will add to the scholarship a primary focus on the transnational religiosity of the sanctuary practice. Other scholars have, justly, referred to historical precedents of sanctuary in terms of strategic parallels, but have failed to sufficiently explore the parallels in terms of religiosity. Religion has certainly been introduced as a prominent factor stimulating and sustaining the movement in the early 1980s, but it has insufficiently been treated as the core of Sanctuary, especially when it comes to New Sanctuary scholarship. This thesis will build on questions raised by previous scholars about the role of theology and missionaries, expanding this to include a more thorough examination of ways in which religion manifested itself within the original movement, as well as present-day Sanctuary. I will do this by foregrounding religion in core Sanctuary issues (such as the interpretation of repression, movement grounding, and organizational structures) that have not received such attention in previous narratives omitting religiosity in favor of a focus on other concepts, such as legal truth. Lastly, noting the significant lack of scholarship focusing on continuities and

differences between the historical and present Tucson Sanctuary chapters, will introduce questions regarding the specific context, developments, and characteristics of the movement in the Southern Arizona region, which I will set out to answer in the remainder of this thesis.

First of all, let me introduce the concept of progressive religious activism. In *Religion and Progressive Activism: New Stories about Faith and Politics* sociologists Ruth Braunstein, Todd Nicholas Fuist, and Rhys Williams argue that although progressive religion has played a key role in many movements throughout American history, it has often been overshadowed by a disproportionate academic emphasis on its conservative counterpart.¹⁷ The rich tradition and notable successes of progressive religious politics appear, indeed, less plentiful in academia when compared to manifestations of its conservative, evangelist counterpart. Nevertheless, there exist many publications, that have excited extensive academic debates, regarding topics of American progressive religious activism. Braunstein et al. posit that the Civil Rights movement provides the most notable exception to the rule of religious politics. Although this is not necessarily a false claim, they fail to recognize the rich body of scholarship that prioritizes other decisive progressive religious movements in modern American history. For decades, interdisciplinary scholars have researched the significance of religious progressive activism within movements ranging from the Catholic Worker Movement to the United Farm Workers Movement and faith-based environmentalism.¹⁸

Knowing that there exists an (ever growing) body of scholarship on progressive religious activism, leads to the question as to why this is not *acknowledged* as much as that regarding conservative religious politics. It is more difficult to discuss the former as a solid category, because progressive religious movements have not been acting as members of an overarching religious philosophy. Whereas American conservative religious activism can be grouped together as manifestations of evangelist politics, such an umbrella term is less obvious when we talk about progressive religious politics. In other words, progressive religious activism acts in a much more fractured manner. Moreover, since the 1970s, conservative evangelist activism has integrated within particular media, think tanks, and, ultimately, within politicians and the Republican party platform. At the same time, many progressive Americans shared the conception that most of the objectives they aimed and

¹⁷ Ruth Braunstein, Todd Nicholas Fuist, and Rhys H. Williams, eds., *Religion and Progressive Activism. New Stories About Faith and Politics* (New York: New York University Press, 2017).

¹⁸ See, for example, Mark Zwick, *The Catholic Worker Movement: Intellectual and Spiritual Origins* (Mahwah: Paulist Press, 2005); Luis D. León, "Cesar Chavez in American Religious Politics: Mapping the New Global Spiritual Line," *American Quarterly* 59, no. 3 (Sept. 2007): 857—881; and Evan Berry, *Devoted to Nature. The Religious Roots of American Environmentalism* (Berkeley: University of California Press, 2015).

fought for in the 1960s had been achieved. Similarly, the clearly flawed synchronization of Barack Obama's election with the end of racism in America, has translated into a stagnation in progressive religious abilities to mobilize as a strong, singular front. Braunstein et al. compare Obama and his progressive religious rhetoric with MLK, arguing in an oddly celebratory manner that "Obama must be understood not as the *cause* of a progressive religious resurgence, but as the *product* of progressive religious efforts that have been operating in the background of U.S. politics throughout the country's history."¹⁹ Indeed, 1980s and present-day Sanctuary, like other progressive religious movements, act(ed) as powerful reactionary forces to specific conservative, arguably illegal and/or inhumane, policies and practices. The fact that they emerge when they have a clear policy or phenomena to battle, as opposed to New Right activism that is in continuous operation, resulting from its permanent embeddedness in politics and media, makes for a less coherent front that requires a cause, not a product, for its existence and solidification.

Keeping the necessary nuance regarding the scholarly lacuna in mind, *Religion and Progressive Activism* does an excellent job at innovatively showcasing the historical prominence and diversity of progressive religious movements. Moreover, the essay compilation is presented as an appeal to fellow researchers, for whom the book provides a constructive framework for analysis of progressive religious movements. Throughout this thesis, in order to point out the significance of the religious fundamentals, motivations, and strategies, I will apply four sets of characteristics, that according to Braunstein et al. tend to appear in progressive religious movements, to the Sanctuary movement in Southern Arizona. These categories include: progressive action; progressive values; progressive identities; and progressive theology.²⁰ Better understanding of the correspondence between these ingredients might help solidify the fractured body of progressive religious movement scholarship.

Sanctuary cut a very wide swath politically, as movement activists, like today, rallied around clear progressive values and actions, that were not necessarily linked to the Democratic Party. I ought to clarify that although the term "progressive" is useful to separate social movements such as Sanctuary from conservative counterparts, we must be careful not to read into it a synonym for left-wing party affiliation. One of the strengths of Sanctuary lies in the movement's active inclusivity and appeal to Americans from all religious and political affiliations. In the words of Sanctuary co-founder Jim Corbett: "[T]he network itself is

¹⁹ Braunstein et al., *Religion and Progressive Activism*, 3.

²⁰ Ruth Braunstein, Todd Nicholas Fuist, and Rhys H. Williams, "Religion and Progressive Politics in the United States," *Sociology Compass* 4 (2018): 3.

politically as well as religiously inclusive.”²¹ The movement’s objectives offered rapprochement and common ground at a time when conservative, evangelist social movements were getting increasingly homogenous and exclusive. I am aware that the term “progressive” has been applied by many different individuals, politicians, and collective actors to identify very diverse discourses, particularly within American political history. Applied to religious activism, and Sanctuary in particular, progressive (with a lower case) does not necessarily imply affiliation with a political party. I have found it a helpful term in order to characterize Sanctuary as a powerful strategy for social reform, and to illuminate the rich American tradition of counter-conservative religious politics. Moreover, in qualifying Sanctuary, especially considering the context it operates in today, “progressive” helps to navigate away from an America-first political outlook and towards one favoring global religion and transnational humanity. Lastly, as I have borrowed the theoretical framework, progressive religious activism, for this thesis, it seems appropriate to follow the terminological lead of the scholars who proposed it.

Academic coverage of the 1980s and present-day Sanctuary movements does not assume the shape of a traditional debate, where scholars within one academic field continuously add interpretations and findings that counterargue the reigning paradigm at the time of their writing. Existing Sanctuary literature must instead be characterized as highly multi-disciplinary, which has resulted in a fractured body of scholarship that lacks a dynamic inter-disciplinary dialogue. Sanctuary is mentioned by many historians as a significant contributor to the Central American peace efforts of the 1980s, and as a crucial source for present-day Sanctuary. And yet, a clear *historical* authority on this subject is still missing. Leading publications on the movement have emerged from the disciplines of anthropology, sociology, law, and journalism that, naturally, highlight different aspects of the movement. Moreover, the bulk of scholarship on 1980s Sanctuary has been published during or right after the movement’s heyday. Now that there exists significant distance between the author and the subject, and now that new archives have opened up, 1980s Sanctuary has become an appropriate topic for historical analysis, too. For the same reasons, scholarship on New Sanctuary, as the movement is active at the time of this writing, comes primarily from the anthropological and sociological disciplines.

Already in 1985, the year the most significant Sanctuary court case to date commenced, Ignatius Bau published *This Ground is Holy: Church Sanctuary and Central*

²¹ Jim Corbett, “The Social Dynamics of the Sanctuary Movement,” 36, MS 362: Sanctuary Trial Papers, box 30, folder 14, courtesy of University of Arizona, Special Collections.

American Refugees.²² A legal scholar and immigrant rights attorney, Bau incorporated a surprising and impressive narrative regarding the position of religion and politics at the time. He also analyzed Sanctuary's organizational challenges and successes, before getting into the legal parameters and significance of the indictments in Tucson. His findings are among the most cited in later works on Sanctuary. Bau's work provides a detailed yet clear overview of Sanctuary's geography, chronology, and the movement's *raison d'être*. The book's biggest shortcoming perhaps lies in its early publication. It would be interesting to read Bau's legal interpretations of the court's proceedings, verdicts, and their effects on the movement in the late 1980s and today, now that Sanctuary activists are again charged with highly similar felony counts in the same region. In addition to the work's significance as an academic reference, publishing at the high point of Sanctuary activism, made for its instructive power as a resource guide for activists and legal councils wishing to understand the motivations, strategies and legal parameters of Sanctuary at the time.

Where Bau provides a matter of fact kind of overview of early Southern Arizona Sanctuary with a focus on legal precedents and occurrences, Ann Crittenden in *Sanctuary: A Story of American Conscience and Law in Collision* eloquently adds insights into the community's response to the matters. *Sanctuary*, to me, raised questions in terms of agency that lies with the Tucsonans themselves, while it made me aware of the necessary distinction between the actual events and religious activists' *interpretation* thereof. *Sanctuary* came up most often when I discussed my secondary sources with present-day Sanctuary activists in and around Tucson.²³ Those who had also been active in the 1980s, unanimously agreed that Crittenden tells their story best. Crittenden's narrative includes several moral lessons, at times closely resembling a call to arms, that have the power to stimulate activism again in the contemporary context: "The story of sanctuary is, in the end, a story about ourselves, and the damage that inhumane policies stubbornly pursued, can inflict on the body politic."²⁴ The product of investigative journalism, as opposed to scholarly inquiry, *Sanctuary* assumes a very different audience and way of measuring her findings. The book's accessibility to the general public, including (future) Sanctuary participants themselves, allows for a telling that is more shaped by the author's personal experiences than by academic concepts and theory. Nevertheless, *Sanctuary*, for its comprehensive yet detailed account of the movement, and in

²² Ignatius Bau, *This Ground is Holy. Church Sanctuary and Central American Refugees* (Mahwah: Paulist Press, 1985).

²³ Ann Crittenden, *Sanctuary. A Story of American Conscience and Law in Collision* (New York: Weidenfeld and Nicolson, 1988).

²⁴ Crittenden, *Sanctuary*, 352.

part because of the lacuna in scholarly studies of Sanctuary, became a point of reference for authors interpreting the movement from within academia thereafter, including myself.²⁵

In the early to mid-1990s, Susan Bibler Coutin and Hilary Cunningham published books that relied heavily on their field work in Southern Arizona, conducted in the years following the 1985-86 Sanctuary Trials. Throughout the 1990s, Coutin and Cunningham would continue to publish insightful articles dealing with specific elements of Sanctuary, such as transnationality and the construction of legal truths. What separates the anthropologists' findings from those of other scholars, is that they emerged themselves into the movement in the most literal sense. In his introduction to anthropology, Thomas Hylland Eriksen points out the limitations of this approach that is characteristic of the discipline: "The expression 'participant observation,' a vaguely defined research technique, may serve as a convenient blanket term to conceal both ethical and methodological shortcomings in the actual research process."²⁶ Eriksen also refers to the traditional anthropological distinction between the emic, interpretations of the studied group based on participant observation, and the etic, the anthropologist's interpretations of their subject based on analytics and theoretical frameworks from the outside.²⁷

Cunningham and Coutin both engaged with participant observation during their field work in Tucson, and their introductions are filled with admitting the inevitable moral shortcomings of such research. Moreover, both also clearly apply the etic approach to make sense of their findings in the field—participant observation, in these cases, does not at all conceal ethical and methodological shortcomings. A major strength in Cunningham's work lies in the ways in which she foregrounds religion as a primary subject and theoretical framework within and without the Sanctuary movement:

²⁵ Miriam Davidson, also a journalist, in 1988 published a book on Southern Arizona Sanctuary. In *Convictions of the Heart: Jim Corbett and the Sanctuary Movement*, Davidson focuses on the co-founder's contributions and reflections on Sanctuary activism in the region. She primarily takes from the many interviews she conducted with Corbett, so that the book takes the shape of his memoirs. As is the case with Crittenden's *Sanctuary*, *Convictions* provides valuable insights, but we need to be aware of differences in their approaches of Sanctuary, compared to academic publications. In the summer of 2018, responding to popular demand, the University of Arizona's Special Collections digitized hundreds of tape recordings that Davidson created and used for the manuscript of *Convictions*. They were added to the collection that also includes Davidson's notes of the 1985-86 Sanctuary Trials, news clippings, and other research materials. The documents are freely accessible to the public. Unfortunately, I did not have enough time during my stay in Tucson to access this collection. See MS 433: Miriam Davidson Papers, courtesy of University of Arizona, Special Collections; Miriam Davidson, *Convictions of the Heart. Jim Corbett and the Sanctuary Movement* (Tucson: University of Arizona Press, 1988).

²⁶ Thomas Hylland Eriksen, *Small Places, large Issues. An Introduction to Social and Cultural Anthropology* (London: Pluto Press, 2001), 26.

²⁷ Eriksen, *Small Places*, 36.

Sanctuary raised important epistemological questions about the way anthropologists and other social scientists have studied religious phenomena. Here was a project that challenged not only the predisposition to view religion solely as a conservative social force and/or as a tool of powerful elites, but also more deeply held assumptions within anthropology about the place and importance of religion, as a medium of experience and change, in the contemporary world.²⁸

Instead of treating religion as a random circumstance, Cunningham makes a strong case for regarding it as a major resource, and a primary aspect of Sanctuary. The phrase defining religion as a “medium of experience and change” has stuck with me and guided my own research. It implies religion’s power to filter any political context, while it provides opportunities for change through activism, which is exactly what Sanctuary participants of the 1980s *and* today argue. Moreover, the movement excited progressive religious activism at a time of rapidly growing conservative, evangelist involvement with politics. Cunningham justly embeds the Sanctuary movement of the 1980s in the rich, arguably understudied, history of progressive religious activism in the United States. She also does an excellent job of looking beyond movement leadership, according to Eriksen still a rare occurrence in 21st-century anthropological research. Cunningham announces in her introduction that she has made “a conscious decision in this ethnography not to analyze Sanctuary from the perspective of prominent individuals but to explore the movement through the experiences of everyday participants—the North American and Central Americans with whom I associated on a daily basis.”²⁹ Inspired by this approach, my conclusions are similarly rooted in interactions with both (former) leaders and those Sanctuary volunteers assuming less prominent roles.

In *The Culture of Protest*, Coutin also builds her thesis on Sanctuary as a sympathetic participant observer.³⁰ As opposed to Cunningham, she does not foreground religion, but instead sees this as an aspect of a movement whereof the primary significance lies in the ways it has shaped a community’s thinking about issues related to Sanctuary. As the title suggests, Coutin looks into the effects of cultural phenomena onto Sanctuary’s participants and vice versa. She concludes that the movement has brought about significant shifts in Southern

²⁸ Hilary Cunningham, *God and Caesar at the Rio Grande: Sanctuary and the Politics of Religion* (Minneapolis: University of Minnesota Press, 1995), xvii-xviii.

²⁹ Cunningham, *God and Caesar*, xx.

³⁰ Susan Bibler Coutin, *The Culture of Protest. Religious Activism and the U.S. Sanctuary Movement* (Boulder: Westview Press, 1993).

Arizona and, eventually, American understandings of transnationality, ultimately relating her findings to theories of Orientalism and othering. Although *Culture of Protest* does certainly not ignore the religious foundation of Sanctuary, Coutin chooses to regard this as one of many factors within Sanctuary that together contributed to a culture of protest. In an article focusing on the Tucson Trials, Coutin powerfully explores the ways in which prosecutors, defendants, and the public created and performed legal truths.³¹ Here, she makes a convincing case for the renegotiable nature of legal truth that played a decisive role in the appeals of both prosecution and the defendants. In doing so, she applies religion solely as a legal and strategic resource. In Chapter 3, I will instead explore the significance of religion as initial motivator and guiding force in the defendants' interpretation of government repression.

Strikingly, the most influential sociological assessments of 1980s Sanctuary to date, which, naturally, work with different tools and frameworks, raise issues similar to contributions by Cunningham and Coutin. In *Resisting Reagan*, sociologist Christian Smith identifies Sanctuary as one of three most prominent manifestations that together gave rise to the US Central America Peace Movement.³² The work presents a satisfactory, if at times undifferentiated anti-Reagan rhetoric, overview of the religio-political context to which Sanctuary responded. Smith eloquently identifies Sanctuary as the *religious* driving force within the Peace Movement. However, in one of very few direct inter-academic comments on Sanctuary, Sharon Erikson Nepstad argues that Smith's structural view on the movement requires a complementing cultural-agency approach. Her 2003 *Convictions of the Soul: Religion, Culture, and Agency in the Central America Solidarity Movement* is perhaps the most comprehensive 21st-century work on 1980s Sanctuary published to date. Nepstad is particularly critical of Smith's categorization of missionaries as mere messengers, as opposed to the "key interpretive role" that she herself assigns to these actors within the movement.³³ Picking up where Smith has left off, Nepstad focuses on individual emotional and spiritual transformations within Sanctuary activists and the significant role missionaries, and stories of martyrdom that crossed the transnational border with and without them, played therein.³⁴

Admittedly charged by her own personal transformation from conservative evangelical to progressive activist as a result of her field work, Nepstad wants to understand the emotions

³¹ Susan Bibler Coutin, "Smugglers or Samaritans in Tucson, Arizona: Producing and Contesting Legal Truth," *American Ethnologist* 22, no. 3 (1995): 549-571.

³² Christian Smith, *Resisting Reagan: The U.S. Central America Peace Movement* (Chicago: University of Chicago Press, 1996).

³³ Smith, *Resisting Reagan*, 24-25.

³⁴ Sharon Erickson Nepstad, *Convictions of the Soul: Religion, Culture, and Agency in the Central America Solidarity Movement* (New York: Oxford University Press, 2004).

behind the structural, objective sides of protest: “Political shifts and social changes certainly do expand or limit opportunities, yet people sometimes act because their moral conscience requires them to do so even if conditions are not favorable and change does not seem feasible.”³⁵ Although I will take from Smith’s compelling description of President Reagan’s foreign policy and the socio-political context in 1980s Central America, I am most inspired by Nepstad’s questions regarding transfer and reception of faith-based motivation for activism, i.e. the human expectations and experiences of social movements such as Sanctuary. In 2017, Nepstad published an article in which she innovatively explores the significance of religious interpretations of repression, which I will draw on in the closing paragraph of Chapter 3, when discussing repression of Sanctuary.³⁶

For my research of present-day Sanctuary in Southern Arizona and beyond, I have mainly consulted Grace Yukich’s 2013 *One Family Under God* and Linda Rabben’s 2016 *Sanctuary and Asylum*.³⁷ Both Yukich and Rabben operate from within the social sciences, respectively sociology and anthropology. Rabben’s impressive work on (global) changes and continuities in meanings and practices of Sanctuary and asylum, includes the chapter “The News from Tucson,” which places Southern Arizona Sanctuary at the forefront of present-day activism, and zooms in on faith-based organizations that continue to operate in the Sonoran Desert today. Yukich’s study focuses on New Sanctuary Coalition chapters in New York and Los Angeles, that continue to aid a significantly different composition of migrants than has been the case in Southern Arizona. However, as she provides an excellent overview of New Sanctuary’s faith-based strategies and successes, most notably radical accompaniment³⁸ and the ways in which Sanctuary activism itself sparks religious conversion, her research is helpful when analyzing Sanctuary in other regions, too.

Yukich also considers movement grounding, concluding that “as the New Sanctuary Movement [of New York] entered its third year in late 2009, its membership still lacked the religious and ethnic diversity it hoped for and needed, though [...] committed activists continued working hard to increase a sense of inclusion and openness in New Sanctuary that

³⁵ Nepstad, *Convictions*, 6 and 11.

³⁶ Sharon Erickson Nepstad. “Religious Beliefs and Perceptions of Repression in the U.S. and Swedish Plowshares Movements,” in *Religion and Progressive Activism. New Stories about Faith and Politics*, eds. Ruth Braunstein, Todd Nicholas Fuist, and Rhys H. Williams (New York: New York University Press, 2017), 246-267.

³⁷ Grace Yukich, *One Family Under God: Immigration Politics and Progressive Religion in America* (New York: Oxford University Press, 2013); Linda Rabben, *Sanctuary and Asylum. A Social and Political History* (Seattle: University of Washington Press, 2016).

³⁸ Yukich defines radical accompaniment as a reimagination of Sanctuary’s historic precedent that was necessary to ensure the reborn movement’s successes. I will go into further detail regarding this concept in Chapter 4. Yukich, *One Family*, 82-84.

might help them recruit other participants.”³⁹ I will explore whether this has been true for Tucson as well. Yukich is less persuasive in her at times blunt discussions of historic Sanctuary. She tends to portray Sanctuary in its past forms as a less imaginative mold for the dynamic 21st-century manifestations of Sanctuary in big US cities. Drawing from my own findings regarding 1980s Sanctuary, I will complicate this notion and counterargue that the original movement was in fact a highly dynamic organization, composed of a multitude of different manifestations of sanctuary activism.

1.2 The American Arc of Sanctuary

Religion has been deeply embedded in American social history from the nation’s very beginning. The socio-historical American archive resulting from this national tradition has been instrumental to the American reinvention and qualification of sanctuary. At the moment that Americans today employ sanctuary practices, regardless of their awareness of its inherently religious character or the (lack of) religiosity of the recipient in question, they automatically tie into this archive, and thereby legitimize the faith-based nature of sanctuary. In the US, working under the banner of sanctuary has all sorts of deep-rooted biblical and powerful (American) historical implications. 1980s Sanctuary consciously and unconsciously reinforced these implications, by taking from a kind of activism that, throughout American history, has been reinterpreted in many different contexts, without losing its religious core. The remainder of this chapter will analyze Sanctuary’s considerations of preconceived strategies that, in different ways, played into the same concept of sanctuary. It exceeds the limits of this project to exhaustively look into ancient and medieval histories of sanctuary.⁴⁰ Here, it suffices to keep in mind that the concept of providing sanctuary, besides its biblical foundations, has surfaced on many occasions and in many places, certainly preceding European settlement of the New World. In order to understand Southern Arizona Sanctuary as a prime example of religious activism, I will focus on the biblical and the modern (American) historical precedents that have been most instrumental to 1980s Sanctuary.

According to Braunstein et al., the category of “progressive identities” indicates that the members of a progressive religious movement “consciously identify with other groups and

³⁹ Ibid, 200.

⁴⁰ For more in-depth research on ancient sanctuary, and considerations of biological arguments for sanctuary (“[g]iving refuge to strangers is an act of reciprocal altruism”), see Chapter 2 (pages 27-54) of Linda Rabben’s *Sanctuary and Asylum*.

individuals generally viewed as religious progressives.”⁴¹ In the case of the 1980s Sanctuary movement, activists consciously drew parallels between historic manifestations of sanctuary. Moreover, they identified with specific sanctuary ideologies and strategies that directly inspired their own work, most notably the practices of covert transportation and accommodation of refugees, and church asylum. My version of what I will call the “American arc of sanctuary,” provides a history of sanctuary manifestations in the US. The biblical and historical moments included therein, have been carefully selected as they appear to me to be most fundamental to 1980s Southern Arizona Sanctuary, either because activists consciously referred to them in order to advance the legitimacy of their cause, or because they significantly impacted the less conscious process of religious sanctuary justification.

Both as a means to make sense of their own work and to magnify its successes, Sanctuary workers incorporated biblical directions for sanctuary throughout their activism. In most every essay, press conference, and advocacy activity in the desert and its cities, Sanctuary workers applied some sort of identification with religious narratives to argue the legitimacy of their movement. In 1985, *Sojourners Magazine* published a five-page interview with Corbett and two other Sanctuary workers who had at that time been indicted for their activism.⁴² Immediately, Corbett takes the opportunity to underscore the religious foundations and implications of their work:

Sojourners: Jim, could you tell us how the sanctuary movement got started and how you got involved in it?

Jim Corbett: How it got started? You’ll have to consult Exodus on that. It’s very important to realize that the sanctuary movement is not something that someone, somewhere, suddenly invented. It has been around better than 3,000 years.⁴³

Many biblical passages have been quoted as the religious birth mother of Sanctuary, but those of Exodus, Leviticus, and Deuteronomy dominate the movement’s narrative of religious

⁴¹ Braunstein et al., “Religion and Progressive Politics,” 3.

⁴² *Sojourners* founder and continuing editor and chief is the well-known progressive Christian writer and activist Jim Wallis, who kept strong ties with Tucson’s Sanctuary leadership throughout the 1980s. Wallis was a key note speaker during the 1985 Sanctuary Symposium in Tucson. At other decisive moments, he invited Sanctuary activists for interviews and to write op-ed pieces which he published in *Sojourners*, which enjoyed a national readership. Wallis thereby played an important role in the diffusion of Tucson-based Sanctuary ideas and progress.

⁴³ Corbett interviewed by *Sojourners Magazine* (March 1985), 15, MS 362: Sanctuary Trial Papers, box 30, folder 28, courtesy of University of Arizona, Special Collections.

identification.⁴⁴ For example, in a 1986 booklet supporting their endorsement of Sanctuary “as rooted in the Scriptures to personally give shelter, comfort, and render travel assistance to Central American refugees,” the American Sisters of St. Francis outline theological considerations for Sanctuary activism.⁴⁵ They relate their (call for) Sanctuary activism to the verses referring to the Sojourners in Egypt and the lives of Saul and Jesus, who had, like Central American refugees, depended on the hospitality of Good Samaritans.

Similarly, in an open letter published in their newsletter *Basta!*, the Tucson Ecumenical Council (TEC) Task Force for Central America wrote: “Whenever a congregation considers becoming a sanctuary for the persecuted, Israel stands at Sinai, deciding to be Israel; having heard the cock crow, the Church is now deciding to be the Church. Functionally, providing sanctuary is the congregational analogue to the baptism of individual Christians: an initiating act of incorporation into the covenant people.”⁴⁶ While the movement identified with biblical verses, Sanctuary integrated its activism within the Judeo-Christian tradition. By attaching to these recognizable religious elements an awareness of contemporary human suffering that, moreover, occurred in their backyard, Sanctuary leaders and sympathizers were able to mobilize a predominantly Judeo-Christian, faithful community. In Chapter 4, we will see how the Bible and religious traditions remain crucial sources for Sanctuary advocacy and activism today.

The American arc of sanctuary finds its origins in the 17th century. The Founding Myth of America includes the ideology that the New World would present itself as one big sanctuary, in the sense of a safe haven, for Pilgrims and Puritans from Europe. Bau puts it poignantly: “To these first colonists, their entire journey to the North American continent was a new Exodus to a new Promised Land away from religious and social persecution and oppression.”⁴⁷ Having lived in England with a very recent history of sanctuary law, that had been abolished by king James I not long before the first colonizers settled New England, these religious men brought with them an understanding of sanctuary privileges, which they considered superfluous to put into law. It is important to understand that, as opposed to other Western countries⁴⁸, the US thereafter never added any legislation that would legally

⁴⁴ See Appendix B for an overview of biblical verses that recur most often in Sanctuary manifestations of the 1980s and today.

⁴⁵ “Corporate Stance Proposal for Endorsement of Sanctuary,” MS 362: Sanctuary Trial Papers, box 31, folder 18, courtesy of University of Arizona, Special Collections.

⁴⁶ Letter from TEC Task Force to *Basta!*, September 25, 1984, MS 362: Sanctuary Trial Papers, box 30, folder 1, courtesy of University of Arizona, Special Collections.

⁴⁷ Bau, *This Ground*, 158.

⁴⁸ For example, in the Netherlands, albeit under the precise condition that a service is in session, houses of worship or philosophical contemplation have a legal right to provide sanctuary to refugees, and Dutch law

undergird church asylum. It is also worth noting that 1980s Sanctuary activists in Southern Arizona were particularly reluctant to directly connect this Founding Myth narrative to their movement. They understood the problematic implications this would have, as the land they lived on had already functioned as a sanctuary to Tohono-O'odham Natives since long before its colonization.⁴⁹ Nevertheless, the parallel surfaces in several 1980s documents, either as a self-prescribed identification for Sanctuary chapters elsewhere in the country, or as directed by the media.

In 1985, the bishops of Tucson, Phoenix, and Gallup (New Mexico) wrote President Reagan, who was at that time about to be inaugurated for his second term, to recommend Extended Voluntary Departure (EVD) status for Central American refugees. Like many other Sanctuary sympathizers, the bishops identified with the historical precedent of their nation's dealing with refugees: "We have not often in our history turned the "huddled masses" away from our shores, whether they were Irish, Polish, Italian, Cuban, Vietnamese, or Jewish. We welcomed them all in the spirit of sharing our ideals of freedom and opportunities for justice."⁵⁰ The "huddled masses" phrase is an obvious reference to Emma Lazarus' "The New Colossus," attached to the foot of the Statue of Liberty.⁵¹ It so happened to be Lady Liberty's centennial in 1986, the same year that eight prominent Sanctuary workers received their sentences in Tucson. In their declarations, essays, services, and demonstrations, Sanctuary activists took the opportunity to point out the tragic irony of the national celebrations honoring the Statue (and her poem) taking place just hours after the government's victory in a court case attacking Americans who attempted to live up to the message of that very symbol of the American spirit.⁵² "As our nation prepares for one of the biggest celebrations in its history, the restoration of the Statue of Liberty, next July 4th 1986, the citizens, parishioners,

enforcement is prohibited from entering. At the turn of this year, this provision sparked a service marathon in The Hague's Bethel Church, where an Armenian family had taken shelter. The remarkable event lasted 96 days, included services by almost 1,000 interfaith pastors, and was reported on internationally. Although the church and volunteers persevered for an impressive time, eventually this legal status of Dutch sanctuary is limited, too. Church asylum in itself is still illegal, and is dependent upon the Dutch local government's admittance and good will. It did, as is the case in American Sanctuary activism, give the tools for faith-based protest and advocacy for the arbitrariness of migration policies, while such activism mobilizes people from different backgrounds to rally behind a shared cause. See Article 12B of the Dutch "General Law on Entering" (*Algemene Wet op Binnentreden*).

⁴⁹ Amy Beth Willis (Southern Arizona Sanctuary Coalition) in discussion with the author, April 10, 2019.

⁵⁰ Letter from Bishops of Tucson, Phoenix, and Gallup to President Reagan, January 17, 1985, MS 362: Sanctuary Trial Papers, box 31, folder 13, courtesy of University of Arizona, Special Collections.

⁵¹ "Give me your tired, your poor, your huddled masses longing to be free, the wretched refuge of your teeming shores, send them, the homeless, tempest-tossed to me, I lift my lamp beside the golden door," reads the closing phrase of the sonnet "The New Colossus," written by Emma Lazarus in 1863.

⁵² This parallel is drawn, for example, in the introduction to a statement from the Sanctuary Defense Fund, MS 362: Sanctuary Trial Papers, box 50, folder 11, courtesy of University of Arizona, Special Collections.

laypeople, students, clergy, nuns, rabbi's, and Americans of the Sanctuary movement, remain steadfast and dedicated to the small plaque beneath Lady Liberty's feet [...]," reads an essay accompanying an address to the City Council of Rochester by the Rochester Sanctuary Committee.⁵³

Key Sanctuary spokespeople and theoreticians of the 1980s magnified the parallels between their movement and historical sanctuary, while they appreciated the contextual delicacies of different sanctuary manifestations in different times and places. Perhaps the most important historical manifestation of sanctuary activism is the largely faith-based Abolitionist effort towards an Underground Railroad (UGRR). Starting around the turn of the 19th century and operating well into the 1860s, the UGRR exercised sanctuary by transporting runaway slaves, via safe houses, to free states and countries, in clear defiance of the 1793 and 1850 Fugitive Slave Laws. Not unlike Sanctuary in the 1980s, Abolitionists also applied sanctuary in lower risk ways, such as providing legal aid to free men and women who had been kidnapped into slavery.⁵⁴

Besides the overt parallels between Abolitionism and 1980s Sanctuary in terms of transportation and shelter provision to the endangered fellow human, another, even more profound parallel can be drawn between the two movements. UGRR historian Fergus M. Bordewich qualifies the Abolitionist operation as "the seedbed of religious activism in American politics."⁵⁵ Although there had been instances of religious activism preceding the Abolitionist effort, Bordewich makes a valid point when he argues that the UGRR was significant for more than its politico-historical consequences—it also embodied a powerful religious core, that played a crucial role in the operation's successes, as well as later faith-based popular efforts for social change.⁵⁶ Drawing on the seedbed metaphor, later manifestations of American religious activism, ultimately leading to the US Central America Sanctuary movement, now appear as the produce harvested from seeds planted by Abolitionists.

Naturally, aiding the runaway slave in the 19th century brings with it very different challenges and risks than supporting the Central American refugee in the 1980s. Regardless of

⁵³ Richard C. Streeter, "Address to the City Council of Rochester, New York," December 30, 1985, 6, MS 362: Sanctuary Trial Papers, box 10, folder 1, courtesy of University of Arizona, Special Collections.

⁵⁴ Linda Rabben, "The Quaker Sanctuary Tradition," *Religions* 9, no. 5 (May 2018): 157.

⁵⁵ Fergus M. Bordewich, *Bound for Canaan: The Underground Railroad and the War for the Soul of America* (New York: Harper Collins, 2005), 438.

⁵⁶ Although Bordewich does not add the qualification "progressive" to his understanding of religious activism here, religious Abolitionism is a clear example, indeed perhaps the first one, of religious activism in my sense of the term progressive, meaning the opposite of conservative, law-abiding, faith-based advocacy.

these profound differences in context, however, the conscious application of law-defying movement strategies was embedded in the religious foundations in both movements. In other words, the faith-based motivations for engaging in sanctuary activism, even when this meant a significant increase in the risks associated with it, directed movement strategy. The legacy of UGRR sanctuary activism thus transcends that of a strategic tool kit. Moreover, Abolitionists left later generations of Americans with a novel discourse of religious activism.

Strikingly, although the Quaker presence in Abolitionism is better documented than that in 1980s Sanctuary, both movements enjoyed a prominent Quaker leadership and following. The continued Quaker interest in progressive religious activism from Abolitionism to Sanctuary cannot be explained from a large Quaker presence in the US population. And yet, in 1987, 57 Quaker congregations had joined the movement, only slightly outnumbered by the number of Catholic (64) and Unitarian Universalist (67) sanctuary congregations.⁵⁷ The primary reason for such a disproportionate number of Friends to participate in faith-based activism towards social change, lies in the essence of the Quaker religious tradition itself. In “The Quaker Sanctuary Tradition,” Linda Rabben argues that “[w]hen Quakers offer sanctuary, they see it as a righteous, even if illegal, act: they believe they are called to follow a higher law.”⁵⁸ This belief in the necessity of providing humanitarian aid, even when this means breaking laws, finds its origins in the Quaker Testimonies, that stipulate a practice-what-you-preach doctrine.⁵⁹ Where other denominations initially perceived justification of sanctuary as an innovative way to interpret a traditional doctrine, for Quakers, whose core belief directed selflessness and truth to power, sanctuary appeared more straight-forward.

The Quaker presence, most notably with the leadership of Tucsonan Jim Corbett, in early Sanctuary organizing, continued to exert influence when the movement developed strategies and ideas throughout the 1980s. When legal aid proved unable to support the increasing numbers of refugees entering the US through the Sonoran Desert, it was Corbett who convinced his friends, among them many Friends, to identify with motivations and strategies of Abolitionist sanctuary, and start transporting refugees across the border and to safehouses.⁶⁰ These Quaker-inspired connections would emerge into a wide network of what would be known as the “New Underground Railroad,” which, like its pre-Civil War

⁵⁷ Cunningham, *God and Caesar*, 65.

⁵⁸ Rabben, “Quaker Sanctuary,” 162.

⁵⁹ According to the American Friends Service Committee, the Testimonies include peace, equality, integrity, community, simplicity, and stewardship. <https://www.afsc.org/sites/default/files/documents/AFSC-Quaker-Testimonies.pdf>.

⁶⁰ Cunningham, *God and Caesar*, 25.

precedent, brought many refugees into safety.

The first American public declaration of sanctuary with an emphasis on church asylum was not that at Tucson's Southside Presbyterian Church in 1982. In fact, Boston's Arlington Street Unitarian Church declared itself a sanctuary for Vietnam War draft evaders as early as 1967.⁶¹ The idea of providing shelter to refugees inside a house of worship, for Americans, derived from the English medieval practice, that, legally, provided perceived criminals with a place to temporarily steer clear of authorities at a time when no criminal justice system was in place. The American, public application of sanctuary marked a significant shift in terms of those who qualified for church asylum. At the "Service of Conscience and Acceptance" that went paired with the public declaration in Boston, Reverend William Sloane Coffin, Jr.⁶² preached:

Now if the Middle Ages churches could offer sanctuary to the most common of criminals, could they not today do the same for the most conscientious among us? And if in the Middle Ages they could offer forty days to a man who had committed both a sin and a crime, could they not today offer an indefinite period to one who had committed no sin?⁶³

Instead of offering shelter to the criminal, Vietnam Sanctuary intended to aid the innocent refugee. Not only did participating congregations disagree with unjust laws, they also emphasized the particular virtue of those refusing the draft as a demonstration of their morally and spiritually intact conscience. Like that during the Vietnam War, 1980s overt sanctuary automatically vocalized a religious progressive protest against US foreign policy, albeit regarding a distinct cause.

Besides a reconsideration of the sanctuary recipient, church asylum for draft evaders also meant a shift from covert to overt sanctuary. When Southside Presbyterian Church decided to publicly declare itself a sanctuary for the oppressed of Central America in the Fall of 1981, Reverend Fife and his colleagues sent letters to politicians and law enforcement announcing their plans. They also contacted other congregations nationwide to join them. Like Arlington Street Unitarian, Southside Presbyterian arranged for a large press conference to take place on the date of public declaration so as to generate publicity, as opposed to

⁶¹ Ibid, 94.

⁶² In a way personifying the link between 1970s sanctuary for Vietnam War draft dissenters and 1980s Sanctuary for Central American refugees, the same Reverend Sloane Coffin, Jr., drawing on his experiences a decade earlier, would be the key note speaker at the 1985 Inter-American Symposium on Sanctuary, in Tucson. See Chapter 3.

⁶³ William Sloane Coffin, Jr., quoted in Bau, *This Ground*, 161.

staying out of the spot light. These efforts clearly indicate the movement's intentions to create awareness and advocate change through public protest, that would take place alongside the purpose of direct relief for those individuals who would actually live in the houses of worship.

Although several congregations throughout the nation, most of them located in Northern California, joined Boston's public declaration, churches and synagogues in Southern Arizona had not been involved with church asylum during the Vietnam Era. Several congregations in Berkeley *had* publicly and proudly provided draft dissenters with shelter following the lead on the East Coast. A resolution to recognize Berkeley as a sanctuary city, which was passed by the City Council on February 19, 1985, reads "whereas, the City of Berkeley, on November 10, 1971, stated it "will support any congregation in Berkeley which engages in sanctuary" (for those who refuses to fight in the Vietnam war)."⁶⁴ Here, we see an early example of public sanctuary (the political city as opposed to the private congregation) identifying with its own history as a sanctuary for Vietnam War dissenters. When Tucson's Southside Presbyterian Church announced that it would publicly declare itself a sanctuary and offer church asylum to Central American refugees, Reverend Schultz of Berkeley's University Lutheran Chapel contacted Reverend Fife to share strategies and decided to join forces, and together declare Sanctuary for Central American refugees.⁶⁵

Southern Arizona Sanctuary activists soon noticed another, peculiar resemblance with Vietnam Sanctuary. "Much the way television coverage added a startling visual dimension to our understanding of the human cost of the Vietnam War, refugee presence adds a personal dimension to our awareness of the suffering caused by U.S. sponsorship of military rule in Central America," argued Corbett.⁶⁶ Television, a new medium offering new means for making connections, brought the Vietnam War into the living rooms of Americans everywhere in the country, thereby profoundly affecting their conception of the war. A decade later, when it came to North Americans' understandings of the Central American civil wars, television and radio also played a prominent part. As with the visualization of human suffering in Vietnam, footage of the crises in Central America again prompted North American movement activism.⁶⁷ And yet, as much as television can create the illusion of

⁶⁴ "Resolution for Council Action: Declaring Berkeley a City of Refuge," February 19, 1985, MS 362: Sanctuary Trial Papers, box 31, folder 17, courtesy of University of Arizona, Special Collections.

⁶⁵ John Fife in discussion with the author, April 16, 2019.

⁶⁶ Corbett, "Social Dynamics," 31.

⁶⁷ The UA Archives hold a large collection of original VHS tape recordings of 1980s documentaries and news coverage of the Sanctuary Movement (including an exclusive interview with John Fife) and the situation in Central America. Unfortunately, due to the fragile state of the tapes, I was not allowed to view them and had to request digitized versions that would take too long to be included in this research project, but might be of interest

personal proximity, the effects of visual, as opposed to personal, immediacy, remain limited due to the artificiality of the encounter. In Southern Arizona, another medium would significantly reduce the distance between Americans and the civil wars in Central America. For the people living in the border regions, the arriving refugees and returning missionaries, who personified and/or communicated the situation in Central America to the north, *became* the medium. Because of their personal encounters with these refugees and missionaries who carried with them the first-hand accounts of the crisis, Southern Arizonans no longer needed TV to become aware of the situation in Central America and the US-Mexican borderlands.

But precisely how does sanctuary translate this personal immediacy into activism? In a 1982 newspaper article entitled “Continuing a Tradition,” theology professor Thomas Cannon is quoted: “Sanctuary had the narrow purpose of being a defense to prosecution. In the broader sense it provides opportunity to reflect on the moral implications of a public policy.”⁶⁸ This room for personal reflection is essential to the individual Sanctuary participant. A key component of sanctuary is its ability to confront and engage the public, which, once people accept this challenge to decide for themselves whether their faith and/or ethics compel them to get involved with progressive religious activism in a certain political context, brings them into the realm of public witness. At the same time, the reflection has a profound impact on their justification of sanctuary. In the 1980s in Southern Arizona, personal immediacy to the human suffering, filtered through this reflective quality of Sanctuary, prompted movement growth.⁶⁹

The arc of Sanctuary spans well into the present. Returning to Braunstein et al.’s conception of identities for progressive religious activism, movements that “consciously identify with other groups and individuals generally viewed as religious progressives,” present-day Sanctuary clearly identifies with its 1980s precedent.⁷⁰ Especially in Southern Arizona, powerful individuals of the 1980s, several of whom have resumed their role in

for further research. See MS 362: Sanctuary Trial Papers, box 44, folder 17, courtesy of University of Arizona, Special Collections.

⁶⁸ “Continuing a Tradition,” *The Milwaukee Journal*, December 4, 1982, MS 362: Sanctuary Trial Papers, box 35, folder 2, courtesy of University of Arizona, Special Collections.

⁶⁹ I believe that my own personal proximity, in particular when I went hiking along the border and found migrants’ belongings along trails in the Sonoran Desert (see Appendices A4 and A5 for pictures), urged me to reflect on the contemporary political situation in the region in a similar way. My attempt to make sense of the encounters through Sanctuary, resulted both in a reconsideration of my religio-ethical beliefs, and in a justification of the movement itself. This is not to say that it is impossible for a Dutch person in The Netherlands, geographically far removed from the Sonoran Desert, to fully reflect on the crisis at the personal level. But personal immediacy to a situation appears to have a powerful, specific impact on the individual, and, therefore, the potential to affect the movement as a whole.

⁷⁰ Braunstein et al., “Religion and Progressive Politics,” 3.

current Sanctuary activism in the region, now serve as individual identifications that helped revitalize and continue to empower the movement today. John Five, now Reverend Emeritus and co-founder of several New Sanctuary organizations in Southern Arizona, helped instigate many parallels in terms of strategies. Jim Corbett, who died in 2004, remains a movement leader in present-day Sanctuary activism through the significant impression he has left on the Southern Arizona Sanctuary community. As we will see in Chapter 4, present-day Southern Arizona Sanctuary continues to harvest the seeds planted by past generations of American religious activists. The arc of American sanctuary symbolizes the historical richness of faith-based sanctuary ideas and practices, while it spans well into the present.

Chapter 2: The Great Awakening of the 1980s

When the government itself sponsors the crucifixion of entire peoples and then makes it a felony to shelter those seeking refuge, law abiding protest merely trains us to live with atrocity.⁷¹

—Jim Corbett, 1981

According to religious leaders of different denominations and traditions, increasingly frequent and direct encounters with Central American refugees necessitated a response. “What does our faith require from us amidst this rapidly escalating crisis that faithful Tucsonans cannot ignore?” John Fife, reverend of the church that would be the first to publicly declare itself a Sanctuary, recalls asking his congregation in 1981.⁷² The question as to what it meant to be a faithful Catholic, Presbyterian, Unitarian, Quaker, or Jew in the 1980s was on the minds of an increasing number of Southern Arizonans. In retrospect, knowing that the movement significantly expanded and has kept inspiring generations of predominantly faith-based organizations, engagement with sanctuary can seem an obvious answer to this question. In reality, it took months until the first congregations were convinced by their leaders that this was the appropriate, faithful response to the situation. Moreover, consciously disobeying US laws which they considered to be conflicting with God’s, international, and even America’s own legal commitments, required innovative planning. Crucial to understanding both the religious core of Sanctuary and the transnational qualities of the movement, are the many border crossings made by Latin American theology, missionaries, and stories of martyrdom.

What follows will analyze the origins of the Sanctuary movement in the early 1980s. The first section will explain how the religio-political context of US foreign policy in Central America, as well as arbitrary application of both international and domestic refugee laws led to the perception of hypocrisy and subsequent mobilization of angry Americans. Then, I will get into the faith-directed organization of Southern-Arizonans into a rapidly growing and increasingly dynamic Sanctuary movement. Introducing the reader to Sanctuary’s key concept of civil initiative, which would shrewdly manage to sustain itself throughout movement repression, will expose the innovative character of 1980s Sanctuary. A study into the profound effects of Latin American liberation theology, North American missionaries, and

⁷¹ Jim Corbett quoted in MacEoin, “A Brief History,” 20.

⁷² John Fife in discussion with the author, April 16, 2019.

stories of martyrdom onto the movement, will, thereafter, conclude the extent to which Sanctuary can be interpreted as a religious and transnational endeavor. Lastly, considering activists' debate about modes of (national) movement organization, and attempts to steer clear of a white savior narrative, I will analyze the ways in which 1980s Sanctuary (in)sufficiently grounded its work.

2.1 Religio-Political Context of the 1980s

Different from the situation today, the main border crisis in the 1980s did not lie primarily with the flawed engineering of an asylum system or with the result of decades of systematic criminalization of certain migrants. In fact, the Immigration and Naturalization Service (INS) in the 1980s actually took in many more refugees than it had done in previous years.⁷³ However, it was highly selective in who it would determine a refugee, such that it depended more on geopolitical relations between the US and the country in question, than the actual experience and status of the refugee. In the 1980s, the arbitrariness in US refugee and migration policy stemmed not from criminalization, but was instead a matter of politization. Before long, those concerned with the situation of Central American refugees discovered that INS processing of asylum applications, specifically from Salvadorans and Guatemalans, was everything but fair and thorough.

Throughout the 1980s, Sanctuary advocates would emphasize their government's failure to act according to both international and US specific refugee law. Clearer definitions and seriously increased admission numbers had modernized international and, more recently, US refugee policies. The Protocol Relating the Status of Refugees, established by the United Nations in 1967, had amended the definition of a refugee in the 1951 UN Convention Relating to the Status of Refugees. The clause describing a refugee as a person unwilling or unable to return to their home country owing to a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion," certainly applied to those fleeing the Central American civil wars.⁷⁴ Clearly in

⁷³ With the installation of the Department of Homeland Security (DHS) in the wake of 9/11, the INS was broken up into three separate agencies: U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP) and, most often referred to in relation to Sanctuary, Immigration and Customs Enforcement (ICE). "Operational and Support Components," Homeland Security, <https://www.dhs.gov/operational-and-support-components>.

⁷⁴ "Handbook on Procedures and Criteria for Determining Refugee Status and Guidelines on International Protection Under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees," UNHCR, reissued February, 2019, <https://www.unhcr.org/publications/legal/3d58e13b4/handbook-procedures-criteria-determining-refugee-status-under-1951-convention.html?query=1967%20protocol>, 70.

violation of this international protocol, the US did not grant them asylum. Moreover, at the *American* level, President Carter had signed a progressive refugee law. Echoing the UN Protocol, the 1980 Refugee Act, which amended the 1965 US Immigration and Nationality Act, more clearly defined a refugee as any person “unable or unwilling to return [to their home country] because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion [...]”.⁷⁵ The other widely disputed change it brought about was the significant rise in quota for annual admission of refugees from 17,400 to 50,000.⁷⁶ The Refugee Act thus provided American leadership with modernized definitions and a quota more fitting into the contemporary political context.

Whereas the US, traditionally, tends to be more ambivalent towards international laws, administrations are more so expected to respect legislation passed by Congress. Strikingly, as with his bypassing of the *international* laws, President Reagan, who took office in January of 1981, equally violated *American* legislation. The increasing influx of refugees from El Salvador and Guatemala in the early 1980s was almost without exception met with detention and deportation, denying refugees their asylum rights based on the “well-founded fear” clause of both laws. This practice can only be explained from the renewed prominence that Central America had gained in Reagan’s foreign policy. It was from the beginning centered around a deep-seated fear of increasing Communist outbreaks in Central America following the Cuban Revolution. Only those refugees fleeing a Communist government would be regarded as legitimate asylum seekers by the INS. In 1984, an especially violent year in Central America, 12.3% of migrants from Nicaragua were successful in applying for asylum, whereas only 2.45% from El Salvador and a mere 0.39% of all Guatemalan refugees gained US asylum status that year.⁷⁷ Those fleeing the latter two countries were labeled economic migrants instead of refugees, and were, overwhelmingly, deported back to the terror and death squads of their home countries.⁷⁸

Christian Smith argues that Reagan’s was a presidency marked by an amped up role for the US in the Cold War that was supposed to restore America’s hegemony in the world,

⁷⁵ “The 1980 Refugee Act,” National Archives Foundation, <https://www.archivesfoundation.org/documents/refugee-act-1980/>.

⁷⁶ Ibid.

⁷⁷ The vast majority (60.9%) of applicants from Iran and 40.9% of Afghan refugees were granted US asylum in that same year. In stark contrast with the numbers from Central America, and especially US-backed El Salvador and Guatemala, these numbers imply a highly selective US application of refugee law. Linda Rabben, *Give Refuge to the Stranger: The Past, Present and Future of Sanctuary* (Walnut Creek: Left Coast Press, 2011), 131.

⁷⁸ Bau, *This Ground*, 38-39.

noting the irony in the attempt to restore something that never truly was.⁷⁹ Reagan's political emergence in the 1970s was fueled by his gradual taking to a simultaneously anti-Communist and conservative religious philosophy. Tying into an existing Cold War narrative of religion and ethics, the president applied a staunch religious tone that emphasized the dangers of a growing alliance of ungodly Communism. For example, Reagan described the Nicaraguan Sandinistas as "a cruel clique of deeply committed Communists at war with God and man."⁸⁰ As the Sandinista National Liberation Front (SNLF) that had overthrown the Nicaraguan government in the 1979 Revolution was asserting its national power, and the Farabundo Martí National Liberation Front (FMLN) used large-scale guerilla tactics to challenge their government of El Salvador, the numbers of displaced Central Americans rapidly increased. Although less able to form a unified front, as the military regime led a successful campaign forcing civilians to spy on and execute their neighbors, the Guatemalan rebel groups, and a particularly large number of indigenous Mayans, resisting the military regime were equally brutally repressed.⁸¹ America's economic and ideological interests in the region required safeguarding. Reagan, on many occasions, including his (in)famous Address to the Nation on Central America, asserted his take on the matter: in order to get the job done, America needed to intervene.⁸²

As the still fresh memory of Vietnam made it impossible for Reagan to send American troops to help fight the civil wars of Central America, he was advised to wage a proxy war instead. Reagan's strategy of low-intensity warfare in Central America would save the government money as well as public outrage, the administration believed. On low intensity warfare Smith notes: "The traditional distinction between combatants and noncombatants disappears. The civilian population of the country in question is a major target."⁸³ These insights led to the perception of activists within the Central American Peace Movement that American contributions to the already violent conflicts stimulated the killing of thousands of civilians, and the flight of many more. In "Freedom Tide?" historian Evan McCormick points to the implications of placing too much agency with the US, and sometimes Reagan personally, in this matter. McCormick argues that "the controversial nature of the debates in the 1980s has mired the historiography in cyclical partisanship that often simplifies, rather

⁷⁹ Smith, *Resisting Reagan*, 19.

⁸⁰ Ronald Reagan quoted in Smith, *Resisting Reagan*, 23.

⁸¹ Nepstad, *Convictions*, 50-51.

⁸² Reagan Library, "President Reagan's Address to the Nation on Central American, May 9, 1984," *YouTube*, Video File, May 31, 2016, https://www.youtube.com/watch?v=P0FVb4OWR30&ab_channel=ReaganLibrary.

⁸³ Smith, *Resisting Reagan*, 34.

than illuminates, the relationship between U.S. policies and Central American violence.”⁸⁴ Although this is an important nuance that needs to be remembered when researching 1980s US Central America policies today, it was the *perceived* hypocrisy in US foreign policy that mobilized activists, regardless of the precise causality between US aid to Central American regimes and, in other cases, to Contras. Activists’ understanding that Reagan largely contributed to warfare targeting civilians, combined with the refusal of that same US government to take in refugees, instilled in activists a profound sense that the US was doing wrong, and this is what mobilized them.

The anger and mobilization generated by US violation of refugee laws, was reinforced by the interactions between Americans and refugees crossing the border. “Nothing in the law permits the U.S. government to return refugees to persecution in their homeland if they have resided in or crossed other countries, nor does the fact that refugees have economic needs alter their status as refugees,” writes Corbett in an influential essay.⁸⁵ This is where the movement’s primary interpretation of progressive action comes into play. Braunstein et al. define this characteristic as “[participation] in social action oriented toward greater economic, political, and/or social equality.”⁸⁶ Sanctuary’s primary concern lay with providing the refugees at their doorstep with shelter, food and water, basic health care, and sometimes transportation. At the same time, their mobilization reinforced the Central American Peace Movement. Progressive action would go further than ending low intensity warfare, so as to also include a significant re-division of land and US business interests in the region for a higher level of economic and social equality within Central American countries. Moreover, Sanctuary was to advance political equality through migration-reform, or at least to end the government’s arbitrary application of existing laws.

While the position and activism of the Central American Peace Movement and Sanctuary activists shows the opposite sentiment, it is of importance to note that, to many American contemporaries, as well as scholars, Ronald Reagan was (and remains) an admirable, even beloved, president for many reasons. At the turn of a decade that had left the American people economically instable, socially demoralized, and disillusioned with government, the Great Communicator’s campaign that promised to “make America great

⁸⁴ Evan McCormick, “Freedom Tide?: Ideology, Politics, and the Origins of Democracy Promotion in U.S. Central America Policy, 1980-1984.” *Journal of Cold War Studies* 16, no. 4, (Fall 2014): 62.

⁸⁵ Corbett, “Social Dynamics,” 7.

⁸⁶ Braunstein et al., “Progressive Religious Activism,” 3.

again,” was a most welcome message.⁸⁷ Moreover, several scholars have argued the necessity of Reagan’s foreign policy in Central America towards the ending of the Cold War at the end of his second term in office.⁸⁸ Nevertheless, the Sanctuary movement, that aimed to aid refugees in America, could not rhyme US policies, and decided to mobilize against the administration on these issues.

2.2 Sparking a Movement

Every now and then in history, it requires an apparently common individual and an unlikely coincidence to set major change in motion. James “Jim” Corbett was a rancher, philosopher, writer, and humanitarian. He was also a devoted Quaker, aware of his denomination’s historical prominence and leadership in faith-based, progressive, and at times risky undertakings. He lived in Tucson with his wife Pat, when a visit from a fellow Friend changed everything. On May 4, 1981, nearly a year after Rodriguez’ tragic story had first ignited public concern regarding refugees in the desert, Jim Dudley had picked up a Hispanophone hitchhiker on his way north. Before reaching Tucson, the car was stopped by BP and the hitchhiker was arrested for entry without inspection. The Corbetts concluded from the story that the man might be a refugee.⁸⁹ “I figured I should find out if the guy was likely to be murdered, or what,” Corbett recalled thinking the next day.⁹⁰

Initially, immigration authorities and BP refused to provide any information about detainees. However, as fate would have it, the former mayor of Tucson also bore the name of James Corbett, and *our* Corbett demanded the information, using his name and an authoritative voice. The trick worked. Corbett learned about procedures at detention centers and decided to provide the legal aid that detainees did not receive from authorities, while bailing out as many as possible to save time for doing so.⁹¹ His elaborate essays and persuasiveness to get leaders of various denominations on board, have earned Corbett the title of intellectual father of Sanctuary. However, at least equally important was his faith and personal immediacy to the crisis, which sparked his reaction of bailing out, sheltering, and

⁸⁷ Adding onto the destabilizing effects of Vietnam and the assassinations of major political figures in the 1960s, the 1970s in America were marked by economic hardship resulting from the 1973 Oil Crisis, and the disillusionment with the highest level of government after the Watergate Scandal came out. Reagan’s charisma, faith, and tenacity, convinced many that he would be the man most fit to bring back American stability.

⁸⁸ See, for example, Robert Kagan and William Kristol, “Toward a Neo-Reaganite Foreign Policy,” *Foreign Affairs* 75, no. 4 (July-August 1996): 18–32.

⁸⁹ Cunningham, *God and Caesar*, 23.

⁹⁰ Corbett quoted in Davidson, *Convictions*, 19.

⁹¹ Davidson, *Convictions*, 20.

eventually creating a network for transporting Central American refugees into and across the US.

A key concept on which the organization of the movement relied is what Jim Corbett and John Fife called “civil initiative”. Significantly, this practice has been able to sustain itself through all minor and major attacks by the government of the past decades. Its architects made sure to distinguish its meaning from the often negative connotations that stick to civil disobedience: “We insisted that what we were doing was not civil *disobedience*. It was instead civil *initiative*, civil resistance to the gross violations and crimes against humanity of the US government by continuing to deport refugees from El Salvador and Guatemala back to the death squads and the tortures and the massacres of villages [...]”⁹² Convinced that their activism filled in crucial gaps left by the government, Sanctuary workers did not feel that their work opposed federal laws, but that it in fact enforced them better. A crucial condition for civil initiative to work in this way would be transparency. “As a community faith, we need to be open in our membership, decision-making, and programs (rather than operating as the criminal conspiracy the government considers us to be),” explained Corbett.⁹³ Sanctuary activists frequently and publicly exposed incompatibilities of INS procedures and international and US refugee laws, to justify their civil initiatives. Moreover, they would filter existing sanctuary strategies through the straightforward, overt concept of civil initiative in order to expand the movement’s impact.

In the very beginning, the Sanctuary movement focused on legally aiding refugees already in detention. The 1981 hitchhiker incident had inspired Corbett and his friends to visit refugees in detention centers, to help them apply for asylum by bailing them out and housing them, while translating – many Southern Arizonans, including Corbett and Fife, spoke Spanish – and filling out documents to their best ability. Soon, the number of detained refugees in need of assistance proved too great for the group to help all of them. At the same time, it became clear that their efforts were almost unanimously met with deportation, and that keeping the refugees from the violence in their home countries would require a more risky variant of sanctuary activism. The realization that keeping refugees out of the INS radar might guarantee safety better than convincing them to legally request asylum, would lead to a significant shift in Sanctuary activism.

Therefore, some of the activists in Southern Arizona turned to the organization of

⁹² Hemispheric Institute, “John Fife—Civil Resistance—Transnational Sanctuary,” *Vimeo*, Video File, 4:28, May, 2018, <https://vimeo.com/265393925>.

⁹³ Corbett, “Social Dynamics,” 35.

(what was later dubbed) the New Underground Railroad (NUGRR), a clear reference to the Abolitionist operation of the 19th-century. Similar to its historical predecessor, the NUGRR soon expanded into a vast network of safe houses and stations crossing county and then state borders. As opposed to the pre-Civil War UGRR, the NUGRR was not very successful at staying out of the public eye at all. Already in 1982, newspapers noted the irony of an underground operation that is chronicled by international media.⁹⁴ In response, Corbett is quoted: “It’s kind of absurd for people in the business of smuggling to be on ‘60 Minutes’ smuggling, but that’s the cost.”⁹⁵ Importantly, in both instances, the person receiving sanctuary help would remain anonymous. A significant difference between Abolitionist sanctuary and its reinvention by activists in the 1980s, lay in the latter’s decision to go public in order to strengthen their cause. While they took from the Abolitionists the lessons of smuggling and sheltering, clear examples of traditional civil *disobedience*, Sanctuary activists would frame their reinvention of the network in terms of civil *initiative*, deliberately adding to it a high degree of transparency to raise awareness and provoke government reaction, even at the risk of their own prosecution.

The NUGRR, as well as later stages of Sanctuary, relied heavily on movement partnerships with Mexico, and with one safehouse in particular. When the earliest Tucsonan activists, strongly encouraged by Corbett, had committed to transporting refugees across the border and to safehouses farther north, they realized that they needed help on the other side of the border. Corbett and Father Richard “Ricardo” Elford met with Father Ramón Dagoberto Quiñones at his parish, El Santuario de Nuestra Señora de Guadalupe (The Sanctuary of Our Lady of Guadalupe), in Nogales, Mexico.⁹⁶ Here, they learned that what they were just figuring out on the American side, had already been up and running just across the border. Ironically, despite the name of his church, Quiñones only started identifying his work as sanctuary activism when his American colleagues did. Similar to Salvadoran and Guatemalan churches that had sheltered the displaced immediately after the beginning of the civil wars, Mexican religious institutions had been involved in sanctuary without calling it that. The visit proved mutually beneficial. Quiñones informed his American visitors that he was looking for ways to communicate between family members, separated by imprisonment and the border.

⁹⁴ Beverly Medlyn, “‘Underground Railroad’ Still Running in the Open,” *Arizona Daily Star*, December 25, 1982, MS 362: Sanctuary Trial Papers, box 48, folder 16, courtesy of University of Arizona, Special Collections.

⁹⁵ Jim Corbett quoted in Medlyn, “Underground Railroad.”

⁹⁶ Nogales is situated about 70 miles south of Tucson. The city is divided by the border into Nogales, Sonora and Nogales, Arizona. Before visiting with Quiñones, Corbett had already set up shop in Sacred Heart Church, strategically located on a hill in the American part of town. Sacred Heart Church would be the second safehouse on the American side of border (after Southside Presbyterian Church). Davidson, *Convictions*, 35.

Corbett accepted the Father's request to regularly visit with Central American detainees in the Nogales prison.⁹⁷ In return, Quiñones agreed to selecting and preparing refugees for American pick up.

Meanwhile, when his own house and those of friends were soon filled with refugees beyond full capacity, Jim Corbett had to think bigger.⁹⁸ As opposed to Corbett's less orderly ties to fellow Quakers, Fife's responsibilities as reverend of a Presbyterian church required him to consult with the Session before actively engaging in the obviously illegal transportation of refugees across the border and from safe house to safe house. Especially Corbett's proposal to shelter refugees in their own church, where, he assumed, authorities would let them be if they found out, necessitated hours of prayer and discussion at Southside. Eventually, the Session voted in favor, and preparations could be made.⁹⁹ While bailing out and caring for refugees awaiting their asylum verdicts had already started to have significant financial, emotional, and physical consequences for those individuals involved in Corbett's small network, the next step would add to this a legal risk. It is one thing to shelter and care for refugees who had been identified by the authorities. According to Bau this meant "a new urgency about being a genuine community; the person in the next pew is no longer a stranger but now a potential co-felon."¹⁰⁰ Participation in a network that aided those who had not been identified by BP, meant breaking federal law and, therefore, increased legal risks.

The religious philosopher he was, Corbett had figured out a justification for the intensified activism that would be crucial for mobilizing a progressive, faith-based community. It relied on two of Sanctuary's most fundamental beliefs. "When the government itself sponsors the *crucifixion* of entire peoples and then makes it a felony to shelter those seeking refuge, *law abiding protest* merely trains us to live with atrocity," he argued.¹⁰¹ This statement, read to several local religious communities in 1982, would convince enough of them to join Corbett's network, and the railroad was operating within no time. Apparently, it took a combination of civil initiative philosophy and biblical reference to motivate individuals to take on the intensified responsibilities of operating in the NUGRR. The participant's freedom to choose the level of risk that they personally felt comfortable with taking, was a

⁹⁷ To enter the prison, Corbett had to pretend to be a priest offering Catholic services to the detainees. Luckily for him, the Mexican guards were not too attentive and "Father Jim," hastily dressed in black pants and a white shirt somewhat resembling clerical garb, would make many visits during which he delivered messages and legal and emotional aid. Crittenden, *Sanctuary*, 51.

⁹⁸ Bau, *This Ground*, 11.

⁹⁹ MacEoin, "A Brief History," 19-20.

¹⁰⁰ Bau, *This Ground*, 14-15.

¹⁰¹ Corbett quoted in MacEoin, "A Brief History," 20 (my emphases).

wise tactic, that would be crucial to the organization of the growing Sanctuary movement. In terms of “illegal” Sanctuary, this meant that volunteers could decide whether they would voice their consent for church asylum, care for the temporary inhabitants, operate a safe house, or themselves transport refugees across the border and beyond.

Notwithstanding the large impact of the transnational, not-so-underground-underground railroad, Sanctuary’s most prominent manifestation of civil initiative was the first public declaration of Sanctuary for Central American refugees. On March 22, 1982, two large banners dangled from the roof of Tucson’s Southside Presbyterian Church. Translated from Spanish, they read: “Immigration, do not profane sanctuary” and “This is a sanctuary of God for the oppressed of Central America.”¹⁰² In front of these clear messages, a press conference was set up in which Reverend Fife announced the shared declaration of Sanctuary. Seated and standing around Fife, leaders of 11 congregations from the region backed this message (see Appendix A8). But most eyes would be drawn to the left of the reverend, where a refugee was seated. The Salvadoran went by the pseudonym “Alfredo” and wore a bandana to cover his face. Alfredo would be the first recipient of overt¹⁰³ Sanctuary and the media eagerly documented his public moving into the church.

The openness of the declaration, two years after the emergence of the movement that had, according to its main organizers, already secretly helped 200 Salvadoran families, came as a surprise to many.¹⁰⁴ The ingenuity of publicly declaring Sanctuary lies in the built in moral and legal protection this strategy provided.¹⁰⁵ Moreover, going aboveground meant movement advocacy, which inspired many other congregations, and eventually other types of institutions, to follow suit. In the days after the declaration, Southside received many letters of encouragement (and some hate mail) from congregations and individuals all across the country. “It was basically a self-defense strategy to go public before we were indicted,” Fife recalls. “[W]e had no concept of starting a movement. But once we did it, we went *oh my God!* What we did in self-defense has the potential to become a movement! And it was then when we started to figure out what the basis of that was going to be and everything else.”¹⁰⁶

¹⁰² Read from a picture by Peter Weinberger for *The Tucson Citizen*, March 24, 1982. MS 362: Sanctuary Trial Papers, box 50, folder 11, courtesy of University of Arizona, Special Collections.

¹⁰³ Overt in the sense of aboveground church asylum, that is. As his bandana and pseudonym indicate, it was still too dangerous for refugees to use their real name and fully expose their appearance in light of the persecution they had fled in Central America.

¹⁰⁴ Peter McGrath and Rob LaBrecque, “A Haven for Salvadorans,” *Newsweek*, April 5, 1982, MS 362: Sanctuary Trial Papers, box 50, folder 11, courtesy of University of Arizona, Special Collections.

¹⁰⁵ See Appendix C for a transcript of the original Southside Presbyterian Church declaration of Sanctuary.

¹⁰⁶ John Fife in discussion with the author, April 16, 2019.

2.3 Faithful Border Crossings: Theology, Missionaries, and Stories of Martyrdom

The first trips of North American church delegations to Central America in the late 1970s had a deep impact on the missionaries themselves. As would often be the case with the refugees they met in America, meeting Salvadoran and Guatemalan church leaders and lay people proved a transformative experience for many of them. Upon returning to Tucson the first time, missionaries immediately decided that besides attempting to (re)convert Central Americans and observing the civil wars from within poor communities, the next trips would need to focus on building relationships with local churches and human rights organizations so that Sanctuary could more successfully do the work with refugees on their side of the border. If we want to understand the role transnational religion played in the movement, we need to explore the many border crossings made by Latin American theology, North American missionaries, and Central American stories of martyrdom.

Despite the interfaith, majority Anglo makeup of its proponents, the entire North American Sanctuary movement was deeply inspired, and to a large extent informed, by the Latin American theology of liberation. Liberation theology emerged in the already turbulent 1960s and caused a dramatic shift in terms of thinking about socio-economic oppression and poverty from within Catholicism, while it suggested a significant reconsideration of Church responsibilities. Although many other priests and theologians from several Central and South American countries contributed to the doctrine's body, the Peruvian Gustavo Gutiérrez is often regarded the father of liberation theology.¹⁰⁷ His 1971 *Teología de la Liberación: Perspectivas* (translated in 1973 as *A Theology of Liberation*) is generally considered the doctrine's seminal text.¹⁰⁸ In an article published a year prior to its publication, Gutiérrez gets into the specifics of the theology's terminology that would inform certain developments of the 1970s and -80s Central American civil wars. "Notes for a Theology of Liberation" provides a convincing argument on why the theology was termed as one of *liberation* as opposed to *development*.¹⁰⁹ Gutiérrez felt that it was absolutely necessary for the poor, "developing" communities and countries to break free from their longstanding economic, political and social dependence upon "developed" landowners and other countries. Importantly, while the

¹⁰⁷ In 1979, Radboud University awarded professor Gutiérrez, at the time associated with the Pontifical Catholic University of Peru, with an honorary doctorate for his outstanding contributions in the field of theology. "Honorary Doctorates," Radboud University, <https://www.ru.nl/english/about-us/our-university-0/facts-figures/honorary-doctorates/>.

¹⁰⁸ Gustavo Gutiérrez, *A Theology of Liberation* (Maryknoll: Orbis Books, 1973).

¹⁰⁹ Gustavo Gutiérrez, "Notes for a Theology of Liberation," *Theological Studies* 31, no. 2 (1970): 243-261.

doctrine urged Christians in a position to help others to do so, calling it liberation simultaneously returned agency to those who found themselves captured in a system of oppression and hardship.

The central shift in thinking that was sparked by the new theology, then, was a move away from accepting oppressive circumstances on earth in order to be rewarded in heaven, toward acting for socio-economic self-betterment and being rewarded for that effort on earth as well as in the afterlife. In Gutiérrez' own words: "The word [liberation] and the idea behind it express the desire to get rid of the condition of dependence, but even more than that they underline the desire of the oppressed peoples to seize the reins of their own destiny and shake free from the present servitude, as a symbol of the freedom from sin provided by Christ."¹¹⁰ Thus, liberation theology managed to successfully link orthodox Catholic doctrine based on biblical passages that discuss relieving the poor, to more novel, Marxist-inspired theses of socio-economic liberation. One can imagine the appeal such developments had in the predominantly Catholic, and, resulting from the ongoing colonial legacy of the continent, systematically poor communities of Central America.¹¹¹

At the same time, liberation theology, and its prioritization of the Christian value of fighting poverty, posed a significant threat to the many powerful entities involved. "Because liberation theology entailed a fundamental critique of existing power structures (including those of the Catholic church) and U.S. economic and political imperialism in the Third World, its appeal was hardly universal," argues Cunningham.¹¹² When discussions contributing to the formulation of liberation theology started spreading throughout the South American continent, high profile clergy closer to Rome were not amused, to say the least. In large part, the theological shift was a Latin American response to the 1962-65 Vatican II international meetings of bishops, organized to discuss the direction of the Catholic Church in modern times. While they were mostly ignored during these meetings in Rome, upon returning home, the Latin American bishops kept meeting amongst each other and involved lay people in the process of developing, and then applying, the doctrine of liberation theology.¹¹³ The Church hierarchy thus did not allow liberation theology a podium in the Vatican, and, allegedly, even

¹¹⁰ Gutiérrez, "Notes," 252.

¹¹¹ The reasons for this shift to occur at that moment are embedded in the much broader context of anti-colonial movements that emerged globally after WWII, and in 1960s Central America especially. As liberation theology played into these pre-existing sentiments, it was successful at rapidly gaining a following, that, despite transnational differences, shared in suffering from centuries of imperialist rule. See, for example, Lm Andrade, "Rebellion, the Decolonizing of Power and Anti-Systemic Movements in Latin America," *Revista De Ciencias Sociales* 17, no. 1 (January 2011): 167-175.

¹¹² Cunningham, *God and Caesar*, 20.

¹¹³ Ibid.

attempted to silence several of its Latin American advocates.¹¹⁴ Regardless, the progressive religious movement gained steam throughout Central America and, in part the result of an influx of missionaries from Europe and North America, also beyond.

Central American state officials initiated a more direct offensive in order to annihilate the growing faith-based activism, and the threats it posed to their power. Already at the time of Gutiérrez' writing, churches in many Latin American countries were targeted in an increasingly violent manner for engaging with the radical ideas. "Many priests, as well, feel bound in conscience to engage actively in the field of politics. And it happens frequently today in Latin America that priests are labeled "subversives." Many of them are watched or sought by the police. Others are in jail, are exiled, or are even assassinated by anticommunist terrorists," notes Gutiérrez in 1970.¹¹⁵ A decade later, American priests, rabbis, and other religious leaders of the Sanctuary movement were similarly labeled "subversive" by their own government. The official American response to liberation theology can be discovered in the *Santa Fe Document: A New Inter-American Policy for the Eighties*, which was written by President Reagan's advisors on Central America in 1980, and treated as a charter in the years that followed.¹¹⁶ In the chapter strikingly entitled "Internal Subversion," the committee explicitly identifies liberation theology as a serious threat to the efficiency of US foreign policy in Central America:

U.S. foreign policy must begin to counter (not react against) liberation theology as it is utilized in Latin America by the liberation theology clergy. The role of the church in Latin America is vital for the attitude towards political freedom. Unfortunately, Marxist-Leninist forces have used the church as political weapon against private property and productive capitalism by infiltrating the religious community with ideas that are communist rather than Christian.¹¹⁷

¹¹⁴ Stephanie Kirchgaessner and Jonathan Watts, "Catholic Church Warms to Liberation Theology as Founder heads to Vatican," *Guardian*, May 11, 2015, <https://www.theguardian.com/world/2015/may/11/vatican-new-chapter-liberation-theology-founder-gustavo-gutierrez>.

¹¹⁵ Gutiérrez, "Notes," 251.

¹¹⁶ I was unable to obtain a copy of the original document, but I did get my hands on a 1981 publication by the SAGO Latin-America Center, based in Antwerp. I thus used a Dutch (Flemish) translation of the 1980 original publication. The Belgian edition includes a rather critical discussion of the document, exposing transatlantic suspicions prior to the newly elected president's announcement of hardened and increased intervention in Central America: "If the proposed policies of the Reagan administration will be executed, and the current developments in Latin-, and especially Central America are pointing in that direction, objective human dignity will be reduced to a dismissible subject on which people better not speak." Council for Inter-American Security, Inc. *Santa Fe Document: Een nieuwe Interamerikaanse politiek voor de jaren '80*, trans. SAGO (Antwerp: SAGO Press, 1981), 2.

¹¹⁷ Council, *Santa Fe Document*, 24.

Another clear product of religious Cold War ideology and Reagan's appreciation thereof, American foreign policy in South America was to *counter* liberation theology as opposed to launching a direct offensive in line with Central American governments. Of course, by continuing to fund and otherwise support the governments of El Salvador and Guatemala that were increasingly obviously launching a full-scale attack against the church and the religious community that they protected from "Marxist-Leninist forces," the US government was complicit in that reaction against religious civilians.

The single most devastating event that spread and accelerated the appeal of liberation theology and faith-based social justice activism was the assassination of the beloved Archbishop of San Salvador, Óscar Arnulfo Romero. Romero was shot while giving mass at a hospital chapel on March 24, 1982. The previous day he had conducted mass at a church packed with people who were drawn to "Monseñor" for his bravery to speak out against the government-ordered brutalities that they experienced in their daily lives. Romero's emphasis on lifting the poor as a Catholic virtue and practice, and his direct challenging of the rich and of the government, was violently gunned down. Sharon Nepstad argues that despite the gross human rights abuses including rape, torture, murder, and abductions in Central America, "many continued to struggle for social justice, not only because it was desperately needed but also because *they felt their faith required it*."¹¹⁸ As is so often the case with violent crack-down of non-violent, faith-based activism, the assassination sparked a big increase in Salvadoran (soon followed by international) religious activism. Undaunted by ongoing military threats, the funeral included a procession of five thousand, and Romero's casket was continually guarded by missionaries.¹¹⁹

News of the murder sent shock waves around the world, and was, naturally, received with particular disbelief in religious communities. On the significance of Romero's murder, Nepstad says: "Not only did it mark a turning point in El Salvador's civil war, since it indicated that no one was safe from the violence, it also stirred deep emotions and raised questions about the meaning of Christian faith."¹²⁰ Religious communities far beyond El Salvador, where a more diverse religious body was increasingly inspired by liberation theology, started to rethink about what it truly meant to be faithful. In Southern Arizona, missionaries and church/synagogue bulletins informed and mobilized the community before the government or secular media could. As in Central America, Romero would quickly gain

¹¹⁸ Nepstad, *Convictions*, 4 (my emphasis).

¹¹⁹ *Ibid*, 100.

¹²⁰ *Ibid*, 95.

martyr status among progressive religious communities in North America. This was particularly true for the border regions, where Americans met traumatized refugees fleeing the violence that Romero was speaking out against.¹²¹

The Christian tradition of martyrdom played a crucial role in the Sanctuary movement, as stories of fellow-Christians dying for their cause stipulated the urgency of the matter, while they provided the activists with novel progressive identities. Besides the progressive identities in terms of historical movement precedents discussed in Chapter 1, stories of martyrdom from El Salvador (and later also from Guatemala) added individual and more recent progressive identities to the motivations of Sanctuary. The memory of Romero became an especially prominent theme for Sanctuary justification and activism. Starting in the wake of his death, and continuing today, Sanctuary services, internal newsletters, and press conferences foregrounded Romero's words. His image was used on countless flyers and picket fence demonstrations.¹²² But the most significant identification of the movement with the late Archbishop was the public declaration of Sanctuary, deliberately scheduled on the second anniversary of Romero's death. Going aboveground on March 24 was both a symbolic and a strategic decision, as many Southern Arizona congregations were already planning to commemorate Romero and raise awareness for the ongoing human rights abuses in Central America and the refugees arriving in their communities.¹²³

News of the assassination of Oscar Romero also inspired an influx of North American missionaries to Central America. They were not excluded from the government crack-downs on church organizers. By witnessing the brutalities they had before only learned about from a distance, and by working together with liberation theologians and activists, missionaries to Central America in the 1980s soon started to rethink Christianity. One result thereof was that they became less afraid of the risks that they were taking by advocating liberation theology and social justice in Central America at the time. About nine months after the assassination of Romero, Maura Clarke, a young American nun stationed in El Salvador wrote: "We have been meditating a lot on death and the accepting of it, as in the Good Shepherd reading. [...] The work is really what Bishop Romero called "acompañamiento" [accompanying the people], as well as searching for ways to help. This seems what the Lord is asking of me, I

¹²¹ Romero was canonized by Pope Francis on October 14, 2018.

¹²² For Sanctuary flyers and booklets with Romero's image see MS 362: Sanctuary Trial Papers, box 33, folder 6, courtesy of University of Arizona, Special Collections.

¹²³ Crittenden, *Sanctuary*, 69.

think, at this moment.”¹²⁴ The very next day Clarke, together with three fellow Sisters¹²⁵, was brutally raped and murdered on the side of a country road in El Salvador.

Obviously, news of what had happened to the four American churchwomen in El Salvador was received with disbelief and anger in the US. Their martyrdoms soon became another central rallying cry for the faith-based movement on the US side of the border. Peace rallies, prayer vigils, and fund raisers were frequently held in their memory. “US Guns Kill US Nuns. We Demand Asylum. US out of El Salvador,” read a large banner at a motel where refugees had lunch after being bailed out of a detention center by Tucson-based activists a couple of months after the murders of the four American churchwomen.¹²⁶ In 1990, Sanctuary continued to advocate for peace in Central America in the name of the “Martyrs of El Salvador,” specifically identifying with the religious progressive activism of the four nuns a decade after their murders (see Appendix A7). Liberation theology undergirded the religious commitment to uplift the oppressed, which would become especially pressing to those religious activists who faced charges in the mid-1980s and who do so today in Sanctuary and in other religious progressive movements.¹²⁷

2.4 Transnationalities of Sanctuary: Grounding the Movement

“The Sanctuary Program at Southside Presbyterian Church,” which was handed out in July of 1982 to congregation members and volunteers involved with caring for the refugee(s) inside the church, explains the do’s and don’ts surrounding church asylum. The paragraph on “liquor and cigarettes” prohibits all supplying of alcohol to the refugees in Sanctuary. Strikingly, the passage explains: “Many refugees tolerate alcohol poorly; they may become drunk quickly, and then fight and make trouble.”¹²⁸ The framing of this argument makes for an arbitrary, stereotypical classification of the Central American refugee as someone who is generally

¹²⁴ Clarke quoted in Nepstad, *Convictions*, 102.

¹²⁵ The names of the other three church women were Ita Ford, Dorothy Kazel, and Jean Donovan.

¹²⁶ “One Good Turn,” *Arizona Daily Star*, July 20, 1981, MS 362: Sanctuary Trial Papers, box 35, folder 1, courtesy of University of Arizona, Special Collections.

¹²⁷ 1980s Sanctuary is not the first time that liberation theology pops up in North American progressive religious activism. Reverend James Cone is widely considered the founder of black liberation theology in the 1960s. Black liberation theology relies on the same premise of socio-economic self-betterment and aiding the oppressed as crucial Christian virtues. In the late 1960s, when Latin American theologians such as Gutiérrez publicly advocated and debated their liberation theology, a significant debate emerged among leaders of black churches throughout North America, about who had come up with the theology first.

¹²⁸ “The Sanctuary Program at Southside Presbyterian Church,” included as Appendix B in Elna L. Otter and Dorothy F. Pine, eds., *The Sanctuary Experience. Voices of the Community* (San Diego: Aventine Press, 2004), 368.

unable to contain aggressive tendencies when consuming alcohol. The passage also raises pivotal questions in terms of the ways in which Sanctuary (in)sufficiently grounded itself. Most importantly, what does it mean for a majority Protestant, white, Anglophone, and middle to upper-class North American community to provide sanctuary to refugees from majority Catholic, Hispanic, often traumatized Central American communities? How does such a movement prevent the emergence of a culture of white saviorism?¹²⁹ What follows will explore the extent to which 1980s Sanctuary can be interpreted as a transnational endeavor, and what this meant for the ways in which the movement made sense of itself.

It should come as no surprise by now, that North American Sanctuary was organized from a faith-based community that felt connected, via shared theology, missionaries, and stories of martyrdom, to the desperate situation of targeted communities in and refugees fleeing from Central America. According to Gutiérrez, “[w]hat ultimately brings Christians to participate in liberating oppressed peoples is the conviction that the gospel message is radically incompatible with an unjust, alienated society.”¹³⁰ About a decade after liberation theology was clearly defined, it urgently required implementing in Central American countries, and Gutiérrez’ lessons were met with a stark religious, North American response. John Fife recalled first hearing about what was happening in Guatemala and El Salvador through the Church: “What we learned was that the church and faith communities are a *transnational* organization, and in a time of crisis and need we *know* how to make those relationships work, and that is precisely what happened.”¹³¹ The foundations of 1980s Sanctuary are embedded in a primarily religious motivation and transnational network.

Liberation theology, itself the product of transnational efforts, provided the much needed bridges for connecting two very distinct communities in Central and North America. But it was not only the lessons in terms of rethinking the meaning of Christianity that make for a direct link between the theology and Sanctuary. The movement in Tucson specifically looked to Central American faith-based strategies for implementing the social justice that was prioritized by liberation theology. Most importantly, progressive religious activism in Central America used an organizational structure wholly distinct from the typical North American hierarchical method. Religious activists organized in *comunidades de base*, a large network

¹²⁹ With the resurfacing of Sanctuary at the turn of the century, the same questions (with certain alterations in terms of the migrant body’s makeup, such as more Indigenous Central American refugees) have been asked by present-day activists. At all meetings I attended over my stay in Tucson, this came up as a concern that deserves foregrounding as opposed to a thought in the back of the volunteer’s head. Amy Beth Willis in discussion with the author, April 10, 2019.

¹³⁰ Gutiérrez, “Notes,” 254.

¹³¹ John Fife in discussion with the author, April 16, 2019.

of “basic Christian communities” that consisted of 15-20 families each. While retaining autonomy in matters that differed because of the community’s context, they shared a strong progressive, activist component, and basic strategy of discussing social problems, then linking these to biblical passages and doctrine, and finally setting up a strategy for tackling the issue.¹³² Fife and many of his colleagues were immediately inspired by these strategies and decided to apply them to their work in Southern Arizona. As the movement grew over the years, Sanctuary chapters farther removed from the border were typically less convinced about this foreign organizational structure. In 1985, this led to a considerable debate within the movement, as the Chicago Religious Task Force on Central America insisted on the typical North American pyramid style in which volunteers receive directions from regional organizations, that are then supervised by a national organization, which would be led by one or two charismatic leaders. Even though Chicago nominated John and Jim as the most suitable charismatic leaders of the national movement, the Tucsonans wanted to stick to the Central American script of *comunidades de base*.¹³³

Tucson’s persistence in applying a Central American structure when attempting to aid and involve Central Americans proved the more sustainable, as Southern Arizona Sanctuary workers understood the benefits of letting chapters (or basic communities) decide for themselves in matters relating to their specific context. The early organizers recognized the parallels between the different Central American regional contexts and those present within the North American movement. As the primary goal of Sanctuary was to offer immediate relief and legal aid to refugees, it mattered significantly *where* the chapter was operating from. Tucson’s proximity to the border and its Sonoran Desert climate made for distinct primary needs (e.g. water, search-and-rescue missions, border crossings, maintaining direct relationships with Mexican Sanctuary, etc.) than sympathetic cities closer to the Canadian border. Furthermore, the North American analogue to the *comunidad de base*, according to Fife and Corbett, was a congregation, parish, or synagogue, which linked the geographical contextual differences to religion. They argued that even within the Southern Arizona movement, significant differences in terms of religious beliefs and traditions called for decentralized organization. As opposed to the North American pyramid structure, the Central American model allowed for these differences in contexts, as it does not dictate permission from uniform, hierarchical bodies.

When I shared with him the passage from Southside’s “Sanctuary Program” and asked

¹³² Cunningham, *God and Caesar*, 20-21.

¹³³ John Fife in discussion with the author, April 16, 2019.

about white saviorism in the 1980s, Fife answered that early organizers were very aware of this danger and discussed the issue in meetings. But they also quickly realized something more profound: “The real genius of the movement was that we were able to provide protection and hospitality for a lot of Central American refugees, but *they* brought liberation theology to North America, *they* provided the leadership [in terms of theology, strategies, and sharing their experiences] for the Sanctuary movement, and *they saved our soul*.”¹³⁴

Regardless of the level of North American seminary training, Sanctuary workers at home in the US, as we have seen with the missionaries, were often humbled and inspired by the experience of meeting and aiding refugees. Instead of missionaries saving souls in Central America, or religious communities converting refugees in North America, faith-based insights and leadership flowed in the exact opposite direction. Nevertheless, as Hilary Cunningham justly argues in “The Ethnography of Transnational Social Activism,” North American activists did also contribute invaluable aspects of their local cultural identities in order to create a shared, global understanding of Sanctuary:

[M]embers of the movement had adopted unique transnational senses of themselves which, although rooted in transborder activities (namely crossing Central American refugees from Mexico to safehouses in the United States) were also the product of a complex symbolic process. Sanctuary ideologies about activism thus entailed the creation of global identities that were reflective of broader cultural-historical developments as well as unique forms of local cultural production. Combined, these two factors produces a singular definition of a global Christianity.¹³⁵

The prominence of liberation theology, which clearly advocates Christian values that transcend borders, within Sanctuary activism, inherently made for a global Christian identity of the movement, and therefore all who participated in it.

Although global Christianity may seem to indicate a highly inclusive characterization of transnational Sanctuary, it also raises new questions in terms of grounding the Judeo-Christian foundation of the movement. Similar to present-day Sanctuary, activists not identifying with Judeo-Christianity personally, were aware of the religious background of the values that they wanted to reflect in the field, but translated these to a secular understandings, such as human rights advocacy. The religious institutions that coordinated the movement, at

¹³⁴ John Fife in discussion with the author, April 16, 2019.

¹³⁵ Hilary Cunningham, “The Ethnography of Transnational Social Activism: Understanding the Global as Local Practice,” *American Ethnologist* 26, no. 3 (August 1999): 588.

least in the Tucson area, did not differentiate participants in terms of (lack of) religion. “One of our principles was that we did not have a set of faith criteria, because the movement is so widespread in terms of Protestants, Catholics, Jews, human rights organizations, and people who have no faith at all but are all in on the work we were doing. That didn’t cause internal conflicts, because the work is so focused and intense, and that is the same today!” said Fife on the issue.¹³⁶

About a year after the public declaration of Sanctuary in Tucson, the Chicago Religious Task Force proudly notes that Sanctuary at that time includes at least 540 congregations in over 45 places that publicly support Sanctuary. Participating denominations at that time included American Baptist, Community Bible, Brethren, Episcopalian, Lutheran, Mennonite, Presbyterian, Quaker, Methodist, Roman Catholic, and Jewish.¹³⁷ The interfaith organization and body of participants at the 1985 international Sanctuary Symposium held in Tucson reinforces this impressive religious diversity in terms of the movement’s makeup. By the mid-1980s, the Sanctuary appeal had reached an even more heterogeneous audience. Key note speaker and Sanctuary activist Gary MacEoin emphasized this at the symposium: “Contrary to administration claims, supporters of sanctuary include representatives of all shades of the political spectrum, including prochoice people and antiabortionists, card-carrying Democrats and Republicans, “yuppies,” welfare recipients, blacks, whites, Hispanics, business executives, students, educators, physicians, farmers, feminists. [...] It is a Rainbow Coalition.”¹³⁸ This complicates both notions that Sanctuary activists were altogether left wing, or unanimously religious. Similar to the crisis today, the issues of human rights and refugees cut a very wide swath politically. As it clearly included participants who might advocate conservative standpoints regarding other issues, we must be careful and apply a framework of progressive, as opposed to left-wing, activism to the Sanctuary movement.

Although the rainbow coalition did not cause conflicts within the movement, differences among participating religions did make for an unbalanced representation as the movement grew. The result of the hierarchical organization of the Catholic Church, local parishes that were sympathetic to the cause, in order to publicly declare their church a Sanctuary, still required permission to do so from higher up. And North American Archbishops differed considerably on the issue. Whereas Milwaukee Archbishop Weakland

¹³⁶ John Fife in discussion with the author, April 16, 2019.

¹³⁷ “Churches Give Sanctuary to Illegal Refugees Who Face Deportation,” *New York Times*, April 8, 1983, MS 362: Sanctuary Trial Papers, box 35, folder 3, courtesy of University of Arizona, Special Collections.

¹³⁸ MacEoin, “A Brief History,” 25.

voiced his support for any parish that would declare itself a Sanctuary, Archbishop Hickney of Washington emphasized that he “favored traditional methods,” meaning persuasion of political authorities to grant Central American refugees asylum.^{139,140} As the people they were attempting to help were predominantly Catholic, the majority Protestant activists had to take this into account when sheltering and otherwise aiding refugees. Father Elford was instructive in ensuring that the Catholic connection was tangible for the refugees. In 1981, he initiated a weekly prayer vigil at the Tucson Federal Building, reflecting the Catholic tradition, but open to all.¹⁴¹ His friend and colleague Fife agreed, stating at the 52nd edition: “Prayers keep you going. That’s one of the reasons we gather for prayer.”¹⁴² His words would prove prophetic, as Elford’s prayer vigil initiative went down in history as the longest running continuous demonstration at the time, lasting over six years.¹⁴³

Sanctuary was also transnational in the more obvious, literal understanding of the concept. In the previous paragraph, we have already seen the prominence of Mexican Sanctuary workers and their invaluable lessons for and participation in Southern Arizona Sanctuary. At the same time, the appeal of Sanctuary as adopted by North American activists, reached well beyond the America’s. Although it would take until the Tucson Trials of 1986/86 before international media really paid attention to North American Sanctuary and what was at stake, Canadian and European religious communities were connected to North American counterparts via their own institutions and missionaries in Central America. Letters of support (sometimes including concerns) from all over Europe flowed into Fife’s office at Southside Presbyterian following the public declaration in 1982.¹⁴⁴ In January of 1984, St. Andrew’s United Church in Beloeil, Quebec publicly declared Sanctuary, following in the footsteps of its Southern neighbors, as a response to their government’s systematic

¹³⁹ “Churches Give Sanctuary,” *New York Times*, April 8, 1983, MS 362: Sanctuary Trial Papers, box 35, folder 3, courtesy of University of Arizona, Special Collections.

¹⁴⁰ I ought to clarify that those Catholics involved with Sanctuary should not necessarily be categorized with the emerging group of radical American Catholics. In fact, the American National Conference of Catholic Bishops in 1983 sent out a famous open letter entitled “The Challenge of Peace: God’s Promise and Our Response,” indicating their progressive engagement with political matters the time, specifically addressing nuclear build-up. “The Challenge of Peace,” May 3, 1983, <http://www.usccb.org/upload/challenge-peace-gods-promise-our-response-1983.pdf>.

¹⁴¹ Crittenden, *Sanctuary*, 26.

¹⁴² Fife quoted in “Protesters Here Keeping Vigil on Central America,” *Tucson Citizen*, February 12, 1982, MS 362: Sanctuary Trial Papers, box 35, folder 2, courtesy of University of Arizona, Special Collections.

¹⁴³ Interestingly, the prayer vigil has made a comeback in the national New Sanctuary movement. This type of protest is particularly effective in the New Sanctuary Coalition of New York where “Jericho Walks for Immigrant Rights” occur frequently. See New Sanctuary Coalition, “Jericho Walk,” https://www.newsanctuarynyc.org/jericho_walk_20190502.

¹⁴⁴ See MS 362: Sanctuary Trial Papers, box 31, folders 2-13, courtesy of University of Arizona, Special Collections.

deportation of Guatemalan refugees. Remarkably, this meant a direct success, as the Canadian government revised its procedures shortly thereafter.¹⁴⁵ When their domestic asylum demands were rapidly met, Canadians, perhaps inspired by their historical part in US Abolition, co-organized the Overground Railroad Coalition. Together, American and Canadian activists worked to resettle Central American refugees from the US, where they were likely to be refused asylum, into a more hopeful application procedure in Canada.¹⁴⁶

On the other side of the Atlantic, the BBC religious program “The Heart of the Matter,” broadcast on October 16, 1983. It introduced the story of Tucsonan Sanctuary, and the role of Fife and Southside Presbyterian Church in particular, to the UK. It inspired many British (mostly religious) people to write Fife in support and ask him what they could do to help. One letter from Liverpool reads: “The governments of our “civilised, democratised, Christianised” countries, obviously feel it is necessary for the continuation of our style of life that such systems of oppression are necessary. Your work bears witness to the fact that life is about people, human beings, their physical and spiritual importance, regardless of governments, systems, philosophies, and man-made boundaries.”¹⁴⁷ Such letters expose Sanctuary’s European sympathizers’ understanding of their shared history of colonialism and the injustices it continued to inform. They regarded themselves as part of the same global, religious progressive activism, which further reinforced the message of Sanctuary.

¹⁴⁵ Bau, *This Ground*, 187.

¹⁴⁶ Correspondence of “Refugio El Canada: A Project for Central American Resettlement into Canada,” MS 362: Sanctuary Trial Papers, box 31, folder 15, courtesy of University of Arizona, Special Collections.

¹⁴⁷ Letter from Ian and Marion Hogg to John Fife, October 17, 1983, MS 362: Sanctuary Trial Papers, box 30, folder 15, courtesy of University of Arizona, Special Collections.

Chapter 3: Going to Trial: God v. Caesar in the Sonoran Desert

[P]eople in the sanctuary movement are increasingly putting their weapon on the table by quoting the Bible in and out of court, especially now that they have been attacked by the authorities. [...] To read the Bible with your eyes wide open to the world around you will always get you in trouble.¹⁴⁸

—Jim Wallis, 1985.

On January 14, 1985, sixty refugees together with sixteen Sanctuary workers from Southern Arizona and Sonora, Mexico, were arrested and received a total of 71 indictments.¹⁴⁹ In October, 1985, eleven of them went on trial, pleading not guilty to all counts, including alien harboring and smuggling, and conspiracy against the government.¹⁵⁰ The lengthy and media-hyped Sanctuary Trials that followed, marked three major shifts in the relationship between (progressive) religious activism and governmental authorities. First, it demonstrated how authorities had decided to, in addition to the ongoing criminalization of refugees and other migrants, criminalize *those who aid* the migrant. Secondly, as the federal prosecutor convinced the judge to dismiss evidence crucial for the defendants' cases, most notably the religious convictions informing Sanctuary, the actual conflict between church and state was exported to outside of the court house. Lastly, the ways in which the prosecutor built his case broke with the expected and respected means of *investigation*. To gather evidence against the Tucson Eleven, the government had instead turned to *intimidation*. During Operation Sojourner, paid government informants over the course of 10 months posed as Sanctuary volunteers, while secretly wiretapping at meetings outside and inside of houses of worship. Although the defendants and their Sanctuary network had expected the government to eventually attack their movement, the covert operation startled them. Moreover, it shook the entire body of American religious institutions, as well as the general public.

In this chapter, I will zoom in on the 1985-86 Tucson Sanctuary Trials: the longest,

¹⁴⁸ Jim Wallis, "Waging Peace," in *Sanctuary. A Resource Guide for Understanding and Participating in the Central American Refugees' Struggle*, ed. Gary MacEoin (San Francisco: Harper and Row, 1985), 169. This chapter was first presented by Wallis at the Inter-American Sanctuary Symposium in Tucson (24-25 January, 1985), and later published by MacEoin.

¹⁴⁹ Bau, *This Ground*, 21.

¹⁵⁰ In February, 1985, charges against two of the indicted were dismissed. Thereafter, three of the remaining 14 indicted activists pleaded guilty to reduced charges, so that the defendants actually on trial numbered 11. Elna L. Otter and Dorothy F. Pine, editors. *The Sanctuary Experience. Voices of the Community* (San Diego: Aventine Press, 2004), 363.

most significant attempt by the US government to criminalize and deter the Sanctuary movement to date. Using original trial transcripts, newspaper clippings, and interview materials, in the next sections, I will look into legal precedents, the (pre-)trial proceedings, the defendants, the media, and public responses. What was at stake? How did the Sanctuary movement and religious institutions support the indicted? How did Operation Sojourner impact the movement, and what are other legacies of the government's attack on Sanctuary? Lastly, how did a religious interpretation of repression affect the movement's perseverance, and growth after the verdicts?

3.1 Legal Precedents and the Pre-trials

On May 12, 1984, 29-year old Catholic lay worker Stacey Lynn Merkt was convicted on three felony counts in Brownsville, Texas. She received a 90 days suspended sentence and two years' probation for "transporting undocumented aliens, conspiracy to transport undocumented aliens, and aiding and abetting the transportation of undocumented aliens."¹⁵¹ She had worked at Casa Óscar Romero, a Catholic shelter and NUGRR safe house for refugees, for only two and a half weeks, when she was caught during a run¹⁵², and arrested by Rio Grande Valley BP officers. Merkt had attempted to drive three Salvadoran refugees from Casa to San Antonio, from where they were supposed to move onto Cambridge, Massachusetts for asylum at a Baptist Church. While she was awaiting possible indictment, *The National Sanctuary Mailing* of the Chicago Religious Task Force published a statement of Merkt, that would be cited in many Sanctuary publications, and echoed by future defendants:

The core that sustains me is the still small voice. It is God whom I wish to hear. The small voice encourages me to live out my faith—the Biblical mandate to love. I am not to love in mere words. I am to love by my actions—to put my body where my mouth is. The third and fourth chapters of John¹⁵³ have been a mainstay for my life these past 10 years or so. They return to me these days.¹⁵⁴

¹⁵¹ Bau, *This Ground*, 78-79.

¹⁵² Sanctuary operators of the New Underground Railroad referred to refugee pick-ups and transport as "runs." John Fife in discussion with the author, April 16, 2019.

¹⁵³ Chapter three of John teaches of God's Judgment and the faithful's response to Jesus Christ. Chapter four of the same Gospel tells the story of Jesus' encounter with a Samaritan woman, and concludes with the lesson that the ministry should relieve the poor and struggling, regardless of their heritage or status.

¹⁵⁴ Stacey Merkt, "Reflection on Being with Refugees," *National Sanctuary Mailing*, May, 1984, 6, MS 362: Sanctuary Trial Papers, box 33, folder 5, courtesy of University of Arizona, Special Collections.

Merkt's case marked the first time that Sanctuary, as a religious ministry aiding Central American refugees, went on trial. Inside and outside of court, she made sure to emphasize the Christian values that had directed and would continue to direct her involvement with Sanctuary along the Texas border.

Whereas Merkt's initial conviction underlined the District Court's refusal to go along with her defense argument based on religious freedoms, the verdict was overturned by the 5th Circuit Court of Appeals in New Orleans on June 18, 1985.¹⁵⁵ The introduction to the Appeal's argument reads: "It is a rare case in which the criminal law must accommodate religious belief. For the reasons outlined below, the lower court incorrectly concluded that Appellant's religious convictions, rooted in centuries of religious practice, should not be considered in assessing Appellant's culpability."¹⁵⁶ These reasons include the contemporary situation in El Salvador as direct cause for the Sanctuary Movement's very existence, as well as scriptural—no less than 17 biblical passages are discussed and quoted in full—and Judeo-Christian traditional motivations for Merkt's actions. Although the judge did not go along with all arguments, he did overturn the initial conviction, thereby setting a precedent for Sanctuary's defense strategy to assert the legitimacy of religious conviction in trials to come.

The reversal in Stacey Merkt's case was also of great significance for Sanctuary's organization, now that the government had made a first move in the legal fight that the movement had anticipated all along. The Court of Appeals had ruled that Sanctuary workers could legally transport asylum applicants (considered refugees under the 1980 Refugee Act), so long as they were thereby contributing to the foreigners' legal presence in the US. Merkt had successfully claimed that she was not attempting to hide the Salvadorans from the INS, but was instead openly transporting them to a consultation for furthering their *legal* application procedure. Sanctuary strategists, who in many ways supported, and were closely following, Merkt's Appeal, after the reversal, learned to advise Sanctuary drivers to make refugees sign a statement announcing their intention to travel to a legal counsel to apply for asylum.¹⁵⁷ In the case of arrest and indictment, they could present these forms, and point to Merkt's legal precedence in defense.

¹⁵⁵ Otter and Pine, *Sanctuary Experience*, 364.

¹⁵⁶ *Stacey Merkt v. United States of America*, US Court of Appeals for the Fifth Circuit, Trial Transcript, January 7, 1985, 2, MS 362: Sanctuary Trial Papers, box 30, folder 2, courtesy of University of Arizona, Special Collections.

¹⁵⁷ Cunningham, *God and Caesar*, 218.

Southern Texas was also the scene of the second Sanctuary indictment. Two months after the indictment of his new colleague Merkt, Jack Elder, Director of Casa Romero, was arrested inside of the shelter, and charged with similar felony counts. The case of Elder, who was acquitted in January of 1985, only to be retried and found guilty in March of 1985, had a three-fold significance in terms of the suddenly rapidly developing government repression of Sanctuary.¹⁵⁸ First, it marked the first time that law enforcement intruded upon Sanctuary property to make an arrest. Second, Casa Romero, owned and funded by the Diocese of Brownsville, in providing Central American refugees with basic humanitarian aid, operated openly and even in collaboration with BP, who frequently and gratefully brought refugees released from custody into the care of the shelter that Elder ran. Jim Corbett caught the irony of the arrest of a director of a much-needed sanctuary: “By contriving to indict Elder for providing the kind of transportation that is a routine necessity for any program of social services for refugees, the Justice Department is establishing precedents for an attack on the refugee defense network throughout the U.S.”¹⁵⁹ Lastly, like Merkt’s Appeal case, which was tried in the same month, the judge’s ruling over Elder’s case allowed for his defense to argue religious motivations to make the case for his innocence. “There is arguably a basis in Catholicism to demonstrate the activity charged in the indictment could fall within the religious beliefs of a seriously committed and practicing Catholic. This court rules they can,” reads the judge’s decision.¹⁶⁰ However, Elder’s not-guilty verdict was overturned in a retrial two months later, implying, alongside Merkt’s trial and Appeal, the existence of considerable doubt over the matter of faith-based Sanctuary and US law.

As would be the case with many activists and volunteers after them, Merkt and Elder’s experiences with the court did not discourage them from engaging with Sanctuary work. On December 4, 1984, both were arrested again and each charged with three counts of alien transportation.¹⁶¹ Looking back on them decades later, the court cases of Merkt and Elder are the more significant for the essential lessons they taught the federal prosecution. If they were going to successfully crack down on Sanctuary, they would have to argue against the movement’s religious imperative. They would also need to convince the judge to build in some sort of legal deterrence when sentencing Sanctuary workers.

¹⁵⁸ Otter and Pine, *Sanctuary Experience*, 362.

¹⁵⁹ Jim Corbett, “Border Update,” *National Sanctuary Mailing*, May, 1984, 3, MS 362: Sanctuary Trial Papers, box 33, folder 5, courtesy of University of Arizona, Special Collections.

¹⁶⁰ US District Court Judge Hayden Head, Jr., quoted in Bau, *This Ground*, 81.

¹⁶¹ Merkt was acquitted of two, and convicted on one count of transporting illegal aliens. Elder was found guilty on all three counts. Otter and Pine, *Sanctuary Experience*, 362.

Meanwhile, in Tucson, things were getting heated, too. On March 7, 1984, Philip Conger, Director of the Tucson Ecumenical Council's Task Force on Central America, and Sanctuary volunteer Katherine Flaherty were stopped by BP while on a run with four Salvadorans.¹⁶² They were detained and questioned throughout the day, and released that night. While Conger and Flaherty awaited whether the US Department of Justice, to whom the INS had turned the case over, would choose to prosecute them, other Sanctuary workers read the incident as a warning sign, and a press conference was held at Southside Presbyterian Church four days after the arrest. A local newspaper reported: "The people involved in the sanctuary movement said they believe that the Reagan administration plans to aggressively move against the sanctuary movement soon after the presidential elections in November. The FBI surely will be added to Border Patrol efforts to capture Guatemalans and Salvadorans coming north, Fife said at the press conference."¹⁶³ Other media in that same month referred to statements by INS officials concluding, contradictory, that Sanctuary remained a "group of little concern" to Washington, which reassured some. Nevertheless, the Reverend's statement would prove prophetic.¹⁶⁴ His comments regarding the FBI would even turn out to be an underestimation of the length to which the administration was willing to go in order to eradicate Sanctuary—At the time of the press conference, the INS had already started infiltration of Tucson's Sanctuary workers, and Fife was a prime target.

It took over two months before Conger was indicted on four counts for transporting illegal aliens into the US, on May 14, 1984. US Attorney A. Melvin McDonald reportedly responded to questions about his decision to finally press charges, stating that "the case was routine and that sanctuary leaders were making things bigger than they are."¹⁶⁵ Of course, Sanctuary rallies and media attention at the movement's own request were part of their strategy for drawing attention to their cause. At the same time, it would prove a crucial element in their defense strategy in the trials ahead, most notably those of 1985-86.

Developments in the first couple of (relatively small) Sanctuary trials, were already taking an extraordinary turn. The charges against Conger were dropped in August of 1984,

¹⁶² Otter and Pine, *Sanctuary Experience*, 362.

¹⁶³ Carol Novak, "Sanctuary for refugees threatened by arrests," *Arizona Catholic Lifetime*, April 1, 1984, MS 362: Sanctuary Trial Papers, box 35, folder 7, courtesy of University of Arizona, Special Collections.

¹⁶⁴ "Official Says Sanctuary Group of Little Concern," *Tucson Citizen*, March 23, 1984, MS 362: Sanctuary Trial Papers, box 35, folder 7, courtesy of University of Arizona, Special Collections.

¹⁶⁵ A. Melvin McDonald quoted by Gene Varn in "Church-group Head Indicted in Transporting of Aliens," *Arizona Republic*, May 17, 1984, MS 362: Sanctuary Trial Papers, box 35, folder 7, courtesy of University of Arizona, Special Collections.

after a highly dramatized investigation of his car.¹⁶⁶ “Yesterday, reporters, photographers, lawyers, a judge with a yardstick instead of a black robe, and court workers gathered around it [Conger’s car] like it was a Hollywood star,” reported *The Tucson Citizen*.¹⁶⁷ Without passengers, the measurement between the rear bumper and the pavement was 17 ¼ inches. A simulation of the four Salvadorans who had been in the car at the time of the arrest resulted in a 2 ½-inch difference. This unusual court proceeding was photographed, sensationalized, and ridiculed by several media, which had already started to affect the public’s stance on Sanctuary prosecution. One week later, the judge ruled the stopping of the car illegal, arguing that the 2 ½-inch difference could not have been enough for BP to assume Conger was secretly transporting people in his car. The charges were dropped.¹⁶⁸ Merkt, Elder, and Conger’s (acquitted) cases indicated that prosecuting Sanctuary would not be business as usual—certainly no “routine cases,” as suggested by McDonald.

Another crucial result of the Sanctuary trials preceding the “big one,” was the installment of a National Sanctuary Defense Fund. The NSDF was founded in Tucson already in the Fall of 1984, well before the indictment of the Tucson Eleven. It was based on the Rio Grande Defense Committee, that had been organized in June of 1984 in response to the cases against Merkt and Elder.¹⁶⁹ The erection of the NSDF implies the movement’s expectation that they would soon need significant funds for the legal defense of future Sanctuary trials. In light of the quarrels between Tucson Sanctuary and the Chicago Religious Task Force, as we have seen in Chapter 2, a national fund-raising organization, coordinated from Tucson, might initially come as a surprise. However, as its primary objective was to raise considerable funds that could be used for the defense of Sanctuary trials nationwide, and as the government was increasingly determined to prosecute Sanctuary as a national phenomenon, Tucson conceded that, in the matter of legal defense, a centralized organization would be most efficient.

“Sanctuary was never on trial in the seven month federal trial in Tucson. The fundamental issues of sanctuary were never let into that courtroom,” John Fife answered in an interview a couple of weeks after the guilty verdict against him and seven fellow Sanctuary workers was given.¹⁷⁰ Here, Fife is pointing to the outcome of the June 25-26, 1985 Sanctuary pre-trials, in which Federal District Court Judge Earl H. Carroll ruled in favor of several

¹⁶⁶ Flaherty, the volunteer who was arrested together with Conger, would not be prosecuted on the basis of her presence in the car being insufficient evidence to prove intent to smuggle.

¹⁶⁷ Varn, “Church-group Head Indicted.”

¹⁶⁸ Ibid. See Appendix A9 for a published picture of the unusual car-measurement procedure.

¹⁶⁹ Otter and Pine, *Sanctuary Experience*, 362 and 364.

¹⁷⁰ John Fife quoted in Hal Bray, “Sanctuary Leaders Say Why,” *General Assembly News*, June 19, 1986, 4, MS 362: Sanctuary Trial Papers, box 30, folder 1, courtesy of University of Arizona, Special Collections.

motions by special prosecutor Donald M. Reno that devastated the defense team already before the actual trials had started. The approved motions determined that, unlike in the smaller Sanctuary trials discussed above, the eleven defendants could not argue their case on the basis of religious motivation or religious freedom, nor were they allowed to invoke the current situation in Central America (either by testifying to their own experiences or inviting refugees to the witness stand). To make matters worse, Judge Carroll ruled that the jury could not hear evidence regarding the legality of the refugees under the 1980 Refugee Act or international law. And when they learned that the government would use tape recordings gathered secretly and inside Sanctuary churches, the defense lawyers filed a pre-trial motion to suppress this evidence in court. The motion reads:

Nothing is more likely to erode the sense of trust and confidence which is a precondition to communal religious life more drastically than the introduction of government informers into a congregation. [...] Since the introduction of informants equipped with recording devices is fatal to the existence of a religious community, it is an investigative technique that can be resorted to, if at all, only after the issuance of an appropriate judicial authorization.¹⁷¹

In response to this motion, Judge Carroll ruled that the infiltration was “not an acceptable practice, but it was not outrageous,” which was apparently sufficient reason to dismiss the motion.¹⁷² All other motions by the defense arguing acquittal based on unconstitutionality were likewise dismissed. In the wake of the pre-trial rulings, the team had to come up with innovative ways to make their case.

3.2 Media and the Tucson Eleven

A 1983 San Antonio newspaper article reports on the rising tensions between the Sanctuary movement and the INS: “One Immigration and Naturalization Service official said some aggressive border patrolmen are anxious to catch Jim Corbett of Tucson, Ariz., whom they have dubbed “the Quaker coyote” for transporting aliens.”¹⁷³ Of course, such terminology is

¹⁷¹ *Unites States of America v. Maria del Socorro Pardo de Aguilar et al.*, Motion for Leave to File a Memorandum of Law as Amici Curiae, March 27, 1985, 2 and 10, MS 362: Sanctuary Trial Papers, box 42, folder 8, courtesy of University of Arizona, Special Collections.

¹⁷² Judge Carroll quoted in Phoenix Sanctuary Committee, “Defense Summary of Pre-trial Hearings Against Sanctuary Workers,” June 30, 1985, 2, MS 362: Sanctuary Trial Papers, box 33, folder 4, courtesy of University of Arizona, Special Collections.

¹⁷³ Mack Sisk, “Aliens’ ‘Quaker Coyote’ Defies INS,” *San Antonio Light*, November 13, 1983, MS 362: Sanctuary Trial Papers, box 35, folder 3, courtesy of University of Arizona, Special Collections.

inherently problematic, as the coyote offers professional guidance to migrants, with the prime objective of making a significant profit out of this “service.” If anything, referring to Sanctuary workers such as Corbett as *non-profit* coyotes would be more appropriate. In the same article, another, more senior, INS spokesman from Washington D.C. appears less concerned about Sanctuary workers: “We don’t plan to go kick in any church doors. It’s long been an INS policy not to go into churches and get them [undocumented refugees]. Our priorities are to stop them at the border and to apprehend them at the work place.”¹⁷⁴ To the public, it thus appeared that the officials were not (yet) very serious about going after the faith-based movement, instead focusing on the apprehension of migrants themselves.

Privately, Sanctuary had been receiving notes of a more threatening sort, well before Southside Presbyterian Church would publicly declare Sanctuary: “We’ve been picking up aliens with Corbett’s number in their pocket. We know what you’re doing, and you’d better quit, or we’re going to have your behinds,” an INS lawyer told Tucson Sanctuary worker Margo Cowan outside a bond-reduction hearing, already in December, 1981.¹⁷⁵ At an emergency meeting of the TEC Task Force in Fife’s living room, called to discuss next steps in light of the now obvious pressure from the INS to halt their activism, the earliest Sanctuary organizers pledged to move forward, deciding to go public, come what may.¹⁷⁶ It is important to emphasize that progressive religious activists involved in the early days of the Sanctuary movement were under no illusion that they would be left alone by authorities. All of their decisions in terms of strategy, including the public declaration of Sanctuary itself, had been directed by this need for a self-defense mechanism.

The long anticipated indictments finally came on January 14, 1985, ten days before the big Inter-American Symposium on Sanctuary was scheduled to take place in Tucson. As outlined in a November, 1984 grant application, the Symposium would be “a two-day Inter-American Conference with humanities scholars in the fields of history, philosophy, ethics, and religion in dialogue with refugees, sanctuary workers, community and university people, and members of sanctuary communities.”¹⁷⁷ Certainly, the US government was aware of the event taking place. Unfortunately for them, instead of its purpose to deter the furthering of a movement and her religious argument, the indictment of the movement’s beloved pacesetters so close to the Symposium, had quite the opposite effect. In the wake of the indictments,

¹⁷⁴ Ibid.

¹⁷⁵ Davidson, *Convictions*, 65.

¹⁷⁶ Ibid.

¹⁷⁷ “Arizona Humanities Council Grant Application for Sanctuary Symposium,” November 19, 1984, MS 362: Sanctuary Trial Papers, box 30, folder 5, courtesy of University of Arizona, Special Collections.

registration had tripled to 1200 attendees.¹⁷⁸ Moreover, the Symposium would now, in addition to providing a platform for Sanctuary activists and refugees to crystalize the objectives and strategies of the movement, also cater a major brainstorm session and fund raiser toward the defense of the Tucson Eleven.

Sanctuary activists had long suspected the government's planned efforts to rule religion out of the court room, which, as we have seen in the previous paragraph, turned out to be a reasonable assumption. The key note speaker at the Symposium, Reverend Sloane Coffin, Jr. (who we remember from his role in Vietnam Sanctuary), closed his opening lecture: "We know that rarely in this world does a good deed go unpunished. We know that in the upcoming important trial in Phoenix,¹⁷⁹ the argument that makes that trial important will probably not be allowed in court."¹⁸⁰ While the legal defense team would focus on arguing pre-trial motions, activists came up with other tactics that could not be prohibited by a judge. Since its beginning five years ago, the movement had had time to improve on their public affairs skills. A major outcome thereof in 1985 was the Arizona Sanctuary Trial Strategy: Education and Communication. The Strategy outlined what to communicate to which target groups (among others Hispanics, Blacks, Native American, women, congregations, and the general public).¹⁸¹ Its supervisory organization would be the newly founded Media Committee of the TEC Task Force. One of the core elements of the message to be mediated was that "Sanctuary is the religious communities' response to the refugees—it is persons of faith practicing their faith—and it is not a separate movement."¹⁸²

Sanctuary's media-literacy proved especially important when Judge Carroll ruled the exclusion of such key arguments in court. In response, the TEC Task Force came up with what was strategically called "The Whole Truth Sanctuary Hearings." The project's proposal explains: "Expert witness of the Tucson Sanctuary Trial Defense, who will NOT be allowed to tell the whole truth in court because of the rulings of the judge, WILL testify to the whole truth for the defense in public hearings in the Hall of the School of Law at the University of Arizona."¹⁸³ In practice, this initiative allowed a much broader public to form their opinion of the Trials and the defendants based on direct interaction with expert witnesses, circumventing

¹⁷⁸ Bau, *This Ground*, 21.

¹⁷⁹ Whereas the pre-trials took place in Phoenix, Judge Carroll agreed to change the location for the Trials to Tucson, as the vast majority of defendants and other parties involved resided in or near this city.

¹⁸⁰ William Sloane Coffin Jr., "The Tasks Ahead," 182.

¹⁸¹ "Arizona Sanctuary Trial Strategy: Education and Communication," MS 362: Sanctuary Trial Papers, box 30, folder 2, courtesy of University of Arizona, Special Collections.

¹⁸² *Ibid.*

¹⁸³ "The Whole Truth Sanctuary Hearings Draft Proposal," November 19, 1985, MS 362: Sanctuary Trial Papers, box 30, folder 22, courtesy of University of Arizona, Special Collections.

Judge Carroll's pre-trial decree. Furthermore, the movement would fervently request political support for the Tucson Eleven and the Sanctuary cause for progressive action. The Media Committee would then magnify such statements through all sorts of channels, which resulted in significant deflation of the prosecution's case outside of court. Throughout June of 1986, when the eight convicted Sanctuary defendants were awaiting sentencing,¹⁸⁴ the Committee widely distributed copies of statements, written or signed by high level individuals. A letter from Senator Dennis DeConcini to Judge Carroll reads: "It is my hope that in your deliberations you will consider the fine qualities of this man [John Fife] and grant him the ability to continue his work."¹⁸⁵ Another letter to the judge, signed by an impressive 47 members of Congress, besides the request for mercy in the sentencing of those found guilty in Tucson, includes a critique of President Reagan's refusal to grant asylum or at least Extended Voluntary Departure to Central American refugees.¹⁸⁶ Through the efforts of many activists, the context of the Sanctuary Trials had reached the forces that could help bring about change.¹⁸⁷

By inviting an Amnesty International observer to attend part of the Trials, activists were also able to increase the global awareness of the Sanctuary Trials, and generate international sympathy for the Tucson Eleven and the Sanctuary cause as a whole. A letter by Secretary Thomas Hammarberg announces Amnesty's adoption of the convicted eight as "Prisoners of Conscience," and promises to launch international campaigns for their unconditional release.¹⁸⁸ The designation marked the first time since the Civil Rights movement that US citizens had been acknowledged as such by AI.¹⁸⁹ The relationship with Amnesty International established during the Trials, would also prove beneficial in future Sanctuary instances. On February 25, 1987, the NGO adopted Stacey Merkt as a "Prisoner of Conscience," too. AI furthermore urged their global membership to speak out against her imprisonment by writing the American President or the Department of Justice. Amnesty's

¹⁸⁴ Out of the Tucson Eleven, eight were found guilty. See Appendix D for an overview of the defendants and their verdicts.

¹⁸⁵ Letter from Senator DeConcini to Judge Carroll, June 25, 1986, MS 362: Sanctuary Trial Papers, box 43, folder 30, courtesy of University of Arizona, Special Collections.

¹⁸⁶ Letter signed by 47 Members of Congress to Judge Carroll, June 18, 1986, MS 362: Sanctuary Trial Papers, box 43, folder 30, courtesy of University of Arizona, Special Collections.

¹⁸⁷ In 1985, the Moakley-DeConcini Bill was passed by Congress, but did not make it through the Senate, and was therefore excluded from the 1986 Immigration Reform and Control Act. The Bill, for which the idea had come the Washington's attention after extensive Sanctuary advocacy, would have granted Extended Voluntary Departure status to Salvadoran and Guatemalan refugees. Susan Bibler Coutin and Hector Perla, "Legacies and Origins of the 1980s US-Central American Sanctuary Movement," *Refuge* 26, no. 1 (2009), 13.

¹⁸⁸ Letter from AI Secretary Thomas Hammarberg to Robert J. Hirsch (lawyer of John Fife), June 16, 1986, MS 362: Sanctuary Trial Papers, box 43, folder 30, courtesy of University of Arizona, Special Collections.

¹⁸⁹ John Fife in discussion with the author, April 16, 2019.

international appeal, and their savvy emphasis on Merkt's pregnancy and faith, as well as their reports on human rights violations in El Salvador, contributed to her early release into house arrest after serving 78 days in Fort Worth Federal Correctional Institution.¹⁹⁰

Notwithstanding the influence of abovementioned political and expert witness media tactics, the most gripping force in convincing the public of the defendants' innocence, and of Sanctuary's tasks ahead, would come from the defendants' personal statements, and the religious institutions backing them throughout the lengthy repression. The Trials were closely monitored by reporters representing ten radio stations, fifteen television stations and thirty international newspapers.¹⁹¹ The defendants, frustrated about the "gag order" of the pre-trials, were more than willing to talk to them about their true motivations outside of court.¹⁹² To their advantage, the vast majority of reporters portrayed them as pious, selfless humanitarians. At the same time, the persona of special prosecutor Reno was often mocked. In "Sanctuary prosecutor at ease despite his religious heritage," after sketching the discrepancy in Reno's fundamentalist Methodist beliefs and his staunch performance against the church workers in court, *Arizona Daily Star* reporter Daniel R. Browning concludes: "Reno, 43, is a study in paradox."¹⁹³ Where they could have chosen to interpret Reno's tenacity as a sign of his professionalism, the majority of the media instead presented him as a faith-compromising opponent of the faithful Tucson Eleven.

Judge Carroll's verdicts (see Appendix D) came as a surprise to all. Sister Nicgorski, who was found guilty of the most (4) federal counts, faced up to 25 years of imprisonment. Instead, like all but one of the other convicted church workers, she received a suspended sentence and 5 years' probation. Still, the judge's unexpected compassion had little impact on the defendants. "The US federal court has criminalized these acts of compassion," concluded Darlene Nicgorski after the Trials.¹⁹⁴ Even Carroll's stipulation that if convicted again on

¹⁹⁰ Amnesty International, "USA: Church Worker Adopted as Prisoner of Conscience," February 25, 1987, MS 362: Sanctuary Trial Papers, box 30, folder 2, courtesy of University of Arizona, Special Collections.

¹⁹¹ Cunningham, *God and Caesar*, 56.

¹⁹² Throughout the court document entitled "Memorandum of Points and Authorities in Opposition to Government's Motion re. Fair Trial Directives," the defense attorneys for Willis-Conger and Nicgorski frequently use the term "gag order," in mocking reference to the "broad prior restraint on the speech of all parties, witnesses and attorneys in violation of the First Amendment." MS 362: Sanctuary Trial Papers, box 42, folder 25, courtesy of University of Arizona, Special Collections.

Nota bene, Philip Conger married Ellen Willis in the Fall of 1984, hence the name-change to Willis-Conger. Otter and Pine, *Sanctuary Experience*, 107.

¹⁹³ Daniel R. Browning, "Don Reno: Sanctuary Prosecutor at Ease Despite His Religious Heritage," *Arizona Daily Star*, December 3, 1986, MS 362: Sanctuary Trial Papers, box 50, folder 11, courtesy of University of Arizona, Special Collections.

¹⁹⁴ Nicgorski quoted in report on Sanctuary Trials sentencing hearings by the Arizona Sanctuary Defense Fund, July 3, 1986, MS 362: Sanctuary Trial Papers, box 50, folder 11, courtesy of University of Arizona, Special Collections.

similar charges, they could be sent to prison for the original charges, could not deter the defendants: “And finally, Judge Carroll, now that you have heard the evidence. Now that you know more of the truth, I reiterate my request that you allow me to continue in my ministry to Central American refugees. If you cannot do this or accept the alternatives I presented to you, I want you to know that I am prepared to go to prison if that is necessary.”¹⁹⁵ Following the nun’s lead, other defendants publicly declared that they would continue their work after the Trials, whether they would be sentenced to prison, probation, or neither. During the press conference outside of the court house, they also unanimously announced their insistence upon appealing the District Court’s decision.¹⁹⁶ In the words of Corbett: “Refusing to sacrifice refugees to Caesar’s Realpolitik, we will simply go to trial as often as the INS chooses until the day comes when no jury will convict a sanctuary volunteer.”¹⁹⁷

It was not until after the verdicts, at their two-day sentencing hearings, that the defendants were allowed to comment in court. After seven months of silence inside the court house, they took their time to present their “true” arguments in front of the Judge. A representative of the Arizona Sanctuary Defense Fund present at the sentencing hearings reported:

Inside the courtroom, the air was electric as the defendants spoke passionately about the refugees with whom they worked and their commitment to continue their sanctuary ministry. Their vibrant voices contrasted greatly with the earlier, sterile court proceedings in which Judge Carroll had barred even the use of the words “refugee,” “killing,” “torture,” and “disappearance” in an effort to prove that this was a simple “criminal alien smuggling” case.¹⁹⁸

Sister Nicgorski took the cake by discussing her motivations and concerns over the course of 45 minutes (going well over the permitted 30 minute time frame), and by using the most graphic descriptions of brutalities in Central America that she had witnessed herself and

¹⁹⁵ Darlene Nicgorski, “Statement Before Sentencing to the Court and Public,” July 1, 1986, 14, MS 362: Sanctuary Trial Papers, box 50, folder 11, courtesy of University of Arizona, Special Collections.

¹⁹⁶ In the archives, I came across a draft version of the Appeal, dated November 10, 1987, which argued that “it is inconsistent with the mandates of the first amendment to force sincere religious workers to choose to ignore the dictates of their religion and, indeed, of their humanity, or face criminal prosecution.” The Appeal for the Sanctuary Trials was either never submitted, or denied trial. The Tucson Eight completed their probation sentences in the late 1980s/early 1990s. John Fife, while grinning, remarked that he is still a “convicted felon.” “Request for Appeal (draft),” MS 362: Sanctuary Trial Papers, box 40, folder 21, courtesy of University of Arizona, Special Collections; John Fife in discussion with the author, April 16, 2019

¹⁹⁷ Corbett, “Social Dynamics,” 46.

¹⁹⁸ Report on Sanctuary Trials sentencing hearings by the Arizona Sanctuary Defense Fund, July 3, 1986, MS 362: Sanctuary Trial Papers, box 50, folder 11, courtesy of University of Arizona, Special Collections.

learned from refugees. Adding to the public's already damaged image of Carroll, all defendants read out their heartfelt statements directly to the judge. Although Judge Carroll could still show mercy in his sentencing, the defendants stuck with their faith and experience-based arguments: "Therefore, Judge Carroll, after prayer, reflection, fasting, and discernment I urge you to treat me no differently than INS treats Central Americans. [...] My faith asks for no special treatment. My creed speaks of oneness and identification with the poor, oppressed, margined, those most in need," asserted Nicgorski.¹⁹⁹ Along these lines, María Socorro Pardo de Aguilar stated: "I am happy because the people [as opposed to Judge Carroll] judge me, and the people's voice is the voice of God. I only ask God, let it be that there are many more Socorro Aguilars inside and outside this country."²⁰⁰

The utter lack of remorse in light of the defendants' convictions, during these statements, essentially meant the final blow to the federal prosecution. Nevertheless, Reno, who had, on paper, won the majority of the Sanctuary Trials, triumphantly exited the court room upon the completion of the sentencing hearings. To the swarm of reporters gathered there, he commented: "The judge's message was clear. There's a right way and a wrong way to challenge the Immigration and Naturalization Service. We've seen an example of the wrong way." Thereupon Philip Willis-Conger, seized with emotion, climbed onto a trash can near the impromptu press conference, stretched out his right arm, and shouted over the crowd: "Someday my faith will allow me to forgive you!"²⁰¹

3.3 Operation Sojourner and Other Legacies of the Trials

The element of the 1985-86 Sanctuary Trials that would have the greatest effect onto the general public's perception of government repression, and would continue to have its own legacy in the realm of religious activism, was the exposure of Operation Sojourner during the pre-trials.²⁰² Although eight of the eleven defendants were found guilty of felony charges, the

¹⁹⁹ Nicgorski quoted in "Excerpted Statements of the Defendants upon Sentencing," 1, MS 362: Sanctuary Trial Papers, box 50, folder 11, courtesy of University of Arizona, Special Collections.

²⁰⁰ Aguilar quoted in report on Sanctuary Trials sentencing hearings by the Arizona Sanctuary Defense Fund, July 3, 1986), 4, MS 362: Sanctuary Trial Papers, box 50, folder 11, courtesy of University of Arizona, Special Collections.

²⁰¹ Reno and Willis-Conger quoted in *Adelante!*, Summer, 1986, 6, MS 362: Sanctuary Trial Papers, box 30, folder 1, courtesy of University of Arizona, Special Collections.

²⁰² When I asked John Fife about his thoughts on the reasons behind naming it Operation Sojourner, he answered: "We were as astonished as you are when we heard it the first time! The US attorney who named it was a Mormon, who must have had some scriptural knowledge. The prosecution's basic thesis was, this is a criminal organization masquerading in religious cloth, so he probably named it that just to deride the faith-basedness of this thing to make the case that they are plain criminals. But that's a guess!" John Fife in discussion

defendants won in the public eye. According to Fife the most significant result of the Trials was “the unique nature of faith-based organizing.” To which he added: “Jim [Corbett] used to call it social jiu jitsu. When the government attacks, you use their attack to throw their ass, as in jiu jitsu.”²⁰³ The Sanctuary Trials brought about unprecedented successes for the movement in terms of numbers, diversification, and renewed confidence in the religious institutions that formed the backbone of the movement. At the same time, the sensational and exhausting period of repression left the congregations involved with Sanctuary with new challenges in moving forward after the convictions. Despite the prosecution’s efforts to deter the categorization of the Trials from a primarily religious to a political issue, the events would go down in history as a turning point in American church-state relations, and INS infiltration into churches played a key role therein.

The government’s decision to conduct an undercover operation without sensitivity to the traditionally special status of houses of worship, right when the movement had decided to overtly advocate their cause, marked a shift from investigation to intimidation of (progressive) religious activism. Over a ten month period, starting in March of 1984, four undercover agents, instructed by the INS, presented themselves as Sanctuary volunteers in Phoenix, Tucson, and the Arizona border town of Nogales. They used concealed wiretapping devices to record private conversations in activists’ living rooms, cars, and even at Philip Conger’s wedding. The most striking part of Sojourner, which contributed to the defense’s efforts to characterize the Sanctuary Trials as a church-state conflict, was the fact that they had recorded inside of churches during movement meetings and bible study sessions. The fact that they did so secretly, while the movement itself had gone aboveground and had, to a certain degree, even cooperated with the INS and BP (for example in Casa Romero), came as a shock to the entire Sanctuary community.

The efforts of the government’s undercover agent and star witness during the Trials, Jesús Cruz, would be especially problematic. While Sanctuary workers had voiced suspicion (but never acted on this) regarding the other three “volunteers,” Mexican-born, green-card carrying Cruz did a better job at fitting in.²⁰⁴ Where his profile (early thirties, overtly religious, limited command of English) fed into his believability within movement activism,

with the author, April 16, 2019.

Hilary Cunningham notes the resemblance between the operation’s moniker and *Sojourners Magazine*, which was mentioned scornfully by an INS official in a memorandum on the potential dangers of the Sanctuary movement. Cunningham, *God and Caesar*, 217.

²⁰³ John Fife in discussion with the author, April 16, 2019.

²⁰⁴ Cunningham, *God and Caesar*, 37-38.

in court, Cruz would jeopardize the prosecution's case with highly inconsistent testimonies. Moreover, the defense's discovery of criminal activity, including, according to the defense lawyers, the fact that "Cruz took money from farmworkers to smuggle guns across the international border for them," harmed the government's case.²⁰⁵ Although such arguments discredited the prosecution's star witness, and the media was eager to further research Cruz's side earnings, Judge Carroll did not ban Cruz as a witness, nor his tapes from court.

The legacy of Operation Sojourner was widespread and raised wholly new issues about the relationship between church and religious activism on the one hand, and state repression on the other. After the Trials, congregations held special meetings to discuss what the unwarranted, undercover church infiltration meant for them. Local faith leaders, defendants, legal professionals, and theologians went on tour throughout the Southwest to provide concerned congregations with background information and to discuss strategies on how to move forward and restore their confidence in their houses of worship as a safe space.²⁰⁶ Moreover, they had composed extensive "Information and Education Packets" on government infiltration of churches, implying their shared belief that Operation Sojourner meant a key turning point in US church-state affairs that required awareness raising, research, and fighting back.²⁰⁷

News of Operation Sojourner was also taken very seriously by congregations and religious leaderships at the national level. In 1986, Churches Opposed to Undercover Governmental Activities in Religion (COUGAR) was founded to educate the significance and implications of Sojourner "at a grass roots level," and to the end of "compelling, across the board protection of religion and worship from unbridled government interference."²⁰⁸ Furthermore, the General Assembly of the Christian Church circulated an emergency resolution protesting "the unwarranted and clandestine eavesdropping of church meetings by undercover agents of the government of the United States as serious threat to the

²⁰⁵ *United States v. De Aguilar et al.*, "Offer of Proof re. Dealing by Jesús Cruz," December 20, 1985, MS 362: Sanctuary Trial Papers, box 42, folder 35, courtesy of University of Arizona, Special Collections.

²⁰⁶ See, for example, "A Briefing Conference on the Infiltration of the Churches" held at Phoenix Central United Methodist Church, MS 362: Sanctuary Trial Papers, box 30, folder 17, courtesy of University of Arizona, Special Collections.

²⁰⁷ "Infiltration of Churches: A Threat to Religious Freedoms. An Information and Education Packet," July 19, 1985, MS 362: Sanctuary Trial Papers, box 51, folder 25, courtesy of University of Arizona, Special Collections.

²⁰⁸ Letter from COUGAR Coordinator David Sholin to Synods, Presbyteries, and purchasers of "Why Are the Churches Suing the Government?," May 12, 1987, MS 362: Sanctuary Trial Papers, box 51, folder 14, courtesy of University of Arizona, Special Collections.

Constitutional guarantee of religious freedom and the separation of church and state.”²⁰⁹ Sojourner would go down in American religious history as a key point of reference in US church-state and religious freedom legal debates.

While Operation Sojourner left a negative mark on the relationship between the US government and religious activism, causing particular concerns among Sanctuary constituencies, the Tucson Sanctuary Trials also impacted the Sanctuary movement in positive ways. The second anniversary of Tucson’s public declaration of Sanctuary on March 22, 1984 coincided with the 100th congregation (Benedictine Priory in Weston, Vermont) to publicly declare Sanctuary. One year later, when the often heated hearings of the Sanctuary Trials were in full swing and already sparking public outrage through extensive media coverage, the number of churches, synagogues, and meeting houses declaring Sanctuary had doubled. As each Sanctuary declaration tagged along an average of 10 congregations to endorse that activism, already before the verdicts, an estimated 2,000 congregations had acted and/or spoken out in favor of Sanctuary and its now famous defendants.²¹⁰

The Tucson Eleven represented a wide variety of religious denominations (see Appendix D), that each mobilized their network of institutions. Moreover, the Mexican nationalities of two of the defendants immediately made the news international and bilingual. Initiated by Southside Presbyterian Church, but soon adapted by several denominations in Southern Arizona, hundreds of church-goers signed so-called “Declaration of Shared Responsibility” slips, that read: “I, undersigned, share their [convicted eight] faith and commitment, with a full knowledge that I also place myself in jeopardy. I have no choice. If they are guilty, so am I.”²¹¹ Moreover, special prayer services after the verdict included readings from the late Archbishop Romero to remind the congregations of the reasons why faithful Americans were on trial. In solidarity with the convicted who, while exiting the court room after the verdicts, sang the hymn “we shall overcome,” so did congregations nationwide.²¹² Thus, in the aftermath of the Trials, houses of worship served as places for empowerment of refugees, faith communities and the Sanctuary movement as a whole.

As a result of the 1985-86 Sanctuary Trials, the movement grew in number, but it also

²⁰⁹ General Assembly of the Christian Church, “Emergency Resolution on Clandestine Government Surveillance of Church Meetings,” MS 362: Sanctuary Trial Papers, box 51, folder 19, courtesy of University of Arizona, Special Collections.

²¹⁰ Otter and Pine, *Sanctuary Experience*, 362-364.

²¹¹ “Declaration of Shared Responsibility,” MS 362: Sanctuary Trial Papers, box 31, folder 15, courtesy of University of Arizona, Special Collections.

²¹² “Prayer Service After the Verdict,” April, 1986, MS 362: Sanctuary Trial Papers, box 52, folder 17, courtesy of University of Arizona, Special Collections.

underwent diversification. One area in which this becomes clear, is the expansion of public sanctuaries. In the period between April 1985 and June 1987, the movement went from 4 to 22 City Councils publicly declaring Sanctuary, and gained 6 sanctuary universities.²¹³ Moreover, on Good Friday, March 28, 1986, Governor Tony Anaya declared New Mexico the first sanctuary state in the nation.²¹⁴ Many Arizona Sanctuary leaders congratulated Governor Anaya on this achievement, but Jim Corbett's comments, as so often was the case, are particularly gripping:

As the eleven sanctuary defendants now go into the concluding days of our trial in Tucson, I would emphasize that the verdict in our case is historically insignificant compared to New Mexico's Good Friday declaration of sanctuary. When politicians and hypesters gather at the refurbished Statue of Liberty on July 4, their words will carry more truth than most of them really intend, because the human solidarity symbolized by her torch still lights the way in New Mexico.²¹⁵

In light of present-day Sanctuary, it is important to understand that the public dimension of institutional sanctuary spaces is not a 21st-century phenomenon. I will get into the meanings of different manifestations of sanctuary at length in Chapter 4. For now, it suffices to keep in mind that the diversification of the Sanctuary movement, marked by the growth of public sanctuaries, as distinguished from private sanctuaries such as the church, emerged as an integral part of the legacies of the 1985-86 Tucson Sanctuary Trials.

3.4 Religious Interpretation of Repression

In "Religious Beliefs and Perceptions of Repression in the U.S. and Swedish Plowshares Movements," Sharon Nepstad makes insightful connections between activists' (lack of) religious conviction, their fear of prosecution, and the impact this has on (dis)continuation of the movement they are advocating.²¹⁶ Another good example of Braunstein et al.'s framework

²¹³ Cunningham, *God and Caesar*, 65.

²¹⁴ William Hart, "New Mexico Declares Itself Sanctuary State," *Arizona Republic*, March 29, 1986, MS 362: Sanctuary Trial Papers, box 53, folder 2, courtesy of University of Arizona, Special Collections.

²¹⁵ Jim Corbett, "Governor Anaya's Sanctuary Declaration Provides Urgently Needed Protection for Refugees and Integrity for Society," March 29, 1986, MS 362: Sanctuary Trial Papers, box 53, folder 2, courtesy of University of Arizona, Special Collections.

²¹⁶ Sharon Erickson Nepstad, "Religious Beliefs and Perceptions of Repression in the U.S. and Swedish Plowshares Movements," in *Religion and Progressive Activism. New Stories about Faith and Politics*, eds., Ruth

for progressive religious activism, the Plowshares Eight were part of a group of radical Catholic American activists, who in 1980 broke into and gravely vandalized a nuclear weapons producing General Electric plant near Philadelphia. Their protest sparked the (inter)national Plowshares Movement opposing nuclear build-up and arms trade. Similar to the Tucson Eleven, the Plowshares were deeply inspired by progressive religious beliefs and consciously collided with the law, fully aware of the prosecution they risked with their actions. Unlike the probation sentences given in Tucson, the Plowshares Eight involved in their movement's initial protest at GM received actual prison sentences of 5 to 10 years.²¹⁷ There also exist important differences between the two movements in terms of religious homogeneity and protest strategies. Nevertheless, Nepstad's thesis that the religious beliefs from which the Plowshares activists departed, were crucial for their perceptions of authoritarian repression, applies to Sanctuary, too.

Nepstad's research departs from a comparative analysis between the original Catholic American Plowshares movement to its majority secular Swedish following in the mid-1980s.²¹⁸ Activists from both chapters of the movement were challenged by severe state repression. However, where the American movement grew in its wake, the Swedish Plowshares movement dissolved when leaders were threatened, imprisoned, or, in certain cases, co-opted by government agencies. And although the Americans received significantly higher prison sentences than the Swedes, the latter were less capable to translate repression into movement gains.²¹⁹ Nepstad makes a convincing case explaining these discrepancies as a result of the deep religious beliefs of American activists, that were mostly absent in the Swedish interpretations of repression: "U.S. activists interpreted their repression in religious terms that reinforced their collective identity as radical Catholics. This not only blunted the negative effects of state-sponsored sanctions, it also generated positive effects that strengthened the movement."²²⁰ Because of their faith, the primary motivator of their very movement, American Plowshares activists were able to see repression as a sign of Christian

Braunstein, Todd Nicholas Fuist, and Rhys H. Williams (New York: New York University Press, 2017), 246-267.

²¹⁷ Nepstad, "Religious Beliefs," 246-247.

²¹⁸ Remarkably, the Swedish Plowshares movement, in order to identify with the cause and success of American Plowshares, uses the same name (*Plogbillsrörelsen* in Swedish) that comes directly from Hebrew 2:4, and therefore has a inextricably religious connotation, even when applied in a more secular discourse of movement activism. Similarly, Sanctuary, already in the late 1980s but especially today, is used to refer to religious and more secular progressive activism addressing migrants' rights, even when the name originates in an unquestionably Judeo-Christian meaning of the term.

²¹⁹ Americans were sentenced with an average 52.5 months of imprisonment compared to a 4.6 month average for Swedish Plowshares. Nepstad, "Religious Beliefs," 252.

²²⁰ Nepstad, "Religious Beliefs," 253.

fidelity. For them, imprisonment facilitated their commitment to Jesus Christ, who had been imprisoned by authorities and called upon others to follow Him. Simultaneously, sanctions reinforced their dedication to denuclearization as a progressive religious value.

That is not to say that majority secular progressive movements have no mechanism for positive interpretation of sanctions. Movements that lack a faith-based incentive often and accurately associate repression with political gain, as government crackdown indicates authoritarian fear of the changes in political discourse instigated by social movements. Another way for non-religious movements to make state repression work for them is by challenging the dominant mentality of obedience.²²¹ In a sense an attempt to break with the culture of axiomatic submission, overt acceptance of sanctions has the potential to encourage civil disobedience as a way to show popular discontent. Nevertheless, civil *disobedience* still implies guilt, and therefore has a rather negative connotation attached to it. As was argued by the founders of Sanctuary, promoting civil *initiative* instead, could lead to a more substantial change in public interpretation of progressive activism. The issue then, is that the existing culture of obedience still informs the common interpretation of sanctions, such as imprisonment, as a punishment for civil disobedience. And this is where religious tools, that operate from a wholly different framework of beliefs and associations, offer solutions that secular ones cannot.

The uncompromising nature of religious motivation for progressive activism has the power to significantly reduce the threatening component of state repression. Not unlike the stimulating effects of martyrdom narratives, the insistence of Sanctuary activists upon the righteousness of their activism explained from biblical or otherwise religious motivations, encourages movement support. Moreover, the international quality of religious institutions provides crucial channels of communication regarding repression. Even before secular authorities can inform these communities, if they choose to do so, the international church mechanism instigates transnational support for a religious progressive cause. This is then translated into material and immaterial support for those who are being prosecuted. Global religious networks can spur religious communities to pray for, and organize in solidarity with, the movement under attack. While awaiting the verdict in 1986, when it looked like he was going to be imprisoned, Reverend Fife received a call from his seminary's president on the East Coast, who had, to Fife's delight, consulted with his faculty and worked out a doctoral program for Fife to conduct in prison.²²² The unique nature of faith-based activism, in large

²²¹ Ibid, 258-259.

²²² John Fife in discussion with the author, April 16, 2019.

part, thus lies in the support of religious institutions. Behind the individuals who face prosecution stands a historically strong religious community with many resources to assure individual relief and movement perseverance.

As we have seen in the previous paragraphs, the 1985-86 Trials resulted in quite the opposite of Sanctuary deterrence. The movement more than doubled during court proceedings, and grew even more when the guilty verdicts came in. We can also see significant parallels between the ways in which convicted Catholic Plowshares activists and interfaith Sanctuary defendants interpreted repression at a highly personal level. “[T]hose with religious worldviews that interpret repression as a sign of spiritual fidelity will be better at sustaining high-risk actions precisely because the experience of repression is intrinsically valuable and *personally gratifying*,” argues Nepstad.²²³ Similar to the imprisoned Plowshares, whose faith allowed for an interpretation of prison time as redemptive experience instead of punishment, religious Sanctuary workers were not very susceptible to government tactics of repression or co-optation. The vast majority of Sanctuary defendants interpreted pleading guilty of the federal prosecutor’s charges in exchange for leniency as compromising their religion, and therefore the very foundation of the Sanctuary movement.

Lastly, the transnational nature of Sanctuary also contributed to Sanctuary workers’ personal ability to remain calm during (the threat of) state repression. “My incarceration, if it comes to that, is nothing compared to the torture and death the refugees have seen or could face if deported. A Salvadoran friend has told me I will be representing her people if I go to prison,” stated Stacey Merkt during her trial.²²⁴ As we have seen in Chapter 2, this solidarity between Sanctuary workers and the people they attempted to help was deeply grounded in the international connections between religious institutions and reinforced by missionaries and stories of martyrdom. Such understandings of repression at the dimension of transnational solidarity contributed to the elimination of the binary between the supposed Central American victim and the North American savior. To a certain degree, those activists who risk imprisonment for a cause that is directly linked to their religious beliefs, thereby themselves become part of a faith-based, inspirational discourse, that operates in ways similar to martyrdom. For Sanctuary, a powerful combination of participants’ personal religious convictions, the religious institutions backing them, and the element of faith-based transnational solidarity proved stronger than government tactics of repression.

²²³ Nepstad, “Religious Beliefs,” 260 (my emphasis).

²²⁴ Stacey Merkt quoted in Bau, *This Ground*, 7.

Chapter 4: Present-Day Sanctuary in Southern Arizona

While I do not know what the government has hoped to accomplish here, I do know what the effect of all this has been. A raising of public consciousness. A greater awareness of the humanitarian crisis in the borderlands. More volunteers who want to stand in solidarity with migrants. Local residents stiffened in their resistance to border walls and the militarization of our communities. *And a flood of water into the desert at a time when it is most needed.*²²⁵

—Scott Warren, 2019

With this chapter, we shift into the contemporary and ethnographic realms of the Sanctuary movement of Southern Arizona. I have conducted ethnographic research into contemporary Tucson Sanctuary organizations to revive the stark religious, dynamic components that are deeply embedded in the religious dynamics of historical Sanctuary. The chapter will explore continuities and differences between present-day Southern Arizona Sanctuary and its 1980s precedent. Before diving into the ethnography of Southern Arizona Sanctuary, we need to make sense of the history of particularly conservative federal and Arizona state policies and the re-emergence of Sanctuary in Tucson. In order to get a better understanding of the particularities of the region that is subject to this research, I will then analyze the extent to which present-day Southern Arizona Sanctuary fits into the national New Sanctuary Movement, as characterized by prominent New Sanctuary scholar Grace Yukich.²²⁶ Despite manifestations of public sanctuary, most notably the emergence of sanctuary cities, that are gaining increasing prominence within the faith-based movement and the media, the private (explicitly religious) components of the movement are everything but disappearing. Keeping in mind the role of faith in the 1985-86 Sanctuary Trials, this chapter will explore how religion continues to profoundly influence Sanctuary's interpretation of and responses to contemporary government repression in Tucson. We will arrive at the conclusion that religion still lies at the very heart of these key Sanctuary issues.

The underlying motivation for many Sanctuary activists today remains deeply

²²⁵ Scott Warren quoted from his statement in response to the government's announcement of his retrial, July 2, 2019. <http://forms.nomoredeaths.org/doj-to-retry-scott-warren-on-harboring-counts%ef%bb%bf/>, my emphases.

²²⁶ Several activists and scholars have objected to the use of the term "New Sanctuary Movement," as they regard the 21st-century movement as an absolute continuation of the "original" movement in the 1980s. For example, Reverend Alison Harrington, who succeeded Fife at Southside Presbyterian in 2009, states: "We don't call it the New Sanctuary Movement; it's the Sanctuary Movement." Although I am appreciative thereof, I will continue to use New Sanctuary" for clarity. Alison Harrington quoted in Rabben, *Sanctuary and Asylum*, 244.

religious, as do their meeting spaces, reflections, and field work. But the movement's strategies have become increasingly complicated and specific, which might leave the observer with the impression that Sanctuary has secularized, even when it has not. In 1994, José Casanova argued "the deprivatization of modern religion," countering the reigning paradigm of secularization as primary framework for assessing religion and modernity.²²⁷ Casanova's *Public Religions in the Modern World* presented a structural shift in thinking about (western) modern religion from being marked by a process of secularization to one of reconfiguration. This is a helpful framework when making sense of 21st-century Sanctuary in Southern Arizona. During the ethnographic component of my research, I found that, although the region is not exempt from certain elements of secularization, most notably an increasing number of non-religious participants, the Sanctuary movement remains both overtly and in less conscious ways, an essentially religious phenomenon. What follows will explore abovementioned key elements of present-day Southern Arizona Sanctuary that together underline this religious core.

4.1 Arizona: The Opposite of a Sanctuary State?

Arizona can simultaneously be characterized as a Sanctuary, and an explicitly anti-Sanctuary state. Historically, as we have seen in previous chapters, New Mexico and California have stood at the forefront of instigating public sanctuary policies at the level of the city, state, and campus. As opposed to her North American neighbors, the Grand Canyon State never officially joined the public sanctuary component of the movement. Several motions to declare Tucson a sanctuary city throughout the 1980s received fierce opposition from state politicians in Phoenix.²²⁸ And yet, considering its historical prominence and continuing richness in terms of private (religious) sanctuary activism, it can be argued that Tucson is the sanctuary city par excellence. Arizona continued her peculiar position in terms of dealing with undocumented

²²⁷ José Casanova, *Public Religions in the Modern World* (Chicago: University of Chicago Press, 1994), 211.

²²⁸ See, for example "Resolution Urging City Council and Mayor of Tucson to Declare Tucson, Arizona a Sanctuary City," proposed on March 3, 1986, MS 362: Sanctuary Trial Papers, box 54, folder 31, courtesy of University of Arizona, Special Collections.

On July 3, 2019, the People's Defense Initiative submitted 18,155 signatures to Tucson city officials, almost double the amount needed to put the Sanctuary City Ordinance on the November 5, 2019 Tucson city election ballot. As the proposed law comes at a time of intensified Sanctuary activism, legal conflicts, and media attention, but includes several provisions that conflict with Arizona state laws, it is hard to predict whether Tucson will officially become a sanctuary city in the Fall. Steve Jess, "Organizers Submit Petitions for Tucson 'Sanctuary City' Initiative," *Arizona Public Media*, July 3, 2019, <https://www.azpm.org/p/home-articles-news/2019/7/3/154410-organizers-submit-petitions-for-tucson-sanctuary-city-initiative/>.

migrants after the 1992 Chapultepec Peace Accords that stabilized the waves of Central American refugees. From the 1990s onwards, federal and state laws have increasingly and innovatively attempted to deter and criminalize migrants illegally entering or residing in the state. When the results of such policies surfaced around the turn of the century, concerned Arizonans, in large part due to their personal immediacy to the ensuing crisis, responded by organizing in a Sanctuary Renaissance. Although the category of concerned Arizonans includes those who aggressively oppose Sanctuary activism, the number of Sanctuary activists still vastly outnumbers the Minuteman²²⁹ presence in the region. The state's political discourse is thus in itself inhospitable to the convictions of the majority of Tucsonans.

Present-day Southern Arizona Sanctuary prioritizes the prevention of loss of migrant life in the Sonoran Desert. In recent years, President Obama's amplification of border militarization has caused an increase in the risks migrants take in order to avoid encounter with BP officers or their watchtowers and drones.²³⁰ However, the policy that underlies the increase in migrants' deaths in the desert around the turn of the century, must be traced back to Operation Gatekeeper, signed into action by President Clinton in 1994.²³¹ Gatekeeper, strikingly implemented in the same year the North American Free Trade Agreement (NAFTA) started liberalizing the flow of goods between the US, Mexico, and Canada, was designed to significantly limit the flow of migrants at the southern border. The coexistence of the two policies, that might seem paradoxical at first, was no accident. In the words of Noam Chomsky: "Militarization of the border was a natural remedy."²³² In short, the expansion of the neoliberalist model to Mexico would mean inequitable US (state subsidized) competition for Mexican businesses, pushing workers north. Neoliberal US economic interests, enhanced by a stark racial component, informed the administration's efforts to prevent this from happening with far-reaching border reform, specifically aimed at keeping Mexicans out.²³³

Operation Gatekeeper introduced the concept of "Prevention Through Deterrence,"

²²⁹ Minutemen, also called vigilantes, are Americans who, on a voluntary basis, aid BP officers in tracking down unauthorized migrants in the borderlands.

²³⁰ Brian Best (Tucson Samaritan) in discussion with the author, April 14, 2019.

²³¹ Although scholarly discussions of Gatekeeper provide much insight into the effects of the federal policy nationwide, for this project on Southern Arizona Sanctuary, I will solely focus on the significance of the Desert Deterrence provision.

²³² The prominent linguist, who has been a scholar in residence at the University of Arizona since 2017, has a legacy of speaking out against anti-Sanctuary federal and state policies, most recently exposing the dehumanization of migrants by US officials. Noam Chomsky, "The Unipolar Moment and the Obama Era" (lecture given at the National Autonomous University of Mexico, September 21, 2009).

²³³ For a more detailed understanding of the correlation between NAFTA and Operation Gatekeeper, see Edwin Ackerman, "NAFTA and Gatekeeper: A Theoretical Assessment of Border Enforcement in the Era of the Neoliberal State," *Berkeley Journal of Sociology* 55 (2011): 40-56.

that would, in addition to significant militarization of the border wall and patrol, reevaluate the natural barriers along the already constructed frontier. In effect, the vast Sonoran Desert, which spans a large section of South-eastern California, and nearly all of the Arizona-Sonora borderlands, was appropriated by the government as a strategic tool and semi-military zone to apprehend migrants, a policy commonly referred to as “Desert Deterrence.”²³⁴ “Because the deterring effect of apprehensions does not become effective in stopping the flow until apprehensions approach 100 percent of those attempting entry, the strategic objective is to maximize the apprehension rate,” reads Gatekeeper’s instruction to BP.²³⁵ The main problem with such an approach of “maximal apprehension,” however, is that desperate people will never be fully deterred from crossing.

Gatekeeper meant an enormous rise in federal funds for border protection, while that same border became increasingly porous in terms of transporting goods as a result of NAFTA. In 1999, the INS budget had skyrocketed to \$4.2 billion (from \$600 million a decade before), of which over \$900 million was allocated to BP.²³⁶ At the time of its implementation, more than 40% of all illegal migration attempts occurred in the San Diego sector of the border. Two decades later, most unlawful reentry convictions by a US District Court in 2012 occurred in Arizona (3915 cases).²³⁷ This means that the INS was successful in moving migrants east, but unable to deter them from crossing into Arizona instead. Operation Gatekeeper created a funneling effect that deliberately pressured potential crossers into the Sonoran Desert borderlands, with the expectation that they would be deterred from attempting the journey in such rough terrains. As the strategy unfolded, and as Southern Arizonans were again finding lost migrants and bodies in their backyard, it became clear to them that Desert Deterrence was making matters worse. As was the case in the early 1980s, the perception of wrongdoing by the federal government angered and mobilized local Americans.

When it comes to federal border militarization and migrant criminalization, the geographical deterrence informed by Gatekeeper would be applied predominantly along the Arizona-Sonora border, home of the Sonoran Desert. Arizona officials had little agency regarding the mid-1990s arrival of additional BP officers, equipment, and wall enforcement in

²³⁴ See Appendix E for a geographical map of the Sonoran Desert.

²³⁵ US Border Patrol, “Border Patrol Strategic Plan: 1994 and Beyond. National Strategy,” July 1994, Homeland Security Digital Library, <https://www.hsdl.org/?abstract&did=721845>.

²³⁶ Ackerman, “NAFTA and Gatekeeper,” 41.

²³⁷ Keep in mind that Arizona has only one District Court, whereas other border states are divided up into Texas West and Texas South, and California South and California Central. “Pew Research Center Analysis of US Sentencing Commission Monitoring of Federal Criminal Sentences Data, 2012,” published March 18, 2014, <https://www.pewhispanic.org/2014/03/18/4-the-geography-of-unlawful-reentry-cases/>.

their state. Nevertheless, conservative state laws and policies in support of the large-scale federal initiative, expose the equally conservative political climate at the state level. In April of 2010, Arizona Governor Jan Brewer signed the Support Our Law Enforcement and Safe Neighborhoods Act, better known as Arizona Senate Bill 1070 (SB 1070).²³⁸ Its intent reads: “The legislature finds that there is a compelling interest in the cooperative enforcement of federal immigration laws throughout all of Arizona. The legislature declares that the intent of this act is to make attrition through enforcement of the public policy of all state and local government agencies in Arizona.”²³⁹ SB 1070 was especially controversial for its inclusion of a clause that instructed police officers to act on their own best judgment in order to expose undocumented people living in Arizona. When it passed, Arizona police was legally authorized to stop any car whose driver they evaluated as probable to be in the country illegally, based on their looks. Unsurprisingly, opponents argued that this policy justified racial profiling.²⁴⁰ The official instruction of the state senate to all levels of Arizona’s local law enforcement stands in stark contrast with states such as New Mexico and California, that publicly declared the exact opposite intention—non-cooperation with federal policies regarding a person’s status.

SB 1070 is an excellent case study to explain the malleable strategies for recent Sanctuary activism in Southern Arizona. The legislation implies major developments in America’s dealing with illegal immigration, that form a logical continuation of what had been set in motion federally with Operation Gatekeeper. In “What Part of ‘Illegal Don’t *You* Understand?’” Daniel E. Martínez and Jeremy Slack eloquently point out the “social harm arising from systematic criminalization of unauthorized migrants as a politically motivated and profit-generating enterprise.”²⁴¹ A major reason for the controversy surrounding the voting on SB 1070 in 2010, was the news, presented to the public on National Public Radio, of the undeniable ties between Arizona private prisons (who would significantly benefit from the policy), and those who drafted the Bill.²⁴² The ever-increasing numbers of people either

²³⁸ “Senate Bill 1070,” signed by Forty-Ninth Arizona State Legislature on April 23, 2010, <https://www.azleg.gov/legtext/49leg/2r/bills/sb1070s.pdf>.

²³⁹ Ibid.

²⁴⁰ Grace Yukich, *One Family Under God: Immigration Politics and Progressive Religion in America* (New York: Oxford University Press, 2013), 205.

²⁴¹ Martínez, Daniel E. and Jeremy Slack, “What Part of Illegal Don’t *You* Understand? The Social Consequences of Criminalizing Unauthorized Mexican Migrants in the United States,” in *The Shadow of the Wall. Violence and Migration on the U.S.-Mexican Border*, eds. Jeremy Slack, Daniel E. Martínez, and Scott Whiteford (Tucson: University of Arizona Press, 2018), 121.

²⁴² Thirty out of thirty-six cosponsors of SB 1070 had received donations from prison lobbyist groups, and Governor Brewer had appointed two prominent advisors who had themselves worked for such groups. Martínez and Slack, “What Part,” 123.

serving sentences or awaiting interviews in detention centers and/or private prisons, like many other direct results of anti-Sanctuary policies, have generated a new market for services and products, that has given rise to the immigration industrial complex.²⁴³

As federal and state policies keep changing and become increasingly difficult to grasp, Sanctuary activists today have to take into account the normalization of border militarization and migrant criminalization that impact the common American understanding of the crises. Reinventions of Sanctuary's public affairs strategies of the 1980s, now prioritizing education of the public on the effects of government policies on human beings, are aimed at a different audience today. Due to unanticipated developments in US federal and Arizona state policies, Tucson-based Sanctuary organizations have had to adapt their strategies and foci.

A good example thereof is a subdivision of the Tucson Samaritans, End Streamline Coalition (ESC). The organization focuses on the results of Operation Streamline, a 2005 federal policy to rapidly process (to streamline) immigration violators. The Tucson federal courthouse has held what it calls "Special Proceedings Duty" daily since 2008. In these hearings, up to 75 people, wearing five point shackles, each receive 30 seconds of appointed lawyer consultation in which they are strongly recommended to plead guilty to a federal misdemeanor or reduced sentencing.²⁴⁴ A major ongoing project of ESC is a cost study. The aim of the research is to raise awareness of the extent to which Arizonans' tax dollars support Streamline. Applying what they call "social math," the Coalition makes comparisons between the costs of Streamline from its introduction to Arizona in 2006 until today, with, for example, UA tuition fees.²⁴⁵ Channeling such findings to the general public, Sanctuary

²⁴³ Over the past few years, the immigration industrial complex directing these phenomena has emerged as a major topic in research discussing US migration and detention problematics. Moreover, parallels have increasingly been drawn between the integration of systematic incarceration of undocumented Central American, most notably Mexican, migrants and that of black American citizens. See, for example, César Cuauhtémoc García Hernández, "Naturalizing Immigration Imprisonment," *California Law Review* 103, no. 6 (December 2015): 1449-1514.

²⁴⁴ The mass-hearings in Tucson are now at full capacity and are open to the public. When I went, all of the accused (except for one Indigenous Honduran who did not understand Spanish or English and whose federal criminal charge was therefore dismissed) received a sentence of "time served" when it was their first attempt. Those who had previous charges of illegal entry received a prison sentence ranging from a month to over a year, to be completed at one of the impromptu detention centers, that are at full capacity, too. Although observing in court was a shocking experience for me personally, it was clear that the procedure had become routine to all involved, including those on trial with multiple entry-charges against them. Notes taken by the author during observation of Operation Streamline on April 18, 2019; Kathy Altman (ESC member) in discussion with the author, April 18, 2019.

²⁴⁵ One of the tentative outcomes of the study is that 2600 students could have attended the university for four years instead of Streamline procedures. In estimating the costs of Streamline, Coalition members take into account personnel costs (marshals, translators etc.), transportation costs (including trips from BP facilities to detention centers and court), bed rates, etc. Policy makers argue that the benefits outweigh the costs, but no federal cost study to back this up has been done. Like Humane Borders and No More Deaths, End Streamline

attempts to counter the government's efforts to normalize practices such as Streamline and Desert Deterrence.

In conclusion, let us return to the original title of SB 1070: Support Our Law Enforcement and Safe Neighborhoods Act. The wording clearly suggests a significant correlation between deterrence and deportation of unauthorized migrants on the one hand, and public safety on the other. It is important to understand that this integration of migration and criminalization policies is not an obvious alliance, nor did it present an organic transition. The framework of SB 1070 turns the motivation of protecting the migrant in favor of public safety, that underlies the sanctuary city principle, upside down. Following the logic of the state legislation, the *exposure* of undocumented migrants is what will lead to safer neighborhoods. A direct result of SB 1070, as expected by proponents and opponents alike, was a significant increase in the number of deportation orders for undocumented people, who were exposed as such after being questioned on the basis of minor offenses, most frequently in the category of traffic violations. SB 1070 thus expanded the body of Sanctuary recipients, as well as the movement's strategies. These now included aiding undocumented migrants who had resided in the US for much longer periods of time, and had often integrated into American life.

4.2 The Tucson Samaritans, Part Two

New Sanctuary organizations have consciously and unconsciously embedded their work within religious activism. This means that even when people from outside of the Judeo-Christian religious tradition participate in Sanctuary, they still work with the same faith-based structure as their colleagues who are more aware of the relationship between practices and symbolisms. Participants in faith-based organizations, who do not necessarily personally belong to a religious congregation, thereby still reinforce the religious core and justify its implications for the entire movement.

Compared to other chapters further removed from the border, New Sanctuary in Southern Arizona caters to a mix of unauthorized migrants. In *One Family Under God*, sociologist Grace Yukich does an excellent job at explaining the differences between the Central American refugees of the 1980s and the newly targeted group of undocumented

has therefore decided to fill the research gap themselves. Notes taken by the author during ESC meeting on April 16, 2019.

immigrants who “did not really need what sanctuary had *traditionally* provided.”²⁴⁶ She points to the many factors distinguishing the long-term unauthorized residents from newcomers. As opposed to the latter, the former often have a house, job, social network and command over the English language. However, as the majority of her research focuses on the New Sanctuary Coalition of New York City in the mid-2000s, Yukich does not take into account the fact that in Tucson, migrants belonging to the group of people desperate enough to cross the desert, often very much in need of “traditional” sanctuary provision, continue to make up a large part of the migrant body that Sanctuary in the borderlands sets out to aid. At the same time, SB 1070 caused a significant increase in orders for deportation of undocumented immigrants who had lived in Arizona for years. Local organizations thus needed to engage in increasingly dynamic activism aiding both refugees and those who have their lives in order if it were not for their lack of papers.

As a result of this mix, strategies of Tucson-based New Sanctuary diversified rapidly after its foundation in the years following the turn of the century. Today, the movement in the borderlands protests anti-Sanctuary legislation, fights calls for deportation, and advocates immigration reform for greater accessibility of naturalization. At the same time, different from cities like New York and Chicago, Tucson activists also provide emergency relief to desperate migrants crossing the desert and living on the streets.²⁴⁷ Contemporary needs of unauthorized migrants differ significantly as a result of significant shifts in the American political context since the 1990s. In 2017, 66% of all adult unauthorized migrants had resided in the US longer than 10 years, whereas, in 1995, long-term residents made up only 33% of all undocumented migrants in the US.²⁴⁸ This does not take away from the fact that, in Southern Arizona, the practice of Sanctuary still entails direct application of 1980s strategies, such as church asylum, and emergency aid along the border. Notwithstanding the difficulties that arise in movement organization further removed from the border, such as the much more diverse backgrounds of long-term undocumented residents in New York²⁴⁹, the need for

²⁴⁶ Yukich, *One Family*, 69, my emphasis.

²⁴⁷ Besides Mexican and Central American individuals, and, increasingly, families, fleeing poverty (which already makes for a blurred line between economic migrant and refugee), among those crossing the Sonoran Desert are also an increasing number of refugees more clearly qualifying for asylum based on the lawful determination of the term. Mexican teenagers fleeing gang violence and Indigenous Hondurans violently forced off their homelands certainly hold a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.”

²⁴⁸ Pew Research Center, “Measuring Illegal Immigration: How Pew Research Center Counts Unauthorized Immigrants in the U.S.,” Video File, 2:50, July 12, 2019, <https://www.pewresearch.org/fact-tank/2019/07/12/how-pew-research-center-counts-unauthorized-immigrants-in-us/>.

²⁴⁹ Yukich’s research includes individual cases of undocumented New Yorkers who, many years ago, migrated from countries as diverse as China, Haiti, and Mexico. Naturally, this introduces new challenges for that

emergency aid in the desert regions, church asylum, *and* advocacy for comprehensive immigration reform supporting Americans without papers, makes for a necessarily multifaceted Sanctuary approach in Southern Arizona.

Every Wednesday evening, in a small room in a community center in South Tucson, a small group of middle-aged men and women gather to pray, report on water drops, and discuss BP press releases.²⁵⁰ Roughly two decades ago, their organization, Humane Borders (HB), was founded out of the religious community's concern about migrants wandering the desert they call home.²⁵¹ Starting in 1999, local newspapers again increasingly reported on bodies found in the Sonoran Desert, and activists, motivated by "faith and the universal need for kindness," decided to act.²⁵² The activism of HB, the first component of what would become the New Southern Arizona Sanctuary movement, continues to serve a two-fold mission. In order to relieve migrant suffering and prevent death, HB operates large water tanks (today numbering over 80) that are marked with tall blue flags for migrants to spot in the desert. Moreover, the organization stimulates research and raises awareness on both sides of the border. Together with the Pima County Medical Examiner's Office, they create and publish so-called "death maps," that indicate the locations where migrants' bodies were found. Red dots on the most recent map (see Appendix F), represent 3339 migrant deaths in the area since 1999, up from 133 deaths counted in 2002.²⁵³

Similar to Sanctuary's formative years in the early 1980s, the movement rapidly included a low to higher risk entry point. In 2002, appreciative of Humane Borders' efforts, but, as more and more migrants risked their lives in the desert, concerned that solely operating the water tanks did not sufficiently reach those in need, the Tucson Samaritans (soon followed by affiliated Samaritan chapters in the region) organized in Southside Presbyterian Church. During hikes in the desert, close to the border fence, the Samaritans drop gallons of water that read "¡Bienvenidos!," while tracking and reporting new migrant trails, in more remote areas. As opposed to the HB water tanks, that are located on private land with the permission of the owners, the Samaritans decided not to cooperate with BP.²⁵⁴

movement. For example, activists will need to learn about the socio-religio-political context of those countries, in order to build a strong legal case.

²⁵⁰ Notes taken by the author during Humane Borders meeting on April 10, 2019.

²⁵¹ In the summer of 2000, Sanctuary veterans John Fife, Jim Corbett, and Richard Elford initiated a meeting with members from eleven local congregations from which Humane Borders emerged. John Fife in discussion with the author, April 16, 2019.

²⁵² Humane Borders, "Our Mission," <https://humaneborders.org/our-mission/>.

²⁵³ Humane Borders, "Migrant Deaths Fiscal Year 2002," <https://www.humaneborders.org/wp-content/uploads/hbmap2002.jpg>.

²⁵⁴ Tucson Samaritans in discussion with the author, April 9, 2019.

In 2004, the previously mentioned high-risk Sanctuary organization No More Deaths (NMD) was founded, also in Tucson. Its members argued that abovementioned organizations were still not going far enough. NMD took from HB the idea to fill the border crisis research gap themselves, with the crucial difference that theirs would be aimed at documenting BP violations of human rights. Fife, who was, again, a major presence in the organization of Sanctuary, recalls of the first meetings of NMD: “We decided to do an aggressive legal strategy to sue the *bastards!*”²⁵⁵ As we have seen, 1980s Sanctuary had welcomed those people comfortable with operating a safe house in the NUGRR, as well as those who preferred to march or bring food to refugees in church asylum. Similarly, New Sanctuary understood the benefits of leaving the risk attached to their activism up to the participant.²⁵⁶

Already in March of 2004, well before the establishment of the New Sanctuary Coalition of New York, Tucson hosted a Multi-Faith Border Conference in which NMD, a ministry of the Unitarian Universalist Church in Tucson, presented its “Faith-Based Principles for Immigration Reform,” indicating the organization’s determinacy to advocate political change as a necessary consequence of staying true to religious teachings, as well as their intention to work together across denominations.²⁵⁷ Similarly, the immediate positioning of Humane Borders within the (increasingly diverse) religious community of Tucson, had proved a fruitful, interfaith starting point for New Sanctuary.²⁵⁸ The annual “Blessing of the Fleet” event, where leaders of Christian, Jewish, and Buddhist congregations bless the HB trucks that transport their water tanks, is only one of many instances where religious practices and symbols play an obvious and prominent role in Southern Arizona Sanctuary activism today.²⁵⁹

I was initially surprised to find that many Sanctuary activists who did not personally identify with religion would participate in the Tucson Samaritans event “Faith Floods the Desert: A Good Friday Liturgical-Prophetic Action.” During a Samaritans meeting at

²⁵⁵ Note that referring to BP officers as “bastards,” has both demeaning and biblical qualities. John Fife in discussion with the author, April 16, 2019 (my emphasis).

²⁵⁶ I personally experienced this sensitivity for the risk participants are willing to take while taking part in a Tucson Samaritans’ desert drop. Brian, the organizer of the trip, assured me that I did not have to cross the border, or join off-route hikes if this made me uncomfortable in any way. In order to fully distance myself from any risk at law breaking, he even offered to drop the gallons for me when we reached a location where migrants reportedly passed often, even relieving me from the possibility of an “abandonment of property” federal misdemeanor charge, that volunteers in this region have recently faced.

²⁵⁷ No More Deaths, “Faith Based Principles for Immigration Reform,” <http://forms.nomoredeaths.org/about-no-more-deaths/faith-based-principles-for-immigration-reform/>.

²⁵⁸ The University of Arizona Special Collections Archives holds an impressive collection of Humane Borders records from 2000-2010. See MS 471: Humane Borders Collection for further research.

²⁵⁹ See Appendix A11 for a picture of the 2019 Blessing of the Fleet.

Southside Presbyterian, Fife announced the event: “Please come if you are a Christian,” jokingly adding “or if you feel like the Christians could use some help.”²⁶⁰ In the early morning, a diverse group of about 50 people met at St. Mark’s Presbyterian Church, where several pastors and a rabbi delivered sermons. Thereafter, the procession of about 20 cars left for the border town of Sasabe. Along the way, we stopped at crosses set up by a Samaritan, corresponding with the red dots on the Humane Borders death maps. Reverend Harrington gave a sermon that powerfully linked the biblical narration of the crucifixion of Jesus Christ to that of migrants dying in the desert.²⁶¹ Once we arrived at the official border crossing, half of the group walked across and the other half stayed on American soil. Spiritual leaders on both sides facilitated the Holy Communion, offering Christians with bread and wine through the poles that make up the border fence (see Appendix A12), while together reading:

Even though there is a wall that reminds us how terrible we can be, God’s love still wins. So may we not forget that when children are separated from their families, when walls divide communities, when the cross reminds us of Jesus’ death, may we know that God mourns alongside with us and may we know that even though this new family was created at the foot of this cross, God’s family still includes all of us.²⁶²

This religio-political alliance presents new ways to think about hope and activism. While I was observing the crowd’s response, I suddenly found *myself* singing along to the hymn, “Here I am Lord,” that had been sung throughout the day—a surprisingly comforting and communal experience. Even though Faith Floods the Desert presented an obviously religious response to the political situation at the border, people without clear religious affiliation were as much a part of it as those accepting the Communion. An elderly couple that offered me a seat in their car throughout the day, to my inquiry about their religiosity, responded: “Ha! We are not religious at all, but these events provide an appropriate and inclusive response to the crisis, and through Samaritans we are empowered to make a difference.”²⁶³ Apparently, there is something about the religious framework of Sanctuary activism that appeals to interfaith and non-religious people alike. While, at the most personal level, they might not turn to Jesus to make sense of the political context and their response, non-Christian Sanctuary activists are

²⁶⁰ Notes taken by the author during a Tucson Samaritans meeting, April 16, 2019.

²⁶¹ Recall that Jim Corbett already used the powerful crucifixion metaphor in the 1980s (referred to, for example, in the epigraph of Chapter 2 on page 31).

²⁶² Excerpt from sermon delivered by clergypersons from several Tucson denominations, read from both sides of the official Sasabe border crossing during Faith Floods the Desert. Notes taken by the author on April 19, 2019.

²⁶³ Chris and Ed (Tucson Samaritans) in discussion with the author, April 19, 2019.

undeterred by the often clear religious implications of engaging with the movement in Southern Arizona.

At the same time, for others, participating in Sanctuary has a profound individual impact in terms of religious conversion of the activist. Resonating the American missionaries who, in the 1970s and -80s, returned from Central America to find themselves transformed by those they had set out to help, Reverend Donna Schaper of Judson Church in New York has noted the “mission in reverse” effect of New Sanctuary.²⁶⁴ The missionaries that Schaper refers to, are not so much those North Americans who go abroad. Instead, today’s undocumented immigrants and mixed-status families have the power to transform the activist. Sanctuary “provided a venue for witnessing as a route to religious conversion,” argues Yukich.²⁶⁵ Sanctuary activism, with its continued focus on the traditionally Judeo-Christian idea of paying witness, could evoke in the activist a renewed relationship with what it means to be faithful in contemporary America. At the same time, it teaches activists that instead of (or besides) creating a deep personal relationship with Jesus, you can develop one with the undocumented immigrant (family) in order to deepen your sense of religion. While Sanctuary does not necessarily convert people to Christianity or any other kind of organized religion, it does often leave participants with a deeper understanding of their faith, which then *can* be translated into a more secular philosophy of humanitarianism, too.

In *One Family Under God*, Grace Yukich argues that New Sanctuary activists “knew how direct experience with immigrants during the 1980s had transformed religious communities like Tucson’s Southside Presbyterian Church, unintentionally expanding its circle of religious concern.”²⁶⁶ While there was this direct lesson to be learned from historical Southern Arizonan Sanctuary, Yukich includes mostly arguments supporting the ways in which New Sanctuary *distinguishes* itself from the 1980s:

[T]he New Sanctuary Movement would differ drastically from the 1980s Sanctuary Movement. While some immigrants would live in church buildings, practicing the traditional or physical type of sanctuary, the essence of sanctuary would be the creation of intimate relationships between congregations and mixed-status families—often, between nonimmigrants and immigrants. Ideally, this would involve religious congregations partnering with the family of an undocumented immigrant.²⁶⁷

²⁶⁴ Donna Schaper quoted in Yukich, *One Family*, 91.

²⁶⁵ Yukich, *One Family*, 90.

²⁶⁶ *Ibid*, 78.

²⁶⁷ *Ibid*, 82.

Although the new political situation had indeed altered the migrant-body, from individual refugees to, increasingly, family reunifications and entire families crossing the border, I posit that 1980s Sanctuary entailed, from the movement's very beginning in Ajo, Arizona, much more than the physical sanctuary that is church asylum. The relatively new and necessary focus on the migrant family requires new strategies, that Yukich eloquently breaks down in her book. However, to reduce 1980s Sanctuary to a one-dimensional material strategy is to ignore the movement's many applications of practical sanctuary, that, in fact, included profound relationships between congregations and refugees, even if they often lasted shorter than is the case today.

Today, Sanctuary strategies offer native-born members insights into (the lack of) immigration rights, while they widen their understanding of religion itself. The mission in reverse effect is especially important in majority white, native-born congregations and organizations, that make up the vast majority of Southern Arizona Sanctuary still today. Although the body of Tucson Sanctuary activists is diverse in terms of age and gender, all congregations and organizations I visited with still have a majority white, Anglo-American makeup, despite the city's significant Hispanic population of 42.9%.²⁶⁸ Moreover, the movement struggles to sufficiently ground the many, majority white, out-of-state volunteers (locally known as "snowbirds") and to keep them active in summer, when temperatures of up to 120° Fahrenheit (48° Celsius) make for especially dangerous crossing conditions in the Sonoran Desert.²⁶⁹

Although it created new challenges in terms of grounding, applying sanctuary as the framework for the new social movement also provided activists with tools to this end. "Sanctuary was a fitting strategy for New Sanctuary's religious goals precisely because it moved beyond storytelling to story-sharing, to direct, intimate experience with "the other," argues Yukich.²⁷⁰ Moreover, compared to 1980s refugees disguised in bandanas, present-day immigrants who, with the help of Sanctuary activists, fight their deportation orders, are often more willing to expose themselves. This adds to the agency of the migrant, and therefore to the closing of the gap between the native-born and migrant Sanctuary participant. Furthermore, programs on grounding and accountability are now mandatory components of

²⁶⁸ US Census Bureau, "Tucson, Arizona Quick Facts," July 1, 2018 estimates, <https://www.census.gov/quickfacts/tucsoncityarizona>.

²⁶⁹ Amy Beth Willis (Southern Arizona Sanctuary Coalition) in discussion with the author, April 10, 2019.

²⁷⁰ Yukich, *One Family*, 86.

volunteer trainings in Tucson Sanctuary organizations. Although the hazard of white saviorism continues to plague Sanctuary today, these developments imply the movement's awareness and efforts to avoid such a narrative.

4.3 What Do We Talk About When We Talk About Sanctuary?

On April 12, 2019, President Trump turned to Twitter to condemn the expansion of the sanctuary city component of the Sanctuary movement. Trump stated that his administration is “giving strong considerations to placing Illegal Immigrants in Sanctuary Cities only.”²⁷¹ The tweet contradicted a White House statement, in which officials assured the media that it was “just a suggestion that was floated and rejected.”²⁷² In light of the president's recent assault on public sanctuary, it is important to understand that behind this increasing number of sanctuary cities, counties, states, and campuses, are still at least six times as many sanctuary churches, synagogues, mosques, and temples.²⁷³ John Fife suggested that these congregations “could very well be the fallback position of the movement if the government's attacks on cities and states are successful in the future.”²⁷⁴ If the president decides to shift from verbal to actual attacks on public sanctuaries, it will be crucial for the perseverance of the movement to emphasize collaboration between public officials, Sanctuary congregations, and faith-based organizations. Renewed focus on the different objectives and needs of public sanctuaries, compared to their private, often religious, counterparts, can advance strategies that benefit the movement as a whole.

In order to understand the increasing diversification in Sanctuary modes, without losing focus of its continued religious core, we need to distinguish between the realms of private and public sanctuary. What follows will consider a complicated yet crucial question, that has been on the minds of migrants, activists, the authorities, and the public since the very beginning of the movement: What do we talk about, when we talk about sanctuary?

²⁷¹ Donald Trump, “Twitter post/@realDonaldTrump: “Due to the fact that Democrats...” April 12, 2019, 9:38 a.m., <https://twitter.com/realdonaldtrump/status/1116742280919044096?lang=en>.

²⁷² “Trump Considering Releasing Migrant Detainees in Sanctuary Cities,” *BBC News*, April 12, 2019, <https://www.bbc.com/news/world-us-canada-47912105>.

²⁷³ According to the Center for Immigration Studies, as of April 16, 2019, 9 states, 134 counties, 34 cities, and 2 prison jurisdictions have publicly declared themselves sanctuaries. Church World Service reported that over 1000 congregations nationwide have publicly announced their commitment to the New Sanctuary Movement, not counting the faith-based organizations that have operated from or in collaboration with these congregations. Center for Immigration Studies, “Map 1: Sanctuary Cities, Counties, and States,” April 16, 2019, <https://cis.org/Map-Sanctuary-Cities-Counties-and-States>; Church World Services, “2018 Annual Report,” 33, https://cwsglobal.org/wp-content/uploads/2018/11/CWS-Annual_Report_2018.pdf.

²⁷⁴ John Fife in discussion with the author, April 16, 2019.

Throughout this thesis, different notions of sanctuary have already been discussed. But in order to understand the motivations, successes, and repressions of Sanctuary, especially now that the movement has resurfaced in a rather different religio-political context, we need to explicitly distinguish between meanings of sanctuary. In “What Is A ‘Sanctuary’?” Rose Cuisson Villazor explores different dimensions of contemporary Sanctuary: “[W]e can analyze sanctuaries along a private/ public dichotomy and describe, on one end, of the spectrum those safe spaces that are more narrowly bound [...], and on the other end of the spectrum that attends to broader and more public domains that have relatively porous borders.”²⁷⁵ Villazor’s dichotomy is appropriate as private (religious institutions), and the growing number of public (e.g. campus, city, or state) sanctuaries have different motivations, strategies, and legal implications.

Already in 1979, the Los Angeles Police Department issued a special order stipulating that “officers shall not initiate police action with the objective of discovering the alien status of a person.”²⁷⁶ But it was not until after churches and synagogues had started declaring themselves sanctuaries for Central American asylum seekers in the early 1980s, that local law enforcement attached the term “sanctuary” to these policies, and that city councils started to declare their entire jurisdiction a sanctuary. The resolutions underlining the adoption of sanctuary status in the mid-1980s often included a direct link to the exemplary practice of private, religious sanctuary. For example, the resolution for declaring Santa Fe a sanctuary city in December of 1985, refers to pro-sanctuary statements by the Archbishop of Santa Fe and the Board of Directors and General Assembly of the New Mexico Conference of Churches, as well as the propriety to show compassion during the holiday season.²⁷⁷ Although 21st-century declarations by public jurisdictions rarely refer to religion as justification for sanctuary, many do point to the faith-based 1980s historical precedent, and thereby still tie into the religious tradition of the Sanctuary movement.

Now that the public sanctuary movement is on the rise again, and, especially since the Trump Administration took office, receives much more attention from federal government and the public than its precedent in the mid-1980s, it is appropriate to look at the implications of the sanctuary city. First of all, it should be clear that, as is the case with church asylum, the

²⁷⁵ Rose Cuisson Villazor, “What is a Sanctuary?” *SMU Law Review* 61, no. 1 (2008): 137.

²⁷⁶ LAPD, Office of the Chief of Police, “Special Order No. 40,” November 27, 1979, <http://keepstuff.homestead.com/Spec40orig.html>.

²⁷⁷ “A Resolution Declaring Santa Fe a City of Refuge for Salvadorans and Guatemalans,” passed unanimously by the Santa Fe City Council on December 16, 1985, MS 362: Sanctuary Trial Papers, box 54, folder 31, courtesy of University of Arizona, Special Collections.

federal government retains the authority to enter the self-declared sanctuary jurisdiction, whether this is a city or a county, and arrest undocumented migrants living there. In this sense, the sanctuary city is a symbolic gesture at best. At the same time, especially in big cities with a large unauthorized migrant population, official sanctuary policies do profoundly affect the well-being of both the unauthorized migrant and the general public. A major motivation for city councils in moving towards sanctuary is the expected deterioration of public safety for the entire community when large numbers of people residing in that jurisdiction refuse to report crime or fire as a result of their unauthorized status.²⁷⁸ Moreover, for especially progressive cities such as San Francisco, the extension of the right to fully participate in society to all who reside in that city, plays a major role. Regarding their motivation for the Sanctuary City Ordinance, the San Francisco Office of Civil Engagement and Immigrant Affairs website states: “It helps keep our communities healthy by making sure that all residents, regardless of immigration status, feel comfortable accessing City public health services and benefit programs.”²⁷⁹

The recent debate over the legitimacy of public sanctuary exists largely outside of the church-state conflict. More so, it has emerged as a new arena for the longstanding battle over power between federal and sub-federal governments. President Trump’s verbal attacks on sanctuary cities, that are increasingly backed with practices of (threatening with) defunding local governments and ICE raids in sanctuary cities specifically, have so far proved unable to dissuade other jurisdictions from joining the movement. As was the case with the repression of the private component, government repression of public sanctuary is more likely to sponsor movement growth. However, as public sanctuaries tend to be more susceptible to shifting political conceptions than congregations and faith-based organizations are, it will be important for the movement to consolidate as a whole, and to have each other’s backs in times of repression. Local politicians have already spoken out against repression of faith-based volunteers in the borderlands. Vice versa, as John Fife suggested, private sanctuary has the tools in terms of people, strategy and religious conviction to return the favor in case of major government repression of public sanctuary in the future.

A second, crucial distinction between meanings of sanctuary exists along the lines of passivity and activity—i.e. material or spatial sanctuary and the sanctuary practice. According to Judith McDaniel, “[t]he concept of sanctuary has two parts. Yes, it is a safe place, however

²⁷⁸ Villazor, “What is a Sanctuary?” 148.

²⁷⁹ City and County of San Francisco: Office of Civil Engagement and Immigrant Affairs, “Sanctuary City Ordinance,” <https://sfgov.org/occia/sanctuary-city-ordinance-0>.

vaguely defined. It is a place of retreat, a place that shuts out danger or perceived danger. And it is also a concept that requires action.”²⁸⁰ Actualization of sanctuary might seem an obvious requirement at first, but, as was the case in the 1980s, in the mid-2000s, it led to considerable debate among movement members. Sanctuary in the narrow sense of the term means a space where someone can take shelter. The provision of asylum, however, requires much more than a physical space or material aid. Sanctuary needs to be actualized by committed people who provide water, clothes, and other material goods, but also perform sanctuary with their bodies, by serving as a witness to the refugee or listening to the needs of the person in sanctuary.

Sanctuary performativity can mean praying, marching, babysitting, translating, doing research, writing politicians, giving rides, tracking and aiding migrants in the desert, etc. As exemplified by Corbett, activists in the early 1980s already understood the importance of expanding the notion of sanctuary beyond shelter: “Sanctuary refers to this community practice rather than a place of refuge. [...] This proviso expresses the community’s understanding that sanctuary is a faith practice that must speak truth to power.”²⁸¹ Both the meaning of active sanctuary (following a practice-what-you-preach doctrine) and that of passive sanctuary (most often referring to church asylum) must therefore be understood as serving the same faith-based goals, while they have different implications for the activists involved.

Radical accompaniment is a great example of present-day practical Sanctuary activism. New York’s New Sanctuary Coalition accompaniment program “trains volunteers to accompany people facing deportation to their immigration hearings and ICE check-ins.”²⁸² Although accompaniment means something slightly different in New York City than in Tucson, in both instances the key concept of solidarity, the goal underlying the practice, has political and religious implications. Before the reinvention of the concept in mid-2000s New York, Sharon Nepstad already related the theological notion of “*acompañamiento*” to the Central America Peace movement of the 1980s. Her definition of accompaniment, “walking with the people of Latin America in their quest for justice,” is significant.²⁸³ Nepstad notes how the idea of walking among the poor and oppressed resonates the doctrine of liberation theology, that can explain the importance of solidarity in terms of actualization of faith.

Similarly, in analyzing accompaniment within New Sanctuary, we can extricate the

²⁸⁰ Judith McDaniel, “The Sanctuary Movement, Then and Now,” *Religion and Politics*, February 21, 2017, <https://religionandpolitics.org/2017/02/21/the-sanctuary-movement-then-and-now/>.

²⁸¹ Corbett, “Social Dynamics,” 15.

²⁸² New Sanctuary Coalition, “Accompaniment,” <https://www.newsanctuarynyc.org/get-involved>.

²⁸³ Nepstad, *Convictions*, viii.

strategy's political and religious implications. Being physically present when migrants are most vulnerable at hearings and check-ins holds immigration authorities accountable. Moreover, by combining radical accompaniment with a fervent public affairs strategy, New Sanctuary raises awareness among the general public. Simultaneously, radical accompaniment of an unauthorized individual or family, has the potential to instill in the Sanctuary activist a deepened understanding of their faith. By literally walking with the victims of (what they regard) a broken political system, Sanctuary activists speak truth to power. In the religious context of the movement, this can have profound consequences for their understanding of faith.

Within the realm of private sanctuary, there exist many different ways in which a congregation or otherwise faith-based organization can exercise Sanctuary, too. As noted by the TEC Task Force at a 1987 Sanctuary Models Meeting, "Sanctuary, as religious faith and practice, is experienced in a multitude of forms [...]. There are many aspects to extending sanctuary in today's world and many ways to do it."²⁸⁴ The list includes church asylum and public witness, sanctuary as civil initiative on the border, as well as a ministry of presence. It now appears that New Sanctuary practices that may seem novel, are in fact a revised application of 1980s faith-based strategies to a different religio-political context. For example, the TEC Task Force suggested that "faith communities will participate in a ministry of *accompaniment* with the people of Guatemala and El Salvador, offering sanctuary by their bodily presence with people at risk in their own countries."²⁸⁵ Although new legislation and the post 9/11 context in which ICE was created, have created different challenges for Sanctuary activists today, radical accompaniment is the reinvention of the faith-based ministry of accompaniment, a strategy that was already prioritized in the 1980s movement.

With the renewed government attention for and repression of both the private and public modes of the Sanctuary movement, came a growing American, public concern with the term. [I]n the more than twenty years since sanctuary policies initially entered the borders of immigration enforcement, a more negative connotation has co-opted sanctuary's arguably more positive orientation," states Villazor.²⁸⁶ Although we must add nuance to the notion of an overwhelmingly positive connotation of the term in the 1980s, there is something to say about the increased public polarization surrounding the term and therefore popularity of

²⁸⁴ TEC Task Force, "Minutes of Sanctuary Models Meeting," April 5, 1987, MS 362: Sanctuary Trial Papers, box 51, folder 14, courtesy of University of Arizona, Special Collections.

²⁸⁵ Ibid, my emphasis.

²⁸⁶ Villazor, "What Is A Sanctuary?" 135.

“sanctuary.” In “The Refugee,” presented at the 1985 Sanctuary Symposium, the well-known Jewish writer Elie Wiesel already foreshadowed a negative co-optation of terms relating to the Sanctuary cause:

What has been done to the word refuge? In the beginning the word sounded beautiful. A refuge meant “home.” It welcomed you, protected you, gave you warmth and hospitality. Then we added one single phoneme, one letter, *e*, and the positive term refuge became refugee, connoting something negative.²⁸⁷

Similarly, at the national level, the term sanctuary has been increasingly deprived of its holy, moral qualities. In part a result of the relative increase of public sanctuaries, that represent the general public, “Sanctuary” has evolved into a debate where all Americans are urged, by government, media, and activists, to take a stance as either pro- or anti-Sanctuary. This does not necessarily mean, however, that 1980s Sanctuary received all praise. Despite its public successes, catalyzed by the Tucson Trials, the 1980s movement received significant critique, too. In the sidelines of a 1986 paper in which Corbett states that “Sanctuary is popular, even fashionable” and “I myself have yet to receive even a letter or call critical of my sanctuary activities,” a surprised Fife scribbled “Not so! Jim moves in too limited a circle,” and “It’s hard for me to believe this.”²⁸⁸

Strikingly, in Southern Arizona, “sanctuary” largely retains the positive connotation of Good Samaritans providing people in need with basic humanitarian aid. Especially the people living south of Phoenix understand the severity of the desert climate.²⁸⁹ Regardless of what they think of official immigration policies, the majority of Tucsonans agree that the migrants in the desert have a right to live, and thus to water. In Southern Arizona, the initial question posed by sanctuary is not whether migrants should be granted American citizenship or even temporary work permits; it is whether they have a right to live. Different from that in other vibrant Sanctuary regions, the primary crisis in Southern Arizona, that sparked the foundation of organizations like No More Deaths, is that people are dying in the desert. In this region,

²⁸⁷ Elie Wiesel, “The Refugee,” 10-11.

²⁸⁸ Jim Corbett (with handwritten notes by John Fife), “Sanctuary and Revolutionary Struggle,” November, 1986, MS 362: Sanctuary Trial Papers, box 31, folder 15, courtesy of University of Arizona, Special Collections.

²⁸⁹ During a day of canvassing with NMD, I spoke with a couple that had recently moved to Tucson from Northern California. When we explained the organization’s activism in the desert, they immediately agreed to put up a yard sign. The woman told us how, when she had car trouble the week before, within half an hour, three cars stopped to give her a bottle of water, just in case. This experience made her realize the absolute necessity of water in the region, and the community’s constant awareness thereof. Notes taken by the author on April 7, 2019.

sanctuary is primarily understood as prevention of loss of life, and therefore enjoys a better reputation than might be the case in sanctuary cities farther removed from the US-Mexico border.

4.4 Faith Floods the Courthouse: *United States v. Scott Daniel Warren*

The dividing line between religion and politics in American society has always been blurry. Cunningham qualified 1980s Sanctuary as “an invented cultural practice, that is, an institution that changed as the religiopolitical culture in which it was embedded changed.”²⁹⁰ New Sanctuary is filtered through a longstanding Judeo-Christian tradition, as well as specific American adaptations of sanctuary. The Trump Administration has caused new developments in the American religiopolitical culture, that have led to modern, at times apparently secular versions of sanctuary activism. Nevertheless, New Sanctuary remains irrevocably conditioned by the religious tradition of sanctuary, whether immediately visible or not. Zooming in on the recent federal court case *United States v. Scott Daniel Warren* (May 29 to June 7, 2019), this last section will argue that religion continues to inform interpretations and strategies in Southern Arizona Sanctuary today.

On January 17, 2018, the Tucson-based Sanctuary organization No More Deaths (NMD) released a detailed research report entitled “Interference with Humanitarian Aid: Death and Disappearance on the US-Mexican Border.”²⁹¹ It argues that the US government instructs BP to enforce migrant deterrence policies that include repression of humanitarian aid in the Sonoran Desert. Instead of the intended migrant deterrence, these policies contribute to an increase in migrant deaths. The report was accompanied by a video depicting numerous BP officers deliberately waste gallons of water that were left by volunteers for migrants crossing the desert.²⁹² Within hours of the report’s publication, NMD volunteer Scott Warren, together with two migrants he was giving water, food, and basic medical aid, was arrested in the Sonoran Desert near Ajo, Arizona.²⁹³ In the most significant prosecution of a Sanctuary

²⁹⁰ Cunningham, *God and Caesar*, xxii.

²⁹¹ “Interference with Humanitarian Aid: Death and Disappearance on the US-Mexico Border” is the second chapter of a three-part No More Deaths series entitled “Disappeared: How US Border-Enforcement Agencies Are Fueling a Missing-Persons Crisis,” <http://www.thedisappearedreport.org/reports.html>.

²⁹² See Appendix A10 for a film still. No More Deaths, “Footage of Border Patrol Vandalism of Humanitarian Aid, 2010-2017,” *YouTube*, Video File, January 17, 2018, https://www.youtube.com/watch?v=eqaslbj5Th8&ab_channel=NoMoreDeaths.

²⁹³ Recall surviving refugee Dora Rodriguez’ story at the very beginning of this thesis. Rodriguez was found just outside of Ajo, too. And it was faithful residents from Ajo, who, in large part because of their geographical proximity to the tragedy, responded first. Scott Warren moved to Ajo in 2013, and soon had his first personal

worker since the 1985-86 Trials, Warren was charged with three felony charges, similar to those held against the Tucson Eleven, for which he faced up to 20 years imprisonment.

The federal trial of Scott Warren shows many parallels with the 1985-86 Sanctuary Trials. Striking similarities appear in terms of geography, charges brought against the defendant, and increasing movement appeal thanks to an effective public affairs strategy. However, coverage of the trial and advocacy by outsiders, such as (inter)national media and Amnesty International, take away from the religious essence of the matter. In the 1980s, the fact that clergymen, nuns, and lay workers could receive significant prison sentences for acting out their faith was emphasized by the movement and media alike. Coverage of the arrest and trial of Warren, a devout Christian who himself emphasized the religious motivation for his acts, was framed not so much as a church-state conflict, but as one of federal criminalization of humanitarian aid. Rather than suggesting his innocence on the basis of his religious morale, media such as *The New York Times* characterized Warren as “a 36-year old geography teacher who helped a pair of migrants from Central America who had arrived there hungry, dehydrated and with blistered feet,” never mentioning his faith as (prime) motivator.²⁹⁴

As more and more people without clear religious affiliation enter or assess Sanctuary, the language of the movement appears to be shifting. It is important to emphasize that this does not mean that the movement itself is secularizing. At least in Southern Arizona, Sanctuary is far from losing its religious particularism. When we zoom in on the Tucson Sanctuary community preparing for the trial, we see that NMD, itself a ministry of the Unitarian Universalist Church of Tucson, in backing their volunteer, organized all sorts of overtly religious protests. During “Faith Floods the Courthouse,” organized on the fifth day of the trial, leaders of interfaith congregations from across the country spoke in support of Warren’s determination to act out what his faith teaches him and stay true to his religion despite severe government repression.²⁹⁵ The crowd held signs referring to Matthew 25:35,²⁹⁶ and blessed Warren as he entered the courthouse, while singing the same “We Shall Overcome” hymn that sounded when the defendants exited their verdict hearing in 1986.

encounter with the deadly consequences of Desert Deterrence. He joined NMD and Ajo Samaritans, stating: “For me to not be involved, would be to not be engaged and fully present in this place.” “Scott Warren provided food and water to migrants in Arizona; he now faces up to 20 years in Prison,” *Democracy Now!* Video File, 37:46, May 29, 2019, https://www.democracynow.org/2019/5/29/scott_warren_provided_food_water_to.

²⁹⁴ Miriam Jordan, “An Arizona Teacher Helped Migrants. Jurors Couldn’t Decide if It Was a Crime,” *New York Times*, June 11, 2019, <https://www.nytimes.com/2019/06/11/us/scott-warren-arizona-deaths.html>.

²⁹⁵ See Appendix A13 for a picture of Faith Floods the Courthouse.

²⁹⁶ See Appendix B.

Moreover, in press conferences, similar to those supporting the Tucson Eleven, Warren and his lawyer continuously redirected the conversation to the community's faith as both motivator and fear deterrent:

We will do what our spiritual, religious, and humanist teachers from every part of the globe, over thousands of years have taught: individually and as a community, we become better only by facing our fears, by understanding the roots of our country's hatreds, and ultimately by putting the needs of the neediest ahead of our own needs; just like Scott Warren and all of you good people have been doing for decades now for the desperate souls dying in Arizona's desert.²⁹⁷

This strategy of calling upon the faith-based incentive to indiscriminatory act in favor of the needy, while identifying with the long history of Sanctuary activism in the Southern Arizona borderlands, generated major movement support, and we are already seeing an increase in voluntarism along the border.

Unites States v. Scott Daniel Warren resulted in a hung jury (8-4 in favor of convicting Warren) on July 2, 2019. The government's 1985 dilemma proves just as accurate today: how to stop the movement without fueling it. Fife summarized recent repression of NMD: "The government tries one trial, they intimidate our volunteers out there in the desert, and got just devastated publicly by the publicity around that first trial." And yet, it was announced on July 2, 2019 that the government will retry Warren on two federal harboring charges, dropping the conspiracy count.²⁹⁸ Although it is impossible to predict the outcome of that trial, which is set for November 12, 2019, 1980s and recent history of Sanctuary repression have demonstrated the (religious) backbone of the movement. Even if Warren or others will be convicted, it is most likely that the faith-based movement as a whole will win the 21st-century rematch of social jiu-jitsu with the government.

The trial, again marking a major shift from criminalization of the migrant to criminalization of aiding the migrant, also exposes the complex relationship between the movement and those seeking aid. The dangers of a white savior narrative arise when attention is given to the individuals aiding the migrant, at the expense of the migrants. At a press

²⁹⁷ Statement by Defense Lawyer Greg Kuykendall, June 11, 2019, <http://forms.nomoredeaths.org/statements-from-scott-warren-greg-kuykendall/>.

²⁹⁸ No More Deaths, "DOJ to Retry Scott Warren on Harboring Counts," July 3, 2019, <http://forms.nomoredeaths.org/doj-to-retry-scott-warren-on-harboring-counts%ef%bb%bf/>

conference following the closing of the case, an emotional Warren stated:

Thank you and I love you all so very, very much. [...] But the other men arrested with me that day, Jose Sacaria-Goday and Kristian Perez-Villanueva, have not received the attention and outpouring of support that I have. I do not know how they are doing now, but I do hope they are safe.²⁹⁹

Warren, a suddenly high profile Sanctuary worker, here touches on a sore point within the New Sanctuary movement. Scholars have given attention to the dilemma that the movement is facing, now that it operates in a new political context of increasingly normalized migrant criminalization. Naomi Paik warns that while Sanctuary “offers a mode of resistance to the current administration, [...] it will also need to continue to adapt to this era, as the logic of criminalization expands to ensnare more and more people.”³⁰⁰ By diverting attention away from the migrants in need in favor of the activist under repression, Sanctuary activists, however unconsciously, play into the government’s efforts towards activist and migrant polarization that can significantly weaken the movement. Thus, another crucial point for the future of Sanctuary is the movement’s resistance of a narrative of government-induced normalization of migrant criminalization. Instead, in light of increasing government and public repression, movement perseverance relies on the activists’ ability to sufficiently ground their work and, in line with the faith-based principles of their very organization, put the migrant first.

²⁹⁹ Scott Warren in press conference after his trial, June 11, 2019, <http://forms.nomoredeaths.org/statements-from-scott-warren-greg-kuykendall/>.

³⁰⁰ A. Naomi Paik, “Abolitionist Futures and the US Sanctuary Movement,” *Race and Class* 59, no. 2 (2017): 16.

Conclusion

During this research project, I have set out to find answers to the complex question as to how religion has manifested itself in, and affected the results of, the Sanctuary movements of the 1980s and present in Southern Arizona. Applying tools from both the historical (using archives) and anthropological (using ethnographic research) methodologies, I have come to the conclusion that religion made up the very core of Southern Arizona Sanctuary activism in the 1980s, and continues to do so today. More than a fortuitous coincidence, or a strategic tool, Sanctuary's transnational, faith-directed motivations, mechanisms, and attentiveness to movement grounding have been integral to the movements' many successes. Moreover, Sanctuary's perseverance under serious (and continuing) instances of government repression can only be explained as a combination of faith-based, innovative strategies, such as civil initiative, and a religious interpretation of the crises, activism, and repression itself.

I had intended to conduct strictly historical research at Sanctuary archives held by the University of Arizona Special Collections. However, the opportunity to, over the course of a three-week field trip, immerse myself in Sanctuary in the anthropological fashion with personal accounts of activists and Sanctuary recipients in the area, inspired me to work with an interdisciplinary approach instead. The highly personal accounts of spiritual understandings and transformations through movement activism that I encountered as participant observer, as well as my own volunteering experiences in Southern Arizona (especially during Faith Floods the Desert) have, contrary to my expectations, ignited within me a shift in thinking about my own religion. While I am at the time of this writing completing the thesis-component of this project, I expect it will take more time for me to fully make sense of how this has influenced my understandings of Sanctuary, and of what religion and religious activism mean to me, personally.

This thesis has added to the already multidisciplinary field of Sanctuary scholarship a historical assessment of 1980s Sanctuary. Fused with an anthropological account of faith-based, Tucsonan Sanctuary organizations aiding migrants today, it argues the key role that religion plays, in many ways, within both movements. My research questions set out to correct what I have considered a significant shortcoming in scholarship that sufficiently takes into account the dynamics between transnationality, movement grounding, and different meanings of sanctuary, and embeds Sanctuary within the framework of progressive religious activism. Although other scholars, starting already in the mid-1980s, have certainly introduced religion as an important benefactor to movement developments, they tend to focus

on the strategic framework that religion offers, thereby bypassing more profound, covert manifestations of faith, that I have exposed in this thesis. Moreover, 21st-century Sanctuary scholars often fail to analyze parallels between past and present sanctuary manifestations beyond merely stating the movement's historical namesake. Focusing on the movement's origins in Southern Arizona, I have been able to highlight religious, historical, political, and geographical dynamics that are particular to this region, but have had a profound effect onto national movement developments.

Compared to its conservative counterpart, I have argued, American *progressive* religious activism has manifested itself in a much more fractured manner. Whereas faith-based conservative politics have acted as an increasingly unified front, with strong, direct ties to the Republican Party, American progressive religious activism demonstrates a more ragged category. Nevertheless, there exist plenty examples of highly influential progressive religious activism in US history. Moreover, for 1980s Southern Arizona Sanctuary, the fractured nature of progressive religious activism allowed for a rainbow coalition of supporters, which cut a wide swath politically, but shared in a faith-based commitment to aid Central American refugees.

It is furthermore important to emphasize that there already existed a rich tradition of sanctuary activism within American history, that 1980s Sanctuary tied into in many ways. The American arc of sanctuary originates with the nation's Founding Myth and extends well into the present. Although major differences in religio-political context necessitated different applications of sanctuary, its embeddedness in progressive religious activism has been a constant ever since, at least, the Abolitionist Underground Railroad effort of the 19th-century. With the application of a historical, explicitly faith-based mode for social change through civil disobedience, came a justification of the religious motive for such a framework. Early Tucson-based organizers in the 1980s took from Abolitionists and Vietnam Sanctuary their strategies, most notably a secretive network for transporting refugees and church asylum. However, in doing so, they automatically incorporated the religious legacy of such efforts into their reinventions of the movement.

At the same time, 1980s Sanctuary activists would very consciously take from biblical verses relating to the theme of sanctuary. Biblical citations contributed to the much-needed legitimization of religious activism as a primary motivator and mobilization strategy for Sanctuary. By relating passages about the Sojourners in Egypt and the crucifixion of Jesus Christ to the Central American refugees they encountered in their backyard, Southern Arizonan clergy laid the groundwork for a religious interpretation of a contemporary,

transnational political crisis. Moreover, by tying into the Judeo-Christian frame of reference already present in their congregations, faith leaders could argue the urgency of “practice what you preach” in relation to the ensuing crisis. While the prominent place of this mandate within the Quaker Testimonies made for a disproportionate presence of Friends within early Southern Arizona Sanctuary, it was also a powerful message instigating faithful Arizonans affiliated with other denominations to partake in Sanctuary activism.

One of the primary circumstances that distinguished Southern Arizonans from fellow Americans further removed from the US-Mexican border, was their proximity to the crisis. While conventional media such as television and radio reported on the situation in Central America, and, increasingly, the US-Mexican borderlands, in this region, arriving refugees and returning missionaries personified the medium. This personal immediacy to human suffering in combination with the faith-based urgency to act prompted particular movement growth in this region. Moreover, personal immediacy was reinforced by yet another key concept of Sanctuary: its ability to confront and engage the public, thus leaving room for personal reflection on both the situation, their faith, and their required response.

Arbitrariness in US refugee and migration policy in the 1980s was a matter of politization. Although the INS in the 1980s took in many more refugees than it had before, it operated arbitrarily in terms of which refugees it would grant asylum status, thereby breaking both international and American refugee laws. It was the resulting *perception* of hypocrisy in President Reagan’s foreign policy in Central America that angered an increasing number of North Americans. In Southern Arizona, early Sanctuary organizers’ realization that their network for legal aid to help Central American refugees gain asylum in the US had a suspiciously low success rate, combined with the outcome of their own research into US foreign policy in Central America, instilled in them a profound sense that the US was doing wrong. Their response to this conviction was faith-based mobilization.

Although the concept of sanctuary was not novel at all, a handful of interfaith, intellectual, and concerned Tucsonans made significant changes to the historical ideas and strategies surrounding it. Initially, they created a self-defense strategy to protect themselves and others from government repression. This strategy then turned out to be the model for the (national) 1980s and 21st-century Sanctuary movements. Absolutely critical to the successes, notoriety, and survival of the movements was the concept of civil initiative, that directed transparency in virtually all matters. Ironically, even the movement’s Underground Railroad ran in the open. Organizers argued the necessity of such paradoxical exposure for the purpose of awareness raising and the uncompromising character of the movement’s activism. As early

organizers understood the legal risks attached to their activities, transparency would also undergird the credibility of their conviction that *they* were not the ones breaking the law, but the US government was. At the same time, it taught the activists valuable lessons in media literacy and public relations that would play a crucial role as the movement flourished after the first public declaration of Sanctuary for Central American Refugees, and during the long anticipated government crack-down of the movement in 1985.

Even though Sanctuary is primarily a North American movement, it is inspired by international mobilities, and can only be understood as a transnational phenomenon. 1980s Sanctuary is the result of US domestic religious sanctuary traditions fused with Central American experiences and theology. The combined efforts by refugees and North American congregations mobilizing north of the border, and those Central Americans and North American missionaries working south of the border is what secured the early success of Sanctuary. Throughout, the great appeal of Latin American liberation theology instigated with both parties a shift in thinking about the meaning and requirements of Christianity. Many North American missionaries, expecting to aid and perhaps convert Central Americans, instead experienced a reversed conversion and transformation in terms of the meaning of their own faith. Moreover, stories of martyrdom, most notably the assassinations of Archbishop Óscar Romero and the four US nuns, that were carried from El Salvador (and later also from Guatemala) to the US, added to the movement's justification and provided activists with powerful imagery.

These transnationalities benefited from the essentially transnational character of world religions. Liberation theology (and its associated *comunidades de base* organizational structure), missionaries, and stories of martyrdom bridged the very distinct faith communities of Central and North America, making use of the church structures that were already in place. However, the transnational qualifier of Sanctuary also brought with it certain challenges in terms of movement grounding. The Southern Arizona Sanctuary movement consisted of an overwhelmingly white, Anglophone, and primarily Protestant membership. As the people they attempted to aid were instead Hispanic, Catholic, and often traumatized, this raised the issue of a white saviorism narrative. My research has pointed out that, contrarily to popular belief today, Southern Arizona activists were very much aware of this danger and consciously found ways to increase refugee agency in their activism. Faith leaders from the beginning emphasized to fellow activists and the media that, in many, crucial ways, Central Americans and Mexicans provided the dynamic, faith-based leadership in the North American movement, and not the other way around.

I have chosen to include an detailed analysis of the 1985-86 Tucson Sanctuary Trials, as this marked a defining moment in Sanctuary history. When convictions in preceding, individual Sanctuary trials proved unable to deter movement activism, the government decided to up their game and indict a considerable, interfaith and international group of church workers in Southern Arizona. The 1984 prosecutions of Stacey Merkt, Jack Elder, and Philip Conger had taught the government valuable lessons. Don Reno, federal prosecutor of the Tucson Trials, now understood that disallowing the defense to argue on the basis of religious conviction, the political situation in Central America, and the US application of domestic and international refugee laws, would devastate the defendants' case. What the government failed to understand was that the Tucson Eleven had, because of their immediate understanding of the legal risks they took, built their organization around self-defense strategies. When they were not allowed to attest to their convictions in court, they, ingenuously, exported them to the (inter)national media that had gathered outside of the court house, which led to an overwhelming public support of the Tucson Eleven and the Sanctuary movement as a whole.

For all their demonstrations of preparedness, the defense team, as well as America at large, had not anticipated Operation Sojourner. Sanctuary interpreted this development as a shift from investigation to intimidation. The unwarranted, undercover surveillance within churches sparked public outrage and caused a profound backlash from local and national religious networks. This implies the general feeling that houses of worship, although not exempt from legal interference, should retain their traditional status as places that should be safe from infiltration. Sanctuary's competent media committees that played into this sentiment, and the poor selection of undercover agents by the INS, only fed the general public's disapproval of the government's case. Although the government was successful in convicting the majority of the Sanctuary workers in Tucson at the end of the strenuous, media-hyped Trials, the defendants and the Sanctuary movement won in the public eye. This translated into tremendous movement growth and diversification into the realm of public (city, state, campus) sanctuary.

In my assessment of the Tucson Sanctuary Trials, I have furthermore posited that the religious core of Sanctuary and the faith-based nature of defendants' actions had a significant impact on their interpretation of repression. In ways distinct from a more secular understanding of powerful threats and prosecution, the uncompromising nature of religious activism informs staunch resistance against tactics of deterrence or co-optation. Religious activists regarded the possibility of their imprisonment as a sign of Christian fidelity, or at

least as an unfortunate, but inescapable consequence if they are to act in accordance to their faith. The unique nature of faith-based activism must, in large part, also be attributed to the support of religious institutions. The churches, synagogues and temples underlying Sanctuary individuals have traditionally and internationally provided individual Sanctuary workers with a strong fallback position in times of repression. At the same time, religious conviction of the righteousness of their cause, at the personal level, makes it extremely difficult for the state to crack down on Sanctuary.

The shift from historical to contemporary Sanctuary marked by the final chapter of this thesis, has provided insights into the parallels between manifestations of the same Southern Arizona movement in different religio-political contexts. It has led to the conclusion that, as was the case in the 1980s, present-day Sanctuary relies on a primarily faith-based network. Through my ethnographic research, I have found that instead of secularization, Sanctuary underwent a reconfiguration of religion. Embedding 21st-century Sanctuary in the historical movement, furthermore, leads to the conclusion that there exist many more continuities, in terms of motivation, organization, strategies, grounding, and dynamics, than is generally portrayed in Sanctuary scholarship. Significantly, at the heart of all these matters, that are key to the perseverance of Sanctuary, lies religion.

My first personal encounter with Sanctuary presented an unusual experience. As volunteers at a NMD meeting were discussing the organization's motivations, values, and practices inside a side room of St. Mark's Presbyterian Church, I could hear hymns being sung in the background.³⁰¹ The church's Sunday morning service was taking place behind a wall that was supposed to separate the religious service from the activists' meeting. While the participants concentrated on introductions and recent political developments, I could not help but focus on the music, that subtly found its way into the room. Immediately, this experience at St. Mark's made me realize the serious flaws in my working title for this research project: "Secularizing Sanctuary." I came to understand that this only fed into the problematic idea that religion is, generally, in jeopardy in the US today, which, I presumed, translated well into New Sanctuary. However, the ethnographic component of my research soon directed the opposite conclusion: the movement today is very much able to rhyme religion with modernity. In fact, this study has exposed the many ways in which religion manifests itself in the movement, and is able to sustain her in times of (private and public) expansion and (government and public) repression.

³⁰¹ Notes taken by the author at a No More Deaths Volunteer Training, April 7, 2019.

Like the vast majority of Sanctuary groups in Southern Arizona today, No More Deaths is an overtly faith-based organization, that meets in churches and applies clearly religious language and symbolisms throughout their activism. At the same time, participants do not seem to always be aware of the religious core of the movement they engage with and justify. In this thesis, I have argued the dynamic ways in which Southern Arizona Sanctuary today demonstrates a continued embeddedness in religious traditions and practices. This, in turn, must be understood as a result of the activists' conscious and unconscious identifications with biblical and historical precedents of sanctuary of which the original, Tucson-based component of the 1980s Sanctuary movement was particularly emblematic.

Through my ethnographic study of present-day Sanctuary, I have also found that there are several factors, besides the movement's religio-historical origins there, that make Southern Arizona a particularly interesting place for studying Sanctuary activism. In addition to its geography as a US-Mexican border state, Arizona's climate, that is in large part marked by the Sonoran Desert, has invited federal anti-Sanctuary policies to reign in the region. I have also argued that the coexistence of particularly conservative state legislation and a substantial, active Sanctuary manifestation in Arizona's second-largest and overtly progressive city is not so paradoxical as it may initially seem. As a result of the personal immediacy to the crises and understanding of the dangers posed by traversing the Sonoran Desert, the Sanctuary movement enjoys a continued favorable reputation in Southern Arizona, even when a development of a more negative connotation manifests itself nationally. Moreover, whereas a shift in religious language and symbolisms is noticeable in other Sanctuary chapters, the most active Sanctuary organizations in Southern Arizona still engage with an overtly religious discourse, to which less religious participants appear indifferent or potentially impressionable.

I have also pointed out the mixed status of Sanctuary recipients in the borderlands. Whereas cities with a large Sanctuary following farther removed from the US-Mexican border, such as New York and Chicago, fully direct their activism to the (increasingly threatened) group of unauthorized, long term US residents, Tucson Sanctuary needs to divide its time between aiding long term migrants facing deportation orders and emergency relief to desperate migrants who attempt to cross the brutal Sonoran Desert. This mix has pushed Southern Arizona Sanctuary organizations to apply particularly dynamic strategies, and it is crucial to take into account this borderlands context when making sense of their activism.

In conclusion, rather than a secular appropriation of a faith-based historical movement, New Sanctuary must be characterized as a recent manifestation of the same religious

movement in a more secular time. The 21st-century reinvention of Sanctuary remains primarily and crucially a faith-based endeavor. It depends on the region, type of sanctuary activism (public/private and passive/active), and the individual, whether Sanctuary participants are aware of the transnational, religious tradition and implications underlining their activism. However, as this thesis has exposed, Sanctuary today is deeply embedded within the progressive religious discourse of historical applications of the same principle, and it is only within this context that we can understand the movement's sustainability and challenges today.

This thesis certainly leaves room for further research to better understand historical and contemporary Sanctuary in Southern Arizona and beyond. A study that analyzes Sanctuary according to social movement sociology would provide us with a clearer understanding of the organizational and psychological dynamics within these movements. Furthermore, the UA Specials Collections Archives offer many more sources than I could have possibly accessed during this project. In terms of public sanctuary, many questions regarding the relationship between (state, county, and city) officials, the people in their jurisdiction, and religious institutions remain unaddressed. But especially little has been written about the sanctuary campus movement, which has a late 1980s precedent, but must also be understood from the recent political context of DACA and family separations.³⁰² Moreover, with the ensuing crisis in the borderlands, and particularly problematic legal developments that lead to overcrowded and often inhumane US detention facilities, and, arguably, a climate of dehumanization among INS and BP, the role of Sanctuary organizations in the borderlands is shifting. Further ethnographic research into community mobilization in response to these developments, with a consideration of the extent to which religion ties into this, will add to the comprehension of the dynamic qualities that have characterized Sanctuary from its very beginning.

At the time of this writing, tensions surrounding private and public Sanctuary are increasing. The retrial of Scott Warren, currently set to begin on November 12, 2019, implies the government's persistence, regardless of a jury's inability to find an overtly religious Sanctuary volunteer guilty of federal felony charges. It is difficult to predict next steps at the

³⁰² Like many public universities in the US, the University of Arizona is partially funded by the state, which politicizes the dean's decision to (dis)allow BP on campus and (not) go after student activists on campus. Unsurprisingly, Phoenix is not particularly happy with recent developments of public sanctuaries. This has recently translated into the dramatized arrests of several UA students protesting BP presence on campus. It would be fruitful to look into the particular dynamics between the sanctuary campus and government repression, and see what role religion plays in this growing component of the movement.

federal, state, and city levels. Nevertheless, considering the faith-based model and religious implications of Sanctuary that have proved able to sustain the different manifestations of sanctuary throughout American history, the recent religio-political context, with its authoritarian attacks on private Sanctuary activism in Southern Arizona, and, increasingly, public sanctuary cities nationwide, are not likely to deter the movement or its (religious) backing. I expect the opposite effect: an increased, nationwide Sanctuary mobilization backed by public and private manifestations, but with a particularly crucial role for faith-based organization that will continue as the core of Sanctuary in America.

Bibliography

Secondary Sources

- Ackerman, Edwin. "NAFTA and Gatekeeper: A Theoretical Assessment of Border Enforcement in the Era of the Neoliberal State." *Berkeley Journal of Sociology* 55 (2011): 40–56.
- Andrade, Lm. "Rebellion, the Decolonizing of Power and Anti-Systemic Movements in Latin America." *Revista De Ciencias Sociales* 17, no. 1 (January 2011): 167–175.
- Arrocha, William F., and Steven Bender, eds. *Compassionate Migrations and Regional Policy in the Americas*. London: Palgrave Macmillan UK, 2017.
- Bagelman, Jennifer. "Sanctuary: A Politics of Ease?" *Alternatives: Global, Local, Political* 38, no. 1 (2013): 49–62.
- Bau, Ignatius. *This Ground is Holy. Church Sanctuary and Central American Refugees*. Mahwah: Paulist Press, 1985.
- . "The Legal Parameters of Sanctuary: Harboring and Alien Smuggling." *In Defense of the Alien* 9 (1986): 167–175.
- Berry, Evan. *Devoted to Nature. The Religious Roots of American Environmentalism*. Berkeley: University of California Press, 2015.
- Bordewich, Fergus M. *Bound for Canaan: The Underground Railroad and the War for the Soul of America*. New York: Harper Collins, 2005.
- Bose, Lorenzo, Marco Giugni, and Katrin Uba, eds. *The Consequences of Social Movements*. Cambridge: Cambridge University Press, 2016.
- Braunstein, Ruth. "Strategic Storytelling by Nuns on the Bus." In *Religion and Progressive Activism. New Stories about Faith and Politics*, edited by Ruth Braunstein, Todd Nicholas Fuist, and Rhys H. Williams, 289–308. New York: New York University Press, 2017.
- , Todd Nicholas Fuist, and Rhys H. Williams, eds. *Religion and Progressive Activism. New Stories About Faith and Politics*. New York: New York University Press, 2017.
- . "Religion and Progressive Politics in the United States." *Sociology Compass* 4 (2018).
- Casanova, José. *Public Religions in the Modern World*. Chicago: University of Chicago Press, 1994.

- Chomsky, Noam. "The Unipolar Moment and the Obama Era." Lecture given at the National Autonomous University of Mexico, September 21, 2009.
- Coutin, Susan Bibler. *The Culture of Protest. Religious Activism and the U.S. Sanctuary Movement*. Boulder: Westview Press, 1993.
- . "Smugglers or Samaritans in Tucson, Arizona: Producing and Contesting Legal Truth." *American Ethnologist* 22, no. 3 (1995): 549–571.
- , and Hector Perla. "Legacies and Origins of the 1980s US-Central American Sanctuary Movement." *Refuge* 26, no. 1 (2009): 7–19.
- Crittenden, Ann. *Sanctuary. A Story of American Conscience and Law in Collision*. New York: Weidenfeld and Nicolson, 1988.
- Cunningham, Hilary. *God and Caesar at the Rio Grande: Sanctuary and the Politics of Religion*. Minneapolis: University of Minnesota Press, 1995.
- . "The Ethnography of Transnational Social Activism: Understanding the Global as Local Practice." *American Ethnologist* 26, no. 3 (August 1999): 583–604.
- Davidson, Miriam. *Convictions of the Heart: Jim Corbett and the Sanctuary Movement*. Tucson: University of Arizona Press, 1988.
- Eriksen, Thomas Hylland. *Small Places, large Issues. An Introduction to Social and Cultural Anthropology*. London: Pluto Press, 2001.
- Gutiérrez, Gustavo M. "Notes For A Theology of Liberation." *Theological Studies* 31, no. 2 (1970): 243–261.
- . *A Theology of Liberation*. Maryknoll: Orbis Books, 1973.
- Guterman, David S. *Prophetic Politics: Christian Social Movements and American Democracy*. Ithaca: Cornell University Press, 2005.
- Hernández, César Cuauhtémoc García. "Naturalizing Immigration Imprisonment." *California Law Review* 103, no. 6 (December 2015): 1449–1514.
- Jasper, James M. *Getting Your Way: Strategic Dilemmas in the Real World*. Chicago: University of Chicago Press, 2008.
- Jess, Steve. "Organizers Submit Petitions for Tucson 'Sanctuary City' Initiative," *Arizona Public Media*, July 3, 2019. <https://www.azpm.org/p/home-articles-news/2019/7/3/154410-organizers-submit-petitions-for-tucson-sanctuary-city-initiative/>.

- Jordan, Miriam. "An Arizona Teacher Helped Migrants. Jurors Couldn't Decide if It Was a Crime," *New York Times*, June 11, 2019.
<https://www.nytimes.com/2019/06/11/us/scott-warren-arizona-deaths.html>.
- Kagan, Robert, and William Kristol. "Toward a Neo-Reaganite Foreign Policy." *Foreign Affairs* 75, no. 4 (July-August 1996): 18–32.
- Kinnamon, Liz. "*United States v. Scott Daniel Warren*." *New Inquiry*, June 27, 2019.
<https://thenewinquiry.com/united-states-v-scott-daniel-warren/>.
- Kirchgaessner, Stephanie, and Jonathan Watts. "Catholic Church Warms to Liberation Theology as Founder heads to Vatican." *Guardian*, May 11, 2015.
<https://www.theguardian.com/world/2015/may/11/vatican-new-chapter-liberation-theology-founder-gustavo-gutierrez>.
- León, Luis D. "Cesar Chavez in American Religious Politics: Mapping the New Global Spiritual Line." *American Quarterly* 59, no. 3 (September 2007): 857–881.
- Lippert, Randy. "Rethinking Sanctuary: The Canadian Context, 1983–2003." *The International Migration Review* 39, no. 2, (2005): 381–406.
- Martínez, Daniel E., and Jeremy Slack. "What Part of Illegal Don't *You* Understand? The Social Consequences of Criminalizing Unauthorized Mexican Migrants in the United States," 120–140. In *The Shadow of the Wall. Violence and Migration on the U.S.-Mexican Border*, edited by Jeremy Slack, Daniel E. Martínez, and Scott Whiteford, 120–140. Tucson: University of Arizona Press, 2018.
- McCormick, Evan. "Freedom Tide?: Ideology, Politics, and the Origins of Democracy Promotion in U.S. Central America Policy, 1980–1984." *Journal of Cold War Studies* 16, no. 4, (Fall 2014): 60–109.
- McDaniel, Judith. "The Sanctuary Movement, Then and Now." *Religion and Politics*, February 21, 2017. <https://religionandpolitics.org/2017/02/21/the-sanctuary-movement-then-and-now/>.
- Nepstad, Sharon Erickson. *Convictions of the Soul: Religion, Culture, and Agency in the Central America Solidarity Movement*. New York: Oxford University Press, 2004.
- . "Religious Beliefs and Perceptions of Repression in the U.S. and Swedish Plowshares Movements." In *Religion and Progressive Activism. New Stories about Faith and Politics*, edited by Ruth Braunstein, Todd Nicholas Fuist, and Rhys H. Williams, 246–267. New York: New York University Press, 2017.

- Nyers, Peter, and Kim Rygiel, eds. *Citizenship, Migrant Activism and the Politics of Movement*. New York: Routledge, 2012.
- Otter, Elna L., and Dorothy F. Pine, eds. *The Sanctuary Experience. Voices of the Community*. San Diego: Aventine Press, 2004.
- Paik, A. Naomi. "Abolitionist Futures and the US Sanctuary Movement." *Race and Class* 59, no. 2 (2017): 3–25.
- Prendergast, Curt. "Separated Families Cite Suffering in Latest Claims Against Feds," *Arizona Daily Star*, April 14, 2019.
- Rabben, Linda. *Give Refuge to the Stranger: The Past, Present and Future of Sanctuary*. Walnut Creek: Left Coast Press, 2011.
- . *Sanctuary and Asylum. A Social and Political History*. Seattle: University of Washington Press, 2016.
- . "The Quaker Sanctuary Tradition." *Religions* 9, no. 5 (May 2018): 155–163.
- Schmidt, Paul W. "Sanctuary: The Alternatives." *In Defense of the Alien* 9 (1986): 182–188.
- Smith, Christian. "The Emergence of Liberation Theology: Radical Religion and Social Movement Theory." PhD diss., Harvard University, 1990.
- . *Resisting Reagan: The U.S. Central America Peace Movement*. Chicago: University of Chicago Press, 1996.
- . "Correcting a Curious Neglect, or Bringing Religion Back In." In *Disruptive Religion: The Force of Faith in Social Movement Activism*, edited by Christian Smith, 1–25. New York: Routledge, 1996.
- Sullivan, Laura. "Enforcing Nonenforcement: Countering the Threat Posed to Sanctuary Laws by the Inclusion of Immigration Records in the National Crime Information Center Database." *California Law Review, Inc.* 97, no. 2 (April 2009): 567–600.
- Villazor, Rose Cuison. "What is a Sanctuary?" *SMU Law Review* 61, no. 1 (2008): 133–156.
- Yukich, Grace. "Constructing the Model Immigrant Movement Strategy and Immigrant Deservingness in the New Sanctuary Movement." *Social Problems* 60, no. 3 (August 2013): 302–320.
- . *One Family Under God: Immigration Politics and Progressive Religion in America*. New York: Oxford University Press, 2013.
- Zwick, Mark. *The Catholic Worker Movement: Intellectual and Spiritual Origins*. Mahwah: Paulist Press, 2005.

Primary Sources

Archival

The following sources can be accessed from the Sanctuary Trial Papers Collection (MS 362) at the University of Arizona Special Collections Archives and Library in Tucson, Arizona. Several of these are undated and/or unauthored.

Bray, Hal. "Sanctuary Leaders Say Why." *General Assembly News*, June 19, 1986. Box 30, folder 1.

Browning, Daniel R. "Don Reno: Sanctuary Prosecutor at Ease Despite His Religious Heritage." *Arizona Daily Star*, December 3, 1986. Box 50, folder 11.

Corbett, Jim. "The Social Dynamics of the Sanctuary Movement." Box 30, folder 14.

—. "Border Update." *National Sanctuary Mailing*, May, 1984. Box 33, folder 5.

—. "Governor Anaya's Sanctuary Declaration Provides Urgently Needed Protection for Refugees and Integrity for Society." March 29, 1986. Box 53, folder 2.

— (with handwritten notes by John Fife). "Sanctuary and Revolutionary Struggle." November, 1986. Box 31, folder 15.

Hart, William. "New Mexico Declares Itself a Sanctuary State." *Arizona Republic*, March 29, 1986. Box 53, folder 2.

McGrath, Peter, and Rob Labrecque. "A Haven for Salvadorans." *Newsweek*, April 5, 1982. Box 50, folder 11.

Medlyn, Beverly. "'Underground Railroad' Still Running in the Open." *Arizona Daily Star*, December 25, 1982. Box 48, folder 16.

Merkt, Stacey. "Reflection on Being with Refugees." *National Sanctuary Mailing*, May, 1984. Box 33, folder 5.

Nicgorski, Darlene. "Statement Before Sentencing to the Court and Public." July 1, 1986. Box 50, folder 11.

Novak, Carol. "Sanctuary for Refugees Threatened by Arrests." *Arizona Catholic Lifetime*, April 1, 1984. Box 35, folder 7.

Sisk, Mack. "Aliens' 'Quaker Coyote' Defies INS." *San Antonio Light*, November 13, 1989. Box 35, folder 3.

Streeter, Richard C. "Address to the City Council of Rochester, New York." December 30, 1985. Box 10, folder 1.

- Varn, Gene. "Church-group Head Indicted in Transporting of Aliens." *Arizona Republic*, May 17, 1984. Box 35, folder 7.
- "One Good Turn." *Arizona Daily Star*, July 20, 1981. Box 35, folder 1.
- "Protesters Here Keeping Vigil on Central America." *Tucson Citizen*, February 12, 1982. Box 35, folder 2.
- "Continuing a Tradition." *Milwaukee Journal*, December 4, 1982. Box 35, folder 2.
- "Churches Give Sanctuary to Illegal Refugees Who Face Deportation." *New York Times*, April 8, 1983. Box 35, folder 3.
- Letter from Ian and Marion Hogg to John Fife. October 17, 1983. Box 30, folder 15.
- "Official Says Sanctuary Group of Little Concern." *Tucson Citizen*, March 23, 1984. Box 35, folder 7.
- Letter from TEC Task Force to *Basta!*. September 25, 1984. Box 30, folder 1.
- Arizona Humanities Council Grant Application for Sanctuary Symposium. November 19, 1984. Box 30, folder 5.
- Stacey Merkt v. United States of America*, US Court of Appeals for the Fifth Circuit. Trial Transcript, January 7, 1985. Box 30, folder 2.
- Letter from Bishops of Tucson, Phoenix, and Gallup to President Reagan. January 17, 1985. Box 31, folder 13.
- "Resolution for Council Action: Declaring Berkeley a City of Refuge." February 19, 1985. Box 31, folder 17.
- "Conspiracy of Compassion." *Sojourners Magazine*, March 1985. Box 30, folder 28.
- United States of America v. Maria del Socorro Pardo de Aguilar et al.* "Motion for Leave to File a Memorandum of Law as Amici Curiae." March 27, 1985. Box 42, folder 8.
- Phoenix Sanctuary Committee. "Defense Summary of Pre-trial Hearings Against Sanctuary Workers." June 30, 1985. Box 33, folder 4.
- "Infiltration of Churches: A Threat to Religious Freedoms. An Information and Education Packet." July 19, 1985. Box 51, folder 25.
- United States of America v. Maria del Socorro Pardo de Aguilar et al.* "Offer of Proof re. Dealing by Jesús Cruz." December 20, 1985. Box 42, folder 35.
- . "Memorandum of Points and Authorities in Opposition to Government's Motion re. Fair Trial Directives." Box 42, folder 25.
- "The Whole Truth Sanctuary Hearings Draft Proposal." November 19, 1985. Box 30, folder 22.

“A Resolution Declaring Sante Fe a City of Refuge for Salvadorans and Guatemalans.”

Passed on December 16, 1985. Box 54, folder 31.

Report on Sanctuary Trails Sentencing by Arizona Sanctuary Defense Fund. July 3, 1986.

Box 50, folder 11.

“Defendants Speak for First Time as Judge Imposes Sentences in Sanctuary Case.” *Adelante!*, Summer, 1986. Box 30, folder 1.

“Prayer Service After the Verdict.” Service booklet, April, 1986. Box 52, folder 17.

“Resolution urging City Council and Mayor of Tucson to Declare Tucson, Arizona a Sanctuary City.” March 3, 1986. Box 54, folder 31.

Letter from Amnesty International Secretary Thomas Hammarberg to Robert J. Hirsch. June 16, 1986. Box 43, folder 30.

Letter signed by 47 Members of Congress to Judge Carroll. June 18, 1986. Box 43, folder 30.

Letter from Senator DeConcini to Judge Carroll. June 25, 1986. Box 43, folder 30.

Amnesty International. “USA: Church Worker Adopted as Prisoner of Conscience.” February 25, 1987. Box 30, folder 2.

TEC Task Force. “Minutes of Sanctuary Models Meeting.” April 5, 1987. Box 51, folder 14.

Letter from COUGAR Coordinator David Sholin to Synods, Presbyteries, and purchasers of “Why Are the Churches Suing the Government?.” May 12, 1987. Box 51, folder 14.

United States of America v. Maria del Socorro Pardo de Aguilar et al. Appeal Draft, November 10, 1987. Box 40, folder 21.

Phoenix Central United Methodist Church. “A Briefing Conference on the Infiltration of the Churches.” Box 30, folder 17.

General Assembly of the Christian Church. “Emergency Resolution on Clandestine Government Surveillance of Church Meetings.” Box 51, folder 19.

“Corporate Stance Proposal for Endorsement of Sanctuary.” Box 31, folder 18.

Correspondence of “Refugio El Canada: A Project for Central American Resettlement into Canada.” Box 31, folder 15.

“Arizona Sanctuary Trial Strategy: Education and Communication.” Box 30, folder 2.

“Declaration of Shared Responsibility.” Box 31, folder 15.

Sanctuary flyers and booklets depicting Óscar Romero’s image. Box 33, folder 6.

(Inter)national letters of support directed at John Fife and/or Southside Presbyterian Church. Box 31, folders 2–13.

VHS tape recordings of 1980s TV coverage on Sanctuary. Box 44, folder 17.

Other

- MacEoin, Gary, "A Brief History of the Sanctuary Movement." In *Sanctuary. A Resource Guide for Understanding and Participating in the Central American Refugees' Struggle*, edited by Gary MacEoin, 14–29. San Francisco: Harper and Row, 1985.
- Wiesel, Elie. "The Refugee." In *Sanctuary. A Resource Guide for Understanding and Participating in the Central American Refugees' Struggle*, edited by Gary MacEoin, 7–13. San Francisco: Harper and Row, 1985.
- "Scott Warren Provided Food and Water to Migrants in Arizona; He Now Faces Up to 20 Years in Prison," *Democracy Now!* Video File, May 29, 2019.
https://www.democracynow.org/2019/5/29/scott_warren_provided_food_water_to.
- Hemispheric Institute. "John Fife-Civil Resistance-Transnational Sanctuary." *Vimeo*. Video File, May, 2018. <https://vimeo.com/265393925>.
- Council for Inter-American Security, Inc. *Santa Fe Document: Een nieuwe Interamerikaanse politiek voor de jaren '80*. Translated from English by SAGO. Antwerp: SAGO Press, 1981.
- Trump, Donald J., "Twitter post/@realDonaldTrump: "Due to the fact that Democrats..." April 12, 2019, 9:38 a.m.
<https://twitter.com/realdonaldtrump/status/1116742280919044096?lang=en>.
- Office of the Chief of Police. "Special Order No. 40." 27 November, 1979.
<http://keepstuff.homestead.com/Spec40orig.html>.
- US Border Patrol. "Border Patrol Strategic Plan: 1994 and Beyond." July 1994. Homeland Security Digital Library. <https://www.hsdl.org/?abstract&did=721845>.
- Forty-Ninth Arizona State Legislature. "Senate Bill 1070." Signed 23 April, 2010.
<https://www.azleg.gov/legtext/49leg/2r/bills/sb1070s.pdf>.
- City and County of San Francisco: Office of Civil Engagement and Immigrant Affairs. "Sanctuary City Ordinance." <https://sfgov.org/oceia/sanctuary-city-ordinance-0>.
- "The 1980 Refugee Act." National Archives Foundation.
<https://www.archivesfoundation.org/documents/refugee-act-1980/>.
- "Handbook on Procedures and Criteria for Determining Refugee Status and Guidelines on International Protection Under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees." UNHCR. Reissued February 2019.
<https://www.unhcr.org/publications/legal/3d58e13b4/handbook-procedures-criteria-determining-refugee-status-under-1951-convention.html?query=1967%20protocol>.

“Operational and Support Components.” Homeland Security.

<https://www.dhs.gov/operational-and-support-components>.

American Friends Service Committee. “An Introduction to Quaker Testimonies.” September

2011. [https://www.afsc.org/sites/default/files/documents/AFSC-Quaker-](https://www.afsc.org/sites/default/files/documents/AFSC-Quaker-Testimonies.pdf)

[Testimonies.pdf](https://www.afsc.org/sites/default/files/documents/AFSC-Quaker-Testimonies.pdf).

“Honorary Doctorates.” Radboud University. [https://www.ru.nl/english/about-us/our-](https://www.ru.nl/english/about-us/our-university-0/facts-figures/honorary-doctorates/)

[university-0/facts-figures/honorary-doctorates/](https://www.ru.nl/english/about-us/our-university-0/facts-figures/honorary-doctorates/).

Humane Borders. “Our Mission.” <https://humaneborders.org/our-mission/>.

No More Deaths. “Interference with Humanitarian Aid: Death and Disappearance on the US-

Mexico Border.” 17 January, 2018. In “Disappeared: How US Border-Enforcement

Agencies Are Fueling a Missing-Persons Crisis.”

<http://www.thedisappearedreport.org/reports.html>.

—. “Footage of Border Patrol Vandalism of Humanitarian Aid, 2010-2017.” *YouTube*. Video File, 0:24. January 17, 2018.

https://www.youtube.com/watch?v=eqaslbj5Th8&ab_channel=NoMoreDeaths.

—. “Statements from Scott Warren and his lawyer Greg Kuykendall.” June 11, 2019.

<http://forms.nomoredeaths.org/statements-from-scott-warren-greg-kuykendall/>.

—. “DOJ to Retry Scott Warren on Harboring Counts.” July 3, 2019.

[http://forms.nomoredeaths.org/doj-to-retry-scott-warren-on-harboring-](http://forms.nomoredeaths.org/doj-to-retry-scott-warren-on-harboring-counts%ef%bb%bf/)
[counts%ef%bb%bf/](http://forms.nomoredeaths.org/doj-to-retry-scott-warren-on-harboring-counts%ef%bb%bf/).

—. “Civil Initiative” <http://forms.nomoredeaths.org/about-no-more-deaths/civil-initiative/>.

New Sanctuary Coalition. “Jericho Walk.”

https://www.newsanctuarynyc.org/jericho_walk_20190502.

Pew Research Center Analysis of US Sentencing Commission Monitoring of Federal

Criminal Sentences Data, 2012. Published 18 March, 2014.

<https://www.pewhispanic.org/2014/03/18/4-the-geography-of-unlawful-reentry-cases/>.

Pew Research Center Estimates Based on Augmented 2016 American Community Survey.

Published 8 March, 2019. [https://www.pewresearch.org/fact-tank/2019/03/11/us-](https://www.pewresearch.org/fact-tank/2019/03/11/us-metro-areas-unauthorized-immigrants/ft_17-01-31_unauthorizedmetros_table/)

[metro-areas-unauthorized-immigrants/ft_17-01-31_unauthorizedmetros_table/](https://www.pewresearch.org/fact-tank/2019/03/11/us-metro-areas-unauthorized-immigrants/ft_17-01-31_unauthorizedmetros_table/).

Pew Research Center. “Measuring Illegal Immigration: How Pew Research Center Counts

Unauthorized Immigrants in the U.S.” Video File, 2:50, July 12, 2019.

[https://www.pewresearch.org/fact-tank/2019/07/12/how-pew-research-center-counts-](https://www.pewresearch.org/fact-tank/2019/07/12/how-pew-research-center-counts-unauthorized-immigrants-in-us/)
[unauthorized-immigrants-in-us/](https://www.pewresearch.org/fact-tank/2019/07/12/how-pew-research-center-counts-unauthorized-immigrants-in-us/).

US Census Bureau. "Tucson, Arizona Quick Facts." July 1, 2018.

<https://www.census.gov/quickfacts/tucsoncityarizona>.

Church World Services. "2018 Annual Report." 33. https://cwsglobal.org/wp-content/uploads/2018/11/CWS-Annual_Report_2018.pdf.

Center for Immigration Studies. "Map 1: Sanctuary Cities, Counties, and States." April 16, 2019. <https://cis.org/Map-Sanctuary-Cities-Counties-and-States>.

"Dora's Story: Woman Recounts Deadly Journey to Find New Life in America." *KOLD News* 13. Video File, 2:06, 9 May, 2019. <https://www.kold.com/2019/05/10/doras-story-woman-recounts-deadly-journey-find-new-life-america/>.

"Grueling Desert Search Finds 13 Alive, 13 Dead." *Ajo Copper News*, July, 1980.

"Ajo Trying to Help Rescued Refugees." *Ajo Copper News*, July, 1980.

Appendices

Appendix A: Images



A1: Dora Rodriguez (second from left) and her family, placing crosses to commemorate those Salvadoran refugees from her party who did not make it in the Sonoran Desert where she was found in July, 1980. *Picture taken in Summer of 2018; private collection of Dora Rodriguez.*



A2: Pastor Emeritus John Fife poses with the author in front of Southside Presbyterian Church, the first congregation to publicly declare Sanctuary in 1982. *Picture taken by Brian Best on April 16, 2019; private collection of the author.*



A3: Tucson Samaritan Brian Best documents the GPS coordinates of a water drop. The gallons are dated and marked "¡Bienvenidos!" *Picture taken by the author on April 14, 2019.*



A4: The border wall separating Sonora, Mexico from Pima County, Arizona. The barbed wire was added recently. *Picture taken by the author on April 14, 2019.*



A5: The scene of what appears to be a recent BP raid, approximately one mile north of the border. Items include backpacks, camouflaged water jugs, toothbrushes, and medicine. *Picture taken by the author on April 14, 2019.*



A6: Author (left) and fellow visiting researcher Deirdre hold up yard signs during a NMD canvassing trip. The signs read “Humanitarian Aid Is Never A Crime. Drop The Charges” and refer to the Scott Warren case. *Picture taken on April 7, 2019; private collection of the author.*



A7: Sanctuary activists hold up a banner in front of the Tucson Federal building in 1991, to bring attention to the anniversaries of martyrs in El Salvador, among them the four US church women. *MS 362: Sanctuary Trial Papers, box 51, folder 41, courtesy of University of Arizona, Special Collections.*



A8: Sanctuary activists representing several congregations and “Alfredo” (seated left, face covered with bandana), who is among the first Central American refugees to publicly accept church asylum provided by the Sanctuary movement. They listen to Reverend Fife’s public declaration of Sanctuary in front of Southside Presbyterian Church on March 22, 1982. *Picture by Peter Weinberger for The Tucson Citizen, March 24, 1982. MS 362: Sanctuary Trial Papers, box 50, folder 11, courtesy of University of Arizona, Special Collections.*



A9: Judge Alfredo Marquez (left) reports on the measurements from the pavement to the rear bumper of a Ford station wagon, in which the indicted Philip Conger transported four Salvadoran refugees in March of 1984. *Picture by David Schreiber for The Tucson Citizen. July 19, 1984, MS 362: Sanctuary Trial Papers, box 35, folder 7, courtesy of University of Arizona, Special Collections.*



A10: Film still from No More Deaths video exposing BP vandalization of humanitarian aid. A BP agent pours out a water bottle left by volunteers intended for use by migrants crossing the Sonoran Desert. *No More Deaths*, "Footage of Border Patrol Vandalism of Humanitarian Aid, 2010-2017," YouTube, Video File, www.youtube.com/watch?v=eqaslbj5Th8&ab_channel=NoMoreDeaths.



A11: A pastor blesses one of the Humane Borders trucks at the yearly "Blessing of the Fleet" event in Tucson. Picture taken on 31 March, 2019 by Humane Borders.



A12: A pastor offers a Tucson Samaritan the Holy Communion through the Sasabe crossing border fence during the Good Friday Faith Floods the Desert event. *Picture taken by the author on April 19, 2019.*



A13: Clergy and laypeople representing many different denominations gather in front of the Tucson Federal Building in support of Scott Warren for “Faith Floods the Court House.” *Picture taken by Ash Ponders for No More Deaths on June 6, 2019*

Appendix B: Prominent Biblical Cites for Sanctuary

The following verses most frequently came up in 1980s and present-day Sanctuary manifestations. I have included them in full for the reader to better grasp the movements' biblical foundations. I have consulted the New International Version of online Bible search engine Biblica International Bible Society: <https://www.biblica.com/bible/>.

Leviticus 19:33-34

“When a stranger sojourns with you in your land, you shall not do him wrong. The stranger who sojourns with you shall be to you as the native among you, and you shall love that person as yourself, for you were strangers in the land of Egypt. I am the Lord your God.”

Deuteronomy 10:17-19

“For the Lord your God is God of gods and Lord of lords, the great God, mighty and awesome, who shows no partiality and accepts no briber. He defends the cause of the fatherless and the widow, and loves the foreigner residing among you, giving them food and clothing. And you are to love those who are foreigner, for you yourselves were foreigners in Egypt.”

Deuteronomy 19:8-10

“If the Lord your God enlarges your territory, as he promised on oath to your ancestors, and gives you the whole land he promised them, because you carefully follow all these laws I command you today—to love the Lord your God and to walk always in obedience to him—then you are to aside three more cities. Do this so that innocent blood will not be shed in your land, which the Lord your God is giving you as your inheritance, and so that you will not be guilty of bloodshed.”

Deuteronomy 24:17-18

“Do not deprive the foreigner or the fatherless of justice, or take the cloak of the widow as a pledge. Remember that you were slaves in Egypt and the Lord your God redeemed you from there. That is why I command you to do this.”

Exodus 22:21

“Do not mistreat or oppress a foreigner, for you were foreigners in Egypt.”

Matthew 25:35-36

“For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in, I needed clothes and you clothed me, I was sick and you looked after me, I was in prison and you came to visit me.”

Luke 10:30-34

“In reply Jesus said: “A man was going down from Jerusalem to Jericho, when he was attacked by robbers. They stripped him of his clothes, beat him and went away, leaving him half dead. A priest happened to be going down the same road, and when he saw the man, he passed by on the other side. So too, a Levite, when he came to the place and saw him, passed by on the other side. But a Samaritan, as he traveled, came where the man was; and when he saw him, he took pity on him to an inn and took care of him.”

Hebrews 13:2-3

“Do not forget to show hospitality to strangers, for by so doing some people have shown hospitality to angels without knowing it. Continue to remember those in prison as if you were together with them in prison, and those who are mistreated as if you yourselves were suffering.”

Romans 12:13

“Share with the Lord’s people who are in need. Practice hospitality.”

Appendix C: SSPC Public Declaration of Sanctuary

Statement to press conference, Southside Presbyterian Church

Tucson, Arizona, March 24, 1982

Fleeing from one of the world's most murderous military regimes, Salvadoran refugees seeking asylum in the United States are hunted down and shipped back, in clear violation of international law and of the most fundamental standards of human decency. Yet, the U.S. government is telling us that it is the victims who are the illegals. Abduction, torture, and murder pose as law and authority, while the victims and those who try to help them are driven underground.

Today, in this church, human solidarity is out in the open, and oppression is in hiding, waiting for another time without witnesses. What is happening to the Salvadorans has already happened so many times and so many places during this century. But we are not going to stand by while it happens here in Tucson.

Source: Transcript of original document. MS 362: Sanctuary Trial Paper, Box 54, Folder 27, courtesy of University of Arizona, Special Collections.

Appendix D: Overview Tucson Eleven

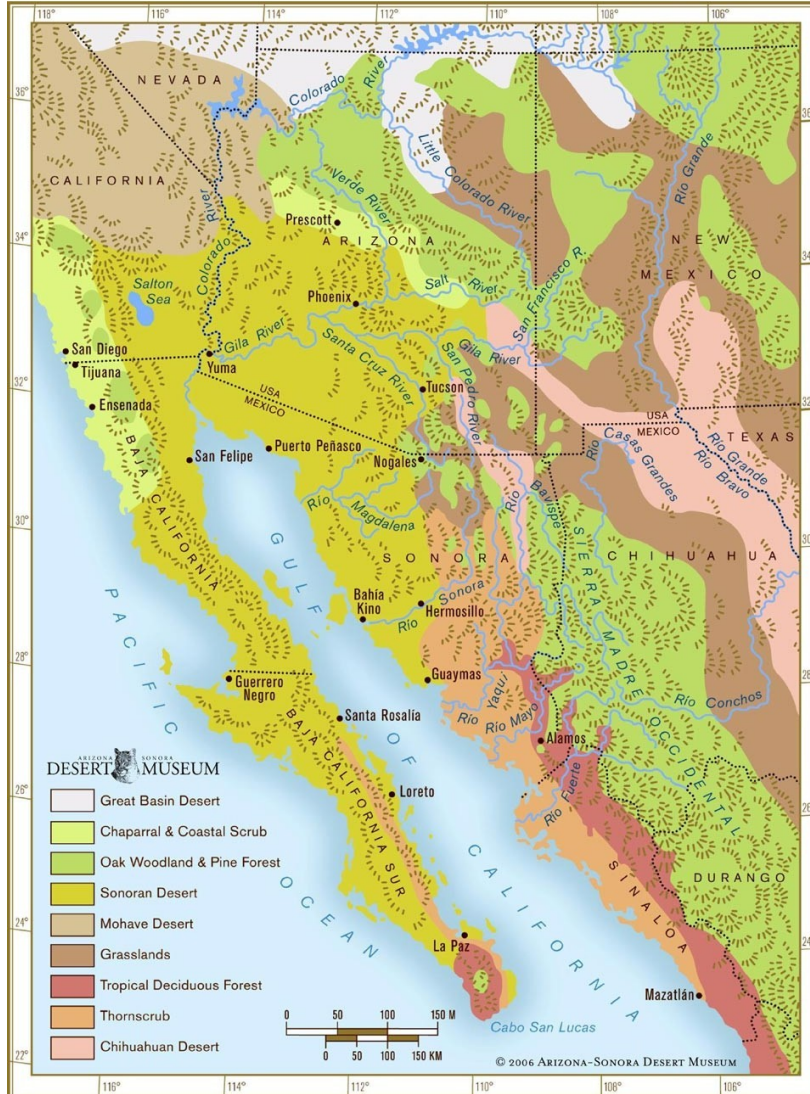
Name	Nationality	Religious Affiliation	Verdict	Sentencing
Reverend John Fife	American	Presbyterian pastor	Guilty (3 counts)	Suspended sentence, 5 years' probation
Sister Darlene Nicgorski	American	Catholic nun	Guilty (4 counts)	Suspended sentence, 5 years' probation
María Socorro Pardo de Aguilar	Mexican	Catholic lay worker	Guilty (2 counts)	Suspended sentence; 5 years' probation
Peggy Hutchison	American	Methodist lay worker	Guilty (1 count)	Suspended sentence, 5 years' probation
Philip Willis-Conger	American	Methodist lay worker	Guilty (3 counts)	Suspended sentence, 5 years' probation
Father Ramón Dagoberto Quiñones	Mexican	Catholic priest	Guilty (2 counts)	Suspended sentence, 5 years' probation
Father Anthony Clark	American	Catholic priest	Guilty (1 count)	Suspended sentence, 5 years' probation
Wendy LeWin	American	Unitarian lay worker	Guilty (1 count)	Suspended sentence, 3 years' probation
Jim Corbett	American	Quaker lay worker	Not guilty	-
Nena MacDonald	American	Quaker lay worker	Not guilty	-
Mary Kay Espinosa	American	Catholic lay worker	Not guilty	-

Source: “Excerpted Statements of the Defendants upon Sentencing,” and “Sentencing Form” by the Arizona Sanctuary Defense Fund (July 3, 1986), MS 362: Sanctuary Trial Papers, Box 50, Folder 11, courtesy of University of Arizona, Special Collections.

Appendix E: Geographical Map Sonoran Desert

Sonoran Desert Region

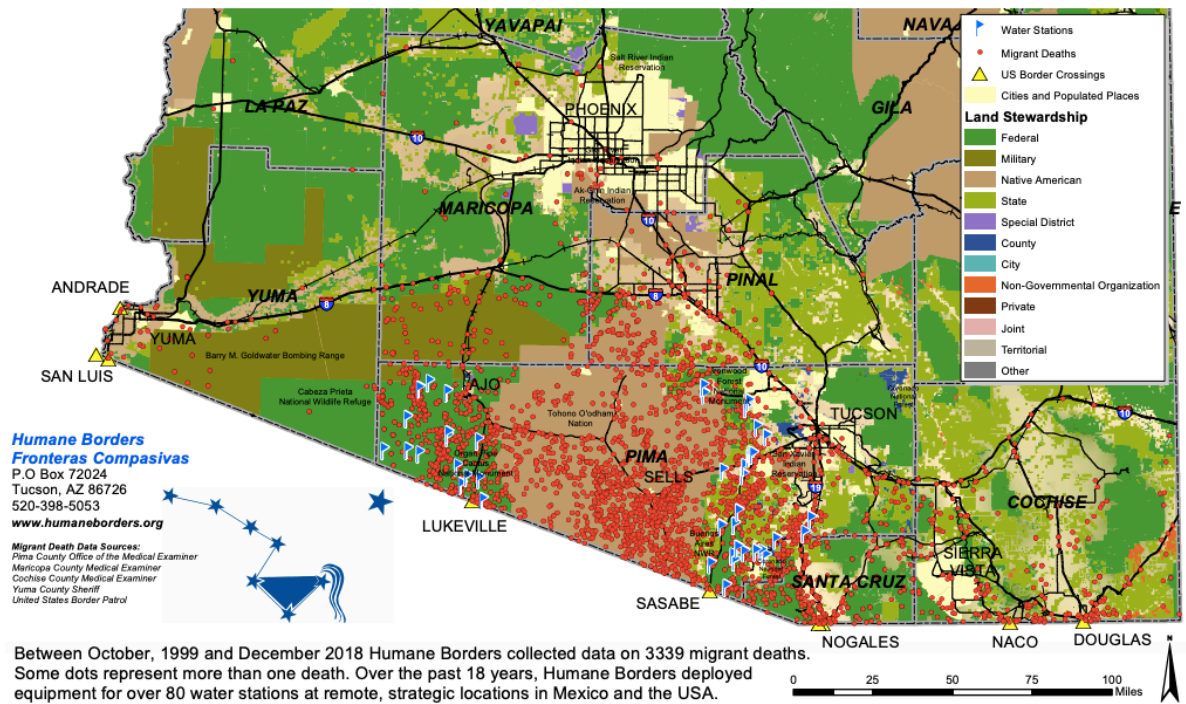
The Sonoran Desert Region consists of the Sonoran Desert itself plus the surrounding biological communities, including the Sea of Cortez (Gulf of California) and its islands



Source: "The Sonoran Desert Region and its subdivisions," Arizona-Sonora Desert Museum, *Regional Natural History and Image Galleries*, <https://www.desertmuseum.org/desert/sonora.php>.

Appendix F: Humane Borders Death Map

1999 - 2018 Recorded Migrant Deaths and Humane Borders Water Stations



Source: “Migrants Deaths, Rescue Beacons, Water Stations 2000-2018.” Map provided online by Humane Borders in partnership with the Pima County Medical Examiner’s Office, intended for use by families of the missing, academic researchers, news media and other interested individuals. <https://humaneborders.org/migrant-death-mapping/>.