

Our Sanctuary Cities have a Sacred History

By Nick Gier

*Truly I tell you, whatever you did not do for
one of the least of these, you did not do for me.*

—Matthew 25:45

*Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tossed to me,
I lift my lamp beside the golden door!*

—Emma Lazarus, Lady Liberty as the “Mother of Exiles”

*When a law breaks the backs of God's people
then it's time for us to think about breaking that law.*

—The Rev. Robin Hynicka, Methodist minister

I've traveled to the Big Island of Hawai'i three times, and each time I drive to Pu'u honua, the City of Refuge. The third visit in April took on a special meaning because of the current debate about our own sanctuary cities.

Over the centuries Pu'u honua served as royal residence and burial ground. Ancient Hawai'ians who broke the law (*kapu*) could seek refuge here and request that their sins be absolved. During times of war, women and children were safe here, as well as warriors fleeing battle. Win or lose, they could rejoin society without penalty after the end of hostilities.

The Stranger “Should be to as the Native Among You”

The people of the Ancient Middle East practiced radical hospitality, and the Israelites were no exception: “When a stranger sojourns 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 him as yourself” (Leviticus 19:33-34).

As the people of Israel were preparing for their invasion of the Land of Canaan, God instructed Moses to set aside six sanctuary cities. There “the stranger” and the “sojourner” would find refuge, as well as “anyone who kills a person without intent” (Numbers 35:15). The Hebrew Bible has many examples of rough justice, but here there is humanitarian protection against blood revenge.

From the Council of Orleans (511) onwards the Medieval Church, following the lead of scripture, offered asylum to all those who sought it. Those who had committed crimes had to confess their sins and were given forty days to decide whether to stand trial or go into permanent exile. Today churches are bringing back this Judeo-Christian tradition, and about 800 of them are now offering refuge to who needed protection.

Unitarian Church Sanctuaries

In 2017 immigration rights activist Jeanette Vizguerra was honored by *Time* magazine as one of the world's most influential people. She has lived and worked in the U.S. for 20 years, but she is undocumented. In February, facing deportation, she was offered sanctuary in Denver's First Unitarian Church.

On May 5, with the aid of Colorado's three Democratic Representatives, Vizguerra was given a two-year "stay of removal," and she has now been reunited with her children and grandchildren. These Democrats were also instrumental in the release of Arturo Hernandez, who had lived in the same church for nine months.

The Colorado representatives had introduced legislation to protect Hernandez and Vizguerra, and even though it had not been passed, immigration authorities under Obama had honored the bill's intent. The Trump Administration has now given orders that these exemptions will no longer be granted.

Julie Gonzales, an attorney for Vizguerra and Hernandez, said: "These Coloradans have lived in our state for years, contributed to our economy, and should never have been targets for deportation in the first place."

United Methodists Offer Refuge

In Dallas the Rev. Owen Ross and his United Methodist congregation are taking very seriously the biblical mandates of Leviticus, Numbers, and Jesus. His church, along with 60 other United Methodist churches, "recognize, embrace, and affirm all persons, regardless of country of origin, as members of the family of God."

Javier Flores' only crimes are that he is undocumented and has a 10-year-old DUI conviction. He has been living in Philadelphia's Arch Street United Methodist Church for almost a year. Flores, a father of three, works on church projects from within the safety of church. Flores said that "you have to keep fighting and I'm doing this for my kids. And I would do it again if it became necessary."

Sanctuary Church in Phoenix Harbors Two Immigrants

The Shadow Rock United Church of Christ in Phoenix is temporary home to Sixto Paz and Ismael Delgado. Paz, father of four American citizens (two are college graduates), has lived and worked in the U.S. since 1985, and he has paid taxes 28 of those years. He says that he has a "clean record" and that he is "working hard to do the best."

Hispanics such as Paz have the highest work participation rate of any demographic, and many take jobs (such as field work) that others refuse to do. Over the decades these hard working people have transformed America's fields and orchards. They are, for example, expert pruners and pickers.

Catholic Bishops Speak Out

Although I have not found any mention of Catholic churches offering refuge, their bishops have responded strongly to the Trump Administration's crackdown on immigrants. Responding to a new Texas law (see below), Cardinal Daniel DiNardo, President of the U.S. Conference of Catholic Bishops, said that "immigration law should be enforced in a way that is targeted, proportional and humane. This bill does not meet the standard." The Conference website states that "we oppose 'enforcement only' immigration policies and supports comprehensive immigration reform."

Will Jeff Sessions Violate Church Sanctuaries?

Immigration authorities have a legal right to enter any building to arrest people, but they have avoided churches. Cornell law professor Stephen Yale-Loehr explains: "I think for publicity reasons, immigration officers do not like to go into churches." Sacred sanctuary principles obviously still have their force, but can we trust Attorney General Jeff Sessions to be a good Christian and honor religious tradition?

Sometimes "The Law is an Ass"

Pastors who refuse to hand over the undocumented are committing an act of civil disobedience. They believe that a greater harm is done if immigrant families such as Flores' and Vizguerra's are broken up due to deportation. These Christians believe that such an exile would violate the biblical injunction to love and comfort the foreigner.

The Rev. Robin Hynicka is pastor of Philadelphia's Arch Street Methodist Church (see above), a sanctuary church that is in a state of civil disobedience. Hynicka declares: "When a law breaks the backs of God's people, then it's time for us to think about breaking that law." Quite apart from religious beliefs, I agree with Charles Dickens's Mr. Bumble who once said that sometimes "the law is an ass."

The contemporary sacred sanctuary movement is different from ancient tradition in that there is no confession of sins or deadline for a trial. Confession is of course standard procedure in most churches, but it is always voluntary. The point about a trial is moot because, as far as I know, these churches do not harbor felons.

Sanctuary Cities have the Least Crime

Authorities in the 600 plus sanctuary cities and counties (California will soon become the first state) have at least two arguments for non-compliance. First, immigration enforcement is a federal prerogative, while local police are charged with enforcing their own laws. Second, local police contend that if they do a general dragnet of the undocumented, they will lose important sources of intelligence that allow them to arrest immigrant felons in their midst.

The charge that sanctuary cities have higher crime rates is just another example of the Trump Administration's "fake news." In fact, according to UC San Diego professor Tom K. Wong, "crime is significantly lower in sanctuary counties compared to non-sanctuary counties." Studies have also shown that the general health of sanctuary immigrants is better because they feel safe to seek out the services provided.

Trump's Executive Order on Sanctuary Cities is Blocked

State and local officials are confident that the courts will back their claim to states' rights, usually a rallying point for conservatives. In a 1997 case involving the imposition of Brady Act on gun shops in Arizona, the late Antonin Scalia, siding with the majority, wrote that "the federal government may not compel the states to enact or administer a federal regulatory program."

On April 25, 2017, Trump's executive order threatening to withhold federal funds from sanctuary cities was blocked. Federal Judge William Orrick ruled that the order was "toothless," because "only Congress can place such conditions on spending." Orrick's injunction will hold in all jurisdictions throughout the country.

Texas Law Imposing Fines "Unconstitutional"

On August 30, 2017, District Court Judge Orlando Garcia ruled that a Texas law imposing fines on local authorities who refuse to cooperate with immigration agents may well be unconstitutional. He enjoined Texas officials from "punishing local officials, infringing on their right to free speech, and forcing them to detain immigrants for federal immigration officials."

Garcia also wrote that the plaintiffs had provided "overwhelming and ample evidence that cooperating with immigration officials will erode public trust and make many communities and neighborhoods less safe." Houston Mayor Sylvester Turner was also pleased with the decision. In a tweet he wrote: "Happy to learn a federal judge blocked the Texas law aimed at making local police immigration enforcers. Need them for fighting local crime."

Spokane: Anti-Immigration Measure Removed from Ballot

The Washington State Court of Appeals upheld a lower court decision that removed a controversial measure from Spokane's November ballot. Respect Washington, an anti-immigration organization, wanted to remove a prohibition about Spokane police asking about citizenship status. The appellate court ruled that the measure "illegally sought to change an administrative policy, not a law."

Respect Washington is financed by John Tanton, founder of the Federation for American Immigration Reform. In the 1970s Tanton wrote extensively about "passive eugenics," a belief that the family size of certain ethnic groups should be limited because there is a direct correlation between family size and intelligence. The Southern Poverty Law Center has tagged the organization as a hate group and has called Tanton a white nationalist.

The Bible, Jesus, and the Declaration of Independence

In conclusion, it is important to note that the Declaration of Independence follows Leviticus in making no difference between the "native" and the "non-native." Its central principle is a philosophical statement about human nature in general: namely, that all human beings regardless of origin have an inalienable "right to life, liberty, and the pursuit of happiness."

In Matthew 25 Jesus is very specific about those who will enter the Kingdom of Heaven. They are those who welcomed and clothed the stranger, gave them food and drink, and visited the sick and those in prison. To those barred entry to Heaven, Jesus says: "Truly, I say to you, as you did it not to one of the least of these, you did it not to me" (v. 45). Our sanctuary cities and churches have the blessings of Christ.

Nick Gier of Moscow taught religion and philosophy at the University of Idaho for 31 years. He can be reached at ngier006@gmail.com. Read his most recent columns at www.sandpointreader.com under "Columns."