

**The Acme of the Catholic Left:  
Catholic Activists in the US Sanctuary Movement, 1982-1992**

by

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## Introduction

### *The 1980s Sanctuary Movement and the Role of American Catholics*

On the evening of May 4, 1981, Frank Shutts arrived at the modest home of Jim and Pat Corbett outside of Tucson, Arizona. The Corbetts were Quakers who raised chickens and herded goats, and Shutts, a Quaker from Claremont, California, was traveling to Quaker meetings around the region trying to build support for the establishment of a new Friends' center in Hermosillo, the capital of nearby Sonora, Mexico. The trio expected one more visitor, a fellow Quaker named Jim Dudley, but when he arrived later in the evening he brought peculiar news with him. Confused and shaken, he explained that on the way to Tucson, he had picked up a Salvadoran hitchhiker just north of the US-Mexico border, but Border Patrol had stopped Dudley at a checkpoint several miles up the road and removed and arrested the hitchhiker. Corbett connected it back to the discovery during the previous summer of thirteen Salvadorans who had died attempting to cross the Sonora desert into the United States. Corbett found the constellation of events curious enough that the next day he located the detained Salvadoran and traveled to the Santa Cruz County Jail to speak with him. He was able to chat briefly with this hitchhiker and two other detained Salvadorans and attempted to present forms that would delay their deportation, but the jail delayed this process sufficiently long that they could send away all three men before Corbett could do anything about it.<sup>1</sup>

As Jim Corbett and others he worked with became more involved in aiding undocumented Central Americans, they would go on to realize that a steady stream of refugees from Guatemala and El Salvador was pouring into the United States as hundreds of

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<sup>1</sup> Miriam Davidson, *Convictions of the Heart: Jim Corbett and the Sanctuary Movement*, Tucson 1988, 12-22.

thousands of individuals fled devastating civil wars between the conservative governments of these countries and domestic left-wing insurgencies. The Reagan administration had become involved in these conflicts, funding and training soldiers and paramilitary groups for the right-wing governments of El Salvador and Guatemala and framing this aid as a fight against “Communist” rebels, as Washington saw the left-wing insurgencies in these countries.<sup>2</sup> One consequence of viewing these conflicts as Cold War battlegrounds was the administration’s almost categorical refusal to grant asylum to Guatemalan and Salvadoran refugees. Granting them asylum would have been an implicit admission that their governments endangered their rights and physical safety, and Washington was unwilling to betray its allies by labeling them as human rights violators.

Corbett and a small, religious-based group of compatriots in Tucson found this state of affairs unacceptable. To aid the refugees and protest the administration’s immigrant policy and foreign policy, the Tucson group constructed a grassroots network of churches and synagogues that came to span the country and quickly became known as the sanctuary movement. Drawing on the centuries-old practice of religious sanctuary, sanctuary activists helped to aid and shelter refugees and protect them from deportation. They hoped that by aiding the refugees in a highly visible way and drawing attention to their plight they might be able to pressure Washington to reform its refugee policy and perhaps even to reconsider its alliances with the Guatemalan and Salvadoran governments.<sup>3</sup> And while Quakers like Jim Corbett helped to kick off the movement, sanctuary work was highly ecumenical. Other Protestants and Jews joined the movement, and Catholics were consistently one of the best-

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<sup>2</sup> Greg Grandin, *Empire’s Workshop: Latin America, the United States, and the Rise of the New Imperialism*, New York 2006, 70-72, 87-89.

<sup>3</sup> “The State, the Law, and the Sanctuary Movement,” essay by Jim Corbett, May 8, 1985; Wisconsin Historical Society (WHS), Records of the Chicago Religious Task Force on Central America (CRTFCA) 1982-1992, M2004-170, Box 2, Folder 5.

represented denominations, with priests, nuns, and laity across the country offering up their communities as sanctuaries.

Though the sanctuary movement has been characterized by one scholar as “one of the most important acts of civil disobedience of the late twentieth century,”<sup>4</sup> surprisingly few researchers have devoted much attention to it. One of the most important works on the U.S. Central American peace movement more generally is Christian Smith’s *Resisting Reagan*, published in 1996, and in his introduction he expresses amazement that “the U.S. Central American peace movement of the 1980s has received scant attention in both the popular and academic literature.” “Indeed,” he adds, “many scholars appear unaware that it ever existed.”<sup>5</sup> This latter claim is something of an exaggeration—notably, Susan Bibler Coutin published her excellent anthropological study of the sanctuary movement in 1993—but Smith correctly identifies the lack of attention given to sanctuary and related peace movements.<sup>6</sup> Smith’s work is a thorough and rigorous sociological study of the U.S. Central America peace movement, but in the sixteen years since its publication, scholars have done little more significant work on the sanctuary movement. María Cristina García, for instance, offers one of the better analyses of the movement in her *Seeking Refuge*, but this treatment spans only ten pages in a book on Central American refugees in the 1980s in general.<sup>7</sup> Anne Crittenden’s *Sanctuary* provides perhaps the best general narrative of the movement’s development, but its tight focus on and partiality to the Tucson-centered elements of the movement forces her to leave out much of the story of sanctuary.<sup>8</sup> Most scholars who

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<sup>4</sup> María Cristina García, *Seeking Refuge: Central American Migration to Mexico, the United States, and Canada*, Berkeley 2006, 98.

<sup>5</sup> Christian Smith, *Resisting Reagan: The U.S. Central America Peace Movement*, Chicago 1996, xvii.

<sup>6</sup> Susan Bibler Coutin, *The Culture of Protest: Religious Activism and the U.S. Sanctuary Movement*, Boulder 1993.

<sup>7</sup> García, *Seeking Refuge*, 98-108.

<sup>8</sup> Anne Crittenden, *Sanctuary: A Story of American Conscience and the Law in Collision*, New York 1988.

mention the movement at all do so in passing and often without even using the term “sanctuary.”

The sanctuary movement was a broad-based, ecumenical endeavor, encompassing many Christian denominations as well as many Jewish communities. This unity of purpose, however, can sometimes obscure important differences among and within the groups participating. Every religious community approached sanctuary work with a different set of historical experiences and attitudes shaping their understanding of their activism and the significance and repercussions of that activism within the community. Jews and Christians, for instance, often had different motivations for becoming involved in sanctuary, and they often justified and interpreted their actions in different ways. Differences existed between Christian denominations as well. Most evangelical and fundamentalist Christians did not participate at all.

American Catholics in particular had a special connection to the Central American conflicts and to the refugee crisis. Virtually all Central American refugees were themselves Catholic, and Catholic leaders in Guatemala and El Salvador were often explicit targets of violence.<sup>9</sup> Most famously, the Salvadoran military junta assassinated Oscar Romero, the Archbishop of San Salvador, in early 1980 for criticizing the regime and calling for peace.<sup>10</sup> The US Catholic hierarchy was not silent on the matter: many bishops did support granting refugees “extended voluntary departure,” essentially a deferral of deportation without officially granting asylum. But the bishops seemed reluctant to actually endorse sanctuary, when many other national religious bodies openly advocated it. Just over a year after the inauguration of the sanctuary movement, it had received endorsements from the governing

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<sup>9</sup> García, *Seeking Refuge*, 29

<sup>10</sup> Davidson, *Convictions of the Heart*, 17.

bodies of a variety of mainline Christian denominations, including the Presbyterian Church USA, the United Methodist Church, and the United Church of Christ.<sup>11</sup> The American Catholic hierarchy, on the other hand, made surprisingly few statements on the movement throughout the 1980s. While individual bishops often took stronger stances, the hierarchy as a group avoided explicitly endorsing or rejecting sanctuary by making clear their inability or unwillingness to support it. The American hierarchy was one of the only major American religious bodies outside evangelicals and fundamentalists to display such caution.

Other American Catholics did not necessarily follow this lead. Lay Catholics as well as priests and religious<sup>12</sup> participated in the movement at least as enthusiastically as Jews and other Christians. Near the peak of national participation in August 1988, of an estimated 464 sanctuaries around the country, 78 were Catholic communities—the largest number provided by any single denomination.<sup>13</sup> A handful of bishops even endorsed and supported the movement throughout the decade. But sanctuary activists and supporters also faced strong opposition from other Catholics, from lay organizations to other bishops. Catholics were divided, often bitterly so, over the appropriate response to the sanctuary movement.

This division was not unique to Catholics—disagreements over the movement beset virtually every religious community involved in sanctuary work—but it took on a special significance in the context of American Catholic history. The American church had for most of its history been overwhelmingly cautious and parochial in its approach to politics. Until the 20<sup>th</sup> century, most American Catholics were immigrant or “ethnic” minority families, and

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<sup>11</sup> Detroit Sanctuary Project Mailing, August 16, 1983; Bentley Historical Library, Episcopal Church, Diocese of Michigan Records, 1830-2001, Box 17, Folder: Latin American Refugee Issues and Peace Movement 1983-85.

<sup>12</sup> When used as a noun, the term “religious” refers to monks, nuns, and other members of “religious institutes” who have taken vows and committed themselves to communal lives of poverty, celibacy, and often of charity or service.

<sup>13</sup> Chart listing denominational and geographical breakdown of sanctuaries in August 1988; WHS, Records of the CRTFCA 1982-1992, M93-153, Box 4, Folder 66.



bishops devoted their political work to helping the Catholics in their dioceses and defending American Catholics against doubts regarding their “Americanness.”<sup>14</sup> But thanks to demographic changes in the middle of the 20<sup>th</sup> century and the liberalizing reforms of the Second Vatican Council (1962-1965), American Catholics at all levels of the church began to explore new understandings of their faith and new ways to express it politically. In a variety of domains, from the Vietnam War era to electoral politics of the 1970s and 1980s, Catholics experimented with new formulations of their religious and political identities.

One such identity, modest in its origins, was that of the Catholic Left of the 1960s and 1970s. Building on the thought and work of other radical Catholics like Dorothy Day and Thomas Merton, this loose coalition of anti-Vietnam War protestors expressed their opposition to the conflict largely by breaking into Selective Service offices and burning draft documentation.<sup>15</sup> The movement was small, though, its core never comprising more than about two hundred people, and though movement leaders like Daniel and Philip Berrigan went on to lead more progressive activism in the 1970s and 1980s, the movement largely faded with the antiwar movement itself.<sup>16</sup> Nonetheless, I intend to argue that the Catholic Left not only survived the Vietnam era but also reached its peak and found its fullest expression in the 1980s with Catholic participation in the sanctuary movement. Like partisans of the Catholic Left over a decade earlier, Catholic sanctuary activists were willing to defy federal and episcopal authority by opposing wars they found to be both unjust and the source of vast human suffering. The defining mark of the Catholic Left was just this

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<sup>14</sup> Timothy Byrnes, *Catholic Bishops in American Politics*, Princeton 1991, 11-34.

<sup>15</sup> For one good account of the Catholic Left, see Charles A. Meconis, *With Clumsy Grace: The American Catholic Left 1961-1975*, New York 1979.

<sup>16</sup> Meconis, *With Clumsy Grace*, xi. For a biography of the Berrigan brothers, see Murray Polner and Jim O’Grady, *Disarmed and Dangerous: The Radical Lives and Times of Daniel and Philip Berrigan*, New York 1997.

willingness to dissent or even to break the law in order to protest what they saw as unjustified US militarism, to prompt church and state to live up to their governing principles without feeling that through this dissent they had betrayed either institution. Dissent was in fact a sign of their fidelity to both, their way of fully living up to both the Catholic and American aspects of their identities. By the 1980s, this sensibility, previously expressed only by a tiny fraction of American Catholics, had percolated more deeply into the church, and now hundreds of thousands of American Catholics, including a handful of bishops, were willing to voice their support for the sanctuary and even to participate in it. And while Catholic sanctuary work was primarily an antiwar endeavor, it also served as a vector for promoting other issues, such as a feminist critique of the exclusively male church hierarchy.

Structurally, this thesis will proceed thematically and roughly chronologically. In the first chapter, I will examine the broader context of the sanctuary movement. I will describe the conflicts in Guatemala and El Salvador and the United States' relationship to them and sketch American Christian and Jewish responses to the influx of refugees from this region and to the sanctuary movement in particular. The second chapter will examine Catholics who supported or participated in the sanctuary movement, exploring how the work of these priests, religious, and lay Catholics represented a fulfillment of the Catholic Left of the 1960s and 1970s but also drew on deeper radical and progressive roots in American Catholic history. In the final chapter, I will investigate the American Catholic hierarchy's response to sanctuary, demonstrating the Catholic Left's influence on the hierarchy as several bishops chose to endorse the sanctuary movement. Responding to these radical colleagues, more moderate bishops defined their positions on sanctuary—and Catholic political engagement

more generally—with greater depth and nuance, and they adopted stances more favorable to sanctuary than might otherwise have been expected.

# I

## Challenging Reagan

### *Central America, Ronald Reagan, and the Roots of the US Sanctuary Movement*

On March 24, 1982, Jim Corbett, the Rev. John Fife, and a handful of other members of a small group known as the Tucson Ecumenical Council (TEC) gathered outside Tucson's Southside Presbyterian Church to declare it the nation's first public sanctuary<sup>1</sup>1982. This designation indicated that Southside would explicitly defy immigration law by offering food, shelter, and protection to undocumented refugees, and in a very visible way—every public sanctuary contacted Immigration and Naturalization Services (INS) to inform them of their decision and often made the declaration into a media event. Southside had taken in a Salvadoran refugee who went by the pseudonym “Alfredo,” and local reporters stood by as he told the story of his persecution in El Salvador and flight to the United States.<sup>1</sup> The Southside sanctuary for Central American refugees was the first of its kind, but within just a few years the sanctuary movement had become a national sensation. By the end of 1982, Corbett's activism had found favorable reception in reporting by national papers like the *Washington Post* and the *Chicago Tribune*, and in December the television news show *60 Minutes* ran a sympathetic special on Corbett and the sanctuary movement.<sup>2</sup> By August 1988, the Chicago Religious Task Force on Central America estimated that the movement included 464 public sanctuaries, some protecting individual refugees and others taking in

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<sup>1</sup> Ann Crittenden, *Sanctuary: A Story of American Conscience and the Law in Collision*, New York 1988, 69-73.

<sup>2</sup> *Ibid.*, 102-104.

entire families.<sup>3</sup> And this figure did not include the many religious communities that supported the movement in quieter, more unofficial ways. The sanctuary movement appeared to surge into existence out of nothing, but the forces that brought it about were at work years, decades, and even centuries before this moment. The U.S. sanctuary movement was a complex phenomenon born of the convergence of various currents in religious history and in the history of the Americas. In order to understand why the movement came about when and in the manner that it did, it is important to assess the ways these various historical forces interacted to produce it.

We can understand the emergence of the sanctuary movement from two primary perspectives, the first of which involves examining the external, political factors that produced a Central American refugee crisis in the first place. Despite its influence in the region, the United States did not directly cause the civil wars in Central America; these conflicts emerged from centuries-old political and economic tensions.<sup>4</sup> However, American foreign policy had left a deep footprint in Central America since the inception of the United States, and US involvement in the region took a particularly deadly turn in the 1980s as the Reagan administration turned US Central America policy into another weapon of the Cold War.<sup>5</sup> Fighting Central American “Communists” (a problematic label that did not accurately describe most of the left-wing insurgents) became the centerpiece of Reagan’s Cold War foreign policy, but this choice placed Washington in a curious situation. The aid it provided to right-wing regimes and paramilitaries exacerbated levels of violence and augmented the

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<sup>3</sup> Chart listing denominational and geographical breakdown of sanctuaries in August 1988; Wisconsin Historical Society (WHS), Records of the Chicago Religious Task Force on Central America (CRTFCA), 1982-1992, M93-153, Box 4, Folder 66.

<sup>4</sup> Christian Smith, *Resisting Reagan: The U.S. Central America Peace Movement*, Chicago 1996, 5-16.

<sup>5</sup> Greg Grandin, *Empire’s Workshop: Latin America, the United States, and the Rise of the New Imperialism*, New York 2006, 2-4.

number of refugees both fleeing the region and seeking asylum in the United States. These refugees brought with them stories of atrocities and personal tragedy brought about by state-sponsored violence, which contradicted the White House's official narrative of supporting righteous conservative governments against Communist radicals.<sup>6</sup> These stories indicted Washington's choice to insert itself into the Central American conflicts, and religious communities in the Southwestern United States were among the first to take notice.

The other important perspective from which to understand the emergence of the sanctuary movement—more “internal” in a sense—concerns factors in the history of US religion and social movements that made the American religious community receptive to the challenge of sanctuary. In the broadest sense, the practice of sanctuary had roots stretching back to the Middle Ages, but sanctuary activists also connected their work to the Underground Railroad of the 19<sup>th</sup> century United States.<sup>7</sup> There were also more proximate causes of the US religious community's response to the Central American refugee crisis. A small but significant number of mainline religious leaders participated in the Vietnam antiwar movement of the late 1960s and early 1970s, and in the second half of the 1970s many churches served as official sponsors of Indochinese refugees resettling in the United States.<sup>8</sup> These experiences of serving refugees and of protesting government military policy—often outside of established legal means—helped pave the way for the dawn of the sanctuary movement in the early 1980s.

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<sup>6</sup> For various refugee testimony documents, see WHS, Records of the CRTFCA, 1982-1992, M93-153, Box 4, Folders 55-56 and M2004-170, Box 2, Folder 4.

<sup>7</sup> Larry Stammer, “Illegal Alien Smuggling: New Partner,” *Los Angeles Times*, February 3, 1983, A16. Crittenden, *Sanctuary*, 62-63.

<sup>8</sup> Nancy Zaroulis and Gerald Sullivan, *Who Spoke Up?: American Protest Against the War in Vietnam, 1963-1975*, Garden City 1984, 263; Helen Fein, *Congregational Sponsors of Indochinese Refugees in the United States, 1979-1981*, London 1987.

The connections between Central America and US congregations, particularly Catholic congregations, were also instrumental in the emergence of the movement. American religious communities took note of two particularly gruesome events in El Salvador, the killing of four American religious workers in El Salvador in 1980 and the assassination of Archbishop Oscar Romero of San Salvador that year, who had criticized the Salvadoran government and called for peace, earlier that same year.<sup>9</sup> Many sanctuary activists among Catholics and non-Catholics alike paid homage to his struggle for peace and commemorated his death.<sup>10</sup> But even these conditions were insufficient to muster a truly large number of participants for the sanctuary movement. Some Americans opted instead for other movements protesting the Reagan administration's Central America policy like Pledge of Resistance and Witness for Peace, which protested through demonstrations, sit-ins in Washington, D.C., and other events that raised awareness about the policy.<sup>11</sup> Unlike the governing bodies of most other mainline US churches, the National Council of Catholic Bishops never endorsed the movement.<sup>12</sup> Fundamentalist Christians either avoided the movement altogether or actively supported the Reagan administration's efforts.<sup>13</sup> There was thus by no means a unified Christian response to the Central American refugee crisis and to

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<sup>9</sup> Crittenden, *Sanctuary*, 87-89. Miriam Davidson, *Convictions of the Heart: Jim Corbett and the Sanctuary Movement*, Tucson 1988, 17.

<sup>10</sup> Virginia Escalante, "Housing Emigres Obeys God's Law, Church Contends," *Los Angeles Times*, November 17, 1983, LB1.

<sup>11</sup> Smith, *Resisting Reagan*, 70-86.

<sup>12</sup> At the time of the sanctuary movement, the American Catholic Church was organized both locally and nationally. The fundamental level of church jurisdiction was the diocese, a grouping of parishes under the authority of a bishop. Dioceses under the authority of an archbishop or cardinal (higher positions in the American hierarchy) were known as archdioceses. Nationally, bishops, archbishops, and cardinals met in the National Conference of Catholic Bishops (NCCB). Timothy A. Byrnes, *Catholic Bishops in American Politics*, Princeton 1991, 12-17. By the early 1980s, the conference was the largest it had ever been, with over 350 bishops. Edward K. Braxton, "American Bishops Meet," *America*, Vol. 146, No. 20, May 22, 1982.

<sup>13</sup> See, for instance, "Christians Oppose TV Evangelist's Aid to Right-Wing Groups in Central America," press release of Synapses, Inc., April 13, 1985; WHS, Records of the CRTFCA 1982-1992, M2004-170, Box 1, Folder 7.

US foreign policy in Central America, and the sanctuary movement must be understood as one among many Christian responses to these situations.

*“The most important place in the world”: Central America in Reagan’s Prosecution of the Cold War*

In 1980, Ronald Reagan unseated Jimmy Carter and succeeded him as the president of the United States. This election inaugurated a new era in American history marked by the ascendancy of conservatism in political life, and though Reagan was constrained in his ability to effect a significant rightward shift in domestic policy, his administration’s foreign policy largely fits contemporary American memory of him as committed to far right-wing policies. Reagan demonstrated his anticommunist *bona fides* by organizing support for the mujahidin fighting the Soviet occupation of Afghanistan and training and organizing Central American opposition to left-wing insurgencies and governments, in addition to several smaller military engagements.<sup>14</sup>

By aiding different parties in military conflicts around the world while refusing to commit American troops to these conflicts, Reagan continued what was known as the Nixon Doctrine, Richard Nixon’s policy in the late 1960s and early 1970s of fighting Communism by funding anticommunist forces abroad without directly risking American lives. Nixon expected American allies to fight their own wars with their own manpower, though the US could provide additional economic and military aid. Nixon had developed this policy in response to domestic opposition to the Vietnam War. The antiwar movement in the United States protested the government’s support for the Saigon government in South Vietnam and

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<sup>14</sup> Bruce W. Jentleson, “The Reagan Administration and Coercive Diplomacy: Restraining More Than Remaking Governments,” *Political Science Quarterly* 106 (Spring 1991): 58.



the large and rising death toll for American troops, and by mid-1973 Nixon had withdrawn virtually all American combat troops from Vietnam.<sup>15</sup> But Washington under Nixon and Gerald Ford continued to support the South Vietnamese, even expanding some fronts of the war, as in the secret bombing of Cambodia to eliminate Vietcong outposts in 1969. US support continued until Saigon fell to a North Vietnamese military offensive in 1975.<sup>16</sup> For years afterward, the country experienced the so-called “Vietnam syndrome,” a strong popular aversion among ordinary Americans to the use of US military force against countries around the world that Washington considered proxies of the Soviet Union.<sup>17</sup>

Reagan criticized many of Nixon’s policies, and many in the Reagan administration hoped to “cure” the Vietnam syndrome. In at least one way, however, the administration embraced Nixon’s legacy by effectively continuing the Nixon Doctrine in the form of a “rollback” policy. Neoconservatives—hawkish former Democrats who were virulently anticommunist—and others in Reagan’s White House team balked at Nixon’s policy of détente with the Soviet Union and believed that open and aggressive military force was necessary to check the threat of Soviet influence and world Communism.<sup>18</sup> Reagan emphasized that he would break from the traditional policy of “containment”—in which Washington prevented the spread of Communism outside of those countries in which it already existed—to one of “rollback.” Under the new policy, the United States, as the supreme military power and moral beacon among nations, would mount an aggressive campaign to shrink the size of the Communist world and eventually crush this system

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<sup>15</sup> Nancy Zaroulis and Gerald Sullivan, *Who Spoke Up?: American Protest Against the War in Vietnam, 1963-1975*, Garden City 1984, 403.

<sup>16</sup> *Ibid.*, 217.

<sup>17</sup> Sean Wilentz, *The Age of Reagan: A History, 1974-2008*, New York 2008, 153.

<sup>18</sup> *Ibid.*, pp. 51-52, 153.

altogether.<sup>19</sup> In reality, Reagan's approach was neither as revolutionary nor as aggressive as he claimed. The line between containment and rollback had always been ambiguous; the Eisenhower administration, for instance, expressed support for containment, but during the Korean War US-led UN forces pushed past the original border between North and South Korea, moving nearly to the Chinese border in an attempt to eradicate Communism in the Korean peninsula altogether.<sup>20</sup> And despite his aggressive militarist rhetoric, Reagan almost completely avoided deploying troops to any conflict during his presidency, instead favoring the Nixon Doctrine approach of fighting Communism through proxies, as he did in Afghanistan and Central America.

While the Reagan administration's aggressive rhetoric of rollback largely served as a rejection of Nixon's *détente* policy, it also repudiated the liberal human rights rhetoric of Reagan's presidential predecessor, Jimmy Carter. Carter, like Reagan, rejected the Nixon and Ford administrations' policy of *détente*, but he also rejected the rhetoric of Cold War militarism that Reagan would adopt in favor of a foreign policy based on human rights. Carter promised to conduct US relations with other nations on the basis of their respect for the rights of their citizens, though the realities of the international arena constrained his inability to do so.<sup>21</sup> Such an approach was anathema to the Reagan administration, and Jeane Kirkpatrick, a political scientist at Georgetown University who became Reagan's ambassador to the United Nations, provided an intellectual framework for Reagan's foreign policy that also expressed the differences between Reagan's and Carter's positions. In her writing, she revived a distinction between "authoritarian" and "totalitarian" states. In both types of state, the government restricted democracy and freedom through repression, but Kirkpatrick

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<sup>19</sup> Grandin, *Empire's Workshop*, 5-6.

<sup>20</sup> Max Hastings, *The Korean War*, London 1987, 138-142, 173.

<sup>21</sup> Wilentz, *The Age of Reagan*, 99.

considered the former to be amenable to eventual regime change. Totalitarian states like the Soviet Union, however, gripped by ideological fervor, simply could not move toward economic and political freedom and had to be opposed by force. The liberal internationalism of Carter was wildly optimistic, she said, and the only way for Washington to truly comport itself morally was to forcefully oppose evil totalitarian regimes.<sup>22</sup> Yet this attempt to distinguish Reagan's position from Carter's was just as problematic as the attempt to differentiate Reagan and Nixon. Though Kirkpatrick's view described a Carter whose myopic emphasis on human rights made him soft on Communism, human rights rhetoric implied an element of anti-Communism—he would deploy it, for instance, to criticize crackdowns on dissenters in the Soviet Union and the Eastern Bloc in early 1977.<sup>23</sup> Carter's foreign policy was also in many cases overtly anti-Communist. He supported the Shah of Iran, a staunch anti-Communist ally, in spite of human rights abuses in that country.<sup>24</sup> Rhetorical differences between Reagan and Carter thus exaggerated the substantive differences in their respective foreign policies.

Despite these ambiguities, the Reagan administration heavily pushed its aggressive rhetoric of militarism and anti-Communism, and it saw the opportunity to topple the leftist Sandinista regime, which took power in Nicaragua in 1979, and aid the Salvadoran and Guatemalan governments in fighting leftist insurgencies in those countries as the perfect occasion to take on Kirkpatrick's crusade against totalitarianism and implement rollback.<sup>25</sup> In the late 1970s and 1980s, Central America faced a slew of political and military crises affecting virtually the entire region. Leftist militants had risen up in El Salvador and

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<sup>22</sup> Grandin, *Empire's Workshop*, 73-78.

<sup>23</sup> Wilentz, *The Age of Reagan*, 106.

<sup>24</sup> *Ibid.*, 99-100.

<sup>25</sup> Grandin, *Empire's Workshop*, 110-112.

Guatemala in an attempt to overthrow these countries' military dictatorships, and the FSLN, or "Sandinistas," had successfully overthrown the Somoza dictatorship in Nicaragua and now faced a counterrevolutionary insurgency in the form of the "*contras*," a loose coalition of conservative and former regime elements. These conflicts emerged in the context of a long history of social inequality and civil unrest.<sup>26</sup> The Spanish conquest of Central America in the 16<sup>th</sup> century introduced a strict hierarchy in which landowners maintained their wealth and power through practices of violence toward and exploitation of largely indigenous agricultural laborers. Resistance by natives and peasants alternated with brutal repression by the elites. In the second half of the twentieth century, these conditions only worsened. Farmers came to devote more land to export crops than basic food, greatly increasing rural poverty and malnutrition. Changing agricultural practices also augmented the number of landless peasants. These factors, in combination with volatile commodities prices and earthquakes that struck Nicaragua and Guatemala in the 1970s, pushed the misery of most Central Americans passed the critical threshold. Religious, labor, and revolutionary groups who had been working to educate and organize peasants over the previous decades seized the opportunity, and civil war broke out in all three countries.<sup>27</sup>

The confrontation between Central American states and those calling for reform was not originally violent. It only became so when individuals calling for moderate reforms

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<sup>26</sup> The following paragraphs on Central America draw heavily on Smith, *Resisting Reagan*, 4-17.

<sup>27</sup> Though these conflicts emerged as a result of local conditions and not directly from instigation on the part of the United States, Washington did have a hand in producing these conditions in the first place. In the 19<sup>th</sup> and 20<sup>th</sup> centuries, for instance, US economic and political agents continually intervened in Nicaraguan affairs, culminating in an occupation of the country from 1912 to 1933. These interventions had profound effects on Nicaraguan economic, social, and political life, and while they did not always worsen the inequality or the lives of lower-class Nicaraguans, they did contribute to the instability that fed into the Sandinista revolt in late 1979. In addition, however, the United States set up a military force known as the Guardia Nacional to combat resistance fighters in the late 1920s and early 1930s. While it was not established to do so, the Guardia, often with US sponsorship, played a key role in undermining elected officials and helping the Somoza family rise to power in what became decades-long authoritarian rule of the country. Michel Gobat, *Confronting the American Dream: Nicaragua Under U.S. Imperial Rule*, Durham, NC, 2005, 1-17, 269-270.

were radicalized by state repression. Nicaraguan dictator Anastasio Somoza, for instance, responded to demands for reform with brutal violence, instructing National Guard troops to carry out random murder, looting, rape, and property destruction. As this violence intensified throughout the 1970s, Somoza's domestic and international supporters called on him to deescalate his repression and to resign, but he remained remarkably firm. FSLN rebels finally overthrew him in late 1979, but not before he ordered the bombing of Nicaraguan cities. The situation was similar in Guatemala and El Salvador. Since 1965, an insurgency had been fighting Guatemala's military junta, which had come to power in 1954 following the US-backed overthrow of a progressive civilian government. In El Salvador's 1972 election, right-wing candidate Arturo Molina stole the election from center-left reformist José Napoleón Duarte, imprisoning, torturing and exiling him and repressing protests with overwhelming violence. Dissidents, shocked and disillusioned by such brutality, increasingly turned to violent resistance to fight the government, which responded by increasing the intensity of its repression.

Each of these militant left-wing resistance movements emerged in the context of local economic, social, and political developments. Though Communists sometimes participated in them—they formed part of the Sandinista coalition, for instance, alongside other socialists and progressive capitalists and Catholics<sup>28</sup>—these insurgencies were not the result of Soviet influence or instruction. They were homegrown movements that shared the goal of ending government repression and violence and instituting egalitarian policies that would promote democracy and prosperity. Reagan and the neoconservatives, however, failed to take a nuanced view of the Central American rebels, seeing them simply as pro-Soviet Communists; their struggle appeared to Reaganites as a virus that, if left unchecked, would

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<sup>28</sup> Grandin, *Empire's Workshop*, 112.

spread throughout the region and eventually threaten the United States. This outlook first emerged on the neoconservative radar in 1980 when the Committee of Santa Fe, a conservative think tank-like organization formed shortly before the 1980 election, published a paper called “A New Inter-American Policy for the Eighties.” The paper portrayed the United States as on the wane in the face of an ascendant USSR and exhorted Washington to project its military power to confront this existential threat. Curiously, the paper focused especially on Central America, identifying it as “the most important place in the world” for American foreign policy, the region in which America needed to fight Communism most intensely.<sup>29</sup>

The Reagan administration moved quickly to adopt this view of Central America and make the region the centerpiece of its foreign policy. The White House organized a domestic and worldwide support network to ship arms to the Nicaraguan *contras*, enabling those groups more radically opposed to the Sandinistas to develop into a full-fledged, armed counterrevolutionary movement.<sup>30</sup> Washington directly trained some Salvadoran troops and also distributed manuals to them throughout the 1970s and 1980s explaining how to carry out effective psychological torture.<sup>31</sup> The United States had been providing similar funding for the Guatemalan military since the 1954 coup as well, and by the early 1980s these troops were a formidable killing machine capable of committing hundreds of civilian massacres in the span of a just over a year.<sup>32</sup> Central American refugees themselves testified to the US-backed violence they had observed in the countries. Many sanctuary churches in the US

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<sup>29</sup> *Ibid.*, 70-71.

<sup>30</sup> *Ibid.*, 113-115.

<sup>31</sup> *Ibid.*, 107.

<sup>32</sup> *Ibid.*, 109. In El Salvador, the ruling military junta also organized paramilitary groups unofficially known as “death squads” that carried out terrorism against Salvadorans without the burden of being officially associated with Salvadoran military forces. Cynthia J. Arnson, *Crossroads: Congress, the President, and Central America, 1976-1993*, University Park: The Pennsylvania State University Press 1993, 140-141.

interviewed the refugees under their care and recorded their accounts of the violence in Central America. The First Universalist Church of Minneapolis, for instance, recorded the story of Marlon Machado, a 22-year-old Salvadoran who, along with his mother had been imprisoned and tortured by the Salvadoran National Guard and whose father was murdered by the army.<sup>33</sup> Another refugee, Pedro Antonio Ramos, was a member of the Commission on Human Rights of El Salvador and fled the country in June 1983 and eventually found refuge in a sanctuary church in Tucson. In March 1983 the president of the Salvadoran Commission, Marianella García Villas, had been killed, the seventh in a string of the deaths of commission members believed to have been carried out by right-wing paramilitary groups or “death squads.” Ramos fled when friends informed him that the government would target him next. As he explained in an interview with the *Arizona Republic*, on behalf of the commission he “photographed thousands of corpses and helped families search for hundreds of missing and captured Salvadorans.” He was aware, too, that US support for the Salvadoran government facilitated the massacre of thousands and believed that were Washington to cut off its aid, the military junta would face “financial collapse” and “would be able to realize the necessity for a dialogue with the guerrillas.”<sup>34</sup> Ramos’ role in El Salvador and his time in the United States perhaps positioned him better than others to understand the connection between US aid and government-sponsored violence in El Salvador, but every refugee knew all too well the devastation brought upon the populations of these Central American nations, for which the United States was partly to blame. The total violence was staggering: Greg Grandin estimates that during Reagan’s eight years as

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<sup>33</sup> Personal Statement of Marlon Machado on Acceptance of Church Sanctuary, First Universalist Church of Minneapolis, February 3, 1985; WHS, Records of the CRTFCA 1982-1992, M93-153, Box 4, Folder 55.

<sup>34</sup> Dee Michaels and Andy Hall, “Q&A: Salvadoran Exile,” *The Arizona Republic*, September 2, 1984, C3.

president, his Central American allies killed over 300,000 people, tortured as many or more, and forced millions into exile.<sup>35</sup>

### *The American Religious Response to the Refugee Crisis*

Though the sanctuary movement was one of the most prominent and controversial responses by the American religious community to the Central American refugee crisis, it was only one among many ways people of faith chose to respond to the US role in that region. Two other social movements stand out alongside sanctuary as prominent examples of such dissent: Witness for Peace and the Pledge of Resistance. Witness for Peace began in 1983 and focused on Nicaragua. Lay and ordained religious workers began organizing trips directly to Nicaragua so that travelers could observe the civil war for themselves, and realizing that the Nicaraguan conflict was not as the US government described it. Those visitors returned to testify to what they had seen and tried to pressure the administration to change its *contra* policy. Over the course of the decade, over four thousand “delegates” flew to Nicaragua for Witness for Peace and returned to tell their stories.<sup>36</sup> Pledge of Resistance took a somewhat different tack. Led by Christian peace activists based at the Kirkridge Retreat Center in northern Pennsylvania, participants in this movement pledged to travel to Nicaragua in the event of a US invasion of that country and directly interfere with the invasion. Pledge activists eventually realized that such an invasion was unlikely, but they still carried out a number of acts of protest and civil disobedience.<sup>37</sup> As the decade progressed, the Pledge picked up steam and spread across the country. In early February, an estimated 42,352 Americans had signed the pledge, and the Summer 1986 *Pledge of*

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<sup>35</sup> Grandin, *Empire's Workshop*, 71.

<sup>36</sup> Smith, *Resisting Reagan*, 70-78.

<sup>37</sup> *Ibid.*, 78-86.



*Resistance Newsletter* included a calendar and map of Pledge actions from February to May of that year that listed 224 protest actions in 44 states and Washington, D.C.<sup>38</sup>

These were separate movements with distinct origins and organization, but because they shared political goals and were founded, organized, and sustained by religious Americans, there was some overlap among them. Though the Chicago Religious Task Force on Central America (CRTFCA) focused primarily on overseeing and coordinating the sanctuary movement, it participated in a number of other Central America peace activities as well, including Witness for Peace and the Pledge of Resistance. The Task Force supported, for instance, several Pledge actions in January 1983 and in an early February mailing affirmed its continued commitment to Pledge of Resistance. This same mailing referred to the “mutual support between the sanctuary churches and the Pledge of Resistance.”<sup>39</sup> And this claim did not simply reflect CRTFCA’s participation in both movements. In late January 1985, a national sanctuary convention took place in Tucson to discuss the movement and look to its future. Jim Wallis, the editor of the left-wing Protestant *Sojourners* magazine and one of the leaders of Pledge of Resistance, spoke at this event and encouraged attendees to sign the Pledge.<sup>40</sup> Moments like these indicate the existence of solidarity and even some overlap in participation between the different organizations constituting the US Central America peace movement.

The religious left was by no means the only segment of American Christians to respond to the Central American civil wars and refugee crisis. Conservative, evangelical,

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<sup>38</sup> CRTFCA mailing to “CD Pledge Signers,” undated; WHS, Records of the CRTFCA 1982-1992, M2004-170, Box 1, Folder 31. *Pledge of Resistance Newsletter*, Summer 1986, pp. 4-5, 8; WHS, Records of the CRTFCA 1982-1992, M2004-170, Box 1, Folder 31.

<sup>39</sup> CRTFCA mailing to “CD Pledge Signers,” undated; WHS, Records of the CRTFCA 1982-1992, M2004-170, Box 1, Folder 31.

<sup>40</sup> Kerry Ptacek, “Bringing the Revolution Home...,” *Newsletter of the Institute on Religion and Democracy*, March 1985, 4; WHS, Records of the CRTFCA 1982-1992, M93-153, Box 5, Folder 19.

and fundamentalist churches also became politically engaged with these issues, though to a large extent, their engagement took the form of criticizing the sanctuary movement. The March 1985 newsletter of the conservative Institute for Religion and Democracy, for instance voiced many of the Reagan administration's own criticisms of sanctuary—that Salvadoran refugees did not really qualify as refugees under international law, that they were instead economic migrants, that violence in El Salvador was on the wane, and so on. The newsletter also contained a column titled “Bringing the Revolution Home...” on the national sanctuary convention that had taken place in Tucson earlier that year. The column suggested that attendees were religious radicals willing to “undertake massive civil disobedience in the event of any escalation of U.S. military involvement in Central America primarily by occupying federal offices.” It also claimed that some sanctuary members hoped to “make the refugee community in the U.S. an arena for radicalizing Salvadorans before their return to El Salvador.”<sup>41</sup> This latter worry echoed what many conservatives feared and what a 1985 report by a conservative think tank known as the Council for Inter-American Security claimed: that the sanctuary movement sought to “spread Latin American ‘liberation theology’ (which maintains that Jesus Christ was a Marxist) to the North American religious community.”<sup>42</sup> Conservative religious critics generally saw the religious and humanitarian justifications for sanctuary as a façade that disguised sanctuary activists’ true, radical left-wing convictions and conspiracies. The conservatives oscillated between seeing Salvadoran and Guatemalan refugees as simple economic migrants who did not qualify as refugees and seeing nearly every refugee as an actual or likely “Marxist-Leninist” revolutionary whose radicalism threatened US efforts to quash “Communism” in Latin America as well as the

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<sup>41</sup> *Ibid.*, 4-5.

<sup>42</sup> “The Sanctuary Movement: Revolution Walking Across Our Border,” *West Watch: A Report on the Americas and the World*, April/May 1985, 1; WHS, Records of the CRTFCA 1982-1992, M93-153, Box 5, Folder 19.

security, prosperity, and freedom of the United States itself. In this view, sanctuary workers appeared to be irresponsible law-breakers helping non-refugees settle in the United States or dangerous radicals themselves, complicit in an assault on America and the free world.

In addition to vigorously criticizing the sanctuary movement, the Christian Right also actively supported the Reagan administration's Central America policy. Such political engagement was a relatively new phenomenon for American evangelicals. Traditionally they had preferred to stay aloof from American politics, but as the power of the federal government expanded after World War II and began regulating areas like public morality and abortion—areas in which the authority of religious leaders had previously been dominant—they began an active engagement in politics and became an important voting and support bloc for conservatives in the late 1970s and 1980s. Feeling that Jimmy Carter had not effectively promoted evangelical interests during his tenure as president, Christian Right organizations such as Jerry Falwell's Moral Majority and the Religious Roundtable rallied around Ronald Reagan in the 1980 election.<sup>43</sup>

Perhaps the greatest example of evangelical support for Reagan's Central America policy was the provision of material aid by the Christian Broadcasting Network (CBN) to the Nicaraguan *contras*. CBN was a TV broadcasting company owned by Pat Robertson, one of the leading evangelical personalities of the 1980s. In early 1984, the *Virginian-Pilot* ran a story indicating that CBN had been shipping goods to Central America for free, using Navy ships, a practice that was illegal without official Congressional approval.<sup>44</sup> Further details emerged over the course of the following year, and by mid-1985 it was clear that CBN had been supplying food aid to Nicaraguans and military aid to the *contras* to the tune of \$7

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<sup>43</sup> Robert Wuthnow, *The Restructuring of American Religion: Society and Faith Since World War II*, Princeton, 1988, 198-206.

<sup>44</sup> April Witt, "Navy ships CBN goods to Central America," *The Virginian-Pilot*, July 11, 1984, 1.

million. On *The 700 Club*, CBN's flagship religious talk show, Robertson had repeatedly requested that viewers contribute funds for these activities, which were known as Operation Blessing. CBN denied the claim that they had aided the *contras* and insisted its aid program was nonpolitical, but an anonymous administration official allegedly admitted that Operation Blessing had allowed the CIA to divert more funds to arming the Nicaraguan rebels.<sup>45</sup> A *Sojourners* article later pointed out that even CBN's food relief efforts were harmful; the way CBN distributed its food aid forced displaced Nicaraguans in Honduras to relocate to more areas closer to civil war conflict zones, and their precarious positions in these dangerous zones increased their dependency on this aid. *Sojourners* claimed, too, that funds raised for these purposes often went directly to the *contras* instead. The article also noted that CBN was not the only private organization aiding the *contras*; it included a table listing other organizations that had contributed millions of dollars to the rebels, including the World Anti-Communist league and Friends of the Americas, a Baton Rouge-based aid organization founded by Louisiana Representative Louis Jenkins that operated on the Nicaragua-Honduras border.<sup>46</sup> All these organizations were in fact part of the Reagan White House's public-private support network for Central American policy that included other religious organizations like Sun Myung Moon's Unification Church, businessmen, drug traffickers, private security firms, ex-military men, and even states like Saudi Arabia and Taiwan.<sup>47</sup> CBN's Nicaraguan aid operation was thus quite political, enmeshed as it was in a network centered in Washington and Reagan's administration.

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<sup>45</sup> Press release for Synapses, Inc., "Christians Oppose TV Evangelist's Aid to Right-Wing Groups in Central America," April 13, 1985; WHS, Records of the CRTFCA 1982-1992, M2004-170, Box 1, Folder 7.

<sup>46</sup> Vicki Kemper, "In the Name of Relief," *Sojourners*, October 1985, 8-10.

<sup>47</sup> Grandin, *Empire's Workshop*, 115.

The religious right and left mobilized the most enthusiastic responses to the Central American refugee crisis, but moderates and other religious individuals of complex political affiliations engaged with the crisis as well. Catholic bishops constituted one of the most interesting such groups. Their stance on these matters is difficult to classify as strictly left-wing, liberal, or conservative. In some ways, this ambiguity is not surprising; throughout the 20<sup>th</sup> century, many bishops had mixed conservative opinions on some social issues with “liberal” attitudes about economic and social justice, and their stance toward sanctuary largely reflected this history.<sup>48</sup> Whether or not they endorsed sanctuary efforts on behalf of refugees (which were potentially illegal), many bishops supported “extended voluntary departure” for Salvadorans, a form of safe haven in the United States that did not grant the refugees asylum but allowed them to remain in the United States nonetheless.<sup>49</sup> They remained divided over whether sanctuary was an appropriate response to the crisis, however, and many shied away from it because they believed it illegal.<sup>50</sup> This aversion to civil disobedience and a sympathy for the refugees’ plight often produced complex and creative responses among the bishops, as with Archbishop John Mahony of Los Angeles, who favored strong support for Central American refugees but refused to endorse sanctuary and rejected any suggestion that he was “liberal.”<sup>51</sup> Positions like Mahony’s indicate that religious responses to sanctuary encompassed a wide variety of attitudes and strategies, many of which did not easily fit a simple left-right model of political engagement.

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<sup>48</sup> Timothy A. Byrnes, *Catholic Bishops in American Politics*, Princeton 1991, 35-43.

<sup>49</sup> Crittenden, *Sanctuary*, 201-202.

<sup>50</sup> George Volsky, “U.S. Churches Offer Sanctuary to Aliens Facing Deportation,” *The New York Times*, April 8, 1983, A16.

<sup>51</sup> John Dart, “Mahony, New Archbishop for L.A., Sees the Church as 'Voice' for Rights,” *The New York Times*, July 18, 1985, OC\_A4.

## *Sanctuary Emerges*

Before Southside Presbyterian's declaration in Tucson of public sanctuary in early 1982, religious-based refugee work there lacked a coherent intellectual framework. Individuals like Jim Corbett and his colleague, Southside pastor and sanctuary co-founder John Fife, simply observed the suffering and struggles of the Salvadoran and Guatemalan refugees arriving from Mexico and did all they could to help them. Initially, their charisma and enthusiasm and the support of their religious communities sustained their work. Both men were part of the Tucson Ecumenical Council (TEC), a coalition of 60 churches in the Tucson area, which organized some of the earliest refugee aid in the country. In addition to providing food and shelter to refugees when possible, as early as 1980 the TEC began working with the Manzo Area Council, a private agency that helped undocumented Hispanics deal with their immigration difficulties. The Manzo council and the TEC worked together to help bail Salvadoran refugees out of detention and attain court hearings over their refugee status, though the work was grueling and ineffective at preventing most deportations.<sup>52</sup>

Jim Corbett worked with TEC but was very much a loner. Before joining the TEC's efforts, he wrote two letters to Quakers and other people of faith informing them of the Central American refugee crisis and urging them to take steps to aid the refugees.<sup>53</sup> He made a trip to a detention center in Southern California to see how Salvadoran refugees were being treated, and after joining up with the TEC, he made several exploratory trips south of the border. During the summer of 1981, Corbett traveled to Nogales in the Mexican state of Sonora and convinced Father Ramón Dagoberto Quiñones to help move Central American

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<sup>52</sup> Crittenden, *Sanctuary*, 31, 40.

<sup>53</sup> *Ibid.*, 31, 40.

refugees across the border. Throughout the movement Corbett himself made border runs to aid this process.<sup>54</sup>

Late in 1981 Immigration and Naturalization Services (INS), the federal agency that oversaw immigration and refugee matters, informed the TEC that they might be indicted for their work, and after considering various responses to this warning, the Tucson group decided to go public. Until this point they had been quietly providing for the basic needs of the refugees, but they decided that publicizing their work and embracing the centuries-old church tradition of sanctuary would strengthen their position *vis-à-vis* the government. The provision of church sanctuary was a practice that emerged in the Middle Ages that allowed fugitives from the law to take refuge in a church building and remain immune from apprehension or prosecution as long as they stayed there. The practice was recognized by both medieval European canon law and, as late as the 18<sup>th</sup> century, by English common law as well. Sanctuary largely died out as a legally recognized practice after this period, but the Tucson group traced its legacy through later, similar practices carried out by religious individuals, most notably the Underground Railroad of the US antislavery movement that smuggled southern slaves to freedom in the north.<sup>55</sup> Even more recently, as part of the antiwar movement during the Vietnam years, churches ranging from Boston to Honolulu gave sanctuary to soldiers who refused to deploy to Vietnam.<sup>56</sup> This most recent iteration of sanctuary was not very widespread, but TEC had both a long tradition and recent memory to draw on as they adopted sanctuary as their working model. They would house, feed, and otherwise assist Central American refugees in full view of the media and the government.

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<sup>54</sup> *Ibid.*, 49-54.

<sup>55</sup> *Ibid.*, 62-63.

<sup>56</sup> Zaroulis and Sullivan, *Who Spoke Up?*, 263.

The Tucson group became the most famous and influential center of sanctuary activity, but the TEC cannot claim full ownership of the origins of the movement. Sanctuary activity arose independently in several other locations along the US-Mexico border as well. In 1981, as the TEC was moving from less controversial refugee work to a public sanctuary model, other churches in Southern California were considering taking the same step.<sup>57</sup> Southern California church sanctuary workers, however, never developed much independent leadership in the movement, and they generally cooperated with and deferred to the Tucson activists. But sanctuary work also emerged independently in Texas, and Texan sanctuary activists worked to a large extent independently of Tucson's influence and authority. In March 1983, for instance, the Catholic diocese of Brownsville opened Casa Oscar Romero, a shelter for Central Americans in nearby San Benito. Casa Oscar Romero was never a declared sanctuary, but two of its workers, Jack Elder and Stacey Merkt, were tried (twice in Merkt's case) for violating immigration laws in their sanctuary work.<sup>58</sup> Bishop John Fitzpatrick of Brownsville was also supportive of sanctuary, though he never explicitly endorsed the movement. He once paid \$27,000 of his own money for bail for Merkt and Elder, and he testified in their defense of sanctuary workers.<sup>59</sup>

As the network of sanctuary churches quickly expanded from its southwestern epicenter and spread across the country in 1982, the TEC soon found that it lacked the resources to coordinate sanctuary activity at such a large scale. To help with coordinating refugee placement and sanctuary establishment, Corbett and Fife recruited the Chicago Religious Task Force on Central America (CRTFCA), a coalition of various religious-based

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<sup>57</sup> Crittenden, *Sanctuary*, 63-64.

<sup>58</sup> "Bishop's Sanctuary Work Draws Heat," *The Los Angeles Times*, March 2, 1985, B5. Robert Reinholds, "Churches and U.S. Clash on Alien Sanctuary," *The New York Times*, June 28, 1984, A1, A16.

<sup>59</sup> María Cristina García, *Seeking Refuge: Central American Migration to Mexico, the United States, and Canada*, Berkeley 2006, 209n88.



organizations that had formed several years earlier in response to the killing of four American religious workers in El Salvador. CRTFCA's first act was to organize Chicago's Wellington Avenue Church of Christ as a sanctuary.<sup>60</sup> The practice spread a bit slowly at first: at the end of 1982, Corbett estimated that the TEC had helped 350 refugees into the country (a measly tenth of a percent of undocumented Salvadorans who had entered the United States at the time), and Fife claimed that fifteen churches around the country of various denominational affiliations had declared themselves sanctuaries. Support for the movement quickly spread, however. By August 1983, the sanctuary movement had already received official endorsements from national religious organizations like Clergy and Laity Concerned and the national bodies of several Christian denominations, including mainline Protestant bodies like the Presbyterian Church USA, the United Methodist Church, and the United Church of Christ, and other Christian groups like the American Friends Service Committee, the Mennonites, and the Unitarian Universalists.<sup>61</sup> In June 1987, CRTFCA claimed that 393 churches and synagogues had declared themselves sanctuaries, a group that included Jews, Catholics, and many mainline Protestant denominations.<sup>62</sup>

But with this increased activity came increased scrutiny, and on January 10, 1985—shortly after Ronald Reagan's reelection—an undercover INS investigation of the movement culminated in the delivery of indictments to sixteen sanctuary workers, including Fife, Corbett, and other key Tucson sanctuary workers and TEC members.<sup>63</sup> The federal government had charged them with a variety of crimes related to illegally helping the

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<sup>60</sup> Crittenden, *Sanctuary*, 87-91.

<sup>61</sup> Detroit Sanctuary Project Mailing, August 16, 1983; Bentley Historical Library, Episcopal Church, Diocese of Michigan Records, 1830-2001, Box 17, Folder: Latin American Refugee Issues and Peace Movement 1983-85.

<sup>62</sup> CRTFCA flyer, June 1987; Walter P. Reuther Library, Organization in Solidarity with Central America Records, Box 3, Folder 6.

<sup>63</sup> Crittenden, *Sanctuary*, 192-193.

refugees, most notably conspiracy to smuggle refugees into the country.<sup>64</sup> Judge Earl H. Carroll, who presided over the trial, strongly influenced the shape the trial would take. He forbade the sanctuary activists from defending their actions on the basis of their moral or religious commitments and made it impossible for them even to mention that Washington might have failed to live up to refugee law or mistreated refugees.<sup>65</sup> Still the trial dragged on well into 1986, and while it returned convictions for most of the accused, their punishments were light. (Jim Corbett, remarkably, was found not guilty of all charges.)<sup>66</sup> Despite worries that the trial would irreparably damage the movement, the number of sanctuaries nationally continued to climb for several years, though the strength and centrality of the Tucson group did diminish after the trial.<sup>67</sup> The trial also highlighted philosophical issues that had plagued the movement since its inception. Was the provision of sanctuary primarily a humanitarian act, or was it better understood as political protest? Was it a form of civil disobedience made permissible by fidelity to a higher, religious law, or could it be considered in fact to be legal? Sanctuary workers around the country could not settle on an answer to these questions, and to some extent the TEC and the CRTFCA represented two philosophical poles in the movement. Differences between these two groups had become intense by late 1984 and were threatening to divide the movement, and the 1985 indictments and the show of solidarity they prompted were likely the only factor that prevented a major split.<sup>68</sup>

The CRTFCA understood the practice of sanctuary as a highly politicized and even radical activity. Conscious of the variety of understandings of sanctuary that had proliferated

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<sup>64</sup> Wayne King, "9 Plead Not Guilty in Tucson to Smuggling Illegal Aliens," *The New York Times*, January 24, 1985, A10.

<sup>65</sup> Crittenden, *Sanctuary*, 232-233.

<sup>66</sup> *Ibid.*, 322-323, 336.

<sup>67</sup> "Despite Prosecutions, the Sanctuary Movement is Still Vital, Growing, Its Activists Insist," *The Los Angeles Times*, July 11, 1987, A5.

<sup>68</sup> Crittenden, *Sanctuary*, 202-204.

during the first years of the movement's existence, the Task Force at one point put together a document summarizing its own philosophy of sanctuary as well as the TEC's. According to this document, the CRTFCA understood sanctuary work as "choosing to side with refugees fleeing U.S. sponsored violence of El Salvador and genocide in Guatemala" through "massive resistance," one component of which was churches "deciding to break immigration law." In other words, the CRTFCA saw sanctuary work as illegal, as a form of civil disobedience. Though it considered its guiding principle "solidarity with the people of Central America," the Task Force saw its work less in "humanitarian" than in political terms. The document expressed sanctuary work as a monumental clash between religious Americans and the US government, and as such seeing sanctuary as a form of political disobedience became even more important to the CRTFCA.<sup>69</sup> In this view, the public nature and even radicalism of breaking the law made sanctuary appear a more powerful tool than it would if simply understood in humanitarian terms, that is, as a means of providing aid to suffering refugees without challenging government policy in illegal or otherwise subversive ways.

Though the TEC also acknowledged the political dimension of sanctuary work, it preferred instead to emphasize a legal and more humanitarian understanding of the practice of sanctuary. Jim Corbett was particularly devoted to this interpretation, and he took up the task of explicating his philosophy in "The State, the Law, and the Sanctuary Movement," an essay he wrote in mid-1985. Corbett attempted in this essay to deconstruct the dilemma of choosing between religious law and earthly law, arguing that it is both a legal and a religious

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<sup>69</sup> CRTF analysis of various definitions of sanctuary, undated; Wisconsin Historical Society, Records of the Chicago Religious Task Force on Central America 1982-1992, M93-153, Box 4, Folder 61.

imperative for faith communities to offer sanctuary and that these two domains did not in fact make use of separate logics and jurisdictions.

Corbett opened by forcefully laying out that dilemma faced by most participants in sanctuary: congregations who participated in the movement “consider the practice of sanctuary to be integral to the practice of their faith. The U.S. Justice Department considers it to be a criminal conspiracy.”<sup>70</sup> Corbett noted that congregations join the practice of sanctuary “because this is fundamental to human decency and to the practice of prophetic faith,” and that as a result legal questions are an “afterthought.” But failure to consider the legal dimensions of sanctuary put sanctuary participants at a disadvantage, ceding ground to the federal government and courts and allowing the government and courts to knock out one of the central supports of the movement. Indeed, Corbett did not question the legality of sanctuary; for him, if “migrant Salvadorans and Guatemalans are refugees rather than ‘illegal aliens’”—and he did not doubt they were—“then we are obliged by international law to protect them from the officials who are capturing and returning them.” He believed that the “right to protect war victims and the persecuted is a practice of our Covenant faith that is established by the existing body of humanitarian and human rights law.” By claiming this right, Corbett also emphasized the fundamental agreement between religious and legal justifications for sanctuary. This concordance was important to his message, but because his audience already enjoyed the confidence endowed by their religious convictions, he devoted this essay to the legality of sanctuary, ultimately contending that it was not only permissible but also incumbent on communities of faith to practice sanctuary.

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<sup>70</sup> Jim Corbett “The State, the Law, and the Sanctuary Movement,” May 8, 1985; Wisconsin Historical Society, Records of the Chicago Religious Task Force on Central America 1982-1992, M2004-170, Box 2, Folder 5.

To bolster this claim, Corbett was careful to reiterate his view of the state of affairs that necessitates the practice of sanctuary in the first place: the Salvadoran and Guatemalan governments' reign of terror against its own citizens that forces them to seek asylum to the north and the United States' complicity in this violence. He summed up his view succinctly:

*During recent months, refugees have surged out of El Salvador. They report massacres by the military that are beyond anything previously suffered. Most of these mass murders are perpetrated by aerial attack in areas that are now free-fire zones. The idea is to use military assault to uproot the people and then to force the survivors into "model villages" under strict military supervision. The process is called "pacification." It has become the Pentagon's final solution to the Third World problem.<sup>71</sup>*

Salvadorans, according to Corbett, suffered from a joint effort by the governments of El Salvador and the United States to eliminate domestic opposition to the government through the use of brutal military force. On this understanding, anyone who fled this situation was clearly a refugee, someone who "has 'a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group, or political opinion,'" according to the UN Refugee Protocol that Corbett cited.<sup>72</sup> Moreover, his use of the phrase "final solution" tied the situation in Central America to the events that spawned the Refugee Protocol in the first place, namely, the war crimes of World War II, including the Nazi genocide of the Jews. Corbett drew this connection more than once, early on rooting the principle of sanctuary in "the Nuremburg principles [that] were declared almost 40 years ago" and arguing later that, if "unchecked, military pacification of the Third World is likely to become as murderous as the death camps." By nearly equating the Holocaust with US

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<sup>71</sup> Emphasis in the original.

<sup>72</sup> UN General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, United Nations, Treaty Series, vol. 189, p. 152, available at: <http://www.unhcr.org/refworld/docid/3be01b964.html> [accessed 19 December 2011].

policy in Central America, Corbett drove home the urgency of aiding Guatemalan and Salvadoran refugees and of changing US policy in the region.

He also devoted several pages to debunking the Reagan administration's own justifications for its deportation of Salvadoran. He identified three main defenses offered by the government: that, because Mexico could grant refugees asylum, their trips to the United States were for economic, not political, reasons; that deported Salvadorans suffered no persecution upon their return to El Salvador; and that, since El Salvador was now a democracy—in July 1984 Salvadorans elected a Constituent Assembly to draft a new constitution in anticipation of new elections—its gross human rights violations were “a thing of the past.”<sup>73</sup> As for the first defense, Corbett contended that Mexico did not in fact grant asylum to Salvadorans and that, as a non-signatory to the UN Refugee Protocol, there was no way to make it do so. Moreover, he suggested that the US may have even been paying Mexico to deport Salvadorans and thereby saving Washington the trouble of doing so itself. He dismissed the government's labeling of the refugees as economic migrants as “ridiculous,” noting that there was plenty of readily available evidence to bolster their claims to refugee status. Finally, he argued that the Mexico argument was a “false issue,” as “nothing in the law permits the U.S. government to return refugees who have resided in or crossed other countries, nor does the fact that refugees have economic needs alter their status as refugees.” He responded similarly to the government's other two defenses of its policy, arguing that the administration's attempts to show that returned refugees did not face persecution were a “calculated fraud” and that while El Salvador had taken small steps

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<sup>73</sup> On the election of the Constituent Assembly, see Stephen Kinzer, “Guatemala Picks Assembly Today,” *The New York Times*, July 1, 1984, p. 9.

toward democracy, it remained a military-backed dictatorship that continued to terrorize the population.

After arguing that US policy violated international refugee law, Corbett attempted to demonstrate that the “crisis of legitimacy” this violation created forced the burden of enforcing international law on individuals and communities of faith. “All of us,” he declared, “are in a position to check it [military pacification of the Third World] right here at home, where it confronts us in the presence of refugees who need to avoid capture. And, whatever our insensitivities, our churches and synagogues are leading the way by providing sanctuary.” Everyone, from individuals to states, is answerable to international law, and when one institution (the state) fails to enforce these laws, “[p]rophetic witness is then the community’s only nonviolent way to hold the state accountable—which means that it is then up to the church<sup>74</sup> to serve as the community’s institutional foundation for complying with humanitarian and human rights law.” With this bold claim, Corbett established a continuity between the political-legal and religious realms. International refugee law for Corbett embodied principles that accord with both secular, humanistic sensibilities and religious obligations. All institutions and individuals must uphold these principles, and when the state fails to do so, the church is “next in line” to establish institutional support for the law. According to this interpretation, then, individuals and communities who gave sanctuary did not need to choose between their religious and legal obligations; the two were identical.

Most strikingly, Corbett concluded by arguing that, given the forgoing claims, sanctuary was not a form of civil disobedience as conventionally understood. Rather,

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<sup>74</sup> By “church,” Corbett did not refer to any one Christian denomination or even Christianity as a whole. He explains: “Adherents of the prophetic faith enter into a community covenant to become a people that hallows the earth with peace and justice. (Christians sometimes call this covenant people ‘the church’, [*sic*] and it is this generically ecumenical useage that I have been contrasting with ‘the state.’” This definition allows him to include all Christians as well as Jews in “the church.”

sanctuary was “*categorically distinct*” from civil disobedience, and “[a]s community with the persecuted, *sanctuary is the foundation for socially creative peacemaking that is significant measure outside the range of civil disobedience.*”<sup>75</sup> Sanctuary was not the violation of laws but the fulfillment of international law that lacks adequate institutionalization in the state. Through this creative definition, Corbett capped off his argument for the legality of sanctuary and the coincidence of the religious and legal obligations of sanctuary participants. In a rhetorically skillful final sentence, Corbett declared these points “clear but superficial” and exhorted his readers “to go deeper,” to explore the relationship of sanctuary religious community and law.

Inventive and persuasive though his arguments may be, Corbett was only one participant in sanctuary, and he was always something of an idiosyncratic loner (and proudly so). That he felt the need to justify the legality of sanctuary and announce that it was not civil disobedience shows that these were contested claims. As a symbol, sanctuary was not totally defined, and different participants understood their actions in different ways. However, Corbett remained a significant and respected figure in the movement throughout the 1980s, and his amateur philosophy and legal theory no doubt resonated with many who chose to take on the practice of sanctuary.

### *Conclusion*

The sanctuary movement emerged in the early 1980s thanks to a convergence of external and internal factors. The long postcolonial history of Central America produced the conditions for civil war in the 1970s and 1980s, prompting hundreds of thousands of refugees to seek asylum in the United States. US involvement in these wars meant that the arrival of

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<sup>75</sup> Emphasis in the original.



these refugees was not just a humanitarian crisis but a “return of the repressed” for the Reagan administration, a sign of the violence and destruction in which the administration were complicit. Drawing on centuries-old church traditions and more recent examples in American history, many religious individuals across the country formed a movement to oppose Reagan’s policy in Central America and to advocate just treatment of Central American refugees in the United States, developing the sanctuary movement, Witness for Peace, and the Pledge of Resistance. Sanctuary activists faced stern criticism and resistance from religious and secular conservatives and from the Reagan administration, but they persisted in their activism throughout the decade.

Despite the prominence of Protestants like Corbett and Fife in the movement, American Catholics also played a central role in sanctuary work throughout this decade-long endeavor. A Redemptorist priest, Father Ricardo Elford, worked with John Fife from the earliest days of sanctuary. Darlene Nicgorski of the School Sisters of St. Francis was one of the most vocal and radical of the sanctuary activists working out of Tucson. Father Ramón Quiñones, a priest in Nogales, Mexico, helped refugees on their way across the border to the Tucson group. And this strong representation of Catholics among the Tucson activists and their closest associates mirrored Catholic work in the sanctuary movement more broadly. Priests, religious, and lay Catholics joined the movement with an enthusiasm and a willingness to challenge religious and government authorities that were unprecedented in American Catholic history. Their work would constitute a creative response to the politics of the moment, but they would draw on radical Catholic traditions stretching back to the early 20<sup>th</sup> and even 19<sup>th</sup> centuries to mount their challenge to secular and religious authority.

## II

### “My Actions Were Morally Compelled”

#### *American Catholic Activists in the Sanctuary Movement*

One of the most remarkable features of the sanctuary movement was its ecumenism, its ability to draw together a variety of American Catholics, Protestants, and Jews to support Salvadoran and Guatemalan refugees. The Tucson Ecumenical Council included Quakers, Presbyterians, Catholics, Methodists, and other Protestants, and as early as the end of 1982, Fife estimated that fifteen Catholic, Lutheran, Presbyterian, Methodist, Episcopalian, Unitarian, and Quaker congregations had become sanctuaries.<sup>1</sup> But this expression of interdenominational and interreligious unity could also obscure the differing reasons that prompted individuals and groups to join the sanctuary movement. Jews and Christians, for instance, were likely motivated by broadly different factors to become involved, and even among Christians, different people chose to join the sanctuary movement for a variety of reasons. Catholics were especially driven by dynamics within the Catholic Church and within the history of American Catholic social engagement in the twentieth century. Catholics were also some of the most significant players in the movement. Among the founders of the Chicago Religious Task Force on Central America (CRTFCA) were several Catholic groups or ecumenical groups with a strong Catholic presence, including Clergy and Laity Concerned and the National Coalition of American Nuns.<sup>2</sup> Moreover, Catholics consistently represented one of the largest groups participating in sanctuary. By mid-1987, almost a quarter of the nearly 400 congregations that had declared themselves as public

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<sup>1</sup> Ann Crittenden, *Sanctuary: A Story of American Conscience and the Law in Collision*, New York 1988, 100.

<sup>2</sup> *Ibid.*, 88.

sanctuaries were Catholic. And, of course, Catholicism played a significant role in the Central American context as well. Church officials were one of the primary targets of state-sponsored violence in Central America, and virtually all of the refugees were themselves Catholics, all of which made the crisis a concern of the global Catholic Church.<sup>3</sup> Given this prominence, it is clear that a grasp of the dynamics of Catholic sanctuary work is essential to understanding the movement as a whole.

The centrality of America Catholics to the sanctuary movement is even more surprising given that, in an earlier era of American history, Catholics would not have been likely to take part in this sort of social engagement at all. Prior to the mid-20<sup>th</sup> century, the majority of American Catholics lived in ethnically isolated urban immigrant communities. Their interest in political engagement did not extend beyond local affairs in which bishops protected the interests of their embattled flocks, which faced anti-Catholic hostility in a majority-Protestant society.<sup>4</sup> On the question of war and other divisive national issues, to a large extent bishops adhered to a “superpatriotic” philosophy, consistently siding with federal policy and against civil disobedience to demonstrate that Catholicism and American citizenship were not at odds.<sup>5</sup> It was not until the second half of the 20<sup>th</sup> century and especially after the liberalizing reforms of the Second Vatican Council in the early 1960s that American Catholics began to dissent in large numbers from dominant views on American patriotism and Catholic piety and venture *en masse* into social engagement and political protest, so that even the sanctuary movement in the 1980s was still experimental, an

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<sup>3</sup> Christian Smith, *The Emergence of Liberation Theology: Radical Religion and Social Movement Theory*, Chicago 1991, 22; Crittenden, *Sanctuary*, 201-202.

<sup>4</sup> Timothy A. Byrnes, *Catholic Bishops in American Politics*, Princeton 1991, 11.

<sup>5</sup> *Ibid.*, 12-17.

opportunity for Catholics to work out practices and justifications of social and political engagement.

Though the sanctuary movement was a creative response to a troubling political and humanitarian crisis, in these acts of creativity Catholic sanctuary activists drew on a significant tradition of socially conscious thought and practice that reached back to the 19<sup>th</sup> century but was particularly evident beginning in the 1960s. In fact, two strands of Catholic social engagement—a pacifist, antiwar tradition, represented by Dorothy Day’s Catholic Worker movement and the Catholic Left of the Vietnam Era, and Catholic social work on issues related to race, ethnicity, and immigration ongoing since the 1940s—came together in the 1980s and found a powerful synthesis in sanctuary work. But the Vietnam-era Catholic Left was the most recent ancestor of Catholic sanctuary work, and as such it exercised the greatest influence over the form of Catholic sanctuary work and structured the ways these other historical currents found expression in this work. This influence found expression in Catholic sanctuary activists’ emphasis on anti-militarism and their willingness to challenge the authority of both church and state, in what they saw as an effort to push both to return to the foundational principles from which they had strayed. In doing so, Catholics not only sought success in the political realm but also often turned to their own institutions, criticizing the church on matters related to sanctuary as well as other issues of ecclesiastical life.

### *Progressive and Radical Roots*

Although progressive and left-wing Catholic social movements only began to flourish in the 1960s, the historical forces undergirding these movements began as far back as the 19<sup>th</sup> century. The nineteenth-century American Catholic world was dominated by “ultramontanism,” a an international Catholic revival movement that increased the authority

of the Vatican and enriched the lives of Catholic institutions like schools and churches. As the movement swept through the United States, Mass attendance increased, and the American Church saw a greater focus on Vatican-approved devotions and a growth in religious vocations. And while American Catholic political engagement has always taken diverse forms, the atmosphere created by the ultramontane revival shaped the dominant form that such engagement took at the time. Ultramontanism was characterized politically by its strong “anti-liberal” or “anti-modern” stance. In an America dominated socially and culturally by liberal Protestants, many Catholics saw themselves as pitted against the rest of society, defending the Catholic values of community, religious hierarchy, and obedience against the corrosive influence of liberal individualism.<sup>6</sup> This anti-liberalism lies at the root of the view that the American Church at this time was especially conservative or reactionary, and this stance often did produce a climate hostile to progressive causes. Very few American Catholics, for instance, were abolitionists, and those who were faced harsh criticism from their fellow Catholics.<sup>7</sup> But the political significance of ultramontanism was more complex, and the importance of community resulted in stances that contemporary observers might see as left leaning. Ultramontane anti-liberalism also implied a rejection of “laissez-faire” economic policies. For instance, *Rerum Novarum*, a papal encyclical issued in the early 1890s, drew heavily on a social vision that endorsed unions as means of protecting the working classes as well as government intervention in the economy to ensure good wages. Some American bishops, taking this vision to heart, supported Catholic unionism in the late 19<sup>th</sup> century.<sup>8</sup> Rather than see these two faces of ultramontanism as contradictory, nineteenth-century American Catholics saw them as a direct consequence of their faith.

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<sup>6</sup> John T. McGreevy, *Catholicism and American Freedom: A History*, New York 2003, 12-13.

<sup>7</sup> *Ibid.*, 43-67.

<sup>8</sup> *Ibid.*, 127-132.

Though it may have been difficult to neatly label these stances, they all sprang from a commitment to the Catholic community and a reject of liberal Protestantism.

A new strand of progressive Catholic thought took shape in the early 20<sup>th</sup> century. Though the church remained conservative with respect to certain social issues like sexuality and tended to orient Catholic life around religious education and devotion, many bishops and priests began developing social teachings that emphasized concern and care for the poor and called for a more just economic order.<sup>9</sup> Initially the bishops led these initiatives. In February of 1919, the newly formed National Catholic Welfare Council—the first national body of any kind established by the American church hierarchy—published its *Program of Social Reconstruction*, a letter calling for progressive economic policies in the wake of World War I. The letter, authored by Monsignor John A. Ryan, who would later head the NCWC’s social action department, called for a national labor board, public works, a minimum wage, social insurance, and other related policies.<sup>10</sup> Priests and lay Catholics quickly took on a similar sort of social activism. The Catholic Action movement, promoted by the papacy and left-leaning American priests in the 1930s, encouraged lay Catholics to observe and evaluate their environment in relation to the gospel and to act accordingly. In the United States, adherents to the Catholic Action method began to promote progressive social positions, supporting labor unions and pushing Notre Dame university to admit black students, all while emphasizing the importance of a strong Catholic spiritual life. The American version of Catholic Action, an international movement, was unique in its particularly strong emphasis on the independence of laity within the American Church.

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<sup>9</sup> Byrnes, *Catholic Bishops*, 25-27.

<sup>10</sup> *Ibid.*, 26.

This current of social justice work that emerged in American Catholicism after World War I encompassed a wide variety of practices, some of which were more radical than others. Some work by practitioners of Catholic Action may have been considered radical, but another radical trend emerged in the 1930s with the birth of Dorothy Day's Catholic Worker movement. The movement was established in 1933 when Dorothy Day, a former left-wing political activist and recent Catholic convert, and Peter Maurin, a French Catholic immigrant, began selling a newspaper called *The Catholic Worker*. The paper espoused service and charity for the poor and advocated love and pacifism. A network of "houses of hospitality" quickly grew up on the basis of this philosophy. Catholic Workers who joined these houses opted for lives of voluntary poverty and pacifism in which they served the poor, homeless, and unemployed. Thanks largely to Dorothy Day's charisma, this radical Catholic movement grew to a national scale and has endured to this day.<sup>11</sup> In some ways, the Catholic Worker movement was less of a departure than it appeared at first. Dorothy Day hoped, according to James T. Fisher, "to transform the Catholic wariness of industrial capitalism from nascent theory into a permanent religious counterculture—a 'sign of contradiction' to the secularizing individualism she had grown so disillusioned with in the years prior to her conversion."<sup>12</sup> In this reaction to liberal capitalism and individualism, Day's project bore an unlikely resemblance to the ultramontane anti-liberalism of the 19<sup>th</sup> century. But the importance of pacifism in the movement also set an important precedent for Catholic radicalism in the decades to come. Emerging after one world war and on the eve of another, the Catholic Worker movement rejected all forms of war, and antiwar and anti-militarist

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<sup>11</sup> Jay P. Dolan, *The American Catholic Experience*, Garden City 1985, 409-412.

<sup>12</sup> James T. Fisher, *The Catholic Counterculture in America, 1933-1962*, Chapel Hill: The University of North Carolina Press 1989, xiv.

stances would be essential to left-wing Catholic activism in the 1960s and 1970s as well as to Catholic sanctuary activism in the 1980s.

Because of the incorporation of progressive and radical views into Catholic teaching and practice from above and below, the next several decades saw an increase in Catholic social engagement. From the 1930s to the 1950s, a network of racial justice organizations began to develop among American Catholics that emphasized a biracial approach to problems of segregation and discrimination. Catholic interracial councils sprang up in dozens of cities in the north and south as priests and laity worked to improve race relations, in part by converting members of Chicago's black neighborhoods. These efforts forced the workers to confront the race- and class-based injustices with which their potential converts lived daily, and as such work received a boost from the broader civil rights movement of the 1950s and 1960s, many priests went on to work on other racial justice issues, such as fair housing. In an era in which racism were still large problems in the American Church and American society more broadly, these interracial councils' work in challenging structures of segregation and discrimination was truly radical. It represented both an increasing acceptance by Catholics that their faith might have profound consequences for social action and an expansion of that action into work with new social justice issues.<sup>13</sup> The interracial councils were also part of a larger story of racial justice work that spanned the country and included both African Americans and Latin Americans. Mexican Americans and other Latin Americans also benefited from the turn to racial justice work that took place in the 1940s and 1950s as Catholics built health clinics and community centers, joined public housing efforts, and raised awareness and support for unionization of Latin American farm and factory workers. Latin Americans also continued to face and prejudice and discrimination from

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<sup>13</sup> Dolan, *The American Catholic Experience*, 369-371.



Catholics, but the racial justice work of the mid-20<sup>th</sup> century nonetheless represented a significant development in Catholic social action.<sup>14</sup>

Some of the most notable figures in the mid-century story of Catholic racial justice work were the nuns who joined the “racial apostolate” of the early 1960s. These “new nuns,” as Amy Koehlinger has referred to them, profiting from a burst of education and vocational training in the 1950s, abandoned their isolated, socially disengaged “religious apostolate” and joined the civil rights work of the 1960s by aiding poor, inner city black communities, which became more segregated and poorer as white families moved to the suburbs.<sup>15</sup> The work was difficult and funding always tenuous, though the nuns often took advantage of funding provided by President Lyndon Johnson’s War on Poverty programs. Despite these difficulties, the racial apostolate marked both another important step in the story of Catholic social engagement and a shift in the internal structures and self-consciousness of the church itself. As their racial justice work waned at the end of the decade, the nuns began to look inward, criticizing the racism and sexism they saw embedded in the church itself. They sought greater authority and autonomy for themselves, relative to priests and bishops. Their engagement with the civil rights movement allowed them to reconfigure their religious lives and their religious and personal self-understandings.<sup>16</sup>

Though it preceded the church reforms of the 1960s, the flourishing racial apostolate of these “new nuns” signaled a new kind of Catholic social engagement that gained support from the Second Vatican Council (1962-1965), often known as Vatican II. Under the auspices of Pope John XXIII and, after his death, Paul VI, the council called together

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<sup>14</sup> *Ibid.*, pp. 371-378.

<sup>15</sup> Amy Koehlinger, *The New Nuns: Racial Justice and Religious Reform in the 1960s*, Cambridge, MA, 2007, 1-12.

<sup>16</sup> *Ibid.*, 232-240.

Catholic bishops from around the world to discuss and implement church reforms in order to “modernize” the Church. The Council produced sixteen main documents spanning a variety of topics, from liturgical reform that changed the language of the Mass from Latin to the vernacular to a greater emphasis on ecumenism and the importance of religious freedom.<sup>17</sup> Vatican II was the most important and influential event in the Catholic Church in the 20<sup>th</sup> century and thus had far-ranging effects on all aspects of Catholic life, but one of its most important consequences lay in the way its reforms made the American Church more “democratic.” For the first time, individual conscience became one of the major sources of religious authority for Catholics worldwide. The Vatican II documents recognized that Catholics’ understanding of religious truth was incomplete and constantly evolving. Though Catholics were still subject to the authority the Pope and other bishops, they could now look to their own consciences as another way to understand their faith and its social and political implications. “As a result of the Council,” argues American historian Jay P. Dolan, “Catholics acquired the authority to dissent.”<sup>18</sup>

Many Catholics were quick to take advantage of this newfound freedom. On October 25, 1965, roughly one hundred Christian and Jewish clergy organized a forum in New York City to discuss the war in Vietnam and formed a group they called Clergy Concerned About Vietnam. The organization, which would subsequently rename itself Clergy and Laity Concerned About Vietnam (CALCAV), criticized the Vietnam War through the 1960s and 1970s from a moderate religious viewpoint. CALCAV had difficulty attracting the support of the American hierarchy, but Catholics played a prominent role in the organization from the beginning. Many clergy participating in the October 1965 forum were Catholics, and

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<sup>17</sup> Dolan, *The American Catholic Experience*, 424-425.

<sup>18</sup> *Ibid.*, pp. 425-426.

among CALCAV's key founders—Rev. Richard Neuhaus, Fr. Daniel Berrigan, and Rabbi Abraham Heschel—the first would later convert from Lutheranism to Catholicism, and the second, a Jesuit priest, would join his brother Philip in more radical antiwar actions as the decade wore on.<sup>19</sup> CALCAV wrote letters of protest to the Johnson administration, sponsored conferences, and organized protest marches, urging the federal government to seek peace in Vietnam. Catholic voices continued to be important throughout the movement. Fr. John B. Sheerin, editor of *Catholic World*, rebuked those of his co-religionists who supported the war.<sup>20</sup>

Much of CALCAV's strength lay in its consistently moderate position—the organization never called for anything more radical than a ceasefire and only endorsed legal means of protest—but this stance masked ideological tensions in its ecumenical coalition. As the war dragged on and more CALCAV members felt that a cautious antiwar stance was inadequate, the organization began to split between those who wished to remain moderate and those who favored more radical tactics.<sup>21</sup> Though this split never tore the organization apart, it did threaten its strength, and by the late 1960s and early 1970s, many members would go on to a variety of new projects. The careers of its leadership reflected this diversification. Richard Neuhaus, for instance, distanced himself from Clergy and Laity Concerned (as the group renamed itself) in the early 1970s, and as a Catholic he later became something of a religious “neoconservative.”<sup>22</sup> Participation in a liberal antiwar

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<sup>19</sup> Mitchell K. Hall, *Because of Their Faith: CALCAV and Religious Opposition to the Vietnam War*, New York 1990, 14. George Weigel referred to Neuhaus as a Catholic in his essay, “The Neoconservative Difference: A Proposal for the Renewal of Church and Society,” 138, in Mary Jo Weaver and R. Scott Appleby (ed.), *Being Right: Conservative Catholics in America*, Bloomington 1995.

<sup>20</sup> Hall, *Because of Their Faith*, 39.

<sup>21</sup> *Ibid.*, 80, 102-103.

<sup>22</sup> *Ibid.*, 166; George Weigel, *The Neoconservative Difference: A Proposal for the Renewal of Church and Society*, 138, in Mary Jo Weaver and R. Scott Appleby, *Being Right: Conservative Catholics in America*, Bloomington 1995. According to Weigel, though Catholic neoconservatives are tied to political

movement did not necessarily mean CALC members would continue along the same political trajectory.

For other Catholics members of CALCAV, participation was a stepping-stone to more radical activism. Daniel Berrigan and his brother Philip, a fellow Catholic priest, were perhaps the most prominent example of this leftward shift. They and a relatively small network of other radical Catholics believed that their faith commitment required them to take more direct but still nonviolent action to protest the war. In late October 1967, Philip Berrigan and three compatriots broke into the Baltimore Customs House and poured blood on the selective service system's files. Berrigan was sentenced to six years in jail for this act, but while waiting for his appeal trial, both brothers, along with seven other Catholics broke into and burned the files of Selective Service Board #33 in the Baltimore suburb of Catonsville.<sup>23</sup> The "Catonsville Nine," as they came to be known, gained instant fame, and other radical Catholics targeted draft boards around the country in similar ways.<sup>24</sup> The "Catholic Left," as these religious radicals came to be called, remained small and isolated from both other radical Catholics and the secular left wing of the antiwar movement. Leading radical Catholics like Dorothy Day and the monk Thomas Merton hesitated to endorse actions like those of the Catonsville Nine, uncertain that the destruction of property was really nonviolent. At the same time, The Berrigans were themselves wary of allying themselves firmly with other groups in the antiwar movement, and the Catholic Left in general wanted to avoid that appellation in favor of the term "action community." They saw

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neoconservatives on the basis of their common rejection of anti-modernism and Communism, the Catholic variety emerges from a specifically religious context and hopes to make Catholicism an equal partner with secular actors in the conversation on how to think and act in the modern world. Weigel, "The Neoconservative Difference," 138-140, in Weaver and Appleby, *Being Right*.

<sup>23</sup> Murray Polner and Jim O'Grady, *Disarmed and Dangerous: The Radical Lives and Times of Daniel and Philip Berrigan*, New York 1997, 175-200.

<sup>24</sup> For a semi-autobiographical account of the Catholic Left of the 1960s and 1970s, see Charles A. Meconis, *With Clumsy Grace: The American Catholic Left 1961-1975*, New York 1979.

their work as springing not from left-wing political ideology but from an appropriate understanding of their faith.<sup>25</sup> Despite these divisions, the actions of the Catholic Left were prominent and left an indelible mark on American Catholic memory as yet another way that faith might prompt social action.

As the Vietnam War drew to a close in the mid-1970s and the antiwar movement faded, Catholic activists found a variety of new causes to take up. In the 1980s the Berrigan brothers founded the Plowshares Movement, an anti-nuclear weapons campaign.<sup>26</sup> Though its focus on Vietnam ended with the war, CALC lived on to join the fight for various other progressive causes. It, too, helped organize the nuclear freeze campaign to reduce and eliminate nuclear weapons worldwide and even joined the Central American peace movement as one of the founding organizations in Witness for Peace and in the Chicago Religious Task Force on Central America.<sup>27</sup> The sanctuary movement thus owed an organizational and ideological debt to predecessors in the Catholic Left and the antiwar movement.

### *The Catholic Left Lives Again*

When Rev. John Fife first became aware of the Central American refugee crisis, the first person he turned to for help in working out a response was Father Ricardo Elford, a Redemptorist Catholic priest who had moved to Tucson at about the same time as Fife and whose ministry focused largely on the poor. Elford helped Fife better understand the largely Catholic environment of the Mexican and Native American neighborhood in which they

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<sup>25</sup> Polner and O'Grady, *Disarmed and Dangerous*, 190, 169; Meconis, *With Clumsy Grace*, 88-89.

<sup>26</sup> For more on the Plowshares Movement, see Fred A. Wilcox, *Uncommon Martyrs: the Berrigan Brothers, the Catholic Left, and the Plowshares Movement*, New York 1991.

<sup>27</sup> Hall, *Because of Their Faith*, 168-169; Crittenden, *Sanctuary*, 88.

worked, and together they took on a variety of social reform projects through the 1970s to serve their congregants and their neighbors. Fife and Elford began by organizing a small prayer vigil for Salvadoran refugees on February 19, 1981, a founding event of sanctuary. From that moment on, Elford remained a central member of the Tucson group.<sup>28</sup>

A major factor influencing both Fife and Elford to take up sanctuary work was their interest in liberation theology, a theology developed by Latin American bishops and clergy that prioritized serving the poor and called for economic, social, and political changes that would bring an end to oppression and exploitation on the part of the state and upper classes. With its roots in the South American bishops' conference in Medellín, Colombia, in August and September of 1968 and in the writings of Peruvian theologian Gustavo Gutiérrez through the 1970s, liberation theology expressed a special concern for the poor and others at the bottom of the social hierarchy. It saw Christ as a radical and expressed a vision of the Church not as a defender of the status quo but a force for liberation, an instrument with which Christians and others might build a more just social and economic order.<sup>29</sup> Elford (and Fife) criticized the Reagan administration's policy and took on sanctuary work in large part because they did not want to see the practitioners of liberation theology crushed by the Central American conflicts, but it would be a mistake to see him or most other sanctuary activists as such practitioners themselves.<sup>30</sup> Much more important to the philosophy and practice of sanctuary for Catholics was the Catholic Left, a specifically American antiwar phenomenon whose guiding principles found wider circulation among the sanctuary activists

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<sup>28</sup> Crittenden, *Sanctuary*, 9-10.

<sup>29</sup> For a summary and analysis of the history of liberation theology in the Latin American context, see Christian Smith, *The Emergence of Liberation Theology: Radical Religion and Social Movement Theory*, Chicago 1991. For commentary on different liberation theologies in the United States, see Stacey M. Floyd-Thomas and Anthony B. Pinn (ed.), *Liberation Theologies in the United States: An Introduction*, New York 2010.

<sup>30</sup> Crittenden, *Sanctuary*, 25-26.

of the 1980s. Like their predecessors of the 1960s and 1970s, Catholic sanctuary workers were unafraid to engage in forms of protest considered illegal by many and certainly contrary to the wishes of the Reagan administration and other government actors.

The Catholic Left network roughly centered on the Berrigan Brothers had comprised a relatively small number of people, perhaps never more than 200 or so, but networks of Catholic sanctuary activists became much more expansive by the second half of the 1980s.<sup>31</sup> Nationally, Catholics represented one of the largest groups participating in sanctuary. In late 1986, several months after Judge Earl Carroll had handed down the sentences of Tucson trial, there were nearly 60 Catholic sanctuaries nationwide, and by June of the next year that number had increased so quickly that almost a quarter of the nearly 400 congregations that had declared themselves as public sanctuaries were Catholic.<sup>32</sup> Sanctuary work spread through all levels of the church as well, involving priests, religious, and lay Catholics. When the CRTFCA established Chicago's Wellington Avenue United Church of Christ as the city's first sanctuary, many Catholic priests around the country wrote in to express their support.<sup>33</sup> Many religious orders, especially the more liberal Maryknolls, Paulists, and Jesuits, supported the movement as well. The Jesuit magazine *America*, for instance, published articles and editorials in support of the TEC's sanctuary activists during the Tucson trial.<sup>34</sup> In some local contexts, Catholics were even more important. In southeastern Michigan, for instance, where the Michigan Interfaith Committee on Central American Human Rights

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<sup>31</sup> Meconis, *With Clumsy Grace*, xi.

<sup>32</sup> CRTFCA flyers, November 1986 and June 1987; Walter P. Reuther Library, Organization in Solidarity with Central America Records, Box 3, Folder 6.

<sup>33</sup> See, for instance, the letter from Rev. Lawrence J. Craig of the Catholic Chaplaincy Program in Chicago to the Chicago Religious Task Force on Central America, July 21, 1982, Wisconsin Historical Society (WHS), Records of the Chicago Religious Task Force on Central America (CRTFCA), 1982-1992, M93-153, Box 4, Folder 18.

<sup>34</sup> For example, Robert F. Drinan, "The Sanctuary Movement on Trial," *America*, Vol. 153, No. 4, August 17-24, 1985, 81-83.

(MICAH) began organizing sanctuary activity in Detroit in 1983, Catholics played a central role in sanctuary work from the beginning. By May of 1983, MICAH was seriously courting three Detroit churches to become sanctuaries, and on December 15, St. Rita's Catholic Church declared itself a public sanctuary as it agreed to sponsor a family of Salvadoran refugees.<sup>35</sup> According to a MICAH mailing that preceded the official declaration by several days, "St. Rita's Parish Council voted unanimously to declare sanctuary, basing their decision on an overwhelmingly positive survey response of their parishioners."<sup>36</sup> MICAH mailings also frequently listed sanctuary supporters in Michigan, and the strong representation of Catholics on this list alone reveal how deeply an openness to protest and civil disobedience had percolated into the Catholic community. The back of a flyer from the end of the decade listed in tiny type over one hundred Michigan organizations that endorsed the "Detroit Sanctuary Project." Catholic churches or church boards constituted about half of the 35 congregational supporters listed, and religious orders were numerous enough to receive their own subsection on the list.<sup>37</sup> Even if only a handful of individuals at each Catholic sanctuary truly sustained the sanctuary work there, these lists suggest that in the state of Michigan alone, those who formed the hard core of Catholic sanctuary activists equaled or surpassed in number the several hundred core members of the Vietnam-era Catholic Left .

All of these Catholics, including those who worked on the front lines of the movement by helping refugees cross the border or providing sanctuary themselves as well as

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<sup>35</sup> Jeanie Wylie, "The Underground Railroad," *The Metro Times* 3, no. 13, April 28-May 12, 1983, 24-25. Unlabeled document enclosed in a letter from Larry Cohen, director of MICAH, to Lois Leonard, December 27, 1983, Bentley Historical Library (BHL), Episcopal Church, Diocese of Michigan Records, 1830-2001, Box 17, "Latin American Refugee Issues and Peace Movement 1983-85."

<sup>36</sup> MICAH mailing, December 12, 1983, BHL, Episcopal Church, Diocese of Michigan Records, 1830-2001, Box 17, "Latin American Refugee Issues and Peace Movement 1983-85."

<sup>37</sup> Sanctuary Sabbath Sunday flyer, Walter P. Reuther Library (WPRL), Organization in Solidarity with Central America Records, Box 3, Folder 6.



those who supported sanctuary work verbally or financially, carried on the legacy of the Catholic Left in part because of their willingness to defy the law. Father Tony Clark, a firebrand of the Tucson group who worked at the church of the Sacred Heart in Nogales, Arizona, was one of the best representatives of this attitude among sanctuary activists. Clark began his work with refugees through standard legal channels, filing paperwork that initiated asylum requests for various refugees who had been detained by INS. When this work not only failed to bear fruit but also resulted in the disappearance of each refugee he was attempting to help, he felt compelled to turn to sanctuary activism. In 1982, Clark helped turn Sacred Heart into the United States' first Catholic sanctuary church of the decade, offering refugees who had crossed the border a resting place on their way to Tucson.<sup>38</sup>

Whether Clark's sanctuary work constituted illegal activity was a difficult matter of law that was not apparent at the time—recall, for instance, the dispute between the TEC and the CRTFCA over the question of sanctuary's legality—but the jury of the 1985-86 Tucson trial viewed it unfavorably, handing down a decision that found Clark guilty of harboring illegal immigrants.<sup>39</sup> But Clark did not concern himself primarily with the legality of his acts. Aware that he may well have been breaking the law, he persisted in his efforts and criticized those who fretted over the legal status of sanctuary work. In 1986, for instance, shortly after his conviction, Clark criticized a 1983 document produced by the American Catholic hierarchy that found the practice of sanctuary illegal under American law. Clark called the bishops conference “a bunch of cowards,” disappointed that they had not addressed moral reasons for sanctuary work that might conflict with legal considerations.<sup>40</sup> His criticism did not necessarily challenge the actual findings of the report that sanctuary may have been

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<sup>38</sup> Crittenden, *Sanctuary*, 83-86.

<sup>39</sup> *Ibid.*, 323.

<sup>40</sup> Susan Hansen, “Convicted nun scores bishops on sanctuary,” *National Catholic Reporter*, May 16, 1985, 5.

illegal. What troubled him was that the legal dimension of the issue seemed to be the only dimension with which the bishops were concerned, and he was disappointed that the moral obligations of their faith did not prompt the bishops to a fuller consideration of justifications for and implications of the sanctuary movement. In the spirit of the Catholic Left and like many of his fellow Catholics sanctuary activists, Clark found that when his faith conflicted with the law, his obligation to faith came first. His moral commitment as a Catholic took priority over what he understood as flawed government policy.

The supreme importance Catholic sanctuary activists gave to the moral obligations of their faith did not mean that they were somehow not truly American. In fact, many Catholic sanctuary activists believed that their protest against US foreign policy and immigration policy was at the same time a commitment to principles of American law and to the letter of American law itself. In 1986, for instance, the Jesuit Refugee Services/USA, funded in part by the Sisters of Notre Dame de Namur, released an informational brochure explaining the sanctuary movement and the Jesuits' participation in it. The brochure encouraged its readers to help the refugees in whatever way they could and noted that "the national office of the Jesuit Refugee Service/USA has been authorized by the 10 U.S. Jesuit Provincials to 'collaborate with the sanctuary movement to the extent possible,'" which entailed "trying to disseminate information about the situation in Central America, the plight of Central Americans in the United States, and 'The Sanctuary Movement.'" Alongside this expression of support for sanctuary, the brochure also tried to explain what might motivate Catholics and others to join the movement. It presented the practice of sanctuary as fundamentally "an expression of human compassion for fellow human beings in need," again prioritizing moral considerations, but it went on to note the political valence of sanctuary work as well. "Some

congregations,” it stated, “have declared themselves to be sanctuaries because they believe that, as citizens of the United States, they share in the responsibility for the military, political, and economic violence prevalent in Central America.” As a result, such congregations had two goals: “1. to work for change in U.S. policy which they believe to be in violation of the United Nations Charter, international law and the laws of the U.S. and 2. to assist the victims of U.S. policies.”<sup>41</sup>

Though the brochure avoided endorsing these views outright by attributing them to “some congregations,” its presentation of them without any competing views suggests some sympathy on the Jesuits’ part with these judgments emphasizing the concordance of moral principle with international and American legal obligations—even in opposition to the authorities’ application of the law. While sanctuary work, in this vein, stemmed from ostensibly apolitical norms of “human compassion,” it nonetheless had a political valence and political consequences. Sanctuary workers might understand themselves both as good Catholics and Christians and as US citizens who could influence government policy by urging the Reagan administration to fall in line with its legal obligations, as the activists understood them. And as with their predecessors in the Vietnam-era Catholic Left, the central plank of Catholic sanctuary activists’ stance was their opposition to US foreign policy and specifically to US involvement in wars in foreign countries. As both good Catholics and good Americans, sanctuary Catholics considered it their responsibility to nudge US policy in the “right direction,” because they felt culpable for the immoral acts of their own government.

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<sup>41</sup> “Sanctuary is the ‘Inn’ Thing!”, Jesuit Refugee Services/USA mailing on the sanctuary movement, August 1986; WHS, Records of the CRTFCA, 1982-1992, M93-153, Box 5, Folder 27.

The spread of this Catholic Left sensibility among American Catholics meant that many lay Catholics also participated with enthusiasm in sanctuary work. If priests and religious often led the charge into sanctuary activism, lay Catholics were the ground troops of the sanctuary movement. They voted in parish councils on whether to turn their churches into sanctuaries, and they formed the bulk of congregations that took Salvadoran and Guatemalan refugees into their care. Often they simply followed the direction established by their pastors, who chose whether or not to raise sanctuary as an issue in their congregations, but sometimes lay Catholics assumed responsibility for organizing and directing sanctuary projects themselves. Catholic Worker houses were some of the most notable lay Catholic organizations to take on sanctuary work.<sup>42</sup> And the occasional court case elevated some lay Catholics to national prominence. Jack Elder directed Casa Oscar Romero, a halfway house for Central Americans operating in San Benito, Texas, and run by the Diocese of Brownsville, and he was tried for his involvement in the sanctuary movement twice; he was acquitted in 1985 at the conclusion of his first trial but soon after was convicted along with his Casa Oscar Romero colleague Stacey Merkt of transporting Salvadoran refugees into the United States.<sup>43</sup>

Although most of the organized opposition to Catholic sanctuary work came from parts of the American hierarchy or from non-Catholics, lay Catholics occasionally distinguished themselves by criticizing or protesting Catholic sanctuary activity. Individuals and small groups who found sanctuary work particularly odious sometimes took it upon

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<sup>42</sup> Day House, a Catholic Worker community in Detroit, provided a representative example. See *On The Edge: A Catholic Worker Newspaper*, Summer 1983, Vol. 8, No. 3; BHL, Episcopal Church, Diocese of Michigan Records, 1830-2001, Box 17, "Latin American Refugee Issues and Peace Movement 1983-85."

<sup>43</sup> "Jury in Texas Acquits Sanctuary Worker of Transporting Salvadoran Refugees," *The Los Angeles Times*, January 25, 1985, B18; "Sanctuary Workers Guilty of Assisting Illegal Aliens," *The Los Angeles Times*, February 21, 1985, A1.

themselves to say so publicly and to discourage Catholic groups from endorsing or joining the movement. In the early 1980s, for instance, Mark Rising, a “third-year law student,” wrote a letter to the Calvert House in Chicago before this small Catholic organization voted on whether to support the Wellington Avenue Church’s decision to become a public sanctuary. He strongly discouraged the Calvert House members from doing so, framing all of the refugees as former “insurrectionists” and “terrorists,” the “shielding” of whom “might...only encourage more terror and murder (by both sides) in El Salvador.” He considered a vote for sanctuary a sympathy vote for Salvadoran “Marxists,” which might send the message that Calvert House approved of the “socio-political system or policies offered by the Marxist insurrectionists in El Salvador.”<sup>44</sup> Rising echoed much of the conservative rhetoric on the Salvadoran situation expressed by the Reagan administration, but he also made it clear that he was reacting to what he perceived as an abuse of Catholic authority and an unjustified expansion of Catholics’ jurisdiction into the political realm. His conservative attitudes were not a consequence of his faith but a limit on what he allowed his faith to imply. But whatever its significance, Rising’s voice alone meant little; Calvert House voted to endorse Wellington’s sanctuary action.<sup>45</sup>

In Brownsville, Texas, a Catholic named Mike Rodriguez organized a larger scale stand against sanctuary work in the area. Rodriguez felt that the support for the sanctuary movement by the local bishop, John Fitzpatrick, was illegal and unacceptable. Fitzpatrick’s diocese ran Casa Oscar Romero (which was not, however, a declared sanctuary), and Fitzpatrick himself testified in the trial of Jack Elder and Stacey Merkt. Feeling that

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<sup>44</sup> Letter from Mark Rising to the Chicago Calvert House, undated; WHS, Records of the CRTFCA, 1982-1992, M93-153, Box 4, Folder 18.

<sup>45</sup> Letter from Beth Maschinot, spokesperson for the Catholics of Social Change of Calvert House, to the CRTFCA, undated; WHS, Records of the CRTFCA, 1982-1992, M93-153, Box 4, Folder 18.

Fitzpatrick's sanctuary support essentially constituted support for illegal alien smuggling, Rodriguez organized a group called Citizens Concerned for Church and Country, which was "opposed to the church mixing in politics." During Elder and Merkt's pretrial hearing, the group picketed outside the courthouse. They also placed an ad in several local newspapers calling on local residents to sign a petition calling on the Vatican to investigate Fitzpatrick and his superior, Archbishop Patrick Flores of San Antonio.<sup>46</sup> As with Mark Rising's efforts, the protests appeared to have little to no effect. Rodriguez also shared with Rising the belief that his church should not involve itself in politics. Lay Catholic opposition to sanctuary thus appears to have sprung from a more cautious views about the relationship between religion and politics. Whether they supported the Reagan administration's policies in Central America or not, lay Catholic opponents of sanctuary shared the belief that Catholics should not make their faith the basis of their political decisions. Even more importantly, however, Catholics like Rising and Rodriguez represented yet another face of the expansion of religious liberty brought about by Vatican II. The council's emphasis made it possible for lay Catholics to challenge priests and bishops from both the left and the right. Rodriguez was, after all, a lay Catholic militating against several local bishops, and even this small step likely would not have been possible before Vatican II. The Council opened up a space in which ordinary Catholics could dissent from the opinions of their bishops and assert their own notions of the limits of proper Catholic behavior and authority. The dissent of ordinary Catholics often may have been as impotent as Rodriguez's was, but this space for dissent nonetheless allowed for the possibility of more powerful forms of protest to break through, as it did through the sanctuary movement.

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<sup>46</sup> "Bishop's Sanctuary Work Draws Heat," *The Los Angeles Times*, March 2, 1985, B5.

Issues of race and ethnicity also colored much of sanctuary activism, since Catholic sanctuary work continued a tradition of Catholic social engagement with issues of race and immigration. When the Rev. William T. O'Connor of St. Basil Church wrote to the CRTFCA in support of the recent sanctuary declaration of Chicago's Wellington Avenue United Church of Christ, he repeatedly expressed the "support and appreciation" of the "Spanish-speaking members" of his parish.<sup>47</sup> And St. Basil was not the only instance of a predominantly Hispanic-American congregation expressing strong sanctuary support; for many churches, ethnic and national ties served as strong motivators to support or participate in sanctuary work. That virtually all Central American refugees were Catholic meant, of course, that all American Catholics had a special relationship to the refugee crisis, and Latino and non-Latino Catholics alike acknowledged these connections as they worked to help their coreligionists. But as in the Saint Basil case, ethnic and national connections between American congregations and refugees often served as an extra motivation to join the sanctuary movement.

National and ethnic connections did not necessarily guarantee extra enthusiasm for sanctuary, however, and in some instances religious, ethnic, and national ties interacted in complex ways that both strengthened support for sanctuary and worked against it. One such instance played out in Father Luis Olivares' Our Lady Queen of Angels Church in Los Angeles. Father Olivares was himself a model progressive Catholic who had devoted much of his career to serving Latino communities in the American Southwest. He had worked with Cesar Chavez's United Farm Workers labor movement in the 1970s and the United Neighborhoods Organization in LA, and he presided over a largely Latino congregation that

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<sup>47</sup> Letter from Rev. William T. O'Connor of St. Basil Church to the Chicago Religious Task Force on Central America, July 21, 1982; WHS, Records of the CRTFCA, 1982-1992, M93-153, Box 4, Folder 18.

informally counted over 100,000 families in Los Angeles. He counted among his heroes Oscar Romero, the Mexican revolutionary Emiliano Zapata, and the Nicaraguan revolutionary Augusto Sandino, after whom the Sandinistas named themselves. And in late 1985, Olivares opened a new chapter in this activism by declaring Our Lady of Angels, also known as the Old Plaza Church, a public sanctuary. Though his superior, Archbishop Roger M. Mahony, refused to endorse or reject the sanctuary declaration for fear of entangling himself in a politically divisive debate, Olivares took Mahony's toleration of the project as a form of approval nonetheless and called it "heroic because of the risk of his being misinterpreted." According to Olivares, the Old Plaza Church had been functioning as an "informal sanctuary" for several years, counseling Central American refugees in the area and offering shelter to hundreds.<sup>48</sup> Our Lady Queen of Angels even sponsored a visit in late 1986 from Arturo Rivera y Damas, Oscar Romero's successor as Archbishop of San Salvador, during which the archbishop stressed his belief that sanctuary for Central American refugees was more important than ever.<sup>49</sup>

But sanctuary did not find full support even in the Olivares' predominantly Latino parish. Olivares commented in an interview with the *Los Angeles Times* that some of his parishioners, usually "people from Cuba, Costa Rica, and sometimes Nicaragua," expressed "negative reactions" to the idea of sanctuary, seeing the movement as "excessively political and feel[ing] the church is not the right place for it."<sup>50</sup> A number of factors may have underlain these unfavorable attitudes toward sanctuary. Washington granted Cuban and

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<sup>48</sup> Marita Hernandez, "The Priest and the Power," *The Los Angeles Times*, July 7, 1986, B1, B6; Smith, *The Emergence of Liberation Theology*, 34-35.

<sup>49</sup> John Dart, "L.A. Church Declares Itself a Sanctuary," *The Los Angeles Times*, December 6, 1985, OC\_A6; Russell Chandler, "Salvadoran Archbishop on Hand as Church Marks a Year as Sanctuary," *The Los Angeles Times*, December 13, 1986, A1, A3.

<sup>50</sup> John Dart, "L.A. Church Declares Itself a Sanctuary," *The Los Angeles Times*, December 6, 1985, OC\_A6.



Nicaraguan refugees asylum with much greater frequency than it did Guatemalan and Salvadoran refugees, and Cuban or Nicaraguan parishioners may have disliked a movement that might challenge their home countries' favored refugee status.<sup>51</sup> Another *LA Times* article noted that one Nicaraguan member of Olivares' parish was an "exile... whose father was a member of the Somoza regime."<sup>52</sup> It is uncertain what this individual thought of the sanctuary movement, but this article indicates that some of the Nicaraguan parishioners may have had class-based ties to the toppled Nicaraguan dictatorship or to other Central American elites, and their class interests or political allegiances may have superseded any ethnic or linguistic solidarity they felt with the refugees. Sharing a common language or ethnicity was not sufficient to predict whether Latinos in the United States would support aiding Central American refugees through sanctuary work; the intersection of these factors with class and political affiliations complicated this support and divided opinion among Latinos in the United States.

*Darlene Nicgorski: A Successor to the "New Nuns"*

Easily the most prominent Catholic in the sanctuary movement was Sister Darlene Nicgorski, a US-born Franciscan nun and one of the most passionate members of the Tucson sanctuary group. Years prior to her sanctuary activism, Nicgorski had worked as a missionary in Izabal, Guatemala, and there she observed the murder of her pastor, Father Tulio Marruzzo, by the government. She subsequently moved to Chiapas, Mexico, to help Guatemalan refugees there and heard from them more stories of government-sponsored terror

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<sup>51</sup> Crittenden, *Sanctuary*, 20-21.

<sup>52</sup> Mercedes Lynn de Uriarte, "Central American Join Celebration," *The Los Angeles Times*, December 25, 1983, J9.

against Catholic leaders and others.<sup>53</sup> Upon returning to the United States in 1982, she read up on Central America to better understand her experiences and became involved in sanctuary work as a result. In time, Darlene Nicgorski became one of the greatest advocates and defenders of sanctuary as civil disobedience, but she did not limit her criticism to the realm of American politics. As with the “new nuns” of the 1960s, Nicgorski’s activism also gave her the opportunity to challenge patriarchal structures within the church and the domination of the church hierarchy.

Understanding her own sanctuary activism as “morally compelled” and “consistent with [her] religious beliefs,” Nicgorski was unafraid to draw clear and controversial political conclusions from her faith commitment. She used her sentencing statement during the Tucson trial to highlight the stories of those suffering in Central America and of the refugees in the United States, and she did not hesitate to defend her sanctuary work as civil disobedience. Unlike Jim Corbett and many others in the Tucson group, Nicgorski believed that her sanctuary work was in fact illegal. Rather than understanding this fact as a liability, she saw it instead as a consequence of her fidelity to Catholic moral principles. She argued that laws were “not to be absolutized” and claimed dissent as a prophetic activity. “Often times,” she noted, “the legal system lags behind ‘the sense of right and justice’ as expressed by the community.” Believing the 1980s to be one of those times, she affirmed that her ultimate loyalty was to God and to the suffering, and she was willing to flout obedience to the law.<sup>54</sup>

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<sup>53</sup> Darlene Nicgorski’s sentencing statement, read on July 1, 1986, to the Federal Court in Tucson, AZ, before Judge Earl H. Carroll, 1-3; WHS, Records of the CRTFCA, 1982-1992, M93-153, Box 4, Folder 65.

<sup>54</sup> Darlene Nicgorski’s sentencing statement, read on July 1, 1986, to the Federal Court in Tucson, AZ, before Judge Earl H. Carroll, 9; WHS, Records of the CRTFCA, 1982-1992, M93-153, Box 4, Folder 65.

In other ways, Nicgorski was heir to the legacy of the “new nuns.” Amy Koehlinger has argued that one consequence of the racial apostolate was to turn nuns inward to their own communities, focusing on fighting patriarchal structures within the church and domination by the church hierarchy. Darlene Nicgorski was clearly a product of this more independent, feminist turn. Just as the feminist turn of the “new nuns” resulted from work in the racial apostolate, Nicgorski’s own turn to feminism and a critique of patriarchy in the church did not stem directly from experiences of sexism and discrimination but from her sanctuary work. As she explained to the *Boston Globe*, “Most victims in the Honduran and Mexican [refugee] camps are women and children. Most people in the underground railroad are women. Most who have accompanied the refugees on their nighttime desert treks are women.”<sup>55</sup>

These observations led her to observe patriarchal structures in her sanctuary activism and in the Catholic Church as well. She resented and spoke out against the excited press coverage of the Tucson group’s white, male leaders. She noted that while many in the Tucson group and most among the sanctuary grassroots in Tucson were women, the media fixated on Fife, Corbett, and other men.<sup>56</sup> Nicgorski also felt free to criticize the American hierarchy’s response to the refugee crisis. In a May 1986 interview with the *National Catholic Reporter*, she condemned the report by the U.S. Catholic Conference (USCC), one of the governing bodies of the American Church, which emphasized the illegality, as the bishops saw it, of the sanctuary movement and refused to endorse the movement.<sup>57</sup> Such criticism was part of a more general critique of the hierarchy, but in the United States and in

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<sup>55</sup> Ross Gelbspan, “An Activist Recalls the Roots of Her Effort,” *Boston Globe*, January 10, 1987, 2.

<sup>56</sup> Crittenden, *Sanctuary*, 285-286.

<sup>57</sup> Susan Hansen, “Convicted nun scores bishops on sanctuary,” *National Catholic Reporter*, May 16, 1985, p. 5.

the Vatican, and her feminist activism picked up quickly following the trial. *Ms.* magazine, a leading feminist publication, named her one of its “women of the year” in January 1987.<sup>58</sup> In February 1988, she wrote an article for the *National Catholic Reporter* called “Catholic Women on a Collision Course with the Vatican,” the “inside stories” of “13 valiant women challenging the church.”<sup>59</sup> She consistently criticized the church for failing to give women decision-making authority and declared Catholic women “the most oppressed women of any denomination or church.”<sup>60</sup> By locating the origin of these feminist views in her sanctuary work, Nicgorski connected both currents of her political engagement. She saw the suffering and oppression of Central American women refugees and the disempowerment of American Catholic women as both stemming from patriarchal structures in American religion. For Nicgorski, to critique only the bishops’ reluctance to endorse sanctuary or Church patriarchy was insufficient. These two issues were intimately related, and Nicgorski believed they needed to be addressed together.

### *Conclusion*

The sanctuary movement was thus in many ways a creative continuation of progressive and radical trends that had emerged decades earlier in the American Catholic Church. Continuing to explore the new political expressions of their faith made possible by Vatican II, Catholic sanctuary activists renewed and expanded the work of the Catholic Left. Protesting religious and political authority, sanctuary Catholics continued a tradition of antiwar protest that also drew together Catholic concerns about racial justice and immigration

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<sup>58</sup> “Despite Prosecutions, Sanctuary Movement Is Still Growing, Vital, Its Activists Insist,” *The Los Angeles Times*, July 11, 1987, A5.

<sup>59</sup> Darlene Nicgorski, “Catholic Women on a Collision Course with the Vatican,” *National Catholic Reporter*, Vol. 24, No. 5, February 5, 1988, 12.

<sup>60</sup> Ross Gelbspan, “An Activist Recalls the Roots of Her Effort,” *Boston Globe*, January 10, 1987, 2.

and challenges to the absolute authority of the hierarchy. Through this work, activists asserted the right of religious and laity to greater autonomy and a greater say in defining American Catholic social practice and self-understanding.

But these actions had significantly less force than the deliberations and pronouncements of the American bishops themselves. Paradoxically, the Second Vatican Council allowed for both a “democratization” of the Church and a consolidation of episcopal power and authority. Arriving a mere fifteen years after the conclusion of the Council, the sanctuary movement was a test of the bishops’ solidarity and provoked the bishops to work out their own understanding of the proper scope and justifications of Catholic social engagement. As a handful of bishops themselves came to support the sanctuary movement, these questions would produce often-stark divisions among the bishops, but by the end of the decade, they had used the occasion to develop more robust and nuanced understandings of how Catholics—bishops, priests, religious, and laity alike—could properly engage in social and political struggles on the basis of their faith.

### III

#### **The Catholic Left Infiltrates the Hierarchy**

##### *American Catholic Bishops and the Challenge of Sanctuary*

When Sister Darlene Nicgorski read her sentencing statement to Judge Earl Carroll in June of 1986, she justified her participation in the sanctuary movement in part by referring to a statement by Milwaukee archbishop and sanctuary supporter Rembert Weakland. In response to critics who asked whether sanctuary work was morally justified, he had replied, “Is the inactivity of those who stand by and do nothing while they see the lives of fellow human beings put into jeopardy morally justifiable?”<sup>1</sup> Weakland’s response represented a remarkable development within the American Catholic church hierarchy. As one of the most prominent episcopal backers of sanctuary within the hierarchy, Weakland represented an increasingly vocal left wing among American bishops. By the 1980s, the Catholic Left had made its mark not only on the “grass roots” of the American Church but on some of its foremost leaders as well.

Prior to the 1960s, American Catholic bishops had generally avoided critical or radical positions with respect to federal policy, especially foreign policy. Protestants often suspected Catholics of being anti-American pawns of the Vatican. In this environment, the bishops were at pains to demonstrate their patriotism and fidelity to the American nation, which they accomplished, with some exceptions, by expressing support for American wars and remaining silent with respect to many other issues of national significance. Virtually all

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<sup>1</sup> Darlene Nicgorski’s sentencing statement, read on July 1, 1986, to the Federal Court in Tucson, AZ, before Judge Earl H. Carroll, 9; Wisconsin Historical Society (WHS), Records of the Chicago Religious Task Force on Central America (CRTFCA), 1982-1992, M93-153, Box 4, Folder 65.

bishops strongly discouraged any form of illegality or civil disobedience and focused most of their political activity on quiet advocacy for their congregations in local contexts.<sup>2</sup> As was the case for other American Catholics, however, the hierarchy began to change the form and degree of its political engagement in the 1960s in response to Second Vatican Council and the Vietnam War. Under the authority of Vatican II, the bishops established two national bodies in 1966—the National Conference of Catholic Bishops and the United States Catholic Conference—which challenged the bishops to figure out how and to what extent to act as a cohesive group. They first explored this project in the context of the Vietnam War, and they moved slowly from endorsement of the war in 1966 to opposition in 1971.<sup>3</sup> But as a group they remained fairly cautious when commenting on and engaging in politics, and it was not until the late 1970s and 1980s that they began publicly taking strong, nuanced political positions that often cut across ideological boundaries.<sup>4</sup>

The sanctuary movement was part of the story of the political maturation of the bishops on the national stage, but it also posed special problems to the hierarchy. Both individually and as a group, bishops expressed opinions that sometimes corresponded to “liberal” positions and sometimes to “conservative” positions, but episcopal support for sanctuary was remarkable in that it gave official church backing to what many considered a form of civil disobedience. The few bishops who supported the movement had to find ways to reconcile their faith with their endorsement of possibly illegal activity, which in turn prompted sanctuary skeptics and critics within the hierarchy to articulate more sophisticated explanations of why they found sanctuary activism incompatible with Catholicism. Yet bishops who rejected sanctuary also had to square this position with the hierarchy’s

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<sup>2</sup> Timothy A. Byrnes, *Catholic Bishops in American Politics*, Princeton 1991, 12-17.

<sup>3</sup> Byrnes, *Catholic Bishops*, 49, 95.

<sup>4</sup> *Ibid.*, 5.

unanimous criticism of Reagan's Central America policy, and attempts to do so forced them to take more favorable positions with respect to sanctuary than might otherwise have been expected. Because pro-sanctuary bishops worked within a nationally organized hierarchy newly willing to dissent from government policy in significant ways, they were able to push the hierarchy to adopt more nuanced and left-leaning positions than would have been possible otherwise.

Sanctuary was not the first public issue with which the American hierarchy grappled as a group, nor was it the only one with respect to which they began to formulate nuanced positions during the 1980s. But as an issue that pertained directly to Catholic life and to questions of the relationship between religious and political obligations, it was one of the most important factors driving bishops to elaborate richer accounts of the relationship between Catholicism and American politics. As the movement faded at the end of the decade, the bishops emerged with more sophisticated understandings of appropriate forms of Catholic social and political engagement and with greater confidence in their capacity for bold and independent action in the political sphere.

### *The Bishops Find Their Voice*

In May of 1986, the *National Catholic Reporter* ran an article in which two prominent Catholics who had faced trial in Tucson over the past year, Sister Darlene Nicgorski and Father Tony Clark, excoriated the United States Catholic Conference (USCC) for a legal memo that concluded the sanctuary movement was illegal. Nicgorski criticized the conference for taking “the legal opinion of corporate lawyers instead of following the Spirit,” and Clark went even further, calling the bishops “‘a bunch of cowards’ for their failure to address [the] moral dimensions” of the refugee crisis and the movement. But



Monsignor Daniel Hoye, the general secretary of the USCC, pointed out that the bishops were divided over how to respond to the sanctuary movement, and he was right to point out that the strident criticisms expressed by Nicgorski, Clark, and others failed to recognize the complex and uneven relationship between the bishops and Catholic sanctuary activists.<sup>5</sup> Rather than a definitive judgment, the 1986 memo appeared to be something of a compromise, a document that expressed a sort of middle ground within the spectrum of bishops' positions on sanctuary but avoided making a strong statement on the sanctuary movement one way or another. Individual bishops took a variety of stances on the movement, and there was little agreement either between groups of bishops or between the hierarchy and sanctuary activists.

All of these groups, however, agreed in at least one way: they condemned the Reagan administration's intervention in the Central American civil wars as unjustified violent interference in the affairs of foreign countries. As early as 1981, the bishops criticized the Reagan administration's policy in El Salvador and Nicaragua, in one 1981 statement calling for an "end to all United States military assistance to El Salvador and urg[ing] the Reagan Administration to maintain economic aid to Nicaragua."<sup>6</sup> They remained firm critics of the administration's policy throughout the decade, releasing a statement in 1987 that called US support for the *contras* "morally wrong" and calling for peace in the country.<sup>7</sup> This willingness to criticize US foreign policy was in many ways departure for the American hierarchy, which had usually supported US wars through the 1960s and even then only slowly came around to condemning the war as a group. The nation's first bishop, John

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<sup>5</sup> *Ibid.*

<sup>6</sup> Kenneth A. Briggs, "Catholic Bishops Criticize Aid to El Salvador," *The New York Times*, November 20, 1981, A17.

<sup>7</sup> Thomas H. Stahel, "U.S. Bishops' Meeting: Efficiency and Openness," *America*, Vol. 157, No. 17, December 5, 1987, 420.

Carroll of Baltimore, set a precedent by vocally upholding the mutual compatibility of Catholicism and Americanism and standing behind Washington's foreign policy in his support for the War of 1812.<sup>8</sup> Subsequent bishops, though lacking the unity of a national body until the 20<sup>th</sup> century, continued to work in the same vein Carroll had opened up. They strove to demonstrate their loyalty and patriotism as American citizens, toeing the governmental line again and again on matters of war. Confederate and Union Catholics preached fervent support for their respective sides in the American Civil War, and their war fever continued well into the 20<sup>th</sup> century. As Timothy Byrnes notes, the "only war to which the bishops had to react in the years 1865 to 1917 was the Spanish-American War of 1898, and...[while m]any bishops were skeptical of American aims before the war began...they became wholly supportive once the shooting actually started." As Byrnes' comment suggests, Catholic bishops' support for American wars was not perfectly unflagging or unanimous. Many bishops rejected the war mania leading up to conflicts like the Spanish-American War, for instance, and individual bishops sometimes took highly critical positions on matters of government policy.<sup>9</sup> But as a group, the bishops would continue their strong support for US wars. They released statements during the world wars supporting the US and promising that Catholics would serve the country loyally, and during World War II major Catholic leaders often campaigned for the war cause.<sup>10</sup>

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<sup>8</sup> Byrnes, *Catholic Bishops*, 12-13.

<sup>9</sup> *Ibid.*, 22-23.

<sup>10</sup> *Ibid.*, 25, 29-30. Cardinal Francis Spellman of New York served as Catholic military vicar of the United States during World War II, traveling the world and exhorting Catholic and non-Catholic soldiers to fight passionately for a cause ordained, he claimed, both by the President and by God. Byrnes also notes that "President Roosevelt took advantage of Spellman's travels by employing him as an unofficial personal ambassador throughout the war." Byrnes continues, "Spellman's close relationship with Pope Pius XII allowed him to act as mediator between pope and president. Spellman represented the views and interests of each to the other and played a key role in the delegation of a personal diplomatic emissary from the president to the Vatican." *Ibid.*, 30.

By the time Americans began protesting the Vietnam War, of course, much had changed, both in the Catholic Church and in America. Most important for the bishops, the Second Vatican Council had led to the American hierarchy to organize themselves on the national level. One of the documents produced by the Council, the *Dogmatic Constitution on the Church*, emphasized the “collegiality” of the bishops, the notion that church authority derives from the bishops as a whole and not from the Pope delegating authority to other bishops. Following this emphasis, a separate document, the *Decree on the Bishops’ Pastoral Office in the Church*, called for the establishment of regional or national conferences in which bishops could discuss theology and Catholic life in a single forum. The American bishops responded to this call by establishing two national bodies in 1966—the National Conference of Catholic Bishops (NCCB) and the United States Catholic Conference (USCC), which would handle administrative issues like legal matters, public relations, and lobbying for the bishops’ conference.<sup>11</sup> These structures armed the bishops with sufficient organization to articulate unified views on national issues and thereby raised the possibility of dissenting from federal policy.

This possibility was strengthened by the shifting demographics of the US Catholic after World War II. American Catholics had previously been mostly urban, working-class populations with little education, but in the 1950s and 1960s they began moving into the suburbs, receiving better education, and seeking higher-paying jobs. They began to look and feel less alien to themselves and to American Protestants, and consequently their burden to prove their “Americanness” grew less.<sup>12</sup> Under these circumstances, the bishops could divert their resources from defending the Americanness of Catholic below them to identifying and

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<sup>11</sup> *Ibid.*, 48-50.

<sup>12</sup> See, for instance, Robert Wuthnow, *The Restructuring of American Religion: Society and Faith Since World War II*, Princeton, 1988, pp. 86.

defending other church interests, a task enabled by their newfound national organization. They now had the strength and freedom to dissent when they so chose. Commenting on the Vietnam War was something of a test run of this newfound freedom, and the hierarchy remained fairly cautious. Aside from a few individual voices, bishops were slow to join ranks with those opposing the war; they only did so in 1971 with their *Resolution on Southeast Asia*. The antiwar stance was no longer radical by then, but this gesture was a turning point nonetheless: for the first time the American bishops had openly criticized a US war.<sup>13</sup> Having found their footing in the 1970s, the hierarchy could now sustain a strong critique of Reagan's Central America policy.

Even given these organizational and demographic changes, the American hierarchy's challenge to the Reagan administration's policy remains surprising in light of the history of Catholic anti-Communism in the 20<sup>th</sup> century. Since at least the 1930s, American Catholics mounted large-scale criticism of and opposition to Communism. Though this position derived in part from ultramontane anti-modernism, Catholics feared Communism for a much more concrete reason as well: the Soviet Union had institutionalized the anti-religious claims of Marxist theory, which identified religion as the "opiate of the people" and an obstacle to true class consciousness. The Soviet regime had actively sought to eliminate religion from Russian life, imprisoning priests, closing churches, and confiscating church property.<sup>14</sup> Because of the direct threat Communism posed to world Catholicism and American Catholicism in particular, the American hierarchy and Catholics at all levels of the Church vehemently attacked this left-wing ideology and its instantiation in the Soviet Union. Such

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<sup>13</sup> Mitchell K. Hall, *Because of Their Faith: CALCAV and Religious Opposition to the Vietnam War*, New York 1990, 13-40; Byrnes, *Catholic Bishops*, 96.

<sup>14</sup> George Q. Flynn, *Roosevelt and Romanism: Catholics and American Diplomacy, 1937-1945*, Westport 1976, 139-140.

criticism increased after Pope Pius XI released an encyclical in March 1937 condemning all cooperation with Communism, and it grew further during World War II.<sup>15</sup> On the eve of the United States' wartime alliance with the Soviet Union, the American hierarchy took its super-patriotism to new heights by joining the US "anti-Communist consensus" early and echoed Pius XI in a 1941 pastoral letter by declaring that "there can be no compromise with Communism." Cardinal Francis Spellman of New York vigorously defended US foreign policy and traveled the world as Catholic military vicar of the United States, preaching anti-Communism to armed service members of all confessions. The hierarchy's firm commitment to this anti-Communist stance stemmed from their history of strong support for US wars and, as usual, the Communist threat to religion more generally, but this stance carried with it some liabilities.<sup>16</sup> Stridently anti-Communist Catholics in the 1930s and early 1940s risked coming off as fascist sympathizers, and anti-Communist, anti-Soviet stances were politically anomalous once the United States entered into an alliance with the Soviet Union against their common fascist enemies in the early 1940s.<sup>17</sup> But Catholics evidently perceived the Communist threat as more serious than these political risks, and the hierarchy stuck to this hardcore anti-Communism for decades.

If the bishops' critique of the Vietnam War represented a tentative pulling away from hardcore Catholic anti-Communism, their opposition to Reagan's Central America policy demonstrated a willingness to break from it completely when they found it necessary to do so. The Reagan administration framed its intervention in the Central American civil wars as a crucial battle in the fight to topple Communism and the Soviet Union, and in earlier decades, the American hierarchy may have reproduced this rhetoric and supported the policy.

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<sup>15</sup> *Ibid.*, 139, 215.

<sup>16</sup> Byrnes, *Catholic Bishops*, 30-31.

<sup>17</sup> Flynn, *Roosevelt and Romanism*, 140, 215.

But, like the sanctuary activists, they opposed Reagan's support for the *contras* and the Guatemalan and Salvadoran governments from the beginning. Moreover, the bishops also shared with the sanctuary movement an interest in alleviating the plight of Central American refugees. Given the frequency with which refugees and Salvadoran rebels were characterized as left-wing terrorists or radicals seeking a new base in the United States, the bishops' decision to view them as innocent victims of a conflict who required assistance also flew in the face of the hierarchy's traditional anti-Communist role.<sup>18</sup> Many bishops favored granting "extended voluntary departure" to Salvadoran refugees in the United States, which would have withheld an official refugee status from the Salvadorans but allowed them to temporarily remain in the US with impunity.<sup>19</sup> In 1985, for instance, on the heels of the indictments of the Tucson sanctuary workers, three US bishops—Manuel D. Moreno of Tucson, Thomas J. O'Brien of Phoenix, and Jerome J. Hastrich of Gallup, New Mexico—wrote a letter urging President Reagan to adopt just this policy. They considered extended voluntary departure "the most immediate and constructive response [the] Administration could make to the plight of the refugees."<sup>20</sup>

What might have motivated the American bishops to execute this about-face on their stance on Communism? In the Central American case, this change of heart likely sprang from the fact that most of the "Communists" vilified by the administration were actually church officials, and in some cases priests and bishops. Many Catholic leaders in Central America had led criticisms of economic inequality, government corruption, and repression in the region, and when the civil wars erupted, they suffered for having taken those positions.

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<sup>18</sup> For a representative example of such characterizations of the refugees, see the letter from Mark Rising to the Chicago Calvert House, undated; WHS, Records of the CRTFCA, 1982-1992, M93-153, Box 4, Folder 18.

<sup>19</sup> Ann Crittenden, *Sanctuary: A Story of American Conscience and the Law in Collision*, New York 1988, 201.

<sup>20</sup> "Despite a Crackdown, 7 Guatemalans Are Smuggled Into U.S.," *The New York Times*, January 20, 1985, 16.

Christian Smith notes that as more and more Latin American governments became militaristic and authoritarian, over a thousand bishops, priests, and religious were “threatened, arrested, kidnapped, tortured, killed, raped, and exiled” in Central and South America.<sup>21</sup> Darlene Nicgorski observed the targeting and murder by the Guatemalan regime of Father Tulio Marruzzo, her pastor while she was on mission in that country.<sup>22</sup> By far the majority of Salvadoran refugees were themselves Catholics.<sup>23</sup> The American hierarchy realized that Catholics were among the principal victims of the Central American civil wars, and the bishops’ desire to advocate an end to the Reagan policy and assistance to the refugees evidently overrode their anti-Communist instincts. This particular stance did not mean, of course, that American Catholics ceased their criticism of communism. Rather, they realized that in the Central American case their interests lay in distinguishing real Communists from accused ones and criticizing the official government position on this basis.

### *Enter the Catholic Left*

Bishops Moreno, O’Brien, and Hastrich argued in their letter to Ronald Reagan that extended voluntary departure would be “the most immediate and constructive response [the] Administration could make to the plight of the refugees,” and this comment indicates that where the bishops began to disagree with the sanctuary movement—and with each other—was over the question of the best way to help the refugees and criticize federal policy. The unifying belief of the sanctuary movement, of course, was that the practice of sanctuary would best serve the dual purpose of aiding as many refugees as possible when the federal

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<sup>21</sup> Christian Smith, *The Emergence of Liberation Theology: Radical Religion and Social Movement Theory*, Chicago 1991, 18-22

<sup>22</sup> Darlene Nicgorski’s sentencing statement, read on July 1, 1986, to the Federal Court in Tucson, AZ, before Judge Earl H. Carroll, 1-3; WHS, Records of the CRTFCA, 1982-1992, M93-153, Box 4, Folder 65.

<sup>23</sup> Crittenden, *Sanctuary*, 201.

government failed to do so and visibly criticizing Washington's policy in Central America. But sanctuary presented a conundrum to the hierarchy. Unlike most other mainline church bodies, the American bishops never endorsed sanctuary. They were divided over whether or how to support the movement, and these divisions prevented the bishops from making any strong statements on the movement throughout the decade. The NCCB and USCC articulated few official positions on the issue, and those they did release were cautious and ambiguous. María Cristina García suggests that many interpreted the bishops' reticence as "tacit approval of the movement," while critics such as Darlene Nicgorski and Tony Clark saw the 1986 USCC statement on the illegality of sanctuary as cowardly.<sup>24</sup> This spectrum of reactions indicates the bishops' inconsistency and inability to commit to a strong stance.

Given the lack of national unity, *de facto* authority to comment on the sanctuary movement fell more heavily on most individual bishops, who assumed a spectrum of positions from total rejection of the sanctuary movement to full support. Least surprising were those who rejected sanctuary altogether. Archbishop John Roach was a prominent and early critic, but Auxiliary Bishop Anthony Bevilacqua of Brooklyn tersely summed up the opinion of many bishops in a 1983 interview with the *New York Times*: "I am opposed to sanctuary because it is illegal," he said. "I do not feel at the present time that this [i.e., INS's policy with respect to Salvadoran and Guatemalan refugees] is an unjust law." Bevilacqua was not insensitive to the plight of the refugees in the United States; like many other bishops, he strongly favored granting them extended voluntary departure. But he opposed sanctuary

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<sup>24</sup> María Cristina García, *Seeking Refuge: Central American Migration to Mexico, the United States, and Canada*, Berkeley 2006, 105; Susan Hansen, "Convicted nun scores bishops on sanctuary," *National Catholic Reporter*, May 16, 1985, 5.



simply because he believed it to be illegal.<sup>25</sup> Those bishops who rejected sanctuary as illegal activity stood as the most recent instance of a long tradition of hostility to civil disobedience on the part of the American hierarchy. During the middle of the 19<sup>th</sup> century, responding to a situation not unlike the Central American refugee crisis and the sanctuary response, American bishops refused to endorse abolitionism and stood with their church's contemporary approval of the institution of slavery. Speaking for many Catholics, Bishop Francis Patrick Kenrick of Philadelphia urged that "nothing should be attempted against the law." The bishops became antislavery after the war, of course, and unsurprisingly—publicly, they were concerned not with grappling with the moral dimensions of the issue but with appear as American as possible.<sup>26</sup> In this and many other cases, that concern manifested as a powerful aversion to breaking the law, even as a form of civil disobedience, and that aversion was difficult to shake even in the very different political and social environment of the 1980s. To endorse sanctuary meant to endorse illegality, and for many bishops this was a step too far.

In this context, then, it was remarkable that a small but significant minority of bishops endorsed the movement without qualifications. The movement's enjoyed early support from two bishops in particular, Milwaukee's Archbishop Rembert Weakland and Archbishop Raymond Hunthausen of Seattle. Weakland was the first to extend his support, declaring in 1982 that he would support the establishment of sanctuary by any church in his diocese.<sup>27</sup> This declaration was a bold move into unknown waters—the sanctuary movement was only months old at this point—but it was consequential: five Milwaukee churches took him up on

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<sup>25</sup> George Volsky, "U.S. Churches Offer Sanctuary to Aliens Facing Deportation," *The New York Times*, April 8, 1983, A16.

<sup>26</sup> Byrnes, *Catholic Bishops*, 15-16.

<sup>27</sup> *Ibid.*

his offer and voted to become sanctuaries at the end of 1982, most notably St. John's Cathedral, which took on a refugee family in October.<sup>28</sup> Archbishop Raymond Hunthausen became the second episcopal endorser of sanctuary in February of 1983, writing a letter to the Catholics of Western Washington state that urged them to help Central American refugees through all available means, including sanctuary.<sup>29</sup>

Bishop John Fitzpatrick of Brownsville, TX, soon followed suit and showed that bishops could support sanctuary not only with their words but also their deeds. In March of 1983, Fitzpatrick established Casa Oscar Romero in Benito, TX, as a shelter for Central American refugees. The shelter never declared itself a public sanctuary, but sanctuary supporters and critics alike came to focus on it as central to the story of the movement. In February 1985, Jack Elder, director of Casa Oscar Romero, and Stacey Lynn Merkt, a volunteer there, were both convicted on charges of smuggling and transporting refugees across the border into the United States. Elder and Merkt were both sanctuary workers, and they both received Fitzpatrick's unswerving support.<sup>30</sup> He criticized their arrest in late 1984, testified at their trial, and at one point even paid out \$27,000 of his personal funds to help pay for Merkt and Elder's bail bonds.<sup>31</sup> Fitzpatrick also became something of a lightning rod for the sanctuary movement, symbolizing for its critics a "liberal" strain of church officials who abused their authority for political ends. During Elder and Merkt's pre-trial hearings, anti-sanctuary protestors picketed outside their courthouse, and Concerned Citizens for Church and Country, a small lay Catholic group in Brownsville, hurled criticism at Fitzpatrick. Mike

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<sup>28</sup> Charles Austin, "More Churches Join in Offering Sanctuary for Latin Refugees," *The New York Times*, September 21, 1983, A18.

<sup>29</sup> Larry Stammer, "Illegal Alien Smuggling: New Partner," *The Los Angeles Times*, February 3, 1983, A1, A3.

<sup>30</sup> "Bishop's Sanctuary Work Draws Heat," *The Los Angeles Times*, March 2, 1985, B5.

<sup>31</sup> "Bishop Assails Arrests of Sanctuary Activists," *The New York Times*, December 10, 1984, B13; García, *Seeking Refuge*, 208n99.

Rodriguez, the group's president, labeled the archbishop a "coyote"—someone who does border runs to help immigrants into the country illegally—and helped organize an ad campaign in local newspapers calling for the Vatican to investigate Fitzpatrick and the diocese. Fitzpatrick remained undaunted, responding, "I'd be delighted if representatives from Rome came here and investigated our work."<sup>32</sup>

While Mike Rodriguez and like-minded Catholics might have feared that liberal fanatics had hijacked the church to boost sanctuary work, those who supported sanctuary outright never constituted more than a small fraction of the hundreds of members of the bishop's conference. But even this small base of episcopal support for such a controversial movement indicated an astonishing development within the hierarchy. Though American bishops had sometimes taken progressive stances on social and political issues in the past, the emergence of sanctuary supporters among the bishops constituted yet another turning point for the American hierarchy, one characterized most accurately as the arrival of the Catholic Left among the bishops themselves. The defining characteristic of the Catholic Left of the 1960s was its willingness to challenge both governmental and episcopal authority when it felt that either had endorsed or enacted immoral policies. Partisans of the Catholic Left favored nonviolent protest, including acts of civil disobedience, to express their dissenting views; they felt that breaking earthly laws and challenging earthly authority were justified when these conflicted with the "higher law" of their faith. Implausible though it once may have seemed, by supporting sanctuary, bishops like Weakland and Hunthausen incorporated this legacy of the Catholic Left into a small slice of the hierarchy itself. For the first time they endorsed what many construed as civil disobedience, and they did so quite consciously.

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<sup>32</sup> "Bishop's Sanctuary Work Draws Heat," *The Los Angeles Times*, March 2, 1985, B5.

The Catholic Left's influence on the hierarchy was most apparent in Hunthausen's letter to his diocese, in which he exhorted Catholics not only to aid Central American refugees through legal means but also to "go the last step and offer refugees from Central America sanctuary from the law." "It is our obligation as Christians," he added, "to offer these innocent people sanctuary."<sup>33</sup> This statement shows the influence of the Catholic Left in a variety of ways. First, while sanctuary workers disagreed with each other about whether to understand their activism as illegal, Hunthausen immediately took the more radical stance of portraying sanctuary as civil disobedience. The circumstances of the moment meant that Central American refugees more urgently needed protection *from* the law than they needed protection under it, and Hunthausen was not afraid to entreat Catholics to break the law in order to provide this protection. Second, Hunthausen's claim that Christian (and, specifically, Catholic) faith not only encouraged but also demanded such civil disobedience directly paralleled the motivations and convictions of the Catholic Left. Because earthly law had come into conflict with divine law, Christians were obligated to adhere to the latter. Finally, despite its radical overtones, this claim also signified a de-politicization of sanctuary activity. Like the Action Community of the 1960s and 1970s, Hunthausen understood his injunction to support sanctuary as stemming not from any political or ideological conviction but a faith commitment. He implied that Christians would support any policy, group, or movement that accorded with the principles of their faith, liberal or conservative, radical or moderate. That sanctuary support appeared to some observers to be a left-wing or radical position was not, in Hunthausen's view, a salient issue.

Though Hunthausen appears to have sincerely believed that his position on sanctuary was one of faith, not politics, his stance nonetheless appeared quite progressive or left-wing.

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<sup>33</sup> Larry Stammer, "Illegal Alien Smuggling: New Partner," *The Los Angeles Times*, February 3, 1983, A3.

Since becoming the bishop of Brownsville in 1971, John Fitzpatrick had worked to obtain better pay and working conditions for poor farm workers in Southern Texas.<sup>34</sup> Rembert Weakland also headed an NCCB panel that released a pastoral letter on the US economy, criticizing economic inequalities and calling for economic policy that alleviated the burdens of the poor.<sup>35</sup> But the pro-sanctuary bishops also took “liberal” stances that were particularly radical among the US hierarchy, namely, challenging, albeit in limited ways, the papal and patriarchal dimensions of the church hierarchy. Raymond Hunthausen and Rembert Weakland in particular stood out in this respect. In 1983, Pope John Paul II instructed Archbishop James A. Hickey of Washington, D.C., to investigate criticisms of Hunthausen’s ministry. Hunthausen, a critic of the nuclear arms buildup, had withheld part of his income tax in 1982 to protest military policy, and he had caused consternation among some in his archdiocese by allowing openly homosexual Catholics to hear Mass at St. James Cathedral in Seattle.<sup>36</sup> He was also criticized for “liberal” views on the role of women in the Church. His support of the sanctuary movement led to a formal investigation by the Vatican, which then relieved Hunthausen of his pastoral responsibilities in five areas, including liturgy and worship, moral issues, and clergy formation. The NCCB declared its support of the Vatican decision the next month.<sup>37</sup>

But not every bishop agreed with the NCCB decision, least of all Rembert Weakland, who expressed his dissent from the Vatican decision in two columns in his archdiocese’s newspaper, the *Catholic Herald of Milwaukee*. Though he did not mention Hunthausen by

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<sup>34</sup> “Bishop’s Sanctuary Work Draws Heat,” *The Los Angeles Times*, March 2, 1985, B5.

<sup>35</sup> Joseph Berger, “Catholic Bishops Embrace Letter on the Economy,” *The New York Times*, November 14, 1985, A29.

<sup>36</sup> “Pope Tells U.S. Archbishop to Check on Seattle Leader,” *The New York Times*, October 28, 1983, A6.

<sup>37</sup> “Vatican Moves to Curb Power of a Liberal Prelate in Seattle,” *The New York Times*, September 5, 1986, A8; Ari Goldman, “Censured Archbishop Quietly Departs for Seattle,” *The New York Times*, November 14, 1986, A14.

name, the columns appeared shortly after the censure of the Seattle archbishop. Weakland's office sent the columns to reporters asking for his comments on the matter. The pursuit of a pure doctrine, wrote Weakland, must eschew "the fanaticism and small-mindedness that has characterized so many periods of the church in its history—tendencies that lead to much cruelty, suppression of theological creativity and lack of growth." While he rejected relativism or an openness to any new idea, he maintained that the church "must always face up to the challenges of the times and the new discoveries about the universe and the human person" and that church "doctrine never finds a full verbal expression as it grows in new insights and understanding."<sup>38</sup> Weakland's choice not to name Hunthausen specifically made his criticism somewhat less pointed, but these columns nonetheless represented a significant challenge to the authority of Rome and the NCCB. Through both explicit critiques of high-level individuals and institutions and pastoral and liturgical practices that challenged Catholic doctrine and tradition, Hunthausen and Weakland proved themselves to be true radicals within the church. They were willing to challenge any teaching, practice, or structure of authority if they thought by doing so they remained more faithful to their commitments as Catholics.

*The Radicals Make Waves, and Their Colleagues Respond*

Though they may have been the most prominent commentators on sanctuary within the Catholic Church, publicly pro-sanctuary or anti-sanctuary bishops both remained few in number. Many remained silent on the issue or commented only when forced to, and a number of moderates hoped to withhold their support of the movement without vilifying

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<sup>38</sup> Joseph Berger, "Leading Archbishop Challenges Vatican On Silencing Dissent," *The New York Times*, September 24, 1986, A1, A15.

Catholics and others who participated in it. But the task of these moderate bishops became more complicated given the pressures of both pro-sanctuary bishops and the bishops' collective disapproval of the Reagan administration's Central America policy. On one hand, without caution, criticism of the sanctuary movement might come across as an endorsement of administration's policy, which moderate bishops wished to avoid. On the other hand, they wished to distinguish themselves from their more radical colleagues, for reasons that often included their own skepticism of civil disobedience. These pressures pushed moderate bishops to express a more nuanced and sophisticated position on sanctuary. While to some it may have appeared that these bishops had avoided taking a clear stance, in the end they successfully expressed a legitimate middle position between the opinions of pro- and anti-sanctuary bishops.

The foremost representative of this moderate position was Archbishop Roger M. Mahony of Los Angeles. Elevated to the position in 1985, the charismatic archbishop may have appeared to some as quite similar to bishops like Hunthausen and Weakland. He took many pro-labor positions and expressed what many considered "liberal" opinions on economic and immigration matters. But he rejected the "liberal" designation, finding labels unhelpful in general. Like Hunthausen, he claimed that his positions on social and political issues stemmed from being "faithful to Jesus Christ and the tradition of the church." But he differed from Hunthausen and other "liberal" prelates in his strictly orthodox opinions on abortion, priestly celibacy, and women priests. On doctrinal matters, claimed one *LA Times* article, he was unquestionably "The Pope's man."<sup>39</sup> For Mahony, rejecting political labels made more sense than it did for Hunthausen, as his views truly did not correspond well to

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<sup>39</sup> John Dart, "Mahony, New Archbishop for L.A., Sees the Church as 'Voice' for Rights," *The Los Angeles Times*, July 18, 1985, OC\_A4; Russell Chandler, "Mahony's Style: Making Waves, Friends," *The Los Angeles Times*, February 17, 1986, 1, 3, 22, 24.

any secular political stance. It might appear that his opinions simply contradicted each other, that he held progressive social views and conservative religious views that together lacked a coherent framework, but this bad faith assumption fails to recognize the unity of religious experience for Mahony. Responding to and commenting on social problems necessarily placed him on a political map with respect to certain issues, but these responses emerged from an attempt to apply his faith to his experience in a way that was consistent with his understanding of church doctrine and authority. In doing so, Mahony did have to attempt to balance and reconcile conflicting principles and commitments, but he did so in a remarkably skillful way.

Nowhere did Mahony demonstrate this skill better than in his position on the sanctuary movement, a position he refined as he entered more fully into the public eye. Upon ascending to the head of the archdiocese, Mahony began to express his opinions on the sanctuary movement, which were at first generous but cautious. He told the *LA Times*, “People who come to us seeking shelter, clothing, and food we will welcome and take care of regardless of their residency status. The Gospel does not require us to ask for documentation.” But he added that he had not designated any church or other archdiocesan body as a sanctuary, as he had “serious questions about the advisability of that” practice.<sup>40</sup> In other words, Mahony approved of every method of helping Central American refugees but the public declaration of sanctuary. He did not elaborate at this point on just why he found such declarations inadvisable, but his priority for the time being seemed to be helping Central Americans to the greatest extent possible while avoiding the political lightning rod that was sanctuary.

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<sup>40</sup> John Dart, “Mahony, New Archbishop for L.A., Sees the Church as ‘Voice’ for Rights,” *The Los Angeles Times*, July 18, 1985, OC\_A4



Mahony's comments were evidently not sufficiently precise, as sanctuary supporters tended to interpret them as support for sanctuary. In November 1985, as Los Angeles' Old Plaza Church prepared to declare itself the city's first Catholic sanctuary, sanctuary organizers announced that Mahony would be present for the declaration ceremony on December 12, at which they claimed he would celebrate Mass.<sup>41</sup> But in early December, though it became clear that Mahony had given his approval to Father Luis Olivares, pastor of the Old Plaza Church, to make the declaration, an archdiocesan spokesman clarified that Mahony was "not taking a stand on approval or disapproval" of the move. Mahony wanted "to distance himself from the sanctuary movement," the spokesman said, "which is a red flag for some people."<sup>42</sup> Admittedly, much political manipulation seems to have been at work here, with Mahony trying to avoid a hot-button issue and sanctuary supporters twisting Mahony's words to their own ends as far as they could.<sup>43</sup> But this semantic tug-of-war was also an effort to work out with greater clarity the positions bishops might take on the sanctuary movement, and in the process Mahony's position became complex. It was an unusual move for a prelate with qualms about the "advisability" of sanctuary and who refused to endorse the movement himself to give a green light to a sanctuary declaration in his own diocese. Mahony's stance may have had the political aim of alienating as few people as possible, but it was also an evolving attempt to respond appropriately to a phenomenon of whose utility and, perhaps, legality he remained skeptical.

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<sup>41</sup> Marylouise Oates, "Sanctuary Designation to Include Archbishop?", *The Los Angeles Times*, November 15, 1985, G1.

<sup>42</sup> John Dart, "L.A. Church Declares Itself a Sanctuary," *The Los Angeles Times*, December 6, 1985, OC\_A6.

<sup>43</sup> When the Old Plaza Church finally declared itself a sanctuary on December 12, Luis Olivares reiterated that the archdiocese supported the decision and added, "[t]here is no question [about Mahony's] solidarity with us." Marita Hernandez, "L.A.'s Oldest Parish Becomes Sanctuary for Latin Refugees," *The Los Angeles Times*, December 13, 1985, SD\_A6.

By 1986, after wrangling with activists over the meaning of his previous statements on the movement, Mahony seemed to have settled into a more defined stance with respect to sanctuary. An *LA Times* article from February reported him as reiterating the belief that a “refugee’s home country or status should not be of consequence to aid-giving church authorities...adding that the sanctuary movement has confused the issue of ministry to immigrants by separating undocumented people into a special category.”<sup>44</sup> The first part of his comment represented a subtle reproduction of sanctuary activists’ critique of INS’ refugee policy, namely, that INS precluded refugees of Salvadoran and Guatemalan origin from entering the asylum process almost categorically. Standing with the sanctuary movement in this respect, he went on to criticize it on practical grounds, arguing that sanctuary work had “confused the issue of ministry”—in other words, that political considerations within the movement had produced a practice among Catholics out of step with the demands of their religion. Like his concern that sanctuary was a “red flag” for some, this criticism finds found with sanctuary on practical grounds, in the sense that the practice of sanctuary may have threatened Catholics’ ability to fulfill religious duty to serve refugees by encouraging them to do so by illegal and thus illegitimate means. Though Mahony’s remarks may appear calculated and politically motivated, they consistently affirmed his commitment to his faith-based obligations as he understood them. He never raised questions of sanctuary’s legality and only questioned the practice when he believed its contentiousness limited its effectiveness or when he felt it caused Catholics to stray from their true Christian duty.

Like Mahony, the bishops’ council as a whole was forced by pressures from its left wing to adopt a more nuanced position on the movement, and the response it settled on in

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<sup>44</sup> Russell Chandler, “Mahony’s Style: Making Waves, Friends,” *The Los Angeles Times*, February 17, 1986, 3.

1987 statement that bore a surprising degree of resemblance to Mahony's ultimate position. But one more event would have to take place before the bishops felt comfortable adopting a more specific position on sanctuary: a papal visit to the United States that gave the story of Catholics and the sanctuary movement a new twist. In a speech to nearly 300,000 people given in San Antonio, TX, in September of 1987, Pope John Paul II praised the "great courage and generosity" of those "who have been doing much on behalf of suffering brothers and sisters arriving from the south." The Pope failed to identify sanctuary in particular or endorse civil disobedience, but a member of the papal entourage indicated to the *LA Times* that these remarks had the sanctuary movement as their intended object. This anonymous official evidently convinced the *Times* of this interpretation, as the paper ran the story with an enormous bold headline that read, "Sanctuary Movement Encouraged By Pope."<sup>45</sup> Such an endorsement would have been enormously consequential in an environment in which the NCCB was the only mainline Christian group not to have endorsed the movement and in which several Catholics had been convicted in the Tucson trial just a year previously, and it would have hugely boosted the credibility of left-leaning bishops like Rembert Weakland and the chastened Raymond Hunthausen.

But the tide turned again just as quickly. The next day, the *LA Times* ran an article entitled, "Papal Aide Denies Speech Endorsed Sanctuary Group." Vatican aide Joaquin Navarro Valls had clarified the Pope's remarks, explaining in an official statement that it was not an endorsement of sanctuary and that the pontiff had "addressed the phenomenon of undocumented immigration on the moral, not legal, level." "While expressing compassion for undocumented aliens and admiration for those who seek to aid them," he added, "he did

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<sup>45</sup> Don Schanche and J. Michael Kennedy, "Sanctuary Movement Encouraged By Pope," *The Los Angeles Times*, September 14, 1987, B1, B8.

not endorse any specific movement or group nor did he encourage violation of the civil laws as a solution to this problem.”<sup>46</sup> Had the *LA Times* and the member of the papal entourage simply been too optimistic when they interpreted the pope’s remarks as an endorsement of sanctuary, or did these conflicting interpretations reveal divisions over sanctuary within Vatican circles? Did John Paul II intend at first to endorse the movement but, sensing undesirable political liability, backpedal rapidly? The answers to these questions are not clear, but it is clear that the final interpretation given by the Pope aligned to a large extent with Mahony’s position: he promoted refugee aid while avoiding both commenting specifically on the movement and endorsing civil disobedience.

Perhaps without meaning to, the Pope had with his remarks placed new constraints on and given new direction to the American hierarchy’s relationship to sanctuary, and the hierarchy could now act on the issue with greater confidence and clarity. Two months after the papal visit, the bishops used their 1987 statement on Central America to ask parishes and other Catholic organizations to “increase their already commendable assistance to refugees in need, regardless of their standing before the law” but avoided backing the sanctuary movement in any way.<sup>47</sup> As Mahony had, this statement appropriated sanctuary worker’s frustration with INS’s discrimination on the basis of home country but changed it from a criticism of the government into a mistake the bishops urged Catholics not to make. As usual, this nuance was difficult to communicate effectively. The headline for the *National Sanctuary Newsletter*’s reporting on this statement was “U.S. CATHOLIC BISHOPS

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<sup>46</sup> “Papal Aide Denies Speech Endorsed Sanctuary Group,” *The Los Angeles Times*, September 15, 1987, C5.

<sup>47</sup> John Dart, “Bishops Call Contra Aid Policy Morally Flawed,” *The Los Angeles Times*, November 20, 1987, B3, B36.

SPEAK OUT: Condemn the war and support the work of sanctuary.”<sup>48</sup> The newsletter seems to have latched onto the part of the statement claiming, “We are conscious...of those who may not fulfill the requirements of the present legislation on legalization,” taking it as a covert endorsement of sanctuary much in the same way observers had interpreted the Pope’s remarks. But by now it was clear that the bishops were not going to endorse the sanctuary movement and that, as much as sanctuary activists may have craved the unified approval of the American Catholic hierarchy, this statement was carefully crafted to avoid such approval. How the hierarchy reached this specific statement is unclear; as Monsignor Daniel Hoye told the *National Catholic Reporter* in 1985, sanctuary had divided the bishops, and it was unclear how they could agree on a response. The Pope’s 1987 comments, implicitly and perhaps deliberately approving of Mahony’s stance as it developed through 1985 and 1986, appeared to provide the compromise position that would allow the American hierarchy to make a minimally committed statement on the movement—even if they could never bring themselves to name sanctuary specifically. In the end, individual bishops remained the main episcopal authorities on the sanctuary movement, which they were never able to confront directly as a group.

### *Conclusion*

Despite the NCCB’s eventual sidestepping of the sanctuary issue, the encounter between the American Catholic hierarchy and the sanctuary movement had a profound influence on the American bishops. At the beginning of the decade, despite their experience criticizing the Vietnam War and their by now longstanding acceptance into the mainstream

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<sup>48</sup> “U.S. Catholic Bishops Speak Out,” *National Sanctuary Newsletter*, January 1988, p. 5; WHS, Records of the CRTFCA 1982-1992, M2004-170, Box 1, Folder 51.

of American religious life, the bishops were still politically green. They had little experience commenting on American politics in a sophisticated way, and they were still working through the implications of organizing at the national level over a decade earlier. But the necessity of responding to the sanctuary movement induced a political maturation in the bishops, forcing them to articulate their stands on political issues with greater sophistication. The viewpoint of the Catholic Left finally made its way to the hierarchy with bishops like Raymond Hunthausen and Rembert Weakland, and their existence forced sanctuary moderates to walk a fine line between condemning and supporting the movement. By the end of the decade, the bishops emerged individually and collectively with a stronger political voice, more comfortable in the political realm and more confident in their ability to articulate strong but nuanced opinions on matters of national significance, even when doing so might bring them into conflict with the government. The encounter with sanctuary was almost the end of an era for the hierarchy, the completion of its political adolescence. Untethered from their previous inhibitions, American Catholic bishops were free to enter a new stage of political autonomy.

## CONCLUSION

### **The Legacy of the Sanctuary Movement:**

*From South Central '92 to New Sanctuary*

The NCCB's 1987 statement on Central America was a turning point for Catholic involvement in the sanctuary movement. Sanctuary work by Catholics and others did continue through the end of the decade and into the early 1990s, but the American Catholic hierarchy's interest in the movement quickly fell off. The bishops' failure to take a firm stand on the movement signified that it was no longer a priority to them. Though they continued to sue for peace in the Central American conflicts and to advocate for the rights of Latin American in the United States, including Central American refugees, sanctuary fell permanently outside their focus. Catholics and other sanctuary activists continued the routine work of caring for refugee families and transporting refugees away from the border, but a number of factors indicated that sanctuary activism had reached its peak and might soon enter into decline. Media coverage of the movement quickly declined, and few legal challenges to sanctuary arose at the end of the decade. Finally, changing political circumstances in the United States and Central America would ultimately make the sanctuary movement obsolete, bringing it to an end in 1992.

The final legal challenge to sanctuary workers took place in 1988 when a Catholic sanctuary worker stood trial alongside a Lutheran minister in the first sanctuary case since 1986 and the last major confrontation between the Reagan administration and sanctuary activists. Demetria Martinez was a New Mexico poet and journalist who had contributed work to the *Albuquerque Journal* and the *National Catholic Reporter*, and with the Rev. Glen Remer-Thamert, she faced charges of illegally transporting a Salvadoran family from Ciudad

Juarez, Mexico, to Albuquerque. Remer-Thamert contended that his actions were legal on his understanding of a 1986 declaration by then-Governor of New Mexico Toney Anaya, which declared the entire state of New Mexico a sanctuary. Martinez claimed simply to have accompanied Remer-Thamert to observe and write about his journey and that her actions were legal under the first amendment. The jury found these defenses convincing and acquitted both.<sup>1</sup>

The Albuquerque trial showed that the movement had achieved some concrete successes. If the sanctuary workers had as one of their main goals to reduce the likelihood that Salvadorans and Guatemalans would be deported by INS, they appear to have succeeded. Inspired by the religious activists, many municipal and state institutions adopted the practice of sanctuary in modified form, allowing INS to operate within their jurisdictions but refusing to commit any of their own resources to identifying or deporting refugees. In addition to the New Mexico, many cities—a total of twelve by 1986—declared themselves sanctuaries, including Detroit, Seattle, San Francisco, and Madison, WI.<sup>2</sup> The Los Angeles city council briefly declared the city a sanctuary but moderated its position in the face of heavy criticism, and Detroit joined the list of sanctuary cities in 1987.<sup>3</sup> By 1985, students at eleven colleges and universities on the West Coast had also organized to provide assistance to Central American refugees.<sup>4</sup> It is difficult to measure whether these secular sanctuary projects helped the refugees in a significant way, but the moral appeal of the practice of sanctuary clearly extended beyond American religious communities. Even if the movement

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<sup>1</sup> “2 Are Acquitted In Entry to U.S. By Illegal Aliens,” *The New York Times*, August 3, 1988, A8.

<sup>2</sup> Ann Crittenden, *Sanctuary: A Story of American Conscience and the Law in Collision*, New York 1988, 298.

<sup>3</sup> Victor Merina, “L.A. Council Backs Down, Revises Its Stand on Sanctuary Plan,” *The Los Angeles Times*, February 8, 1986, OC\_A5. For the Detroit declaration, see the City of Detroit Executive Order No. 26, September 30, 1987, in the Walter P. Reuther Library (WPR), Organization in Solidarity with Central America Records, Box 3, Folder 6, “Detroit Sanctuary Coalition.”

<sup>4</sup> Victor Valle, “College Students Vote to Provide Refugee Havens,” *The Los Angeles Times*, May 2, 1985, SG\_1, SG\_13.



suffered a legal defeat in the Tucson trial, activists appear to have been more successful on the PR front, prompting others to adopt the practice of sanctuary in ways that likely alleviated some of the suffering of the Central American refugees.

Nearly ten years after it had begun, the sanctuary movement also scored one final success with a legal settlement that resulted in a change to INS policy. In May 1985, over 70 sanctuary groups and other organizations aiding Central American refugees filed suit against the government requesting an end to the prosecution of sanctuary activists and an adjustment of INS policy that would end the perceived political discrimination against Salvadorans and Guatemalans in the asylum application process.<sup>5</sup> A judge later dismissed the activists' claims that Washington should drop its charges against sanctuary work but allowed a redrafting of the suit that retained the focus on INS refugee policy. On December 19, 1990, the Bush administration finally agreed to a settlement that stipulated better treatment for the refugees by INS. Building on a measure that Bush signed into law the previous year granting Salvadoran refugees 18 months of "temporary protected status," the settlement allowed the refugees to apply for asylum at the end of the period rather than face deportation, and it permitted those who had begun the asylum process to work legally in the United States. It also provided for new hearings of all asylum cases heard since 1980 and new training in international rights issues for the asylum officers and immigration judges dealing with these cases, with trainers designated by the church and immigrant rights groups who brought the suit in the first place. The agreement had the potential to improve the lives and prospects of the hundreds of thousands of Central American refugees residing in the United States.<sup>6</sup> This decision was undoubtedly a major victory for the sanctuary movement, but the settlement

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<sup>5</sup> Katherine Bishop, "Sanctuary Groups Sue to Halt Trials," *The New York Times*, May 8, 1985, A13.

<sup>6</sup> Katherine Bishop, "U.S. Adopts New Policy for Hearings On Political Asylum for Some Aliens," *The New York Times*, December 20, 1990, B18.

avoided truly putting INS policy to a legal test, and it arrived far later than sanctuary activists had hoped. Central American refugees had already lived for up to a decade under previous INS policy; a policy change now could not undo deportations that had already taken place and abuses refugees still in the US had endured.

As the 1990 settlement reveals, Bush's election to the presidency changed the political landscape in ways that were favorable to the sanctuary movement and its ability to achieve its goals. This shift stemmed in part simply from the end of Reagan's presidency. The Reagan administration was both a primary target and antagonist of the sanctuary movement, and Bush's accession to the presidency removed this obstacle to sanctuary. Moreover, the Reagan Justice Department had a special dislike of sanctuary and prosecuted sanctuary workers aggressively. Bush's more lenient policies toward refugees in 1989 and 1990, however, demonstrate that the new president was somewhat more sympathetic to positions taken by sanctuary workers than was his predecessor, likely due in part to his more pragmatic, "realist" stance on issues touching on foreign policy.<sup>7</sup>

Another important development that took place during Bush's presidency, in part due to changes in US policy, was the resolution of some of the conflicts in Central America.<sup>8</sup> Peace first appeared possible in Nicaragua, when in 1989 the Bush administration shifted its focus from providing the *contras* military aid to helping them succeed in a presidential election scheduled for 1990.<sup>9</sup> The opposition candidate, Violeta Barrios de Chamorro, emerged victorious from the polls, allowing the *contras* to disband and the US to declare

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<sup>7</sup> Wilentz, *The Age of Reagan*, 290-291.

<sup>8</sup> Cynthia J. Arnson, *Crossroads: Congress, The President, and Central America 1976-1993*, University Park 1993, 228-264.

<sup>9</sup> *Contra* aid had already begun to decline at the end of the Reagan administration in the aftermath of the 1986-1987 Iran-Contra scandal (which resulted from the administration's illegal and politically embarrassing supplemental means of funding *contra* military efforts), but because of Congress' opposition to Reagan's proposed legislation, not because of a reorientation on the administration's part. This reorientation took place only under Bush in 1989. *Ibid.*, 225.

peace and victory in the country.<sup>10</sup> In El Salvador, conflict between the guerrillas and the government continued somewhat longer, but they reached an official peace agreement under the Bush administration as well. After tense negotiations through the United Nations, both sides signed the agreement in January 1992, and a cease-fire went into effect in February. The agreement, however, was often difficult to enforce—though the FMLN disarmed in December, as promised in the agreement, the army failed at first to carry out a purge of top officials.<sup>11</sup> The fall of the Soviet Union likely hastened these events by draining the Central American conflicts of the Cold War associations with which Reagan had imbued them.

Despite these difficulties, the agreement satisfied sanctuary activists. According to John Fife, the sanctuary movement officially came to an end in 1992 in response to news of the Salvadoran peace agreement.<sup>12</sup> There are some indications that the movement was already in decline. After Bush's election in 1988, for instance, media coverage of the sanctuary movement fell off sharply. By late 1990, the *New York Times* referred to the movement in the past tense.<sup>13</sup> But after the movement's official termination in 1992, some of its concrete accomplishments began to unravel, and in some cases public opinion began to turn against refugees. In 1993 Suffolk County on Long Island repealed its ordinance offering the county as a sanctuary for refugees, and the following summer the County Legislature easily passed a resolution asking the state of New York for permission to deny health care

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<sup>10</sup> *Ibid.*, 229.

<sup>11</sup> *Ibid.*, 263-266.

<sup>12</sup> Brady McCombs, "Church's move to sanctuary hearkens to controversy years ago," *Arizona Daily Star*, October 9, 2011, [http://azstarnet.com/news/local/border/article\\_18452d35-1b9f-574d-99aa-e166c24b6893.html](http://azstarnet.com/news/local/border/article_18452d35-1b9f-574d-99aa-e166c24b6893.html), accessed March 2, 2012.

<sup>13</sup> Katherine Bishop, "U.S. Adopts New Policy for Hearings On Political Asylum for Some Aliens," *The New York Times*, December 20, 1990, B18.

and welfare benefits to all non-citizen immigrants, undocumented refugees and legal immigrants included.<sup>14</sup> The age of sanctuary had clearly come to an end.

What, then, has been the legacy of the sanctuary movement? One can only speak with circumspection and some speculation of the legacy of such recent events, but events of the last two decades indicate that the sanctuary movement has had complex and sometimes contradictory effects. Suffolk County's 1993 resolution hints at the difficulties undocumented Salvadorans and Guatemalans would continue to face after the 1980s, which began to manifest themselves as early as 1992. When in late April of 1992 a Los Angeles jury acquitted four police officers charged with assaulting African-American city resident Rodney King, the city erupted into an enormous riot.<sup>15</sup> Over 90% of those who participated in what *The Nation's* Mike Davis referred to as the United States' "first multiracial riot" were black and Hispanic, and Mexican- and Salvadoran-Americans largely constituted this latter group. Roughly one tenth of Salvadorans worldwide, Davis noted, lived in and around LA, and he alluded to the reason for this huge population's presence in the city in the first place: the influx of refugees fleeing the Salvadoran conflict throughout the 1980s. The undocumented status of these refugees and their families proved to be a huge liability to those who participated in the riots. By the time Davis wrote his article in June of 1992, the police had developed tactics for arresting and detaining suspected rioters, and undocumented individuals faced a special fate. Back in 1986, the city council voted not to commit city resources to deporting immigrants. According to Davis, this policy did not hold during the riots. "Violating city policy," he wrote, "the police fed hundreds of hapless undocumented

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<sup>14</sup> Ashley Dunn, "In Suffolk, Less of a Sanctuary for Salvadorans," *The New York Times*, December 13, 1994, B6.

<sup>15</sup> Seth Mydans, "Storm of Anger Erupts—National Guard Is Called Into City: Jury Acquits Los Angeles Policemen in Taped Beating," *The New York Times*, April 30, 1992, A1.

*saqueadores* [i.e., looters] to the I.N.S. for deportation before the A.C.L.U. or immigrant rights groups even realized they had been arrested.”<sup>16</sup> The collaboration of the LAPD and INS in this respect bore a strong resemblance to INS’s policy with regard to Salvadoran refugees during the Reagan years. Even the promised changes to INS policy in 1990 seemed ineffective: conditions for Salvadoran refugees during the LA riots remained little different from what they had been in the previous decade.

Nonetheless, sanctuary activism had great significance for American Catholics. Catholic sanctuary work in the 1980s marked the high point of the Catholic Left in American history. More Catholics than ever felt a willingness to dissent from both church and state when they believed that doing so was the only way to live up to their religious and civic commitments. From bishops to laity, Catholics at all levels of the church declared parishes, congregations, and other bodies public sanctuaries and cared for Guatemalan and Salvadoran refugees, often risking arrest and trial in the process. As the movement peaked in the late 1980s, nearly 80 Catholic communities—a greater number than any other religious group represented in sanctuary—identified as public sanctuaries, out of a total of 464.<sup>17</sup> Since Roman Catholicism was the largest single Christian denomination in the United States, it is hard to say whether this measure of Catholic participation in sanctuary work was disproportionate or not. Still, the sheer number of Catholics involved actively in sanctuary work, as well countless others who supported the movement in quieter, less formal ways, was unprecedented. The percolation of the Catholic Left mindset deeper into American Catholic communities showed up in other endeavors as well, most notably other branches of the

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<sup>16</sup> Mike Davis, “In L.A., Burning All Illusions,” *The Nation*, Vol. 254, No. 21, June 1, 1992, 743.

<sup>17</sup> Chart listing denominational and geographical breakdown of sanctuaries in August 1988; Wisconsin Historical Society, Records of the Chicago Religious Task Force on Central America 1982-1992, M93-153, Box 4, Folder 66.

Central America Peace Movement and the efforts of the Berrigan brothers in the anti-nuclear weapons movement.<sup>18</sup>

But after the sanctuary movement came to an end in the early 1990s, few if any projects by radical Catholics approached the scale and significance that sanctuary had in the 1980s. Through in the 1990s the hierarchy maintained roughly the same political positions it had adopted by the end of the 1980s, but as progressive prelates and sanctuary supporters like Rembert Weakland and Raymond Hunthausen aged and their dissenting voices declined in significance, the hierarchy as a whole seems to have remained moderate or tacked to the right. The current president of the US Council of Catholic Bishops (USCCB), Cardinal Timothy Dolan, offers a good example of this trend.<sup>19</sup> When Rembert Weakland retired from his episcopal seat in Milwaukee in 2002, the Vatican replaced him with the theologically and politically conservative Dolan, who moved to head the Archdiocese of New York in 2009 and was elevated first to the USCCB presidency in late 2010 and to cardinal as well in early 2012.<sup>20</sup> Though he has “declined to ferret out liberals in his midst,” Dolan’s assumption of the Milwaukee episcopacy and the USCCB presidency suggest a desire on the Vatican’s part in the decades following the 1980s to control the “damage” so-called liberals like Weakland and Hunthausen could create.

But the bishops’ council under Dolan has retained the political lessons it learned in the 1980s as it grappled with the political valence of issues like sexuality and immigration.

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<sup>18</sup> On the Berrigan’s anti-nuclear weapons movement, the Plowshares Movement, see Fred A. Wilcox, *Uncommon Martyrs: The Berrigans, the Catholic Left, and the Plowshares Movement*, Reading, Massachusetts: Addison-Wesley Publishing Company 1991.

<sup>19</sup> In 2001, the bishops merged the NCCB and USCC into a single body, the USCCB. “About USCCB,” <http://usccb.org/about/index.cfm>, accessed March 1, 2012.

<sup>20</sup> Michael Powell, “A Genial Conservative For New York’s Archdiocese,” *The New York Times*, February 24, 2009, A9. Laurie Goodstein, “Dolan Chosen as President of U.S. Bishops’ Group,” *The New York Times*, November 17, 2010, A1. Sharon Otterman, “New York’s Next Cardinal,” *The New York Times*, January 8, 2012, MB1.

When the Obama administration, for instance, mandated that all employers, including religious institutions like Catholic hospitals and schools, cover contraceptives under their employee health insurance plans, Dolan, like many other Catholic leaders and organizations, spoke out against the decision. In his capacity as USCCB president, he directly confronted the administration's decision in a statement in January of 2012, rejecting it and arguing that it violated Catholics' right to freedom of religion. "Never before has the federal government forced individuals and organizations to go out into the marketplace and buy a product that violates their conscience," he said. "Let your elected leaders know that you want religious liberty and rights of conscience restored and that you want the administration's contraceptive mandate rescinded."<sup>21</sup> It was a bold and direct challenge to government policy, and it worked. In February, the Obama administration offered a compromise plan in which employees of these institutions would still find their contraception covered, but directly through insurers rather than employers. Given their hard-line stance on contraception, the bishops still rejected the plan, but they considered the compromise plan a step in the right direction.<sup>22</sup> This confrontation would have been unimaginable prior to the 1980s and even during the sanctuary era. Not only were the bishops confident enough to directly challenge government policy, but the president also felt compelled to change that policy in response. Over the past century, the American hierarchy has gone from defending an embattled minority and defending the Americanness of Catholics to boldly influencing US federal policy.

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<sup>21</sup> "Cardinal-Designate Dolan Speaks Out Against HHS Rule, Calls For Action In New Web Video," USCCB Website, News Releases, January 20, 2012, <http://www.usccb.org/news/2012/12-013.cfm>, accessed March 3, 2012.

<sup>22</sup> Laurie Goodstein, "Catholic Bishops Reject New Plan on Contraception," *The New York Times*, February 11, 2012, A18.

Does the Catholic Left have a future in the United States? Will coming decades see a continued use of the practice of sanctuary as a form of religious and political dissent and protest? Recent years suggest an affirmative answer to both questions. In mid-December 1986, Dolores Mission Church, a small Catholic parish in East Los Angeles, expanded its official responsibilities as a sanctuary, offering refuge and assistance not only to Central American refugees but also undocumented Mexican immigrants who might not qualify for protection or citizenship under new immigration legislation passed earlier that year.<sup>23</sup> Dolores Mission was just one church, and a tiny one at that, but its more inclusive redefinition of sanctuary foreshadowed a development that would take place two decades later. Beginning in 2006, Immigration and Customs Enforcement (ICE), the successor of INS, began increasing the number of deportations it carried out, and conservative Republicans in Congress began leading a push for harsher immigration laws. By mid-2007, a new national movement organized by religious leaders of a variety of faiths had begun to take shape in response to these developments. Looking back to the sanctuary work of the 1980s, the leaders of this movement referred to their efforts as the “New Sanctuary Movement” as they attempted to protect Latin American and other immigrants from detention and deportation. They found the recent increase in detentions and deportations disturbing, and as members of Congress debated immigration reform, New Sanctuary activists sought to protect as many vulnerable immigrants as they could.<sup>24</sup> A 2009 “national vision statement” summarized the movement’s goals:

We are based in congregations around the country which are connected to immigrant families and communities who are facing the possibility of separation through deportation. We are together because

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<sup>23</sup> “Parish to Provide Sanctuary to Those Denied Amnesty,” *The Los Angeles Times*, December 15, 1986, SD\_A5.

<sup>24</sup> James Barron, “Churches to Offer Sanctuary,” *The New York Times*, May 9, 2007, B1, B7.



we are engaged in an authentic and passionate faith-rooted response to that suffering. We respond as a hospitable and welcoming community to those immigrant families and communities, and we respond prophetically to the unjust system that cause their suffering (including unfair trade policies). We are committed to amplifying the voices of these families so that they can be heard by those whose decisions affect their lives. We seek to encourage immigrant families, transform and deepen the commitment of congregations (particularly those congregations that would not typically advocate for immigrant rights) and promote the vision of a society characterized by a culture of hospitality. In all this, we draw from the wells of an ongoing movement of people of faith committed to justice.<sup>25</sup>

Though New Sanctuary largely lacks organizational connections to its predecessor, the vision statement reveals philosophical continuities between the two.<sup>26</sup> The New Sanctuary activists see themselves as working on an issue in which faith and politics intersect and see a fundamental concordance between their religious and political views, though religious motivations are primary. Though New Sanctuary activists have nothing like the Reagan administration's Central American intervention to criticize, the statement does connect the suffering of immigrants to one aspect of government policy, namely, what it identifies as "unfair trade policies."

And as in the sanctuary movement of the 1980s, Catholics have played a prominent role in New Sanctuary. In 2007, a Catholic church in New York City, St. Paul the Apostle, hosted a event in which several New York religious leaders of a variety of faiths declared their participation in the New Sanctuary Movement.<sup>27</sup> And in 2011, the Most Holy Trinity

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<sup>25</sup> "About Us," New Sanctuary Movement temporary national website, <http://www.sanctuarymovement.org/content/about-us>, accessed March 2, 2012.

<sup>26</sup> Surviving members of the 1980s sanctuary movement often opted not to participate in New Sanctuary. John Fife, for instance, instead co-founded No More Deaths, an interfaith organization whose volunteers went into the Sonoran Desert and helped prevent the deaths of individuals and families attempting to cross the border from Mexico to the United States. Despite this focus, Fife has supported the New Sanctuary Movement. Brady McCombs, "Church's move to sanctuary hearkens to controversy years ago," *Arizona Daily Star*, October 9, 2011, [http://azstarnet.com/news/local/border/article\\_18452d35-1b9f-574d-99aa-e166c24b6893.html](http://azstarnet.com/news/local/border/article_18452d35-1b9f-574d-99aa-e166c24b6893.html), accessed March 2, 2012.

<sup>27</sup> James Barron, "Churches to Offer Sanctuary," *The New York Times*, May 9, 2007, B1.

Catholic Church nearly became the first sanctuary church of any kind in Tucson since the early 1990s (a court decision delayed the deportation of an immigrant family, obviating the need for sanctuary). Rev. Bill Rimmel, the pastor of Most Holy Trinity, told the *Arizona Daily Star* that, depending on the circumstances, he would absolutely consider sheltering other immigrants facing deportation.<sup>28</sup> And if Rimmel is any indication, Catholic involvement in the New Sanctuary Movement means that the Catholic Left may have a role to play in American religious and political life for some time to come. Recent years have begun to suggest that both the practice of sanctuary and Catholics' place in it are not just transient responses to the political moment but manifestations of deeper trends in American Catholic life. Vatican II, the milieu of Vietnam-era America, and a number of other political, social, and cultural shifts that took place in the 20<sup>th</sup> century opened a new vein in the self-understanding and religious practice of American Catholics. They no longer felt that strict obedience to religious and political authority always superseded fidelity to the principles that grounded that authority, and they believed these two sources of authority to be fundamentally concordant with each other. Their willingness to challenge these authorities signified not a desire to disrupt their religious and political communities but the desire to recover them from error, to push them to live up to their principles and ideals. This philosophy has taken root in the minds of many American Catholics, and its legacy seems likely to unfold in their lives, as well as the lives of all Americans of all faiths and beliefs, for some time to come.

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<sup>28</sup> Brady McCombs, "Church's move to sanctuary hearkens to controversy years ago," *Arizona Daily Star*, October 9, 2011, [http://azstarnet.com/news/local/border/article\\_18452d35-1b9f-574d-99aa-e166c24b6893.html](http://azstarnet.com/news/local/border/article_18452d35-1b9f-574d-99aa-e166c24b6893.html), accessed March 2, 2012.

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