

PART II

US DOMESTIC CASES



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JUST PEACE, JUST SANCTUARY

Immigration and Ecclesial Nonviolence

LEO GUARDADO

The phenomenon of immigration to and in the US is fundamentally a phenomenon marked by direct and institutionalized violence and thus is of direct concern to a framework of just peace. The categorization of this complex reality within the term “immigration” raises the question of whether this is the most accurate term.¹ Because so much of the “immigration” to the United States is driven by contexts of violence, other terms are necessary and will be used in this essay, such as “human displacement,” “asylum seekers,” and “refugees.” Historically, these terms have been associated more with contexts of war, and by using them to describe those who “migrate” I emphasize the forced nature of this mobility. Many of the persons currently “migrating” from the Northern Triangle of Central America are better categorized as asylum seekers rather than immigrants because the homicide rates in the region force people to flee. However, since a war is not technically taking place within the northern triangle, even though the rates of killing are like those of a war zone,² those who flee have difficulty acquiring refugee status or other kinds of legal protections. Using a broader set of terms to describe the context of immigration expands how this reality is framed and the responses that are needed.

The almost eleven million “unauthorized” persons who currently live in the United States, and those who continue to arrive daily, are a locus of contestation in society because the government construes their physical presence yet juridical nonexistence as an aberration of law and order.³ Displaced from their homelands, these persons become targets of persecution in the United States. State mechanisms of control, such as Immigration and Customs Enforcement (ICE), are tasked with rounding up, incarcerating, and removing this population that is strategically categorized as “criminal.”⁴ Although their presence is a legal and political challenge to the US government, for the church they must be a sign of the times and a source of discernment.⁵ The church is engaged with unauthorized persons at multiple levels, from providing legal assistance to pastoral accompaniment in parishes, and its activities do not typically generate much controversy. However, there is one kind of ministry that does give rise to an ecclesial and social conflict: sanctuary.

In this chapter I examine the concept and practice of sanctuary as a legitimate and necessary ecclesial ministry that responds to the phenomenon of human displacement and the persecution of “unauthorized” persons in the United States. I argue that the burgeoning framework of just peace provides a more capacious approach for the church’s ongoing discernment of its responsibility to protect and accompany persons whose life is threatened by deportation.⁶ Sanctuary is a creative nonviolent response to legalized violence in society.⁷

In the first section I analyze the context of immigration to the US, especially from Latin America. I show that violence is not only at the source of why persons leave their countries, but it is also what characterizes the US response. This reality invites the church, as an institution and as a people, to reconsider what constitutes appropriate actions that can reframe a phenomenon that is too often categorized simply as a legal or economic matter.

In the second section I begin to integrate a just peace approach with the conflictual reality that is immigration. After presenting the need for greater practices of dialogue and discernment within the church, I turn to the 1980s sanctuary ministry as a generative example of how ecclesial communities in the US previously theorized and responded to human displacement. Through the writings of Jim Corbett, one of the leaders at the root of the sanctuary ministry, it becomes evident that a framework akin to just peace undergirded the 1980s ministry in the borderlands. These past ecclesial actions serve as a creative source for present and future discernment. Sanctuary, then and now, is a means for church communities to imagine their potential for social transformation and for the construction of a more peaceful and just society.

Context of “Immigration” to the US and the Threat of Deportation to Warlike Violence

In the midst of violence, social instability, and resurgent signs of political repression, Central Americans are fleeing north to the United States.⁸ The case of El Salvador examined in this book is a prime example of why people flee. Embarking on the journey from Central America to the US is a matter of life and death because many of the same dangers faced at home are also faced en route.

For those who flee north, getting into Mexico is the first major hurdle. Despite increased police and military presence at Mexico’s southern border, Salvadorans and Central Americans still attempt to make it to the US border, and some succeed. Even entire families are leaving. In fiscal year 2016 US Border Patrol in the Southwest sector apprehended 77,674 persons who were traveling as part of a family unit, and the majority of these were from El Salvador (27,114), followed by Guatemala (23,067) and Honduras (20,226).

The number of unaccompanied children from these countries apprehended in fiscal year 2016 totaled 46,893, and of these the majority were from Guatemala (18,913) and from El Salvador (17,512). Even though the numbers of unaccompanied children fleeing Guatemala and El Salvador are more or less the same, it is essential to keep in mind that Guatemala has a population of about sixteen million persons compared to El Salvador's six million; thus, proportionally El Salvador's youth are fleeing at a much higher rate. In 2016 the total number of apprehended family units from Central America surpassed figures from fiscal year 2015 and 2014, but apprehended family units are but a fraction of the total apprehensions of non-Mexicans (mostly Central American), which totaled 218,110 in 2016.⁹ Apprehensions identify only those individuals who were not able to make it to their intended destinations or family in the United States.

Both those who were apprehended and those who made it to their destinations increasingly travel through isolated regions of Mexico in order to avoid the new checkpoints established by the US-funded Plan Frontera Sur, which seeks to seal the Mexican southern border from Central Americans.¹⁰ Whereas in the past, large numbers of Central Americans would ride on top of *La Bestia*, a treacherous journey atop a train that carried them from southern to northern Mexico, now they are forced to find alternate routes where Mexican agents will not intercept them and deport them back to deadly violence.¹¹ Entering more isolated regions of Mexico increases the risks of directly encountering and becoming victims of narco-trafficking networks.¹² This practice of militarizing the Mexican southern border with armed government agents mirrors the vision at the US southern border where pushing individuals to isolated and more dangerous areas is used as a deterrent.¹³ The official name for this practice is "prevention through deterrence," and the approach has been in place since 1994.¹⁴ Human rights groups have systematically documented the deadly effects of this deterrence vision to argue that the US government, and increasingly the Mexican government, are "disappearing" those fleeing their home countries.

In the history of Latin America's wars, people did not simply go missing; rather, they were "disappeared" by government forces. Framing the US deterrence vision through the lens of the disappeared makes room for a discourse of government responsibility for the deaths of those attempting to cross the US border. As the report says, "the means of contemporary border policy amounts to a campaign of state violence against migrating peoples."¹⁵ In Mexico, where the Commission for Human Rights estimates that there are about 25,000 disappeared persons, there is a growing sense that disappearances are a mechanism for the government to accomplish strategic interests.¹⁶ The forced disappearance of the forty-three students from Ayotzinapa brought worldwide attention to this larger crisis.¹⁷ Inevitably,

Central Americans who are crossing Mexico on their way to the US risk becoming trapped in this state of affairs in which government forces play a central role in their disappearance. After all, there is financial gain in the capture and sale of Central Americans to narco-trafficking groups. To such groups, each Central American can be worth between \$2,000 and \$5,000 through extortion of their families. If the family does not pay, then they become a *desaparecido/a*.¹⁸

Fr. Alejandro Solalinde, director of the Hermanos en el Camino shelter in Ixtepec, Oaxaca, Mexico, which provides refuge and education for Central Americans journeying north, estimates that there have been at least 10,000 disappeared migrants in Mexico through the collusion of Mexico's federal security forces and the Zetas narco-traffickers.¹⁹ This number is his conservative estimate; he believes it can be as high as 70,000 if one includes disappearances starting in 2006. Both government and narco forces have attempted to close his shelter for migrants because they consider it an obstacle to the economic industry of capturing, extorting, and disappearing migrant bodies.²⁰ The disappeared vanish into mass graves, vats of acid, boiling oil, and other means that leave no trace of remains.

Mothers and other relatives from El Salvador, Honduras, and Guatemala whose family members have disappeared during migration embark on a pilgrimage to Mexico every year to bring attention to this phenomenon. The Comité de Familiares de Migrantes Fallecidos y Desaparecidos de El Salvador (COFAMIDE) has led the pilgrimage since 2006 when the disappearances started to become a systematic symptom of the harrowing journey to the United States. The motto of this transnational movement is “buscamos vida en caminos de muerte” (we seek life on the paths of death), a motto that succinctly captures the core of both the dream that drives displaced persons north as well as the reality that they encounter on the journey²¹. The stories of terror on the journey abound, but because persons fleeing Central America are often already fleeing death, they are willing to risk death in order to have a chance to live.²²

If in Central America and in Mexico violence, politics, and profit coalesce through extortions and disappearances, especially of poor and displaced populations, in the United States these factors come together in the proliferation of private (and hence for-profit) prisons that criminalize and commodify displaced individuals. Since 2009 the majority of “criminals” entering federal prisons are incarcerated not because of offenses related to violence, weapons, or property but because of immigration offenses. These “offenders” are spending their time behind bars in overcrowded for-profit prisons run by corporations.²³ As of 2012 there were about 24,000 immigrants in these prisons whose “crime” was attempting to flee the violence that is consuming Central America and Mexico.²⁴ As of November 2017 the average daily population of

persons incarcerated by ICE in both private (for-profit) and government run prisons was 39,322.²⁵ Essentially, the practice of incarceration of displaced persons is a form of state punishment for defying legalized violence.²⁶

Central Americans seeking refuge in the US who are not deported right away risk months or years in prison without proper legal representation while they wait for a review of their case. It is inhuman that persons fleeing violence and death are more likely to receive a prison sentence in the US rather than refuge and protection. Technically, many of these refugees do not have to wait in jail for their court case, but it depends on whether they can afford to pay their bond to be free. A 2016 American Civil Liberties Union (ACLU) lawsuit against the federal government addresses this very point when it writes in its opening sentence: “This class action lawsuit challenges the federal government’s policy and practice of setting cash bonds for noncitizens in immigration proceedings, without regard to a noncitizen’s financial resources, which has resulted in the incarceration of individuals merely because they are poor.”²⁷ It is tragically ironic that some of the very people who fled for their lives because they could not afford to pay the extortions from the gangs are now incarcerated and deprived of their freedom because they cannot afford to pay the US government.

Whether it is in the streets of Central America or in the private prisons that hold thousands of brown bodies from south of the border, persons seeking refuge from violence continue to become commodities for others’ profit.²⁸ With Donald Trump’s election as president of the United States, the stock price of such for-profit prison corporations surged because the criminalization of asylum-seekers is good business.²⁹ For the current administration, the “unauthorized” other from south of the border is a threat to society and to the nation itself, as was expressed in the Trump campaign rally speeches: “make America safe again.” Such rhetoric attempts to legitimize the ongoing militarization of border regions and also of the interior communities of the United States. Rhetoric about security becomes rhetoric for more military force.³⁰ From a just peace framework, which argues for consistency between means and ends, the current US strategy is unsustainable because it seeks the ends of safety from violence through the means of scaling up violence.

To speak of “unauthorized” immigration in the United States is to speak of a type of warfare that is taking place against “alien” bodies that the government seeks to expel from the body politic through what has been referred to as the deportation-industrial complex.³¹ For sectors of the US population that see only a quantifiable threat and not persons, these are simply bodies, not fully conceived of as living persons. In reference to the ways that violence is strategically framed in society, Judith Butler has written that “if certain lives do not qualify as lives or are, from the start, not conceivable as lives within certain epistemological frames, then these lives are never lived nor lost

in the full sense.”³² To begin to grieve the loss of these lives, and to begin to resist the structural and political mechanisms that in multiple ways kill the “unauthorized” population in the US, we must first *see* this population as more than bodies, and recognize the claim that their humanity places upon our humanity. The fundamental notion of human dignity, which is also emphasized by a just peace approach, becomes central in the process of learning to see nonviolently. All of this requires an epistemological breakthrough that can reframe not only the phenomenon of “immigration” but, just as importantly, the responsibility to protect that communities of faith and all people of goodwill must discern and practice in history.

Persons who are threatened with deportation have few alternatives to prevent their expulsion once they have been apprehended by Enforcement and Removal Operations (ERO), the branch of ICE that literally hunts down persons at risk of deportation. Some churches have begun to provide sanctuary for persons with deportation orders who have already lived in the United States for years and who would be separated from their families and US citizen children. However, a national network akin to what was constructed in the 1980s has not fully emerged.

If the current administration continues to systematically deny asylum claims to persons fleeing for their lives, and to those who have lived here for years and who are now part of the fabric of society, the church may have no theologically legitimate option but to help them avoid capture as they enter this country and attempt to survive with the hope of finding a place and community that affirms the inherent value of their life.³³ Sanctuary has been in the past, and can be again, an effective nonviolent ecclesial response capable of transforming the death-dealing politics of a nation. In the next section I explore how just peace can help reframe a church response to immigration and how the 1980s sanctuary ministry is a resource for future action.

Living an Ethic of Just Peace through a Ministry of Sanctuary

The frameworks of just peace that have been introduced in this book begin to provide a more expansive lens through which the church can better recognize the horizon of possibilities for resisting institutionalized violence. As a burgeoning concept, just peace must resist becoming a unidirectional application of theoretical frameworks to practice. Instead, it must serve as a means of generating more incisive reflection on how ecclesial actions or lack thereof contribute to justice and peace and enable life rather than foreclose it. In terms of immigration, a just peace lens of analysis allows us to recognize that the church in the US exists and participates in an already-given conflictual context. It does so by its openness to see conflict as an opportunity for transformation rather than a threat. Any presumption that the church is

not already embedded within the broader sociopolitical conflict surrounding immigration and unauthorized persons fails to grasp reality in a futile attempt at neutrality that merely condones sinful structures and idolizes a security state.³⁴ If the church has a responsibility to read the signs of the times, then it is also important to understand that there is a certain grace in accepting the conflictual context in which it is called to live its life and carry out its mission. Brad Hinze has written that “much Catholic theology and spirituality harbor a conflict-averse mentality and devote little consideration of structures and practices of ecclesial and civic accountability.”³⁵ Basic integrity requires that the church overcome a conflict-averse mentality so that it can see sinful reality for what it is. A just peace lens has the potential to provide new questions and perspectives that can alter our ecclesial imagination and hold communities of faith accountable to enfleshing in history a humanizing way of being church.

In light of a just peace lens, the structural conditions that generate and sustain the conflict that we call immigration necessitate that the church reexamine its task as one of *transforming* the conflict by *protecting* those most affected by the violence of the conflict.³⁶ This certainly does not imply reducing the church’s diplomatic attempts through the publication of statements from bishops, denunciations of injustice, and exhortations for Catholics to become more involved with immigrant communities.³⁷ Rather, it invites Catholics to consider protective actions as a form of diplomacy that communicates a truth about persons seeking refuge in the United States—a truth whose historical verification is the dehumanizing violence displaced persons are willing to endure on the journey north in order to find life.³⁸ The norm of conflict transformation and the practice of unarmed civilian protection, both of which are emphasized by an ethic of just peace, help the church to actualize such initiatives.

In his framing chapter (chapter 3), Eli McCarthy provides guiding questions for thinking through an ethic of just peace. He asks: “What are the root causes of the conflict? What habits (virtues/vices) are at stake and what skill-sets are needed to transform the conflict? What practices and transforming initiatives could be scaled up to break cycles of violence?” In the previous section, I provided a response to the first question by explaining some of the root causes of the conflict. The conflict can be summarized as a people’s embodied desire for life in tension with a country’s desire to control the right to life of a people. At stake in the conflict is not only the control of borders but, more importantly, notions and definitions of who is a person worthy of life. How the church responds or fails to respond to these deeper implications of the conflict is a concrete reflection of how the church understands itself and its mission.

McCarthy’s second question of virtues and skill sets needed to transform the conflict opens a creative space for identifying resources within and beyond

the Christian tradition. Because violence is at the root of the conflict that is immigration, from the perspective of just peace the virtue of active nonviolence will be a necessary resource and a foundation for any ecclesial response. This requires that faith communities first engage in the spiritual practice of active discernment about the responsibility and possibility of offering sanctuary to persons threatened with deportation in order to interrupt this violent process. Pope Francis writes, “Discernment . . . is not a solipsistic self-analysis or a form of egotistical introspection, but an authentic process of leaving ourselves behind in order to approach the mystery of God, who helps us to carry out the mission to which he has called us, for the good of our brothers and sisters.”³⁹ Discernment, then, is always tied to concrete actions, not for our benefit but for the good of others. Ecclesial discernment cannot happen without greater dialogical practices within the church, especially between clergy and laity, which can allow for a genuine participatory process. When bishops simply foreclose the possibility of parishes becoming a sanctuary church, even if the parish council and the pastor have discerned that they are being called to this action, dialogue is cut short and it raises questions about the laity’s vocation as church to have an authentic role in discernment.⁴⁰ Furthermore, bishops or clergy who foreclose even the possibility of communal discernment processes limit their understanding of how the Holy Spirit may be communicating prophetically from the margins of the church.⁴¹ The church’s ability to become a catalyst in the transformation of sociopolitical conflicts depends to some degree on its ability to address and transform its own internal conflicts in ways that model the change it seeks in society. The church’s very integrity is at stake. If the church does not want the government to deport persons back to deadly violence, then it must begin to perform actions that in fact protect persons from deportation, even if this intensifies the conflict within the church and with government forces.

McCarthy’s third question about practices or initiatives that can be scaled up to break cycles of violence leads me to affirm more explicitly that sanctuary is a nonviolent ecclesial practice that interrupts the violence surrounding “unauthorized” persons. Church sanctuary has a long tradition as a means of protecting persons in need of refuge from violence. The earliest ecclesial reference is from the Council of Serdica in 343, which obliged bishops to protect and intercede before imperial courts for those who fled to “the mercy of the church.”⁴² Key theologians of the early church, such as Gregory of Naziensus, John Chrysostom, and Augustine of Hippo, attested in their own time to the importance of sanctuary as a church practice.⁴³ The medieval concepts of the Peace of God and the Truce of God that served as a means of placing boundaries on violence,⁴⁴ and that Lisa Cahill mentions in her essay, are also conceptually and historically related to early church practices of sanctuary,⁴⁵ because sanctuary was akin to a humanitarian or peace corridor

for the poor, oppressed, and anyone whose life was threatened.⁴⁶ Although in late antiquity, sanctuary practices became increasingly codified and associated with criminals seeking refuge, at its root the concept and practice was much broader.⁴⁷ From a just peace perspective, church sanctuary converges with the practice of unarmed civilian protection, which is a key dimension of active nonviolence. In fact, such an understanding of sanctuary as active nonviolence and a means of peace was at the origins of the sanctuary ministry of the 1980s.

Sanctuary Churches as Peace Building Communities—Then and Now

In the early 1980s, ecumenical faith leaders began a discernment process about their responsibility to Salvadoran and Guatemalan refugees who were fleeing the violence of Central America. One of these faith leaders was Jim Corbett, a Quaker who was a key catalyst for starting a sanctuary ministry in Tucson, Arizona. This ministry went on to become a transnational movement that lasted throughout the 1980s. Corbett understood sanctuary as a civilian-led initiative capable of enacting fundamental aspects of international law within the domestic sphere. He wrote that “as a direct action, civil initiative differs from civil disobedience in being positively engaged in legal procedures to protect and uphold good laws that the government is violating.”⁴⁸ In the background of Corbett’s conceptualization of sanctuary were the Nuremberg Principles. One of the most widely known principles is principle IV, which states: “The fact that a person acted pursuant to order of his [or her] government or of a superior does not relieve him [or her] from responsibility under international law, provided a moral choice was in fact possible to him [or her].”⁴⁹ This principle was in response to the well-known practice of Nazi soldiers disavowing responsibility for their crimes by simply stating that they were only following a superior’s orders.

Already in 1981 Corbett had encountered government officials at the US–Mexico border who said they were simply following orders to deport asylum seekers back to the war in El Salvador. It was Corbett’s fundamental belief that the Nuremberg principles depended on local communities for their implementation that led him to argue for the practice of sanctuary as a practice of civil initiative—literally, civilians taking initiative for upholding international norms of the rights of, and to, humanity. He wrote, “Implementing the Nuremberg mandate is the task of civil initiative. The sanctuary movement is building the institutional foundations—it is mobilizing the church—to fulfill this task.”⁵⁰ For Corbett it was the church, in the broadest universal sense as a people of peoples who covenant to work nonviolently for justice and peace, which could resist the violence and power of the security state.⁵¹ Furthermore, through the practice of sanctuary, the church could serve as an

implementer of global norms of basic human rights within the nation-state. In this sense, sanctuary churches were envisioned as nonviolent peacemaking communities capable of instituting peace from the bottom up. He wrote: “As a people of peoples that covenant to do justice through community cohesion rather than state coercion, the church has unequalled power to mobilize itself as a communion that transcends national boundaries, and so it has an unequalled responsibility to do justice in the face of nations’ violations of human rights.”⁵² Whereas the state apparatus depends on police powers to carry out orders that may be legal within the domestic sphere but that may violate international norms, the church, which at its root is a people, does not depend on police powers for its legitimacy but rather on communion with those whose humanity is violated. The church’s historical responsibility of love and mercy is not dependent on, or ultimately limited by, the nation-state. The church does not seek to dismiss or bypass the nation-state, but rather, through its practice of sanctuary it attempts to hold it accountable to basic norms of humanity to which the state is bound in theory but not always in practice.

At its root, sanctuary as envisioned in the early 1980s had parallels to Gandhi’s constructive program and his method for addressing social conflicts, which he called *satyagraha*.⁵³ These were creative approaches that sought not only to resist legal forms of violence but also to transform conflict and prefigure in society a new way of being community. Echoing Gandhi’s nonviolent methods, sanctuary was a means of organically constructing a more just and human society in communion with, and protection of, persons threatened with deportation back to violence and war.⁵⁴ As a means, there was no guarantee that sanctuary actions would be ultimately effective in terms of radically changing the government’s style of politics. And yet, the early sanctuary communities of the 1980s had a profound belief that there was an unparalleled transformative power in embodying nonviolence as a community. Because a Gandhian framework places its emphasis on nonviolent means rather than political ends, such an approach necessitates an openness to an unknown future and a willingness to endure suffering, a commitment also shared by a just peace ethic.⁵⁵ For the church, as an institution and a people, a willingness to endure suffering in the transformation of this conflict means making peace with the possibility that it will be persecuted, stripped of privileges, and placed on a cross if it lives in communion with “unauthorized” persons. Such experiences, however, are still the marks of an authentic church that lives justice and peace.⁵⁶

I stated at the beginning of this section that just peace is a lens for more incisive reflection on the role the church can embody in the constructive transformation of conflict. As I have shown by turning to the 1980s sanctuary ministry and the Gandhian frameworks that undergirded it, some of the norms and practices that a just peace ethic advocates were already present in

how sanctuary communities responded to the presence of displaced persons at risk of deportation. In our contemporary context, a just peace ethic can help us see more clearly the role of nonviolence in sanctuary practices, and more importantly, a just peace framework can serve as a much needed bridge between theories of social transformation (whether Gandhian or otherwise) and the critical role the church is called to play in the interruption of deadly cycles of conflict and violence. Some of the norms that are essential for just peace, such as the need for sustaining spiritual disciplines (e.g., discernment processes), a robust civil society (e.g. civil initiative), and nonviolent structures that protect civilians (e.g., sanctuary practices), have a greater chance of becoming an integral part of our ecclesial imaginary and discourse because of the way in which a just peace ethic merges them with the Christian tradition.

Sanctuary will certainly require many of the virtues proposed by a just peace ethic, such as solidarity and hospitality. A profound courage will be particularly necessary if the church is going to stand upright and endure the government's persecution for entering into solidarity with the violated humanity of persons who are forced to migrate.

Conclusion

As long as violence in Central America continues to threaten the lives and humanity of persons, they will continue to seek life outside of their countries, even in "unauthorized" ways. Those who flee to the United States and successfully enter present to the church a responsibility to protect that entails risking our security for theirs in order to resist the legalized violence of our government. Sanctuary actions are a positive force that begins to imagine and en flesh a more human community in the present.

The topic of immigration in the US and the church's response needs ongoing analysis through lenses of violence and peace building. Particularly, there is a need to reconsider the concept and practice of sanctuary as a faithful way of being church. In his essay, Gerald Schlabach writes that "a Christian theology of peace is always first about ecclesiology and the formation of Christians as a people of peace." Envisioning and practicing church as sanctuary is an initiative that begins to form and transforms a people—the church—into a people of peace. It is from such communally embodied practices that a critical ecclesiology and theology attuned to just peace will continue to arise. Sanctuary churches not only interrupt the violence of the deportation industrial complex through refuge and other protective practices, but they also perform a public pedagogy that affirms the humanity of all persons regardless of citizenship status. As a creative response to the government's approach to unauthorized immigration, sanctuary presents an opportunity for church communities to reflect upon and integrate theories and practices of peace and

nonviolence with the church's mission, which is always one of loving service to the indivisible unity of God and neighbor.

Discussion Questions

1. How does foregrounding the context of violence reframe immigration?
2. What are sustainable discernment practices for church communities?
3. How does the notion of civil initiative provide a bridge between ecclesial actions and authentic practices of democracy?
4. In what ways does an ethic of just peace expand or reconfigure your understanding of church and the church's relationship to politics? With a just peace ethic, what does the church become more of and perhaps less of? What are some key tips for church actors seeking to communicate and persuade actors in the political sphere of the value of a just peace ethic? How can church actors prevent abuse or co-option of a just peace ethic by political actors?

Notes

1. On its own, the term "immigration" does not point to the reasons for why people are on the move. Furthermore, the term is closely associated with economic assumptions for mobility, such as the notion that people primarily move for better jobs.

2. There is much debate about the relationship between contemporary forms of violence (e.g., gang violence in El Salvador or narco violence in Mexico) and the degree to which they constitute "new wars" in a globalized world. For an overview of these debates and the limits and contribution of terminology, see Mary Kaldor, "In Defence of New Wars," *Stability: International Journal of Security and Development* 2, no. 4 (2013): 1–16.

3. I will use "unauthorized" to refer to persons who are in the United States without legal status and who are particularly vulnerable to deportation. For the government's "law and order" view on immigration, see Cecilia Menjivar, "Liminal Legality: Salvadoran and Guatemalan Immigrants' Lives in the United States," *American Journal of Sociology* 111, no. 4 (2006): 999–1037, at 1007.

4. Leisy Abrego et al., "Making Immigrants into Criminals: Legal Processes of Criminalization in the Post-IIRIRA Era," *Journal on Migration and Human Security* 5, no. 3 (2017): 694–715.

5. Since Vatican II the Catholic Church has recognized its responsibility to discern how the Spirit of God is already at work both wherever a more human world is being constructed and wherever evil threatens and denies the humanity of persons. See *Gaudium et spes* §4, 11.

6. "Responsibility to protect" (R2P) remains stuck mostly at level of interstate conflicts and tied to military actions. Conceptually expanding R2P as a framework for nonviolent civilian initiative in domestic conflicts can provide new avenues for the integration of international norms within a given country.

7. For an analysis of how “legal violence” affects and structures the lives of Central American immigrants in the US, see Cecilia Menjivar and Leisy J. Abrego, “Legal Violence: Immigration Law and the Lives of Central American Immigrants,” *American Journal of Sociology* 117, no. 5 (March 2012): 1380–421.

8. David Cantor, “Gang Violence as a Cause of Forced Migration in the Northern Triangle of Central America,” in *The New Refugees: Crime and Forced Displacement in Latin America* (Washington, DC: Brookings Institution Press, 2016), 27–45.

9. US Customs and Border Protection, “US Border Patrol Southwest Border Family Unit and UAC Apprehensions” (FY 2014–FY 2016).

10. With the implementation of the Plan Frontera Sur in 2014, which effectively serves as an extension of US immigration policy in Mexico, apprehension of persons from the northern triangle of Honduras, Guatemala, and El Salvador drastically increased. For example, between July 2013 and June 2014 there were 79,033 apprehended and returned Central Americans, compared to the period from July 2014 to June 2015 when there were 137,067 apprehensions. See Daniel Villafuerte Solís et al., “La Política Antimigrante de Barack Obama y el Programa Frontera Sur: Consecuencias para la Migración Centroamericana,” *Migración y Desarrollo* 15, no. 28 (2017): 39–64, at 51.

11. Luis Arriola Vega, “Issue Brief 08.05.16: Mexico’s Not-So-Comprehensive Southern Border Plan,” *Rice University’s Baker Institute for Public Policy*, http://www.bakerinstitute.org/media/files/files/329273a1/BI-Brief-080516-MEX_Border.pdf.

12. Roselia Chaca, “Migrantes Recorren Rutas mas Peligrosas,” *El Universal*, January 29, 2015.

13. Coalición de Derechos Humanos & No More Deaths, “Disappeared: How the U.S. Border Enforcement Agencies Are Fueling a Missing Persons Crisis,” 5.

14. U.S. Border Patrol, “Border Patrol Strategic Plan: 1994 and Beyond,” July 1994.

15. “Disappeared,” 9.

16. For statistics on disappeared persons in Mexico, see Comisión de Derechos Humanos del Distrito Federal, “Personas Desaparecidas en México,” *Defensor: Revista Mensual de la Comisión de Derechos Humanos del Distrito Federal* 9 (2015): 3, http://cdhdf.org.mx/wp-content/uploads/2015/09/dfensor_09_2015.pdf; for political motives for disappearances, see Federico Mastrogiovanni, *Ni Vivos ni Muertos: La Desaparición Forzada en México como Estrategia de Terror* (Mexico: Grijalbo, 2014).

17. Azam Ahmed and Paulina Villegas, “Investigators Say Mexico Has Thwarted Efforts to Solve Student’s Disappearance,” *New York Times*, April 22, 2016.

18. Mastrogiovanni, 60.

19. José Antonio Román, “Desaparecidos, 10 Mil Migrantes en México: Solalinde,” *La Jornada*, August 18, 2016.

20. Fr. Alejandro Solalinde, “II Coloquio sobre Violencia, Narcotráfico y Salud Mental,” *Universidad Nacional Autónoma de México*, August 18, 2016, <https://youtu.be/AyOi4ES2SiQ>.

21. Mathieu Tourliere, “Madres de Migrantes Desaparecidos Inician Búsqueda de sus Familiares en la CDMX,” *Revista Proceso*, November 24, 2016.

22. For example, see Sala Negra del Faro, *Crónicas Negras: Desde una Región que no Cuenta* (San Salvador: Editorial Santillana, 2013).

23. American Civil Liberties Union, “Warehoused and Forgotten: Immigrants Trapped in Our Shadow Private Prison System,” June 2014.

24. “Warehoused and Forgotten,” 22.

25. National Immigrant Justice Center, “ICE Released Its Most Comprehensive Immigration Detention Data Yet. It’s Alarming,” March 13, 2018.

26. Sara Riva, “Across the Border and into the Cold: Hieleras and the Punishment of Asylum-seeking Central American Women in the United States,” *Citizenship Studies* 21, no. 3 (2017): 309–26.

27. ACLU Foundation of Southern California, “Xochitl Hernandez et al. v. Loretta Lynch et al.,” April 6, 2016.

28. See “U.S. Commission on Civil Rights Concerned with Alleged Abusive Labor Practices at Immigration Detention Centers,” *United States Commission on Civil Rights*, December 21, 2017; Jacqueline Stevens, “When Migrants Are Treated Like Slaves,” *New York Times*, April 4, 2018.

29. Jeff Sommer, “Trump’s Win Gives Stocks in Private Prison Companies a Reprieve,” *New York Times*, December 3, 2016.

30. Jeremy Slack, Daniel E. Martínez, Alison Elizabeth Lee, and Scott Whitford, “The Geography of Border Militarization: Violence, Death and Health in Mexico and the United States,” *Journal of Latin American Geography* 15, no. 1 (2016): 7–32.

31. Deepa Fernandes, *Targeted: Homeland Security and the Business of Immigration* (New York: Seven Stories Press, 2007), 169.

32. Judith Butler, *Frames of War: When Is Life Grievable?* (New York: Verso Books, 2010), 1, 31. Also, see Judith Butler, *Precarious Life* (New York: Verso Books, 2004).

33. Transactional Records Access Clearinghouse, “Asylum Representation Rates Have Fallen Amid Rising Denial Rates,” *Syracuse University*, 2017.

34. Kristin E. Heyer, “Internalized Borders: Immigration Ethics in the Age of Trump,” *Theological Studies* 79, no. 1 (2018): 146–64, at 158.

35. Bradford E. Hinze, “Vatican II and U.S. Catholic Communities: Promoting Grassroots Democracy,” in *The Legacy of Vatican II* (New York: Paulist Press, 2015), 175.

36. Within peace studies literature there is a conceptual difference between “conflict resolution” and “conflict transformation.” To avoid a caricature of either approach, I will simply say that conflict transformation provides a broader understanding of the givenness of conflict in human relationships (individual and collective) and that the emphasis is on transformation from destructive to more constructive forms. For more on conflict transformation and its givenness, see John Paul Lederach, *Preparing for Peace: Conflict Transformation Across Cultures* (New York: Syracuse University Press, 1995), 9–10.

37. A fine example of the need for such statements comes from Bishop Mark J. Seitz from El Paso, TX, who on April 5, 2018, issued a response to Trump’s plan to send the US military to the southern border. There he asks, “Has it now become a crime in our country to run for your life?” <http://www.elpasodiocese.org/news--events/bishop-seitz-statement-on-executive-order-sending-the-national-guard-to-our-southern-border>.

38. Sanctuary churches that give refuge and protect those threatened with deportation serve as a form of truth commissions that resist government rhetoric.

39. Pope Francis, *Gaudete et exultate* (On the Call to Holiness in Today's World), March 19, 2018, §175.

40. For example, an April 7, 2017, letter from bishop Peter A. Libasci of Manchester, NH, that was sent to his priests effectively, without explicitly saying so, prohibits priests from providing refuge to someone who seeks sanctuary in a church. See J. B. Cachila, "Churches Cannot Provide Legal Sanctuary to Immigrants, Bishop Says," *The Christian Post*, April 11, 2017. To read the letter, visit <http://nhchurches.org/wp-content/uploads/2017/12/2017-04-07-Letter-from-Bishop-Libasci-re-Sanctuary.pdf>.

41. For a classical study for discerning the Holy Spirit's relation to prophetic activity, see Yves Congar, *True and False Reform in the Church* (Collegeville, MN: Liturgical Press, 2011), 169–98. For a brief summary of the Holy Spirit's relation to virtue, especially in the work of Aquinas, see Yves Congar, "The Gifts and the Fruits of the Spirit," in *I Believe in the Holy Spirit*, vol. 2 (New York: Crossroad Herder, 2015), 134–39.

42. Hamilton Hess, *The Early Development of Canon Law and the Council of Serdica* (New York: Oxford University Press, 2002), 203.

43. Gregory of Nazianzus, "On St. Basil the Great," *The Fathers of the Church*, vol. 22 (New York: The Fathers of the Church, Inc., 1953), 73; John Chrysostom, "Homily One on Eutropius: On Eutropius, the Eunuch, Patrician and Consul." *Nicene and Post-Nicene Fathers, First Series*, vol. 9 (Buffalo, NY: Christian Literature Publishing Co., 1889), §1; Augustine of Hippo, *City of God* (New York: Doubleday, 1958), 40–41.

44. According to Frederick Russell, "the Truce of God limited the use of violence to certain time periods, while the Peace of God declared certain occupational classes, such as clerics, to be immune from all violence." Russell, *War in the Middle Ages* (Cambridge: Cambridge University Press, 1975), 34.

45. See Norman Maclaren Trenholme, *The Right of Sanctuary in England* (St. Louis: University of Missouri, 1903), 11.

46. In the past few years, religious organizations have applied the concept of humanitarian corridors to the refugee phenomenon in Europe. See Vicki Squire, "Humanitarian Corridors: Beyond Political Gesture," October 17, 2016.

47. See Karl Shoemaker, *Sanctuary and Crime in the Middle Ages: 400–1500* (Bronx, NY: Fordham University Press, 2011).

48. Jim Corbett, *Sanctuary for All Life* (Berthoud, CO: Howling Dog Press, 2005), 70. Most of Corbett's writings can be found at the University of Arizona archives. This book posthumously collects some of his philosophical, theological, political, and ecological insights. Corbett's point that sanctuary was civil initiative and not civil disobedience was never fully grasped by the media, thus obfuscating some of the most original philosophical aspects of this tradition.

49. United Nations, "Principles of International Law Recognized in the Charter of the Nürnberg Tribunal and in the Judgment of the Tribunal," 1950.

50. Jim Corbett, *The Sanctuary Church* (Wallingford, PA: Pendle Hill Publications, 1986), 18.

51. Corbett, 13.

52. Corbett, 14.

53. See Joan Bondurant, *Conquest of Violence: The Gandhian Philosophy of Conflict* (Princeton, NJ: Princeton University Press, 1988), 4.

54. For Jim Corbett, the practice of sanctuary in the borderlands followed a Gandhian approach to social change in contrast to an Alinsky approach that was more popular in other parts of the US. He wrote: “For those who seek politico-military power, Alinsky opens a way. For those who seek communion, Gandhi opens a way.” Jim Corbett, *Goatwalking: A Guide to Wildland Living, a Quest for the Peaceable Kingdom* (New York: Penguin Books, 1991), 108.

55. For an analysis of a Gandhian understanding of means and ends, see David Cortright, *Peace: A History of Movements and Ideas* (Cambridge: Cambridge University Press, 2008), 215; for the just peace ethics framework, see McCarthy, “Just Peace Ethic: A Virtue-Based Approach,” this volume, chap. 3.

56. See Jon Sobrino, *The True Church and the Poor* (Maryknoll, NY: Orbis, 1984), 84.