

Expanding the Legal and Political Boundaries of “Sanctuary” Through Practices of Compassionate Migration¹ in the American Context

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The history of townships and cities granting sanctuary to those fleeing from state and non-state violence is rooted in a deep history of hospitality and compassion. As we are witnessing a dangerous rise in xenophobia and nativism accompanied by policies of exclusion, we are also witnessing, as a counter-hegemonic response to the former, a rising number of “sanctuary” jurisdictions. Today the number of “sanctuary” jurisdictions in the United States has risen to nearly 500,² representing a massive expansion of spaces where state and local governments are implementing policies that shelter irregular immigrants from being detained and deported by immigration authorities in spaces considered under the exclusive jurisdiction of state and local authorities. Even though ‘sanctuary cities’, counties, and states are mainly focused on limiting their cooperation with federal authorities, their scope and reach, which includes cooperating with a growing number of social networks supporting “sanctuary”, are pushing the legal boundaries of

¹ For a definition of Compassionate Migration see: Benders, Steven & Arrocha, William. Introduction (A book chapter in *Compassionate Migration and Regional Policy in the Americas*). Seattle University School of Law Legal Paper Series # 17-13. Steven W. Bender and William F. Arrocha (eds.), *Compassionate Migration and Regional Policy in the Americas* (2017), UK: Palgrave Macmillan.
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3004067

² <https://www.washingtontimes.com/news/2017/mar/14/number-sanctuary-cities-nears-500-report/>

state and local governments regarding new forms of inclusion for those immigrants who find themselves in an irregular situation. As a result, unauthorized immigrants are enjoying more freedoms and rights. Despite the institutional and informal counter-hegemonic responses to today's policies of exclusion, which are framed in an increasing criminalization and securitization of migration, this paper proposes the pressing need for the sanctuary movement in the U.S. to embrace the concept and practice of Compassionate Migration. Furthermore, this paper would like to suggest that by embracing Compassionate Migration, local and state communities can empower communities to drive the federal government to reconsider the social and economic costs of maintaining the present policies of exclusion.

I. Introduction

Accepting strangers makes them part of the moral community. That is the basis of sanctuary. But the ever-present tension between incorporating and rejecting strangers limits human beings to bestow it.

Linda Raben (2011, p. 470)

Leaving one's home and crossing into the borders of another country, for whatever the reason may be, has become an act that entails dreams and opportunities but also risks, with the latter in many cases outweighing the hopes of a better life. A migrant today, as well as many diasporas are no longer welcomed as the ". . . tired, . . . poor, huddled masses yearning to breathe free," or the "homeless [and] tempest-tost" (Lazarus, E). Those fleeing extreme poverty or violence, and in search of a safe haven, of just looking for a better life, to reunite with family, or simply to do what all humans have done for millennia which is to discover new lands and peoples, are perceived by those in power as "animals," "criminals," "rapist" and pests that "infest" and threaten a nation's fabric, values and culture (Martell, S. May 17, 2018; Time Staff, Jun. 16, 2015; Graham, D. Jun, 19, 2018). When the president of the United States barks that certain immigrants and diasporas (particular those composed of African communities, Muslim communities or of Arabic origins) come from "shitholes" (Reuters, Jan. 11, 2018) or that "[A]llowing the immigration to take place in Europe is a shame," as "you [Europeans] are losing your culture," (Scott, H. Jul. 12, 2018) what we are witnessing is the revival of a racist rhetoric

accompanied by nativism and xenophobia at the highest levels of power. Moreover, we are witnessing the resurgence of fortresses and walls, surrounded by moats: The Rio Grande, also called Rio Bravo plays such role at the US-Mexico border, and the Mediterranean Sea plays the same role in the European-African context. When we talk about a barrier separating the US and Mexico, we are literally talking of 580 miles (930 km) of a series of walls and fences which keep expanding every day, despite the President's call to build "a big, beautiful wall" wall between the US and Mexico (Khan M. et al. Jan. 5, 2018), and if there is not a river or a fence deterring migrants from crossing the US- Mexico border, there are 389 miles of desert at the border between Arizona and Mexico that cut through 100,000 square miles of sparse desert.

The barriers for those wanting or needing to enter the US do not start and end at fenced borders, they start with visa requirements and security clearance procedures that make it almost impossible for the majority of citizens from states that are not part of the US Visa Waiver Program, to come in legally (Nixon, R. Jan. 30, 2017 & VisaGuide.world n.d.). However, the push factors and pull factors to migrate to the United States, particularly through its Southern corridor have not eased (UN 2017 Report on International Migration, p. 14). Moreover, the UN 2017 Report on International Migration states that the number of international migrants worldwide has continued to grow rapidly in recent years, reaching 258 million in 2017, up from 220 million in 2010 and 173 million in 2000 (UN, 2017, Highlights & Key Facts). Of the 258 million immigrants, the largest number (50 million) reside in the U.S. (idem). Added to the former, in 2016, the total number of refugees and asylum seekers in the world was estimated at 25.9 million, with the developing regions hosting 82.5 per cent of the world's refugees and asylum seekers (idem. p. 7). Regarding irregular (unauthorized) migration, the U.S. counts with 11 million unauthorized immigrants with the majority, though declining, coming from Mexico 5.4 million, while the rest (5.7 million) are coming from Central America and Asia (Pew Research Center, April 27, 2017). However, the number of refugees accepted by the U.S. has been undergoing a constant decline despite the fact that the number of refugees has not stopped increasing since the conflicts in Syria, Iraq and sub-Saharan Africa (Pew Research Center, Oct. 12, 2017). For refugees or asylum-seekers to the US, the vetting process since 9/11, added to the new restrictions from the Trump administration, have become almost unsurmountable barriers for those looking for refuge in the U.S. (idem. n.p).

The legal, political, financial and social barriers to migrate have no doubt increased, even though the push and pull factors have not decreased. But as we will argue in this article, the most disturbing challenge for migrants and diasporas, particularly irregular migrants, are the threats to end due process as well as the loss or inability to access fundamental human rights (Politico June 6, 2018). Such policies of exclusion and suppression, framed in an ever-increasing criminalization of irregular migration as well as the securitization and militarization of borders have divided communities. On one hand, many communities have used their state and local governments to intensify policies of exclusion while other communities are pushing back and confronting such policies with counter-hegemonic strategies that include state laws and city ordinances of inclusion, as well as actions of civil disobedience. Some of these strategies can be simple yet critical humanitarian actions such as placing water bottles in the desert for those migrants who have chosen such perilous trek while others are more complex political and legal policies that despite being labeled as granting “sanctuary” take many forms that we intend to present in the article, with our focus on state sanctuary laws as they are the ones that encompass the full scale of the U.S. Constitutional 10th Amendment. The reason why the 10th Amendment is critical for securing “sanctuary” at a state level, including counties and cities as well as other public spaces is because it reaffirms the sovereignty of states over policies that state government might deem as sovereign as it states that “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” (Legal Information Institute n.d). On the other hand, we will suggest that actions and policies of inclusion require, as an instrument of social and political empowerment, to embrace from a social justice standpoint concepts and practices of Compassionate Migration.

What are at stake are the full application of the principals, laws and norms that ensure the most fundamental human rights of all human beings, regardless of their legal status. Today being a migrant or a member of a particular diaspora can be perceived by many receiving communities as a threat to their core values, individual and collective safety as well as the national security of the state. On the to other hand there are still many individuals and communities that are willing to embrace, regardless of their legal status, those who are in search of a better life. The struggle for those non-citizens caught between those who fear their presence them and those embracing them as members of their communities is far from being resolved. In the meantime, the body and instruments of international human rights as well as all political and legal actions that ensure that

such rights are enforced to protect the dignity and lives of those individuals and communities who embark in a journey to find a safe heaven or a better life are the new “lamps beside the golden doors” (Lazarus E.).

I. From the Universal Declaration of Human Rights (UDHR) to the rights for those leaving what they once called home

International human rights laws and their instruments have at their cornerstone the Universal Declaration of Human Rights (UDHR). From a normative perspective, the UDHR was the most important effort by the international community to embrace a common moral community that would work towards maintaining lasting peace and security. By accepting as a universal recognition that “All human beings are born free and equal in dignity and rights [and] are endowed with reason and conscience and should act towards one another in a spirit of brotherhood” (UDHR, Art. 1), the international community of nation-states accepted that all human beings have inalienable rights, regardless of their legal status. Regardless of their citizenship, all human beings have the right to moral address, and states at all their levels of government have the obligation as members of the international community to uphold general obligations towards the people who are under their jurisdiction regardless of their immigration status. However, beyond the application and observance of the rights and obligations derived from the UDHR through the International Bill Rights (UDHR, the International Covenant on Civil and Political Rights (1966) and its Optional Protocol and the International Covenant on Economic, Social and Cultural Rights (1966) and its Optional Protocol) as well as the nine Core International Human Rights Instruments and their monitoring bodies (United Nations, UNCHR n.p.), states still maintain a quasi-absolute sovereignty over whom they include into their boundaries, the standards and conditions of residence and citizenship, and the array of social, economic and political rights that are specific to citizens and non-citizens.

Despite the unchallenged power that states have over their national borders, when it comes to migration, the United Nations Global Migration Group (GMG)³ reiterated to all United Nations members that the “fundamental rights of all persons, regardless of their migration status, include:

- The right to life, liberty and security of the person and to be free from arbitrary arrest or detention, and the right to seek and enjoy asylum from persecution;
- The right to be free from discrimination based on race, sex, language, religion, national or social origin, or other status;
- The right to be protected from abuse and exploitation, to be free from slavery, and from involuntary servitude, and to be free from torture and from cruel, inhuman or degrading treatment or punishment;
- The right to a fair trial and to legal redress;
- The right to protection of economic, social and cultural rights, including the right to health, an adequate standard of living, social security, adequate housing, education, and just and favourable
- conditions of work; and
- Other human rights as guaranteed by the international human rights instruments to which the State is party and by customary international law.” (International Commission of Jurists (ICJ) pp.36-37)

As the GMG reiterated: “Protecting these rights is not only a legal obligation; it is also a matter of *public interest* (underlined by author) and intrinsically linked to human development.” (GMG, Sept. 30, 2010). As we will further develop in this article, the practices of “sanctuary” and “compassionate migration” are very much informed by the negative consequences on the well-being of the general public when all levels of government ignore or violate the fundamental rights of all persons, including unauthorized immigrants.

On the specific praxis of granting refuge, asylum or a safe place for those fleeing from armed violence or persecution by the state, the agreed upon international norms are narrower in scope and are found in the 1951 Refugee Convention and its 1967 Protocol (CSR51 & CSRP67)

³ The Global Migration Group (GMG) is an inter-agency group bringing together heads of the International Labour Organization (ILO), the International Organization for Migration (IOM), the Office of the High Commissioner for Human Rights (OHCHR), the UN Conference on Trade and Development (UNCTAD), the UN Development Programme (UNDP), the UN Department of Economic and Social Affairs (UNDESA), the UN Education, Scientific, and Cultural Organization (UNESCO), the UN Population Fund (UNPF), the UN High Commissioner for Refugees (UNHCR), the UN Children’s Fund (UNCF), the UN Institute for Training and Research (UNITR), the UN Office on Drugs and Crime (UNODC), the World Bank and UN Regional Commissions.

which states that a refugee is someone who is unable or unwilling to return to their country of origin “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.” (UNCHR, CSR51 Art 1, para.2). However, states that are at war, which is the case of the United States today (Bilmes, L. & Intriligator, M. 2013), can take provisional measures that can determine that an individual may no longer be considered a refugee based on national security considerations (UNCHR, CSR51 Art. 9). Moreover, the convention does not oblige states to open their doors to those who might be considered refugees by the UNHCR or other states, as it is up to states to determine the administrative process to admit someone as a refugee, which in the case of the U.S. is an extremely long and cumbersome process (Buchanan, L. and Park, H. Jan. 29, 2017). Nevertheless, once the U.S. grants asylum seekers the status of refugees, the former are protected by the principle of *non-refoulement* which states in Article 33 of the 1951 Convention Relating to the Status of Refugees that “No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.” (1951 Convention Relating to the Status of Refugees –CSR51 Art. 33 (1)). It is important to note that this principle is also found in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Art.3), the International Convention for the Protection of All Persons from Enforced Disappearance (Art.16). In the U.S. refugees are also protected by the Refugee Act of 1980.

However, it is also important to note that if a state considers that a refugee represents a security threat for the state or the community that hosts him, he or she could be expelled (Art. 33 (II)). States must have the possibility to expel those individual who clearly pose a threat to the security of the state or their communities, however, under a climate of nativism and xenophobia, such power can be abused by state agencies, as has been the case in the U.S. under President’s Trump’s Executive Order 13769, titled Protecting the Nation from Foreign Terrorist Entry into the United States, often referred to as the “Muslim ban.”

Regardless of the rights that refugees acquire in the U.S., today the citizens from Syria, Iran, Sudan, Somalia, Yemen and Libya living in the US are strongly advised not to leave the country as their reentry is not guaranteed (Refugee Online Center, n.d.; Cook, J., Marans D., & Mathias, Chr. Jan, 1, 2017).

For those individuals who are not seeking asylum and cannot meet the administrative requirements to enter, stay or work in the U.S., their options to become legal immigrants are very slim. If they decide to enter the U.S. without the proper documents, or incur in a visa overstay, they will find themselves in a very vulnerable position as their presence will be considered as unlawful⁴. Although being unlawfully present does not constitute a crime, the penalties for being unlawfully present can be severe as unauthorized immigrants can be barred from reentering the country for 3 or 10 years, and in cases where an individual who has been unlawfully present in the U.S. for an aggregate period of more than one year and then enters, or attempts to enter, the U.S. without being admitted is permanently inadmissible (Immigration and Nationality Act (INA) § 212(a)(9)(C)(i)(I)).

Despite facing many challenges to being admitted in the U.S., once a migrant is present in the U.S., the state is obliged, regardless of their legal status, to grant them a number of Constitutional rights. Moreover, if the social and economic consequences of not granting immigrants certain rights outweigh the needs to maintain public and health safety as well as the economic and social well-being of certain communities the Executive as well as state and local governments can expand certain rights and protections as has been the case with a number of states granting unauthorized immigrants drivers licenses or the Executive granting a temporary relief from being deported as is the case with the Deferred Action for Childhood Arrivals Program (DACA).

It is important to note that beyond constitutional rights, other rights and protections acquired through Executive Orders, state and local laws tend to be temporary and quite volatile as they depend on the political will of the Executive or changes in laws and regulations enacted by federal and state legislatures as well as county or city ordinances. Today, the most controversial and politically charged example of how the political will of the executive can

⁴ According to the United States Immigration and Nationality Act (INA) § 212(a)(9)(B)(ii), and 8 USC § 1182(a)(9)(B)(ii), a migrant (alien) is deemed to be unlawfully present in the United States if the migrant (alien) is present in the United States after the expiration of the period of stay authorized by the Attorney General or is present in the United States without being admitted or paroled.

impact certain rights and protections was the decision by President Trump to rescind the Deferred Action for Childhood Arrivals (DACA) Program in January 2017. DACA which was implemented by President Obama under an Executive Order on June 15 2012 grants certain unauthorized immigrants a renewable two-year deferred action from deportation that permits them to work or study.⁵ However, DACA does not grant individuals under its program a legal pathway towards citizenship. Moreover, it does not protect the parents and other family members who do not meet the program's guidelines. Today the fate of DACA and the 800,000 migrants under its protection are in the middle of a highly charged political and legal battle between the judiciary and the executive as the program is being upheld by a court injunction that could be overruled by an appeal court (Kopan, T. & Berman, D. Aug. 4, 2018).

Except for those migrants that have been granted refugee status or special protections under humanitarian grounds, which is very difficult and rare,⁶ most irregular migrants are confronted with an immigration system that criminalizes their presence. Under today's anti-immigrant rhetoric and 'zero-tolerance' immigration policy, the present administration is deliberately violating as a form of deterrence key fundamental human rights laws by breaking families, indefinitely detaining unauthorized immigrants, including children, and increasing the practices of aggressive raids and expedite deportations (Davis, J. June 27, 2018). Furthermore, several states and local governments, long before the Trump administration, have been implementing state bills as well as city ordinances that jeopardize such rights, protections by what Carens calls policies of "administrative linkages." (Carens, J. 2008. P. 168). Such linkages require public officers in police departments, hospitals, public schools and other public agencies

⁵ For DACA, including its present status see: <https://www.uscis.gov/archive/consideration-deferred-action-childhood-arrivals-daca>

⁶ In the U.S. victims of human trafficking and other crimes can be protected with special visas to stay legally in the United States *while* (emphasis by author) assisting law enforcement in the investigation or prosecution of the trafficker. See: <https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes>. However, to obtain permanent residence those who obtain T-visas (human trafficking) or U-Visas (other crimes) they must have "maintained good moral character during their stay in the United States" which have complied with any reasonable request for assistance in investigation or prosecution or demonstrate *extreme* hardship involving unusual and severe harm upon removal from the United States. These two conditions make it very difficult to obtain the permanent residence. For T-Visas see: <https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-human-trafficking-t-nonimmigrant-status/questions-and-answers-victims-human-trafficking-t-nonimmigrant-status-0> and for U-Visas see: <http://www.immigration.com/news/u-visa/uscis-questions-answers-victims-criminal-activity-u-nonimmigrant-status>

to report to U.S. Immigration and Customs Enforcement (ICE) the presence of unauthorized immigrants. As Carens states: “This has the effect of taking away with one hand what was granted with the other, reducing the legal protections of the basic human rights of irregular migrants to a nominal entitlement stripped of any substantive effect.” (Carens, p. 168).

II. Jeopardizing the fundamental rights of immigrants through the criminalization and securitization of migration

Despite the recognition of the push and pull factors of international migration, receiving states and communities will always be confronted with moral and ethical dilemmas on how to manage large migration flows, particularly when a large percentage of such flows is composed by irregular migrants. Today the U.S. is deeply polarized between states and communities that believe in the need to secure fundamental rights for immigrants, including social policies of inclusion regardless of their legal status, and those states and communities with a stricter view of the application of the rule of law. Despite this polarization, it is fundamental that federal, state and local governments acknowledge that there are fundamental rights that immigrants enjoy, regardless of their legal status.

There are undeniable rights that have been internationally agreed as fundamental to all human beings, regardless of where they may find themselves. At the corner stone of such rights is the right to the security of one’s person and property. However, these rights, which are supposed to be inalienable have been put in jeopardy due to national security considerations, the securitization of migration and the criminalization of irregular migration: Citizens, foreigners and immigrants are being perceived by the growing U.S. national security state as potential threats to the security of the state (Stanley, J. Sept. 5, 2013; Jablonsky, D. 2002-2003).

As a response to the tragic events of September 11, 2001, Congress enacted the 2002 Homeland Security Act establishing the U.S. Department of Homeland Security (DHS) pulling together various federal agencies and offices into the largest department dealing with internal security, including the management of immigration and the enforcement of immigration laws (DHS -About DHS, n.d.). Another key act in the U.S. that has radically shifted the principle of the state’s obligations to uphold the fundamental rights to the security of one’s person and property is the 2001 Patriot Act which actually turns regular citizens (and foreigners) into

suspects (American Civil Liberties Union (ACLU) n.d.). Added to these acts, and the detrimental effects that they have on the right to one's security and property, the most radical and extreme power that the U.S. President has is to target his own citizens for execution without any charges or due process. This self-granted executive power was the result of a 2011 memo entitled: "Lawfulness of a Lethal Operation Directed Against a US Citizen Who is a Senior Operational Leader of Al-Qa'ida or an Associated Force" (Greenwald, G. Feb. 5, 2013). Today, citizens, foreigners, immigrants and refugees in the U.S. no longer enjoy the same level of constitutional protections under the Bill of Rights they did before 9/11, particularly regarding the protections granted by the 4th and 5th Amendments⁷.

Regarding irregular migrant's constitutional rights, they face another challenge when trying to protect their fundamental rights and that is the fact that they do not have the right to a public defendant which makes it almost impossible to receive a fair and just hearing of their cases, if they make it to an immigration court, which is not always the case. As a result of the further criminalization of irregular migration under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), unauthorized immigrants can be subjected to the process called "expedited removal." (idem). Today most irregular migrants, including those who have been trafficked or seeking asylum who are detained by a U.S. Border Patrol agent at the border or a U.S. Immigration and Custom Enforcement (ICE) officer when they are within the homeland have to prove, without a public defendant or an appearance in court their lawful presence in the state. With the burden on migrants to prove their legal presence, yet without the proper access to a defendant, thousands of migrants are subject to mandatory detention and expedited removal. The DHS can actually commence deportation proceedings in as little as twenty-four hours -even if that person is, in fact, here lawfully (South California Law Group, n.d.). Moreover, the Southern Poverty Law Center (SPLC) has extensively documented

⁷ The 4th Amendment states that "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." And the 5th states that "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation." See Legal Information Institute (n.d.) U.S. Constitution –Bill of Rights, in Cornell Law School. Retrieved on 9.30.208 from <https://www.law.cornell.edu/constitution/billofrights>

violations of the 4th Amendment's protection against unreasonable searches and seizures in which ICE conducts aggressive raids that include breaking into homes without proper warrants (SPLC, Dec. 2017) Added to these severe detentions and removals, the present administration under the 2017 Executive Order entitled *Border Security and Immigration Enforcement Improvements* can summarily deport anyone who is suspected of being in the U.S. unlawfully, and cannot prove that he or she has been in the U.S. continuously for at least two years (US DHS, Feb. 21, 2017).

Despite the erosion of many constitutional rights (Frazee, G. Jun 25, 2018 & Carrens, J. and Gutting G. Nov. 24, 2014), they are particularly vulnerable when they are caught at the border (Benner, K. & Savage, Ch. Jun. 25, 2018) with the most disturbing distortion of due process at the border, and beyond, has been the “zero-tolerance” immigration policy of the Trump administration that was announced by the General Attorney (GA) on May 7, 2018 announcing the separation of children from their parents (Jenkins A. May 7, 2018; Meng, G. July 11, 2018 & Hite, A. et.al. Aug. 2018). Although the president retreated his policy regarding the separation of families a little more than a month later, and under massive pressure from the media, political pundits, organized civil society, foreign governments and the United Nations (Haberman, M., et al. June 20, 2018), and the government had to reunify the families separated as a result of U.S. District Judge Dana Sabraw of San Diego order of June 26, 2018 (Johnson, A. June 26, 2018), as of late August 2018, there are still 497 children out of more than 2,600 children separated from their parents (Shapiro, L. & Sharma M. Aug. 30, 2018). Despite the order by Judge Sabraw, the administration is not giving up on looking for new methods of family detentions and children separations to deter irregular migrants from crossing the southern border (Dawsey, J. et.al. October 12, 2018).

Freedom of speech is another constitutional right derived from the 1st Amendment that states that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.” (Legal Information Institute, n.d.). Although freedom of speech is granted to “people”, not just citizens, it is a right that has always been precarious for non-citizens (Kegan, M. 2016), and today non-citizens, including permanent residents, are living under fear of being detained and deported if

they express their grievances to certain state agencies or in public assemblies (Burnett, J. March 16, 2018; Sacchetti, M. & Weigel, D. Jan.19, 2018). But perhaps the most perverse irony of the use the 1st Amendment by non-citizens who are protesting the nativist discourses of the Trump administration and its zero-tolerance immigration can be summarized by Cory Carroll of *The Guardian* when asks following: “An awkward question has begun to nag opponents of Donald Trump’s immigration policies: is the resistance inadvertently helping the administration?” (Carroll, C. April 3, 2017). Today the right of freedom of speech has become another weapon used by the present administration to identify, detain and deport those who oppose his anti-immigrant stance creating deep moral and ethical dilemmas in host communities who are considering this aggressive approach as going beyond the limits of the rule of law.

Added to the fear of being detained or deported for asking for “a redress of grievances,” the most negative impacts of the Trump administration’s “zero-tolerance” immigration policies, added to the existing detentions linked to the 287 (g) and Secure Communities programs, can be of the deep fear of immigrants, regardless of their legal status, to report crimes, including those related to domestic violence, which curtails the most important principle of freedom of speech which is to speak for justice and one’s own security.

The truth of the matter is that as a result of the criminalization of irregular migration under the 1996 IIRARA, the implementation of programs that delegate certain immigration powers to local police such as the 287 (g) program (ICE a, n.d.) and the Secure Communities Program (ICE b, n.d.), as well as the “zero-tolerance” immigration policy of the Trump administration, irregular migrants are finding that the legal spaces for a fair and just review of their cases are shrinking to the point of putting their fundamental human rights in jeopardy.

There are however certain rights that remain in place such as emergency medical care through the 1986 Emergency Medical Treatment and Active Labor Act (EMTALA) which states that “any patient arriving at an Emergency Department (ED) in a hospital that participates in the Medicare program must be given an initial screening, and if found to be in need of emergency treatment (or in active labor), must be treated until stable.”⁸ Irregular migrants can also receive

⁸ 10. 42 U.S.C. § 1395dd- Examination and treatment for emergency medical conditions and women in labor. For full section in U.S. Code go to: Legal Information Institute (LII) at <https://www.law.cornell.edu/uscode/text/42/1395dd>

care under certain provisions of Emergency Medicaid related to those considered as so too poor to pay which in most cases are irregular migrants (Public Broadcasting Service (PBS), Feb. 13, 2013). However, the Trump administration is not even respecting hospitals when applying their zero-tolerance policy as has been attested by patients who as a result of being unlawfully present in the country are being detained and dragged out of hospitals or when going to a hospital (Eltagouri, M. Oct. 27, 2017; *BBC*, Aug. 20, 2018). The truth of the matter is that immigrants considered unlawfully present are being detained in schools, hospitals and courthouses creating an outrage by state and local governments as well as many local communities that can no longer accept such aggressive and openly inhumane forms of dealing with irregular migration (The Times Editorial Board, March 16, 2017).

Although irregular migrants also have the right to a free public education which was recognized by the U.S. Supreme Court the case of *Plyler v. Doe* in 1982 (Carens, *idem* p. 169), and in a number of states they can also have the right to driver's licenses in twelve states and two territories (National Immigration Law Center (NILC.org) May 2017), these rights right are being curtailed by more than 160 anti-immigrant state and city ordinances (Gordon, I. & Raja, T. 2012; New York City Liberties Union (NYCLU), 2007). The "zero-tolerance" immigration policy of the Trump administration has become so aggressive that the administration has created a task force that will review the files of naturalized citizens to determine if in their process there were inconsistencies that could revoke their citizenship (Gessen, M. June 18, 2018).

Even though many states and local governments support such draconian measures, there is an increasingly large number of states and local governments that are actively opposing such measures through the expansion of spaces and practices of "sanctuary".

III. The need to expand the spaces and practices of "sanctuary"

Granting sanctuary is not codified under international law and therefore relies on the empathy of moral communities towards the ordeals of those who have broken laws that are deemed as unjust. Such empathy tends to be temporary, except when it is based on moral and ethical principles that are codified as part of the moral community's core principles as has been the case, with many Christian churches (Davidson, M. 2014 & Deslandes, A. March 22, 2017). As

Davidson states: “The ancient tradition of sanctuary is rooted in the power of a religious authority to grant protection.” (Davidson, M. p. 583).

Although the U.S. does not recognize the legality of granting sanctuary to those who might be in violation of civil or criminal law, churches and religious associations in the U.S. have kept the act of granting sanctuary as an essential principal of protecting those who find themselves in a vulnerable position and whose life might be in jeopardy (Marfleet, Ph. 2011). Such acts are grounded in ancient practices of protection and hospitality that today are being secularization through the codification by sub-federal governments of inclusionary laws that protect irregular migrants from state actions that are deemed unjust, might jeopardize public and health safety, or infringe on state and local sovereignty (Villazor, R.C., 2010; Christopher Lasch et al. 2018).

In what seems to be a pattern of what can be defined as “immigration federalism” (Ramakrishnan, K & Gulasekaram, P. 2015) states and cities are passing laws, ordinances and resolutions affecting the rights of migrants. Just as there have been more than 206 exclusionary state immigration related laws and resolutions in 2017, the number of inclusive laws and resolutions has raised from 270 in 2016 to 469 in 2017, demonstrating a trend of moral communities to counter federal and state laws and resolutions that threaten the rights and freedoms of all immigrants, with a focus on those who are in danger of being detained and deported (National Conference of State legislatures, 2017). Today there are nearly 500 sanctuary jurisdictions that have officially enacted some kind of sanctuary policies (Dinan, S. March 14, 2017), and out of those jurisdictions, four are states (California, Connecticut, Colorado, and Vermont -although New Mexico’s House Bill 116 is mentioned still under revision by Dopplr it died in March, 2017 as it never received a vote (Dopplr, April 27, 2017 n.p.), and as of March 29, 2017 the governor of Vermont signed Senate Bill 79 (S.79) (Goswami, N. Mar. 29, 2017). It is important to note that the main goals of these jurisdictions are of limited cooperation with ICE, noncompliance with detaining orders as well as confidentiality policies regarding the immigration status of immigrants.

Contemporary practices of “sanctuary” in the U.S.

During the Vietnam War (1955-1975), the first contemporary transnational sanctuary movement was formed to help thousands of America war dodgers flee to Canada (Squires, J. 2013). It was a movement that worked with American groups such as the Quakers, Students for a Democratic Society and the War Resisters League (Idem. p. 47). In the U.S. the Quakers played a critical role, including granting sanctuary in their churches (meetings) to draft resisters (Rabben, L. 2018, p.4.).

In the 1980s, a sanctuary movement, cofounded by the Quakers, was established in response to the massive inflow of Central American refugees fleeing internal strife, with the largest numbers coming from El Salvador (Idem, p. 4) U.S. interventionist policies during the Cold War fostered civil wars in Latin America, causing a massive flow of refugees from Central America that lasted more than a decade (LeoGrande, W.M.1998 & Pirie S.H. 2013). This period was one where the sanctuary movement was highly political with a focus not just on helping thousands of Central Americans fleeing violence and being refused asylum but also as a movement of political “conscientization” (Pirie S.H. 2013, p. 17). The second period was a response to the criminalization and securitization of immigration that from the 1990s onwards saw an increase in harsher and more punitive laws and policies towards unauthorized migrants (Ewing W.A., Martínez DE. & Rumbaut RG. 2015). The 1980s and 90s were also marked by the most forceful neoliberal policies that through the so-called Washington Consensus that would increase poverty, the decline of wages and a further widening in the gap of income and wealth distribution (Cypher, J. M. 1998).

During the dramatic increase in the flow of Salvadoran refugees to the United States in 1980, certain churches and congregations challenged laws and policies intended to criminalize irregular migration (Pirie, S.H 2013). The focus and practice of such practices was mainly focused in what was perceived as a lack of fair and due process regarding the apprehension, detention and deportation of certain migrants, including those seeking asylum (Olston, T and Davidson, M. 2014 & Pirie, S.H. 2013

One of the challenges of enacting practices and policies of “sanctuary” in the United States is the criminalization of irregular migration that includes assisting those immigrants who are unlawfully present in the U.S. Title 8 of the United States Code (8 U.S.C § 1324 (a)(3))

forbids the harboring of migrants who are not legally present in the country,⁹ including “offering shelter” to the migrant with the purpose of concealing the migrant from the immigration authorities (Olson, T. Oct. 31, 1983 pp. 169-170). Moreover, in U.S. federal law there is no definition of “sanctuary” that can open a deeper judicial debate on the reaches and limits of such concept and praxis (McCormick, E.M. 2016). Therefore, we need to distinguish between the act of granting refuge or sanctuary by a private entity like a church, which does not guarantee the protection of the individual from being detained and removed from the country, and the use of the noun “sanctuary” to define a set of state and local laws, ordinances and policies that have different levels of protections for irregular immigrants as a result of establishing regimes of limited cooperation with ICE or mandating state or local agencies strict levels of confidentiality regarding the disclosure of the legal status of certain immigrants.

States embracing “sanctuary” laws

According to the National Conference of State Legislatures (NCSL) at least 36 states and the District of Columbia considered legislation in 2017 regarding sanctuary jurisdictions or noncompliance with immigration detainers (NCSL Jul, 7, 2017). However, of these states, 33 states would prohibit sanctuary policies and 15 states and the District of Columbia would support, showing a deep polarization in the country regarding policies limiting their cooperation with federal immigration agencies and granting protections to unauthorized immigrants (Idem). Out of the 15 states that would support sanctuary policies, four states (California, Connecticut, Oregon and Vermont) have full state-wide “sanctuary laws,” taking a political and legal decision to assert their state sovereignty by openly opposing the present administration’s anti-immigrant stance by limiting the administrative “linkages” between ICE and the state that required the use of state resources. Of these states, California has the longest history at city level in embracing policies limiting their cooperation with federal agencies. However, from a state perspective Oregon has the oldest state “sanctuary law” that has served as an example to today’s ‘sanctuary

⁹ Section 1324(a)(3) provides: “Any person . . . who . . . willfully or knowingly conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, in any place, including any building or any means of transportation . . . any alien . . . not duly admitted by an immigration officer. . . shall be guilty of a felony.” (quote of Section 1324 taken from Olson, T. Oct. 31, 1983 p. 170).

state' laws with the passage of House Bill HB 2314 in 1987 informally known as the Oregon Sanctuary Law (Wilson, C. Apr. 17, 2017 & Oregon Legislature Chapter 181A.820 - Enforcement of federal immigration laws as included in 2017 edition of Chapter 181A). HB 2314 states that “(1) No law enforcement agency of the State of Oregon or of any political subdivision of the state shall use agency moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws.” (idem.). However, like most contemporary state laws it permits state officers to share information with federal agencies, including immigration agencies such as ICE if the individual in custody has committed a federal crime or has a criminal history (Idem. Para. (2)). The former is important as Donald Trump has falsely condemned as candidate and president ‘sanctuary cities’ and states as harboring criminals and nullifying federal law (Lhuby T, Sept. 1, 2016 & UPI Staff, March 10, 2018). Unfortunately, today Oregon’s Sanctuary Law is being repealed by a rising wave of anti-immigrant groups that were dormant until the 2016 elections where Trump’s nativist discourse started resonating among poor rural communities (Jacobson, J. Jul. 8, 2018).

California is the most important state regarding the secular practice of “sanctuary” as it is home to between 2.35 and 2.6 million unauthorized immigrants and 14,013,719 Latinos or 38.9% of the total state population in 2016, many maintaining deep connections with Mexico and unauthorized immigrants (Public Policy Institute of California, March 2017 & Pew Research Center Nov. 3, 2016 & *Wikipedia, a n.d*) followed by Texas with 1,65 million unauthorized immigrants and 9,460,921 Latinos or 39.1% of the total state population((Pew Research Center, Idem.). although these are the two states with the largest population of unauthorized immigrants, with the large majority being Latinos, their political establishments and politically active communities perceive irregular migration through totally different lenses. While California today has a state government, including its legislature and most of its counties supporting multiple forms of limited cooperation with federal immigration agencies, Texas has a government and legislature that are openly against any forms of “sanctuary.” As a matter of fact, Texas has a new Senate Bill (S4) that actually grants even more freedom than what “administrative linkages” give to local police to ask people, who have been detained, about their immigration status, and mandates cooperation with federal immigration authorities (Horton A. and Partlow, J. Jul. 6, 2017). Moreover, officials who do not comply can be fined or even jailed (Idem.). Texas has

been for many decades a strong bastion of the Republic party that has fully embraced Trump's anti-immigrant discourse and policy.

In California, contrary to Texas, the Democratic party has controlled the legislature since 1972 and the governor's seat since 2011 (Wikipedia, *b*, n.d.). However, during the years of Republican Governor Pete Wilson (1991-1998) California saw one of the most anti-immigrant state laws voted in 1994 with proposition 187 which if not voided by a federal court district in 1998 would have increased the "administrative linkages" with federal immigration agencies with local police and denied public services, including k-12 education and medical care for unauthorized immigrants and their children as well as cancelling most rights derived from the US Bill of Rights (American Civil Liberties union (ACLU) Jul. 29,1999). California has also seen a rise of Latino members in its legislature which have had as their agenda to support their immigrant communities which today are the largest minority in the state. In his State of the State speech that coincided with the beginning of the Trump administration in 2017, the governor of California, Jerry Brown (2011-) would state the following in an open conformation with President Trump:

. . .So as we reflect on the state of our state, we should do so in the broader context of our country and its challenges. We must prepare for uncertain times and reaffirm the basic principles that have made California the Great Exception that it is. First, in California, immigrants are an integral part of who we are and what we've become. They have helped create the wealth and dynamism of this state from the very beginning. I recognize that under the Constitution, federal law is supreme and that Washington determines immigration policy. But as a state we can and have had a role to play. California has enacted several protective measures for the undocumented: the Trust Act¹⁰, lawful driver's licenses, basic employment rights and non-discriminatory access to higher education. We may be

¹⁰ A "Trust Act" in the context of noncompliance with federal immigration allows state and local law enforcement agencies to ignore a federal "detainer" for an unauthorized immigrant who hasn't committed a serious felony or been identified for other reasons, such as being in a database of gang members or suspected terrorists. It is of particular importance as the Secure Communities Program require state and local police to detain any immigrant who is unlawfully present in the country. See: Leslie Beristain Rojas (Apr. 26, 2011). "What is the TRUST Act? The bill that would make Secure Communities optional in California," 89.3 KPCC (Member Supported news for California). Retrieved on 10.10.2018 from <https://www.scpr.org/blogs/multiamerican/2011/04/26/7104/what-is-the-trust-act-the-bill-that-would-make-sec/>

called upon to defend those laws and defend them we will. And let me be clear: we will defend everybody – every man, woman and child – who has come here for a better life and has contributed to the well-being of our state (Governor Jerry Brown Jan. 24, 2017)

What this speech reaffirmed was the commitment of the state to ensure the fundamental rights of immigrants regardless of the legal statuses, including maintaining expanded rights such as driver’s licenses and access to higher education while recognizing the power of the federal state to regulate and manage immigration policy.

When it was known that Trump had won the presidency as a result of the Electoral College votes (although he had lost the popular vote) and the House and the Senate to the Republicans, the California legislature introduced by Senate President Pro Tem Kevin de León on December 5, 2016, California’s Senate Bill 54 (S54) also known as the California Values Act. As Kevin de León. The Senator promoting S 54 declared: “The California Values Act won’t stop ICE from trolling our streets -- it will not provide full sanctuary -- but it will put a kink in Trump’s perverse and inhumane deportation machine. . . California is building a wall of justice against President Trump’s xenophobic, racist and ignorant immigration policies.’ He concluded by stating that “We will resist and we will overcome, and we will prove to the nation there is a hopeful future for our country where we cherish diversity and respect our immigrant heritage.” (De León, K Oct. 5, 2017). S54 bars state and local law enforcement from using their resources including their budget, facilities, property, equipment or personnel, to help with immigration enforcement such as ICE regarding the sharing of information on the legal status of immigrants or assisting them in the detention of irregular migrants, except if the migrants in question have an order of arrest due to a serious crime or felony (Senate Bill No. 54 –Chapter 495, Oct. 5, 2017).

Added to the state bill, California also has very proactive cities that have a long history of “sanctuary’ such Berkeley which actually became the first city on the U.S. to pass a sanctuary resolution on November 8, 1971 (O’Donoghue, L. Feb. 14, 2017). Berkeley was followed by Los Angeles in 1979 and San Francisco in 1989 strengthen in stance with its 2013 “Due Process for All” ordinance with the last city in California to declare itself a Sanctuary City in the Seaside in

2017. Moreover, all fifty-eight counties do not comply with complies with detainer requests by U.S. Immigration and Customs Enforcement (Carcamo, C. et al. Nov. 16, 2016).

Connecticut passed a Trust Act in 2013, House Bill No. 6659 (HB 6659), that states that state or local police officers do not have to detain an immigrant unlawfully present in the state as requested by ICE except when an immigrant has committed a serious felony or been identified for other reasons, such as being in a database of gang members or suspected terrorists (State of Connecticut June, 25, 2013). However, the present legislature has decided, in direct defiance to the Trump administration's anti-immigrant policies to go beyond HB 6659, and has proposed House Bill 6709 (HB No 6709) to openly declare Connecticut a "Sanctuary State for Immigrants" (State of Connecticut –General Assembly, Jan. 2017).

Vermont's governor signed Senate Bill 79 stating that it did not make Vermont a "sanctuary state," however, in a clear defiance to president Trump and the present "administrative linkages" such as Secure Communities that mandate state and local police to share data of unlawfully persons in their counties and detain them, S 79 grants the governor the sole authority to enter into agreements with the federal government to deputize local, county or state law enforcement personnel to enforce federal immigration law (Goswami, Neal P. March 29, 2017). The bill also bans state and local state officers to share any information that might be used for a registry to identify state residents including immigrants, regardless of their legal status (*idem*). Although not as keenly protective towards unauthorized immigrants as the other state "sanctuary" bills. S 79 uses a language based on U.S. principals of liberal democracy as well as those enshrined in the Universal Declaration of Human Rights when is states the following: "Section 1 (2): All Vermont residents should be free from discrimination on the basis of their sex, sexual orientation, gender identity, marital status, race, color, religion, national origin, immigration status, age, or disability," (underlined by author). With regards to the practices of racial profiling the bill states that: "Section 1 (7): Vermont residents are afforded the benefits and protections of law enforcement and public safety without regard to their sex, sexual orientation, gender identity, marital status, race, color, religion, national origin, immigration status, age, or disability. . . . They likewise have a reasonable expectation that State and local government officials will not contribute to the creation or development of a registry based on the personally identifying information as defined in this act. Indeed, Vermont residents have expressed grave concerns that the federal government seeks to create or develop such a registry, which would be

contrary to Vermont and American values. (underline by author). Regarding banning the sharing of personal information to federal authorities it states the following: “Section 4651 Prohibited Disclosure of Personally identifying information (1): “Personally identifying information” means information concerning a person’s sex, sexual orientation, gender identity, marital status, race, color, religion, national origin, immigration status, age, or disability. (Underlined by author) (Vermont General Assembly, 2017).

These state laws have become a reference for other states that are debating similar bills and are demonstrating that added to the almost 500 ‘sanctuary cities,’ there is a large number of Americans that do not agree with the present nativist discourse of the president supported by the most aggressive anti-immigrant policies in contemporary U.S. history. This said, it is important to note that many of these “sanctuary” cities were erected before that Trump administration as they respond to the criminalization of irregular migration and securitization of migration. Although these political and legal spaces of “sanctuary” help ease the fear that unauthorized immigrants suffer in daily lives as well as those non-citizens and citizens considered a threat to the state, they are insufficient to further empower the communities and Civil Society Organizations (CSOs) that are struggling to ensure their fundamental. As we will articulate bellow, these spaces of “sanctuary” require actions of “compassion migration”.

V. Embracing Compassionate Migration and “Sanctuary”

Compassionate migration as a force for social change embracing a deep sense of social justice has at its conceptual core a deep sense of humanity which through concrete actions attempts to extend and ensure fundamental human rights, including the right of movement for all individuals, regardless of their nationality or immigration status (Arrocha, W. 2014). As a praxis “compassionate migration” tends to be carried out at the margins of the established legal and policy frames, for many of these existing frames are based on control, punishment, rejection, and repression.” (Bender and Arrocha, W. 2017, p.9). Compassionate migration acknowledges the following key factors that justify its purpose:

- The ongoing criminalization and securitization of migration and borders by transit and receiving states

- The shortcomings and inefficiencies in the development and application of international and domestic human rights laws
- The lack of serious international and regional efforts to establish migration regimes based on a humanitarian approach
- The proliferation and escalation of nativism, xenophobia, hate speech, and physical violence towards migrants, regardless of their legal status
- The impacts that political instability, conflict, trade policies, social injustice, and economic inequality have in forcing individuals to migrate, and
- The impacts of deep economic asymmetries between the North and the Global South on the “push” and “pull” factors of migration.” (Benders, S. &Arrocha, W. pp. 9-10)

The key is for CSOs that embrace compassion as a practice to confront injustice and achieve a more equitable and just society need to build bridges, or reinforce the existing ones, with local and state institutions to actively work in school programs that address all forms of racism, discrimination, and xenophobia. Furthermore, CSOs need to work with schools, and city governments embracing “sanctuary” policies to work on educating students and the community at large on their fundamental rights. Additionally, legal and paralegal associations defending civil and immigrant rights as well as religious associations engaged in advocating the protection, rescue, and implementation of domestic, regional and international rights for all migrants need to keep increasing their capabilities, including expanding their domestic and international networks. It is also important that ‘sanctuary cities’ and states redefine their social, political and legal capabilities as well as forge regional and international networks where they can support each other by sharing their successes to better protect those immigrants being unfairly detained and deported, and ensuring that families remain together and unharmed. Moreover, it is fundamental that CSOs, academic intuitions, city councils and state assemblies as well as religious organizations embracing practices of sanctuary encourage and support “community dialogues” between migrant communities, residents, and government agencies to ensure tolerance towards each other.

The most difficult yet most critical action in combating nativism and xenophobia is for CSOs and political actors that reject nativism and xenophobia to push for the decriminalization of irregular migration, the demilitarization of state borders, and the de-securitization of migration. It

is also important that ‘sanctuary cities’ and states redefine their social, political and legal capabilities as they forge regional and international networks where they can support each other by sharing their challenges and successes.

Migrants, particularly children, and women migrants are extremely vulnerable to human rights abuses, discrimination and human trafficking (United Nations, pp.2; 10-12). Therefore, CSOs need to work with local governments and communities to ensure that children, particularly girls and mothers have access to special protections and health needs.

Finally, it is fundamental for CSOs and other members of hosting community, including non-profits and think-tanks that advocate for the rights of all migrants and are engaged in eliminating all forms of racism, discrimination and hatred to work with the media or create their own media platforms. The purpose is to counter the dominant anti-immigrant discourses and policies as they educate and empower the overall population for the need to embrace all immigrants, regardless of their legal status, nationality, ethnicity, religious beliefs, sexual orientation, race, and gender. The task is indeed daunting but through actions of compassion and spaces of “sanctuary” societies and communities can regain their sense of humanity that is being lost to a dangerous return of nativist and racist discourses, laws and policies.

IV. Final Thoughts

Today those who are pushed to cross international borders outside the regulatory norms of the sending, transit and receiving countries are confronted with physical walls and laws and policies of exclusion. Regardless of their reasons to leave their homes behind, they are met with an ever increasing xenophobia as they are rejected as threats to the security of the state and safety of their host communities. With a dangerous escalation in nativist policies and racist discourses articulated and voiced through policies that criminalize their presence, foreigners, diasporas, non-citizens, irregular migrants seeking refuge, a better life or just wanting to be with their loved ones who can no longer come back to the places once they called home, the need to expanding and deepen the legal and political boundaries of “sanctuary” through practices of compassionate migration is a must.

It is a historical fact, perhaps human nature, that there will never be “solutions” to halt the human needs and desires to move across borders to live and thrive as individuals and

communities in a foreign country, regardless of the reason for their journeys, but the world is witnessing children and families living in despair and desperately looking for a safe haven our sense of humanity cannot be held up by a false sense of nationalism. It is also a historical fact that the fear of the foreigner is real, but such fear cannot be conquered by othering, excluding and denigrating those who are as human as all of us, regardless of their sex, sexual orientation, gender identity, marital status, race, color, religion, national origin, disability and immigration status.

Today is the time for empathy, compassion and inclusion as there are too many of our kind suffering from the dreadful and hideous discourses and acts of exclusion, prejudice, discrimination and chauvinism. Offering “sanctuary” to those in need of refuge and shelter, or just wanting to be among “us”, even if they come from foreign lands, is perhaps the oldest practice that reminds us of the deep nature of humans which is one of kindness and humanness.

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