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Legacies and origins of the 1980s US–Central American sanctuary movement

Hector Perla Jr. and Susan Bibler Coutin

Given the proliferation of sanctuary activities internationally and the emergence of the new sanctuary movement in the US (see Millner, Chapter 4, Just, Chapter 9, Yukich, Chapter 7 and Cunningham, Chapter 11 in this volume), it is worthwhile re-examining what may be the best-known instance of sanctuary practices: the US–Central American sanctuary movement of the 1980s. Our re-examination of this movement is motivated by two factors. The first is our sense that, with the passage of time, it is possible to discern movement that could not be fully articulated (even by its protagonists) while it was ongoing, and also that, with hindsight, the legacies of the sanctuary movement may now be more apparent. In particular, we seek to draw attention to the *transnational* nature of the US–Central American sanctuary movement. It is perhaps obvious that a movement that was dedicated to securing political asylum for Central American asylum-seekers and that (in at least some quarters) opposed US military intervention in Central America was transnational. What may be less obvious, however, is the degree to which sanctuary activities emerged as part of Central Americans' broader effort to mobilize North Americans in support of organized civil society actors working for social justice in El Salvador. Furthermore, although it is beyond the scope of this chapter to discuss those particular connections, Mexican and Canadian organizers and colleagues were part of the underground and above ground 'railroad' along which Central Americans travelled, and Mexican movement participants were among those prosecuted in the 1985–86 Tucson sanctuary trial (Lippert 2005). This transnational, political, and organizational focus presents a clear difference between the 1980s US–Central American sanctuary movement, which was one part of a broader Central America peace and solidarity movement, and current sanctuary practices in Canada, the US, and elsewhere, in which local communities seek immigration remedies for individuals who are at immediate risk of deportation (*ibid.*).

Second, we believe that revisiting the US–Central American sanctuary movement can give us powerful insight into future understandings of sanctuary as a concept and practice. The legacies of the US–Central American sanctuary movement extend beyond movement participants' stated goals of securing refuge, condemning human rights abuses, and preventing US military

intervention abroad. Unintended consequences of sanctuary practices include complex legal changes in the US, increased remittance flows to Central America, and the development of new networks of civil society organizations in both countries. Though not the sole cause, sanctuary activities were a necessary precondition for these developments. Thus, re-examining the movement's origins and legacies suggests that apparent resemblances in the form of sanctuary incidents may hide underlying differences. It also allows us to note that shifts in the bases for legitimacy lead some transnational connections and movement objectives to be celebrated while others are obscured, and suggests that current sanctuary practices may eventually have unanticipated consequences as well.

In re-examining the US–Central American sanctuary movement, we bring together two different sorts of expertise. Hector Perla is a political scientist, specializing in US–Latin American relations, social and revolutionary movements, and Central American political engagement in the US. Perla's work highlights the formal and contentious strategies that Central American activists, in their home countries and in the diaspora, use to challenge US foreign policy toward the region. The bulk of his interviews have been with Salvadoran solidarity activists and revolutionary militants in San Francisco and Los Angeles (Perla 2005, 2008, 2009). Susan Bibler Coutin, an anthropologist, did fieldwork within the San Francisco East Bay and Tucson, Arizona segments of the US–Central American sanctuary movement during the 1980s. As part of this fieldwork, she participated in sanctuary activities, interviewed 100 movement participants, and collected documents produced by, and about, the movement (Coutin 1993). During the 1990s and the 2000s, she followed Central Americans' efforts to secure permanent legal status for their undocumented or only temporarily documented compatriots (Coutin 2000, 2007). It is important to note that because our fieldwork focused on sanctuary communities in California and Arizona, there may be differences between the accounts derived from this research and the origins and advocacy work in other key movement sites, such as Chicago.

Bringing our expertise together allows us to focus on the agency of Central American collective actors in the context of a strategic interaction, without sacrificing a deep understanding of the on-the-ground dynamics of the sanctuary movement. Moreover, we contextualize our analysis in a transnational framework that does not force a dichotomous definition of sanctuary as either a purely foreign or completely domestic movement. Specifically, we are now able to show how certain relationships between North and Central American activists were celebrated, while others were hidden, due either to fear for Salvadoran immigrant activists' safety or to concern about inadvertently undermining the movement's legitimacy. Part of what made the US–Central American sanctuary movement so powerful was that it emerged as part of a broader effort by Central American revolutionaries to mobilize opposition to US support for the Salvadoran government. But to do so, Salvadoran immigrants had to be willing to strategically stay quiet, become invisible, or abstain from taking on certain leadership

roles, while, for the sake of achieving their and the movement's objectives, embracing identities, such as 'refugees' or 'victims' that, to some, implied weakness or passivity. In this way, Salvadoran immigrant activists used their strategic invisibility as a form of power, along the lines of what political scientists Keck and Sikkink (1998: 16) have called leverage and accountability politics. Analyzing the movement's framing of Central Americans as refugees makes it possible to identify legacies that may not have been intended or anticipated by the movement's organizers. In particular, the success of the 'refugee' framing created legal benefits that, in the post-war context, allowed the many years that Central Americans had lived in the US to be recognized as grounds for granting legal permanent residency, a recognition that had implications for Central American economies and non-governmental organizations.

First, we describe the origins of the sanctuary movement in the US. Second, we document the transnational nature of the movement. Third, we explore the unintended positive and negative consequences that the sanctuary movement engendered. Finally, we discuss how the movement has come full circle, in that unjust economic and political conditions in El Salvador, conditions to which US foreign policy contributed and that originally gave rise to the sanctuary movement, are still present in the country today. Consequently, we document ways that organizations and activists that are in El Salvador and that have roots in, or links to, sanctuary are now fighting for Salvadoran citizens' right *not* to become migrants.

Historical context of the US–Central American sanctuary movement

From 1932 until the late 1970s, El Salvador was ruled by a series of military dictators who came into office through either uncompetitive elections or coups. Starting in the late 1960s this system of governance began to be challenged by a growing collection of social movements. By 1972, this challenge had evolved to include a coalition of political parties of the centre and left (National Opposition Union, or UNO) with the support of many important civil society actors, which fielded a strong presidential candidate, José Napoleón Duarte. While it is widely believed that the UNO coalition won these elections, its candidates were not allowed to take office. In fact, its presidential candidate was arrested and tortured, and had to go into exile. This electoral challenge was repeated in 1977 with similar results, anointing another high-ranking military officer, Carlos Romero, winner of the presidential race.

As a result of government intransigence, these institutional political challenges were accompanied by an upswing in social movement mobilization among unions and student, peasant, and religious organizations. The Salvadoran government responded to this contentious political challenge in much the same way that it met formal political challenges to its authority – with even greater and ever-increasing levels of brutality. This brutality fed support for the incipient but rapidly growing armed revolutionary organizations that began forming in the

early 1970s and would come together in 1980 to form the FMLN (Frente Farabundo Martí para la Liberación Nacional) Farabundo Martí National Liberation Front, a coalition of five guerrilla organizations and its supporters (Montgomery 1995; Brockett 2005). Violence also caused many students, union members, and other activists to migrate to the US.

The rise of the US–Central American sanctuary movement was directly related to this dramatic increase in migration. Today, Salvadorans are the fourth-largest Latino-origin group in the US, behind only Mexicans, Puerto Ricans, and Cubans, numbering over two million and making up between 3 and 5 per cent of the total Latino population of the US (Jones-Correa *et al.* 2006). While Salvadorans have resided in the US since at least the end of World War II, they did not come in large numbers until the late 1970s and early 1980s (Menjívar 2000). As the violence escalated, particularly from government security forces and allied clandestine death squads, Salvadorans began moving from the Salvadoran countryside to the cities and eventually abroad, especially to the US. By 1984, according to Byrne (1996: 115):

Within El Salvador there were 468,000 displaced people (9.75 percent of the population), 244,000 in Mexico and elsewhere in Central America, and 50,000 more in the US, for a total of more than 1.2 million displaced and refugees (25 percent of the population).

While the US census estimated that in 1970 there were only 15,717 Salvadorans in the country, by 1980 that figure had grown to 94,447 and by 1990 had skyrocketed to 465,433 (Andrade-Eekhoff 2003). Other estimates during the mid and late 1980s put the number significantly higher. Whatever the true number, the reality is that the massive influx of Salvadoran refugees arriving daily throughout the decade, some with papers but most without, quickly overburdened the capacity of established kinship and friendship social networks to provide adequate assistance to the new arrivals (Menjívar 2000).

Meanwhile it was becoming clear that US foreign policy toward the country would play a crucial role in determining the outcome of El Salvador's future governance. Despite its rhetorical commitment to human rights, the Carter administration largely supported the Salvadoran regime. When the Reagan administration took up office, this support increased exponentially. Throughout the 1980s, US military and economic support for the Salvadoran government would exceed US \$6 billion. This support not only included extensive counter-insurgency training and provision of vast quantities of sophisticated armaments but also active combat engagement against the FMLN by US military personnel (Graham 1996: A1).

Transnational nature of the Central American sanctuary movement

It was in this context of increased repression, immigration, and US involvement that the US–Central American sanctuary movement was born. The earliest

organizational precursors to what would become the Central American solidarity movement, of which the US–Central American sanctuary movement was a key component, were several Salvadoran immigrant-based organizations (Coutin 1993). These organizations were made up primarily of already established Salvadoran immigrant and US-born Salvadoran activists, who initially came together to denounce the lack of democratic freedoms in their home country, the Salvadoran military's human rights violations, and US aid to the Salvadoran government under these conditions. The first of these organizations was the *Comité de Salvadoreños Progresistas* (Committee of Progressive Salvadorans), which was founded in San Francisco in 1975 in response to the massacre of students from the University of El Salvador. The organization grew quickly, and soon had the capacity to publish a weekly newspaper and even occupy the Salvadoran consulate. Shortly thereafter, other Salvadoran immigrant-based organizations sprouted in other cities around the US with large Salvadoran communities. Among the most prominent of these organizations were *Casa El Salvador* (several cities), the *Comité Farabundo Martí* (also known as *Casa El Salvador – Farabundo Martí*), and the *Movimiento Amplio en Solidaridad con El Pueblo Salvadoreño* (MASPS). These immigrant-based groups often had ties to social movement organizations in El Salvador, which in turn were connected to different FMLN factions. These linkages usually originated in kinship or friendship ties, although some originated from immigrants' own previous activism in El Salvador. While these organizations primarily sought to reach out to the Salvadoran and Latin American populations in the US, almost immediately progressive North Americans began gravitating toward their efforts (Perla 2008). In many instances, the North Americans brought with them prior experiences, such as involvement in anti-war activism during the Vietnam War, the freedom rides of the civil rights movement, and church-based refugee resettlement work. Therefore, sanctuary practices built on both North and Central Americans' rich experiences of social justice work.

During a 2000 interview, Don White, a Los Angeles-based organizer with the Committee in Solidarity with the People of El Salvador (CISPES), recalled how North Americans were brought into Central American solidarity work:

Very early in the 80s, the different tendencies from El Salvador then began to develop their projects. And this is nothing that people were critical about. It was very natural for the political entities in El Salvador to come here and organize among their own *compañeros*, *compañeras*, their comrades they felt comfortable with. So certain agencies grew up [that were] identified with one of the five armies of the FMLN. We collaborated over ending U.S. military intervention, to end all military aid to El Salvador. All groups agreed on that point of unity. So it was easy to collaborate with all. The second [point] was direct political support to the FMLN and political and economic material support to the popular movement. And sending delegations and mobilizing U.S. citizens to oppose intervention, and those

who were able to make the next step to declare their solidarity with the struggle in El Salvador. But many CISPES activists, many North Americans, were anti-interventionists, but never took the step toward solidarity. If we once took them to El Salvador and got them in El Salvador to meet the Salvadorans, to see the struggle, especially during the war, when it was a very dramatic experience, often they would become solidarity activists, raise money for the popular movement.

In addition, these immigrant-based organizations' missions were originally focused on changing US foreign policy. However, it quickly became apparent to immigrant activists that they needed to do something to respond not only to the plight of their compatriots in their home country, but, with growing urgency, to the plight of an ever-increasing number of Salvadorans who were seeking refuge in the US. They also realized that these new arrivals' testimonies were compelling educational tools for North American audiences. As the then-director of the San Francisco Comité Farabundo Martí, Jose Artiga, in an interview with Hector Perla in February 2007, explains:

This is where I feel that the Salvadorans' role is very important, sometimes making the invitation, sometimes giving their blessing [through their testimonies]. The invitation was really important because people after a presentation or after becoming aware of the situation would have a really bad feeling and you'd say it's your tax dollars that are financing these human rights violations and the question they would ask, is what can I do? And here is where with lots of creativity we had a menu of things that people could do ... join CISPES, sanctuary, support refugees.

To meet the immediate survival needs of their community and to advocate for their legal needs, both Salvadoreños Progresistas and Casa El Salvador Farabundo Martí created new organizations, which began providing housing and social as well as legal services for refugees in the late 1970s at Most Holy Redeemer's Catholic Church in San Francisco. The first organization, started by Salvadoreños Progresistas, was called Amigos de El Salvador (Friends of El Salvador) (interview with F. Kury, by Hector Perla, February 19, 2007). Casa Farabundo Martí soon followed suit, creating two organizations: the Centro de Refugiados Centroamericanos (CRECEN) and the Central American Resource Center (CARECEN) (according to Artiga, interview). This redundancy is illustrative of the infighting that became prevalent among Salvadoran immigrant-based organizations throughout the 1980s and mirrored divisions among social movements and the FMLN in El Salvador. To again quote Don White:

Certain agencies grew up [that were] identified with one of the five armies of the FMLN ... In the early days, they often did not visit each other's agencies, because they saw them as I suppose both competitive, but also to

some degree a different line of the Salvadoran struggle, which they might not have agreed with.

As a result of these fratricidal conflicts, organizations such as Salvadoreños Progresistas and Amigos de El Salvador, despite their early accomplishments, were effectively red-baited and evicted from their offices (interview, Kury 2007). While neither of these organizations would play a direct role in the creation of the US–Central American sanctuary movement, it is important to note that Salvadoreños Progresistas pioneered the strategy of immigrants approaching members of religious organizations to collaborate with them in an effort to mobilize the religious community. In 1981, following this strategy, members of the Santana Chirino Amaya Refugee Committee and the Southern California Ecumenical Council came together in Los Angeles to create El Rescate. The organization's stated mission was 'to respond with free legal and social services to the mass influx of refugees fleeing the war in El Salvador' (El Rescate 2007).

CARECEN, CRECEN, and El Rescate would each go on to play a key role in the development of the national sanctuary movement. Through these organizations, Central American activists mobilized pastors and congregants by educating them about events in Central America, US foreign policy, and the imminent danger that persecution victims would be deported back to their place of persecution. In Los Angeles, these groups worked closely with the Southern California Interfaith Task Force on Central America (SCITCA) to offer sanctuary to Central American refugees (Hamilton and Chinchilla 2001). In the San Francisco East Bay, where Susan Coutin did fieldwork in the late 1980s, a member of the Comité de Refugiados Centroamericanos (CRECE) sent a representative to monthly steering committee meetings of the East Bay Sanctuary Covenant (EBSC). CRECE also arranged for Central Americans to speak to US audiences about their experiences (Coutin 1993). Central Americans were also an active force in sanctuary communities in Tucson, Washington, D.C., Houston, New York, Milwaukee, and elsewhere. As Jose Artiga, the former director of the San Francisco Comité Farabundo Martí, recounts in interview:

Our goal was to create more organizations, to create more chapters (contacts)...not among the Salvadorans, if they were there we'd organize them, but more than anything the larger focus was the North Americans ... so that they would be part of something [solidarity or peace organizations]. Then parallel to that was formed the sanctuary churches. That was a different group of people ... who took that and gave it its own life ... This menu of activities also included a range of political pressure, which included participating in a vigil to participating in civil disobedience ... I remember that in Philadelphia, we asked the sanctuary churches to go to the house of Senator Specter after Sunday services ... they would hold vigils directly in front of his house and even if they were not large, but with 10 people in front of his home they made him uncomfortable.

Early on, solidarity activists recognized the strategic framing of the 'refugee identity'. This framing was a particular way of talking about and presenting Salvadoran immigrants to North American audiences, especially to those with no previous knowledge of the conflict and without any political, ideological, or epistemic connection to the plight of the Salvadoran people. Salvadoran immigrant activists realized that it was not enough to educate North Americans about what was happening in El Salvador and about US government complicity. It was also essential to create empathy, to spark a sense of urgency and obligation or responsibility that would motivate North Americans to take a stand against their own government on behalf of an 'other' with whom they were largely unfamiliar (Coutin 1993). Central Americans' organizing practices also had to be adapted to dominant US norms, values, and perceptions of how North Americans saw themselves and saw Third World 'others'. The narrative construct of the 'refugee' met these needs by simultaneously drawing on shared Judeo-Christian traditions regarding exile, oppression, and refuge while also directing political attention to human rights abuses in Central America and to Salvadoran and Guatemalan immigrants' need for safe haven. Sanctuary also had a spatial dimension in that declarations of sanctuary attempted to 'bound' US law by creating 'safe spaces', even as participants argued that the US territory ought to serve as a refuge for victims of persecution in Central America. Furthermore, the term 'refugee' has a legal dimension that countered accusations of lawlessness and therefore was central to the movement's claim to legitimacy. In other words, activists suggested that since the US government was failing to live up to its moral and legal obligations to grant political asylum, then it was the obligation of congregations to do so, in the process using their moral credibility to openly defy what they considered unjust legal practices. Yet, while this identity allowed Salvadorans to reach out to broad US audiences, it also constrained their ability to act in those settings and, by reifying the asymmetric power relations between North and Central Americans, limited the relationships that could be developed. Such constraints were often fully overcome only by sanctuary activists who came to experience Salvadoran immigrants acting as empowered and strategic activists outside of the 'refugee' identity.

The limitations imposed by the 'refugee' identity are clear in two practices that were central to the US–Central American sanctuary movement: granting sanctuary and publicizing refugee testimonies. Sanctuary activists granted sanctuary by housing undocumented Central Americans in the churches, synagogues, or homes of congregation members. This arrangement provided Central Americans with material assistance, such as housing, food, access to medical care, job assistance, and other social services. At the same time, sanctuary was designed to bring congregation members into close contact with victims of persecution in Central America, and thus to raise congregants' and others' consciousnesses and spur them to action. As one Salvadoran who was living in sanctuary in Tucson during the 1980s explained, 'The moral and spiritual support that they gave us was great. In return, we collaborate in the various

churches, telling about the terrible experiences that we've had in El Salvador' (Coutin 1993: 18). Refugee testimonies – public accounts of personal experiences of violence and persecution – were central to these consciousness-raising efforts, and were often accompanied by fundraising appeals or information about how to get involved. Sanctuary thus often exposed Central Americans to intensive scrutiny, and to well-meaning but nonetheless culturally laden offers to 'help' (Lippert 2005). While they often wanted to educate the North American public about conditions in their home countries, Central Americans also sometimes chafed at the refugee role. One Salvadoran living in sanctuary in the San Francisco East Bay in the 1980s commented that he preferred relationships that were 'person to person instead of person to refugee'. He added, 'I left my country due to the violence and due to the fear and danger of disappearing, not in order to become a refugee. To me, the word "refugee" implies inferiority and superiority' (Coutin 1993: 120). Such criticisms did not go unheard, and in fact, there were tensions between different segments of the sanctuary movement (in particular, between Tucson and Chicago participants) over the necessity of coupling sanctuary with testimonies and over which sorts of 'stories' ought to be publicized. The visibility, invisibility, and politicization of Central Americans were major issues within these debates.

The 'refugee' frame therefore largely presented Central Americans to sanctuary workers and to the broader US public as 'innocent victims' in need of support and as representatives of the poor and the oppressed, on whose behalf religious communities were compelled to advocate. While refugee testimonies frequently described Central Americans' actions (such as leading a labour union or becoming a catechist) in pursuit of social justice in their homelands, the 'refugee' frame also made it difficult to convey the organizational role that Central Americans played in mobilizing religious workers and the solidarity movement more generally. Thus, sanctuary activists spoke of hearing the Central Americans' call for solidarity and accompaniment, or of listening to the Central Americans and following their lead. However, the refugee framing necessarily positioned such responses as instances of materially better off North Americans acting strategically on behalf of the ostensibly innocent, authentic, or genuine (as opposed to strategic) Central Americans. As a result, this framing prevented Central American immigrant activists from publicly identifying as political protagonists able to take credit for devising joint strategies for social and political change, although of course there was local and regional variation in the degree to which Central and North Americans achieved or were presented as equal partners within sanctuary practices. Such framings were themselves, at times unconsciously, strategic, in that because the US government accused sanctuary workers of serving political rather than humanitarian and religious goals, the revelation that members of FMLN groups were involved in or behind the movement in some capacity, or behind the Central American organizations with which sanctuary workers collaborated, would have undermined sanctuary's legitimacy.

Legacies and unintended consequences

Just as the nature of transnational linkages becomes more clear with the passage of time, so too do the unintended consequences of US–Central American sanctuary practices. Significantly, the rights that Central Americans achieved through sanctuary and solidarity activities created grounds in the post-war period for claiming US residency, despite a changed political context. Furthermore, participants' organizing experiences created a basis for establishing a transnational network of immigrant rights NGOs. Although the US–Central American sanctuary movement was not the only cause of these developments, it was an important precursor whose long-term impact is felt in both the US and El Salvador. Sanctuary workers' stated goals included securing safe haven for Central American refugees, convincing US authorities to apply asylum law without regard for the politics of the regime from which refugees fled, drawing attention to human rights abuses in Central America, providing protection to Central Americans who were at risk of persecution, and preventing further US military intervention in Central American nations. To some degree, these objectives were achieved, though not solely due to sanctuary activities. In the wake of FMLN's final offensive and the assassination of six Jesuit priests in 1989, the US government began to pursue a negotiated settlement to the civil conflict; the 1990 *Immigration Act* created Temporary Protected Status and named Salvadorans as the first recipients; asylum procedures were reformed in the early 1990s; and in 1997, Salvadorans and Guatemalans who had immigrated during the civil war were given the right to apply for legal permanent residency. Sanctuary practices thus helped to set in motion a complex set of legal developments in the US. At the same time, the movement contributed indirectly to the rise in remittances to El Salvador, the creation of new civil society organizations in El Salvador and the US, and the continued circulation of US activists, students, scholars, and religious workers in Central America. These indirect effects of the movement have helped to maintain attention on social justice issues and on the needs of refugees and migrants.

In the US, a key but not always acknowledged legacy of the sanctuary movement is the development of new law to address the needs of asylum-seekers. Throughout the 1980s, sanctuary activists sought legislation, known as 'Moakley–Deconcini' after its sponsors Joe Moakley and Dennis Deconcini, that would have granted Extended Voluntary Departure (EVD) status to Salvadorans and Guatemalans. This bill faced stiff opposition from the Reagan and Bush administrations, which argued that Salvadorans and Guatemalans were economic immigrants who had fled poverty rather than violence. While efforts to pass Moakley–Deconcini were under way, sanctuary workers launched their own legal case against the US government. In 1985, eleven sanctuary activists were indicted on charges of conspiracy and alien-smuggling (Coutin 1995). In response, sanctuary communities and refugee service organizations filed a civil suit, known as *American Baptist Churches v. Thornburgh* or *ABC*, seeking a halt to

sanctuary prosecutions, the granting of safe haven to Salvadorans and Guatemalans, and reforms that would prevent US foreign policy considerations from influencing the outcome of asylum cases. The first two of these claims were dismissed on the grounds that US immigration law had changed since the earlier sanctuary prosecutions and that immigration laws were not self-executing. Litigation on the third claim went forward, and the *ABC* case ceased to be *directly* about sanctuary *per se*. Then, in 1990, following the devastating events of the 1989 final offensive, in which six Jesuit priests, their housekeeper, and her daughter were murdered by the Salvadoran army, legislation creating a new legal form – Temporary Protected Status (TPS) – was approved, and Salvadorans were designated as the first recipients (Rubin 1991). During the same year, the US government agreed to settle the *ABC* case out of court, and in 1991, the settlement agreement gave some 300,000 Salvadorans and Guatemalans the right to apply or reapply for political asylum under rules designed to ensure fair consideration of their claims. It would seem that sanctuary activists' goal of at least gaining a fair hearing for Salvadoran and Guatemalan asylum-seekers had been achieved, while at the same time, TPS put a halt to deportations. Sanctuary and Central American activists had cause to celebrate.

Despite these victories, in the 1990s, events conspired to thwart the promise that TPS and the *ABC* settlement held out. First, the US Immigration and Naturalization Service (INS) put *ABC* asylum applications on the back burner in order to focus on quickly deciding new asylum petitions. Peace accords were signed in El Salvador in 1992 and in Guatemala in 1996, but interviews on *ABC* class members' asylum claims were not scheduled until 1997. By then, it was more difficult for applicants to demonstrate a well-founded fear of persecution, given that the wars in their homelands were officially over. Second, in 1996, the US Congress approved the *Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA)*, which made many forms of legalization more difficult. In particular, *ABC* applicants had hoped that if their asylum claims were denied, they could then apply for Suspension of Deportation, a form of legalization available to individuals who could demonstrate good moral character, seven years of continuous presence in the US, and that deportation would be an extreme hardship. *IIRIRA* replaced Suspension of Deportation with Cancellation of Removal, for which applicants had to prove good moral character, ten years of continuous presence, and that deportation would pose extreme and exceptional hardship for the applicant's US citizen or legal permanent resident spouse, parent, or child. The heightened hardship standard, increased number of years of continuous presence, and introduction of the requirement of a qualifying relative meant that fewer *ABC* class members were likely to qualify. Furthermore, *IIRIRA* capped cancellation cases at 4000 annually, making this an unlikely solution for the approximately 300,000 *ABC* class members with pending asylum claims.

In this changed legal scenario, Central American organizations and immigrant rights activists sought new legislation that would enable *ABC* class members to become legal permanent residents. By allying with Nicaraguans and with the

support of the Clinton administration and the Central American governments, advocates obtained the passage of the *Nicaraguan Adjustment and Central American Relief Act (NACARA)* in 1997. *NACARA* basically restored *ABC* class members' suspension eligibility (renaming this 'special rule cancellation') and exempted these cases from the 4000 cap. The regulations that implemented *NACARA* also granted applicants a rebuttable presumption of hardship, virtually guaranteeing a grant in most cases, and took the unprecedented step of codifying the factors that went into the assessment of hardship. Through *NACARA*, some 83,340 Salvadorans and Guatemalans were able to become legal permanent residents (B. P. Christian. Program Manager, *ABC-NACARA*, Asylum Division, Office of Refugee, Asylum and International Operations, U.S. Citizenship and Immigration Servicespers. comm., March 1 2004). These legal developments benefited not only Central Americans, but also nationals from other countries (including Burundi, Honduras, Nicaragua, Somalia, Sudan, Liberia, Sierra Leone, Bosnia, and Herzegovina) who have received TPS due to emergencies in their home countries, as well as establishing a precedent for other groups, such as Haitians, who benefited from the passage of the *Haitian Refugee Immigration Fairness Act (HRIFA)* in 1998. Sanctuary and Central American advocates' original focus on asylum, El Salvador, and Guatemala changed the US legal landscape in ways that could not have been anticipated.

While not solely attributable to sanctuary activities, increased remittances to El Salvador are an indirect effect of these legal changes. As legal developments have increased the stability and job security of Salvadorans living in the US, they may also have improved these migrants' ability to remit to family members in El Salvador (Abrego 2008). Specifically, remittances increased gradually throughout the 1980s, but grew more rapidly after 1990, when TPS was awarded. While in 1990 the country received less than US\$500 million, by 2007, Salvadorans living abroad sent almost \$3.7 billion in remittances to family members living in El Salvador (Banco Central de Reserva 2008). The quantity and importance of remittances to the country have not only risen in absolute terms; even more tellingly, they have risen as a share of the country's total gross domestic product (GDP). Between 1990 and 2004, remittances more than doubled as a share of the country's overall economy, going from about 6 per cent to over 15 per cent of El Salvador's GDP (PNUD 2005). At the same time, migrant remittances have had a huge impact on the economy of El Salvador, permitting the economy to stay afloat through economic readjustment programmes of the post-war period (*ibid.*). This development in turn has made the legal status of Salvadorans in the US a matter of concern in El Salvador. Indeed, extending TPS, which was re-awarded to Salvadorans following the 2001 earthquakes and which, as of January 2011, was scheduled to expire in September 2013, has been a high priority of the Salvadoran government (Weiner 2004). In fact, during the 2004 presidential election in El Salvador, some US politicians suggested that the US could cut off remittance flows by rescinding TPS, were the FMLN candidate to be elected (Coutin 2007: 93–4).

Networks of civil society organizations in both El Salvador and the US were another legacy of the US–Central American sanctuary movement. During a 2001 interview, an attorney who represented one of the first successful Salvadoran asylum seekers at the beginning of the 1980s described how his work provided a model for other groups dedicated to immigrants' rights:

I organized networks of lawyers in big law firms to provide assistance in political asylum cases, or *pro bono* cases. That's sort of the Lawyers Committee's mode of operation. They organize big law firms and their lawyers to do free work on big civil rights matters. Or small civil rights matters. It's a way of organizing networks ... And I, in addition to organizing legal work and volunteer representation also organized teams of policy people from different organizations to look at big policy questions ... Now, that work in the Lawyers Committee, in my own mind at least, accomplished a couple of things. In addition to the work we actually did, it became the model for lawyers committees and the rights offices around the country. So, Robert Rubin's operation in San Francisco, Public Counsel's immigration work in LA, the Immigrant Rights Projects of the Lawyers' Committees in Boston and Chicago all were kind of modeled on what I started here in Washington...[And,] this political work I was doing at the Lawyers Committee, as opposed to the legal work, was the foundation for the National Immigration Forum.

In addition to these networks of immigrant rights organizations, many of the Central American groups that mobilized sanctuary workers have become established institutions, providing much-needed social services and advocacy work in their communities. For example, in Los Angeles, CARECEN purchased its own building during the 1990s, and, in September 2008, celebrated its 25th anniversary. Most recently, in Los Angeles, networks of attorneys and civil society organizations have been mobilized in response to workplace raids conducted by Immigration and Customs Enforcement. According to a recent *Los Angeles Times* article, 'The effort has parallels to the sanctuary movement of the 1980s, when churches brought Central American refugees to the US to protect them from political violence' (Gaouette 2008: A18).

Likewise, in El Salvador, groups that focused on refugee rights during the 1980s have given rise to coalitions that now advocate for migrants' rights more generally. During the 1980s, the El Salvador offices of the United Nations High Commission for Refugees, the International Organization for Migration, Catholic Charities, and Catholic Relief Services provided support for refugees who were attempting to flee persecution, while groups such as Comité Cristiano pro-Desplazados de El Salvador (Christian Committee for the Displaced of El Salvador) and Tutela Legal denounced and publicized human rights violations. During this period, sanctuary congregations in the US sometimes also became

sister parishes of congregations in El Salvador, through the SHARE Foundation, which also organized delegations of visitors to war-torn communities. During the post-war period, as border enforcement in Mexico and the US became more stringent and as deportations from the US mounted, Maria Victoria de Áviles, the human rights ombudsperson in El Salvador, founded the Mesa Permanente sobre Migrantes y Población Desarraigada (Permanent Board on Migrants and Uprooted Populations), which in turn developed into the Foro del Migrante (Migrant Forum), and most recently, the Mesa Permanente de la Procuraduría para la Defensa de los Derechos Humanos para las Personas Migrantes (Permanent Board of the Ombudsry for the Defense of Human Rights for Migrant Peoples). The composition of these coalitions has varied, but generally has included government, academic, religious, and community groups concerned about human rights and immigration. In addition, some solidarity organizations that were formed in the US have founded their own counterparts in El Salvador. An example is CARECEN Internacional, located in San Salvador, which grew out of the network of CARECEN organizations in the US. The opposite has also occurred, with the San Salvador office of the gang violence prevention group Homies Unidos giving rise to a Los Angeles office of the same group (Zilberg 2011).

These networks of civil society organizations in the US and El Salvador have fostered the continued circulation of activists, scholars, students, and religious workers in El Salvador. Conferences, events, meetings and workshops regularly bring together scholars, students, and NGO members who work on or in El Salvador. NGOs in El Salvador collaborate with US students and researchers to collect data and issue reports, and with other US and Salvadoran NGOs to exchange information and develop strategies. CIS (Centro de Intercambio and Solidaridad/Center for Exchange and Solidarity), SHARE, and other groups continue to organize delegations to El Salvador. Hometown associations in the US are also key components of this continued circulation, as they direct resources and knowledge from the US to El Salvador and *vice versa* (Pederson 2002). This continued circulation has given rise to a transnational civil society circuit, not unlike the transnational linkages that mobilized solidarity and sanctuary work in the US during the 1980s. By directing resources, knowledge, labour, and particular products (including reports, testimonies, and expertise) to organizations and individuals, this circuit is critical to the continued mobilization of social justice work in El Salvador and in the US. Moreover, political parties on both the left and right have taken notice of these thick social networks and the resources to which they have access, and have sought to work with these organizations while setting up their own support networks in the US. For instance, during the buildup to the 2009 Salvadoran presidential campaign, both the FMLN and ARENA (Alianza Republicana Nacionalista) candidates visited several major US cities where Salvadorans are most concentrated, vying for the community's political and financial support (Rodrigo Presidente Webpage 2008; FMLN 2008).

Conclusion: coming full circle

The US–Central American sanctuary movement originally began as an attempt to draw attention to the unjust conditions in El Salvador, conditions that US foreign policy greatly exacerbated. The movement has now come full circle as campaigns by immigrant rights organizations in El Salvador have gone from advocating for the rights of refugees, to immigrants' rights, to the right not to migrate. This most recent focus is designed to call attention to unjust conditions within El Salvador, the dangerous nature of the trek to the US, and the lack of rights accorded to unauthorized immigrants upon arrival. In El Salvador, immigrants' rights organizations, such as CARECEN Internacional, publicize the risks of migration, such as losing limbs while attempting to board a moving train or dying of thirst or suffocation while crossing a desert or hiding in a locked compartment of a vehicle. These groups also present forums to Salvadoran youth, warning them of the dangers of the journey and urging them to develop their own leadership, entrepreneurial, and job skills in El Salvador. Finally, such groups urge Salvadoran authorities to address the root causes of emigration. For example, the opening section of the Mesa Permanente's 2007 minimum platform on migrants' rights states:

Salvadoran migration, like that of so many other Latin American countries, is the ultimate choice of thousands of compatriots faced with a context of serious violations of their human rights, especially their economic, social, and cultural rights...

The current reality of the Salvadoran state, characterized by economic inequalities, lack of work, low salaries, constant increases in the cost of living, and the lack of educational opportunities, leads thousands of Salvadoran men and women to choose to migrate to a country that will allow them to find and satisfy those living conditions that El Salvador neither afforded them nor permitted them to achieve.

(Mesa Permanente de la Procuraduría para la Defensa de los Derechos Humanos para las Personas Migrantes 2007: 17)

In other words, the focus on the right not to migrate is intended to motivate individuals, communities, NGOs, and Salvadoran authorities to address the unjust underlying social, economic, and political conditions that give rise to emigration, and thus prevent it, rather than focusing only on the human rights of migrants in transit or on migrants' legal rights in the US. Such a move builds on earlier movement debates over the validity of the distinction between economic migrants and political refugees, debates that were muted by asylum law that focused on political persecution rather than economic need. The current refocusing, like solidarity and sanctuary work of the 1980s, is designed to promote peace and justice within El Salvador.

By revisiting the US–Central American sanctuary movement, we have sought to draw attention to the transnational nature of this movement and to the

movement's long-term impact. Central Americans who were members of popular movements in El Salvador have played key roles in mobilizing religious workers to develop sanctuary activities, yet, for strategic and cultural reasons, their role was not fully acknowledged during the 1980s. That is, Central Americans were publicly recognized as inspirations and examples to follow, but were not openly treated as political organizers of sanctuary activities within the US. These framings of Central Americans as inspirations and examples emphasized the religious and humanitarian nature of the movement in contrast to US authorities' attempts to discredit sanctuary as a purely political activity. The framing of Central Americans as refugees, as innocent victims in need of aid, furthered the notion that Central Americans were beneficiaries rather than protagonists in the movement. In noting how Central American activists mobilized sanctuary and solidarity work as part of a broader effort to oppose the Salvadoran government during the civil conflict, we do not mean to suggest that movement members deliberately misled anyone, or that Central Americans themselves concealed their roles from North Americans. Rather, we draw attention to the ways that historical, political, and social contexts shape what can be said and known, and the fact that with hindsight, additional relationships and actions become apparent.

Hindsight also makes it possible to assess the unintended consequences of social movements. Social movement theory draws attention to the strategic goals that movements pursue, and to the factors, such as political opportunities, resources, and successful framing, that permit movement members to achieve these goals. As we have shown in this chapter, Salvadoran activists were precluded from fully claiming credit for their roles in the sanctuary movement by the very refugee identity that the movement used to effectively frame the issue. Unfortunately, some of the scholarly work on the Central American sanctuary movement has also been analytically constrained by this refugee frame and thus inadvertently reinforced Central American immigrant activists' inability to claim credit for their roles in the movement (Coutin 1993; Perla 2008).

We have also sought to identify the unintended consequences of pursuing strategic goals. Sanctuary workers and Central American activists set out to oppose human rights abuses in El Salvador and Guatemala, curtail US intervention in Central America, obtain asylum for persecution victims who had fled to the US, promote the legitimacy of the popular struggle and provide protection to Salvadoran and Guatemalan communities that were at risk of military violence. Movement actors did not, at the time, envision that Central Americans would be filing suspension or cancellation claims (as provided by *NACARA*), that Congress would create TPS, that their work would contribute to remittance flows, that they would play a key role in creating a transnational network of civil society organizations, or that such organizations would foster the continued circulation of activists and others between the US and El Salvador. Such outcomes were by-products of the movement, perhaps a means to an end, rather than explicit goals and, of course, are not wholly attributable to the movement

itself. Nonetheless, theory that treats social movements primarily as instrumental action, even while acknowledging the symbolic components (such as ‘framing’) of such action, has a difficult time explaining movements’ unintended consequences.

Finally, we hope to stress the particularity of sanctuary activities. In some ways, in California and Arizona at least, the US–Central American sanctuary movement of the 1980s was not about immigration at all, but rather sought to address social injustice in Central American nations, US intervention in Central America, and the effects of political violence on individuals and communities. Although sanctuary, as currently carried out in Canada, Europe, and the US, may bear formal similarity to US–Central American sanctuary practices of the 1980s, it might be wise to pay attention to the specificity of the particular immigration flows that give rise to sanctuary in particular social and historical contexts, whether these be local, national, or regional. Why are some individuals granted sanctuary while others are not? What particular laws or policies are sanctuary practices designed to address? And are sanctuary practices geared primarily toward a local or national context or do they also seek to intervene in transnational relationships and conditions? Addressing these questions will enrich scholarship on sanctuary in its many manifestations.

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References

- Abrego, L.J. (2008) ‘Barely Subsisting, Surviving, or Thriving: How Parents’ Legal Status and Gender Shape the Economic and Emotional Well-Being of Salvadoran Transnational Families’, doctoral thesis, University of California, Los Angeles.
- Andrade-Eekhoff, K. (2003) *Mitos y realidades: el impacto económico de la migración en los hogares rurales*, San Salvador: FLACSO Programa El Salvador.

- Banco Central de Reserva (2008) 'Ingresos mensuales en concepto de remesas familiares', *BCR Homepage*. Available at: http://www.bcr.gob.sv/estadisticas/se_remesas.html (accessed 10 September 2008).
- Brockett, C. (2005) *Political Movements and Violence in Central America*, New York: Cambridge University Press.
- Byrne, H. (1996) *El Salvador's Civil War: A Study of Revolution*, Boulder, CO: Lynne Rienner.
- Coutin, S.B. (1993) *The Culture of Protest: Religious Activism and the U.S. Sanctuary Movement*, Boulder, CO: Westview Press.
- (1995) 'Smugglers or Samaritans in Tucson, Arizona: Producing and Contesting Legal Truth', *American Ethnologist*, 22(3): 549–71.
- (2000) *Legalizing Moves: Salvadoran Immigrants' Struggle for U.S. Residency*, Ann Arbor, MI: University of Michigan Press.
- (2007) *Nations of Emigrants: Shifting Boundaries of Citizenship in El Salvador and the United States*, Ithaca, NY: Cornell University Press.
- El Rescate (2007) 'El Rescate's 20 Years of Aid and Advocacy', *El Rescate Homepage*. Available at: <http://www.elrescate.org/main.asp?sec=about> (accessed 6 February 2007).
- FMLN (2008) 'Empresarios Salvadoreños en Estados Unidos apoyan a Mauricio Funes', *FMLN Homepage*. Available at: <http://www.fmln.org.sv/detalle.php?action=fullnews&id=36> (accessed 17 September 2008).
- Gaouette, N. (2008) 'Tip-offs Dilute Surprise of ICE Raids', *Los Angeles Times*, 14 Sept. A18.
- Graham, B. (1996) 'Public Honors for Secret Combat; Medals Granted after Acknowledgment of US Role in El Salvador', *Washington Post*, 6 May, A1.
- Hamilton, N. and Chinchilla, N.S. (2001) *Seeking Community in a Global City: Guatemalans and Salvadorans in Los Angeles*, Philadelphia, PA: Temple University Press.
- Jones-Correa, M., Fraga, L.R., Garcia, J.A., Hero, R.E., Martinez-Ebers, V. and Segura, G.M. (2006) *Redefining America: Findings from the 2006 Latino National Survey*. Available at: www.wilsoncenter.org/index.cfm?event_id=201793&fuseaction=events.event_summary (accessed 17 September 2008).
- Keck, M. and Sikkink, K. (1998) *Activists Beyond Borders*, Ithaca, NY: Cornell University Press.
- Lippert, R. (2005) *Sanctuary, Sovereignty and Sacrifice: Canadian Sanctuary Incidents, Power and Law*, Vancouver: UBC Press.
- Menjívar, C. (2000) *Framed Ties: Salvadoran Immigrant Networks in America*, Berkeley, CA: University of California Press.
- Mesa Permanente de la Procuraduría para la Defensa de los Derechos Humanos para las Personas Migrantes (2007) *Plataforma Mínima de los Derechos de las Personas Migrantes*, San Salvador: Procuraduría para la Defensa de los Derechos Humanos.
- Montgomery, T.S. (1995) *Revolution in El Salvador: From Civil Strife to Civil Peace*, Boulder, CO: Westview Press.
- Pederson, D. (2002) 'The Storm We Call Dollars: Determining Value and Belief in El Salvador and the United States', *Cultural Anthropology*, 17(3): 431–59.
- Perla, H. (2005) 'Revolutionary Deterrence: The Sandinista Response to Reagan's Coercive Policy against Nicaragua, Lessons toward a Theory of Asymmetric Conflict', doctoral thesis, University of California Los Angeles.
- (2008) 'Si Nicaragua Venció, El Salvador Vencerá: Central American Agency in the Creation of the U.S.-Central American Peace & Solidarity Movement', *Latin American Research Review*, 43(2): 136–58.

- (2009) ‘Heirs of Sandino: The Nicaraguan Revolution and the U.S.-Nicaragua Solidarity Movement’, *Latin American Perspectives*, 36(6): 80–100.
- Programa de las Naciones Unidas para el Desarrollo (2005) *Informe sobre Desarrollo Humano, El Salvador: Una Mirada al Nuevo Nosotros*, San Salvador: PNUD.
- Rodrigo Presidente Webpage (2008) ‘Ávila Agradece al 8º Sector por Apoyo Recibido’, available at: <http://www.rodrigopresidente.com/octavo.php> (accessed 17 September 2008).
- Rubin, R. (1991) ‘Ten Years After: Vindication for Salvadorans and New Promises for Safe Haven and Refugee Protection’, *Interpreter Releases*, 68(4): 97–109.
- Weiner, T. (2004) ‘U.S.-Backed Rightist Claims Victory in Salvador Election’, *New York Times*, 22 March. Available at: <http://www.nytimes.com> (accessed 22 March 2004).
- Zilberg, E. (2011) *Space of Detention: The Making of a Transnational Gang Crisis between Los Angeles and San Salvador*, Durham, NC: Duke University Press.