Constructing a Transnational Understanding of the New Sanctuary Movement

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Abstract:

To date, New Sanctuary Movement (NSM) scholars have largely focused on the movement’s federal legislative efforts to characterize the movement as purely domestic, comprised exclusively of organizations and individuals based in the United States, calling for legal reform in the United States. Unfortunately, this characterization is somewhat simplified. In reality, the NSM consists of organizations that have sought to provide basic legal and humanitarian services to refugees from Central America, aside from any federal legislative demands. This thesis thus demonstrates that the NSM comprises a diverse set of transnational actors that have mobilized for legal change at the federal and local levels, connected refugees from Central America to legal aid providers, provided necessary survival supplies to refugees, and helped provide services that help refugees acclimatize to their lives in the United States. Applying theories on transnational social movements and social movement emergence and formation, this work (1) traces the historical growth of the NSM from the early 2000s to the current day, under President Donald Trump and (2) draws on empirical research to reveal the broad coalition of actors that are part of the NSM today.
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Chapter 1: Introduction

Mexican police had arrived earlier in the afternoon and were stationed at either end of the street leading out of Stadium Benito Juarez, a sports stadium that had been used as a temporary shelter to house the first wave of the November 2018 Migrant Caravan, a mass movement of people which originated in the Central American\(^1\) countries of Honduras, El Salvador, and Guatemala. While the police appeared relatively relaxed—most were chatting and laughing amongst themselves—their show of force overshadowed any fleeting sense of comfort. Dressed in full riot gear and carrying assault rifles, it was clear that they were prepared to face resistance. However, a few steps past the police line, a harrowing reality belied any anticipation of violence. Migrants had been given 24 hours to leave Benito Juarez. While most had left for the designated shelter closer to Tijuana’s city center, about a hundred migrants remained, choosing instead to stay in squalid conditions at the spontaneous encampment that formed on the street just outside the stadium. The past few days had been unseasonably wet, and long lines of blue tarp hung to keep families dry. The sea of blue was interrupted only by piles of trash that appeared between tents and by small fires with people gathered around, presumably to stay warm. Perhaps the most

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\(^1\) Although this thesis often refers to migrants from “Central America,” for the most part, the thesis uses “Central America” as shorthand to discuss Central America’s Northern Triangle geographic region, consisting of Guatemala, El Salvador, and Honduras. These countries are the primary source countries of Central American migrants coming to the United States. These countries also have some of the world’s highest homicide rates, rampant extortion and pervasive gang activity, all of which contribute to severe economic instability and an overwhelming lack of opportunity. See Cristina Eguizábal et al., *Crime and Violence in Central America’s Northern Triangle: How U.S. Policy Responses Are Helping, Hurting, and Can Be Improved*, 2015, 245. “Why Migrants Flee Central America,” UNICEF USA, [https://www.unicefusa.org/stories/why-migrants-flee-central-america/34545](https://www.unicefusa.org/stories/why-migrants-flee-central-america/34545); Rocío Cara Labrador and Daniela Renwick, “Central America’s Violent Northern Triangle,” Council on Foreign Relations, June 26, 2018, [https://www.cfr.org/backgrounder/central-americas-violent-northern-triangle](https://www.cfr.org/backgrounder/central-americas-violent-northern-triangle).

This thesis also refers to Central American *migrants* and *refugees* interchangeably. In a formal sense, “refugees” under international law are as those who flee a country of origin because of “well-founded fear of persecution” in that country. The thesis operates under the assumption that migrants fleeing Central America are “refugees,” although they may not necessarily have been recognized as such by the United States federal government.
heartbreaking reality was that less than 20 feet away from this scene, in the background, was the United States-Mexico border.

This image presented an obvious question: why would people choose to stay in an encampment outside a sports stadium, especially when a newly-opened shelter, Barretal, promised running water and plumbing? The answer to this question was a few blocks from the encampment, in a radical feminist collective called Enclave Caracol. Workers and volunteers spanning just three floors of Enclave Caracol were the first responders to the Migrant Caravan humanitarian crisis. The first floor housed a massive kitchen that churned out three meals a day. The second floor sorted, organized, and distributed thousands of donations – from clothing, to blankets, to toiletries. The third floor housed the Tijuana office of Al Otro Lado, a legal aid organization based in Los Angeles. On the third floor, the right side of the room was made up of several picnic tables for migrants to meet with attorneys and for volunteers to digitize the migrants’ documents. The left side of the room was set up to host legal orientations and presentations, of which there were several a day. These orientations educated Central American migrants on the means to claim asylum in the United States and on what a credible fear interview entails. Al Otro Lado, and the other volunteers at Enclave Caracol, represented a small but powerful force, catering to the needs of the thousands of Central American migrants stranded in Tijuana. At a time when the United States government, the city of Tijuana, and the Mexican government had failed to adequately respond to the humanitarian crisis generated by the Migrant

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2 A credible fear interview is an interview conducted at a United States port of entry (i.e. airport, seaport, or border crossing) where an asylum officer from United States Citizenship and Immigration Services decides whether a migrant entering the United States has a plausible claim on which he or she could be granted asylum in the United States. These interviews attempt to determine if the migrant has a well-founded fear of persecution in their country of origin.
Caravan, how could the resources encompassing just three floors of a building manage to respond to the Caravan so powerfully?

This thesis seeks to answer this question by analyzing a grassroots political and social movement called the New Sanctuary Movement (NSM), of which Al Otro Lado is a part. The NSM is a political and social campaign based in the United States that has organized to protect migrants fleeing conflict in Central America. Organizations and actors in the NSM have undertaken legislative and advocacy efforts at the local and federal levels, provided Central American migrants with basic needs such as water and food, and partnered with legal organizations to protect the rights of Central America migrants.²

Scholars have normally understood the NSM as a United States domestic movement that exclusively seeks federal legislative reform. In other words, to most scholars, the NSM is a domestic movement seeking federal legislation protecting the immigration status of migrants fleeing violence and economic underdevelopment in Central America. This thesis argues that this is far too narrow an understanding of the NSM. In reality, the NSM is transnational in nature and seeks a more holistic protection of refugees from Central America, beyond just the acquisition of legal immigration status. The organizations and individuals that are part of this movement cater to the physical needs of Central American migrants, connect them to legal aid resources, and promote legislative and social change that can help Central American migrants living in the

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² Scholars have labeled the NSM as “new” because this movement traces its historical origins in part to the Original Sanctuary Movement (OSM) of the 1980s. Unlike the NSM, the OSM was an explicitly religious movement, based in churches and other places of worship, which drew on Judeo-Christian traditions regarding exile, oppression, and refuge to provide Central American refugees with “safe spaces” within their congregations because the U.S. government had failed to live up to its legal obligations and grant political asylum to Central Americans. Organizations and individuals that were part of the OSM quite literally provided housing and physical protection to Central American refugees. The OSM is not the subject of this thesis, although the thesis does periodically refer to the OSM. For more on the OSM, please see: Hector Perla and Susan Bibler Coutin, “Legacies and Origins of the 1980s US-Central American Sanctuary Movement,” *Refuge (0229-5113)* 26, no. 1 (Winter 2009): 7–19.
United States. The organizing around and enactment of “Sanctuary State Laws” – whereby states or other municipalities have enacted legislation that protects Central American migrants, including laws that legalize street vending so that migrants may pursue this vocation as a means of daily survival – are an important example of the holistic perspective deployed by NSM actors. This thesis argues that because of the NSM’s transnational nature and its broad set of goals, the NSM has been particularly successful in protecting Central American migrants, such as those that came to the United States as part of the November 2018 Migrant Caravan.

To date, NSM scholars have largely focused on the movement’s federal legislative efforts to characterize the movement as purely domestic, comprised exclusively of organizations and individuals based in the United States, calling for legal reform in the United States. Unfortunately, this characterization is somewhat simplified for two reasons. First, by overemphasizing the movement’s domestic identity, including the NSM's call for legal reform at the federal level, scholars have overlooked the fact that the NSM is transnational in nature. Second, existing scholarship focuses exclusively on the fact that the NSM is a social movement seeking federal legal reform protecting the immigration status of Central American migrants. Scholars thereby ignore the fact that the NSM consists of organizations that have sought to provide basic legal and humanitarian services to refugees from Central America, aside from any federal legislative demands. This thesis thus sets out to show that the NSM comprises a diverse set of transnational actors that have mobilized for legal change at the federal and local levels, connected refugees from Central America to legal aid providers, provided necessary survival supplies to refugees, and helped provide services that help refugees acclimatize to their lives in the United States.
To build a more nuanced understanding of the NSM, it is important to briefly understand why existing scholarship falls short of constructing a holistic understanding of the movement. In part, this is because the study of immigration and of social movements fall under two distinct branches of sociology, respectively: (1) International Migration Theory, and (2) Collective Behavior and Social Movements. Because immigrants’ rights movements advocate on behalf of migrants moving from one country to another, scholars have studied these movements under the umbrella of International Migration Theory, giving less weight to perspectives from social movement research. As a result, existing sociological theories have not been able to capture the specific contours of immigrants’ rights movements, such as the NSM.

NSM scholars largely agree that the movement emerged out of the immigrants’ rights protests that swept the United States in 2006. The NSM, according to these scholars, provided a structure connecting immigrants and their allies with the federal state. By connecting these groups, the NSM allowed immigrants to translate their broader needs and concerns into politically actionable legislation. For example, Villazor (2008), discusses efforts to reform deportation law as keeping with the movement’s overall “goal of keeping immigrant families together”. Similarly, Caminero-Santangelo (2009), in her discussion of the Tucson-based humanitarian organization “No More Deaths/ No Más Muertes,” reveals how calls to deescalate the militarization of the border translated into legislation addressing the routine failure of border

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6 Ibid.
8 Ibid.
patrol agents to provide sufficient food, water or medical treatment to migrants in short-term custody. More recently, Barron (2017) revealed how the increasing criminalization of immigration has led NSM actors to cast their legislative claims more broadly. Although Barron takes a more well-rounded perspective that encompasses the NSM's efforts at legal reform at the state and local levels as opposed to just the federal level, Barron’s work still confines itself to the NSM's efforts within the legislative sphere, such as mobilizations that seek to repeal discriminatory law enforcement tactics. In doing so, Barron ignores other actors in the NSM, such as organizations that provide basic survival supplies to migrants fleeing Central America.

To be sure, the ability to enact domestic legislative change, including laws that create avenues to legal immigration status for Central American migrants in the United States, is an important part of the NSM. That said, existing literature prioritizes change at the federal level, while not giving due weight to legislative change enacted by states, cities, and other local units of government. Moreover, existing literature reduces the dialogue between immigrants and the federal state to a vertical power relationship going in a single direction. According to the prevailing scholarly understanding, immigrants are at the bottom end of this relationship with little to no power, while the federal state is at the top, with the most power to influence legislation. Although some scholarship acknowledges the contributions of other actors to the NSM, including religious congregations and legal-aid organizations, this scholarship largely views the work of these groups as supporting the formation and persistence of the relationship between immigrants and the federal state. These groups exist somewhere on the vertical

13 Matthew Schoene, “Transnational Social Movement Activism in the New Urban World” (The Ohio State University, 2015), iii.
spectrum above immigrants and below the federal state, helping the disempowered groups at the bottom to escalate issues, nudging these issues progressively closer to the state.\textsuperscript{14} Villazor (2008), for example, discusses how by providing sanctuary, churches can elevate the visibility of certain issues and increase the likelihood that the state will respond.\textsuperscript{15}

The emphasis on interactions between the NSM and the federal state, however, does not give due weight to the diversity of the NSM, which encompasses a wide variety of actors seeking to protect Central American migrants. Moreover, the focus on vertical contacts fails to consider the impact of relationships \textit{between} the constituent parts of the NSM. For example, immigrant organizations, faith groups, and other sectors of civil society have collaborated with one another to protect Central American migrants, irrespective of any action taken by the federal government.\textsuperscript{16} Thus, while a focus on vertical contacts helps scholars makes sense of the movement on a domestic level, it is by no means a comprehensive understanding of the NSM. Accordingly, this thesis analyzes the full breadth of actors in the NSM and sheds light on the relationships between these actors.

Ultimately, this thesis seeks to provide a detailed, nuanced understanding of the NSM. In the following chapters, the thesis demonstrates that the NSM is a transnational social movement the encompasses diverse, varied perspectives. Moreover, horizontal relationships between individuals and organizations are a fundamental part of the NSM; these horizontal relationships have encouraged a particularly robust grassroots mobilization around the NSM’s goals. The thesis concludes that because of the NSM’s unique identity, organizations and individuals within

\textsuperscript{14} Landolt, “The Transnational Geographies of Immigrant Politics: Insights from a Comparative Study of Migrant Grassroots Organizing,” 56.

\textsuperscript{15} Villazor, “What Is a Sanctuary,” 144-145.

\textsuperscript{16} Ibid.
this movement are able to cater to the needs of Central American migrants in an effective and holistic fashion.

The thesis is structured as follows. Chapter 2 sets up a theoretical framework defining what it means to be a “transnational social movement,” such as the NSM. In doing so, Chapter 2 underscores that although the concept of a “transnational social movement” is relatively new, this concept builds on existing sociological theories. Chapter 2 also illustrates how existing theories of social movement emergence and formation can be applied to understand not only social movements within a country but also "transnational social movements," that span across international boundaries.

Chapter 3 applies this theoretical framework to the NSM, tracing the historical growth of the NSM and demonstrating how the NSM exemplifies the concept of a “transnational social movement.” Chapter 3 pays special attention to political developments that galvanized the NSM between 2000 and the present day. Chapter 3 also draws on empirical research to reveal the broad coalition of actors that are part of the NSM today. In doing so, Chapter 3 reveals the diversity of actors that are part of the NSM as well as the horizontal relationships that exist between actors in the NSM.

Chapter 4 concludes with a reflection on what the NSM has achieved thus far. The final chapter also discusses whether the theory of "transnational social movements" can be expanded beyond the NSM and be applied to other mass mobilizations occurring worldwide.
Chapter 2: Theoretical Framework

This chapter sets out a theoretical framework that can be used to understand “transnational social movements,” such as the NSM. In doing so, the chapter synthesizes various social movement theories that exist in the field of sociology. Although most of these theories emerged in the study of social movements at the domestic level (i.e. within a country), this chapter seeks to establish that the same theories can be applied to a social movement that crosses international boundaries, such as the NSM.

The first section of this chapter explains why a transnational, rather than domestic, framework ought to be used to understand the NSM. The remainder of this chapter then discusses sociological theories studying the emergence of social movements at the domestic level. The second section of this chapter explains how scholars understand the emergence of social movements, including the political opportunities, threats, and resource infrastructures that a movement can utilize in its early stages. The third section of this chapter summarizes network theory and the extent to which connections between individuals and organizations help to develop a grassroots movement, such as the NSM. The fourth section briefly discusses the framing of social movements: the ways in which the members of a social movement portray themselves to external actors.

I. Why Is A Transnational Social Movement Appropriate to Understand the NSM?

As a starting point, this thesis defines a "transnational social movement" as a movement with groups of individuals and organizations in at least two countries. These constituent parts of the movement, which are situated in at least two countries, engage in sustained mobilization for a common set of goals.17 Increased global interconnectedness during the 21st century has changed

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the way that groups constitute political identities and mobilize for political change.\textsuperscript{18} Because of this, an increasing number of movements fall under the transnational umbrella. While an approach that focuses exclusively on the United States ignores the diversity of individuals and groups that constitute the NSM, a transnational approach can address this gap in the literature. Moreover, the nature of immigration from Central America, while not a new phenomenon, has always existed across states, underscoring the need for a transnational approach to understand the complexity of this migration.

In addition to the general interconnectedness of the world and the basic fact that Central American migration is a transnational process, why is a transnational framework better suited to understanding the NSM? One reason is that NSM scholars have struggled to capture the nature of the NSM because of their emphasis on vertical contacts between immigrants, their allies, and the federal state. Vertical contacts refer to the ways in which immigrants and organizations exert demands on the United States government, and how the government responds with federal legislation protecting Central American migrants. Vertical contacts, and typically those connections between migrants themselves and the federal state, fail to consider the relations between immigrant organizations and other sectors of civil society.\textsuperscript{19} It is important to take an approach that recognizes the importance of these connections, especially when these connections occur across international borders. Transnational social fields are defined as “a set of multiple interlocking networks of social relationships through which ideas, practices, and resources are unequally exchanged, organized and transformed.”\textsuperscript{20} Accordingly, a transnational understanding

\textsuperscript{18} Landolt, “The Transnational Geographies of Immigrant Politics: Insights from a Comparative Study of Migrant Grassroots Organizing,” 53.

\textsuperscript{19} Ibid.

\textsuperscript{20} Peggy Levitt and Nina Glick Schiller, “Conceptualizing Simultaneity: A Transnational Social Field Perspective on Society,” \textit{The International Migration Review} 38, no. 3 (2004): 1009.
of social movements, such as the NSM, can capture the diverse interactions between actors in the
NSM.

Cross border ties between actors in the NSM help in different ways. Weak ties between
movement actors, which normally occur over long geographic distances, permit the distribution
of information and provides these actors with a common set of signals to allow them to adjust
their individual activities in common ways. Stronger connections between actors in close
proximity create easy opportunities for organizations to connect to one another because they
lower the costs for organizations to experiment with new partnerships and promote the
consolidation of actors into tightly-clustered organizational units.

Another reason that a transnational framework is the best means to understand the NSM
can be tied to three shifts in civil society politics. The first development is an expansion in the
geographic orientation of politics to now include allies and agendas situated across different
nation-states. In other words, all political movements, including the NSM, engage in
international mobilization, with allies and constituent parts located in different countries.

The second development is an improved ability to build networks that bridge this
geographic distance, which includes building new links among actors in civil societies, states,
and international organizations. These networks multiply the opportunities for dialogue and exchange, and when issues concern human rights, as does the plight of Central American refugees, these networks make international resources available to actors in political and social struggles. The decentralization of immigration policy at the beginning of the NSM not only encouraged connections across organizations but also encouraged all actors within the movement to look to instrumentalize international human rights norms to garner more support and to justify their actions.

The third and final development is the extension of citizenship rights beyond the boundaries of the nation-state and into the transnational sphere. While undocumented immigrants living in the United States continue to lack a legal pathway to citizenship, the rights afforded by sanctuary laws in various jurisdictions do extend some of these rights to undocumented individuals. In California, for example, the passage of the AB-60 drivers licenses, which anyone can qualify for irrespective of citizenship status, protects the spaces occupied by undocumented immigrants, allowing them to move more freely within the state, and reinforcing that they belong. This notion of belonging is further reinforced by the extension of an identity card which symbolically represents their inclusion in the community.

27 Ibid., 93.
29 Anna Plyushteva, “The Right to the City and Struggles over Urban Citizenship,” Amsterdam Social Science 1, no. 3 (2009): 82.
Accordingly, a transnational approach can capture the complexity of the NSM and the nature of relationships between actors in the NSM. This chapter, however, must still provide a specific framework through which a "transnational social movement" such as the NSM can be understood. To do so, this chapter engages with social movement literature, a branch of sociology which has studied the formation and characterization of social movements at the domestic level. At bottom, there is nothing preventing this literature from being extrapolated from the domestic sphere to the transnational sphere. In other words, although the following theories explaining social movements originated in scholarship studying social movements within countries, these theories can be applied to “transnational social movements,” such as the NSM.

II. Social Movement Emergence

Scholars studying the creation and emergence of social movements argue that the three primary factors driving collective action are: opportunities, threats, and resource infrastructures.32

First, opportunities as the conditions driving social movement action.33 Opportunities are positive features in the environment that provide incentives to mobilize.34 The rise of immigration federalism in the early 2000s—with subnational government entities that could enact immigration-related policies—and the resulting creation of sanctuary jurisdictions limited the “oppression” of the federal government, offering a more friendly environment for immigrants and their allies to mobilize. In areas with sanctuary policies, for example, there is a relatively

33 Doug McAdam et al., Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings (Cambridge University Press, 1996).
34 Tarrow, Power in Movement: Social Movements and Contentious Politics, 2011.
lower chance of being arrested or harassed by police, so individuals would feel more empowered to speak out.\textsuperscript{35}

Second, are threats. Threats are the \textit{negative} conditions driving collective mobilization, and threat-induced mobilization focuses on the negative incentives in the environment that drive action.\textsuperscript{36} This becomes particularly important in this thesis’ discussion of how the NSM under President Trump mobilized its decentralized structure to resist the President’s actions. Policy threats that reduce legal protections – like the administration’s decision to increase ICE raids around the country – induce mobilization within the immigrant community.\textsuperscript{37}

The third feature necessary to study the emergence of a social movement is resource infrastructures. NSM scholarship has largely overlooked this feature in its analysis, explaining in part why scholarship continues to view the movement as a national social movement seeking federal legislative change, rather than a transnational social movement. Resource infrastructures span a wide range, from preexisting organizations and institutions to human capital and even previous mobilization experience.\textsuperscript{38}

This thesis focuses on the various civic organizations that grew out of the Original Sanctuary Movement (OSM),\textsuperscript{39} in addition to community-based advocacy organizations, including churches, and the transnational trust networks connecting immigrant communities in the U.S. with their communities back home. These networks played a key role in mobilizing to


\textsuperscript{39} See Footnote 4 for more on the OSM.
oppose anti-immigrant legislation even before the NSM, particularly because they would coordinate actions in both English and Spanish to build broader coalitions of support. By joining the NSM, they added their pre-existing networks and mobilization experience to the movement’s toolkit.

III. Participation and The Power of Social Networks

The NSM has been able to empower a diverse coalition of actors to participate in the movement, including Central American migrants themselves. Social networks are the primary social relationships that influence individual participation in a social movement. This thesis focuses specifically on trust networks because they are a powerful means of creating sustainable communities that transcend national boundaries. Through the active participation of undocumented immigrants in the NSM, the movement was able to integrate these networks – and importantly the mutual trust that defines them – into its broader framework.

Interpersonal trust networks “have performed an enormous range of political, economic, and spiritual work for human beings, especially those human beings who could not rely on governments to provide them with sustaining services.” These networks are typically found in migration streams that link a limited number of origin countries with a destination, and where long-distance migration is considered risky because the migrants do not have official sponsors or many professional connections in their intended destination. For these reasons, trust networks are especially powerful in explaining the nature of migratory networks that connect Central Americans living in the U.S. with family and friends who intend to make the same journey. In the paragraphs that follow, this section outlines three salient characteristics of trust networks and

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42 Ibid., 8.
the nature of information that is shared. These three characteristics underscore the strength and influential potential of these networks.

The first characteristic is tied to the geographic settlement of people. Although few studies have documented the exact migratory paths of Central American migrants to the U.S., trust networks typically encourage the settlement of newly arrived immigrants in areas where other network-members are already established. Indeed, it is possible that “large numbers of people from the same village end up in the same towns or urban neighborhoods. Census data underscores that Central American populations in the U.S. are concentrated in a few urban centers, and these urban centers tended to be the destinations of migrants during the 1980s. During the 1980s, there was a massive influx of Central American immigrants to the United States. These populations largely settled in Los Angeles – where the Salvadorian population in 1983 was ten times what it was in 1979 – and in Houston.43 Data collected by the United States Census Bureau between 2011-2015 underscores that new immigrant populations tended to go to urban centers where Central American populations were already well-established: indeed, the United States Census Bureau found that the cities with the most Central Americans were the greater Los Angeles area, New York City and the Houston metropolitan area.44

The second characteristic is embedded in the name itself: members trust one another. In these networks, “the configuration of ties within the network sets the collective enterprise at risk to the…failures of individual members.”45 As such, the entire network shares the collective risk

43 Maria Cristina Garcia et al., Seeking Refuge: Central American Migration to Mexico, the United States, and Canada (Berkeley, CA: University of California Press, 2006): 81.
associated with the information shared and, as a result, individual members would be unlikely to spread information that would put other members in unnecessarily dangerous situations.

The third characteristic of these networks explains their persistence over time: participants in these networks send and receive remittances to support their families and communities back home. In a study conducted by the Pew Hispanic Center, almost all the study’s participants reported that they sent money to their families back home. In fact, most respondents went as far as to say that sending this money was more important than meeting their own bills and expenses in the U.S.\(^\text{46}\) In return, families may send back homegrown products or even simple communications updating the remitter about their community at home.\(^\text{47}\) The shared assumption of reciprocity ensures that relationships between network members are rarely one-sided and that they are repeatedly reinforced and strengthened from both ends.\(^\text{48}\)

IV. Social Movement Framing

Framing is a term that describes the ways in which a social movement convinces adherents, bystanders, and the public of the urgency of the social issue at hand.\(^\text{49}\) The framing of collective action has become central to understanding the development of social movements. This is particularly important today, when actors in a social movement communicate across social media platforms, such as Instagram, Twitter, and Facebook.\(^\text{50}\)

In studying the nature of the NSM, this thesis focuses on what are called "master frames." These are the overarching messages and communications that define a movement in its entirety.


\(^\text{48}\) Ibid.


For example, a master frame would be how actors within the NSM define the NSM. "Master frames" are articulated in elastic, flexible and inclusive ways to resonate with a diversity of groups, who can then adopt the frame to their specific case.51 This is relevant to the case of the NSM because the movement’s architects made a distinct effort to reach a wider audience through a broad, inclusive message. Master frames can create a “repertoire of interpretations” that help social movements produce ideological continuity, and they are essential for broad-based mobilization campaigns like the NSM.52

V. Chapter Summary

In sum, this chapter has defined the concept of a “transnational social movement.” At its core, a "transnational social movement" is a movement constituted of actors in at least two countries that mobilize for a set of goals. This chapter also summarized existing social movement theories developed in the domestic context. Specifically, the chapter analyzed how social movements emerge through positive and negative opportunities and the allocation of resource infrastructures; how social movements promote participation through use of social networks between constituent parts; and how social movements frame themselves and their identity. By engaging with sociological research on social movements, this chapter pointed out that social movement theories can be applied to a transnational social movement like the NSM.

With this chapter as a background, the subsequent chapter explores the extent to which the NSM exemplifies a “transnational social movement.” To do so, Chapter 3 will look at how the NSM emerged across borders, how the movement expanded its participation through social

52 Ibid.
networking across different countries, and how those who mobilize within the NSM *frame*

themselves as transnational, not domestic actors.
Chapter 3: Growth and Success of the NSM

This chapter applies the theoretical framework on transnational social movements to the NSM, analyzing the extent to which the NSM exemplifies this theory. The chapter proceeds in a chronological fashion, tracking the growth of the NSM from the early 2000s through today. Through this history, the chapter reveals how issues of emergence, grassroots participation, and framing of the movement were vital to the NSM’s evolution. Ultimately, the NSM today is a mass social movement, consisting of diverse organizations and individuals. These actors engage with one another and with government entities to protect Central American migrants in a holistic fashion, beyond just seeking federal immigration reform for these migrants.

The chapter proceeds as follows. The first section draws on theories of emergence, social network participation, and framing to discuss how the context of the early 2000s – including adverse federal government actions against Central American migrants and the decentralization of immigration policy – led to the official start of the NSM. The environment at that time created the opportunities that encouraged the formation of organizations that advocated for the rights of undocumented immigrants. Furthermore, the decentralization of immigration policy and the framing strategies employed by the NSM encouraged organizations to build relationships within and across national boundaries and to mobilize towards a holistic protection of Central American refugees.

The second section of this chapter moves to the present day, analyzing the NSM in a contemporary context. Although the negative conditions created by the Trump Administration threatened the future of the NSM, the NSM had been developing a transnational resource infrastructure since its inception in the early 2000s. President Trump’s actions, therefore, were
catalysts of emergence, pushing the NSM towards its current position as a mass transnational movement protecting Central American migrants.

To further understand the NSM's current identity as a transnational movement of diverse actors, the third section of this chapter performs a deep-dive into the main players in the NSM. Drawing on empirical research, the third section reveals that the NSM is a transnational social movement that encompasses both a diverse set of actors and horizontal relationships between individuals and organizations. Because of this identity, the NSM has been able to effectively advocate for Central American migrants.

I. The Emergence of the NSM in the Early 2000s

The chapter begins with a discussion of the political and social developments that took place in the immediate lead-up to the NSM. These events opened up political opportunities – primarily negative incentives – mobilizing actors across the country to protect undocumented immigrants. This mobilization, in turn, deepened national divides over immigration policy and decentralized immigration policy.

The sustained congressional inaction and unilateral executive action that defined immigration policy in the early 2000s created the kinds of negative conditions that can drive collective mobilization. This threat-induced mobilization contributed to the rise of immigration federalism: the decentralization of immigration policy from the federal to the local and state levels, and the subsequent birth of the New Sanctuary Movement.

In 2005, the U.S. House of Representatives passed H.R. 4437, also known as the Sensenbrenner Immigration Bill, which sought to address unauthorized immigration in the
United States. The Sensenbrenner Bill sought primarily to strengthen the interior enforcement of immigration law, enacting additional border security measures and affirming that states have “inherent authority” to enforce immigration law.\(^{53}\) Furthermore, those representatives who voted in favor of the bill agreed that “unlawful presence” in the United States should be considered a felony, and anyone who was found assisting undocumented immigrants should also be subject to criminal penalties.\(^{54}\) Although H.R. 4437 ultimate did not pass into law, religious leaders across the country, led by Cardinal Roger Mahoney of the Archdiocese of Los Angeles, called on people of “conscience” to refuse to comply with the bill on moral grounds.\(^{55}\) This call to action was the immediate precursor to the NSM. It is also important to note the deliberately universal wording of Cardinal Mahoney’s declaration: in calling on all people of conscience, Cardinal Mahoney distanced the movement from its religious roots, setting the tone for the NSM as a non-religious movement.

The fact that the Sensenbrenner Bill failed to pass into law was only part of Congress’ broader failure in 2006 to pass any proposals strengthening interior immigration enforcement. Mounting frustrations over congressional inaction came to a head in 2007 when Congress was again unsuccessful in passing comprehensive immigration reform.\(^{56}\) In the wake of this, several states took matters into their own hands, attempting to fill what they believed was a gap in federal immigration enforcement. Arizona was the first, followed by Oklahoma.\(^{57}\) Pursuing a


\(^{56}\) Ibid., 82.

\(^{57}\) Ibid., 82, 87.
strategy known as “attrition through enforcement,” 58 policymakers hoped that these laws, which limited the rights, benefits, and privileges of undocumented immigrants, would be so inhospitable to undocumented immigrants that they would voluntarily leave. 59

Amidst mounting frustrations over Congress’ actions and recognizing an uptick in anti-immigrant sentiment, a wave of May Day immigrants’ rights marches swept cities across the United States in the spring of 2006. This unprecedented mobilization across the country revealed just how strongly many communities felt the need for comprehensive legal reform.

Just as certain regions felt a strong anti-immigrant wave, others experienced the opposite. Local and state jurisdictions began to take immigration law into their own hands, in a similar albeit opposite manner to the laws in Arizona and Oklahoma. The proliferation of legislation protecting the spaces occupied by undocumented immigrants at local levels ushered in what scholars have termed the “new era” of immigration federalism. This “new era” was defined in large part by the decentralization of immigration policy from the federal to the sub-national level. 60 Cities with well-established immigrant communities, including New York, Miami, Chicago and Los Angeles, as well as those that had major research universities, namely Ann Arbor, Michigan, Durham, North Carolina and Austin, Texas, adopted sanctuary laws to publicly state that they did not intend to comply with federal requests to detain undocumented immigrants unless these individuals were suspected criminals. 61

59 Campbell, 82.  
61 Ibid., 376.
This wave of legislation, in turn, created favorable political conditions for the growth and formation of immigrants’ rights networks. In part, this is because immigration federalism helped diffuse the immigration debate from the halls of government to living rooms and church basements, spaces that are normally associated with community activists.62 This dynamism in immigration federalism emphasized the potential for collaboration amongst activists and politicians, even if on the national level.63

An immediate product of this dynamic discourse came on May 9, 2007. On this day, religious activists in Chicago, Los Angeles, New York, and Seattle held joint press conferences in local churches to announce the launch of a new movement for immigrants’ rights: the New Sanctuary Movement.64 Recognizing a need to distance the notion of sanctuary from its Judeo-Christian roots, the NSM’s faith-based architects reimagined sanctuary more broadly from the outset, reframing the movement’s purpose as the abstract notion of “radical accompaniment.”65 In doing so, they took an important step in opening the movement’s structure to address the plight of Central American refugees on a broad geographic scale.

As the organizational activity encouraged by immigration federalism converged with the openness of the NSM’s frame, the NSM emerged, bringing a new kind of social movement that brought together transnational activists and networks.

II. President Trump Motivates the Strengthening of the NSM

Starting in 2017, when President Trump took office, immigration enforcement took a sharp, significantly harsher turn, beginning with draconian executive orders, attacks on sanctuary

62 Ibid.
64 Grace Yukich, “Praying With Our Feet: Religion and Immigration Politics in the New Sanctuary Movement” (Ph.D., New York University, 2010), 14.
65 Ibid., 181.
jurisdictions (i.e. jurisdictions that enacted laws that sought to protect refugees and Central American immigrants), and federal government actions that sought to ensure that deportable noncitizens could not rely on favorable enforcement discretion. Limits on discretion meant that undocumented immigrants lost legal avenues to remain in the United States, even if they lacked a criminal record, made positive contributions to their community, or if their removal would bring substantial hardship to themselves or their family. These actions provided the negative incentives for the NSM to coalesce further.

Although the Trump administration's actions could have sounded the death knell of a less robust movement, the NSM had already created a robust foundation in the first decade of the 2000s. The dialogue encouraged by the rise in immigration federalism, alongside the framing strategy of the NSM, ensured that the movement could capitalize on its decentralized structure and a diverse source of supporters to respond to attacks from the federal government. By the time President Trump assumed office in January of 2017, organizations were well-established and ready to respond.

To analyze the contemporary mobilization of the NSM, I first examine in greater detail some of his administration’s attacks on immigrant communities. These actions created incentives for emergence, promoted participation in the movement, and allowing for the framing of the movement as a resistance against a hostile federal government.

Ending “sanctuary cities” and increasing deportations of undocumented immigrants, particularly those from Central America, has been a central concern of the Trump administration.

66 Ibid.
67 This section focuses primarily on President's Trump administration initial attacks on sanctuary cities beginning in January 2017, and the administration's generally negative attitude towards Central American migrants. This section limits the discussion in this way because these actions most visibly set into motion the mass mobilization of NSM actors. Although there are many more anti-immigrant policies adopted by the Trump administration – policies that continue to the present day – the administration's initial attack on sanctuary cities was vital to the rapid growth of the NSM.
Within days of taking office in January 2017, President Trump signed two executive orders on immigration: one focused on border enforcement and the other focused on immigration enforcement within the US. The latter executive order also directly attacked sanctuary jurisdictions, claiming both that they “willfully violate Federal law in an attempt to shield aliens from removal in the United States” and that they have “caused immeasurable harm to the American people and to the very fabric of our Republic.” The executive orders attempted to put the Attorney General and the Secretary of Homeland Security in charge of ensuring that these jurisdictions would not receive “federal grants, except as deemed necessary for law enforcement purposes by the Attorney General or the Secretary.” Although not embedded in the content of these executive orders, the Trump administration officials even wanted to arrest city officials who were in charge of sanctuary jurisdictions.

These executive orders, and the general hostility expressed by the administration towards sanctuary jurisdictions, are unsurprising, considering that they are part of the administration’s belief in “crimmigration;” that is, conflating immigration and criminal law to rely on the criminal justice system for federal immigration enforcement.

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69 Ibid.
70 Ibid.
In 2015, at his campaign launch, President Trump said: “[Mexican immigrants] are bringing drugs. They’re bringing crime. They’re rapists.” While this claim could not be farther from the truth, it nonetheless underscores the fact that Trump saw immigration – in this case Mexican immigration – as criminal. Soon after in his campaign, Trump went one step further to directly link sanctuary cities and crime by repeatedly recalling the 2015 killing of Kathryn Steinle by an undocumented immigrant. After securing the Republican nomination, Trump mentioned Steinle, asking: “where was sanctuary for Kate Steinle…where was sanctuary for all the other Americans who have been so brutally murdered and who have suffered so horribly?”

Although the man accused of killing Steinle was acquitted in late 2017, in carrying out the interior enforcement of the January 25 executive order, Department of Justice (DOJ) officials echoed Trump’s immigrant criminality rhetoric. In doing so, their actions suggest that the entire executive branch shared Trump’s belief in immigrant criminality. Former DHS secretary John F. Kelly’s implementing memorandum declared that criminal “aliens routinely victimize Americans and other legal residents.” Similarly, former Attorney General Jefferson Sessions echoed Trump’s claims: “countless Americans would be alive today – and countless loved ones would not be grieving today – if the policies of these sanctuary jurisdictions were ended.” Recalling Steinle’s death, Sessions went on to declare that sanctuary policies “endanger the lives of every American [and] violate federal law.” Sessions closed out these remarks by emphasizing his

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74 Ibid.
77 Ibid.
commitment to implementing the executive order and cutting funding to sanctuary jurisdictions.\textsuperscript{78}

III. What Has the NSM Mobilization Looked Like Under the Trump Administration?

Accordingly, the Trump administration provided a set of negative incentives that led to the growth of the NSM. This section analyzes the result of these actions by examining the specific nature of the NSM today. Drawing on empirical research, this section analyzes the following sets of NSM actors: (1) sanctuary jurisdictions (such as cities and states that adopt policies protecting Central American migrants), (2) religious institutions, (3) the Central American Resource Center (CARECEN), (4) Al Otro Lado, (5) No More Deaths, (6) the transnational religious networks, and (7) transnational trust networks. These groups of people either formed out of the opportunities afforded by the NSM or pre-dated the NSM but joined the movement when it opened its framing to include them during the past three years. Recalling Nicholls’ (2009) work on the relationship between geography and network ties, the coalitions discussed in the chapter are organized geographically, starting in the United States and proceeding towards Central America.\textsuperscript{79} Ultimately, the breadth and depth of these actors reveal that the NSM is a transnational social movement with varying demands and perspectives. Moreover, the horizontal relationships between these actors has been a vital source of strength for the NSM.

Sanctuary Jurisdictions

In 2004, the Congressional Research Service defined sanctuary jurisdictions as those which adopt don’t ask, don’t policies in which “they do not require their employees, including

\textsuperscript{78} Ibid.
\textsuperscript{79} Walter Nicholls, “Place, Networks, Space: Theorising the Geographies of Social Movements,” \textit{Transactions of the Institute of British Geographers} 34, no. 1 (2009): 78.
law enforcement matters, to report to federal officials aliens who may be illegally present in the
country."\textsuperscript{80} While this definition of sanctuary policies is quite broad, narrower definitions
suggest that sanctuary jurisdictions are only those that have adopted policies of non-compliance
with ICE detainers, which are the means through which ICE ultimately deports undocumented
immigrants.\textsuperscript{81} Cities may have just one policy or have adopted various policies that span the
range of these categories. The adoption of sanctuary policies represents a significant success of
the NSM.\textsuperscript{82} Local jurisdictions, partnering with organizations that mobilize in favor of sanctuary
policies, have enacted laws that safeguard the day-to-day lives of Central American migrants.
There are five broad categories of sanctuary policies that illustrate the successes of actors within
the NSM.\textsuperscript{83}

The first are the broadest class of policies. These policies are “don’t ask” policies because
they instruct city and state officials to not inquire into the immigration status of individuals.
Importantly, they do not explicitly state the “don’t tell” component, suggesting that it is possible
for officials to share the immigration status of an individual if they do find out. The second
category of policies are “don’t tell,” but not “don’t ask” sanctuary policies. In these jurisdictions,
city and state officials are told not to disclose immigration information to federal authorities.
Third are those policies that ensure immigration is no bar to receiving local or state social
services. Interestingly, although these policies do not have any direct implications for the
deporation of undocumented immigrants, they do foster a more inclusive and open community.
Indirectly then, since scholars have established a connection between education and crime, for

\textsuperscript{80} Jessica Vaughan, “Ignoring Detainers, Endangering Communities: Sanctuaries Release Thousands of Criminals,”
\textsuperscript{81} Ibid.
\textsuperscript{82} Chrisjen White, “Living in Fear: Understanding the Importance of Sanctuary Cities,” Center for American
\textsuperscript{83} Kevin A. Hernandez, \textit{Sanctuary Cities and Crime}, (San Antonio: The University of Texas, 2016) p. 34-36.
example, access to these kinds of resources may have an effect of crime rates, which would then potentially decrease the number of deportations. Fourth are those policies which explicitly instruct state and local police to not enforce nor use local or state funding in enforcing federal immigration law. Fifth are those policies that do the most to protect undocumented immigrants living within their jurisdiction. In this category, state and local police are not authorized to fulfill ICE detainer requests. Detainer requests are sent when ICE finds out that an undocumented immigrant is being held in a state or local jail and intends to apprehend this individual for deportation at the end of their sentence. Thus, at the end of a sentence, local and state police would release the undocumented immigrant instead of holding him or her in detention until ICE can arrive and commence formal deportation proceedings against this individual.84

Starting in January 2017, President Trump attacked sanctuary jurisdictions, thereby attacking the integrity of the NSM. President Trump’s actions questioned the legitimacy of a core cohort of the NSM: local, city and state governments. While it may seem that dismantling this core cohort could assign the NSM the same fate as its predecessor, the OSM, the political context of immigration federalism and the empowered sanctuary jurisdictions allowed states and cities to resist Trump’s anti-sanctuary actions.

Within three months of Trump’s January 25 executive order, six jurisdictions had filed lawsuits that challenged Trump’s anti-sanctuary Executive Order.85 Each of these lawsuits appealed the legality of the executive order in similar ways: that it violated the Tenth Amendment of the United States Constitution by “unlawfully commandeering state and local governments and compel[ling] state and local officials to carry out federal immigration

84 Ibid.
enforcement.”86 Ultimately, in a 2-1 decision, the Ninth Circuit Court of Appeals upheld an earlier district court ruling, deciding that the Trump administration cannot withhold federal funds from sanctuary jurisdictions.87 This court ruling represented an important victory for states and localities that sought to protected Central American migrants. Specifically, a federal appeals court agreed that states and localities could continue adopting sanctuary policies, protecting Central American migrants and formally enshrining legal demands emanating from the NSM.

**Religious Institutions**

Religious congregations and organizations provide protection for immigrants at risk of deportation.88 The range of their support varies, but many congregations have been engaging in these activities since the Original Sanctuary Movement. At the most basic level, these groups play a logistical and networking role. For example, in a true transnational sense, religious institutions, such as local churches, help Central American migrants during their arduous journey from their countries of origin into the United States.89 Institutions in the United States educate immigrants on their rights and the resources available to them.90 In other cases, houses of worship in the United States invite immigrants to live in their congregations in order to prevent the unnecessary separation of families and to support the work of legal aid organizations.91 Religious institutions also play a vital organizational role, helping to increase the visibility of the

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86 Ibid.
90 Ibid.
91 Ibid.
plight faced by Central American migrants, both those living in the United States and those abroad.

Catholic Charities, a faith-based social services organization with offices across the country, plays an important logistical role for immigrants. In the New York office, a banner reading “No Human Being is Illegal” in both Spanish and English hangs in the waiting room, where often upwards of 60 people wait on Monday and Friday evenings for a legal orientation. During these legal orientations and clinics – which are free and open to the public – the organization not only provides a space for individuals to speak freely and share experiences with one another, but also orients individuals with the logistics of Immigration Court and sends them home with a packet of resources, including contact information for legal aid organizations in the surrounding area that can represent them for free or at a low cost, information about health and other social services, and, importantly, a pamphlet on what to do in an encounter with Immigration and Customs Enforcement (ICE). Central American migrants attending the orientations are encouraged to return to the organization with any questions. If they or anyone they know have immigration-related legal concerns, they can attend a drop-in consultation with in-house attorneys at Catholic Charities.

On several occasions, the first stop for migrants after arriving in New York is to come into the Catholic Charities Office. Central American migrants often learn from friends or other individuals of the importance of Catholic Charities. Moreover, coming from a religious background, Central American migrants are more likely to trust the advice from religious institutions.

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92 From September 2018 to March 2019, the author observed and conducted a number of legal orientations at Catholic Charities of New York. The description of Catholic Charities draws on this empirical research.
Catholic Charities also plays an important transnational role, tying together components of the NSM across boundaries. The organization has routinely sent delegations to Central American countries to learn about the plight of Central Americans. Before leaving on their most-recent delegation to Honduras on April 11, 2019, the executive director of Catholic Charities, Monsignor Kevin Sullivan, held a press-conference discussing the reasons for this delegation:

We are willing, when we come back, to talk to anybody and everybody who wants to listen so that we can share our experience with them. I suspect we'll come back with a few ideas that we will work with our partners in government and labor to see how we can make our country a more welcoming country.

In this press release, Sullivan affirms the intention of this delegation to educate the public on the realities facing Central Americans. However, his remarks also reveal the political role played by religious institutions, who can use their relatively privileged position to frame the NSM's transnational struggle and motivate actors and political partners to collaborate on protecting Central American migrants.

The other religious groups participating in the NSM are faith coalitions, alliances of churches and other religious organizations that have the shared purpose of protecting Central American migrants. Their role is best illustrated through the story of Jeanette Vizguerra, an undocumented immigrant who has been living in the United States since 1997. She has three U.S. citizen children. In 2009, she was caught driving with false documents and a deportation.

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94 Ibid.
order was issued against her. From 2009 until President Trump entered office, Vizguerra was able to obtain stays on her removal from Immigration and Customs Enforcement (ICE), which allowed her to continue staying in the United States on a temporary basis. On February 15, 2017, less than one month after President Trump took office, Vizguerra was denied any further stay, at which point her congregation, the First Unitarian Society of Denver, offered her sanctuary, not only to keep her with her children, but also to give her attorneys more time for a legal appeal. She lived in this church for 86 days, until ICE finally relented and deferred her removal to March 15, 2019. As this most recent stay on her deportation came to an end, her attorneys filed a lawsuit in U.S. District Court in Denver, alleging that ICE “carried out a years-long campaign” against Vizguerra to deport her without “valid justification,” and, in doing so, failing to follow due process of the law.

Vizguerra’s situation is not unique. Starting in 2017, when President Trump took office, immigration enforcement took a sharp, significantly harsher, turn, beginning with the draconian executive orders outlined earlier. Because of this, faith coalitions across the country are regularly filing cases in U.S. District Court, in attempts to keep people like Vizguerra in the country. Religious institutions, therefore, are an important part of the NSM. They have mobilized for change at the federal and local levels and have also spearheaded litigation in courts to protect the legal status of individual Central American migrants.

98 Elizabeth Hernandez, “Jeanette Vizguerra Once Again Takes Sanctuary in Denver Church as She Sues ICE to Block Her Deportation,” The Denver Post, March 15, 2019, [https://www.denverpost.com/2019/03/15/jeanette-vizguerra-sues-ice-denver/](https://www.denverpost.com/2019/03/15/jeanette-vizguerra-sues-ice-denver/).
100 Ibid.
The Central American Resource Center (CARECEN)

In 1983, CARECEN became one of the first solidarity groups to establish an institutional presence and support the broader work of the OSM. At the time, Los Angeles was not only a major transfer station for refugees who were sent to sanctuary churches in other parts of the country, but it also became the primary city where refugees chose to settle.101 For this reason, CARECEN opened their office in Los Angeles and worked to secure political asylum for the refugees fleeing persecution and to offer immigration and other social services to the Central Americans arriving in Los Angeles.102

In the years after the OSM, CARECEN grew into a more comprehensive service provider for Central Americans and today is the largest such organization in the country.103 On a domestic level, the organization has repeatedly defended the basic rights of Central Americans by mobilizing against anti-immigrant legislation.104 In 1996, CARECEN was one of the key organizations advocating for immigrants to win back rights lost under the Illegal Immigration and Immigrant Responsibility Act (IIRAIRA).105 In 2006, CARECEN was central to immigrants’ rights protest in Los Angeles, which mobilized over one million people against HR 4437, the Sensenbrenner bill.106 Their demonstrated ability to mobilize such vast numbers points to CARECEN’s strong network ties with domestic allies.

In a transnational sense, the organization facilitates the flow of information between Central American countries and the U.S. while also elevating the visibility of injustices abroad to

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102 Ibid.
105 Ibid.
106 Ibid.
their domestic allies. Indeed, in 2018, CARECEN travelled to Honduras alongside a delegation of faith and social justice leaders from the United States to report on country conditions and to call on the United States to end their support of the country’s de facto dictatorship. The transnational communication that emerged between participants in delegations like this facilitated the flow of information and provided resources to encourage other allies including journalists, human rights activists, and religious groups to bring more international attention to the bleak reality in these countries.

When the Trump administration revealed in May 2018 that they would be criminally prosecuting everyone who crossed the border without authorization, media attention turned to the government’s separation of minors, who as a result would have to navigate the contours of the U.S. immigration system by themselves. Some were only a few years old. “We knew they had been separating minors long before it became a news headline. And I knew organizations had been working to find ways to appeal the legality of [the administration’s] actions and help the minors however they could.” CARECEN, among others, ramped up their efforts to represent children in immigration court to mitigate the fact that the Office of Refugee Resettlement (ORR) had lost track of over 1,500 minors who had been released from their care, and many minors did not go to their hearings because they were scared. Without their strong ties to the Central American community, the organization would have struggled to communicate

110 Ibid.
111 Author Interview, Anonymous, Catholic Charities NYC, December 3, 2019.
their resources to the appropriate populations. Instead, CARECEN remained a force in challenging family separation. The organization has continued working to reunify families after federal courts have ordered that the administration end its separation policy.

**Al Otro Lado**

The story of Al Otro Lado, an organization that received significant visibility for their work in Tijuana during the humanitarian crisis brought on by the November 2018 Migrant Caravan, illustrates how the NSM took advantage of their resource infrastructures and the political openness in sanctuary jurisdictions to inspire the formation of new coalitions. By bringing immigrants’ rights activists together in the same space and fostering dialogue across national boundaries, new solutions to pre-existing problems emerged.

In 2012, Al Otro Lado started as a project between Nora Phillips, who at the time was an attorney at CARECEN – which, as we discussed above traces its origins to the OSM – and Esmeralda Flores, an attorney working for a human rights organization called PDIB (Programa de Defensa e Incidencia Binacional) located at the U.S. – Mexico border. Esmeralda was stationed at the Casa de Migrante, a migrant shelter in Tijuana. In addition to providing resources for their local communities, CARECEN also held trainings to bring together practitioners from across the field, facilitate communication and foster solidarity.

After Nora and Esmeralda met at one of these meetings, they began communicating regularly with one another. Esmeralda would email Nora about certain cases, while Nora would screen them for immigration relief and determine if it was possible for the individual to enter the United States lawfully. While at first informally, Nora, Esmeralda and a growing number of

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114 “Who We Are,” *Al Otro Lado* (blog), accessed April 19, 2019, [https://alotrolado.org/who-we-are/](https://alotrolado.org/who-we-are/).
115 Ibid.
volunteers, colleagues, and friends worked on cases and facilitated the lawful return of several people who had been deported. Shortly thereafter, Al Otro Lado grew into a bi-national, direct services organization serving the needs of migrants and refugees in Tijuana, Mexico. Although the organization largely entered the spotlight after the arrival of the November 2018 Caravan, since establishing a presence in Tijuana, the organization has been successfully coordinating with attorneys and non-legal professionals on several fronts where immigration law intersects other fields.

The arrival of the 2018 Caravan brought significant media attention to the grim reality in Tijuana. The profound mobilization of immigrants’ rights supporters in the wake of this visibility was effective in large part because Al Otro Lado had an established presence in the region with connections to other organizations addressing more than just the legal needs of refugees. Because of this, Al Otro Lado became a central point through which volunteers and resources could be connected to people in need. The growing importance of Al Otro Lado in the region during this time also encouraged the domestic growth of the organization.

Given their knowledge of the reality faced by refugees in the region, in addition to witnessing firsthand the policies implemented by the Trump administration in the wake of this crisis, Al Otro Lado was also able to file a brief challenging the Trump Administration’s “turnback policy,” which effectively halted the asylum process of refugees at the U.S. – Mexico border waiting for their credible fear interviews. The case is called Al Otro Lado, Inc. v. Nielsen. The organization was joined by nineteen other immigrants’ rights organizations from across the United States, also highlighting Al Otro Lado’s network ties with other legal aid

\[116\] Ibid.
organizations working for immigration relief domestically. This kind of collective action would not have been possible had the organization not been developing transnational ties over the course of years, underscoring the kind of interactions that had always been encouraged by the NSM.

_No More Deaths_

Like Al Otro Lado, No More Deaths is an organization working at the U.S. – Mexico border to “end the death and suffering in the Mexico-US borderlands through civil initiative.”

Primarily a volunteer-based organization, No More Deaths calls on “people of conscience” to uphold fundamental human rights to provide: direct aid that extends the right to provide humanitarian assistance, to witness and raise the visibility of injustices at border, encourage humane immigration policy and help build a global movement. Established in 2004, the organization is perhaps best-known for leaving water jugs throughout the Sonoran Desert to help migrants in their journey.

Under the Trump Administration, No More Deaths came under particular scrutiny when four of their volunteers were apprehended by law enforcement and were charged by federal prosecutors with entering Cabeza Prieta, a national wildlife refuge, without a permit. The government has since charged that the actions of these volunteers gave false hope to migrants crossing the border, and even incentivized more border crossings.

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118 Ibid.
120 Ibid.
In the wake of these criminal charges, the broader immigrants’ rights community rallied in support of No More Deaths and shed light on the apparent absurdity of criminalizing the donation of water.\footnote{Ibid.} The legal defense brought by attorneys for No More Deaths relied on the Religious Freedom Restoration Act (RFRA), a law that had become synonymous with anti-LGBT discrimination and a conservative religious agenda.\footnote{Risue Cuison Villazor, “Sanctuary Law: Can Religious Liberty Protect Immigrants?”, Panel Discussion, Columbia Law School, March 13, 2019.}

The creative use of RFRA represents the extent to which the NSM has encouraged, and even succeeded, in fostering interactions across groups that may not have otherwise opened a dialogue.\footnote{Katherine Franke, “Sanctuary Law: Can Religious Liberty Protect Immigrants?,” Panel Discussion, Columbia University Law School, March 13, 2019.} The movement has found a way to advance a progressive and peace-based agenda using the power and visibility wielded by religious institutions, which are normally considered conservative in their politics.\footnote{Rev. Winnie Varghese, “Can Religious Liberty Protect Immigrants,” Panel Discussion, Columbia Law School, March 13, 2019.} This, in turn, has opened more possibilities for religious networks to interact with immigrants’ rights activists and organizations elsewhere.

**Transnational Religious Network**

Inspired by the success of the OSM, in the mid-1990s, a transnational religious network connecting the 2,000-mile migrant trail from Central America to the United States began to emerge. Believing that sanctuary should be practiced along the perilous journey to the U.S. as well, this network of churches, religious groups, faith-based organizations, and individual clergy advocate on behalf of those who are forced to travel the dangerous route.\footnote{Jacqueline Maria Hagan, “Crossing Borders: Transnational Sanctuary, Social Justice, and the Church,” in *Religion on the Edge*, ed. Courtney Bender et al. (Oxford University Press, 2012), 4.} This religious network primarily provides resources for migrants making their way North, including a series of shelters along the path. These shelters, and the humanitarian and social services they provide,
differ according to where they are located on the journey: at the origin, in transit, or at the destination.\textsuperscript{128} At these different locations, particularly in the U.S. – Mexico border region, actors in the religious network come into contact with the other groups and resources in a given location, encouraging interactions among partners in the NSM.\textsuperscript{129}

“Human Mobility,” a collaborative program created at the U.S. – Mexico border by the Diocese of San Marcos, Guatemala and local municipalities provides training and information workshops for displaced migrant groups, through which they share information about migration patterns and potential dangers through a radio program.\textsuperscript{130} They also document cases of abuse of migrants and network and share this information with other organizations in the region.\textsuperscript{131}

In other locations, the network of actors extending into Central America take on the role of facilitating the flow of information and resources from organizations working in the NSM to Central American refugees.\textsuperscript{132} Through this channel, the NSM grew its influence. Actors within the NSM communicate information regarding the legal resources awaiting refugees at the border. They give migrants the opportunity to exchange information about the journey and connect with each other so that they can travel together. Migrants also learn the ropes of crossing the border and answering questions in a credible fear interview. The transnational religious networks also are important for deportees who are returned to the shelters by United States government officials.\textsuperscript{133} Under the Trump administration, the transnational religious networks have also played an important role in raising awareness of the perils of the journey from Central America.

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\begin{itemize}
\item \textsuperscript{128} Ibid., 12.
\item \textsuperscript{129} Ibid.
\item \textsuperscript{130} Ibid.
\item \textsuperscript{131} Ibid.
\item \textsuperscript{133} Author interview with migrant, Tijuana, Mexico, December 8, 2018.
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Finally, as noted previously, transnational religious networks play a vital role in garnering public support for the work of the NSM.134

*Transnational Trust Networks*

The flow of information and resources through the transnational religious network has paralleled another, larger, flow of information between Central Americans living in the United States and their communities at home. The first sanctuary movement created a very large undocumented community in the United States. Indeed, the vast majority of Central American refugees who entered the United States during this time did so by crossing the U.S. – Mexico border undetected, at least in part thanks to the security of the cross-border transportation networks utilized by the religious institutions.135

While it is not possible to know the exact number, between 1980 and 1990 – the heights of the displacement crisis – the Central American population in the United States grew over three-fold, from 354,000 to 1,134,000.136 During this same period, asylum approval rates for Central Americans was under 3% and an estimated 800,000 to 900,000 fled to Mexico and the United States, suggesting that the vast majority of this growth was in fact due to undocumented immigration.137 The increase in the Central American undocumented population living in the United States increased remittances from those now living in the United States to their families and communities back home. The remittances, in turn, strengthened the transnational trust

136 Ibid.
137 Ibid.
networks between migrants, helping them spread information and resources to potential new migrants from Central America.

In a study conducted by the Pew Hispanic Center, almost all of the study’s participants reported that they sent money to their families back home. In fact, most respondents went as far as to say that sending money was more important than meeting their own bills and expenses in the United States.\textsuperscript{138} In return, families in Central America may send back homegrown products or even simple communications updating the remitter on their community at home.\textsuperscript{139} The shared assumption of reciprocity ensures that relationships between network members are rarely one-sided and that they are repeatedly reinforced and strengthened from both ends.\textsuperscript{140}

While conducting interviews with asylum seekers awaiting their credible fear interviews in Tijuana, the author learned more about the information-sharing potential of these networks in that several migrants had found out about the November 2018 Caravan through friends and family who shared news of the caravan on Facebook and on WhatsApp threads.\textsuperscript{141} Many interviewees learned of the Caravan through family and friends. Importantly, the individuals who shared this information were not always people who had joined the caravan; instead, they were occasionally friends or family living in the U.S., underscoring not only the transnational nature of these networks, but also that the distance did not diminish the degree of trust. A middle-aged man from San Pedro Sula, who chose to remain anonymous, said he joined the caravan after a friend shared information on Facebook regarding the caravan’s whereabouts:

\begin{footnotes}
\item[140] Ibid.
\item[141] Author Interviews, Tijuana, Mexico, December 2018 – January 2019.
\end{footnotes}
I was waiting for any opportunity to safely travel to the border because, after arriving in Southern Mexico, my smuggler demanded more money and I could not pay him. I was thinking about returning because the journey is risky, especially alone. Then, I saw a friend who lives in the U.S. share a Facebook post on the caravan. I knew this guy and trusted that he wouldn’t share this information if he didn’t think it would be helpful. I also felt that travelling with a large group would make my journey safer.\(^\text{142}\)

This instance demonstrates that, despite the distance, the information shared within these networks is considered seriously by other members, and, as it did in this case, encouraged people to join the migrant caravan.

**IV. Chapter Summary**

This chapter applied the theoretical framework developed in Chapter to the NSM. Drawing on theories of emergence, social network participation, and framing, the chapter summarized how the circumstances of the early 2000s – including federal government actions against Central Americans and the decentralization of immigration policy – led to the official start of the NSM. This context encouraged NSM organizations to build relationships within and across national boundaries and to mobilize towards protecting Central American migrants. The chapter then moved to the present day, analyzing how actions of the Trump Administration promoted the further growth of the NSM. The chapter finally drew on empirical research to summarize several main actors in the NSM. Through an analysis of these actors, the chapter demonstrated that the NSM is truly a transnational movement, encompassing diverse organizations that exist in the United States and abroad. Through this diversity, the movement has been able to effectively foster coalitions amongst its members and to protect Central

\(^{142}\) Ibid.
American migrants holistically, during their arduous journey to the United States and once these migrants have settled in the United States.
Chapter 4: Conclusion

Recognizing that existing scholarship on the New Sanctuary Movement has struggled to capture the entirety of the movement, this thesis set out to understand the NSM as a transnational coalition of actors extending from the United States to Guatemala, El Salvador and Honduras. To that end, Chapter 2 set out the theory of “transnational social movements.” Chapter 2 also suggested that this theoretical framework could more appropriately capture the dynamic relationships within the NSM.

Chapter 3 then traced the growth of the NSM from its inception to the contemporary moment. The rise of immigration federalism and adverse government reactions in the first decade of the 2000s led to the official start of the NSM. Based on this foundation, the NSM grew further after the election of President Trump, whose stringent anti-immigrant policies catalyzed the proliferation of new organizations and relationships between existing actors in the NSM. Drawing on empirical research, Chapter 3 also reviewed the contributions of a sample of actors in the NSM. The final part of Chapter 3 sought to establish that the NSM is truly a transnational movement, consisting of diverse actors that seek to protect Central American migrants in a holistic fashion. Based on their horizontal interactions with one another, the members of the NSM have indeed succeeded in creating a mass mobilization that caters to the needs of Central American migrants to the United States and that resists the anti-immigrant policies adopted by the Trump administration.

Ultimately, while by no means complete, this thesis constructed an understanding of how the NSM became the formidable, dynamic movement that it is today. Without the developments
underscored throughout this work, it is unlikely that the organized response in Tijuana in November of 2018 would have taken place.

The research undertaken in this thesis begs two questions. First, to what extent can the theory of a "transnational social movement" be extrapolated beyond the NSM and apply to other social movements occurring worldwide. Although this is a big question, this thesis encourages further research in this regard. Some broad movements that continue to emerge across international boundaries include the environmental movement, the labor movement, the feminist movement, and the LGBTQI rights movement, to name a few. Understanding the international coalitions being built by actors in each of these movements would be incredibly productive for sociological researchers. Moreover, scholars should apply theories of social movements developed in domestic contexts to transnational movements. For example, there is nothing that suggests that theories of emergence, participation, and framing – first developed in the domestic context – do not apply with equal force to transnational social movements.

The second question raised by this thesis is the following – what is next for the NSM? There appears to be no end in sight for the United States government's harsh policies against Central American migrants fleeing violence and extreme economic underdevelopment. In turn, the NSM will likely grow. To date, NSM actors are consistently rallying public support and recruiting allies. Volunteers are travelling to Tijuana in “solidarity caravans,” assisting responders on the ground however they can – from legal support to sorting donations and handing out food. They are also accompanying migrants to their court hearings. Other allies are increasing visibility of the various injustices faced by migrants. A June 2018 Facebook fundraiser for RAICES, a nonprofit organization providing low-cost legal defense services to
immigrant and refugee families, has made history as the single-largest fundraiser in Facebook’s history. The goal of the fundraiser was $1,500; the outcome was $20 million, donated by over 525,000 people from across the globe.\textsuperscript{143} Other actors in the NSM elevate the plight faced by Central Americans and rallying international support for their cause. In addition, legal aid organizations, backed by mayors and other political leaders, have erected a legal front through which they seek to stop the Trump administration’s actions in federal court. Both \textit{Al Otro Lado v. Nielsen}, which challenges the legality of tactics used by Customs and Border Protection (CBP) officers to prevent and delay asylum-seekers from reaching ports of entry, and the \textit{East Bay Sanctuary Covenant v. Trump}, which challenges President Trump's effort to force Central American migrants to stay in Mexico, will likely be heard by the United States Supreme Court.\textsuperscript{144} Without a doubt, the NSM has constructed an inspiring, unmistakable demonstration of solidarity wherever it can find it, and there is good reason to feel optimistic about the potential of this movement to bring change in the United States and internationally.


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