

The sanctuary movement: Religious faith stirs political action

By Alice Tallmadge

Sanctuary — the inviolable asylum or immunity from law granted upon entry to a place of worship — is a sacred privilege handed down to us from biblical times. Among the ancient Hebrews, the function of sanctuary was fulfilled by the six "cities of refuge," where all but those who had committed a premeditated murder could find refuge from their pursuers.

This privilege was transferred almost 2,000 years ago to the early Christian temples, and has resided ever since in Christian and Jewish sanctuaries alike. Rochester, like many other municipal areas around the country, has become a modern-day "city of refuge" for such political refugees as the Salvadoran family of Alejandro and Leticia Gomez, to whom asylum has been granted by a coalition of area religious congregations.

Now, however, this time-honored tradition is being threatened by the very government that since its inception has accepted political and religious refugees from the shores of every continent. October 22 was set recently as the trial date for 12 church workers indicted last January for sheltering refugees from El Salvador and Guatemala. The trial is currently taking place in the U.S. District Court Federal Building in Tucson, Arizona, with Judge Earl Carroll presiding.

to be taken lightly. People respect the law, even if they are sympathetic to the plight of the refugees."

Sanctuary supporters differ sharply with the U.S. government over who is acting illegally, and why Salvadorans are fleeing in such numbers to this country. Official estimates place the number of killings that have occurred in El Salvador since 1979 at 40,000, many allegedly at the hands of the "death squads," which some believe are acting with the support, if not the participation, of the Salvadoran military. Testimonies from refugees offer evidence that hundreds of civilians have been imprisoned, interrogated and tortured for unexplained or insignificant reasons.

Sanctuary workers say that these testimonies prove that the Salvadoran refugees are fleeing persecution by their government, and should be granted political asylum by this country. The INS, which reviews all refugees' requests for political asylum, says the refugees are fleeing poverty, not the political conditions in El Salvador.

Alejandro Gomez, currently in sanctuary in Rochester with his family, relates the story of his 1983 imprisonment and torture for his work with Salvadoran labor unions. After six months, says Gomez, he was set free, fled to Mexico with his wife and children, and

refugees deported to El Salvador. "Our experience with the refugees coming from Central America is that they are certainly refugees that fit into this definition, and what we're dealing with is a refusal on the administration's part to abide by the terms of the Refugee Act of 1980. The question comes down to who is it that's doing something illegal? Our stand is that the government is not abiding by the law."

"There is no evidence that the government in El Salvador is engaging in large-scale persecution of individuals or groups," says Winston Barrus, deputy assistant director for examinations at the INS office in Buffalo. "The violence in El Salvador is civil strife, not strife perpetrated by the government."

According to Barrus, the second largest group of immigrants attempting to enter the United States for economic reasons has historically been Salvadorans. He estimates that there are currently 500,000 illegal Salvadorans living in this country. "They fear the fighting, fear the general disorder in the country," Barrus allows. "But they come for employment. They aren't political people. They don't have reason to fear the government."

Barrus cites as evidence a study done by the American Civil Liberties Union (ACLU) Political Asylum Project, which recorded human rights violations reportedly suffered by Salvadorans who had been deported from the United States. "Out of 8,000 cases studied, human rights violations were found in only 110 situations," he notes, "a percentage which doesn't correspond to the numbers of illegal Salvadorans in this country."

Carol Wolchek, an attorney with the project, disagrees with Barrus' interpretation of the study, which she says involved only one quarter of the total number of deported Salvadorans, and only the record of human rights abuses the ACLU had in its office at the time — "a fraction," in her words, of the total number of abuses ACLU attorneys believe have actually occurred.

"It made us think that if this is what we found right within our own office, the reality must be much worse," says Wolchek, who believes that because there is such substantial evidence that Salvadorans have been persecuted with harm and even death, no Salvadoran should be deported from the U.S. until it is safe for any Salvadoran to return there.

A certain U.S. Immigration Department provision grants extended voluntary departure status to immigrants fleeing countries with records of severe human rights violations. This provision ensures that refugees from the designated country will not be deported from the United States until conditions improve within that country. To date, refugees from Afghanistan, Poland, Ethiopia, Uganda and Lebanon have been granted this status.

Although both houses of Congress have passed resolutions urging that this status be extended to Salvadorans, Attorney General Edwin Meese has not felt that conditions there warranted this step. Some sanctuary workers insist that the U.S. government refuses to grant Salvadorans this status because it would be tantamount to admitting that the United States is providing economic and military aid to a government that is unstable and corrupt.

The presence of Alejandro Gomez and his family in Rochester has brought into focus



for local sanctuary congregations the immediacy of the danger refugees face if deported. Members of these congregations believe that the possibility of death these refugees face is very real. Moreover, it is no longer faceless "aliens" who would come to harm, but a family that has shared its knowledge and experiences with many people throughout this area.

Members of sanctuary congregations contend that saving lives and publicizing an immoral situation are more important at the present time than adhering to federal laws. As Mennonite Fellowship spokesmen declare in the August newsletter of the Rochester Sanctuary Committee, "Though we as a congregation may not do so ourselves, our belief in a higher moral law makes it necessary for us to give our aid and approval to those who have broken, and will continue to break, federal immigration laws."

Thom Metzger, a member of the Mennonite Fellowship, says that his congregation came forward because of the seriousness of the situation in El Salvador. "It's parallel with Nazi Germany's persecution of the Jewish people. Our government is supporting the death of many people."

The image of a persecuted people having to flee their homeland and being refused safe harbor is one that strongly affected Rabbi Judea Miller and his congregation at Temple B'rith Kodesh. The temple declared itself a place of sanctuary in April of this year.

"We were wanderers too, and no one took us in," says Rabbi Miller, in reference to Eastern European Jews who tried unsuccessfully to escape Nazism by fleeing to this country. "In retrospect, we see that we should have done more. We're not going to repeat that mistake. Then there were Jews wandering. Now it's someone else. But they're still people."

What sanctuary workers hope, Miller adds, is that through due process — by formal application for refugee status or asylum — the Salvadoran refugees will indeed be saved. "But it isn't true," he laments. "Most refugees will be sent back without a trial."

The Rochester Zen Center's decision to support sanctuary arose out of basic tenets of Buddhist philosophy. "Christians say, 'I am my brother's keeper.' Buddhists say, 'We are our brothers. We are our sisters,'" explains Sonja Kjolhede, a community member who has been involved with the Rochester Sanctuary Committee. "We see that our government is directly involved in causing suffering."

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The trial, which will address some of the key constitutional questions of the day, could indirectly affect the status of the Gomez family's safety in Rochester, as well as that of every Salvadoran, Guatemalan or Haitian refugee considered by government officials to be merely an economic opportunist. The central issue — whether, as the U.S. Immigration and Naturalization Service (INS) contends, these aliens are not political refugees, but, rather, impoverished people seeking employment — will surely be put to the test, as will basic questions of freedom of religion, international law, and alleged violations of the First, Fourth, and Fifth Amendments to the Constitution. In the words of defense attorney Ellen Yaroshefsky, "... the historic issue impacts on every church in the United States. What is viewed as fundamental to religion is now viewed as criminal by the state."

Since 1981, when the Wellington Avenue Church of Christ in Chicago declared itself a public sanctuary for refugees from Guatemala and El Salvador, the sanctuary movement has challenged the religious faith and social commitment of congregations all across the United States. Today, this ecumenical movement has grown to include 225 Christian, Jewish and Buddhist congregations in 32 states, as well as several universities and cities.

In the Rochester area, five congregations have declared themselves sanctuaries for refugees from El Salvador: Corpus Christi Catholic Church, the Downtown United Presbyterian Church, the Religious Society of Friends, Temple B'rith Kodesh and the House Church. Two other congregations, the Rochester Zen Center and the Rochester Area Mennonite Fellowship, have announced their endorsement of the Rochester Sanctuary Committee.

Participants in the sanctuary movement have three goals: to make a public statement opposing the U.S. government's policies regarding refugees from Central America, to work cooperatively with refugees in expanding community awareness of the economic and political situation in El Salvador and other Central American countries, and to provide for the basic needs of refugee families.

Each of the congregations that declared sanctuary spent months studying the complex issues surrounding the movement, including the history of U.S. involvement in Central America, U.S. foreign and refugee policies, and, most crucially, the relative supremacy of moral or civil law. Harboring illegal refugees is a federal offense, and the declaration of sanctuary by a congregation is an act of civil disobedience.

"Potential civil disobedience is not an easy thing," says Rabbi Judea Miller of Temple B'rith Kodesh. "It is a difficult step and not

accepted an offer of sanctuary in the United States. Since his arrival, Gomez and his wife have spoken to many groups in this country about the situation in El Salvador.

"We are not coming to this country only to say that we are afraid," says Gomez. "We are really demonstrating that there is a policy of genocide. There is a policy of extermination and terrorism against the people (in El Salvador) that has been proven by organizations of the U.S., testimonies of people and witnesses to this genocide."

Gomez adds that the ruling party in his country wants to maintain control of El Salvador's land and economy. In order to achieve this goal, he continues, they suppress any movements by the peasants and workers toward self-determination. People who have worked to gain basic human rights are those targeted as dangerous by the Salvadoran government, according to Gomez, who notes that many of these people have already fled to the United States for safety, and would risk almost certain death, in his opinion, if deported.

"These, because of their involvement and desire to help the Salvadoran people, have been qualified by the government as enemies of the government," says Gomez. "So if one of those people is deported, we are 100 percent sure that that person will be assassinated. In my case, I am sure."


According to the terms of the Refugee Act enacted by the U.S. government in 1980, an alien may qualify for asylum if he or she "has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion." In addition, this act contains the provision that refugees will not be expelled or returned to a country in which their life or freedom is threatened for the same reasons.

Although the act doesn't specify what constitutes evidence of a "well-founded fear of persecution," the INS requires explicit documentation that the individual is in actual danger, not that he or she may become the victim of generalized strife in the homeland.

In 1984, the INS granted asylum to 328 Salvadorans out of 13,045 who applied — approximately three percent of the total number of applications.

Christine Garrison, a sanctuary worker at Corpus Christi Church, disagrees with the apparent INS assessment of both the gravity and the nature of the situation faced by

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