

Sanctuary Cities: Policies and Practices in International Perspective

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ABSTRACT

Sanctuary cities in the USA, UK, and Canada aim to accommodate illegalized migrants and refugees in their communities. The concept of the “sanctuary city,” however, is highly ambiguous: it refers to a variety of different policies and practices, and focuses on variable populations in different national contexts. In this article, I examine the international literature to show how urban sanctuary policies and practices differ between national contexts and assess whether there are common features of sanctuary cities. I uncover legal, discursive, identity-formative, and scalar aspects of urban sanctuary policies and practices. These aspects assemble in ways that differ between countries. The article concludes by raising important practical and theoretical questions about urban sanctuary.

INTRODUCTION

Urban sanctuary practices and policies have received widespread attention among activists, policy-makers, and scholars on both sides of the Atlantic. These policies and practices generally serve the purpose of accommodating illegalized migrants and refugees in urban communities. The “sanctuary city” concept, however, is highly ambiguous. While some commentators critique it for being a “catch-all phrase” (Chishti and Hipsman, 2015) that refers to a variety of different policies and practices, others celebrate it by arguing that “Sanctuary City is as much a process as a goal” (Walia, 2014) that necessarily responds to a diverse range of social and geo-political conditions.

In different national contexts, urban sanctuary focuses on different populations and reacts to different legal and administrative circumstances. For example, while sanctuary cities in Canada and the USA seek specifically to protect illegalized migrants, in the UK, cities of sanctuary involve a general commitment to welcoming asylum seekers and refugees. In this article, I present an international comparison of sanctuary-city policies and practices to uncover various strategic aspects of sanctuary cities. These aspects engage in contextualized ways the underlying structures of the social, political, and legal exclusion of migrants and refugees.

My use of the term “illegalized” migrant – rather than undocumented, unauthorized, irregular, or non-status migrant – is intended to draw attention to national laws, policies, and practices that deny migrants full status or legal residency (Bauder, 2014b). The use of this term seems particularly appropriate for a discussion of sanctuary cities, in which case local authorities, civic groups, and activists challenge national immigration laws, policies, and practices. In fact, the differences in the way migrants and refugees are treated at urban and national scales are an important aspect emphasized in this article.

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Below, I pursue the following research questions: What policies and practices are involved in the concept of “sanctuary city”, and how do these policies and practices differ between countries? Do different aspects of sanctuary policies and practices describe a coherent approach towards illegalized migrants and refugees?

Answering these questions is important for several reasons. First, although the concept of sanctuary city is widely applied in policy debate and planning practice, its meaning varies between countries. Organizations advising urban policy makers, such as the highly-respected Cities of Migration, do not always distinguish clearly between the different urban sanctuary practices in Europe and North America (e.g. Cities of Migration, 2009). This lack of clarity can conceal the variability and contextualized nature of sanctuary-city policies and practices. Second, the concept “sanctuary city” has been critiqued based on policies and practices that are highly context particular (e.g. American Immigration Council, 2015). Such a critique can lose sight of the structural exclusion that migrants and refugees experience and how urban sanctuary constitutes a contextualized response to these structural forces. Third, urban sanctuary policies and practices tend to challenge national policies and practices regulating migration and belonging. Uncovering various aspects of urban sanctuary and how they are applied across national context can inspire innovative political and practical approaches towards migration and belonging, including in countries in which the sanctuary-city concept is not yet widely applied.

To answer the research questions above, in the next section I review the international English-language scholarly and grey literature to show which particular policies and practices the idea of urban sanctuary involves and how this idea has been applied in the USA, UK, and Canada. Then I sort this information into several aspects of urban sanctuary. By examining multiple aspects of urban sanctuary policies and practices, I present the sanctuary city as a concept relevant across national contexts. Finally, I conclude with a discussion of policy and scholarly implications and suggestions for future study.

URBAN SANCTUARY IN THE LITERATURE

A brief history

The origin of sanctuary is difficult to pinpoint. Its complex history can be associated, for example, with various religions, including Buddhism, Christianity, Islam, Judaism, Hinduism, and Sikhism (Bagelman, 2016: 20). The Bible (*Numbers* 35) mentions six “cities of refuge” which offer protection to people who have accidentally killed another person, thus articulating sanctuary at the urban scale. Sanctuary, however, is not necessarily a spatially-fixed practice of offering protection within a given territory, but can also be understood as a relational and mobile practice (Darling, 2010). Ancient Roman law dating back to 392 CE granted sanctuary privileges to churches rather than enclosed cities (Lippert, 2005). The practice of church sanctuary continued in mediaeval Europe, granting protection to murderers, thieves, and other criminals from worldly authorities (Shoemaker, 2013).

Although the term sanctuary was typically not associated with migration or the urban scale in mediaeval Europe, many European cities at that time did offer the prospect of freedom to serfs who fled from the land to which they were bonded. The mediaeval saying “city air makes you free” illustrates this practice (Schwarz, 2008). This mediaeval urban practice indeed resonates with the aim of today’s sanctuary cities to provide refuge to non-citizens (Bauder 2017).

With the increasing illegalization of migrants and refugees through exclusionary national immigration policies in Western countries in the second half of the 20th Century, churches in Denmark, France, Finland, Germany, Norway, Sweden, the United States, and other countries began to offer

sanctuary to rejected refugee claimants, asylum seekers, and illegalized migrants (e.g. Caminero-Santangelo, 2013; Loga et al., 2013; Millner, 2013). By 2013, Lippert and Rehaag (2013a: 3, parentheses in original) observed that “at the centre of contemporary sanctuary activities has been – almost exclusively – immigrants (often asylum-seekers) living without legal status in Western countries.” Thus, the focus population of sanctuary practices has shifted from criminals to illegalized migrants and refugees.

Roughly around the same time, a shift occurred towards the urban scale of practices labelled “sanctuary.” The City of Berkeley in the USA is often cited as the birthplace of contemporary sanctuary cities: in 1971 it offered protection to soldiers on board the aircraft carrier USS Coral Sea who resisted the Vietnam War. This urban scale symbolically linked the sanctuary city with the biblical city of refuge protecting people who kill, i.e. soldiers (Ridgely, 2013).

Today’s sanctuary cities offer protection to illegalized migrants and typically follow secular motivations and arguments (Lippert and Rehaag, 2013). Despite their common label, however, sanctuary cities involve a wide range of different policies and practices. Below, I review sanctuary-city practices in the USA, the UK, and Canada, where the terms “sanctuary city” and “city of sanctuary” have been applied in concrete policy contexts.

United States

An important milestone for sanctuary cities in the USA occurred in San Francisco (Mancina, 2013). In 1985, this city passed the largely symbolic “City of Refuge” resolution, which was followed in 1989 by the “City of Refuge” ordinance. The latter specifically prohibited the use of city funds and resources to assist in federal immigration enforcement, to cooperate with investigations by or surveillance request from foreign government (in response to an incident in which a police officer engaged in surveillance activities for the consulate to El Salvador [Bau, 1994]), and to request, record, or disseminate information about an individual’s immigration status unless it is required by federal or state law (City and County of San Francisco, 1989). This sanctuary ordinance was intended to end discrimination by the municipal administration and its employees against primarily El Salvadorian and Guatemalan refugees who lack federal immigration or residency status (CBS SF Bay Area, 2015).

Another milestone was the launch of the faith-based New Sanctuary Movement (NSM) in 2007. This movement shifted focus from newly-arrived refugees to illegalized migrants who have been present in the USA for a longer period and now call USA cities their home. Thus, urban sanctuary policies and practices in the US increasingly focussed on migrants who seek to maintain the “quodidian, ordinary life they have built” (Caminero-Santangelo, 2013: 96) rather than refugees fleeing from war, violence, and terror. In other words, the NSM has emphasized the need for safety for individuals and families who already are de-facto members of urban communities.

Today, dozens of cities in the USA have passed sanctuary legislation that aims to protect illegalized migrants who are de-facto residents of these cities. Concrete policies include Don’t Ask, Don’t Tell (DADT) policies, which typically prohibit municipal police forces and city service agencies from requesting, recording, or disseminating status information, and deny cooperation with federal immigration authorities unless required by federal or state law. Some municipalities, such as San Francisco, have issued municipal identification cards to enable all residents to identify themselves to local authorities, independent of whether they possess federal status documents or a state-issued driver’s license. Other municipalities are accepting the *matrículas consulares*, issued by the Mexican government to nationals living abroad, as means of identification (Varsanyi, 2007).

Some US federal lawmakers have been critical of urban sanctuary policies and practices that challenge federal immigration law. For example, the US House of Representatives passed legislation in 2007 that – had the Senate also passed it – would have denied federal emergency funds to

sanctuary cities. Federal and state efforts to deny municipal governments the ability to enact sanctuary policies tend to gain momentum and public support when the media reports on crimes committed by illegalized migrants, as in the case of 32-year-old Kathryn Steinle who was allegedly killed by an illegalized migrant in San Francisco in July 2015 (Chishti and Hipsman, 2015).

The use of the term “sanctuary city” has been criticized for political reasons (American Immigration Council, 2015): it is used “by immigration opponents to blast . . . community policing practices” by implying that these cities elevate themselves above national law (Tramonte, 2011: 5). In reality, urban sanctuary policies and practices do not eliminate illegalization; they merely enable illegalized migrants to better cope with their circumstances. Thus, sanctuary cities do not tackle the root of the problem but rather make life less difficult under the condition of illegality. In fact, the term “sanctuary city” may evoke a false sense of security among illegalized urban populations. The American Immigration Council remarks that the term incorrectly suggests that local police can protect illegalized migrants from federal immigration authorities:

The term ‘sanctuary city’ is a misnomer when used to describe community policing policies which attempt to eliminate fear from those who worry that reporting a crime or interacting with local law enforcement could result in deportation (American Immigration Council, 2015).

While urban sanctuary policies and practices in the USA may help solve and prevent crime, they do not prevent federal immigration law enforcement activities against illegalized migrants. Thus, they cannot guarantee protection from federal immigration authorities. Even in sanctuary cities, illegalized migrants remain vulnerable to detection, detention, and deportation by US federal immigration authorities.

United Kingdom

In the UK, the “City of Sanctuary” movement was established in Sheffield in 2005. Two years later, Sheffield became the first city in the United Kingdom to receive the official title “City of Sanctuary” when the City Council supported the movement’s initiatives. Other cities followed suit. By 2011, a network of 17 towns and cities, including Bristol and Swansea, also achieved official City of Sanctuary status, and over 60 cities and towns across the UK and Ireland have developed sanctuary initiatives (Darling and Squire, 2013; City of Sanctuary, 2016a). According to its latest annual report, City of Sanctuary (2016b: 3) now has “groups established or starting up in almost 80 cities, towns, and villages”.

Based on interviews with City of Sanctuary organizers and activists, Vicki Squire and Jennifer Bagelman (2012: 155) remark:

City of Sanctuary promotes a culture of hospitality toward those taking sanctuary across diverse sites, such as local businesses or workplaces, community cafés and religious congregations. This entails a range of practices, such as the placing of signs on the window sills of various community buildings, shops, student unions and offices around Sheffield which bear the words: “We welcome asylum-seekers and refugees.”

To qualify as a City of Sanctuary in the UK requires support from local groups and organizations, the involvement of the local refugee community, a strategy towards greater inclusion of people seeking refuge, as well as an expression of support from the city council. Johnathan Darling and Vicki Squire (2013: 191) observe that Cities of Sanctuary involve a “plethora of localized urban collectives that assert rights to sanctuary within cities.” Along the same lines, Bagelman (2013: 50) notes that Cities of Sanctuary operate “as a fluid network of practices aimed at shifting hostile attitudes towards refugees and asylum seekers.”

Unlike in the USA, urban sanctuary initiatives in the UK do not focus on municipal policing practices or refusing to cooperate with national immigration authorities, and they do not seek ways to protect illegalized migrants and refugees from national immigration authorities. Rather these initiatives emphasize “awareness raising, telling the true stories of refugees to those who never hear them” (City of Sanctuary, 2016a:). For example, Darling and Squire (2013: 196, original italics) observe that:

City of Sanctuary Sheffield does not actively engage in the material or physical provision of accommodation or protection . . . It might thus be tempting to suggest that *City of Sanctuary* represents little more than a collective of organizations and individuals who promote values of hospitality but who do not effectively practice sanctuary. However, this overlooks how the activities of *City of Sanctuary* both emerge from, and create possibilities for, everyday enactments of sanctuary in a more diffuse sense.

The key achievement of sanctuary cities in the UK is not creating legal shelter from national immigration-law enforcement to illegalized migrants, but rather intervening in refugee discourse and transforming the geographical imagination of the city.

In respect to refugee discourse, urban sanctuary policies and practices reproduce but also challenge conventional perspectives of refugees. On the one hand, cities of sanctuary reproduce the discursive distinction between guests and hosts, “notions of gratitude and indebtedness” (Darling and Squire, 2013: 194), and the images of “‘good’ and ‘worthy’ citizens, as figures ‘deserving’ of sanctuary” (Darling and Squire, 2013: 194). In fact, cities of sanctuary may perpetuate a “pastoral logic” (Darling and Squire, 2013: 194; Squire and Bagelman, 2012) characteristic of church sanctuary. On the other hand, urban sanctuary initiatives in the UK also disrupt “uneven relations between guest and host” (Darling and Squire, 2013: 196) through networking activities promoting everyday encounters between refugees and citizens, and they challenge conventional views of refugees as passive recipients of assistance by encouraging refugees to become active participants in the urban community rather than passively awaiting the outcome of the refugee determination process.

In respect to the geographical imagination of the city, Darling (2010) suggests that urban sanctuary initiatives in Sheffield “sought to alter a vision of the city, its identity as a ‘welcoming place’” (p. 129). In this way, City of Sanctuary aims “to alter geographical imaginations – to force a reconsideration of how those in Sheffield view the world and their responsibilities within it” (p. 129). Urban sanctuary initiatives in the UK thus aim to fundamentally transform the way people think about the city as a space for refugees and asylum seekers.

The critique of urban sanctuary initiatives in the UK also focusses on these initiatives’ discursive and imaginative effects. In particular, urban sanctuary initiatives may discursively normalize the precarious situation of refugees and asylum seekers, rather than providing tangible and legal solutions. For example, based on the situation in Glasgow, Bagelman (2013) concludes that City of Sanctuary “regularizes and depoliticizes a violent temporality of waiting” (Bagelman, 2013: 50). While urban sanctuary initiatives claim to promote active citizenship, these initiatives may in fact encourage refugees and asylum seekers to passively endure their situation. Urban sanctuary practices “fix certain migrants in suspense. In this way, sanctuary does not represent a solution, but a problematic” (Bagelman, 2013: 58). Sanctuary is a “governmentalizing process” that incites “a commitment to the rules of the game, where one willingly submits and indeed invests in” the prolonging of the precarious condition in which refugees and asylum seekers are situated (Bagelman, 2013: 56). Bagelman therefore concludes that urban sanctuary practices are a “gentler” form of control than overtly exclusionary national migration policies. The end results, however, are similar: refugees and asylum seekers remain at the political margins and often in precarious situations.

In addition, the geographical imagination of cities of sanctuary has been criticized. Being a city of sanctuary suited “Sheffield’s image as a cosmopolitan and inclusive city” (Darling and

Squire, 2013: 195). In this way, urban sanctuary practices do not radically challenge the imagination of the city as a space of belonging – as envisioned, for example, by Henry Lefebvre (1996) or David Harvey (2012). Rather, the imagination of cities of sanctuary aligns with urban neoliberal politics.

Canada

In Canada, urban sanctuary initiatives began as early as the 1980s, when Toronto-based Chilean refugees advocated sanctuary-city by-laws (Solidarity City, 2013a). An important milestone occurred in 2004: Toronto activists launched a DADT campaign, after which Toronto's city administration and the Toronto District School Board quietly adopted a range of DADT policies (Berinstein et al., 2006; McDonald, 2012). After these policies were either ignored by city staff or only sluggishly implemented, advocacy groups and community organizations formed the Solidarity City Network and began lobbying politicians and city councillors to put a vote in front of Toronto City Council. Corresponding sanctuary-city by-laws were passed in 2013 (Solidarity City Network, 2013b). A year later, the City of Hamilton also voted to become a sanctuary city.

Under urban sanctuary policies in Canada, illegalized migrants receive access to municipal services, such as emergency medical services, public health programs, emergency shelters, fire protection, recreational programmes, and libraries. In spring 2016, Vancouver passed an "Access to City Services Without Fear" policy. Because this policy excludes many civic services such as police, library, and parks services, and to encourage the future expansion of access-without-fear principles to these services, many advocates refrain from calling Vancouver a "sanctuary city" yet (Robinson, 2016). Similar to their US counterparts, urban sanctuary and access-without-fear initiatives in Canada must be seen as acts of defiance by municipal policy makers against federal immigration laws and policies.

Municipal police forces in Canada, however, tend not to follow sanctuary practices. Although the Toronto Police Services Boards passed a limited Don't Ask policy, it continues to frequently call the federal border enforcement agency to conduct status checks (Keung 2015). In addition, many locally-administered services that are funded by the province are excluded from sanctuary policies (Hannan and Bauder, 2015).

Municipal laws and policies that defy federal immigration laws and their enforcement are only one aspect of Canada's urban sanctuary campaigns. Jean McDonald (2012) observes that these campaigns also involve practices of identity formation: by presenting "people living with precarious status as everyday residents of the city" (p. 137), and including illegalized migrants in the imagined local community, urban sanctuary initiatives disrupt the distinctions created by federal status categories and seek to forge a unifying identity among all residents of the city. For example, an important aspect of the urban sanctuary campaign in Toronto "lies in its ability to change the ways in which people interact with one another locally and to develop a shift in ideas around community and belonging" (McDonald, 2012: 143).

In addition, urban sanctuary policies and practices in Canada seek to re-scale belonging. In particular, they clearly distinguish between local community and the nation state and national government. Fariah Kamal writes:

Sanctuary/Solidarity City is about bypassing the ideas behind nation-states and centralized governments. In a Sanctuary/Solidarity City, ideas don't have to get passed at the "top" in order for them to manifest themselves in our day-to-day lives. Sanctuary City is about building ways of living that allow us to horizontally make decisions with collective communities, on the ground, every day, with or without the approval of a colonial state that we believe is an illegitimate occupying force. (Nail et al., 2010)

Correspondingly, Toronto's sanctuary-city activists coined the term "regularization from below" to describe their efforts to include illegalized migrants at the local scale and in a non-hierarchical urban community, while rejecting the nation state that renders these migrants "illegal" (McDonald, 2012).

ASPECTS OF URBAN SANCTUARY

The preceding discussion shows that there are a wide range of urban sanctuary policies and practices, and that these policies and practices vary by national context. In this section, I distil the urban sanctuary initiatives I reviewed above into several aspects. In the context of the UK, Darling and Squire (2013) already distinguish between formal aspects, such as requiring support from city council, and informal aspects, such as social interactions between community members and refugees. Comparing urban sanctuary policies and practices internationally enables me to obtain a more comprehensive picture. Altogether, I uncover four distinct aspects, revolving around legal, discursive, identity-formative, and scalar themes.

Legality

The first aspect of urban sanctuary is of a legal nature. Sanctuary cities in the USA, UK, and Canada have in common that the municipal legislative body (i.e. city council) supports sanctuary initiatives. In the USA, this legal aspect typically involves a commitment by the municipal police and administration to non-cooperation with the enforcement of national immigration law; it also includes municipal DADT policies when requesting, recording, and disseminating personal information about the city's residents. Some cities even issue municipal identification cards or accept identification documents issued by foreign governments to identify de-facto city residents independent of their federal status, in order to deliver city and policing services to them. In Canada, city councils of sanctuary cities also commit to implementing DADT policies, although the municipal police are not fully implementing these policies.

Binding municipal DADT policies are not part of urban sanctuary initiatives in the UK. In fact, the focus of urban sanctuary policies and practices in the UK is not on providing protection to illegalized migrants but rather on creating a hospitable urban environment for refugees and asylum seekers. Municipal law makers, however, officially commit to nurture this environment of hospitality. Thus, an overarching characteristic of sanctuary cities across national contexts is the official affirmation of sanctuary initiatives by the municipality's legislative body.

Discourse

The literature on cities of sanctuary in the UK emphasizes the discursive aspect of sanctuary initiatives. This aspect can also be observed in respect to urban sanctuary practices in the USA and Canada (Ridgley, 2008). It involves challenging exclusionary refugee discourses that often circulate through national media and national political debate. This aspect connects to a vast literature that has demonstrated the link between migration and refugee discourses, and the material practices and laws affecting migrants and refugees (e.g. van Leeuwen and Wodak, 1999; Hier and Greenberg, 2002; Riaño and Wastl-Walter, 2006; Bauder, 2011).

The alternative narratives, which urban sanctuary practices present, reflect a range of discursive strategies. For example, urban sanctuary rhetoric and practice can affirm dominant categories of refugee, migrant, and citizen, and reproduce a "pastoral" logic while presenting some refugees as deserving and worthy. Such narratives often depict the local community as compassionate,

affirming this community's morality vis-à-vis illegalized migrants and refugees (Darling and Squire, 2013; Squire and Bagelman, 2013). Other alternative narratives radically dispute the categories migrant, refugee, and citizen, and fundamentally critique capitalist and neo-colonial structures that have given rise to these categories in the first place (Walia, 2014).

Identity Formation

A third aspect involves the transformation of political identities and subjectivities as well as reimagining the city as a space of belonging. The literature on the sanctuary city in Canada, in particular, illustrates how expressions and practices of solidarity aim to facilitate the formation of a collective urban community that does not distinguish between citizens and migrants, or between residents with and without status. Activist-scholar Harsha Walia (2014) remarks that "zones of sanctuary are actively constituted not by politicians but by us – as service providers, educators, healthcare professionals, and neighbours – on the basis of solidarity and mutual aid." These grass-roots practices of solidarity aim to create unity among activists, urban political and civic actors, as well as illegalized migrants and refugees.

Furthermore, concrete urban sanctuary policies, such as DADT policies, enable all residents to participate in the urban community as equal members. When illegalized migrants are able to move about the city and participate in the everyday rhythms of the city, they share the political stage of the city and present themselves as members of the urban community. In this way, refugees and illegalized migrants enact themselves as citizens and political subject (Isin and Nielsen, 2008; Nyers, 2010), and exercise what Henri Lefebvre (1996) would call their right to the city (Bauder, 2017; Purcell, 2002, 2013).

This aspect is not lost on city of sanctuary organizers in the UK. In particular, the idea that urban sanctuary practices alter the geographical imagination of the city (Darling, 2010) suggests that cities of sanctuary involve not only new forms of urban politics but also novel types of community membership. This aspect of the city of sanctuary resonates with Jacques Derrida's (2001) idea of the "city of refuge" that also entails new forms of urban politics beyond conventional modes of belonging and membership that frame urban politics today (Bauder, 2017).

Scale

An aspect common to sanctuary-city policies and practices in the USA, UK, and Canada involves rejecting national approaches towards migration and refugee admission. In fact, urban sanctuary initiatives can be interpreted as the attempt to rescale migration and refugee policies and practices from national to urban scales. Especially sanctuary cities in the USA and Canada illustrate how urban communities do not see themselves as bound by federal migration and refugee laws that illegalize some of their residents. Rather, these cities evoke the *domicile* rule of belonging, which suggests that de-facto residents in a community should also be recognized as members of this community and correspondingly possess legal entitlements and receive municipal services and police protection (Varsanyi, 2007, Bauder, 2014a). By implementing this rule, sanctuary cities include all residents in the local community, independent of their national citizenship or status. Along similar lines, Squire and Bagelman (2012: 156) observe in the context of the UK that the city of sanctuary functions as a local political territory that operates "according to a logic of open access rather than closed borders," in which all de-facto residents belong.

Through rescaling the policies and practices of migration and belonging, sanctuary cities assert a "form of power and politics at the sub-national level" (Sassen, 2008: 314). In this way, urban sanctuary policies and practices constitute a threat to national sovereignty. This threat to sovereignty is articulated through legal, discursive, and identity-formative aspects. The gravity of a *legal* threat to

sovereignty – for example through municipal DADT policies – is illustrated by the attempts among US federal lawmakers to deny municipal governments funding for enacting local sanctuary policies. Issuing local identification cards or recognizing cards issued by foreign governments also challenges national sovereignty and rearticulates who belongs in the community and who does not (Czajka, 2013). In respect to the *discursive* aspect, sanctuary discourses disrupt the nation state’s monopoly on defining who deserves to belong and who does not, and shift the scale of belonging from the national to the local. Regarding the *identity-formative* aspect, refugees and illegalized migrants are constituting themselves as political subjects in the space of sanctuary cities and thus deny the nation state the authority to decide who is a legitimate member of the polity. Writing predominantly about church-based sanctuary practices Agnes Czajka (2013: 51) states that acts of sanctuary

can be interpreted as a challenge to the state’s monopolization of decisions on the right of residence and citizenship . . . and thus the right to determine who has the right to have rights. . . . The refugee, by refusing to be deported and enacting herself as belonging to the territory and political community in contradiction to the determination of the state, challenges not only state sovereignty, but also the state monopoly on the political.

Enacting sanctuary policies and practices at the urban scale is an even more serious threat to national sovereignty than church sanctuary because cities provide a territorial legal entity at a different scale at which sovereignty is articulated.

CONCLUSION

In the above discussion, I examined the different urban sanctuary policies and practices in the USA, the UK, and Canada. A key finding is that there is no single set of policies or practices that define what a sanctuary city is. Rather, urban sanctuary policies and practices involve legal, discursive, identity-formative, and scalar aspects. I propose that the *combination* of these aspects describe a coherent, yet flexible, approach of urban sanctuary. As I have shown above, the various aspects of sanctuary city assemble in variable and context-particular ways in different countries. Equally, there are variations among sanctuary cities within countries. Exploring these variations within countries, however, was beyond the scope of this article.

The international comparison showed how political actors mobilize the various aspects of urban sanctuary in different countries, in which national legal, political, and administrative systems, demographic conditions, and geopolitical circumstances differ from each other. Thus, this comparison highlights the importance of national context. For example, municipal police forces in the USA have been able to implement DADT policies relatively independently of federal law enforcement policies and practices. Conversely, in countries in which independent municipal police are absent, corresponding local DADT policies cannot be implemented (Scherr and Hofmann, 2016). The ability to launch local policy responses to federal immigration laws in the USA has been attributed to the complexity of this country’s political and administrative systems (Wells, 2004), resulting not only in sanctuary cities but also in municipal efforts to further repress, exclude, and banish unwanted migrants (Strunk and Leitner, 2013; Varsanyi, 2010). In addition, national socio-demographic factors, such as the size, proportion, growth, and origin of the migrant and refugee population, as well as historical circumstances and political traditions, are likely to shape the possibility of implementing the various aspects of urban sanctuary. US-based research shows that similar factors influence whether local policies include or exclude illegalized migrants (Walker and Leitner, 2011). The scope of this article did not permit me to explore these factors at the national scale in greater detail. Future research could explore which particular national circumstances enable or constrain various aspects of urban sanctuary.

Despite national particularities, the idea of urban sanctuary for illegalized migrants and refugees is not contained within a particular national territory but has travelled across international borders. This international mobility of the sanctuary-city concept points towards the underlying structural forces of migrant and refugee exclusion that sanctuary policies and practices are contesting in different countries. Correspondingly, activist in cities across North America and Europe are travelling and networking internationally to exchange information and ideas, and help spread the concept of and their experiences with sanctuary cities. Recently, for example, a small delegation of sanctuary activists from Toronto went on a lecture tour to several cities in Germany and Switzerland – where there are currently no sanctuary cities – to inspire local activists and inform them about the struggles and successes of Toronto activists on their path towards becoming a sanctuary city. Local authorities in other countries, such as Australia or Spain, where the concept “sanctuary city” is also not as prominently used as in the USA, the UK, and Canada, are already trying to assert their sovereignty by accommodating illegalized migrants and refugees through legal, administrative, and discursive means that mirror aspects of sanctuary cities (Schech, 2013). What motivates these activists and local political authorities is a dissatisfaction with exclusionary national policies towards migrants and refugees, and the desire to elevate the urban as the scale at which membership in the community and the polity is enacted. Policy innovations and activist strategies in different countries can draw on various sanctuary-city aspects to craft local and contextualized responses that meet specific objectives and respond to particular national circumstances.

Urban sanctuary policies and practices have not only practical policy relevance but also scholarly significance. In particular, they relate to growing literatures on the right to the city (e.g. Lefebvre, 1996; Purcell, 2002), the local enactment of citizenship (e.g. Isin and Nielsen, 2008; Nyers, 2010), and sovereignty and migrant autonomy (e.g. Lippert, 2004, 2005; Mudu and Chattopadhyay, 2016). In this way, they connect to key scholarly debates on human liberation. This optimistic outlook stands in tension with more pessimistic arguments that urban sanctuary policies and practices merely reinforce neoliberal urban governance by maintaining and even normalizing the vulnerability of migrants and refugees, and in this way help create an exploitable urban underclass that remains politically excluded (Bagelman, 2013; Scherr and Hofmann, 2016; Houston and Lawrence-Weilmann, 2016). Exploring this apparent contradiction in greater depth would be a fruitful exercise to inform scholarship, activism, and policy making alike.

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