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Bauder, Harald; Gonzalez, Dayana A.

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Article

Municipal Responses to ‘Illegality’: Urban Sanctuary across National Contexts

Harald Bauder ^{1,*} and Dayana A. Gonzalez ²

¹ Department of Geography and Environmental Studies, Ryerson University, Toronto, ON M5B2K3, Canada; E-Mail: hbauder@ryerson.ca

² Graduate Program in Immigration and Settlement Studies, Ryerson University, Toronto, ON M5B2K3, Canada; E-Mail: dgonzalez@ryerson.ca

* Corresponding author

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Abstract

Cities often seek to mitigate the highly precarious situation of illegalized (or undocumented) migrants. In this context, “sanctuary cities” are an innovative urban response to exclusionary national policies. In this article, we expand the geographical scope of sanctuary policies and practices beyond Canada, the USA, and the UK, where the policies and practices are well-known. In particular, we explore corresponding urban initiatives in Chile, Germany, and Spain. We find that varying kinds of urban-sanctuary policies and practices permit illegalized migrants to cope with their situations in particular national contexts. However, different labels, such as “city of refuge,” “commune of reception,” or “solidarity city” are used to describe such initiatives. While national, historical, and geopolitical contexts distinctly shape local efforts to accommodate illegalized migrants, recognizing similarities across national contexts is important to develop globally-coordinated and internationally-inspired responses at the urban scale.

Keywords

migrants; municipalities; refuge; sanctuary cities; scale; solidarity cities

Issue

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1. Introduction

In light of the Trump administration’s threats to cut funding to sanctuary cities, the mayors of Chicago, Los Angeles, New York, and many other US cities have reaffirmed their commitment to accommodating migrants who do not possess full federal status (Robbins, 2017). In Canada, Toronto, Hamilton, London (Ontario), and Montreal, have also declared themselves sanctuary cities (Montpetit, 2017). In the UK, cities of sanctuary, such as Sheffield, are welcoming refugees.

These cities respond to the disjuncture between exclusionary national migration and residency policies, and the need to be inclusive at the local scale. They address

the problem that national governments issue visas, permits, or permanent residency documents to some migrants but deny these documents to others already living in the country, effectively “illegalizing” persons who are de-facto residents of the cities (Bauder, 2014). This problem also arises when failed refugee and asylum claimants resist deportation and stay in the country, and when migrants cross the border irregularly. Sanctuary cities implement municipal policies and practices to accommodate these inhabitants.

Urban sanctuary policies and practices have their origin in church-based sanctuary that has sheltered migrants and refugees throughout Europe and the United States from law and immigration enforcement authori-

ties. In the late 20th Century, municipalities began offering “sanctuary” to refugees and later to illegalized inhabitants (Lippert & Rehaag, 2013; Ridgley, 2013). Today, sanctuary cities are transforming urban society in various ways: not only are municipal governments defying exclusionary national immigration policies and citizenship laws, but urban sanctuary communities are changing the discourse of migration and belonging and are reimagining the city as an inclusive space. In this way, sanctuary cities are reframing the meaning of belonging and membership at the urban, rather than the national, scale.

Sanctuary city and cities of sanctuary are common—albeit contested (Bagelman, 2016; Caminero-Santangelo, 2013; Lippert, 2005)—terms in Canada, the USA, and the UK (Bauder, 2017). In other countries, similar municipal policies and practices are typically not labelled “sanctuary.” In this article, we examine local policies and practices to accommodate illegalized migrants and refugees in national contexts outside of Canada, the USA, and the UK. We are interested, in particular, if there are common local responses to the problem of exclusion, illegalization, and disenfranchisement caused by national policies. We realize that nation-states have different migration laws and policies, frame their relations to municipal governments in distinct ways, find themselves in various demographic, political, and economic situations, and are situated in unique historical and geopolitical circumstances (Mayer, 2017; Spencer, 2017). Nevertheless, illegalization is a common structural problem across territorial nation states in which political membership is defined by national residency and citizenship rules.

Research on urban sanctuary across national contexts is important because it highlights possible synergies between local responses in countries with different political systems and traditions. Urban sanctuary policies and practices can be seen as part of a “new municipalism” that has been adopted by cities in different parts of the world to assert control over their own affairs in light of national and regional austerity, privatization, carbon-consumption, unfair migration, and other repressive policies (Cassia, 2018; Russel & Reyes, 2017). Recognizing the synergies between urban sanctuary policies and practises in different parts of the world is vital to facilitate international exchange of municipal policy options and ideas, and encourage international networking among urban policy makers, activists, organizers, and other stake holders. In this way, this article aligns with a recent call made from a predominantly US perspective to think of sanctuary in global terms (Carney, Gomez, Mitchell, & Vannini, 2017).

2. Background

Newcomers tend to gravitate to cities to take advantage of perceived labour market opportunities, the existence of a settlement and integration infrastructure, proximity to co-ethnic communities, and, in the case of illegalized migrants, the opportunity to live in relative anonymity. In

light of a trend in many immigrant-receiving countries towards downloading integration services from national to lower levels of government and civil society (Shields, Drollet, & Valenzuela, 2016), cities and regions have become “laboratories” for integration and the development of innovative migration policy (Schmidtke, 2014). Sanctuary cities are such an innovation in response to restrictive national migration policies and increasing responsibilities assumed by municipal governments and civic society.

Sanctuary cities do not offer absolute protection from federal immigration authorities in the sense that they nullify federal law. Rather, illegalized migrants remain subject to detection, and possible detention and deportation even in sanctuary cities (American Immigration Council, 2015; Tramonte, 2011). Although sanctuary cities are unable to offer complete protection, they commit to including all inhabitants—independent of federal status—in the local community and improving the lives of those without full national status.

Sanctuary-city policies and practices are highly context particular (Strunk & Leitner, 2013). In the United States, sanctuary cities date back to the 1980s, when the City of San Francisco refused to cooperate with federal authorities and chose to protect refugees from Central America (Mancina, 2013). In subsequent decades, sanctuary cities focused increasingly on illegalized migrants settling more-or-less permanently in a municipality rather than on refugees requiring temporary protection (Ridgley, 2008, 2013). Among the concrete sanctuary measures in US cities are municipal laws and policies that prohibit municipal service providers, including the local police forces, school boards, and health and recreational offices, to cooperate with federal migration enforcement authorities and to collect information on residents’ federal status and/or exchange this information with federal authorities (Don’t Ask, Don’t Tell). To establish whether a person is a resident of the municipality, some sanctuary cities accept utility bills, municipal ID cards, or *matriculas consulares* in lieu of federal or state documents (Varsanyi, 2010).

Sanctuary cities also exist in Canada, where Toronto adopted Don’t-Ask-Don’t-Tell policies in 2004, which was followed by a vote in City Council in 2013. Although the local police and front-line municipal service workers have not always implemented sanctuary policies properly (Hudson, Atak, Manocchi, & Hannan, 2017), these policies send an important symbolic message that all inhabitants are included in the local community (McDonald, 2012).

In the UK “cities of sanctuary” do not focus so much on policing or non-cooperation with national authorities as on the symbolic inclusion of refugees seeking protection. These cities change the imagination of the city as a place of welcome and in this way shape the manner in which inhabitants interact with each other (Darling, 2010; Darling & Squire, 2013; Squire & Bagelman, 2012).

In the context of the USA, Canada, and the UK, four aspects define a sanctuary city (Bauder, 2017): (1) *le-*

gality, i.e. an official commitment by the municipal legislative body to support sanctuary policies and practices; (2) *discourse*, i.e. challenging exclusionary narratives that portray migrants and refugees as criminal and undeserving; (3) *identity*, i.e. the formation of collective identities expressing unified membership in an urban community; and (4) *scale*, i.e. rejecting national migration and refugee laws, and articulating policies and practices of belonging at the municipal scale. These four aspects combine in various ways in different contexts. Nevertheless, their presence can be used as a comprehensive definition of what constitutes a sanctuary city. In the below analysis we apply this definition to national contexts where the term “sanctuary city” is not typically used.

3. Research Question and Case Studies

Various aspects of sanctuary-city policies and practices exist around the globe, although the term “sanctuary city” is rarely applied outside of Canada, the UK, and the USA. We therefore ask the following research question: do sanctuary cities de-facto exist outside Canada, the UK, and the USA, although they are not called by this name? To answer this question affirmatively would require all four sanctuary-aspects to be present in a city.

To address this research question, we examined non-English speaking national contexts. Our choice of Spain, Chile, and Germany was guided by the combination of scholarly expertise in Europe and Latin America, and our proficiency in German and Spanish. The three countries have recently received large numbers of migrants and refugees, many lacking or possessing only precarious national status.

In Spain, municipalities are responsible for collecting demographic information irrespectively of migration status. By comparing the number of residence permits issued by the Spanish Home Office (*Secretaría General de Inmigración y Emigración*) with the number of third-country nationals who registered with the Municipal Population Register (*Padrón Municipal*), it was estimated that approximately 600,000 undocumented people resided in Spain in 2012 (PICUM, 2013). In the Spanish context, “refuge city” is sometimes used to describe municipal initiatives to accommodate illegalized migrants.

An estimated 150,000 illegalized people resided in Chile in 2017 (Kozak, 2017). Most migrants enter Chile as tourists and subsequently apply for residency or other form of regularization within the country (Pedemonte & Dittborn, 2016). The term “cities of solidarity” (*ciudades solidarias*) is used throughout Latin America to describe an initiative under the Mexico Plan of Action, signed in 2004, on the 20th anniversary of the Cartagena Declaration, by 20 Latin-American countries. This initiative aims to promote the integration of refugees in the region by recognizing municipalities’ roles in identifying migrants’ needs, evaluate the conditions of integration, and establish plans of action (Thayer Correa, Correa, & Novoa, 2014; Varoli, 2010).

An estimated 180,000 to 520,000 “irregular” migrants lived in Germany in 2014 (Vogel, 2015). This estimate includes people living in Germany who are unknown to German authorities, people with false identity papers, and people hiding from authorities. Other estimates suggest that the number of illegalized migrants in Germany is as high as 1 million (Lebuhn, 2016). In addition, there are “tolerated” (*geduldete*) migrants with permission to stay but without long-term perspective to remain in Germany. In light of the massive arrival of migrants and refugees since 2015—many of whom have neither received status nor returned to their origin countries—these numbers are expected to have grown (PICUM, 2015). In the German context, scholars and activists have used the term “sanctuary city” among other terms. However, a barrier to the implementation of corresponding policies at the municipal scale is federal legislation that requires municipalities to register and report all residents (e.g., Heuser, 2017; Scherr & Hofmann, 2016).

We surveyed the academic and gray literature related to these three countries as well as internet-based sources, such as municipal websites, to examine local policies and practices towards illegalized migrants and refugees. We read and analyzed these sources in their original languages. Any quotes presented below that were drawn from non-English sources were translated by us. Once we obtained an overview of national, regional, and municipal legal and policy contexts, we explored if particular cities could be considered “sanctuary cities” based on the four aspects of legality, discourse, identity, and scale. For this purpose, we examined multiple cities in each national context.

In presenting our findings, we focus on one particular city in each country. Initially, our survey did not focus on any particular city. However, the survey revealed that urban sanctuary policies and practices are more prominent in some cities than others. The cities we finally selected are thus not the only cities in their countries that have adopted policies and practices that represent “sanctuary” aspects. For example, in the case of Germany, the city councils of Munich and Cologne commissioned studies to improve the living conditions of illegalized inhabitants; a number of cities, such as Berlin and Hamburg, have experimented with or are considering anonymous medical insurance (*Krankenschein*) to provide illegalized inhabitants with access to medical services; in many other German cities, civil society institutions have formed local networks to support illegalized migrants and refugees (Heuser, 2017; Migazin, 2014). The cities we included in the below discussion were selected because they illustrate how the aspects of urban sanctuary have been addressed in various national contexts. The scope of this article does not permit us to elaborate on more than one city in each of the countries.

4. Results

4.1. Spain

4.1.1. National Context

The multi-level governance of Spain provides municipalities with decentralized self-rule (Keating, 2000). The Spanish constitution (Article 148.1.22) recognizes the municipal autonomy in matters of police presence and requires the municipal and local police (*policía municipal/local* or *guardia urbana*) to report to local town-halls in municipalities with a population over 5,000 inhabitants (Granda, 2014). Since municipal police forces operate largely independently from the national police (*policía nacional*) and the civil guard (*guardia civil*), they can be included in sanctuary-city policies.

Illegalized residents acquire access to municipal services through the Municipal Population Register, which requires all residents by law to register regardless of their immigration status. This register provides proof of residency in the municipality but is not an identification document confirming legal residence in Spain (Instituto Nacional de Estadística, 2016). Given the autonomy of local governments granted by the Spanish constitution, the municipal registration process (*enpadronamiento*) varies considerably by municipality. Some migrants may not register because they fear that national authorities could access municipal databases, or they lack knowledge of or are misinformed about the requirements, benefits, or process of completing the registration (Arango & Jachimowicz, 2005). However, when successfully completed, the registry has been instrumental in granting illegalized migrants access to social services, compulsory education for minors, and health identity cards (*tarjeta sanitaria*) required for medical appointments (Cimas et al., 2016; Escandell & Tapias, 2010).

Access to health services illustrates the interplay between various levels of government. Prior to 2012, Spanish law provided inhabitants registered with municipalities similar access to health care, irrespective of citizenship or legal status (Cimas et al., 2016). A 2012 reform linked access to health care to citizenship or registry with the Social Security department (*Seguro Social*). Spain's autonomous regions responded by introducing various pieces of legislation, enabling municipalities to provide at least some degree of health care to illegalized migrants (Smith & LeVoy, 2017).

4.1.2. Barcelona

Barcelona exemplifies how the sanctuary-city concept applies in Spain. Barcelona is located in Spain's Catalonia region and has a population of approximately 1.7 million. The city has advocated on the international stage for illegalized migrants and refugees, stressing the role cities play in this respect (Ayuntamiento de Barcelona, 2014). It has also undertaken concrete steps to promote the rights

of all city inhabitants, including illegalized migrants and refugees (Gebhardt, 2016; Smith & LeVoy, 2017). In particular, it has extended access to all municipal services through the municipal register. Barcelona's "refuge city" initiative (Ayuntamiento de Barcelona, Redacció, 2017) clearly addresses all four aspects of a sanctuary city:

1. *Legality*: In September 2015, the municipal government launched the "Barcelona, Refuge City" plan. On October 2, 2015, City Council further strengthened its commitment to sanctuary policies by officially declaring Barcelona a "Refuge City" (Ayuntamiento de Barcelona, Secretaría General, 2015);
2. *Discourse*: In 2010, City Council launched the Anti-Rumour Strategy (*Estratègia BCN Antirumores*), which aims to dispel rumors, stereotypes, and myths about the "other" through organizing a variety of awareness-raising campaigns. Some of the main anti-rumor campaigns include: "they don't pay taxes," "collapse of the health care system," "they get all the social benefits," "they take our jobs," and "they are uncivil" (Ayuntamiento de Barcelona, BCN Acció Intercultural, 2017). Moreover, under Barcelona's Refuge City Plan, City Council has advocated for "economic migrants" to obtain access to the system of international protection set up for refugees, "as refugees and migrants alike have left their country of origin or residence in search of safety" (Ayuntamiento de Barcelona, 2017a). These activities challenge the exclusionary discourse around economic migrants and highlight the need for equal protection;
3. *Identity*: The City of Barcelona and its residents have been proactive in imagining the city as a space of co-belonging. In February 2017, tens of thousands of demonstrators filled the streets of Barcelona following a call from mayor Ada Colau to challenge the Spanish government's failure to meet its pledge to accept more refugees (Agence France-Presse, 2017). The group *Casa Nostra, Casa Vostra* (Our Home Is Your Home), which organized the protest, has long advocated for the protection and the right to a dignified life for refugees and illegalized migrants (Casa Nostra, Casa Vostra, 2017);
4. *Scale*: Barcelona has created institutions at the local scale, mitigating exclusionary national migration and refugee policies. The city's Care Service Centre for Immigrants, Emigrants, and Refugees (*Servicio de Atención a Inmigrantes, Emigrantes y Refugiados*)—run jointly by the City, Barcelona Lawyers' Association, Red Cross, and various other civic-society organizations—provides free services to all city residents regardless of status. In 2014, the City of Barcelona hosted the first Mayoral Forum on Mobility, Migration, and Development, which resulted in the "Declaration of Barcelona." This declaration stresses the role of cities in receiving migrants, demanding comprehensive leg-

isolation regarding immigration, and calling for decent living conditions (Ayuntamiento de Barcelona, 2014). The Declaration and Barcelona's subsequent Refugee City initiative rejects national approaches towards migration and refugee intake: "towns and cities receive and integrate refugees but in Spain [these town and cities] are not involved in asylum policies, nor do they receive any funding to implement them" (Ayuntamiento de Barcelona, 2017b). By establishing a European network of Cities of Refuge (*Red Europea de Ciudades de Refugio*), the Barcelona, Refugee City Plan aims to create "an inter-municipal space," which would provide the necessary local services for the arrival and reception of refugees through bilateral agreements among the municipalities in the network (Ayuntamiento de Barcelona, 2017c).

4.2. Chile

4.2.1. National Context

Immigration law in Chile mostly derives from the 1975 security decree (*Decreto Ley 1.094*), which intrinsically views migrants as potential subversives and therefore grants excessive discretion to the armed border authority (Pedemonte & Dittborn, 2016). After dictator Pinochet's fall, Chile welcomed refugees from South-American, Caribbean, and European countries (Leo, Morand, & Murillo, 2015). In recent years, however, there have been growing anti-refugee and immigrant sentiments (Teletrece, 2017).

The Constitution of 1980 is still in force. However, the tight administrative, fiscal, and regulatory framework of the central state has been questioned and in 1992 the Organic Law of Municipalities (*Ley N° 18.695, Orgánica Constitucional de Municipalidades*) established municipal autonomy. This legislation progressively transformed municipalities into self-governing entities. In 2014, the appointment of the Presidential Advisory Commission for Decentralisation and Regional Development by Chile's president sought to modernize and strengthen municipal functions and transfer new competencies to the new self-governing regions in the areas of economic, social, infrastructure, and housing development (Organization of American States, 2008; UCLG, 2016).

The Chilean national police (the *Carabineros*) have jurisdiction over the entire national territory. Chilean municipalities do not possess independent police forces. During the Pinochet regime, the *Carabineros* became highly militarised and gained considerable autonomy. Since then, police reform has been largely delegated to the *Carabineros* themselves, which continue to retain substantial autonomy from civilian governance (Bonner, 2013). Preventive identity checks are an autonomous faculty of the *Carabineros*, regulated in Article 85 of the Code of Criminal Procedure (*Código Procesal Penal*) (Irrazabal González, 2015). In 1998, this power

was restricted (through Law No. 19.567). However, in 2015 the Citizens Security Commission of the Chamber of Deputies (*Comisión de Seguridad Ciudadana de la Cámara de Diputados*) approved legislation that reinstated the *Carabineros*' power to carry out preventive identity checks based on suspicion of committing or attempting to commit a crime or concealing one's identity (Irrazabal González, 2015; Rivas, 2015). Although these developments obstructed the inclusion of the police in sanctuary-city initiatives, the increased decentralization and growing autonomy of regions and municipalities has resulted in innovative local initiatives granting inhabitants access to education, health care, and other social services independent of national status (Thayer Correa, Correa, & Novoa, 2014).

4.2.2. Quilicura

Quilicura is located in the Santiago metropolitan region and has experienced rapid population growth. In 2012, it had about 204,000 inhabitants. Since 2000, Quilicura has received substantial numbers of Haitian and Palestinian migrants and refugees. Given the language and cultural barriers between the new and established residents, the municipality approached UNHCR for help to develop innovate local programs within the framework of the Mexico Plan of Action (Leo et al., 2015; Thayer Correa et al., 2014). These programs address the four aspects of a sanctuary city, although the preferred local label is "Commune of Reception" (*Comuna de Acogida*).

1. *Legality*: In 2014, the municipal government launched the Action Plan for the Reception and Recognition of Migrants and Refugees (*Plan de Acogida y Reconocimiento de Migrantes y Refugiados*), which offers a sustainable and democratic policy for all inhabitants regardless of their administrative status. These initiatives represent official commitments by the municipal legislative body to support sanctuary policies and practices;
2. *Discourse*: Quilicura's reception initiative is founded on the promotion of equality: equal rights and duties, and full civil, cultural, and social participation of all inhabitants. The municipal government has articulated corresponding policies within a human rights framework, breaking away from an emphasis on the contributions migrants make to society (Thayer Correa et al., 2014). Furthermore, the municipal government is vocal about its dislike of the term "illegal" when referring to non-status residents, and explains that some residents are rather in irregular administrative situations (Lizama, 2013);
3. *Identity*: Quilicura has organized an annual Migrant Fest, which is centered on the idea that culture and diversity are a source of pride and strength in the community. The festival enables all community members to share experiences and

culture over food, music, and dance, thus fostering a unified community identity (Municipalidad de Quilicura, 2016);

4. *Scale*: The Municipal Office for Migrants and Refugees (*Oficina Municipal para Migrantes y Refugiados*) was created in 2010 to provide orientation, support, and information about education and health services, and employment and training opportunities for migrants and refugees (Leo et al., 2015). Quilicura also cooperated with other municipalities to replicate and expand local programs that include all inhabitants (Thayer Correa et al., 2014). In May 2015, Quilicura, with the assistance of the International Maritime Organization (*Organización Marítima Internacional*), organized Chile's first migrant consultation. This consultation intended to develop ways to register inhabitants of the municipality in regular and irregular situations, create policies that address access to fundamental services and rights, and encourage other levels of government to recognize the benefits of local actors taking initiative (Municipalidad de Quilicura, 2015).

4.3. Germany

4.3.1. National Context

With the exception of the city-states of Berlin, Bremen, and Hamburg, German municipalities do not possess independent local police forces that could be included in sanctuary-city policies. Instead, policing authority rests largely with the federal police (*Bundespolizei*), which are responsible for border security, and the regional police (*Landespolizei*), which assume many other policing functions that require identity and status checks of individuals. German municipal offices have stringent legal reporting obligation (*Übermittlungspflicht*) to national authorities. National law requires all residents to register at their local registration office (*Einwohnermeldeamt*), which assesses the identities of residents and reports foreigners to the municipal foreign office (*Ausländeramt*), which in turn reports visa and status violations to federal authorities. Municipal registration offices can also request from landlords to provide information about their tenants. Federal law and administrative regulations thus provide a relatively restrictive context for the implementation of sanctuary-city policies (Buckel, 2008; Scherr & Hofmann, 2016; Schönwälder, Vogel, & Sciortino, 2004).

Despite the restrictive legal and administrative context, illegalized migrants engage in German public life: they use public transit, join faith-based communities, and participate in organized social clubs (Shinozaki, 2015). Many civic and faith-based institutions offer "safe spaces" (*Schutzräume*) to illegalized immigrants, where they are treated with respect and dignity, not as anonymous statistics (Just, 2013; Zabel, 2001, p. 93). In many cities, hospitals and organizations like *Malteser*

Migranten Medizin provide medical services for free or reduced fees to people requiring anonymity (Malteser Migranten Medizin, 2016; Misbach, 2008). Schools are exempt from the requirement to report the status of students to authorities (Köbler, Mohr, Habbe, Peter, & Fodor, 2013). Germany's civic and institutional context is evidently supportive of accommodating illegalized migrants and refugees.

4.3.2. Freiburg

The case of Freiburg illustrates how the sanctuary-city concept may be applicable in Germany. Freiburg is located in the state of Baden-Württemberg and has a population of approximately 220,000. In recent decades, Freiburg's civil society has undertaken concrete steps to accommodate refugees and illegalized migrants, and has raised the issue of illegalized migrants publically (Buckel, 2008). Although, activists favour the term "solidarity city," they have used the term "sanctuary city," calling "upon municipal politics, local institutions (day-care centres, schools, businesses, chambers, hospitals,...) and civil society, that Freiburg joins the sanctuary-city movement" (Freiburger Forum aktiv gegen Ausgrenzung, 2016). Freiburg meets most aspects to be considered a sanctuary city:

1. *Legality*: At the time of writing, Freiburg's City Council has not formally acknowledged the local sanctuary-city campaign. The missing aspect "legality," however, is precisely the aim of the current campaign. In 2012, City Council did pass a resolution in support of "tolerated" (*gedultete*) Roma threatened by deportation. This resolution indicated that "communities have become the point of departure for a successful pan-European integration strategy for the inclusion and equal participation of all in political, social, and cultural respects" (Freiburger Gemeinderat, 2012);
2. *Discourse*: Local initiatives challenge exclusionary national migration and refugee discourses and status categories. The *Freiburger Forum aktiv gegen Ausgrenzung* (Freiburger Forum aktiv gegen Ausgrenzung, n.d.) calls on readers to reject politicians who "want to make people believe that deportations are necessary [and who] distinguish between deserving and undeserving refugees." Local campaigns also contest the state-imposed illegality of persons and stress the common humanity of all inhabitants of Freiburg, and public media outlets, such as Radio Dreyeckland (<https://rdl.de>), challenge narratives that depict migrants and refugees as criminal, undeserving, and predatory. An anti-migrant demonstration organized by a right-wing party in the wake of the murder of a 20-year old university student drew only 15–20 attendees but was met by a counter-demonstration of 300 people, in which Anti-Fascists and representatives

of mainstream political parties marched together (Mauch, 2016);

3. *Identity*: Expressions of solidarity with illegalized migrants are common among activists and civic institutions in Freiburg. These expressions are often complemented by calls for a united urban community that does not distinguish between people based on national status. For example, a prominent support project for illegalized migrants proclaims as its central idea to “live in direct communal solidarity” and demands “cohabitation in the city without discriminating state regulations” (Rasthaus, 2017);
4. *Scale*: Freiburg possess a highly effective local infrastructure of civic institutions—including *Aktion Bleiberecht*, the *Freiburger Forum aktiv gegen Ausgrenzung*, *Medinez* (medizinische Behandlung für papierlose MigrantInnen), *Rasthaus*, and the *Südbadische Aktionsbündnis gegen Abschiebung* (SAGA)—that provides a range of services to local residents without or with precarious national status. The initiative *Rasthaus*, which is a housing complex centrally-located in Freiburg, serves as a hub for accessing medical services, housing, legal and financial aid, German language courses, and other supports to illegalized migrants. These organizations and projects are closely networked with each other and external support groups. Collectively, they aim to include illegalized migrants in the local community in light of exclusionary national migration and refugee laws and policies.

5. Conclusion

Although our empirical research focused on only three countries and three cities, urban-sanctuary initiatives are also advancing in Brazil, Italy, Switzerland, and other countries. Accommodating illegalized migrants and refugees at the local scale is not an isolated but a global phenomenon. However, different terms are used in different countries to describe similar urban policies and practices: the term “sanctuary” is popular in Canada, the US, and the UK. This term has historically had religious connotations and meaning (Caminero-Santangelo, 2013). Today, “sanctuary” cities involve largely secular urban policies and practices. In other countries, preferred terms include “refuge cities,” “commune of reception,” or “solidarity city.” Different terminology can even be used within a single city. In Freiburg, both “sanctuary” and “solidarity” city have been in circulation. In Toronto, the key organization that advocated for the sanctuary city was the Solidary City Network. While it may be tempting to attribute “sanctuary” with a managed top-down approach and “solidarity” to bottom-up activism, a common feature of the urban policies and practices to protect illegalized migrants and refugees is that they blend bottom-up and top-down approaches. In this way, sanctuary-city policies and practices align with the new municipalist movement that can neither be conceptual-

ized as strictly top-down nor bottom-up (Russel & Reyes, 2018). Adding to the complexity, urban policies and practices may not only focus on illegalized inhabitants but also on resettling refugees and on accommodating other vulnerable populations.

The article highlighted the different national contexts in which urban sanctuary policies and practices are implemented. These differences also pose important challenges for transferring urban policies from one national context to another and for applying experiences with aspects of sanctuary to cities located in different countries. For example, in Chile and Germany, where local municipalities do not possess their own police forces, law enforcement usually cannot be included in sanctuary-city policies. In addition, the absence or presence of municipal registries in different countries and the associated reporting obligations to national authorities have profound effect on the types of local policies that can be enacted to accommodate illegalized migrants and refugees. Furthermore, the characteristics of illegalized and precarious migrant and refugee populations vary between countries that are historically, economically, politically, and geopolitically in different situations. Thus, not only policy makers but also civil society institutions and activists operate in very dissimilar environments in different countries. However, this article also highlighted that various municipal, civil society, and activist actors can complement each others’ efforts and play various roles to collectively adapt to their unique national context in providing sanctuary to illegalized inhabitants. When municipalities are legally constrained to offer a particular type of service, civil society institutions may be able to step in to provide this service and vice versa.

The language surrounding sanctuary policies and practices is highly politicized and context particular. However, that various terminologies are used internationally and contexts differ between countries should not distract policy makers, activists, and decision makers from realizing the commonalities among urban policies and practices to protect and include illegalized migrants and refugees. It is important to look beyond particular labels and existing national idiosyncrasies to realize how urban municipalities and local civic society are using the scope of their possibilities to enact policies and practices along the four “sanctuary” dimensions to tackle the common structural problem of the illegalization and disenfranchisement of people at the national scale. Building on initiatives, such as the Declaration of Barcelona, the Mexico Plan of Action, and EUROCIITIES’s Solidarity Cities initiative, this realization can facilitate further information exchanges and networking activities between urban actors, with the ultimate aim to establish a global urban strategy towards including all inhabitants.

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About the Authors



Harald Bauder is a Professor in the Department of the Geography and Environmental Studies and the Director of the Graduate Program in Immigration and Settlement Studies at Ryerson University in Toronto, Canada. He is a member of the Migration Research Leaders Syndicate of the International Organization for Migration, which was formed in preparation for the Global Compact for Migration. His most recent book is titled *Migration Borders Freedom* (Routledge, 2017).



Dayana A. Gonzalez completed her Master's in Immigration and Settlement Studies at Ryerson University and undergraduate studies in Law and Society at York University, Canada. She was the recipient of the Best Master's Research Project award from the Graduate Program in Immigration and Settlement Studies and the Immigration and Settlement Studies Student Leadership Award in 2017. Her research interests include, but are not limited to, the intersection of migration and law, border controls, immigration enforcement, and citizenship.