Border Struggles, Political Unity, and the Transformative Power of the Local: US Sanctuary Cities and Spain's Cities of Refuge

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Abstract

This article draws on theoretical insights about bordering and citizenship as strategies for socially constructing difference and the scholarship on scalar challenges underlying contemporary bordering to analyze sanctuary cities in the United States and cities of refuge in Spain. We argue that these initiatives challenge and resist restrictive *national* migration policies from below, at the *local* level, with attention to their implications at the *global* scale. Such policies have the potential to create meaningful social change by 1) amplifying and producing political unity across socially constructed differences and 2) "scaling down" migration politics from the national to the local level and, simultaneously, "jumping scale" via reliance on human rights framings. We conclude that sanctuary city and city-of-refuge designations are not merely symbolic; instead, these designations can be conceived of as locally based, global repertoires of action that make positive contributions in pursuit of social justice.

Keywords

Sanctuary city; cities of refuge; migration**;** local; political unity.

Introduction

For those concerned with social justice, the increased use of repressive tactics against border crossers by national governments in the West is alarming, particularly given that those targeted for exclusion are frequently among the world's most precarious people. A growing body of research has examined the causes and consequences of the criminalization of migration within Western liberal democracies, helping to develop what has come to be called the criminology of mobility (e.g., Aas and Bosworth 2013; Pickering and Weber 2006). This research focuses on bordering as a site of political struggle and has drawn needed attention to the way that external and internal bordering practices reflect and produce social inequalities and exacerbate harm (see, for example, Barker 2015, 2017; Brandariz García and Fernández Bessa 2010; Koulish and van der Woude 2020; Weber and Pickering 2011; Wonders 2006, 2008). Much of this scholarship suggests the need for profound changes to national migration laws, policies, and practices, but such evidence-based calls for change have gained little traction within most Western nations. Given the intransigence of nation-states, it is crucially important to examine how borders and bordering can and are being transformed from below—by border crossers and their allies—if we are to imagine and create alternative futures.[1]

Sanctuary cities in the United States (US) and cities of refuge (*ciudades refugio)* in Spain can be viewed as tactics for transforming borders from below.[2] Given the changing character of nation-states in the West, particularly the limited influence and access of ordinary people to national policy-making, "the local" has increasingly become a crucial site for enacting citizenship, claiming rights, and exercising political power (Barker 2015; Wonders 2015). Local initiatives that challenge national migration regimes go by many names, including sanctuary cities, welcoming cities, and cities of refuge. Defining such cities can be challenging. As Agustín and Jørgensen (2019: 201) noted, "There are several definitions of sanctuary cities, which tend to differ according to national perspectives. A short functional definition is the deliberate municipal practice of not enforcing strict immigration laws. Instead of restricting access, the sanctuary city offers entitlements to otherwise illegalized migrants." Cities adopt these designations as a strategic, political, and moral response to national government actions (and inactions) that exclude and cause harm to migrant populations. Importantly, the development of cities of refuge and sanctuary is not simply an outcome; it is also a process and a political struggle (Delgado 2018).

In this article, we analyze the extant literature and research on US sanctuary cities and Spain's cities of refuge to examine two specific ways that such city-level designations have the potential to create meaningful social change by 1) amplifying and producing *political unity* across socially constructed divides via "acts of refusal" and the creation of new political spaces and 2) utilizing *local power* to rescale migration politics both downward from the national to the local level and upward by "jumping scale" via city networks and reliance on international human-rights framings. As we will detail, our focus on questions of political unity and local power emerges from the theoretical literature on citizenship, bordering, and the multiscalar character of contemporary governance and adds to our understanding of strategies and tactics that can destabilize repressive national migration regimes. We argue that sanctuary city and city-of-refuge designations are not merely symbolic; instead, these initiatives are being used to challenge and resist restrictive *national* migration policies from below, at the *local* level, with attention to their implications at the *global* scale.

US Sanctuary Cities and Spain's Cities of Refuge

First, this article briefly comments on the choice to examine sanctuary cities in the US and cities of refuge in Spain since such cities exist in many other countries (Bauder 2017). While there are important differences between the US and Spain, there are also some key commonalities that make for fruitful comparative analysis. Both countries have experienced significant immigration pressures in the recent past: "indeed, according to the United Nations (2013: 13), Spain ranked second in the world (behind only the United States) as the country with the highest level of annual net immigration during the 2000–10 period" (Moffette 2018a: 14). Many local economies in each country depend heavily on irregular migrant

labor, particularly in the agricultural, construction, and service sectors (Chomsky 2014; Sánchez-Alonso 2011). Additionally, in both countries, the gradual tightening of external borders and the increased criminalization of migration have been well documented (for the US, see Chacón 2014, 2107; Macías-Rojas 2016; Wonders 2008; for Spain, see Fernández Bessa and Brandariz García 2018; Fernández-Suárez 2021; Wonders 2017). Significantly, in both countries, the decentralization of some aspects of governance and policing make it possible for a range of social actors within cities to exercise discretion and forms of power that challenge national policies seeking to exclude and criminalize migrants. These factors make it possible for public officials, activists, and immigrants to exercise power at the city level to influence migration-related policies and practices while simultaneously challenging national and global bordering processes. In the US, city-level political engagement with the politics of immigration has been wide-ranging over the last decade, with some local jurisdictions passing anti-immigration ordinances and others passing pro-immigration ordinances. Here, we focus only on cities that have adopted sanctuary and welcoming city designations. In the US, the reach of such sanctuary and welcoming city designations is extensive; indeed, "one in 10 total residents in the United States, and one in five immigrants, resided in a welcoming city or county based on 2013 estimates" (Rodriguez, McDaniel, and Ahebee 2018: 353) and by 2017, there were over 300 US sanctuary cities (Kuge 2020). San Francisco, New York, and Chicago are well-known sanctuary cities, but many smaller cities have also adopted the designation. In many sanctuary cities, those without legal papers are permitted to work, receive educational services, and obtain drivers' licenses or municipal identification cards; additionally, law enforcement officials are frequently prohibited from inquiring about immigration status and are not required to notify federal officials about the immigration status of detained individuals.

Spain has a complex history with respect to irregular migration (Barbero 2012; Calavita 2005). While punitive approaches are on the rise (see Brandariz García 2016, 2018; Moffette 2018a; Wonders 2017), Spain has long been viewed as one of the most welcoming countries in Europe (Connor 2018). Partly this is due to "the complex Spanish model of political decentralization that divides responsibility for immigration policy: immigration control is the brief of the national administration, while integration policy is in the hands of regional governments and, to a lesser extent, municipalities" (Cebolla-Boado and López-Sala 2015: 266). Regional and city-level initiatives to support migrants and refugees have long been part of the institutional fabric.

In Spain, cities of refuge emerged in the wake of the 2014–2015 European Union (EU) refugee crisis as a collective reaction to restrictive policies toward refugees by the Spanish government and the EU (Dao 2015). As the work of Alcalde and Portos (2018: 156) revealed, "a strong social movement in solidarity with refugees developed within the country, with varying degrees of institutionalization." Barcelona was the first city to claim the city-of-refuge designation, and "Following [Barcelona] Mayor Ada Colau's declaration in September 2015, Barcelona was soon joined by other Spanish cities proclaiming themselves cities of refuge, committing to host refugees and making claims vis-a-vis the Spanish government" (Garcés-Mascareñas and Gebhardt 2020: 6–7). As of 2015, more than 100 cities in Spain had been designated as cities of refuge or welcoming cities (Dao 2015), including "the two other biggest Spanish cities, Madrid and Valencia," and many others such as Cádiz, A Coruña, Córdoba, Toledo, and Vitoria (Garcés-Mascareñas and Gebhardt 2020: 7). Alcalde and Portos (2018) do an excellent job of examining the varied responses to the refugee crisis among Spain's cities by examining the political opportunity structures at the local level that facilitated differing forms of political contention with national initiatives. While the city-of-refuge designation remained at the discursive level in some cities, in others, the designation was accompanied by concrete measures for protecting the rights of refugees and irregular migrants. For instance, Madrid and Barcelona implemented proactive policies to facilitate the registration of irregular immigrants in the official census (which, in practice, provides access to municipal services), prevent those with regular status from falling into administrative irregularity, ensure access to healthcare, and change police protocols to avoid criminalization and persecution (Fernández-Suárez and Espiñeira 2021).

While there are many interesting aspects of cities of refuge and sanctuary cities to explore, our research foregrounds two key theoretical questions. First, given the power of socially constructed differences to

divide and polarize people around questions of migration, how can political unity in pursuit of social justice for border crossers be achieved in the contemporary moment? Second, given the repressive turn of nation-states toward human mobility and the growing democratic deficit in many Western democracies, how can national migration policies and discourses be challenged by ordinary people? We explore these theoretical questions in greater detail before analyzing whether and how the adoption of sanctuary city and city-of-refuge designations can foster political unity and amplify local power.

Border Struggles and Scalar Analysis

A significant body of work has documented the turn toward the criminalization of border crossers in the West (Brandariz García and Fernández Bessa 2017; Macías-Rojas 2016), including the increased merger of immigration law with criminal justice systems or what has come to be called "crimmigration" (Stumpf 2006, 2014; van der Woude and van Berlo 2015). An important aspect of this work is its emphasis on the way that illegality is *produced* by nation-states through processes of criminalization; as Paik (2017: 9) put it, "criminalised populations are in fact produced as an effect of the law" (see also Barker 2017; Coutin 2021). The criminalization of mobile subjects tends to parallel and reinforce other socially constructed difference projects, including those associated with race, class, and gender (Wonders and Jones 2019; Bosworth, Parmar, and Vázquez 2018; García-España 2017). The decision to criminalize some border crossers works to produce a hierarchy of mobility and citizenship privileges deeply rooted in historic legacies of colonialism, racism, and patriarchy (Wonders and Jones in press). Indeed, rich, white men experience very few barriers to global mobility. The durability of these socially constructed differences and hierarchies of mobility makes forging political unity to achieve greater social justice for border crossers very difficult. The widespread criminalization of irregular migration throughout the West has sought to depoliticize some border crossers by rendering them apolitical subjects. As Cacho (2012: 8) emphasized, "Criminalization justifies people's ineligibility for personhood because it takes away the right to have rights."

While crimmigration has been a useful concept, Moffette (2018b: 12) cautions researchers that beginning analysis with the assumption that immigration and criminal law will converge can distract us from the power of local decision-makers over policy implementation—what he called "the messy actualities of governance." As this analysis of sanctuary cities and cities of refuge reveals, national policies of bordering and social exclusion might best be viewed as "border struggles" since they rely heavily upon discretionary decisions at multiple scales (Mezzadra and Neilson 2013).

To date, much of the published work on the criminalization of migration has been nation-centric, with attention devoted predominantly to examining the merger of immigration and criminal law within a single nation and detailing the adverse consequences for (im)migrants. A smaller but growing body of research has shifted the scale of analysis. Some of this recent work examines the link between the criminalization of migrants and global and regional dynamics (e.g., see the 2017 special issue of the *European Journal of Criminology* [Vol. 14, Issue 1] on the "Europeanization of crimmigration"). Other work examines the criminalization of migration and repressive enforcement tactics at the local level, particularly within cities (e.g., Varsanyi 2010) and in the US, within states (Provine et al. 2016). In previous work, we have examined the scalar implications of globalization for nation-states and global justice (Wonders 2016), as well as the way that the exercise of power in the migration realm is increasingly *multiscalar*, reflecting complex relationships between global, national, and local dynamics (Wonders 2017; Brandariz and Fernández-Bessa 2020). We use this multiscalar approach as an analytic tool in our examination of cities of refuge and sanctuary cities.

Globalization and neoliberalism have challenged taken-for-granted understandings of the global, national, and local scale (Çağlar and Schiller 2011; Sassen 2008). As Sassen (2008, 2015) has argued, the architecture of the nation-state has transformed, in large part, to accomplish the work of globalization. One of the most important aspects of this transformation is the redistribution of power within the nation-state, particularly the way that the executive branch has gained power relative to legislatures throughout

much of the West (Sassen 2008; Slaughter 2009). The declining power of legislatures in a globalized world has resulted in a profound democratic deficit in many Western democracies and a loss of effective political power at the national level for many ordinary people.

Given these transformations from above, many scholars working within migration studies are shifting their analytic focus to examine how ordinary people can affect social change and social justice from below. Indeed, human mobility is one of the most important drivers of contemporary social change. Squire (2011: 5) has described this as "the politics of mobility," explaining that "mobilizing politics means to render politics mobile through exploring how the irregular movements and activities of people entail a shift in what it means to be political." A relatively new body of literature has framed migrants as "scale-makers" because of the important role they are playing in rescaling social and political life (Çağlar and Schiller 2011). Scalar research on migrants includes attention to strategies and tactics that "not only facilitate immigrant social, economic, and political incorporation but also allow immigrants to jump scales, operating simultaneously in local, regional, national and transborder arenas" (Brettell 2011: 85). As our understanding of the logic of the multiscalar character of the global, the nation-state, and bordering has deepened, it has led us to consider "the local" as a potentially valuable lever for transforming "the global." It is to this level that we now turn.

Citizenship Performances and the Power of the Local

In previous work, Wonders (2006) argues that borders are not so much geographic lines as they are performances; this conceptual framing highlights the relational character of bordering as a complex, dynamic dance between state officials and those who desire freedom of movement. More recently, Wonders and Jones (2019) fused conceptual work on border performativity with key insights from Isin (2012) and Mezzadra and Neilson (2013) to challenge the binary that has been constructed between citizens and irregular migrants, arguing that, over time, nation-states have multiplied citizenship categories (often by fragmenting the rights historically associated with citizenship) to manage competing global and national imperatives, including those associated with the need to manage global migration and regulate labor flows. This "multiplication of citizenship" has created new divides that make it difficult for ordinary people to find a common cause, yet, in reality, "the citizen and the noncitizen are not two binary categories; instead, they are categories that exist along a continuum" (Wonders and Jones 2019: 5). Historically, citizenship rights have not been easily given by nation-states; instead, they have been demanded by the disenfranchised, often by engaging in "citizenship performances," which have been defined as "the very behavior performed by border crossers and their allies that challenge, protest, and expand the boundaries of belonging and rights" (Wonders and Jones 2019: 13). As Isin (2008: 16) has argued, "citizenship, while typically understood as a legal status of membership in the state, if not the nation-state, became increasingly defined as practices of becoming claims-making subjects in and through various sites and scales." At the same time, as he noted, we "know virtually nothing about how subjects become claimants when they are least expected or anticipated to do so" (Isin 2008: 17).

The question of how border crossers come to be recognized as rights-worthy animates our examination of cities of refuge and sanctuary cities. Our analytic approach to examining the transformative potential of sanctuary cities in the US and cities of refuge in Spain engages two provocative but underdeveloped strands within the literature on bordering. First, we consider Mezzadra and Neilson's (2013) theoretical insights about how to forge political unity across differences in the contemporary moment. Second, we examine theoretical claims that cities in the West are places of strategic importance for border struggles, citizenship performances, and rescaling the politics of migration.

On Political Unity: Challenging the Borders of Citizenship

Because the proliferation of bordering and the multiplication of citizenship heighten social divisions and inequalities, it is crucial to consider how and where political unity can be achieved at this historic moment. In their groundbreaking book *Border as Method, Or, On the Multiplication of Labor*, which examines the powerful forces creating contemporary social divides, Mezzadra and Neilson (2013: 98) asked the crucially

important question "how can workers of the world unite?"—they answered by "emphasizing the subjective, which is to say, the political dimension of the concept of class." Mezzadra and Neilson (2013) view borders as disciplinary strategies and socializing mechanisms for ensuring the national—and increasingly the global—reproduction of labor. At the same time, their scholarship and the work of many other border scholars highlight the instability of borders and identities—and the way they shift and change. As Mezzadra and Neilson (2013) write:

> It is necessary to take this multiplicity into account if the workers of the world are to collectively reimagine and materially construct their unity. This means renegotiating a whole series of splits and divisions that cross the bodies and souls of individual workers and invest the traditional separation between skilled and unskilled labor, manual and mental labor, and processes of ethnicization and illegalization that contribute to the composition of living labor. Shaking free from the chains of capital today requires an explicit *act of refusal.* (Mezzadra and Neilson 2013: 122 [emphasis added])

Examining "acts of refusal"—moments when people refuse national mandates to be divided (e.g., into "citizens" and "irregular migrants")—can provide a valuable perspective on how political unity can be achieved across socially constructed divides. As we elaborate below, both Spanish cities of refuge and US sanctuary cities can accurately be viewed as such "acts of refusal."

Mezzadra and Neilson (2013: 197) further argue that bordering today involves an assemblage of power—what they referred to as the "machine of sovereignty"—that operates across many scales to structure available choices; as they wrote, "More and more the state is compelled to negotiate its power with local, transnational, international, and global agents of power as well as with sources of law." For political unity to be achieved among people who are differently situated as citizens and as workers, there is a need to find strategies that can work across these scales to translate differences into commonalities; that is, it is necessary to address "the problem of how a new conception of the common might be forged by practices of translation between different struggles" (Mezzadra and Neilson 2013: 24). An essential political project in creating the common is "to refuse the idea of positioning itself within existing bounded institutional spaces and to look for the necessary production of new political spaces" (Mezzadra and Neilson 2013: 303).

Importantly, border crossers and their allies can produce these new political spaces. Isin (2008: 37) argued that "acts of citizenship," which are "those acts that produce citizens and their others," can facilitate such political openings. Acts of citizenship are "collective or individual deeds that rupture social-historical patterns" (Isin and Nielsen 2008: 2). Acts of citizenship unsettle the categories of both the "citizen" and the "irregular migrant" by contesting and politicizing the laws that constitute citizenship.

The performance of citizenship produces an aesthetic of citizenship as political. Nyers (2008: 164) argued that an "undertheorized" aspect of political community is that it "is also an aesthetic community . . . it involves a framing of the given, of what can be perceived and seen, heard and heeded." Activism by and on behalf of migrants gives voice to the voiceless and makes the invisible visible:

> When speechless victims begin to speak about the politics of protection, they put the political into question. This is what makes "No one is illegal" such a radical proclamation. Our received traditions of the political *require* that some human beings be "illegal." To say that no human is illegal is to call into question the entire architecture of sovereignty, all its borders, locks, doors, and internal hierarchies. (Nyers 2010: 439)

As will be discussed below, sanctuary cities and cities of refuge might be viewed as collective citizenship performances that create both the reality and an aesthetic of political unity and of the common.

On the Power of the Local: Challenging the National and the Global

As a result of neoliberal globalization, transformations within Western nation-states have created the conditions for some kinds of political power to be effectively exercised at other scales. Gambetti and Godoy-Anativia (2013) astutely observed that "Today, neoliberalism appears to devolve onto civil society the powers initially transferred to the state," and given these dynamics, "The neoliberal agenda of 'rolling back the state' cannot but set free alternative social forces" (2013: 8). Among these new "alternative social forces" are new opportunities and openings for the exercise of political power by ordinary people at the local level.

Given the democratic deficit that is being experienced in many Western nations, a growing number of scholars have argued that cities hold promise as spaces that can accommodate and facilitate democratic change; rights acquisition; and the promotion of collective, public-oriented objectives (Varsanyi 2010). As Connor (2015) writes:

> Cities as associations are capable of institutionalizing oppositional politics, particularly if groups that constitute minorities in a national or state context exercise substantial power in local governments. This 'dissent by decision' allows the inhabitants of a city to exercise democratic power by articulating narratives of municipal identity in opposition to regional, state, or national political narratives. Since demonstrations and activity by citizens, noncitizens, and others with or without the franchise can impact positions taken, decisions made, and pronouncements expressed by cities, municipal power can help establish more inclusive forms of political community at the local level. Even those excluded from national citizenship may nonetheless be bound to a public identity, most dramatically in the case of 'sanctuary cities.' (Connor 2015: 22)

Indeed, as Bauder (2017: 181) has pointed out, "urban sanctuary initiatives can be interpreted as the attempt to rescale migration and refugee policies and practices from national to urban scales."

In the section that follows, we draw on the theoretical insights explored thus far to examine whether and how US sanctuary cities and Spain's cities of refuge forge political unity and utilize local power to rescale migration politics downward to the local level as well as upward to the global scale.

Transforming Borders from Below

We systematically examined recent scholarly literature, empirical research, and reputable news sources about sanctuary cities in the US and cities of refuge in Spain, with a specific focus on the dynamics that lead to and result from the designation of a locale as a city of refuge or sanctuary. Our goal was not to provide detailed histories or case studies of specific cities; instead, we examined the extant literature and research on such cities in two comparative contexts to specifically investigate what is known about their potential to facilitate political unity and utilize local power to rescale the politics of mobility. Here we turn to an analysis of whether and how sanctuary city and city-of-refuge designations affect political unity and amplify the power of the local.

United States

The research evidence suggests that the process of designating a city as sanctuary or welcoming is both reflective of and constitutive of political unity. As we will detail, existing research in the US context has found that the development of sanctuary and welcoming designations is linked to political unity within already existing organizations, often a consequence of opposition to political and policy turns, and productive of political unity by creating a safe space and offering capacity-building skills for migrants to act politically in interaction with potential allies. Here we elaborate on these important research findings.

Existing organizations have been important in initiating and building support for sanctuary and welcoming cities in the US. In their extensive research on local immigration policy-making in the US, Steil and Vasi

(2014: 1104) argued that "the adoption of pro-immigrant (proactive) ordinances was facilitated by the presence of immigrant community organizations and of sympathetic local political allies." Delgado (2018: 141) came to the same conclusion and argued that "a network of partnerships between individuals, organizations, and elected officials has been identified as essential to advancing a progressive and social justice agenda targeting immigrant rights." Importantly, many organizations enhance the ability of migrants and allies to engage in citizenship performances by offering capacity-building skills. As Delgado (2018: 141) put it, "Sanctuary organizations provide critical space for the education of activists and the planning of resistance actions that can go beyond those who are unauthorized, encompassing other marginalized groups and thereby serving a critical focal point in neighborhoods." Organizations mobilize a variety of resources to shape policies and practices affecting migrants, from protest politics to litigation (Steil and Vasi 2014). The decision to work toward sanctuary and welcoming city designations reflects already existing political unity to achieve a common goal. Research suggests that some cities are more likely to become sanctuary or welcoming cities than others. In a major study focused on the US, Huang and Liu (2018: 3) found that "cities that have a more educated, diverse, and liberal population, are more economically troubled but fiscally sound, are more likely to become welcoming cities" but, importantly, they too highlighted the crucial role played by organizations when they noted that "The Welcoming America as an umbrella organization also plays an important role in facilitating the welcoming movement."

In the US context, research has evidenced that the creation of a sanctuary city requires leadership, but the mobilization of ordinary people is also a critical component. While the sanctuary designation was sometimes initiated by mayors, city councils, and others in leadership positions (sometimes in pursuit of the public good but also, in some cases, in pursuit of self-interest and political ambition), research has found that "this movement is not possible without 'ordinary' residents" indeed, "'ordinary' people doing 'ordinary' things can result in 'extraordinary' changes with communities" (Delgado 2018: 184–185).

Interestingly, as cities have adopted sanctuary designations and extended hospitality and rights to migrants, they have produced an "aesthetics of citizenship as political" that has served as a model for other organizational entities. In the US, the term "sanctuary" has been applied to schools, libraries, universities and colleges, restaurants, and even urban transportation systems (Delgado 2018).

In the US, sanctuary city policies have often been forged out of opposition to national political turns and policies. Political unity is produced when people join together to engage in oppositional politics. As noted earlier, over the last decade, the federal government's approach to immigration has become ever more focused on social and legal exclusion (Chacón 2017), a tendency that accelerated under the Trump administration. In the wake of the 2016 presidential election and Trump's strong anti-immigration position, interest in sanctuary cities was significantly heightened: "Following the election, mayors, police chiefs, and other local officials . . . came forward to denounce Trump's vision of mass deportation. They made clear that 'sanctuary' was necessary to prevent irreparable harm to their communities" (Lasch et al. 2018: 5–6). After the election of Trump, the number of sanctuary cities increased by two-thirds (Henderson 2018). Many scholars argue that much of the recent drive to create sanctuary cities in the US has also been a collective reaction to the federal government's abysmal failure to enact comprehensive immigration reform (Rodriguez, McDaniel, and Ahebee 2018).

It is interesting to note that some of the specific measures closely associated with sanctuary and welcoming cities also facilitate political unity and social inclusion while actively forestalling social exclusion. In contrast to earlier sanctuary city initiatives in the US, which focused on providing services to meet the basic needs of migrants, contemporary measures more often "encourage receptivity and integration of immigrant communities" (Rodriguez, McDaniel, and Ahebee 2018: 348–9).

Research on sanctuary and welcoming cities within the US indicates that such designations have rescaled key aspects of the crimmigration regime. Sanctuary and welcoming cities shift discretionary decision-making about migration laws and policies from a national to a local scale. Importantly, the policies enacted

by sanctuary and welcoming cities can reduce the adverse effects of harsh national enforcement strategies. In the US:

> localities' refusal to collaborate with ICE [Immigration and Customs Enforcement] can blunt the force of its deportation regime. Indeed, in the US this is the central force and the logic driving the sanctuary movement among the cities, counties, and states that have passed policies affirming their commitment to immigrants and non-cooperation with ICE. (Paik 2017: 8)

It is evident that sanctuary and welcoming cities pose a genuine threat to efforts by nation-states to heighten bordering and social exclusion. Indeed, the Trump administration aggressively moved to challenge sanctuary cities by threatening the loss of federal funds to any jurisdiction that claimed a sanctuary city designation, although a federal court has since barred such actions, arguing that the executive branch does not have the authority to withhold funds (Goelzhauser and Konisky 2019).

In the US, the sanctuary city designation has also scaled up migration discourses and policies to the global level. Local efforts to resist national policies strategically utilize international human-rights discourses that explicitly "jump-scale" by forgoing national definitions to link local efforts to the global scale. As Loyd (2012) emphasizes in her research on Tucson, Arizona, sanctuary cities seek to build "human rights zones." Often in contradiction to national pressure to socially exclude migrants by restricting the rights associated with citizenship, some sanctuary cities have facilitated the provision of substantive "human rights"; the range of assistance provided includes housing support, facilitating language acquisition and education, vocational training and credentialing, and networking (Delgado 2018; Paik 2017). Delgado (2018: 33) has argued that "The designation, and the political support and services that it brings, has international consequences because of the message it sends to the countries from which the unauthorized come to the United States and also the message of compassion it sends to the rest of the world and whether or not this nation can be a beacon of light in a stormy sea." In sanctuary cities in the US, alliances are formed between those with legal documentation and those without, both amplifying and producing political unity in the process.

Spain

In Spain, welcoming city designations have focused primarily on refugees (rather than the more amplified embrace of migrants characterized by sanctuary city designations in the US), yet there are still important parallels between these designations with respect to questions of political unity and the power of the local. The extant research on the origins of city-of-refuge initiatives in Spain has also emphasized the important role of already existing political unity, especially via migrant and social justice organizations and social movements as well as oppositional politics (Fernández-Suárez and Espiñeira 2021; Garcés-Mascareñas and Gebhardt 2020).

As is true in the US context, research indicates that city-of-refuge designations in Spain reflect and amplify political unity. The presence of politically organized groups, particularly the growing influence of new grassroots left-wing political parties, has facilitated local welcoming initiatives. As Alcalde and Portos (2018: 164) wrote, "In the last few years, various Podemos-backed local governments have launched the 'cities of change' network of municipalities in Spain. Most of them have participated in launching the 'Refugees Welcome' initiative." They argue that while the leadership and influence of Podemos have been important at the discursive level, to go beyond discourse and enact meaningful change also requires an engaged populace.

The specific character of city-level measures and mobilizing in Spain has also amplified and produced political unity. Alcalde and Portos (2018) wrote that "While some of the solidarity groups have traditionally focused on direct help . . . and raising social awareness . . . more recent—grassroots— initiatives emphasise refugees' empowerment and organize contentious activities" (2018: 165). As is true

in the US, the prioritization of skill development and capacity building has been important for furthering social change efforts around migrant rights at the local level.

Similar to the US, as city-of-refuge designations were adopted by cities in Spain, other organizational entities expressed support for their efforts, amplifying the aesthetics of citizenship as political. In numerous cities (e.g., Barcelona, Malaga, and Marbella), families offered to add their names to lists of those willing to house refugees, and even sports teams joined the cause, typically by donating monies or a portion of ticket sales to welcoming efforts (e.g., Real Madrid and Real Betis) (Dao 2015).

The existing research on cities of refuge in Spain also reveals scalar influences. Dissatisfaction with the national government's handling of the 2015 refugee crisis led to city council and citizen mobilization in many cities across Spain, "scaling down" both discourse about refugees and policy approaches to the local level. These local efforts also worked to "scale up" the debate and policy solutions by drawing on human rights framings to justify the local provision of support and services to migrants. By using human rights framings, some cities provided important, substantive, material human rights to refugees. New discourses about migrants and refugees have been important for altering public consciousness and also for scale-jumping from the local level to the global level; such "narratives can build bridges within communities, nationally, and internationally, creating opportunities for shared efforts at addressing the rights of the undocumented" (Delgado 2018: 196).

Barcelona has played an especially important role in these "scale-jumping" efforts: "The city has advocated on the international stage for illegalized migrants and refugees, stressing the role cities play in this respect" (Bauder and Gonzalez 2018: 127) and "has developed a determination to scale up solidarity and connect different cities" (Agustín and Jørgensen 2019: 204). Such efforts have been effective for resisting and influencing policies at the EU level. Barcelona, along with several other European cities, were founding members of the "Solidary Cities" initiative, "a city-to-city mechanism of solidarity, consisting of mutual help and city pledges for the relocation of refugees" (Garcés-Mascareñas and Gebhardt 2020: 9) in obvious contrast to crimmigration trends emerging in both Spain and Europe.

Despite the flurry of welcoming city initiatives that emerged in Spain in the wake of the 2015 refugee crisis, the political unity forged in response to the crisis does not appear to have led to significant long-term policy changes at the national level; instead, as Fernández-Bessa (2019: 13) noted, the cooptation of human rights discourse by the Spanish nation-state "has helped to facilitate a managerial reorganization and logistical improvement of border control devices which have rendered restrictive national policies more efficient." While cities effectively utilized the city-of-refuge designation to push back against the national government, fostering political unity and power at the local level, this has not necessarily translated into improved reception for refugees who are sometimes "forced to sleep on the street to request asylum" (Peinado 2018). In addition, the multiscalar factors that provided the conditions for the surge of cities of refuge in Spain have changed, and there are now significant countertrends challenging welcoming policies across Europe. Unfortunately, there is "a growing tendency across the EU to criminalize and even prosecute the organizations and individuals who work with undocumented, or so-called 'illegal' people, including social workers, teachers, health workers, and even human rights lawyers. Yet, the 'cities of sanctuary movement' is a much-needed and healthy anecdote to this creeping criminalization" (Hintjens and Pouri 2014: 223).

From Local to Global: Bridging Differences and Scalar Divides

The creation of sanctuary cities and cities of refuge is not a panacea; at the same time, such designations have the potential to create important transformation from below, as revealed by the analysis provided here. Sanctuary cities and cities of refuge reflect and forge political unity by drawing on the strength of existing organizations and reflecting collective action that bridges the socially constructed divide between citizens and migrants. Our analysis is consistent with Kuge's (2020: 53) view that "A sanctuary city is not a fixed status to be achieved, but rather a process of political and social negotiation brought about by

everyday 'acts of citizenship' of individuals and grassroots movements." Importantly, they also create an aesthetic of citizenship and a translational common that transforms the borders of our imagination about migrants as rights-worthy. As Chacón (2014: 765–6) put it, "while a good deal of immigrants' rights activism focuses on the vindication of formal legal rights, rights still often have to be willed into existence through concerted legal activism that focuses on appeals to fairness rather than on formal legality." As we know from the history of other political struggles for rights, tactics that make the impossible seem possible are especially important for fostering rights acquisition and creating social change.

As we have evidenced, cities of refuge and sanctuary also amplify local power and have important scalar effects. Cities that adopt such designations are challenging the exclusive power of nation-states to create the borders of citizenship and the boundaries of inclusion. In addition to fostering unity and inclusion, such cities typically also develop policies designed to halt exclusion by interrupting, stalling, and circumventing repressive enforcement tactics. Not only do such policies contest national limitations on citizenship and barriers to human rights, but they also connect the local to the global scale via city networking and by employing international human-rights discourses to extend substantive protections.

Of course, the development of cities of refuge and sanctuary cities also comes with risks. If the power of the local can be used by progressive forces, it can also be used by those opposed to immigration, as is evident with the rise of local anti-immigrant initiatives in the US and Europe. In the current polarized political context within the US, scalar battles between the nation, states, and cities around immigration have become increasingly commonplace (Goelzhauser and Konisky 2019), a trend that is also evident in Spain, both within the country and vis-a-vis the EU (Brandariz and Fernández-Bessa 2020). In addition, some have noted the tendency of sanctuary cities to create a divide between "worthy" migrants and those who are framed as "unworthy" (typically those with a criminal record), as well as the failure to address the diversity that exists among border crossers (Vásquez-Roa 2018). Political unity is not an inevitable outcome of cities-of-refuge and sanctuary designations; for example, in research on pro-migrant policies in Barcelona and Madrid, Fernández-Suárez and Espiñeira (2021) examine some of the local tensions that emerged following the development of pro-migrant policies, noting that some policies had unintended consequences that created divisions among local social movement actors. Some have pointed out that city-level designations do not fundamentally transform the structural location of migrants within the political economy (Hintjens and Pouri 2014: 220), and further, "certain aspects of bordering, such as deportability and crimmigration policies, can hardly be deconstructed at the local level" (Fernández-Bessa 2019: 15). At the same time, as this analysis has shown, it is possible that the political unity and scalar transformations that are facilitated by sanctuary cities and cities of refuge can create political openings that can hasten such structural changes in the long run.

While these important limitations warrant serious consideration and further research, our analysis of cities of refuge and sanctuary cities suggests that their contribution to social democracy goes beyond the symbolic. Such designations are valuable tactics for amplifying and forging political unity at the local level around the idea that all people are rights-worthy. As Bauder and Gonzalez (2018) have argued, "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" (2018: 125). The analysis provided here highlights cities as increasingly important sites of democratic power in a globalizing world where national polities in the West are ever more dominated by the discretionary decisions of the executive branch, which is far too influenced by monied and corporate interests who prioritize profit over the welfare of ordinary people. Ordinary people within cities have the potential to challenge repressive national migration policies and to scale up repertoires of action to the global level—from below. In the words of Çağlar and Schiller (2011), "Rescaling efforts, which stimulate local governments to stand with their migrant populations and against national populations, illustrate the contradictions and potentials for struggle that have been generated as part of neoliberal restructuring" (2011: 18). Examining the development and impact of cities of refuge and sanctuary across two different national contexts highlights their strategic utility for amplifying and producing unity, as well as for

rescaling migration debates to increase both local-level power and reliance on international human-rights discourses to reframe mobility as a human right and border crossers everywhere as worthy of support and protection.

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[1] For more on this theme, see Wonders (2015) and the 2019 special issue of *Theoretical Criminology* (Vol. 23, Issue 2) on "Transforming borders from below: Theory and research from across the globe."

[2] "Sanctuary" is a very old idea with a very long history; here, we focus on recent usage of the designation, but for a detailed history, see Bauder (2017) and Delgado (2018).

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