

Sanctuary in houses of worship has always been tenuous

It's a practice marked by promise and difficulty—both in the Bible and today.

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On Inauguration Day, the Trump administration altered existing Immigration and Customs Enforcement policy to allow arrests to be made in “sensitive locations” such as houses of worship. Since that change, much attention has been given to an ancient practice with modern impact: sanctuary.

Two distinct practices of sanctuary took root in American religious life in the last few decades, [each as a form of protest](#). The first was in the 1980s, when the Reagan administration denied asylum claims for people from countries ruled by US-backed regimes. The second, which I’m part of, emerged about a decade ago in protest of US immigration policy. They were unequivocally successful, changing the legal landscape with [ABC v Thornburgh](#) and establishing a legacy of sanctuary cities and campuses that continues today.

Both the sanctuary movement of the 1980s and the new sanctuary movement of the 2010s housed people in houses of worship and gave them a platform to speak about their situation—a strategy they derived from the Hebrew Bible. Mosaic law prescribes sanctuary cities for those guilty of accidental manslaughter as a sort of forbearance of revenge. But the biblical tradition most directly connected to present-day practice is altar sanctuary. Looking at this tradition in the Hebrew Bible can tell us something about the strengths and weaknesses of sanctuary today.

The biblical material on altar sanctuary is anchored by two stories in 1 Kings. Each tells of someone who grasps “the horns of the altar” in the tabernacle and pleads for mercy—an act that requires the king to at least carefully consider the plea. In the first story, Adonijah is given a reprieve by his brother, King Solomon (1:50–53). In the second, Joab’s plea is unsuccessful (2:28–34).

It is the latter story that has the most relevance to our present moment. Joab has gotten tied up in the power struggles between King David’s sons, supporting Adonijah over the eventual victor, Solomon. If that’s not enough, earlier Joab killed another of David’s sons, Absalom, during a civil war (2 Sam. 18:9–15), and he murdered Abner and Amasa, both rivals for Joab’s role as commander of David’s army (3:26–27; 20:7–10). On his deathbed, David made Solomon swear vengeance upon Joab for the latter killings (1 Kings 2:5–6). Joab soon seeks sanctuary:

Joab fled to the tent of the Lord and grasped the horns of the altar. When it was told King Solomon, “Joab has fled to the tent of the Lord and now is beside the altar,” Solomon sent Benaiah son of Jehoiada, saying, “Go, strike him down.” So Benaiah came to the tent of the Lord and said to him, “The king commands, ‘Come out.’” But he said, “No, I will die here.” Then Benaiah brought the king word again, saying, “Thus said Joab, and thus he answered me.” The king replied to him, “Do as he has said, strike him down and bury him; and thus take away from me and from my father’s house the guilt for the blood that Joab shed without cause. (1 Kings 2:29-31)

This story of sanctuary’s failure captures both the practice’s promise and its difficulty. The story features an abuse of power by a monarch, who has sworn himself to revenge and will stop at nothing to kill his enemy. Joab is not blameless—but by laying hold of the altar and invoking sanctuary, he is claiming a special protection. In effect, Joab is saying he is not guilty of the crime that Solomon seeks his blood for, a claim that ought to be considered. But Solomon has closed his heart to considering this option, and he ignores Joab’s sanctuary claim.

To be sure, the connection between this tale and present-day sanctuary efforts becomes more tenuous when one considers that Joab is a criminal, while [those now fearing deportation are less likely to be wanted for a crime than the average American is](#). Still, the connection is real. President Trump’s abrogation of the protections for houses of worship promises to allow just the same thirst for revenge to spread into churches. He has long made immigrants, documented and undocumented alike, the target of his ire. During his campaign, [he encouraged chants from the crowd of “send them back”](#)—targeting Haitian refugees who are here legally—and this January [he moved swiftly to end temporary protected status for 350,000 Venezuelans](#) in this country. For many, sanctuary has never felt more tenuous. But the reality is that it has always been this way: dependent on those in power respecting the sanctity of holy space.

The ancient tradition of sanctuary went on to give rise to a formal system in the Middle Ages, by which people could be protected for a limited period of time within the doors of a sanctuary. This system appears in Victor Hugo’s *The Hunchback of Notre Dame*, in which Quasimodo cries, “Sanctuary! Sanctuary!” Modern sanctuary movements have made use of both the biblical and the medieval models to push

back against policies they have found to be immoral.

Despite its long history, sanctuary enjoys few legal protections. There is no law that says religious spaces are in any way different from your local Starbucks. However, the federal government has long been loath to interfere in such spaces due to the First Amendment. The most common question I get asked about sanctuary is whether it is legal, and my answer is always a resounding “maybe.” The fact is that until there is a case that makes it to the Supreme Court, there is not a good answer to this question. Some activists were prosecuted in the 1980s, but the results were a public relations disaster for the Reagan administration, so there have not been many subsequent rulings. Attempts to legalize sanctuary activism have all relied on the free exercise of religion clause found in the First Amendment.

ICE’s change to its longstanding sensitive locations policy makes the claim that religious spaces are not special zones free from enforcement. But its real intent is to spread fear—an effort that appears to be having some success. Some [would-be sanctuary churches are backing away from activism](#) that they might otherwise feel called to, fearing that their nonprofit status might be in jeopardy—or fearing for the safety of their congregation.

And yet, despite these shifts in the enforcement landscape, sanctuary continues to enjoy a power all its own. Religious spaces, after all, continue to hold significance. For Christians in eucharistic traditions, the space around the altar is hallowed by the very presence of God—and even lower-church Protestants like me would argue that the physical space of our sanctuary is holy because it has been set apart and consecrated for our communal life. Religious spaces also hold what we might call sociological holiness: the social capital borne of centuries of theological claims about the sanctity of church space.

Whatever the source, Christians agree that the place where we worship is imbued with sanctity and ought to be protected from incursion. In the Middle Ages, that looked like barring weapons from being brought into the church; there were even special structures built to hold the surrendered weapons. Today, many Christians would see an ICE arrest in a church as profaning one of the holiest spaces imaginable. Indeed, if there is anything that is likely to stay Trump’s hand, it is the recognition that such actions are likely to be widely condemned precisely because sociological holiness lingers even where its theological roots have been either denied or forgotten.

The same can be said of many bedrocks of our international and federal legal frameworks. The international charter of human rights rests on a theological backbone: the idea that we are all imbued with dignity by virtue of our creation in the image of God. The UN 1951 Refugee Convention and later documents are more explicit, providing protections for refugees from persecution using the same language as the biblical model and requiring that refugees and asylum seekers be in fear of their life in order to seek protection. This reliance on fear has been one of the sticking points of sanctuary activism over the decades, the documentation of fear leading some activists to see themselves as better enforcement agents than even the government.

The Trump administration's rescission of the sensitive locations policy was intended to throw the new sanctuary movement off guard, creating a climate of fear among activists who would normally seek to stand up to the administration's targeting of immigrants. But as a sanctuary scholar and activist, I think he overestimated the effect of such an action. He may have even overplayed his hand.

Several churches have proclaimed themselves sanctuaries for those fearing deportation during Trump's second term. They have considered the new legal landscape and responded by redoubling their commitment to undocumented and documented immigrants. They do so because there exist higher laws than ICE memos. In doing so, they claim to be following God's law to protect the vulnerable.

One of these churches is the one I pastor. When I led it to declare itself a sanctuary church, I didn't do this because it was safe or self-evidently legal. I did it because the Christian tradition teaches that what we do or fail to do for the most vulnerable in our midst is what we do or fail to do for God. That's why I think it is unlikely that a change to ICE policy will shape the calculus of those committed, like I am, to the sanctuary movement. At the end of the day, it comes down to the fact that I would not let Jesus get deported, and I cannot let the same happen to those who I believe this administration is targeting for cruelty's sake.

Martin Luther King Jr. put it best in *Letter from Birmingham Jail*: "One has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws." One of the delightful things about King's argument is how he makes it clear that this idea is not new. It is built on the claims found throughout scripture, particularly in the Hebrew Bible, that decry unjust laws and those who enforce them, as well as on ancient Christian thought. King even

quotes Augustine's statement in *On the Free Choice of the Will* that "an unjust law is no law at all."

Unjust laws cannot command obedience. The fact that this idea is not a new one is what makes it perhaps the sanctuary movement's greatest strength. Nourished by centuries of natural law thinkers and theologians, this theme can be found everywhere from the works of Thomas Jefferson and Henry David Thoreau to the US military's recognition that only lawful orders can be obeyed by soldiers. It is deeply ingrained.

ICE changed its sensitive locations policy in order to undermine the sanctuary movement. But by making such a move a priority—on Trump's first day back in office—it also clearly communicated that sanctuary has an impact. The number of people who could be shielded in sanctuary churches is vanishingly small, so this decision cannot be about the numbers. It's about the spiritual power of sanctuary as a practice. That power comes from both theological sources and sociological ones, an ancient practice that finds new meaning in the present—and these twin sources of sanctuary's power make it difficult to do away with through a mere change in policy. Sanctuary, like it or not, is here to stay.