

Amanda Harris
UU Fellowship of the Eastern Slopes
December 8, 2019

Real and Imagined Immigrants

READING: “Second Attempt Crossing” by Javier Zamora
For Chino

In the middle of that desert that didn't look like sand
and sand only,
in the middle of those acacias, whiptails, and coyotes, someone yelled
“¡La Migra!” and everyone ran.
In that dried creek where 40 of us slept, we turned to each other
and you flew from my side in the dirt.

Black-throated sparrows and dawn
hitting the tops of mesquites,
beautifully. Against the herd of legs,

you sprinted back toward me,
I jumped on your shoulders,
and we ran from the white trucks. It was then the gun
ready to press its index.

I said, “freeze, Chino, ¡para por favor!”

So I wouldn't touch their legs that kicked you,
you pushed me under your chest,
and I've never thanked you.

Beautiful Chino —

the only name I know to call you by —
farewell your tattooed chest:
the M, the S, the 13. Farewell
the phone number you gave me
when you went east to Virginia,
and I went west to San Francisco.

You called twice a month,
then your cousin said the gang you ran from
in San Salvador
found you in Alexandria. Farewell
your brown arms that shielded me then,
that shield me now, from La Migra.

SERMON:

Good morning! Bienviendo, Bonjour, Saabaidee, Sak-passe, Swassdii-ka, Salaam-alaykum!

These are some of the languages that make America beautiful. Spanish, French, Lao, Hatian Creole, Thai, Arabic. They are also some of the languages I hear in the Executive Office for Immigration Review, the proper name for the administrative court that handles all deportations.

I am a fairly new attendee at UUFES, so by way of brief introduction, I am Amanda Harris, and I am an immigration attorney. I specialize in removal defense, which necessarily means, I do a lot of asylum work. I do not profess to be a qualified spiritual guide for this sermon, so instead, I hope to convey a little of the procedural and practical reality of the modern immigrant's experience, specifically, people fleeing violence and poverty. I believe that this is a community of compassionate kindred spirits, who believe in the seven principals of the Unitarian Universalist community. I won't try to inspire sadness, but instead, empower you as advocates.

There's a lot of talk of walls these days. I can't help but roll my eyes. Because the wall is in place, and it has been for essentially seventy years, although the first real wall went up in 1882 with the Chinese Exclusion Act.

On one side of the wall, there's immigration with prior permission. In college, I had an amazing opportunity to spend a few months working with the International Rescue Committee in Atlanta, Georgia, helping to resettle refugees. To be a refugee, you must have fled your country, gone to the United Nations Human Rights Commission, submitted an application, presented evidence, been interviewed at least once, received UN approval, entered a lottery of sorts with countries accepting refugees, and finally, be issued a visa. The process generally takes years, and only occurs if a country near your homeland has a UNHCR refugee acceptance facility, or refugee camp.

My boss, Adeeba Suileman, an Iraqi Kurdish Christian who had been accepted as a refugee in the 1980s, would greet every single family and individual who arrived at the Atlanta Hartsfield Airport, no matter what time they came. It was her wide sparkling smile that would tell each family, from Liberia, Somalia, Russia, Vietnam, Colombia, from anywhere, that they were now home. I looked for a photo of her online, because I don't trust my words to convey the beauty of her smile. Unfortunately, she lives a private life, so you'll have to trust me when I say, it would warm your weary heart too.

As an intern, it was my job to make sure the utilities and apartment leases were sorted, that each family had vouchers to use at the organization's thrift store, and that the children were settled in schools. I listened to middle-aged men, dressed in hand-me-down suits, who refused to accept employment at the local farmer's market, because they had been government officials, professors, and important men in a past life. I explained social security, employment authorization documents, and fair labor practices to women employed outside the home for the first time, and I counseled them on opening their own bank accounts when their husbands squandered their pay. I comforted teenagers who were bullied at school for being from the

jungle. I explained to teachers why their 1st grader smelled like goats, and explained to the grandmother caring for her only surviving grandchild that we use lotion, not lard.

As an immigration attorney, I saw the other side of the wall. The side offered to people without a United Nations refugee camp in or near their homeland. The side available to people who do not have family members who can petition for them, who do not have advanced degrees in professions that are qualified to immigrate, or who do not know if they will live long enough to try another way. For them, there are two general ways in: a non-immigrant visa if they are lucky, or, if they're less lucky, the desert. These are the people you've seen on the local news. The people who filled the convention center in Portland, Maine this summer. The people we are blocking with an 11-foot wall.

I want to pause here, and get a little legal. Everyone in this room came from immigrants. Perhaps you yourself immigrated. And a little voice wants to know, "Why can't they do it the right way? Why can't they wait in line? My family came the right way, they should too."

I understand that voice. My family too came the "right way." Many of my ancestors came without choice or visas, a bill of sale sufficient for their passage. My mother's family was blessed to have every member of the 8-person family survive on a "coffin ship" from Ireland. They did it the right way. But that's the thing. When my ancestors, and probably many of your ancestors came, they too were seeking freedom from oppression. They may have been starving, facing a complete lack of economic opportunity, violent governments, pogroms, or any manner of threat to life and safety, to use the statutory language for asylum. However, there was virtually no immigration law until 1952. Safe for laws intended to keep out Chinese and Mexican labor, the only restrictions entry began in 1882, and only "idiots, lunatics, convictions, and persons likely to become a public charge" were prohibited from entry. And even those people could find a waiver of sorts. At the emblematic Ellis Island, 14.5 million immigrants were welcomed between 1900 and 1920. They disembarked from their boats, were physically inspected, a record was entered, and they were permitted into the United States. The process required a literal wait in line, which generally lasted several hours.

Our current system began in 1952, and while it has been modified, the general principal remains the same. You can only enter the United States as an Immigrant – meaning, you plan to stay, if you have a qualified family member, a qualified employer who can't find a single American who can do the same job, or for a very few, you meet the strict humanitarian goals. There is a small program for "diversity" to increase immigrant numbers from countries with very few immigrants. To be clear, this means, if you do not have a spouse, parent, or child over age 21 who can petition for you, you have very little chance of coming. If you have a sibling, you may get a visa in 12 years. If you are from Mexico or the Philippines, it can be up to 23 years of waiting.

In order for most of the border-crossing people to stay, they will have to qualify for asylum, which is to be a qualified as a refugee after arrival. They have to prove that they have been persecuted – an extreme concept. That the persecutor was their government. Or, if not the government, someone the government absolutely cannot or will not control—if there is any government effort to stop them, any sign, then you cannot qualify. You have to prove that there

is NO PLACE you can ever be safe in your home country. And after all that, you have to prove that the reason all this happened to you was a protected ground: race, nationality, religion, political opinion, or particular social group.

For the vast majority of these people, they have not been harmed because of their race, religion, nationality, or political opinion. Their only hope is “particular social group,” a protected ground that has been completely under attack under this administration, and barely fared better under the past several. It has never been an easy task, but at this point, someone must prove that they were harmed because something about them, a specific characteristic, was immutable (unchangeable), particular, and socially distinct within their community. I want you to take a moment and consider, if you were asked “what particular social group do you belong to,” how would you answer?

Pause

Now imagine that you are in a holding cell that is 60 degrees. You are wearing ripped jeans, flip flops, and a dirty shirt. You don’t understand the person’s accent. You are thirsty, so thirsty, and someone gave you a dry bread thing with some yellow plastic and some chewy kind of meat this morning, and it made your stomach turn. You don’t know where your son is. The coyote who brought you here warned you that if you answer the questions by La Migra wrong you’ll be sent back to Juarez, and he’ll take his payment for the second crossing, but not in cash. If you were asked “what particular social group do you belong to,” how would you answer?

Pause

In 2018, there were 64,974 applications for asylum. Of those, 42,224 were made before a judge, the rest were made to the asylum office. Only 35% were granted. Of the applicants in court, only 1.4% failed to appear; 98.6 percent went to trial asking for asylum. Only 23.5% of applications from El Salvador were granted, only 21.2% from Honduras, 18.8% from Guatemala, and only 14.5% from Mexico were granted. Over the last two years, the Attorney General has issued decisions finding that victims of domestic violence do not qualify for asylum, people fleeing gang violence do not qualify for asylum, and the government has denied people a chance to apply for asylum and begun deporting asylum seekers to other countries without hearing their claims.

This is not the immigration system of your ancestors.

- 1st Principle: The inherent worth and dignity of every person;
- 2nd Principle: Justice, equity and compassion in human relations;
- 3rd Principle: Acceptance of one another and encouragement to spiritual growth in our congregations;
- 4th Principle: A free and responsible search for truth and meaning;
- 5th Principle: The right of conscience and the use of the democratic process within our congregations and in society at large;
- 6th Principle: The goal of world community with peace, liberty, and justice for all;
- 7th Principle: Respect for the interdependent web of all existence of which we are a part.