

First Unitarian Universalist Society of Albany, New York  
**“Borders, Documents, Immigration and Human Rights”**

Rev. Samuel A. Trumbore September 18, 2011

**Call to Celebration**

Josseline Hernandez, age 14, shivered as she stepped over the stones and ducked under the low mesquite trees. She pulled her two jackets closer in the cold. She was wearing everything that she had brought with her from home, more than 2,000 miles away, in Guatemala.

Now, she was in Arizona, land of heat and sun, but on this late January day in 2008, it was cold and damp. The temperature was in the 50s, and the night before it had dropped into the low 30s. A winter rain had fallen, and the desert path was slippery.

Her parents had paid many thousands of dollars to a smuggler, know as a coyote, to bring Josseline and her 10-year-old brother across the border. So far, everything had gone according to plan. They had slipped over the border and had already spent two days picking their way through this strange hilly desert.

The coyote insisted on a fast pace. They had already travelled almost 20 miles, and had another 20 miles to go to meet their ride on Interstate 19.

She tried to keep up with the group. But by the time they got to Cedar Canyon, she was lagging. Josseline was beginning to feel sick. She'd been on the road for weeks, and out in the open for days, sleeping on the damp ground, drinking water from the cow ponds in this remote ranch country.

Josseline started vomiting. She crouched down & emptied her belly, retching again and again, then lay back on the ground. Resting didn't help. She was too weak to stand up, let alone hike this rollercoaster trail 20 miles out to the road.

This was a problem. The group was on a strict schedule. They had a ride to catch, and the longer they lingered here, the more likely they'd be caught. The coyote had a decision to make, and this is the one he made: he would leave the young girl behind, alone in the desert.

He told her not to worry. They were in a remote canyon that was little traveled, but the Border Patrol would soon find her, he assured her.

Her little brother cried and begged to stay with her. But Josseline was the big sister and

she insisted that he go. The other travelers grabbed the wailing boy and walked on, leaving Josseline alone in the cold and dark. She had only her clothes to keep her warm. On her first night alone, the temperature dropped below freezing.

Three weeks later, Dan Millis, an outdoor enthusiast who was spending a year volunteering with No More Deaths, a Tucson group determined to stop the deaths of immigrants in the Arizona Desert, chose Cedar Canyon as his destination for the day. He felt that the best thing he could do to stop the deaths was to put water and food out on remote trails for immigrants to find on their long, dangerous trek into the US. In the past 10 years, as border security increased and immigrants had to travel longer and longer distances to enter the US without detection, deaths on the Arizona border had shot up, from less than half a dozen a year in the late 90s to over 200 a year.

After walking several miles, lugging water and food, Dan Millis spotted the bright green shoes Josseline had been wearing. A ways farther on, he found Josseline's body.

After hiking out and alerting the authorities, then going back to stand vigil over the body, in the late afternoon as darkness fell, two sheriff's deputies finally arrived at the scene. Josseline was placed in a white plastic body bag, which the deputies dragged out along the trail. They lashed her corpse to a platform on the back of their SUV, and like more than 2,000 other immigrants crossing into southern Arizona over the last 10 years, she ended her long journey in the Tucson morgue.

Her parents spent an agonizing few weeks awaiting DNA test results to confirm her death. Worse, though, they had to endure regular calls from the coyote, who insisted that Josseline was still alive, and that for just a few thousand dollars more, he would bring her to them.

## **Reading**

Words from Unitarian Universalist Association President Peter Morales' 2009 UU Grounding Statement on Standing with Immigrants titled, "We are One"

As thousands of economic refugees flee Chiapas, others from Central America cross Chiapas on their way north. They are heading for jobs at luxurious beach resorts filled with Americans and Europeans, or for the slums of Mexico City. Some of the most adventurous risk takers head for la frontera, the newly militarized border that tries to separate desperate Mexicanos from jobs in the United States.

Hundreds die trying to cross the desert, and now there are Anglo vigilantes on the border attempting to "protect" America from the frightful prospect of more illegal immigrants. U.S. citizens are afraid, and their fear is stoked by reactionary ideologues and political opportunists in both major parties.

The illegal immigrants who are already here are afraid, too. There are about twelve million of them. They don't know when a raid by federal authorities will break up their families. Children don't know when their mother or father will be taken away.

In the case of the recent rapid increase in immigration from Mexico and Central America, most U.S. citizens tend to think we are somehow passive victims. These aliens are pouring over our border and must be stopped. The truth is very different. Our economic policies, which disproportionately benefit the wealthy, are helping to create wrenching economic dislocations in Mexico, Guatemala, and Nicaragua. Many of the people trying to sneak into the United States were pushed out of their homes by U.S. Policies.

I am not suggesting that our country does not need to control its borders, and I do not pretend to have all the policy answers. I do know this: We cannot pretend that we had nothing to do with the creation of this problem. I also know this: We are all connected. We are in this together.

## **Sermon**

A few of you may be aware of the controversy our parent organization, the Unitarian Universalist Association, faced at the 2010 General Assembly. Every year at the end of June, several thousand Unitarian Universalists, representing their autonomous, self-governing congregations, gather to do the business of our association of UU congregations. The UUA both serves our institutional needs and provides a way to shape our common identity, clarify our common values, articulate our shared purpose and vote to choose our Association's direction.

April 23<sup>rd</sup> of that year, Arizona passed SB 1070, a bill that permitted police officers to become immigration officers and check people's immigration status if they pulled over someone with a broken tail-light or another probable cause for questioning. This new law was immediately challenged as an open invitation for harassment and discrimination against Hispanics. I flew down, traveling with many other UU's and UU ministers over that Memorial Day weekend to join tens of thousands protesting the implementation of this new law before the courts could rule on its legality.

Coincidentally, Phoenix, Arizona had previously been selected as the site for our 2012 General Assembly. Many delegates at the 2010 General Assembly didn't want us to go. They wanted us to protest against the law by withholding the money we would have spent there. Yet such a cancellation would cost us dearly, to the tune of six hundred thousand dollars. After much debate and discussion, an idea emerged. Rather than have our normal business meeting, and lecture, workshop and networking fest, let's have a different kind of gathering.

Let's show up and make a statement against this law and call it, a Justice GA.

So, in a little over nine months, the Unitarian Universalist Association will be doing something it has never done before. We will gather to educate and train people to be social activists and use the unfair and unjust Arizona immigration policy as our target. UU congregations, particularly the ones in Arizona, are calling upon us, counting on us, the First Unitarian Universalist Society of Albany, to join them.

Here's the problem. Immigration work isn't identified in the Social Justice part of our new strategic plan. [Our strategic plan](#) we voted on in December of 2009 said our priorities should be working on these three areas:

1. Making a difference in the lives of children and families in the city of Albany
2. Becoming a leader in sustainable environmental practices
3. Advocating for public policies that are in line with our UU values and principles.

Our Social Responsibilities Council members have been working on Green Sanctuary issues, peace issues, and criminal justice issues among others. We haven't touched immigration except indirectly by sponsoring a Bosnian and an Iraqi refugee family.

*So should we - or how do we - respond to this call?*

Whether we realize it or not, all of us are connected to this issue because all of us, at one time or another, were immigrants. And whenever we or our ancestors showed up, there were those who weren't too happy about it. 450 years ago, after initial curiosity, it didn't take the native population here long to realize the kind of threat these Europeans were to them, particularly the English. The Indians were happy to ally with the French to try to repel them. After the thirteen colonies gained their independence from England, one of the first things they did, in 1790, was pass an immigration law permitting settlement only by "free white persons." Up until that time, half of all European immigrants had come as indentured servants.

After the colonial period, there have been three different epochs of immigration. Northern Europeans and Irish Catholic potato famine refugees were the first immigration wave, in the middle of the nineteenth century. The friction this caused with Protestant Boston shows up as not so admirable prejudice in Unitarian history, reflecting attitudes of the time. The first immigration laws were passed in 1875. The next big wave of immigration came from Southern and Eastern Europe, many through Ellis Island at the beginning of the twentieth-century, peaking in 1907 at almost 1.3 million people. This brought another round of legislation in 1921 then 1924 that set immigration quotas from different countries. Those laws governed immigration until the passage of immigration reform in 1965 that abolished quotas

by country or race but set limitations by general categories. All of a sudden, this permitted a big increase of immigration by non-Europeans from south of our border and from Asia.

While we've had adjustments to these policies by Presidents Clinton and Bush, many more people want to live and work here than those laws permit. If you are a genius, a world class athlete, rich, or married to a US citizen, the door is open to you. If however, you fit in the poor, tired, huddled masses category, you need not apply.

So, you'd think, if we all came here as immigrants, we'd want to open the door for others. In reality, once we've gotten our own family members in that door, many are more than happy to close it. Why? Jobs. Or as they say in Presidential politics, "It's the economy stupid."

When the economy is booming and we need more people than we've got available to fill the jobs, Americans are less resistant to letting more people in. If I'm having trouble hiring a cleaning lady, someone to mow my lawn or a nanny, let me bring somebody in from abroad who is anxious to work. But when times are tough, like they are right now, that welcome quickly turns sour. And with American corporations exporting jobs across our borders, protectionist thinking abounds.

This is the part of the immigration issue that I struggle with the most. I was reading up on arguments about the benefits of immigration to our economy, with migrants picking fruit, cleaning cow stalls, and working at dirty, dangerous, and unpleasant jobs that Americans don't like to do. Yes, but maybe Americans would do those jobs if the wages were competitive and working conditions were better. And immigrants are also coming to take the high paying computer software development and construction jobs that US citizens want. They may be helping family members by sending home money, but that hurts local businesses that don't get their patronage.

Speaking of sending money home, there is another side to this story that needs our attention. Why do they need to send home money to their families in the first place? And what role does the United States have in that? This is what President Morales alluded to in his words.

One quick example. After the North American Free Trade Agreement passed, Mexico was flooded with cheap, US tax-payer subsidized Norte Americano corn. The Mexican small growers couldn't compete with a far lower, now world market price. Millions were no longer able to make a living from their land and lost it. Without their land, they were forced to become migrant laborers, headed to the border Maquiladoras, or across the border as undocumented workers.

The attacks on September 11, 2001 (we remembered last week) also had a dramatic impact on immigration. Twenty or thirty years ago, migrant workers flowed back and forth informally across the Mexican border. Now such movement potentially threatens national security with terrorists hiding behind every rock, trying to sneak in weapons of mass destruction. As walls were built and crossing became more and more difficult, people tried to cross more and more dangerous terrain, including the Sonora Desert in Arizona, the place you heard Dick Dana describe, Josseline lost her life. Without question, the conflicts of interests here are difficult to resolve. How do we humanely stop coyotes from taking immigrants across these dangerous routes that put their lives at risk? How do we humanely secure our borders from very real terrorist threats?

Thankfully, there are other immigration issues that are much clearer. These are human rights and dignity issues we can immediately address. I'd like to touch on four of them.

Almost everyone says our current immigration system is broken. Many quotas for immigration are ridiculously low. The number of visas for migrant agricultural workers is set at 30,000 while the number of jobs in this area are more like ten to fifteen times that amount. Using a lottery system this year, 16.5 million tried to get one of 50,000 green cards that were available. Opponents of reform say, people should just stand in line and wait their turn. With lottery numbers like that, their turn may never come.

Then there are the times people must wait to process their applications for these immigration visas if they can get one. The [immigration educational materials on the UUA web site \(more here\)](#) have a [fascinating flow chart](#) that shows the different paths an immigrant can take to get into this country. Close relatives of citizens and the brilliant, rich and famous have the easiest paths. Family members of immigrants with green cards but not citizenship have a much longer process. The fastest this process happens of anyone is six to seven years. The slowest, for adult children of legal immigrants, can be 14 to 20 years. So a ten year old can become an adult during this process and have to change to the slower track. The slowness of this process puts a great burden on families that wish to move here and become residents.

The way undocumented immigrants are treated when police or immigration authorities discover them is the most offensive practice I learned about in my research. These unfortunate people are not granted the same rights any ordinary citizen gets. They are denied due process. They do not have a right to an attorney. They do not have the right to go before a judge and hear the charges against them. They are ineligible to be released on bond. They may be deported without a hearing or a chance to defend themselves. The charges against them could be trumped up or false. It doesn't matter if they are undocumented. Not only that, they can be detained indefinitely, not be given adequate medical treatment or any

of the rights citizen prisoners get. This kind of treatment of any human being, documented or undocumented, is wrong, the kind of practices that Amnesty International would protest in a dictatorship or a banana republic.

What breaks my heart is the final human dignity issue I'd like to highlight. The breaking up of immigrant families.

I arrived Friday afternoon, the day before the big 2010 Memorial Day Weekend protest march in Phoenix. We had a potluck dinner at the UU congregation then an evening of singing, musical performances and speeches to get us charged up for the march. The most moving part of that presentation was hearing from two high school students speaking in perfect American English about their mother. The Immigration Agents had come to their door and discovered their mother was undocumented. The family had lived in that community for many years. The children had been born here, grown up here and attended public schools here. The agents took her in for questioning that night and the next morning she was taken to the Mexican border and expelled. These children were deprived of their mother in one night and couldn't see her again without leaving the country. I think one of the children may have been born in Mexico so if that one wanted to go visit her mother, she'd be able to get back across the border again. The whole situation for this family was heart rendering as we listened to them talk about what her deportation meant for them.

And this is happening thousands and thousands of times a year. And not far away from us, to families right here.

This week, I got an email from [Fred Boehrer](#), leader of the Capital District [New Sanctuary movement](#) working on immigrant rights. He is part of the [Emmaus House](#), the Albany [Catholic Worker Community](#). He wrote:

As I write this e-mail, a local immigrant, Santiago, is on a flight to Mexico.

Santiago is a married father of three children. His wife is a US citizen. His three children are US citizens. Santiago has no criminal record. He is active in two local Catholic parishes.

Two years ago, Santiago paid a lawyer \$2,000 for legal assistance to remain in the U.S. Unfortunately, that lawyer is not licensed to practice law in the state of New York.

A second lawyer assisted Santiago. This lawyer instructed Santiago to lie during a hearing at Immigration Court in Buffalo. Santiago told the lawyer this was wrong. He did not want to lie. But, the lawyer insisted that this would help his case.

The judge caught Santiago in this lie and ordered him deported. A New Sanctuary member witnessed the lawyer instructing Santiago to lie. An appeal was filed, for free, by a local attorney through New Sanctuary for Immigrants.

Unfortunately, after the appeal process and more court hearings, the judge administered a final deportation order. Now Santiago's family is split-up.

Fred finished his email with these words:

As we mourn . . . we also organize . . . to continue to support local immigrants.

This is my question for you this morning. Are we willing to explore the immigration issue and find our place in it, in solidarity with other UU congregations dealing with this issue? I am willing to put my time and energy into it, but without partners in our congregation for me to work with, my efforts will be ineffective. I do know that two of our youth are excited about the Justice GA concept and want to go next year. Leah Purcell hopes Justice GA could launch youth service trips as a part of our RE program. Our Social Responsibilities Council members are already committed to their current projects.

If you've been moved by the immigration stories and concerns I've been talking about today, please let me know or speak with Chuck Manning our President, or Leah Purcell. Please let us know where your heart is on this issue.

## **Benediction**

I close with the motto of the United Farm Workers, words often repeated by Cesar Chavez and Delores Huerta who came up with the slogan which means, "Yes, it is possible," or, "Yes it can be done." (You're welcome to join me if you'd like)

Si se puede. Si se puede. Si se puede.

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