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## ADVOCACY SHOULD BE PERSONAL: AN INTERVIEW WITH EMMA LOZANO

by DANIEL KOEN

Emma Lozano has been a powerful advocate for immigrants' rights in Chicago and across the United States. As the executive director of Centro Sin Fronteras, a grassroots immigrants-rights group in Chicago, many will undoubtedly associate her name with Elvira Arellano, an undocumented worker who took sanctuary in a small Chicago church in 2006 to try and remain with her son, Saul, who is a U.S. citizen.<sup>1</sup> In this interview, *PILR* provides Lozano the opportunity to speak directly to the reader.<sup>2</sup>

Koen: When people hear "Emma Lozano," there's a connection with Elvira Arellano and other men and women fighting for immigrants' rights. But you

also lead Centro Sin Fronteras.<sup>3</sup> Can you explain the full range of legal advocacy your organization provides?

*Lozano: Centro Sin Fronteras offers a legal clinic and is staffed by a full-time attorney with a network of referrals. Through our legal program, we deal with a wide variety of cases, both criminal and civil, civil rights, employment rights, housing, health care and education-related cases.*

*Centro has offered a series of workshops on expungement and has assisted dozens in applying for pardons, and has responded with litigation several times on prison conditions. Obviously, in recent years, our focus has been consumed by immigration cases, especially cases which involve the separation of families. We have also successfully negotiated over a dozen no-match cases involving thousands of workers.*

For those who are not familiar with your work, how would you describe a typical day?

*No day is typical and much of my work depends on the current campaign we are involved in.*

Did you decide to become an advocate? Or did advocacy choose you?

*My involvement in the struggle began with my brother Rudy Lozano. After his assassination, I found myself called to continue his legacy and that led, step by step, to my current involvement.<sup>4</sup>*

In the mainstream media, why does it seem that the term “illegal immigrant” is used to describe anyone with brown skin who was not born in the United States?

*We need to understand that racism in this country, the racism that justified slavery and Jim Crow, it is part and parcel of the supremacist attitudes of manifest destiny – the notion that white Europeans were chosen by God to establish their culture, religion and economic system on this continent led to conquest and theft of half of the lands of Mexico, to a treaty towards Mexicans left on the northern side of the border that was never taken seriously and to the attitude that brown people belonged to another inferior race and culture.*

*The immigration issue is, in truth, an expression of the denomination and deformation of Latin American economies, driving millions of people here, separating*

*them from their families. The reaction against the brown-skinned immigrant is based in the still-strong idea that this land belongs to the white man and his culture and therefore all brown-skinned people are a threat to that God-given legacy, its privileges, and should be viewed with disdain, suspicion and hostility.*

You've been extremely vocal about the Bush administration's attitudes and practices toward undocumented workers. From government raids to so-called crackdowns on counterfeit visas, what has been the effect of these policies on the immigrant community?

*This nation has operated a system of undocumented labor for over a century. NAFTA and other free trade policies only intensified the numbers in this system. Instead of taking responsibility for the system of cheap labor it has operated and benefited from, the United States has unleashed a reign of terror, leaving millions of children in the fear that they will have their families taken away from them, their homes and communities lost.*

*It is a climate of fear, shame and degradation in which millions of people, and the Latino communities they are a part of – this is very much like the system of apartheid in South Africa. There are places you cannot go, ordinary activities often become dangerous – and then of course, there is the ongoing deportation of families that is devastating.*

*All these things however will not drive 12 million people<sup>5</sup> to self-deport: first because they have families and community here; and second, because NAFTA and other such policies have made it impossible for them to survive and feed their families in their countries of origin.*

What would you say to those who believe you are doing the right thing but going about it in the wrong way?

*That is always the position that those who can, because of their privilege, afford to wait forever for change and can, because of their privilege, afford to accept less. The proof is in the pudding.*

*Before Elvira, the issue of family unity and of U.S. citizen children with one or more undocumented parent was not a part of the debate. Now it is, and the moral imperative of family unity has brought the majority of people in the United States to the side of some form of legalization.*

Can you explain the legal position you took to try and help protect Elvira?

*We took several actions. First we sought to get her case before a judge since the 1996 law<sup>6</sup> never allowed her to get in front of a judge. Second, we sought a presidential pardon. Third, we sought relief through a private bill in Congress.<sup>7</sup> Fourth, we filed a federal suit on behalf of Saulito<sup>8</sup> pointing out that his rights as a U.S. citizen were being violated by forcing him de facto to be deported – which in fact, now they clearly have been. Although this case was dismissed,<sup>9</sup> it gave rise to a class action suit that now seeks to come before the Supreme Court on behalf of millions of U.S. citizen children like Saulito, and Saulito is one of the named plaintiffs.<sup>10</sup>*

There have been more than 1,000 stories and editorials about Elvira since 2006-07.<sup>11</sup> Do you think the press received for Elvira's situation helped or hurt?

*Clearly the supportive articles and editorials were very helpful in getting the issue of family unity before the nation. Perhaps, in a more profound way, the coverage of the response of hate and anti-immigrant groups, the perspectives of those like Lou Dobbs, were even more helpful.*

*Elvira put the bond of love between a mother and her child in confrontation with the dragon of hate and racism and xenophobia. The results of the [2008] presidential primary elections, both Republican and Democratic, showed that the majority of people in this nation reject those attitudes of hate, respect the values of family and support some form of legalization.*

*If racism and hate is never confronted, it never exposes itself. That was the lesson of the civil rights movement, and that is the lesson of Elvira Arellano.*

At the January 2008 PILR Symposium, you mentioned that Flor Crisostomo was taking refuge at the same church where Elvira was.<sup>12</sup> Is her legal situation similar to Elvira's?

*Flor's situation is the other side of the coin of Elvira's. Her children are in Mexico and she has not seen them for over seven years. Her situation brings out the cruelty of the system of undocumented labor, whose human face is the separation of families.*

*U.S. economic policies directly destroyed the ability of Flor and her family to survive – this drove her to the United States. Her undocumented status and the tightening of the borders after 1996<sup>13</sup> meant that she could not even travel back home to see her children. Flor’s witness has been important in bringing out the issues around NAFTA and bringing them into the presidential debates.*

*Ultimately, the immigration issue and the trade issue will have to be addressed together. You cannot build a wall with one side and a border is not a line in the sand, it is an expression of the relationship between two countries, their economies and their people.*

One of the things you emphasized at the *PILR* Symposium was the issue of a mother and child staying together. Do you think that side of the issue has become lost in the debate?

*It can never be lost again because it is now set in the hearts of the people. Elvira’s case was not unique, although her extraordinary faith and courage are. Millions of cases like hers are being surfaced every day.*

If we look beyond the racist overtones of the term, “anchor-baby,”<sup>14</sup> do you think that children born in the United States to undocumented women will automatically lead to a better life for both mother and child just because the children are born here?

*What is a better life? There are opportunities in the United States that are not available in Mexico, Latin America and the Caribbean. That is not because of the superiority of the United States but because of the history of manifest destiny.*

*There are also real downsides to living in a country in which so much hate is directed against you and your culture and your first language. There are downsides to the culture of individualism – while Mexican families are torn apart by the system of undocumented labor, many U.S. families are falling apart every day because of the culture here.*

*There is also, as part of the history of this nation, a historic Latino community which has organized, prospered and maintained its culture. Children born in these communities have a right to stay and be a part of these historic communities and contribute to them.*

A mother and child is just one type of family. How have families overall been affected by the current immigration laws in the United States?

*Certainly the majority of families that have been affected are two-person head-of-household traditional families. In many cases, families have to choose between being separated from a mother or losing the means of survival the father provides. It is an impossible choice.*

In your opinion, what would be in the public's best interest in terms of reforming our immigration laws?

*Those who are here should be offered immediate legalization, with the right to travel, to stay together with their families, the same rights as other workers and a path to citizenship if they so choose. Future immigration of workers should be employment- or family-related. The border should be secured in the only way it can be secured: by renegotiating our trade and financial relationships with Mexico.*

This issue will likely be published and printed in winter 2009. Regardless of who is elected, what are your hopes for our next president?

*The best we can hope for is a president that will take leadership on the program of comprehensive immigration reform that has been debated in Congress and who hopefully, will address the renegotiation of NAFTA and other free trade agreements on a parallel track. Both [Sen. Hillary] Clinton<sup>15</sup> and [Sen. Barack] Obama<sup>16</sup> have made this promise, a promise which [Sen. John] McCain has publicly backed away from.<sup>17</sup>*

Twenty years from now, if you could have your way, what would you like to see happen in terms of immigration reform?

*As we can see from the explosion of this issue around the globe, the issue here will not be resolved until we address the impoverishment of hundreds of millions of people through the current injustices of globalization. I would hope that we would move towards a citizenship of the Americas, where the free movement of labor, the guarantee of the unity of families goes along with the free movement of capital and goods.*

## NOTES

- 1 Gretchen Ruethling, *Chicago Woman's Stand Stirs Immigration Debate*, The New York Times, Aug. 19, 2006, available at [http://www.nytimes.com/2006/08/19/us/19immigrant.html?\\_r=1&n=Top/Reference/Times%20Topics/Subjects/1/Illegal%20Immigrants&pagewanted=all&oref=slogin](http://www.nytimes.com/2006/08/19/us/19immigrant.html?_r=1&n=Top/Reference/Times%20Topics/Subjects/1/Illegal%20Immigrants&pagewanted=all&oref=slogin)
- 2 This interview took place in a series of e-mail exchanges between March 26, 2008 and April 25, 2008. The answers provided for these questions have only been edited to comply with the Associated Press Stylebook. No changes were made to the content or substance of Lozano's responses. Citations have been added for several of Lozano's comments, however, to assist the reader with a more complete understanding of the issues raised by Lozano, and to dispel any question regarding the accuracy of her references.
- 3 Centro Sin Fronteras is located in Chicago, Illinois; see <http://www.somosunpueblo.com/>
- 4 Rudy Lozano was killed June 8, 1983 in Chicago. See Emile Schepers, *Rudy Lozano, 20 years later*, People's Weekly World Newspaper, available at <http://www.pww.org/article/view/3595/1/167>
- 5 Jeffrey S. Passel, *The Size and Characteristics of the Unauthorized Migrant Population in the U.S.: Estimates Based on the March 2005 Current Population Survey*, available at <http://pewhispanic.org/files/reports/61.pdf>
- 6 See The Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No. 104-208, 104 Stat. 3009-546 (1996).
- 7 For the relief of Elvira Arellano Act, H. R. 1557, 110th Cong. (2007).
- 8 *Coleman v. United States*, 454 F. Supp. 2d 757 (N.D.Ill. 2006).
- 9 *Id.*
- 10 Rob Johnson, *Lawsuit Says Deportation Form of Child Abuse*, CBS2Chicago, Oct. 13, 2006, available at <http://cbs2chicago.com/seenon/2.332763.html>
- 11 This is from a combined news, magazine and wire service story search in Lexis-Nexis and retrieved 1,019 sources on April 25, 2007.
- 12 See "Myth v. Fact: Illegal Immigrants are Freeloading on American Taxpayer," podcast available at [http://pilsymposium2008.libsyn.com/index.php?post\\_id=320183](http://pilsymposium2008.libsyn.com/index.php?post_id=320183) (last visited April 25, 2008).
- 13 *Supra* note 6
- 14 See generally, *Anchor Babies: Is Citizenship an Entitled Birthright?* Federation for American Immigration Reform, available at [http://www.americanpatrol.com/REFERENCE/anchorbaby\\_FAIR.html](http://www.americanpatrol.com/REFERENCE/anchorbaby_FAIR.html) (last visited April 25, 2008).
- 15 See generally, STATEMENT OF SENATOR HILLARY RODHAM CLINTON ON COMPREHENSIVE IMMIGRATION REFORM, March 8, 2006, available at <http://clinton.senate.gov/issues/immigration/index.cfm?topic=march72006>
- 16 See generally, Barack Obama, Statement on U.S. Senate Floor, May 23, 2007, Obama Initiative Would Revisit Radical Changes to Immigration System in Five Years, Wednesday, June 6, 2007, available at [http://obama.senate.gov/speech/070606-obama\\_initiativ\\_3/](http://obama.senate.gov/speech/070606-obama_initiativ_3/)
- 17 See generally, Philippe Legrain, *5 Myths About NAFTA*, Washington Post, April 6, 2008, available at [http://www.washingtonpost.com/wp-dyn/content/article/2008/04/04/AR2008040401572\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2008/04/04/AR2008040401572_pf.html)