

PEOPLES' PERMANENT TRIBUNAL

Interviews

1. Marco Saavedra

Cinthya Santos Briones (CSB): Hello, Marco, I would like you to introduce yourself; tell us who Marco Saavedra is, what community do you come from, why have you migrated to the U.S. and how was your journey when you were migrating to New York?

Marco Saavedra (MS): Good morning, my name is Marco Saavedra, I am currently 24 years old and I migrated to the U.S. 21 years ago, at the age of 3. I am originally from Oaxaca, from a Mixtec region. I was born in San Miguel Ahuehuetitlan in 1993, and I migrated to the U.S. with my older sister Yahaira, she was then four years old. My parents until then had been living in the U.S. for one year. Initially they wanted to work and save enough to build a house in Mexico, in the City, not in the town and they succeeded. But after only a year they realized that the opportunities for work and studying were much better here and my father returned for my sister and me. We crossed the first time in the spring of 1993, with my sister, my aunt, and my father. The border was at Nogales, from Sonora towards Arizona. From what little I remember, it was nighttime, we had to cross a fence. And obviously 20 years ago the border was much less militarized... there were guards, I'm sure, but the trajectory was much easier. Once we arrived in the U.S., I think from Phoenix or Tucson, I don't know from which major airport we flew to New York to reconnect.

CSB: And where did you arrive in New York?

MS: We came to the Washington Heights neighborhood, which is a mainly Dominican community, and of immigrants already established here. So we were one of the few Mexican families there. And we joined a Pentecostal Church, I think a little because of isolation. The church was also mainly immigrant, from the Caribbean and Central America, but few Mexican families until little by little my father would return, an aunt or uncle would return, and the immigration to Washington Heights had already begun. Obviously, there have been Mexican communities, indigenous Mexican communities here, for a very long time, but in the specific neighborhood where we were settled we were very few.

CSB: And how was your childhood in that community of Washington Heights? How did you start to study?

MS: From what I remember, since we were little, my parents had a few years of education, I think they went to school for two or three years; they had to work at a young age to support themselves and their families. So with what little they knew of Spanish, and Mixtec, with an English/Spanish dictionary my mother would help us to translate. Obviously it was harder for my older sister who had to start the year before me, and she was always a year ahead of me, so she would encourage us and helped us very much in the experience. And I also think by being undocumented, for not knowing so much about the risk, and the perceptions, some are real and some are only perceptions but my parents always protected us very much, wanting to know

who we were with, where we were going; and for good reason. Obviously the information, even in the media, did not talk much about the undocumented, we knew little about our rights and if we had any. My mother worked as a seamstress. There were many factories around this area before, around 42. Since then they have gone, they have been exported. And my father worked at a gas station in New Jersey, so it was very hard work with long hours. And my mother's workplace was even raided a few times. So for these reasons we were very afraid. And we also feared returning to a life of extreme poverty, where even eating was very difficult. For that reason they protected us much, they urged us go to school, each Sunday we went to church because our lives were filled with caution.

CSB: How was it that you somehow started to get scholarships, go to universities and private high school?

MS: I think that all those opportunities of going to private school and getting scholarships emerged because my parents supported me very much, and I got support from my sister who was always a year ahead of me, so the transition was easier for me. And also because my parents motivated us a lot and we didn't have the hard jobs they had, to support us. And I also think because we did not have many other options. Yes, we had a TV, but we didn't have cable so we didn't watch TV many hours; but it was more because of the impulse to study. Half was work and support and the other half was just the luck of also having teachers that encouraged me about scholarships and programs that were available.

CSB: In what university did you study and what did you study?

MS: I studied for my B.A. at Kenyon College, which is a private university in Ohio. I studied sociology, applying some Marxist analysis and some Afro-American analysis to the problem of immigration, or the issue of migration, and our social condition, for my thesis. So using the theory and analysis of the necessity for social justice and applying it to our reality as young undocumented persons.

CSB: What motivated you to study sociology and become involved in the Dreamer Movement, in the activists' movement once you graduated from university?

MS: I think that the two were very linked because when I was introduced to sociology... obviously it was a new science in the 19th C. that emerged because social science at that time, politics, economy, and maybe philosophy, perhaps were not analyzing so much capitalism, and structural problems and the necessity for social justice, perhaps older disciplines had asked more about the human condition, but at the social and structural level. I think capitalism, also during that century in which it's born, emerged with many problems that currently still exist-- problems such as inequality, great quantities of wealth, but even greater amounts of poverty. I think that because all those questions that are still very present today, I saw that it was very easy to ask those same questions and apply that same analysis to the condition of the undocumented. And I also joined the movement out of necessity, for not knowing what we could do if my father; well, fortunately he has a driver's license, but what happens if crashes and is in a road accident, what could happen? Or my mother who had been in the middle of a raid and they had to escape down the back stairs? So, what to do if one of us was in the hands of immigration? Because of that necessity I think I began to get involved, out of a somewhat individualistic perspective. And what to do with my studies after university, how to exercise

them? Then I started connecting with other undocumented young people and found that obviously, the struggle for immigrants' rights is broader.

CSB: What actions have you participated in as part of the *Dreamer* movement? Can you tell us more in depth about how you deported yourself in a detention center, a little about the story in Miami?

MS: I think everything began in 2010, in my personal history, there was a big mobilization for the Dream Act legislation, which would be a path to legalization for young students, and that is when many young people mobilized and pressured, holding assemblies, marches and hunger strikes. And after the law was not passed, at the end of 2010, I think that there was obviously much disappointment and there was another faction that said, "We still have deportations of 400,000 per year, under this administration that has deported almost 2 million undocumented immigrants." So we wanted to start taking individual cases and it came out of that; after a few years, when we realized that for every case we won, we were losing 100. So the idea of infiltrating a detention center came up, to go where the largest number of detained were held, and where all of them could benefit from a public campaign. And when they chose me, I chose myself to infiltrate, to present myself to immigration agents in Florida. Because I already had experience asking a person about their history of migration; if they had been threatened here or in their country of origin, if maybe they qualified for asylum or if they qualify for another form of visa; if they had credible fear because of their sexual orientation or religion or other social group. So I think I knew all those questions that we ask when advising on cases. But we had to have someone inside doing that, because from the outside, maybe we know someone in our church, in our community, a vendor or his relative, that maybe are detained. But here we are talking about 600 people. And that specific center was one they call low risk. All those detained there had not committed a violent crime, and so all of them could benefit from something that exists in migration called prosecutorial discretion. Under President Obama's administration, if persons have not committed a violent crime, maybe their deportation can be pardoned, which is not applied much without the community's pressure, but we knew that if we did many public campaigns maybe they would have a better chance of leaving that center. And what happened was that 40 individuals were able to leave that center and they are already fighting their cases from the outside, which is much easier.

CSB: What was your experience as a young undocumented person to enter that center and realize the situation other undocumented persons are suffering, who are imprisoned for the simple fact of coming to better their lives?

MS: Yes, a bit about my experience from the inside. Well, obviously it's different from being outside. Outside we're always afraid of being stopped by immigration, that they ask for our papers, that maybe something could happen with an official at an airport or the police; but in the detention center you are already in the worst case scenario; everything we were afraid of, we are already in the middle of that structure we feared, and that we are always evading. So it's like a shock when you are already inside and I also discovered that although we all had the same uniform there are different levels. Obviously there are indigenous people, or people that don't speak English or Spanish, maybe they are from the Middle East, or Asians or Africans who are less familiar and for whom the chaos and laws of migration are even more difficult to understand, and there are less resources. I also realized the privilege I had being able to study here and knowing English; of studying a little French and being able to even speak to my Haitian

colleagues who spoke Creole. And knowing when they handed me a paper or told me to sign my voluntary departure, which many sign without knowing their rights, without knowing that that is their deportation. I also realized that I had that ability, to also help others; if someone was not receiving their medicine, let's say for diabetes, or getting their proper diet, I could write to the heads of security and translate it to make it easier for them. So one discovers all this when inside, and the great need that people have.

CSB: When you came out you did another action in North Carolina. Then you had a conversation with your mother who asked you, "What will happen if you are imprisoned or they kill you?" And you told her that you believe in resurrection and that you would see each other in the beyond? Could you tell us a little about that conversation you had with your mother?

MS: I think that the three years since I've been an activist have been very difficult for my parents because my father was born in 1967 and my mother in 1969, and we know about the massacre of students that occurred in 1968. And so I think that they grew up in that generation where repression was very severe. And I also think that growing up in the U.S. for 20 years without papers, you have great fear; and with good reason because she is my mother she has always wanted to protect me. We also have the momentum of our faith, our belief in social justice, that we know that there are laws in the Bible about justice, about the protection of those who have less, of the poor, those who are foreigners, and we believe that; and I think that sometimes it's harder to practice it. And I obviously believe that she is in a more difficult position as my mother, of offering me encouragement and protection, maybe out of frustration. I told her that yes, we obviously believe in the resurrection, if the worst happens, if one day we don't see each other anymore. And I think that it was also a bit about my arrogance of being young, to believe that because I studied I know more than others, but that's obviously not true because my parents have suffered much more than me. So I think that little by little I am also realizing more about the reality of their perspective. And we continue to believe in the resurrection, which is only an easier way to say that another world is possible, that the destruction of the social conditions here could occur and that we could provide the hands to construct that new world. That is also a very indigenous notion, which our brothers in Chiapas often practice. So not only is it a belief of faith but I think that it can also be practiced, and each of us contributes their grain of sand and their own perspective on reality—hopefully towards a more just world.

CSB: How was it that you decided to return to Mexico after 20-25 years and cross the border with this group of *Dreamers* who were organizing this action of going to the border? How was that whole experience of taking part in civil disobedience after they grab you at the border and you go to the detention center? Can you tell us a little about the organization, planning of the action?

MS: Yes. Well, the origin of this action, of crossing the border and returning to Mexico, of self-deporting ourselves to connect with the *Dreamers* who had already been deported or self-deported during the Obama administration, before deferred action, before there was any relief for us. The idea emerged because there were many, the exact figure of young people who had left the country or that had been deported before there was relief for them is unknown. So I think that in analyzing this we thought that we could not leave our brothers without this protection; that they too would have to be included and hopefully when a broader legislation passes for the immigrant community, those who had been deported could also benefit from it. And I also think that the action emerged because sometimes we only think about our

community here, the community of 11 million undocumented persons in the U.S. But we know that not only do we suffer on this side but also our families on the other side are waiting for us, they haven't see us in decades. My mother hasn't seen her mother in more than 20 years, almost 25 years. So it was also to show that we not only suffer on this side but on both sides. And there are entire communities that are divided, where the parents, or the father of the family is here providing and sending remittances there, for the people or his community. So division exists in multiple borders, we wanted to show in some way that was the situation and we started with a group of nine and the second round was of 30 and the last one even bigger. I think that every time this opportunity emerged, that challenge, repression was greater and it was harder to ask for asylum; of obtaining a court date and permit to be here while we wait for our final court date for asylum, which for me is in 2017.

CSB: How was it when you passed, where did you cross, in what year and month, and how was your detention? What was life in an Arizona detention center like in comparison to a detention center in Miami?

MS: Well, briefly, there's quite a difference between the two detentions, one being on the border and the other being already at an inside port. We decided to unite ourselves as a group in the Mexican side at the end of July 2013 to cross in three days. So we crossed on July 23 because already after two weeks, on August 7, they freed us under the condition that we continue our asylum cases here with a permit. The planning of this action, we were talking about it for about a year—infiltrating detention centers, working case by case of detained persons, who had been deported, who had reentered here under different conditions to know exactly how the field is and what pressures were required to be able to receive a pardon to be able to reenter. Because not all, it is very difficult particularly for Mexicans to obtain asylum, I think that less than 3% of Mexicans can plead asylum. Because judges here are very scared that more Mexicans will ask for asylum; because we know that the massacres continue and continue and the asylum case is very difficult for a Mexican to win. But with proper political pressure we were able to reenter. And the detention center is bigger. In Florida there were some 600 persons and the center Eloy in Arizona had 1,500 and it is a much larger and since it is near the border the beds are always in rotation. One day you see a colleague and the next day he is already on a flight or bus returning to the border. So the transition is greater. In Florida I think that one is usually there about four months. In Eloy the transfer of a migrant is much faster since it is near the border.

CSB: Why did they let you leave? Under what parameters can you obtain your residency or citizenship in this case?

MS: Well, since all of us asked for asylum, we had prepared our cases with our lawyers. Myself for being indigenous, for being a religious minority as a Pentecostal, like my family; for being an activist, for being part of all those social classes I argued that during my interview that I was afraid to go back, because the repercussions of being all those identities it's much more difficult there. Some of the other guys of the group of 9 argued maybe for their sexual orientation, or because they were victims of harassment, or for a robbery, or because they were afraid of being kidnapped. They all had a different story and could argue in a positive way so that while we fight for our asylum cases, and immigration has the possibility of offering us protection while we continue to our cases from the outside. And my final court date is in 2017. But we know that usually that's not the case. Usually they leave you in the detention center through the course of

your court date, as a way to dissuade people from asking for asylum. Because if you if you wait for months in the detention center and you don't know about your rights, it's a very difficult situation and many people just sign their voluntary departure, even though maybe they can win their case. But because we knew our rights and had some activist friends outside asking for our release they gave us protection.

CSB: I would like you to tell us a little about this link of remembrance, to remember a little. You crossed at the same place in the action as you did 25 years ago. Did that crossing make you remember about when you were a child and what feelings did you relive?

MS: Sadly, I don't remember much about my crossing when I was 3 years old but I think that it was very significant to cross at the same place, through the same port that I crossed more than 20 years ago. And I was not the only one, we know that in Sonora by Nogales there was a much more common route before. Now since Arizona is dissuading migrants, more immigrants are entering through Texas, across the Rio Grande. And I knew that my father had crossed there many times and knew of the danger there because of the cartels, the presence of drugs, for the human trafficking occurring there. Because there are many shelters there under the shadows so that immigrants don't get involved in that organized crime. And we also saw many other undocumented persons that had been deported that same day we were crossing. We also noted that even legal migration is very frequent there, every day the port is open to people, and I think that sometimes it's not noticed so much that day by day between Mexico and the U.S. the exchange of people and merchandise is enormous, in "legal ways." And I think that I knew all that from news stories but to live it was very different and obviously many of us, colleagues in that action, had been there another time, maybe on the first crossing to the U.S.

CSB: After that date, on August 2013, that you leave what has happened in the life of Marco Saavedra?

MS: Well, since then I think that I had a debt to the community that could not be paid, and obviously also specifically to my family. So I have been working, slogging in my parents' restaurant many hours and following my case and trying to offer encouragement to other young people who are activists or who also want to do similar things, helping their relatives in detention. So I continue to offer encouragement and information. But I think I am dedicating myself to my family life for now, and also preparing my case for 2017 and hopefully in January they will offer me a work permit, which will be very useful.

CSB: What does La Morada do? Besides being a restaurant, what other things? What other options does La Morada offer?

MS: Yes, my parents' restaurant, La Morada, is one of the few Oaxacan restaurants; my parents are undocumented indigenous Oaxacans, who are not very visible in our community. So I think it's also a community space for our community and others living in that neighborhood. As you said, it's not only for eating home-cooked nutritious food but also to share a little of our culture; they also offer jobs, we have employees so we provide jobs for our community. We have cultural events, poetry nights, we have had events where we show a video. We share details and information of other events happening in the community, to do what is most useful for them.

CSB: Can you describe a bit about Marco the artist? I know you paint so, what was the path that led you to that cultural expression?

MS: Well, I think I have practiced art since I was very young and it always nurtured me, but it was also a way to respond to what I was suffering or seeing day to day. So it was like medicine but also a form of expression and after school and through the years I think it has helped me connect to the culture of my birthplace, the great Mexican artists and great indigenous art that exists. And hopefully it contributes a little more to that trajectory of artists here in the U.S., another chapter to that long trajectory of Mexican artists.

CSB: You say your parents are indigenous, what indigenous culture are they from? Can you describe a little about what you know of the people you and your parents originate from?

MS: We were all born in a little town called San Miguel de Ahuehuetitlan, a name derived from, well, it is a plant that grows—I don't know the name in Spanish—but I think it's called cypress in English, and San Miguel is the archangel; so it was a fusion of the Catholic Church and also the indigenous presence. And my parents still speak Mixtec, my sister and I understand it, but more my sister. We know that Oaxaca is one of the richest regions in culture, it's maybe economically poorer, but it is very rich in art and food and I think that although it's been years and decades since we have been able to return there, I hope that through food and art we can preserve a little of our culture; and then also the language, which we have to practice more. And there is also a Mixtec community here, it's not just my family, my aunts and uncles who practice the language, but through the restaurant, work and the church, we have also met other indigenous people from our region, and we socialize with them.

CSB: How does Marco identify, as an American? As Mexican-American? As Mixtec-Mexican-American? What is Marco background?

MS: I think a bit of each identity. I think that obviously I can never deny that I was born in Mexico, those roots are very deep, and that I grew up in the U.S. for 20 years, so Mexican-American from indigenous roots, with an undocumented experience but also all those other experiences that influence me, from literature to art, and even the food and language. So I think ideally, that in an ideal world we could all enjoy all those identities without having to suffer so much the repression that some suffer more than others.

CSB: How do you see Marco in the future? Marco has to go to court in 2017, what will happen to him? Will they give him a work permit? How do you visualize yourself in the future?

MS: Obviously after all these actions, I am not so afraid of what could happen to me as an individual. With the help of a lawyer from the community we are preparing my file to be the best case possible and we know that because it's a political and public case, usually we activists get special treatment. So we also want to encourage other members of the community, through publicity, and the community always helps us when we are in these courts, which are very isolating, very difficult; sometimes there is a lot of fear and shame that we are in deportation proceedings, but the best thing in these situations is to really talk with loved ones and let more people know what we are experiencing day to day.