

# Justice at Work

By Iván Espinoza-Madrigal, Staff Attorney

*Who built the seven gates of Thebes?  
The books are filled with names of kings.  
Was it the kings who hauled the craggy blocks of stone?  
—from the poem “A Worker Reads History” by Berthold Brecht*

As a civil rights lawyer, every case I work on reminds me of this poem by the German poet and playwright Berthold Brecht (1898–1956). The poem, which I first came across in one of my literature classes in college, asks us to think about who really bore the cost of building the wonders of the world, like the great pyramids of Egypt. Brecht challenges us to respect the inherent dignity and worth of every person, even the humblest and poorest. In his view, the benefits of our society should be made accessible to everyone. This basic concept—that every person is endowed with inalienable basic human rights—is the idea that drew me into law and civil rights work, along with my personal experience as a Latino immigrant, and the obstacles and struggles that my family faced when we arrived in this country.

Law is a powerful tool and can be leveraged to change the lives of a large number of people and to bring about meaningful social change. Many of the rights we enjoy today come from court cases, including the desegregation of schools in *Brown v. Board of Education* and the right to sexual privacy secured through *Lawrence v. Texas*. At times, it seems that elements in our society are testing how far—and for how long—they can keep human dignity and justice at bay. Just a year ago, Arizona enacted its anti-immigrant law, SB 1070, to keep people under a constant state of police and immigration surveillance, and to bar undocumented immigrants from the state. To defeat this civil rights threat, I worked with the Mexican American Legal Defense and Educational Fund (MALDEF) to challenge Arizona’s immigration law. SB 1070—like Proposition 8 in California, which bans marriage between same-sex couples—deprives people of equal access to opportunities and benefits. These laws, born out of ignorance, work together to stigmatize and marginalize our community. Taken as a whole, anti-immigrant and anti-LGBT laws, in-tandem, render all of us second-class citizens: They aim to disenfranchise and silence us.

Recognizing that the struggle for immigrants’ rights and LGBT rights faces similar attacks and enemies, at Lambda Legal, I am developing an initiative on behalf of LGBT people of color, LGBT immigrants, and low-income LGBT communities. This work will address the legal needs of LGBT and HIV-affected people who identify across intersecting lines of race, ethnicity and low-income status through litigation, policy advocacy and public education.

For example, Lambda Legal is opposing the application of the so-called Defense of Marriage Act (DOMA) in the immigration context. As part of this work, we recently submitted filed a friend-of-the-court brief in a high-profile immigration case, *Matter of Alcota*, arguing that immigration officials should



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put deportation proceedings on hold until DOMA is repealed or declared unconstitutional. This work is designed to chip away at DOMA.

We are also urging the U.S. Department of Homeland Security (DHS) to respect the civil rights of LGBT individuals and people with HIV in immigration detention facilities. As a result of my advocacy work, I was invited to present on LGBT immigration detention issues at a congressional briefing. I joined Lambda Legal because I believe that we—LGBT people, immigrants, people of color and low-income persons—can work together to build a united front and concerted effort to protect and promote our civil rights. Together, we can forge a new, modern definition of American citizenship and society which recognizes the inherent dignity and worth of every person. Of course, we have a lot of work ahead of us. Laws like Proposition 8 and SB 1070 are still being considered, debated and enacted. I see these challenges as an open door for us to use our passion, our vision and the law to help bring forth social change and access to justice for all. **L**