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## **I Celebrated Christmas in a Detention Center**

**by Jacob G. Hornberger**

Some 30 years ago, I celebrated Christmas in a detention center outside my hometown of Laredo, Texas. The center was entirely devoted to holding illegal aliens, almost all of whom were from Mexico. Before I share this experience with you, I need to place the situation in a larger context. If this background context, however, begins to bore you, please feel free to skip it and go immediately to the subsection below entitled “Inside the Detention Center.”

### **Growing up in a border town**

When I was growing up in Laredo in the 1950s, the Census Bureau said that, on the basis of per capita income, our city was the poorest city in the United States. But as poor as Laredo was, its poverty was nothing compared with the poverty just across the river in Mexico, in our sister city of Nuevo Laredo. That disparity in wealth motivated countless Mexicans to cross the international bridge (or the Rio Grande) to come to the United States to earn money. Many headed north, where they could earn more, but others simply worked in Laredo so that they could remain closer to their families back home in Mexico.

Thus, practically every middle-class family in Laredo had at least one maid or nanny who not only cleaned the house and did much of the cooking but also actually helped to raise the children. They also had gardeners. Laredo families were happy to have the inexpensive and extremely competent labor, and the Mexican laborers were happy because they were making much more money than they ever could make back in Mexico.

The U.S. Border Patrol, which had a very large presence in the city, knew that all this was going on but pretty much left people alone. Sometimes a disgruntled housewife would report a maid who had gone to work for another housewife and the Border Patrol would come and pick her up, but that was a fairly rare occurrence. The Border Patrol pretty much left Laredoans alone, concentrating their efforts on catching illegal aliens who were attempting to head north.

I grew up on a farm that adjoined the Rio Grande. Sometimes when we drove down to the river to work on our irrigation pump, we could see Mexican children playing on the other side of

the river and we would wave at each other. Since our farm was adjacent to the river, which constituted the border between the United States and Mexico, the Border Patrol, as part of the federal government's power to "control our borders," had the unfettered power to enter onto our property and drive down to the river, without any type of warrant. One time we put a lock on our front gate and had to give a key to the Border Patrol so that they would continue to have unfettered access to "the border."

We grew all sorts of things on our farm — cantaloupes, carrots, cattle feed, et cetera. My father was an attorney but loved farming as a hobby. To help with the growing, maintenance, and harvesting of the crops and with the cows, horse, wild pigs, chickens, and geese we raised, we hired people to help us out. The people we hired were illegal aliens from Mexico. Our crew usually consisted of about three or four men who lived on the farm with us. They sent most of their money home to their families.

Why did we hire illegal aliens instead of Americans from the local unemployment office? For the same reason that American employers today do the same thing: People from the unemployment office were lazy and Mexican illegal aliens were the hardest-working people you'd ever find. And they were also grateful for the opportunity to work and make good money. Keep in mind that hiring illegal aliens was not a federal crime during that time, as it is today.

Since my two brothers and I would spend long days, especially during the summers, working on our farm with the illegals, it shouldn't surprise anyone that we became extremely good friends with them, even playing football with them during rest periods. The truth is that we came to love them. They were our "comrades" — our buddies.

The Border Patrol obviously knew what was going on. (In fact, the father of my best friend in high school held a high supervisory position in the local Border Patrol office.) Farmers and ranchers all along the border hired illegal aliens. But, as they did with the maids and gardeners, the Border Patrol pretty much left the farmers and ranchers and their workers alone. One of my most painful memories, however, is of a day the Border Patrol came onto our property and arrested the workers who had been working for us for years. I wasn't ashamed to cry as I saw them loading them into their Border Patrol car, because I knew that I probably would never see them again, and I didn't.

### **Returning to Laredo to practice law**

I returned to Laredo in 1975 and began practicing law in partnership with my father. It didn't take me long to realize that the Border Patrol was enforcing the immigration laws against illegal aliens in an extremely arbitrary and capricious manner. For essentially the same crime (illegal entry or transportation), illegals were treated in different ways. Some were charged with felonies, others misdemeanors, and others were simply deported with no prosecution at all. I

believed that this was wrong and that it was unconstitutional. I felt that if you're going to have a law on the books, everyone should be treated equally under that law.

So I decided to challenge the constitutionality of the entire process by suing everybody involved in it, including the Border Patrol, federal prosecutors, and federal judges. (Hey, I was a brand new, young, idealistic lawyer!) Our local federal judge (who was a good friend of my father), however, called me into his office one day and suggested that, rather than file a lawsuit, I let him appoint me to represent illegal aliens whom the government was criminally prosecuting, in which case I could bring up my constitutional arguments and take them up on appeal. I readily agreed and I handled several cases for free. Unfortunately (but not for my clients), the prosecutor kept offering my clients attractive plea bargains that they eagerly accepted, so I never got to secure any judicial rulings on my legal arguments questioning the constitutionality of the enforcement process.

Given my moral outrage over the overall treatment of the illegal aliens, which I felt was so wrong and unjust, I decided to write a five-part series outlining the moral, economic, religious, political, and legal ramifications of what the U.S. government was doing to these fine people. Since I had no way to distribute the articles, I asked the managers of our local 7-Eleven convenience stores if I could simply leave a stack of copies with them. They agreed, and each week when I returned with the next part of the series, they would tell me, "Bring more. Everybody is taking them to read."

## **My family background**

That pretty much sets up the background context for my celebrating Christmas in the Laredo, Texas, detention center. I suppose, however, I should also mention that my maternal grandparents emigrated to Laredo from Mexico in the early part of the 20th century. My father, whose family had immigrated to San Antonio from Germany, had gone to Laredo after World War II to temporarily practice law, and a beautiful young Mexican-American woman, who later became his wife and my mother, obviously used her wiles to cause him to fall in love with her and remain in Laredo permanently.

My mother's father had been born in Monterrey, Mexico, and came to Laredo as a young boy. My grandmother was born and raised in a small Mexican town named Lampazos. Her family had owned a silver mine outside Lampazos, which was nationalized in the 1910 Mexican Revolution. Not to bore anyone even more than I might already be doing so, but if you would like to check out the beautiful two-story home in which she grew up, and which had beautiful murals painted on the inside walls, click on [this link](#) and scroll down to "Infraestructura Social y De Comunicaciones." My grandmother's home is located in the photo just below the word "Educacion." The town of Lampazos, which now owns the home, has converted it into its "House of Culture."

This is pretty much the situation in all border towns — countless families in border towns having Hispanic or mixed backgrounds and having cultural, historical, and traditional roots on both sides of the border. This [joint-culture](#), [joint-tradition](#), [joint-language](#) way of life is not considered any big deal for most people on the border. Keep in mind, after all, that until 1848 the border towns, like elsewhere in Texas, New Mexico, Arizona, and California, constituted the northern half of Mexico. Most Americans who live on the border absolutely love this way of life. But for some reason, it seems to be a disconcerting phenomenon for some Americans who live in other parts of the country.

### **Inside the detention center**

One day, I was visiting one of my clients (one of the illegal aliens that the federal judge had appointed me to represent) at the detention center a couple of miles outside Laredo. I got a brainstorm. When I returned to my office, I telephoned the local sheriff, who was in charge of managing the detention center, and said, “Mario, how about letting my cousin Mike Jackson and me put on a Christmas show for the illegal aliens at the detention center?” His response: “Sure, that would be nice. Give me the date and I’ll make sure they’re ready for you when you arrive.”

I telephoned my cousin Mike, who had grown up in Laredo and who was a student at the University of Texas in Austin. He had been playing the guitar and singing since he was a small kid, and today he leads one of the best rock-and-roll bands in Texas. (See “[The Hotcakes: Live from Austin Texas](#).” My cousin is the singer with the guitar on the left.) Mike’s mother and my mother were sisters, his father having succumbed to the same sort of wiles that my mother employed on my father. Like many people in border towns, Mike and I were bilingual.

I telephoned him and said, “Hey, Mike. When you come home for Christmas, would you be willing to do a Christmas show for the illegal aliens at the detention center?” His response: “Absolutely! Just let me know what day.”

On the appointed day, Mike and I arrived at the detention center, which reminded me of a World War II prisoner-of-war facility, with guard towers, high cyclone fences with barbed wire at the top, and barracks for the inmates. It was a warm December day, and the guards were expecting us. They had even constructed a makeshift stage and had set up dozens of chairs. About 125–150 illegal aliens, most of them dressed in their customary khaki pants and white T-shirts, slowly made their way into the chairs, somewhat mystified over what was happening.

I welcomed the crowd and introduced my cousin. Mike began singing traditional Christmas songs in Spanish, such as “Silent Night” and “Away in a Manger” and, of course, “Feliz Navidad” and also old, traditional songs from Mexico, such as “Cielito Lindo” and “Guadalajara.” You could easily see the tears welling up in those guys’ eyes, as their minds obviously strayed to their families back in Mexico who were celebrating Christmas without them.

After about 45 minutes, Mike, by prearrangement, turned to me and said, “My throat feels a little bit scratchy. Would you mind taking over for a bit?”

I readily agreed. Of course, I couldn’t sing a song if I had to, but I sure knew how to give a speech. So, I looked straight at those guys, brought the microphone up to my mouth, and said to them, in Spanish,

“I know what you’re thinking. You’re thinking that the reason you are spending time here in a jail at Christmastime is that you have done something wrong, something criminal. But you haven’t. All that you have done is respond to a natural urge that God has implanted within you — the urge to sustain your life through labor, or the life of your wife or your children, or your mother or father.

“All you have done is come to this country to work, and your plan was to send most of your money back home to help your family. That’s nothing to be ashamed of and it’s nothing to feel guilty about. In fact, it’s something that you should be proud of. You have risked your life and your freedom in the hope of sustaining or improving your life through labor.

“That’s no crime. That’s something virtuous. What is criminal are the laws that put you here. And the people who should feel shame and guilt are the federal officials who have enacted such laws and who enforce them against you.

“So, my cousin and I wish all of you a very Merry Christmas and I want each of you to know that it is a great pleasure and honor for us to be here to celebrate Christmas with you today in this detention center.”

As you can imagine, those tear-filled eyes had become wide as saucers. Those men obviously had never, ever heard such a message and certainly had never expected to.

I turned the microphone back to my cousin, who sang a few more songs. Since either my cousin’s songs or my speech was motivating more guards to move in the direction of the performance, we thought it best to wrap things up. We thanked the inmates for coming and began to leave. I think we gave them a good Christmas celebration because they all had smiles on their faces as they waved goodbye to us.

For some reason, we were never invited back to celebrate Christmas with the illegal aliens at the detention center. But every time I hear “Feliz Navidad” on the radio at Christmastime, I automatically think back to the time I celebrated Christmas with the illegal aliens in the Laredo, Texas, detention center, and I get a great big smile on my face.

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