

## BUT HER LYRICS... EPISODE 004

### GET INFORMED, GET INVOLVED:

Recommendations from Emily Heger:

For anyone looking to learn more and stay up-to-date on current events unfolding at the border, I recommend following folks on the ground like attorneys [Taylor Levy](#) in El Paso and [Jodi Goodwin](#) in Harlingen, the [Sidewalk School for Children Asylum Seekers](#), [Angry Tias y Abuelas of the RGV](#), and check out who they're sharing.

To get involved, I recommend supporting organizations like [Lawyers for Good Government](#) and [Las Americas Immigrant Advocacy Center](#) that are on the ground working on behalf of MPP-affected refugees. And, support organizations like the [Center for Gender & Refugee Studies](#) and [Tahirih Justice Center](#) that are working to advance asylum for folks fleeing gender-based forms of persecution. [Human Rights Initiative](#), where Emily works, is assisting in these efforts. Volunteer, donate and stand up with these orgs!

### SHOW NOTES:

This episode of But Her Lyrics... is part 1 of track 4, "This Stolen Land," with Emily Heger, an Equal Justice Works legal fellow with the Human Rights Initiative of North Texas. Her work focuses on winning asylum for women and girls fleeing gender-based violence. Shawna and Emily really dig into the current issues facing people when they arrive at the border of Texas and Mexico. Be sure to catch the next official episode of But Her Lyrics... for part two! The subject matter of this song is so vast that Shawna will be speaking with Dr. Meranda Roberts on the history of colonialism and genocide within these borders that make the current border crisis possible.

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All episode transcriptions and important links can be found right here a few days after the original air date: [shawnapotter.com/#/but-her-lyrics-podcast](https://shawnapotter.com/#/but-her-lyrics-podcast)

### LINKS:

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'Capture the Flag' album workbook: <https://bridge9.bandcamp.com/album/capture-the-flag>

## EPISODE TRANSCRIPT:

[intro music]

**Shawna Potter:** Welcome to But Her Lyrics...! But Her Lyrics..., the show... [laughs] Okay, one more time. Welcome to But Her Lyrics..., the show where we delve into the meaning and politics behind each song from the new War On Women album 'Wonderful Hell'. I'm Shawna Potter, singer and lyricist for War On Women and your host. This is episode four! We're tackling the song "This Stolen Land". Now, there are two bonus episodes out only available on my Patreon. So if you want to hear more stories from the band or catch an extended interview with author Carol Adams and so much more, head to [patreon.com/shawnapotter](https://patreon.com/shawnapotter) to become a member, and pay for what you want. Pony up! Or you can always listen to this podcast for free in all the normal places. Or you can make a one-time donation by Venmo'ing me @shawnapotter. if you want to treat me to a fancy coffee or buy Rosie a new toy. Okay, begging over, let's get into the episode. When I started this podcast, I worried about any delay between conducting interviews and when they would actually air, like will this information still be relevant? So I made sure to mention that gap in time often so listeners won't get confused. But I think I'm done reminding everyone about that delay and here's why. This album was written and recorded during the Trump administration and it was released before Election Day 2020. I realized recording most of the interviews during that time is the best way to capture the feeling of that time. And I don't know when you're listening to this, this podcast ain't news! So my hope is that even if you listen to this far after its original release, you'll understand what we were up against. You'll remember how this moment in history felt. Not that I want you to remember, but you know what I mean? So references about how terrible things are or that we're afraid of what the future holds, it's fucking real. And those feelings are weaved into this entire album, and those feelings don't fully go away with a centrist in the White House, right? We know there's still work to do, and there always will be. Actually, the idea of constantly having to hold our government accountable, the government that works for us, that we fucking pay for, well, it's a common theme on this record and in this episode.

So, quickly. "This Stolen Land" is about the current refugee crisis at the Texas/Mexico border, with references to the mass genocide of indigenous people on this land. So yeah, no big deal, just two massive topics and a four-minute song. Sure. Whose idea was that? Oh, right, it was mine. So yeah, this episode, this song is so big I'm actually going to split it into two episodes, because I want to do each of those giant topics a little justice. I had the pleasure of interviewing two incredible women for this song. So next time we're going to hear from Dr. Meranda Roberts, a Northern Paiute and Chicana woman who has a PhD in Native American Studies. She was so generous with her time and her perspective. We talked about so much like the lack of representation of her people, the difference between terms like indigenous and native, the best way to win over allies, and the purpose of land acknowledgments and how they're a good first step in supporting indigenous people, but nowhere near all that's needed. So subscribe to But Her Lyrics... to get notified when that next episode and all future episodes come out.

But onto this episode. So coming up, I'll be interviewing Emily Heger, a lawyer working with the Human Rights Initiative of North Texas. I think a theme or more like, a common question in both Emily and Meranda's interviews is, are you centering the voices of those affected? That's definitely something I

think about when writing a song. Sometimes I get suggestions from people on issues to write about or I'll even put a call out on Twitter, you know, and it's cool, and it can be super helpful. But I'm not a robot, I have to be personally inspired creatively not just politically so I can't write a song about just anything. But sometimes I don't write a song because I can't find a way to write about the issue that best honors those affected. I think "This Stolen Land" is a good example of how you can avoid speaking for or over other people by just singing from your own perspective. I'm singing to people in power that look like me, and basically asking, "Do you see the hypocrisy staring you right in the fucking face?" And we'll get to that in a little bit in my upcoming interview with Emily Heger.

[intro music] Interview time!

**Shawna Potter:** Well, Emily, first of all, thank you so much for joining me. Can you introduce yourself to everybody?

**Emily Heger:** Thank you so much for having me and for thinking of Human Rights Initiative for this episode. Yes, I am an attorney. I'm currently an Equal Justice Works fellow hosted by the Human Rights Initiative of North Texas, with a project focused on winning asylum for women and girls, specifically, those who have fled what we would call gender-based forms of persecution. So anything such as honor killings, forced child marriages, forced FGM, in a lot of cases, it's severe domestic violence in countries in which that's not illegal, and my clients have not been able to access safety in their home countries. And so we are arguing that they were persecuted because of their gender and that they need refuge in the United States. And so I'm at the Human Rights Initiative right now, I have two years to do this work, and I've been here for about a year.

**Shawna Potter:** Wow, heavy stuff.

**Emily Heger:** It is.

**Shawna Potter:** I feel very comfortable sharing with anyone listening to this podcast that I don't know everything. And even if there's an issue out there, social justice issue that pisses me off or affects me in some way and I write about it, it still doesn't mean I know all the details, and I want to learn more. So I guess, well, really what brought you to this work? This is not something you wake up and do one day.

**Emily Heger:** No, it's not. And actually previous or prior to going to law school, I was working in International Economic Development women's empowerment. I worked in non-profit management. And we worked with women, specifically in East Africa and then also started working with women in the refugee and immigrant community, also formerly incarcerated women in Dallas, Texas where I'm located. So it was kind of through that organization which focused on creating jobs for women to I guess, just walk in their own agency and ability to lift themselves and their families out of their situations of extreme poverty. But I would say through that, I got to know a lot of these women and their circumstances. And was really surprised to learn that regardless of having access to a really meaningful living wage and other opportunities that our non-profit was able to provide, because of their immigrant status or because of their criminal background, they didn't have access to health care, they weren't able to get apartments or mortgages. And there were so many other ways that they were systemically held down because of their legal statuses. And so I went to law school similar to you, just curious, just wanting to learn more and know what I could do if I could play a different role in partnering with these women and helping to change their circumstances in their futures. And so I went to work trying to learn more, and I thought for, I guess, you know, I might not be able to involve myself in fixing the laws and the culture of every country across the US, but I mean across the world, but what could I

do to help women at least get safety that they need immediately. If they show up to the US border, how can I fight for them not to be turned away and not to be sent back to their home countries, where they are not safe? They're just not safe. And that's what it comes down to. I think I also learned through that and I'll end with this, that economists are able now to estimate that as of today 200 million women and girls are missing. And that's to say because of gender-based discrimination and violence against women and girls. And again, this manifests in so many different ways. That there are 200 million women and girls that are not here today that are supposed to be, whose lives have been cut short because of the ways they're discriminated against and because of the violence that they endure in their home countries and in their culture. And so when you ask how I got involved, I mean, it's all of those things. And I just know there's so much work to be done to change the plight of women and girls across the world. And the most like the lowest hanging fruit for those of them that show up at our borders, how can we make sure that we're allowing them access to safety here and to find refuge?

**Shawna Potter:** That figure is worldwide?

**Emily Heger:** Yes.

**Shawna Potter:** That's what you're saying?

**Emily Heger:** Yeah.

**Shawna Potter:** Wow, wow. Now, did you get a chance to listen to the song, This Stolen Land?

**Emily Heger:** Yeah.

**Shawna Potter:** Okay. I'm not asking if you like it, you don't have to like it, it's not for everyone. But what did it make you think of? What resonated with you? Was there anything I got wrong?

**Emily Heger:** I love that you're asking that, if there's anything that you got wrong, I think that's the absolute best posture to go into any of these conversations. And when I tried to take all the time... To answer your question, no, I don't think you got anything wrong. I loved this song. And I know I sent this to you in my email, but I'll say it again, I'm so... As an attorney, I'm so thankful for artists, musicians and other types of artists who use their skills and their platforms also to shine a light on these issues and also to educate our community and to change hearts and to change minds. I mean, I think through songs like this you're not only educating but you're inspiring empathy, and you're growing empathy and the people that listen to it. And as an attorney who's like in the courthouse doing the legal work, I feel that the empathy and the growing empathy and the inspiring empathy of our citizenry and of our communities it's the most important.

**Shawna Potter:** It helps your work?

**Emily Heger:** Yes, absolutely. Absolutely, yes. Yeah.

**Shawna Potter:** I find that there's often a little, you know, admiration being thrown at each other when it comes to musicians and artists that, you know, we think like we just... The least we could do is write a song, like that's kind of all I can do, but I'm jealous and I admire that you've gone to school, like a lawyer, you know? Like you're doing real work. But it's true that it all contributes to a more empathetic society that is more willing to take care of everyone. We can't do it without each other.

**Emily Heger:** Absolutely, yes, yes.

**Shawna Potter:** Now, I would like some help with something. Like let's start with the basics, can you help us parse out the difference between asylum seekers, refugees, and migrants? How should we be referring to what's going on right now at the Texas-Mexican border?

**Emily Heger:** Thank you. So we'll start with the difference between refugees and asylum seekers, at least in terms of the legal definition. Because I feel like colloquially, you could use them interchangeably. But in terms of what the courts and the law is considering when it says refugee or asylum seeker, a refugee is someone who has been given that status when they are outside of the United States. So for example, Syrian refugees, those who have fled their home country and maybe they've ended up at a United Nations refugee camp in another country. So they get registered with the United Nations, they go through several rounds of being vetted and checked and verified for their identity, for the fact that they are not violent, there is no reason for us to be concerned or worried about these people. And then they get put on a list or a lottery of refugees. And then countries who are willing to accept refugees say, we will... Historically, the United States, for example, has said, "We'll take in 100,000 refugees in a year." And so those who are on the lottery list get the opportunity to come to our country or to other countries. I will say since our current president has been in power, that 100,000 cap that I've mentioned has increasingly diminished I think, and each year it keeps getting lower, and each year it's breaking the record of the lowest number of refugees the United States is accepting. This fiscal year that number is zero. So I believe for the first time at least in modern history, the United States is saying we are not willing to accept a single refugee.

**Shawna Potter:** Does that have something to do with COVID or are health concerns an excuse?

**Emily Heger:** I believe health concerns are an excuse. That number was being talked about even before the pandemic was being taken seriously. And last year, pre-COVID, we were only accepting 18,000 refugees. So we went from around 100,000 to 18,000. So it's my belief that this pandemic is cited as a reason why we can get that number down to zero and have any semblance of justification to do so. So those are refugees.

**Shawna Potter:** Refugees, okay.

**Emily Heger:** Okay, so there are people outside of the United States, they've been vetted by the United Nation, and they're entered on a list or a lottery to come to countries willing to accept refugees. On the other side, we have asylum seekers, and those are persons who have come to the United States border. So you have to be in the United States to claim asylum. And by that, I mean, you get to either a border agent or you're in immigration court proceedings and you raise your hand and you say, "I'm afraid to go back to my home country." In which case, there's several rounds again of this vetting, there's the credible fear interview.

**Shawna Potter:** I've heard about that. Who determines if someone's fear is credible? Who's in charge of that?

**Emily Heger:** Yes. So it's an agency called USCIS, it depends on where the asylum seeker is when they're claiming asylum. But for example, if you come up at the US-Mexico border, then you have a Border Patrol agent who has been "trained to..."

**Shawna Potter:** I can see your face trying to be polite. It's okay, we're a punk band, you can say whatever you want.

**Emily Heger:** Thank you. Yes. So they conduct these credible fear interviews. And I will say prior to early 2019, the process was you pass your credible fear interview, which is supposed to be a very low bar, because this is someone who's coming to our country and saying, "I have made it here, and I am afraid for my life to return."

**Shawna Potter:** That journey alone should be proof.

**Emily Heger:** Yes, we give them the benefit of the doubt. If someone is saying, "Hey, I'm drowning," you're not going to say, "Okay, well, I don't know, do I believe you? Do I not?" No, I'm going to get you to safety, and then we'll figure out the details later. So the credible fear interview is meant to be a very low bar, but you do have to pass it, and it's the Border Patrol that's conducting these interviews. Once an asylum seeker passes the credible fear interview, then they're entered into our system, they're admitted into the United States, they call it paroling them into the United States. But they're in our system, and they're given a court date. And with that court date, they show up to an immigration judge, the government is an adversary in that proceeding. So the government has an attorney there to argue that in fact this person was not persecuted, does not have a credible fear of persecution and all the other elements of asylum law. So they are up against a tall burden to overcome, to prove that they do in fact qualify as asylum seekers. And then the judge may grant them asylum, and then they have a path to earning citizenship in the United States from there. And there are several elements that they have to prove to be granted asylum. They have to prove that they were in fact persecuted, and that's a high level of harm, it's not just basic discrimination or fear of harm. You can also be granted asylum if you can prove that you have a well founded fear of future persecution. And the idea there is we shouldn't be waiting for someone to actually be murdered to have to be afraid of persecution, but it is a high burden of proof. But not only that, you have to have been persecuted on account of a protected ground for the purpose of asylum. And those protected grounds include your race, your religion, your political opinion, your nationality or a category that is called membership in a particular social group. And so you have to...

**Shawna Potter:** I'm not hearing women or gender part of that list, that's interesting.

**Emily Heger:** Which is very odd considering our asylum statutes are supposed to be modeled off of international treaties that the US is a signatory to which does include gender as a basis for purposes of asylum. So the US explicitly excluded that category which is what a lot of my work revolves around. So yes, we try to argue that gender falls under that particular social group category, but you are absolutely right, it's total bonkers that it's not just its own form and in the statute.

**Shawna Potter:** How do these issues specifically affect women, girls and non-cisgender men?

**Emily Heger:** How do what issues? Like asylum?

**Shawna Potter:** Going through the asylum seeker protocols, what is happening at the border that is unique?

**Emily Heger:** Yes. So what's happening at the border, I'll tell you. Since 2019, the Trump administration

has implemented a policy called, and this is just laughable, the name of it is called the Migrant Protection Protocol. As if this were designed to protect migrants.

**Shawna Potter:** A little bit of 1984 action going on there, maybe.

**Emily Heger:** Exactly, exactly. So those of us in this fight have instead named it and refer to it as the Remain in Mexico policy or you may have heard it referred to as MPP for short for the Migrant Protection Protocol. But since 2019, those who come up to the US-Mexico border are no longer paroled into the United States and given a date to show up for court, they actually are forced to stay in Mexico while their cases are being adjudicated in US immigration courts. So I have--

**Shawna Potter:** These are sometimes people that are trying to flee Mexico, not even just more southern countries, right?

**Emily Heger:** Yes, yes. And absolutely, especially once they're placed into this MPP program. So I have about half of my client base now stuck in Matamoros, Mexico. And they have been since they've shown up at the US border saying, "I am afraid for my life." We turn them away, we make them live in basically a tent community. I mean, the only reason my clients have tents is because non-profits have gone down there and given them a tent and a sleeping mat which oftentimes get destroyed through... We just had a hurricane come through in the last month, or they get stolen. They're given permission by the Mexican government to reside in Mexico so long as they have an ongoing case in US immigration court, but they're not able to work. And so they're not able to go to school for those that have children, and so they're stuck literally living in the squalid tent communities if you could call them that. And they're subject to the whims of the hurricanes or, I don't know, a global pandemic that's going through our entire world. But what's even worse than that is they are now being targeted by the cartel. So anyone that the cartel has... And the cartel's gone on record, I mean, you can find reports of them actually being interviewed and talking about this strategy. But they see... Anyone trying to get into the United States must have a "connection" in the United States, which in their minds equates to has access to money.

**Shawna Potter:** That doesn't sound right.

**Emily Heger:** No, it doesn't, it doesn't, Shawna. And so I have clients that are being literally kidnapped by the cartel while they are living in these tent communities that the US government has forced them to reside in. And they're being kidnapped by the cartel and then held for ransom for their families or their connections in the United States are demanded to pay \$10,000, \$20,000 to let them go. And I won't even speak about the awful things that they have endured or witnessed while they're in the custody of the cartel. It is unimaginable horrors, all of which are the direct implication of US policy. Not to mention the fact that while they're stuck in Matamoros, they don't have access to attorneys. I mean, I'm only able to work with them through literally like six other people who are on the ground and working and finding these people. I mean, it's a mess, and there are tens of thousands of people stuck in this situation.

**Shawna Potter:** I've certainly heard a lot about kids in cages in the media. But I don't know that the story about communities of tens of thousands of people living in tents just waiting to have access to even talk to a lawyer, I didn't really know about that.

**Emily Heger:** No, no. And I'm surprised how little people do know. And I'm also surprised when I just talk to, you know, my own friends and family how little we all understand that the executive branch has

direct responsibility on all issues of immigration. And so you would think that a policy such as that, one that I believe goes directly against, I know, my values of an American would at least have to pass Congress. But no, this is the executive branch just directly implementing these policies without any kind of checks or balances. I will say that the Supreme Court is now, I mean, obviously advocates are not going to just sit by and let this policy happen, they're going to sue the government and say, "This is illegal for all of these important reasons." And so I also try to talk about that with my conservative friends. Do we agree... You know, if you believe in limited government and you don't want government overreach, how do you feel about your president just implementing all these new policies? And I will add that there have been over 400 immigration policies implemented by the executive branch since Trump's been in office. And so if that's not government overreach, I don't know a better example of government overreach. And then also, if you're fiscally conservative, the amount of money our government is spending to defend these policies in court, I haven't seen a figure but I cannot imagine. Because I know every human rights organization, every civil rights organization is fighting against every single one of Trump's policies. And rightly so, I don't want to communicate that they're over litigating this, it's that these policies have no grounds and legality. And yet they're being implemented by our executive office without congressional oversight. And that is just baffling to me, and it's horrendous.

**Shawna Potter:** I think, you know, all of our songs are about different facets of feminism or social justice. And the secret really is that every song being about a different subject, usually ends up being about the hypocrisy of the right-wing section of our political parties. It's really just about the hypocrisy that they say they want one thing, but they do another, and it's pretty consistent on all fronts. Now, I know that this crisis didn't start with Trump, but it feels like you're saying it has gotten worse under his administration. But how did we get to a point where all of this is possible? And now I'm going to be speaking with Meranda Roberts, who is a curator at the Field Museum, she's an indigenous woman, we're going to kind of zoom out and talk about the history of colonialism in this country and genocide in this country and how it relates to these issues. But I'd like to maybe zoom in a little bit with you, you know, walk me through maybe the past few decades or what's really gotten us to this point that we're in right now.

**Emily Heger:** Yes. And can I ask, I know, I want to make sure I answered your questions previously because you asked what is happening or what does this mean for women, girls, non-cisgender men and at the border? And I feel like I answered your question to what's happening at the border or one of several of the policies, but then I am happy to talk about asylum law as it pertains to women and how the doors have just continued to be closed if that's the past that you're interested in talking about.

**Shawna Potter:** Either way, let's do it. Let's do it.

**Emily Heger:** Okay, yes. So, as I mentioned, at least in the world of asylum law and the statute, the US statute for asylum, requires that the person to be granted asylum you have to prove that you were persecuted or you have a well founded fear of persecution and that that persecution is on account of a protected ground, and then it lists categories of protected grounds. And again, race, nationality, political opinion or membership in a particular social group. And as you so rightly pointed out, there's a huge one missing there, and that is gender. And so advocates, attorneys have been taking cases in the courts for the last 30 years trying to get gender recognized as a particular social group. So while we are not listed on the statute, like can we be included in that catch-all category of membership in a particular social group? Even though we know, as I pointed out in the beginning of our conversation, there are 200 million women and girls missing because of different forms of persecution against this gender or gender identity. And it manifests in so many different forms in every country in the world, and yet the US

asylum law does not recognize gender as an enumerated form of or grounds for persecution for the purposes of asylum. And so we have been arguing in the courts or advocates long before me have been arguing in the courts that an asylum seeker was persecuted on account of their gender and that their gender is a protected ground because it is a particular social group. And I will say that a big win, what we would call a landmark case came out in, I believe it was 2014. That was the case of Matter of A-R-C-G. And in that case, it basically opened the door for domestic violence forms of persecution. And on the count that particular social group had to be more detailed than just the asylum seekers gender, she was female. It had to include her particular social group that was argued not only included her gender and her nationality, but also the fact that she was in this relationship and that she was unable to leave her relationship with her abuser. And so the court said yes, that's a particular social group and yes, her domestic violence was harm that rose to the level of persecution. And so she was granted asylum.

**Shawna Potter:** And when was that?

**Emily Heger:** That was 2014. Yes, and they've been trying for these cases, I believe, since the '80s. So, literally decades of bringing different cases to immigration judges and to the Board of Immigration Appeals and the circuit court, finally, we get that landmark case. Well, then in 2018, the then Attorney General, Jeff Sessions, did this funky procedural thing that rarely gets used, but he decided to reopen that case and reopen it in a way where he gets to rule on it.

**Shawna Potter:** What? And that's legal, I guess.

**Emily Heger:** Yes. So he opens this case. To clarify, he opens this case called Matter Of A-B-, which was a very similar case to the 2014 one, and won asylum for Mrs. AB on the same grounds that Mrs. ARCG won. So then when Jeff Sessions certified the case to himself, he wrote a new opinion reversing it and saying all of this is wrong, basically. The actual holding in that case, we advocates would argue that the only real holding in that case was that Sessions said ARCG did not have enough evidence, which is one of the things that he said. And so we say when we're... Because you have to cite, that's now law, this Matter Of A-B- from Jeff Sessions is law. So we have to distinguish that case from our cases. And we say that really the only holding, like the only true holding that came out of that case was that we have to put forth more evidence around her particular social group than was provided in ARCG. And there's like a whole host of reasons, and I'm happy to get into it, why we don't even agree with that holding to begin with. But Sessions also used this case to just give his opinions about how domestic violence is rarely grounds for asylum and how gang violence is unlikely ever going to win asylum if someone's fleeing gang violence or domestic violence. And he said that if an asylum seeker's persecutor was someone that they were in a private relationship with, then it's unlikely going to warrant asylum, which in essence closes the door for a lot of... Meaningfully, practically, it closes the door on asylum for a lot of women and girls or cisgender or non-cisgender, excuse me, persons. Because a lot of time their abusers are people they're in a private relationship with. A lot of times it's members of their family, it's their domestic partners, that's certainly what I see in a majority of my clients cases. And with that opinion, and I do not doubt that Sessions knew what he was doing.

**Shawna Potter:** Someone in this administration does, someone has a plan.

**Emily Heger:** Yes. So he just in effect, closed the door and a lot of ways practically made it that much harder for a female or a non-cisgender person to not be able to win asylum, and it's super unfortunate. I will say that advocates are not giving up. There are so many attorneys and organizations galvanizing and collaborating and taking cases to the court and getting they're brilliant and they're creative and they're

arguing around this, and we're seeing some successes in the circuit courts.

**Shawna Potter:** So our band, War On Women, has a few songs about reproductive rights. One of them on a couple records ago now is called Pro-Life? with a question mark at the end. Again, speaking to the hypocrisy of people who call themselves pro-life while actively endangering people with uteruses, people that give birth, children once they're born, you know, advocating for war and the death penalty. And really lately, as of the taping of this interview, seemingly accepting the cruel, forced hysterectomies on folks at these refugee centers? I'm not sure what...Yeah, what should we call it?

**Emily Heger:** Immigrant Detention Center

**Shawna Potter:** Yeah, what should we call it?

**Emily Heger:** I mean prison for fleeing violence in your home country. But I think the term is, if people are trying to Google this or research it, immigrant detention centers.

**Shawna Potter:** Okay, so are these terrible, egregious practices new? Did it surprise you at all to hear this? I mean, what can only be the tiniest sliver of a silver lining is that people seem to be very upset about this, and are willing to speak out against it. But it just seems like one of those things that maybe only now is catching people's attention. What can you say about this?

**Emily Heger:** I mean, in terms of the forced hysterectomies, I hope that's new. That's not something I had heard about in the past. But that by no means means it wasn't happening prior to this. It's just egregious, it's awful. There are no words to describe how terrible this is. You know, I was interning with the ACLU of Texas in the summer of 2018, which was right when family separation was... It wasn't new, I would say the level in which it was happening maybe was new. Certainly, the collective consciousness of concern about this happening was new. And so I did some work investigating detention centers, immigrant detention centers during that, and it was awful. Just learning the conditions in which all people are held and have to, are forced to, I don't even know if you can call it live in while you're there. And I just remember we would have staff attorneys visiting these detention centers because they were trying to build a case to sue the government to say this is unconstitutional, what we are forcing people to live in. And that this was not to the extent of forced hysterectomy, this was just lack of sleep, lack of food, lack of... I mean, we had what? Like a hundred people per toilet, it was standing room only. It was just massive amounts of overcrowding, completely inhumane conditions.

I would say the treatment of migrants in these detention centers in the most inhumane ways imaginable is certainly not new. I do think forced hysterectomy is obviously taking it to an entirely different level, and it's egregious, and I hope that that's a new practice. I don't know enough about it, I haven't investigated that enough to say whether or not it's new. But unfortunately, I can say, I'm not surprised that it's come to that, that that's happened. I can see how it came to be, and I mean, there are no words, you know, in how much sorrow and how much anger that creates in me. And I will say, I have, you know, just being from Texas, I was born and raised here my whole life. I am from the Houston area, and I've now been in the Dallas area for about eight years. I've had a lot of those conversations with friends who believe it is their moral obligation to be pro-life and who have just been convinced that they are on the wrong side of history and that they are responsible for the death of babies if they are not pro-life. And it has been, I'm so thankful that you're shedding a light on the hypocrisy of that because... And a lot of women too, and honestly, I don't know if it's a southern thing or a Republican thing or conservative thing, a lot of women in my personal network just don't even see that they have their own agency or ability to nuance these issues and to think for themselves and to ask these questions. And I will say it's

been an exciting four years, I think with this new president and it has just forced us to wake up in our collective consciousness, to become aware and awake in ways that I haven't seen before for my friends that would be in the conservative bucket, to see kind of the hypocrisy in that pro-life stance and all the other ways that we want to advocate for life that you mentioned, and have a moral responsibility to do so. Yeah.

**Shawna Potter:** Well, as a fellow native Houstonian--

**Emily Heger:** Are you really? Wow.

**Shawna Potter:** Yes, I am. I am acutely aware of the double think that occurs sometimes. And it took me getting out of Texas and traveling and meeting other people and being exposed to different ideas to realize or really to better be able to think for myself and to recognize the hypocrisy of a capital P pro-life movement. And, yeah, so I'm here for any shit talking on Texas that you want to contribute to. But if you're not from there, shut the fuck up. But me and Emily can do it, okay?

**Emily Heger:** Yes, okay.

**Shawna Potter:** So I don't think you're alone obviously, in thinking of just how overwhelming all of this is, I think anyone listening to this episode probably feels the same way. This issue of... I don't even know how to boil it down, it's just immigration and an administration with no empathy, with no soul or heart, it just feels so big. This issue feels so big and overwhelming. And now, when this airs, it will be after this presidential election. So you and I do not know what has happened. Either way, I can guarantee to anyone listening I probably was drunk for a full 24 hours regardless. And then I probably decided to do something worthwhile, be productive, get to work. But we don't know, we don't know as of this taping what's going on. But what can you tell anyone listening about what we could do right now and then what should they be thinking about the next few years? Like do they donate somewhere now? Is there an issue they should look up? Is there someone that can write? And then what should they keep their eye on for the next few years regardless of who's in charge?

**Emily Heger:** Thank you for asking that. I think one of the first things that I try to remind myself to do and I would encourage any friend or anyone listening, is to maybe as much as you can glean from these migrants, these asylum seekers, these refugees. Glean from them their resilience is number one, like these are complicated issues. And there's a reason why we can't keep up with it, I think that that's a strategy on their part, to be honest. And so I'm incredibly inspired and motivated, and hopefully and like vicariously glean resilience from my clients and from the stories of these migrants if they're not going to give up in seeking safety or even just economic prosperity. I mean, I am so sick of hearing people complain that these migrants are only seeking economic opportunities as if that's not what all of us want for our families. But regardless--

**Shawna Potter:** But then they're also trying not to be murdered, so.

**Emily Heger:** Exactly, right. So yes, like number one, to just like truly meditate on the resilience of these people. And to the extent that you can, like take that for yourself. Vicariously lean on them and be inspired and motivated by their resilience, because number two, I think it's educating ourselves. And I say you need resilience even just to educate yourself. Because it is complicated, there are so many issues. Even in immigration, there are so many facets and it's not for the faint of heart to care about this. It's a lot easier to not care because it hurts. The more you learn, the more your heart is broken. And

especially when it feels like there is nothing you can do. So glean resilience, educate yourself. I think in terms of educating yourself, my encouragement would be to really audit where you're getting your information, asking yourself, "Are you centering voices of those who are directly impacted? Are you hearing from migrant communities, from community organizers in the impacted populations?"

**Shawna Potter:** Where might we find those voices?

**Emily Heger:** Yes, I was just going to say, can I give you a couple resources and/or advocates who are on the ground? So I definitely would recommend following Las Americas Immigrant Advocacy Center. I know I mentioned them earlier. I would recommend a couple of attorneys who are at the border and very closely involved in this issue and have been for decades. One, Taylor Levy in El Paso and then Jodi Goodwin is in Harlingen, they're incredible resources. And then also Sidewalk School for children asylum seekers, I think is a great organization to follow and to learn, any of those organizations I'm mentioning. If you need a number three and you're looking for somewhere to donate, so Center for Gender and Refugee Studies, the Tahirih organization, Lawyers for Good Government, Las Americas Immigrant Advocacy Center, Sidewalk School for children asylum seekers.

**Shawna Potter:** A lot of options. It shows how big this is.

**Emily Heger:** So many organizations, and yes, and continue to be open to learning new sides, I think asking questions. The other and the final thing I would just if I could make a plea to anyone listening to this, is just to have confidence in yourself. I think having a posture of humility and curiosity is so important, but I think sometimes we allow ourselves to think we don't know enough to enter into the conversation with those with whom we have the most influence. So the fact that you've listened to this podcast means you now know more than maybe your mom does or your sister or your friends and own that. And I think with that comes a responsibility to share what you've learned with others who have not listened to this podcast yet and maybe who have and have conversations about it, you know. Find partners in this journey and to continue to learn from and with. I think those are all of my action items.

**Shawna Potter:** I think that's great, that's a lot of great information. So it sounds like, you know, you gave us a really good list of organizations to donate to. If you're looking for something to do, just donate five bucks right now. And then it's to keep listening to voices of those affected that are on the ground helping so we can keep educating ourselves. And then whatever is needed next from us will sort of present itself because we'll be tuned in to what's going on.

**Emily Heger:** Yes. I think that, if I may just add a couple more things, and again, you said this would be coming on after the election, definitely continue to raise hell and continue to educate yourself so you can raise hell. Follow the advice and the guidance of all the organizers that I've listed because they'll tell you who to call, when to call, and what to say. And do it, it is so easy. For anyone that has not called your representative yet, please promise me you will do it in the next 30 days because it is so much easier and less intimidating than you're thinking that it is. And remember that they work for you. So call them to that, they can only work for you and represent you if they know you. And then if Biden wins, he's already promised to open the door, open the asylum door back up to survivors of domestic violence, to survivors of gang-based violence, he's promised to reverse a lot of these policies that the Trump administration has put in place. So hold him to that, remind him of all of his promises, and make sure that he follows through with them. Make sure he understands that this is still a priority of the American people, and that he's still also our elected official. And so he needs to represent our values. And yeah, and we demand that he follow through on his promises.

**Shawna Potter:** Fuck yeah.

**Emily Heger:** Yeah.

**Shawna Potter:** Thank you so much for doing this, Emily. I really appreciate you taking the time to talk with us so we can learn a little bit more, put this into context and realize that it's a big problem that didn't start with this administration, but it could certainly keep getting worse, and we've got to fight like hell to make sure that it doesn't get any worse. Now I'm so used to talking with other musicians or artists, I want to ask, you know, do you have anything you need to plug? New album coming out? I don't know, maybe you have a new album coming out. No, what's the right question to ask you? What's coming up for you? What do you want to share?

**Emily Heger:** For me personally, it's just a lot more of the same. I'm just going to keep my head down, keep fighting for my specific clients. I think if anyone's interested in learning more about my work or the work of just this general collective of advocates, I would just point you to those organizations that I mentioned previously.

**Shawna Potter:** Thank you so much, Emily.

**Emily Heger:** Awesome, thank you so much. This is such a pleasure, I enjoyed it.

**Shawna Potter:** Thank you, Emily. Yes, Emily recommended a ton of organizations to follow and support throughout our interview, but some were cut in the normal editing process. So I'm going to have all the amazing organizations and activists and lawyers she mentioned listed in the show notes of this episode which are always available on my website [shawnapotter.com](http://shawnapotter.com) a few days after the episode airs. She was also kind enough to send an update on the Migrant Protection Protocols, MPP, the main issue we focused on in her interview. The update is warranted because Biden is now in office, and he's made a lot of changes and not all good. She says, "The Biden administration has announced that no new migrants will be enrolled in MPP. And the Department of Homeland Security has announced initial plans to welcome into the United States people with active asylum cases who have been forced to remain in Mexico under MPP. While we are grateful for these efforts, they are only the beginning. Thousands of asylum seekers were denied their claims over the last couple years in MPP, and many of those have pending appeals in our court system. They too must be allowed into the United States to safely pursue their legal right to protection from the persecution they are fleeing. And finally, we cannot forget those thousands who were denied their claims in MPP proceedings and who were returned to their places of persecution. We urge the Biden administration to pursue redress for them as well. MPP was a horrific policy, one of many implemented by the former president, and undoing its egregious effects will be complicated. We applaud the Biden administration's first steps, and we will continue to push for more."

Yes, let's push for more. Biden is already reneging on so many campaign promises he has made including immigration promises, so let's keep fighting. Go to the show notes on my website and check out every single person that she recommended. Support them, donate money, get involved, whatever you can do.

Okay, let's give y'all a break. That was kind of a heavy, big episode. So how about we do band interviews next time, what do you say? So next episode, you'll hear insight from me and the band about writing and recording this song. And why is Australia involved? Great question. We'll also hear my interview with Dr. Meranda Roberts, where we zoom out a little bit and discuss how these inhumane detention centers for

asylum seekers are even possible in this country. Spoiler alert, it's pretty on brand for the US it turns out.

[music]

**Shawna Potter:** The official sponsor of But Her Lyrics... is First Defense Krav Maga. Check them out at [firstdefensekravmaga.com](http://firstdefensekravmaga.com). Big shout out to new Meatheads Zacharie and Gaelen, and established Meatheads Lauren and Melissa. I love y'all. Thanks for always understanding that not every one of our songs sounds good on acoustic. Oh, what's that? You haven't joined my Patreon or you've joined at the smaller tiers? Well, then you are missing out on the ability to specially request videos and performances and ask questions and get them answered on air like our best to recruit Stephan and his daughter Julina, who are responsible for a lot of cool questions and the most recent request talking about some tour stories. I got everyone in the band to send me a video of them talking about a tour memory. So for all that exclusive content and these amazing tour stories, please sign up at [patreon.com/shawnapotter](http://patreon.com/shawnapotter) or upgrade your membership tier to see all the extra bonus stuff. We did have a fan request from Lauren who asked for a playlist. So I put something up on Spotify, the War on Women's Spotify page, of just what I've been listening to around the house lately, mostly kind of chill. But enjoy, for your listening pleasure. All right, that was episode four of But Her Lyrics.... Keep listening to hear the song "This Stolen Land" in full. The album Wonderful Hell is available on vinyl from Bridge Nine Records, digitally from Bandcamp, and streaming in all the usual places. Thanks to Brooks Harlan for chopping up our song "Her?" to create the podcast theme song. If you'd like to support this podcast and this band, well, we'd be very grateful. So share, subscribe, and review this podcast. It's free and it helps. Buy War On Women merch from [b9store.com](http://b9store.com), [shirtkiller.com](http://shirtkiller.com). And in the UK and Europe, you can buy stuff through Coretex Records and [lhpmerch.com](http://lhpmerch.com).

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[music This Stolen Land]

You create the refugee  
Then you hate the refugee  
No one's illegal on this stolen land

Check the skin against the paint  
It looks to be too dark a shade  
You can't lock everyone up to keep us safe

Shake the cages and storm the gates  
The clock is ticking and they can't wait  
Shake the cages and storm the gates  
You might feel helpless, but they can't wait  
Shake the cages and storm the gates

To join the front lines what would it take?

Can more violence conquer yours?

Can our love open the doors?

I can't help you if you love to hate

You create the refugee

Then you hate the refugee

No one's illegal on this stolen land

[End]

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