

Nearly ten years after the Statue of Liberty was delivered to New York, Emma Lazarus wrote *The New Colossus*, a poem associated with Lady Liberty and the United States' legacy. The verse reads, “Give me your tired, your poor, Your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!” (Lazarus, 1833). A modern addendum would include, “but only if you are white.” From the nation's earliest immigration laws to modern enforcement, America’s legal openness has depended on race and nationality rather than universal ideals.

This contradiction has become apparent in recent years. But as anti-immigrant policies have escalated, some lawmakers have challenged the gap between America’s professed values and its actions. Among the most vocal is Oregon Senator Jeff Merkley, who has argued that immigration enforcement should never come at the cost of humanity. This places him in direct conflict with federal policy at the southern border. Merkley’s combination of moral clarity and legislative action illustrates why he is a profile in courage.

During Donald Trump’s first presidential term, anti-immigrant rhetoric and policy intensified along with a rise in hate incidents countrywide. The Anti-Defamation League reports that the late 2010s were “bookended and interspersed by a series of all-too-frequent tragedies, many [...] the result of wrongheaded government policy,” with people of color increasingly targeted (The Anti-Defamation League, 2019). Public opinion among white Republicans also hardened, with a record high of 61% saying they opposed immigration in any form (Thomas B. Edsall, 2019). Immigration enforcement became a political weapon built on fear.

The most extreme manifestation of this approach was the Trump administration's “zero-tolerance” policy, which separated migrant children from their parents at the Southern border. The policy was designed not just to enforce laws but to inflict trauma. Under the zero-tolerance policy, according to Human Rights Watch, “some children sobbed uncontrollably” and “nearly all were bewildered, not least because immigration officials would not tell them where their parents were or gave responses that proved to be lies” (Human Rights Watch, 2024). The policy was so damaging that medical experts described it as “state-sponsored child abuse” (Human Rights Watch, 2024). This kind of harm is fundamentally un-American, violating the nation's longstanding promise of family unity and due process. Rather than guarding individual

liberty, this policy uses state power to traumatize vulnerable families, contradicting the equal justice that the United States claims to uphold.

This moment compelled Merkley to take action; he confronted the policy while defending the vulnerable. In June 2018, Merkley traveled to the Texas border to investigate the situation firsthand. When he attempted to enter the Brownsville Detention Facility, where migrant children were being held, he was denied access. In response, he challenged the administration, demanding transparency. In a letter to the Office of Refugee Resettlement, he condemned the policy for being “outrageous and cruel,” accusing the government of intentionally traumatizing children by separating them from their parents in order to deter asylum seekers. (Merkley, 2018).

He reiterated this condemnation in July 2019 when he returned to the border with a delegation of Senate Democrats and declared, “No American wants innocent children to suffer-especially not on America's watch,” criticizing the administration for pursuing a strategy that inflicted trauma on children to discourage asylum claims. (Merkley, 2019). By invoking public responsibility, Merkley rejects the idea that cruelty at the border exists outside of public accountability and insists that these policies, carried out in the name of American citizens, demand moral scrutiny.

Unlike many of his contemporaries, who criticized from afar without action, Merkley witnessed, documented, and then took control of the situation. In Congress, he helped introduce the Stop Cruelty to Migrant Children Act, stating, “no moral or religious tradition in the world condones hurting children to send a political message-but that is exactly what the Trump administration has done” (Senate Democrats, 2019). This legislation sought not just to end family separation but to establish humane standards for how children in U.S. custody must be treated. By grounding the legislation in shared moral principles, Merkley aimed to build a case for reform that is bigger than party alliances.

Merkley's courage was not risk-free. He faced fierce backlash from conservative media and attacks from the administration, yet he remained persistent. A day after Merkley's trip to the southern border, the White House released a statement dismissing the trip, it reads, “No one is taking a public safety lecture from Sen. Merkley, whose own policies endanger children, empower human smugglers and drug cartels, and allow violent criminal aliens to flood into American communities” (White House Press Release, 2018). This public attack from the executive branch was aimed at undermining Merkley's credibility and portraying his advocacy as dangerous, a tactic that associated him with criminality and national insecurity.

The consequences of Merkley's actions were mixed but meaningful. While the zero-tolerance policy was officially ended, many families were never reunited, and accountability remains limited. However, Merkley's efforts helped force national attention onto the cruelty of family separation, contributing to legal challenges, media scrutiny, and broader public outrage. His continued advocacy, including repeated visits to the border and support for legislation like the DREAM Act, demonstrates that political courage is not a single moment but a sustained willingness to confront injustice.

At a time when acts of cruelty were politically rewarded, Merkley chose to insist against it. In doing so, he reminded the nation that Emma Lazarus' words were not meant to be conditional, and that defending them often required standing alone. His refusal to accept cruelty as the governing strategy placed moral responsibility back at the center of immigration policy, where human dignity outweighs political gain. Merkley acts with the understanding that the ideals etched onto the Statue of Liberty demand action, not only remembrance. His stance affirms that courage in government is measured by the willingness to defend the vulnerable even when doing so carries personal and political loss.

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