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Idaho Common Sense[®]



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Is the Arizona law a burden?

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Those opposed to Arizona's illegal alien law praised Judge Susan Bolton's ruling against it as a victory for immigration rights. Really? What did the Arizona law have to do with immigration rights? Wasn't it about illegal aliens?

In fact, according to the USA Today, many illegal aliens were so worried about the law that they were preparing to self-deport if it was upheld, proof that enforcing federal law would solve much of the illegal alien problem by promoting self-deportation.

But, Judge Bolton listened to the Justice Department's claim that the Arizona law would interfere with foreign relations, specifically with Mexico. Is the Justice Department fearful the United States would upset Mexico if it started sending some of the 12 million illegal aliens back home? I am sorry, but should we care?

The offended President of Mexico, who arrogantly chastised us our country when he addressed our Congress, willingly enforces his own federal law that requires local Mexican authorities to check the immigration status of all foreigners who come to them for help. How do his police decide who is a foreigner so there is no discrimination like he claims will occur in Arizona.

In her ruling, the judge added that the Arizona law would "likely burden legal resident aliens." How? The Arizona law only requires legal resident aliens to

follow federal law and carry proper documentation. But she claimed it could be a burden because it could lead to harassment of citizens and legal immigrants. Is it reasonable for a judge to rule against a law because it might be abused? Doesn't law enforcement have the ability to abuse any law if it chooses? Where is her logic?

The judge also cited a 1941 Supreme Court ruling that a state could not impose a "distinct, unusual and extraordinary" burden on legal resident aliens, saying a Pennsylvania law led to "indiscriminate and repeated interception and interrogation by public officials."

Is that what the Arizona law would allow? Would it allow "indiscriminate interrogations," or was it specific, allowing authorities to check immigrant documents only when law enforcement was enforcing other laws? Did the judge claim something in the Arizona law that was not there and then rule against it?

Perhaps the federal government and the Judge need to learn from Sir Winston Churchill who said, "Sometimes it is not enough to do our best; we must do what is required." Arizona did its best with a federal government that ignores our border with Mexico, except for seeing 100,000 potential voters illegally cross our southern border each month.

This view is supported by recently leaked administration memos that speculate on how to

"reinterpret" the law to grant citizenship to illegal aliens without the approval of Congress. Do you think they can get that done in time to collect the debt of 12 million new voters in November? Rather than working to deport illegal aliens, our politicians are courting the votes of 12 million people who are here illegally.

Well, Arizona did listen to Churchill and after doing its best, it did what was required and it enacted state law to enforce federal law. It enacted nothing counter to federal law, only complimentary. It just could no longer suffer the negligence and hypocrisy of the federal government.

Of Bolton's ruling, Chapman University law professor John Eastman said, "The claim that just simply having your law enforcement enforce federal law is a violation of federal law, that's just ludicrous." Thanks to Judge Bolton, I now understand that enforcing federal law is against the law.

But the judge left in place the part of the Arizona law that allows it to prevent cities from becoming "sanctuary cities" that openly defy federal immigration law. Do I understand this correctly? It is against the law to enforce federal law, but it is also against the law to defy it.