



Written by [Ron Paul](#) on January 30, 2024

Heading for the ‘Texit’?

The clash between the Biden Administration and Texas spilled out into the open last week, when the US Supreme Court ruled that Federal authorities could remove razor wire that Texas Governor Greg Abbott had been installing along the border with Mexico to stop the millions of illegal immigrants from crossing over to the United States.

This time Abbott did not back down. Instead, he issued a statement declaring that “an invasion under Article I, Section 10, Clause 3” of the US Constitution is underway and invoking “Texas’s constitutional authority to defend and protect itself.”



Ron Paul

Here Governor Abbott answers an important question I brought up back in my 1988 US Presidential run: at what point do open borders and mass illegal immigration into the US become an “invasion,” which would grant governors the authority — and obligation — to take action?

By some estimates, more than six million illegal immigrants have crossed into the United States during the three years of the Biden Administration. These illegals likely mostly come from Mexico and Central America, but the fact is we have no idea how many of them may be arriving from, for example, the Middle East or other war-torn areas of the world. Last month even the New York Times wrote of the disaster on the US border that, “thousands of migrants are arriving at the border every day, trekking from the farthest reaches of the globe, from Africa to Asia to South America, driven by relentless violence, desperation and poverty.”

With the world awash in US weapons, it’s not hard to imagine the danger of the situation.

It is a problem that the Biden Administration is not willing to tackle, likely for political reasons particularly in an election year. And Biden found an ally in the US Supreme Court and Chief Justice John Roberts with the ruling that Federal agents may begin removing barriers set up by Texas authorities. But the intensity of the dispute became apparent this time when 25 Republican-led states issued statements in support of Texas.

It began to look like a showdown and many even began to invoke words like “secession.”

However, if the Biden Administration intends to use the Supreme Court ruling to take action against the Texas border barrier there are more immediate ways of defending the border. Rep. Thomas Massie took to Twitter last week to recount a meeting he and a group of US House Members had with the late Justice Antonin Scalia. At the breakfast, Massie wrote, Justice Scalia told the group to quit complaining about Supreme Court rulings and start defunding rulings they oppose.

As Massie explained in another Tweet, “Congress can render the 5-4 Supreme Court decision against Texas IRRELEVANT by simply refusing to fund Biden’s removal of border security measures.” Nullification through the “power of the purse” is an important tool given to Congress in the US Constitution and it could be easily exercised in this case.



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Biden is clearly playing politics with the immigration crisis, claiming last week that as soon as Congress passes yet another immigration “reform” bill — one that includes \$100 billion in military welfare for Ukraine, Israel, and Taiwan — he will take steps to address the Border. Congress should reject this blackmail and US states should continue to take measures — including nullification of the Supreme Court ruling — to protect against invasion.

Ron Paul is a former U.S. congressman from Texas. This [article](#) originally appeared at the Ron Paul Institute for Peace and Prosperity and is reprinted here with permission.



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