



Written by [Bruce Walker](#) on September 4, 2010

Justice Dept. Discriminates Against Arizona

The federal government filed suit on August 30 against the State of Arizona because of alleged discrimination by Maricopa County Community Colleges requiring that non-citizen job applicants fill out documents to prove that they were eligible to work in the country. About 250 non-citizens were affected by the college hiring requirement.

Thomas Perez, Assistant Attorney General in the Department of Justice's Civil Rights Division, said: "It is unlawful to treat authorized workers differently during the hiring process based on their citizenship status" and that this procedure by the community colleges is a "pattern or practice of discrimination." The community colleges are, of course, discriminating — but is this discrimination unlawful or even immoral? Laws that require child molesters to stay away from schools are discriminatory. Laws that require potential drivers to take vision examinations are discriminatory. Even laws which require that non-citizens have documents, somewhere, that establish their right to be in the country are discriminatory.



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The new action by the Justice Department appears to be nothing less than harassment of any Arizonans who want to keep illegal immigrants out of the state. Actually, the law helps legal immigrants for jobs — it does not discriminate against them. Consider if half of the 250 job applicants were here illegally and half were here as legal immigrants and consider that there were only 200 jobs available. If the laws were enforced and if illegal immigrants were detected during the hiring process, then the legal immigrants would have a much better chance of getting a job. Which legal immigrant would say that the relatively minor issue of bringing proof of legal residence was more important than the chance to get a job with the colleges?

The college system also has a legitimate hiring interest in knowing which of its prospective employees comply with the law and which do not. Many employees routinely ask applicants if they have been convicted of any crime. The issue of moral fitness affects not only the commission of a crime but also the honesty of an applicant in providing information to his prospective employer. Is the Justice Department intending to prohibit employers from asking questions about an applicant's moral fitness? If not, would the colleges be allowed to independently confirm the legal status of an applicant?

In many situations, the federal government requires state and local governments to ask questions. For



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example, anyone who applies for a job in America is required to provide his Social Security Number. That is highly discriminatory and also rigorously enforced. And the Brady Act requires criminal background checks of gun purchasers.

There is invidious discrimination involved in the Department of Justice's lawsuit alright. It is the discrimination that the Department of Justice is showing in wasting government assets pursuing a college system that is simply trying to insure that federal immigration laws are enforced. Colleges that routinely purge all free enterprise education from curriculum or which allow patriotic students to be bullied and harassed by Stalinist professors or which treat the Judeo-Christian moral and religious foundation of America to bigoted and one-sided condemnation do not, it seems, trouble the Civil Rights Division of the Justice Department at all. Black Panthers who terrorize white voters does not trouble the Justice Department. The discrimination that should trouble us is in the U.S. Department of Justice itself.



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