



Written by [Joe Wolverton, II, J.D.](#) on June 28, 2010

## Mexico Joins Suit Against Arizona; Illegals Sue Rancher for Civil Rights Violations

The Obama administration announced recently that it intends to sue Arizona in order to temporarily block implementation of SB 1070 until Congress passes its own version of comprehensive immigration reform.

The state law in question was passed in order to discourage illegal immigration into the Grand Canyon State and to strictly enforce existing federal law regarding the immigration status of millions currently present in the United States.

The zeal demonstrated by the Obama White House in taking all available means (lawful and otherwise) to prevent Arizona from asserting its constitutionally-protected right to be protected from invasion is matched only by its stupefying reluctance to secure the southern border and protecting the lives, land, and fortunes of legal residents of Arizona.



The Federation for Immigration Reform (FAIR) accuses the President of "systematically dismantling immigration enforcement while laying the groundwork for massive amnesty."

The citizens of Arizona expressed their sentiment through the actions of their duly elected representatives, precisely in the manner anticipated by the system of dual sovereignty established by our Founding Fathers in the framing of our Constitution. The states are not subordinates of the national government. Each of the 50 sister states is a separate sovereignty with all the rights, privileges, and responsibilities thereof.

A majority of Arizonans (and their fellow Americans) overwhelmingly support SB 1070. Since the bill was signed into law by Governor Jan Brewer, nearly a dozen states have proposed similar statutes to deal with the problem of illegal immigrants that seems to plague every state, border or inland.

If the Obama administration is successful in its quest to prevent the lawfully enacted will of the citizens of Arizona to take effect on July 29 as presently scheduled, then the states will be rendered powerless to resist the will of the national government whenever it is contrary to the will of the state government. The states will be reduced to mere suzerainties of the plutocrats on the Potomac and the splintered remains of their sovereignty will be consumed by a fire kindled with the shreds of the 10th Amendment.

Apart from the designed dismantling of federalism and the right of states to govern themselves, there is a more immediate threat from the administration's policy of preventing the enforcement of immigration



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laws.

According to reports published worldwide, drug lords and criminal cartels are increasing in power to a level that threatens the stability of the Mexican government in Mexico City. These criminal operations will undoubtedly proliferate as the leaders thereof will interpret the federal lassitude as tacit permission to perpetuate the extension of their evil dominion over extraordinarily large swaths of land in Arizona. There are reportedly sections of southern Arizona that have been abandoned by legal residents for fear that the crime wave will wash away all that they have worked so hard to build.

A representative of FAIR expressed a similar point of view, "In deciding to join the effort to block SB 1070 from taking effect, the Obama administration is once again putting its own political agenda ahead of its responsibilities to protect the nation and the interests of people who live along the border."

That is precisely the state of affairs. Not only have decades of presidential administrations (from both major parties) and congressional co-conspirators (from both major parties) sat idly by and suborned the invasion of the invasion of the border states, but when one of those states dares enact laws to protect itself and make up for the federal disregard, that state is threatened with legal action aimed at preventing those laws from taking effect.

There is a third member of the Triumvirate working in league to propel the speed of the illegal invasion of Arizona — the so-called "republic" of Mexico.

On Tuesday, June 22, Mexico filed a "friend of the court" brief in support of one of five lawsuits currently pending in federal court challenging the constitutionality of SB 1070.

The brief pleads with the court to declare the law unconstitutional and asserts that the country has material legal standing as its own interests and rights are at stake if the law is permitted to go into effect as scheduled.

Specifically, the Mexican lawyers insist that the interest in having "consistent relations with the United States shouldn't be frustrated by one state." Furthermore, the brief warns that if the law is put into practice, then the rights of Mexican citizens will be violated as a result of "racial profiling" that will accompany the enforcement of the law.

Curiously, the law specifically forbids racial profiling. The law passed by the Arizona state legislature and supported by a vast majority of Americans requires police to ascertain the immigration status of anyone reasonably suspected of being in the country illegally, provided that person is already being detained for some other lawful purpose.

The law prohibits the solicitation of day labor along the streets of Arizona and it makes being illegally present in Arizona a misdemeanor.

All of these elements are already part of the panoply of federal statutes enacted to punish unlawful entry into the United States. Governor Brewer and Arizona state legislature expressly referred to the federal government's failure to enforce the law as a reason for the necessity of the enactment of SB 1070.

Ironically, the immigration law considered so noxious by the government of Mexico is far fairer and less strident than similar statutes in place in their own country. Until about two years ago, being illegally present in Mexico was a crime punishable with imprisonment for up to two years, followed by immediate deportation.

The current state of the law in Mexico makes illegal immigration a civil offense; however, it does



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mandate that Mexican law-enforcement officers demand proof of immigration status from everyone suspected of being a foreigner. As a matter of fact, foreigners have no legal standing or right to due process if detained by Mexican authorities.

It's not just conservative proponents of Arizona's new immigration law that decry the hypocrisy of the Mexican government in joining a suit against a law that is much less draconian than their own. Amnesty International has accused Mexican officials of routinely raping, kidnapping, and abusing immigrants coming across its southern border with Belize and Guatemala. In fact, so rampant was the misdealing, that immigrants would include bribes for Mexican officials as part of the cost of funding their journey across the border.

It now falls to a United States District judge to decide whether or not the brief filed by Mexico (and other similar briefs) will be accepted and made part of the underlying suit.

Governor Brewer issued a statement saying she was "very disappointed" by Mexico's involvement in the lawsuit. She avers that the bill she signed into law is "both reasonable and constitutional."

Brewer took the opportunity to reiterate that SB 1070 would be unnecessary if the federal government had performed its duty and sealed the porous border through which millions of immigrants have illegally entered the United States like water through a sieve.

In a related story, on June 22, a landowner in Arizona who has waged a 10-year campaign to stanch the flood of illegal immigrants across his property has been sued by 16 Mexicans accusing the rancher of violating their civil rights when he stopped them and detained them at gunpoint when they attempted to cross his land after making it over the U.S.-Mexico border.

Roger Barnett first began detaining illegals after several of them, according to Barnett, stole his property, killed livestock, and attempted to break into his home.

Barnett insists that he has never injured any of the illegals he has caught and that he always calls Border Patrol and turns over the trespassers to the federal authorities.

According to reports in the *Washington Times*, the plaintiffs are represented by the Mexican American Legal Defense and Educational Fund (MALDEF). By cross-referencing this information with the data published at [americanpatrol.com](http://americanpatrol.com), MALDEF is supported by corporate contributions from The Ford Foundation, The Rockefeller Foundation, and the Soros Foundation.



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