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## **More Victims of Immigration Control** **by Sheldon Richman**

Consistent advocates of individual liberty often point out that government restrictions on free immigration violate the rights of people not born in the United States. Not only are they denied their freedom to move and improve their lot in life, but if they make it into the United States, they are subjected to police-state raids and exploitation because their illegal status denies them access to justice.

While the immigrants themselves bear the brunt of U.S. immigration policy and will suffer even more regardless of who becomes president next year, they are not the only victims. Additional victims are to be found among American citizens. For example, business owners who are threatened with huge fines and imprisonment for hiring workers not approved by the government are victims. They have violated no one's person or property. All they have done is engage in voluntary exchange with workers who do not have government permission to be here. Big deal! I thought we believed in free enterprise in this country. That the political party which claims to embrace free markets countenances employer sanctions and interference with the right of association speaks volumes. Could hypocrisy be more plain?

But employers are not the only victims. Another group is found on the U.S.-Mexico border. They are property owners who refuse to let federal agents onto their property to determine whether the proposed border fence should be built there.

The Associated Press reports,

The government is readying 102 court cases against landowners in Arizona, California, and Texas for blocking efforts to select sites for a fence along the Mexican border, a Homeland Security Department official said....

With the lawsuits expected soon, the legal action would mark an escalation in the clash between the government and the property owners. The Bush administration wants to build 370 miles of fencing and 300 miles of vehicle barriers by the end of the year.

A number of property owners have granted the government access to their land. But others have refused.

The AP goes on to report, “The government may not need all the properties for the project. Officials need to determine which to buy or *seize through eminent domain*, or whether alternatives such as lighting, more Border Patrol agents, or technology would work better in those areas” [emphasis added].

Apparently, at least some of 102 landowners fear the government will steal their land — using the euphemism “eminent domain” — to build a fence to keep independent immigrants out of the country. Who can blame them for not letting the federal agents on their land? Eminent domain is the doctrine that government is the ultimate landlord of the country and people hold their property at the pleasure of the state. If it wants the land, it can take it. To be sure, the Constitution says it has to pay for the land. But there can be no “just compensation” in a forced sale. What makes compensation just is consent, which is absent with eminent domain.

Eloisa Garcia Tamez, 72, who owns three acres in El Calaboz, Texas, is heroically defiant: “I’m waiting for whatever they’ve got coming and I’m not going to sign. I’m not.”

Homeland Security Secretary Michael Chertoff says he doesn’t have all day. “The door is still open to talk if people want to engage with us, if they have some alternative ideas. But it’s not open for endless talk. We do need to get moving on this proposition,” he said.

Well, isn’t that nice in the land of the free? The government wants to trespass on private property in order to determine whether it will seize it to build a Berlin-style wall to lock out people who are looking for work from willing employers. And the secretary wants no back talk from the mere landowners. He’s a busy man. His patience is limited. Say what he wants to hear or realize the awesome power of the state. It’s the Wizard of Oz blustering about eminent domain.

Ignore the little men behind the curtain.

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