

International Socialist Organization, Socialist Alternative promote Democrats and courts as defenders of immigrants

By Eric London
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The International Socialist Organization (ISO) and Socialist Alternative (SA) are appealing to the Democratic Party and the federal courts to oppose the Trump administration's reactionary immigration policies. By instilling illusions in the Democrats and the judicial branch as defenders of democratic rights, the ISO and SA are working to block opposition from developing in a revolutionary, anti-capitalist direction. This only facilitates Trump's plans to deport millions of undocumented immigrants.

The ISO and SA paint a false picture of the Democratic Party, portraying it as strenuously opposing Trump's immigration policies. In a February 14 article, the ISO quotes Democratic Senator Chris Murphy and praises his "admirable bluntness" in opposing Trump. SA's National Committee published a major policy statement on March 2 that claims "the Democratic Party leadership" is taking "a more aggressive, oppositional stance" in the aftermath of Trump's election.

SA goes so far as to praise "key leaders like [Democratic Senate Minority Leader] Chuck Schumer," who "clearly understand the necessity for a firmer approach and of making some concessions to the left of the party."

In fact, the Democrats, from supposed "lefts" such as Bernie Sanders and Elizabeth Warren to Obama, have repeatedly declared their readiness to work with Trump to implement his bogus campaign promises to help US workers. As though it remains to be seen what type of policies this far-right government of billionaires, generals and outright fascists will pursue!

The Democrats have largely dropped their criticisms of Trump's travel ban on Muslims as well as his savage attacks on immigrants from Mexico and Latin America. Instead, they continue to press their anti-Russian witch-hunt and focus, in so far as they pursue social issues, on defending Obamacare.

Referencing the massive demonstrations that broke out in response to Trump's anti-immigrant initiatives, the ISO wrote on February 15 that the purpose of protesting is "to force elected officials to back up their words with the kind of actions it will take to keep our families and friends safe," and to pressure Democratic-controlled city governments to "take a stand."

In its March 2 National Committee statement, SA calls for "a sustained grassroots campaign aimed at 'stiffening spines'" of elected Democrats. SA is already preparing to support the Democratic Party in the 2018 midterm elections, writing that "the question of ousting the Republicans in Congress in the midterms will become a bigger point of discussion" as the elections draw nearer. SA claims

that Democratic gains in Congress would mark "a dramatic shift which would significantly alter the political terrain and objectively constrain Trump."

At the same time, both the ISO and SA call for those opposed to Trump to place their faith in the courts as a mechanism for halting Trump's attacks on immigrants.

Citing the Ninth Circuit Court of Appeals' decision to grant a temporary stay of Trump's January executive order barring immigration from seven predominantly Muslim countries, the ISO wrote on March 3: "The protests will matter once again in determining what the judiciary does."

The court system "will be a lot more vigilant in protecting its own authority and privilege in the face of such bullying" from Trump, the ISO continues. "It's a battle, in other words, between an incompetent and very stoppable presidential force versus a pliant and quite movable judicial object." For this reason, the ISO concludes, protests are needed "to keep up the pressure on the courts."

In fact, these institutions of the capitalist state are responsible for creating the legal framework and military/police infrastructure that will be used to deport the millions of undocumented people living in the US today.

In 1993, El Paso Border Patrol Chief Slivestre Reyes initiated "Operation Hold the Line," which militarized the border near the city of El Paso and forced migrants to cross through the uninhabitable desert of Texas and New Mexico. Reyes was later a leading Democratic congressman and served as Southwest co-chairman in Hillary Clinton's 2008 presidential campaign.

In 1994, Democratic Attorney General Janet Reno initiated a similar program for the San Diego border region. Since the US government militarized the urban border areas, 11,000 migrants have died in the desert or the Rio Grande.

In 1996, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA), which made it nearly impossible for millions of undocumented people to achieve legal status and facilitated rapid deportations, including through the "expedited removal" process in which immigrants are stripped of the right to appear before a judge.

Democrats in the House and Senate provided IIRAIRA with the required margin of victory and President Clinton signed it into law. Nicknamed the "Mexican Exclusion Act," prominent Democrats who voted "yes" included Harry Reid, Christopher Dodd, Dianne Feinstein, James Clyburn, Elijah Cummings, Sheila Jackson-Lee and Steny Hoyer.

In 2002, Congress passed the Enhanced Border Security and Visa Entry Reform Act, which expanded the size of the border patrol and mandated the creation of a massive government database for immigrants' biometric data. This law passed 411-0 in the House and 97-0 in the Senate. Not a single Democrat or Republican opposed the repressive law, including Bernie Sanders, Nancy Pelosi, Barbara Lee, Hillary Clinton, Joe Biden, Charles Schumer or Paul Wellstone.

In 2005, Congress passed the REAL ID Act, again with Democrats supplying the votes needed to pass it in the House. The law made it drastically more difficult to apply for asylum and made it much more difficult for undocumented immigrants to win relief from deportation in immigration court. The law also severely restricted the right of immigrants to file habeas corpus petitions. The Senate passed the measure 99-0 with the support of such "liberal" senators as Barack Obama, Joseph Biden, Edward Kennedy, Hillary Clinton, Charles Schumer and Barbara Boxer.

In 2006, Congress passed the Secure Fences Act, which mandated the construction of 700 miles of physical barriers along the border and established a network of lighting, barriers and checkpoints to capture migrants. Again, the Democrats in both houses of Congress supplied the votes required to pass the measure.

From 2009 to 2017, the Obama administration used these laws to deport 2.7 million people. In 2009, Democratic Senator Robert Byrd inserted a provision into a federal budget law requiring that the government fill for-profit immigration prisons to ensure maximum profits.

Last month, 37 of 48 Democrats—including Bernie Sanders—voted to confirm retired Gen. John Kelly as head of the Department of Homeland Security. Kelly was on record calling for more repressive anti-immigrant measures, and since his installation as head of Homeland Security, he has fully backed Trump's war on immigrants, proposing at one point the use of the National Guard and raising the possibility of separating children and parents who are caught trying to cross the border.

Not a single one of these laws has been struck down by the court system in which the ISO and SA place their faith. Federal courts have established that immigrants—even unaccompanied children—have no right to an attorney and have extremely limited due process rights. In most federal circuits, the government can indefinitely detain immigrants without giving them a bond hearing, and when a circuit court recently decided that immigrants should get a hearing after six months, the Obama administration appealed the decision to the Supreme Court.

Federal courts have also held that key Fourth Amendment protections against unreasonable searches and seizure do not apply within 100 miles of a land or coastal border. When the Supreme Court struck down some provisions of Arizona's anti-immigrant SB 1070 in 2012, the court ruled that the federal government, and not the states, could impose the reactionary measures. All eight justices who participated in the case, including the nominally liberal Ruth Bader Ginsburg, upheld the law's provision allowing state police to ask anyone their immigration status on the "reasonable suspicion" that they are in the US illegally.

Last year, the Supreme Court rejected a proposal that would have granted undocumented parents of US citizens the right to stay in the country legally.

Beyond the realm of immigration, both parties and the courts have implemented and acquiesced to drone assassination without warrant or trial, mass warrantless surveillance of the population's

communications, torture at black site CIA prisons, wars of plunder carried out in violation of US and international law, the theft of the 2000 election, the gutting of the Voting Rights Act and the jailing of whistleblowers.

These unprecedented anti-immigrant and anti-democratic measures, carried out under the auspices of "national security," are the conscious policies of a financial aristocracy overseeing record levels of social inequality and waging permanent war. There exists no constituency within the US ruling class for the defense of democratic rights.

Through its program of war and corporate plunder, the ruling class has created the toxic political climate of militarism, xenophobia and financial parasitism out of which Donald Trump has emerged.

But even as Trump and his fascist advisors prepare to impose the largest forced migration in post-war history, SA writes in its National Committee statement that "there has been no point where the US ruling class, the strongest in the world, was prepared to simply abandon bourgeois democracy which has served them so well. And they see no reason to abandon it now."

These attempts to provide a progressive, democratic gloss to the very state institutions responsible for laying the basis for Trump expose the pro-capitalist and anti-socialist character of these organizations. The *World Socialist Web Site* refers to these groups as "pseudo-left" because they represent the interests of privileged layers of the upper-middle class and defend the capitalist system by spreading illusions in the Democratic Party and the possibility of reforming the existing economic and political order by applying pressure from below.

A genuine socialist response requires the opposite of what the ISO and SA propose. It completely rejects the entire reactionary framework of the so-called immigration "debate" between different factions of the ruling class. It insists on the unqualified right of all workers to live and work in the country of their choice, with full citizenship rights and without fear of repression or deportation.

It requires a political struggle to break the working class from any illusions in the capitalist parties and politicians as well as the various branches of government.

Now, more than ever, the working class is connected by family, supply lines and communication networks to their class brothers and sisters across the world. The objective interconnectivity of the world must be freed from the shackles of the nation-state system and the productive forces of the world economy liberated from private ownership and brought into harmony with the needs of the people in every country. This requires social revolution.

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