

# Despite withdrawal of ICE ruling, international students in the US remain at risk

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On July 14, the Trump administration withdrew a July 6 ruling by Immigration and Customs Enforcement (ICE) requiring 900,000 international students to take at least one in-person class this fall—even as many universities move fully online in response to coronavirus pandemic—putting tens of thousands at risk of detention and deportation.

The ruling was revoked before initial arguments were set to be heard in a lawsuit brought against the Trump administration by Harvard and the Massachusetts Institute of Technology, which was supported by tens of other colleges. Separate lawsuits had also been filed against the ruling by a number of California universities and a coalition of seventeen states.

Despite the Trump administration's withdrawal of the order that would have threatened the residency status of 900,000 F-1 visa holders, international students' right to study in the US remains precarious. The revocation was little more than a tactical retreat in the ongoing war against all immigrants waged by the Trump administration with the crucial support of the Democratic Party.

Far from representing any principled recognition of the rights of students, the revocation of the order is only the latest in a string of increasingly unstable vacillations from a ruling class wracked by crisis. In contrast, the Socialist Equality Party, which fights for the interests of the international working class and young people, insists on the right of every individual, regardless of the circumstances of their birth, to high quality education and to work, to study and live in any country they please with full citizenship rights.

The extent to which the Democratic Party has responded to the ruling has been limited by what they perceive to be the interests of US imperialism. Rather than asserting the democratic rights of the students themselves, the Democrats cited the contribution made by international students to the US economy, their role in critical American research projects and the ties this education fosters to the foreign

government officials, many of whom attended college in the US.

Unless students break decisively with the Democratic Party and its pseudo-left agents, they will become pawns in the factional disputes amongst the American ruling class. As soon as the Democrats determine international students no longer suit American imperialism's geopolitical interests, any pretense of their defense will be dropped forthwith.

Universities themselves have also shown they cannot be relied upon to defend the rights of their students. The Harvard lawsuit did not seek to defend any of the democratic rights of international students. Instead, it simply requested a restraining order on ICE's July 6 rule which had reversed a March 13 order that gave a temporary moratorium on the requirement that international students take in-person classes. Following the Trump administration's reversal, it is still the case that F-1 visas holders right to live and study in the United States rests on a temporary order.

The legal argument used in the Harvard suit against the contentious July 6 ICE ruling was to invoke the Administrative Procedures Act. However, as Nolan Rappaport, an ex-adviser on immigration law to the House Judiciary Committee, wrote in the *Hill*, "this argument applies also to the more generous March 13 directive that the administration has agreed to reinstate, and for the same reasons. Consequently, it is likely to be vacated if someone challenges it in court."

If the Trump administration or aligned right-wing institution wishes to challenge the March order, it is extremely likely that the temporary exemption for international students will be overturned. As the economic crisis intensifies and efforts to scapegoat immigrants escalate, a legalistic approach to the defense of international students' rights will be proven futile.

Ultimately, the inability of universities to defend the rights of their students reflects the integration of academic institutions into the US state apparatus. For the last three

decades universities have been increasingly corporatized, subordinating their research activity to the dictates of Wall Street, the Pentagon and other state agencies. In conditions where US universities are in financial crises of their own, nominal opposition to the Trump administration's policies will likely melt away in the face of government bailouts or military contracts.

One reason for the Trump administration's withdrawal was the recognition that universities have a valuable role to play in the advancement of the aims of US imperialism. A manifestation of this was the appointment of fascist Sebastian Gorka, a former Trump White House advisor, to the National Security Education Board (NSEB), also announced on July 14.

The NSEB leads the recruitment of college students into the US military, State Department and intelligence agencies, with a particular focus on students with linguistic and cultural knowledge that can be used to further US imperialist interests in war and diplomacy. The appointment of a Trump confidant to this position exemplifies efforts of the White House to further integrate the universities into the machinery of US imperialism.

Another motivation for the withdrawal was the recognition that other means can be utilized to deport Chinese students from the country, a long-term goal of the fascist cabal around Trump led by ex-adviser Stephen Miller. On July 15, the *New York Times* reported White House plans to place a travel ban, similar in form to those placed on seven majority-Muslim countries in 2017, on the members of the Chinese Communist Party and their family members. This would strip 370,000 Chinese students of their right to reside in the US.

At every level, the pandemic is being used as an excuse to restructure society to the benefit of the ruling class. Universities and education more broadly are major targets in this assault. Nowhere is the American ruling class's callous indifference to human life seen more clearly than in the bipartisan reopening campaign, which in the midst of a deadly pandemic aims to fully reopen schools and universities in the fall, even as tens of thousands continue to be diagnosed with COVID-19 every day.

In contrast to the cynical pro-immigrant posturing of the Democratic Party—which under President Barack Obama deported more people than any other administration and built up the network of detention camps now used by Trump—students and immigrants must be defended on the basis of their fundamental democratic rights.

The defense of these rights is impossible outside of a frontal assault on the capitalist system, and an orientation to the only social force capable of such an offensive—the international working class. In the context of the intensifying

persecution of immigrants and the deadly reopening campaign, students must turn to the working class. In this struggle, the following demands must be raised:

- **Oppose the assault on international students and all deportations.** All students and workers have the right to live, study and work wherever they choose, with full citizenship rights.

- **Abolish ICE** and other immigration agencies. Immigrants in detention must be released immediately with full citizenship rights.

- **The abolition of tuition and cancellation of all student loan debt.** Education is a fundamental right that must be provided, free of charge, to the entire working class.

- **Safe working and learning conditions.** There must be no reopening of campuses until it is deemed safe by committees of workers and students, in consultation with medical experts.

- **An immediate reversal of all cuts and layoffs.** The trillions mobilized for Wall Street must be seized and redirected to support the needs of workers and students.

Following the lead of auto workers in the Midwest, to enforce these demands and protect their lives, students, professors and all academic workers must form rank-and-file safety committees that are independent of the corrupt unions. These committees must seek to connect the struggle in universities to the wider actions of workers taking place across the US and internationally.

The International Youth and Students for Social Equality (IYSSE) and the *World Socialist Web Site* will provide all the assistance it can to students, youth, and workers who want to establish rank-and-file safety committees. We urge all students and youth to study our program and make the decision to join the IYSSE.



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