

Texas governor sends National Guard, state police to deport immigrants at the border

Trévon Austin
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On July 7, Texas Governor Greg Abbott authorized the Texas National Guard and the state's Department of Public Safety (DPS) to apprehend migrants who had crossed into the US and transport them back to the US-Mexico border.

In a news release, Abbott announced an executive order allowing state law enforcement to apprehend "immigrants who cross the border between ports of entry or commit other violations of federal law, and to return" them to ports of entry. The move comes as record numbers of migrants are fleeing violence and poverty, the result of over a century of US imperialist predations in Central and Latin America.

Abbott claimed there were 5,000 migrant apprehensions in Texas alone over the Independence Day weekend.

"While President Biden refuses to do his job and enforce the immigration laws enacted by Congress, the State of Texas is once again stepping up and taking unprecedented action to protect Americans and secure our southern border," Abbott said in the statement. He continued, "The cartels have become emboldened and enriched by President Biden's open border policies, smuggling in record numbers of people, weapons, and deadly drugs like fentanyl."

The absurd claim that Biden and the Democrats are pursuing an "open border" policy is part of the fascistic arsenal of lies that have become the stock in trade of the Republican Party under Trump. Biden is, in fact, enforcing the illegal "Title 42" policy imposed by Trump in March of 2020 mandating the summary expulsion of asylum seekers at the southern border, on the pretext of a public health emergency caused by the COVID-19 pandemic.

It is well known that this de facto, blanket denial of the right to asylum—a right that is codified in international and US law—was the brainchild of Trump's fascist adviser, Stephen Miller. It coincided with Trump's policy of reopening businesses and schools and opposing measures required to halt the spread of COVID-19. Trump's "herd immunity" policy of allowing the virus to spread, in the interests of corporate profit, whatever the cost in human life and public health, has since been adopted by Biden.

Abbott's move came just two weeks after an abandoned

tractor-trailer was found outside San Antonio, Texas with the bodies of 53 migrants who died after being locked up in the trailer in the sweltering heat, with no fresh air, food or water.

It also follows revelations that Abbott's Department of Public Safety played a central role in the refusal of state and local police to intervene as a gunman shot and killed 19 children and two teachers at an elementary school in Uvalde, Texas on May 24. Both the head of the DPS and Abbott himself have been caught out covering up facts and telling lies in order to shield the state authorities and shift the entire blame onto the local school cops.

Abbott's border action is a transparent attempt to divert the attention of the public and rally his core base among the most right-wing elements in the state.

It is unclear what the authorities intend to do once they return migrants to the border, but the action marks a significant expansion of the powers of Texas law enforcement. By law and tradition, border "security" and immigration policy are the preserve of the federal government. Up to now, the state authorities have restricted themselves to turning migrants over to US Border Patrol agents and making thousands of arrests on state trespassing charges.

Abbott's announcement came two days after former Trump officials and right-wing officials in sparsely populated counties in South Texas called on the governor to declare that Texas is facing an "invasion" and use emergency powers reserved for war.

The fascistic forces around Trump justify their call for emergency powers on the basis of a pseudo-legal theory touted by Arizona Attorney General Mark Brnovich, who claims that a state governor is legally justified in invoking war powers and sending National Guard troops to the border to stop an "invasion" by drug cartels and criminal gangs.

During an interview with Fox News, Texas Lieutenant Governor Dan Patrick likened the "invasion" at the southern border to the attack on Pearl Harbor during World War II. He said the state should "put hands on people."

“We’re being attacked just as we were on Pearl Harbor,” Patrick said. “This is an attack on the American public, it’s an attack on our young people, an attack on our border.”

“That gives us the power to put hands on people and send them back,” he added.

Although Abbott did not formally declare that the state was facing an invasion, he cited Brnovich’s argument.

The statement read: “As noted in the executive order, the Biden Administration ‘has abandoned the covenant, in Article IV, § 4 of the U.S. Constitution, that ‘[t]he United States... shall protect each [State in this Union] against Invasion,’ and thus has forced the State of Texas to build a border wall, deploy state military forces, and enter into agreements as described in Article I, § 10 of the U.S. Constitution to secure the State of Texas and repel the illegal immigration that funds the cartels.”

However, Abbott has faced mounting criticism from Trump and other far-right Republicans for not taking even more drastic actions.

Kinney County, a rural ranching community along the Rio Grande, was one of the first to declare an emergency over the “border crisis,” and has become the focal point of the far-right campaign against immigrants. Last week, Tully Shahan, the county’s top elected official, brought together a group of rural Texas sheriffs and elected leaders at a news conference, where they declared that their communities are “waging war,” and that Biden is “destroying Western civilization.”

At the press event, Kinney County Sheriff Brad Coe said his office was taking matters into its own hands when it arrested four migrants involved in a car accident and transported them to the border. He claimed officers tried to turn them over to immigration officials, but they would not take them because they said the migrants needed to be medically cleared.

Coe said he did not have enough deputies to wait with the migrants for hours at the hospital, so he made a “command decision” to offer them a ride back to the US port of entry in Eagle Pass.

On Thursday, Brent Smith, a Kinney County attorney, said Abbott’s actions fell short.

“Without declaring an invasion and invoking the self-defense clause under Article 1, the lawlessness and violence occurring on our border with Mexico will continue to be allowed by DHS [Department of Homeland Security] and their unconstitutional immigration policies,” Smith said in a statement.

The Center for Renewing America, a right-wing think tank led by former top Trump administration officials, has been at the helm of the campaign and criticized Abbott’s order for failing to call for the expulsion of migrants.

“We acknowledge Governor Abbott’s recognition that the facts on the ground along the border comport with the Constitution’s understanding of an invasion,” said Russ Vought and Ken Cuccinelli, both of whom served in the Trump administration.

“However, the Governor does not appear to formally declare an invasion nor direct the National Guard and [DPS] to remove illegals across the border directly to Mexico,” they wrote. “That is critical. Otherwise, this is still catch and release.”

For more than a year, Texas has patrolled the border with an increasingly heavy hand, spending billions on border security and the deployment of thousands of National Guard troops and state police to the border. Last year, Texas lawmakers redirected nearly \$1 billion in federal pandemic aid to pay for Operation Lone Star, the campaign to arrest anyone crossing the border. The campaign is currently under investigation for potential civil rights violations.

Abbott has repeatedly accused the Biden administration of encouraging the increasing numbers of immigrants who are taking risks and putting their lives in the hands of smugglers to reach Texas and the broader United States.

For its part, the Democratic Party has responded to Texas’s violation of federal authority over immigration by seeking to attack Abbott and the Republicans from the right. A White House press release declared that Biden was focused on “real policy solutions” to “actually secure our border.”

It cited measures such as “installing new border technology, securing record levels of funding for the Department of Homeland Security, making over 2,800 arrests in the first three months of launching an unprecedented anti-smuggling campaign, and bringing 20 world leaders together for the first time to take collective responsibility to manage increased migration flows across the Western Hemisphere.”



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