Trump invokes the Alien Enemies Act: A new stage in the erection of a police-state dictatorship

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On Saturday, the Trump administration formally invoked the 1798 Alien Enemies Act, a major escalation in the erection of a police-state dictatorship. The White House moved immediately to deport hundreds of immigrants, defying a court order that any action be delayed.

The Alien Enemies Act, passed in 1798 under President John Adams as part of the Alien and Sedition Acts, grants the president unchecked powers to detain or deport nationals of enemy states without due process. It has been used only three times—during the War of 1812 and World War I, and, most notoriously, during World War II to justify the mass internment of Japanese immigrants and Japanese Americans.

In every prior case, the act was invoked during a formally declared war. Trump, however, is using it to justify an entirely fictitious "war" against gangs allegedly linked to the Venezuelan government. His executive order brands Tren de Aragua (TdA) a "foreign terrorist organization," supposedly colluding with President Nicolás Maduro to perpetrate "an invasion of and predatory incursion" into the United States.

Anyone accused of being a member of TdA is declared ineligible for legal protections under existing immigration laws. Determination of affiliation is made solely on the basis of claims by the president. That is, it asserts the right of Trump to arrest and deport any non-citizen, with no judicial process.

Perhaps even more significant than the order itself is Trump's defiance of a judicial order blocking the deportations, issued just hours after the order's release. Federal Judge James Boasberg ruled that the US is not at war with Venezuela and ordered planes carrying hundreds of chained and hog-tied passengers to turn back.

The Trump administration ignored this order, landing the planes in El Salvador, whose fascistic President Nayib Bukele has offered to open up the notorious Salvadoran prison system and forced labor camps to both immigrants and American citizens.

According to *Axios*, the decision not to turn back the planes was made by Trump's fascist Deputy Chief of Staff Stephen Miller, along with Homeland Security Secretary Kristi Noem—on the absurd rationale that the planes were already in international airspace so the judge's ruling did not apply.

The White House has appealed Boasberg's ruling, with Attorney General Pam Bondi effectively accusing the judge of treason, claiming he had placed "terrorists over the safety of Americans." Even if the courts ultimately rule against Trump, his administration has no intention of abiding by judicial directives.

The Trump administration is following a clear blueprint for dictatorship, modeled on Hitler's fascist regime. Trump and his inner circle of fascist sympathizers are systematically demolishing legal and constitutional restraints, with each violation setting the stage for even more brazen assertions of absolute power.

The events over the weekend followed the illegal abduction of Columbia University student Mahmoud Khalil, a lawful permanent resident, who was seized from his home and transported to an immigration prison in Louisiana solely for protesting the genocide in Gaza.

The Trump administration's crackdown will not stop with immigrants and green card holders. At its core, these actions are driven by the expectation of mass resistance from the working class to mass layoffs, deep cuts to social programs and the purge of government employees. The administration is laying the legal and institutional groundwork for the wholesale abrogation of democratic rights and the violent suppression of all opposition.

Trump's invocation of the Alien Enemies Act is tied to executive orders he signed on Inauguration Day. These same orders threatened to invoke the Insurrection Act. That law—historically used to crush strikes and social unrest—would allow Trump to mobilize active-duty troops and the National Guard against protesters, strikers and political opponents, including US citizens.

Trump is acting with confidence that he will encounter no serious resistance from within the political establishment. Indeed, late last week Senate Democrats ensured passage of a spending bill to fully fund the government for the next six months.

As the *World Socialist Web Site* wrote, this amounted to an "Enabling Act." In passing the bill, the Democrats knew exactly what they were doing: giving Trump a blank check to take the actions that he is now taking. They are not an opposition party but collaborators and conspirators.

Senate Minority Leader Chuck Schumer, following his lying justifications for backing Trump's spending bill, gave an extensive interview with the *New York Times* Sunday in which he backed the seizure of Khalil and smeared protests against the genocide as antisemitic. "If [Khalil] broke the law," Schumer said, "he should be deported."

What a contemptible fraud! Khalil has not even been accused of a crime. His seizure has been justified solely on the grounds that his political views are contrary to the interests of American imperialism.

In this context, the lawsuit filed on Saturday by Cornell University student Momodou Taal—along with Professor M?koma Wa Ng?g?, and student Sriram Parasurama—is highly significant. Taal, a British-Gambian graduate student, was targeted for deportation during the final months of the Biden administration for his involvement in the protests against the Gaza genocide. Now, under Trump, the same repressive measures have been vastly expanded.

The lawsuit, brought by attorney Eric Lee and the American-Arab Anti-Discrimination Committee, argues that two of Trump's executive orders targeting free speech are illegal and unconstitutional. Referencing the seizure of Khalil and others, the lawsuit declares, "Only in a dictatorship can the leader jail and banish political opponents for criticizing his administration."

The Socialist Equality Party endorses this lawsuit. However, no one should be under the illusion that the courts will provide a solution to the crisis of democracy. The judicial system is a component part of the capitalist state, increasingly stacked with right-wing judges. And Trump has made clear he will defy unfavorable rulings.

Political dictatorship is inseparably connected to the economic dictatorship of the financial oligarchy. The Trump administration is a government of the oligarchy, ruling with open contempt for the Constitution as it wages war on Medicaid, food stamps, Social Security, public education and other vital social programs. The administration is preparing 10,000 job cuts of postal workers, an intensification of the mass firing of federal workers, and an enormous increase in exploitation to pay for war and the bailout of the rich.

This attack did not begin with Trump. He is taking it to a new level, but it has been prepared over decades by both parties of Wall Street. Moreover, it is a global phenomenon as capitalist governments worldwide turn to authoritarian rule to suppress opposition to their policies of austerity and war.

The working class must respond with mass resistance. The Socialist Equality Party calls for the formation of rank-and-file committees, independent of the pro-corporate trade union apparatus, in workplaces and neighborhoods to mobilize workers and youth against Trump's dictatorship, the Democratic Party's complicity, and the corporate assault on living standards.

Industrial action must be animated by a socialist perspective and program. The fight against dictatorship cannot be separated from the struggle against the capitalist system that has produced it. The working class must take up the fight for the expropriation of the financial oligarchy, the dismantling of the imperialist war machine, and the establishment of a workers' government that places political and economic power in its own hands.

That is, the fight against dictatorship can only be developed as a fight for socialism, in the United States and throughout the world.

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