

# Arrest of Wisconsin judge: Trump's dictatorship in the making

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The FBI arrest of Milwaukee County Circuit Court Judge Hannah Dugan is a brazen and chilling act of repression by the Trump administration. It is the latest and one of the most serious acts in the systematic effort by the White House to erect a political dictatorship.

The actions of federal agents Friday were clearly directed from the White House. Within minutes of the arrest, FBI Director Kash Patel, chosen by Trump to spearhead the prosecution of his political opponents, tweeted that Judge Dugan was guilty of "intentionally misdirecting federal agents away from the subject to be arrested in her courthouse, Eduardo Flores-Ruiz, allowing the subject—an illegal alien—to evade arrest." He later posted a photo of Dugan in handcuffs, in apparent violation of the FBI's own rules.

The US Department of Justice outlined the charges against Dugan as "obstruction of proceedings before a department or agency of the United States" and "concealing a person to prevent arrest," which combined carry a possible six-year sentence.

Just over three months ago, in one of his first official actions as president, Trump pardoned more than 1,500 fascist thugs and political supporters who engaged in the January 6, 2021 attack on the US Capitol in an attempt to overturn his defeat in the 2020 election. Many of the ringleaders of this attack were convicted on charges of "obstruction of a federal proceeding" because they conspired to prevent Congress from carrying out the ceremonial counting of the Electoral College votes showing Trump's defeat by Democrat Joe Biden.

While the fascist thugs that served as Trump's foot soldiers in attempting to overturn the election were pardoned, Dugan was treated to a perp walk before television cameras and a possible prison term.

Attorney General Pam Bondi hit the top note on the hypocrisy meter when she declared—on Fox News, of course:

I think some of these judges think that they are

beyond and above the law. They are not, and we are sending a very strong message today... if you are harboring a fugitive... we will come after you and we will prosecute you. We will find you.

Bondi's claim that "no one is above the law" has one glaring exception: the man who appointed her. Trump has repeatedly hailed last summer's ruling by the Supreme Court that the president cannot be prosecuted for any official act, no matter how criminal. In its decision in *Trump v. United States*, the right-wing majority, including Trump's own appointees, declared the president to be effectively above the law, including the actions the defeated president took in preparing and inciting the January 6, 2021 coup attempt.

There is almost no precedent in American history for the arrest of a judge for opposing the policy of the White House. The only near precedent was in 2018, during Trump's first term, when the Justice Department filed charges against a Massachusetts District Court Judge Shelley Joseph under similar circumstances. Unlike Dugan, Judge Joseph was never arrested or taken into custody.

The arrest of Dugan takes place amidst a coordinated assault on the judicial branch and an hysterical campaign against any judges that rule against the White House. The campaign has escalated since the open defiance last month of a court order requiring Trump not to deport immigrants under the Alien Enemies Act.

It is worth recalling that the Declaration of Independence condemned King George III for making judges "dependent on his Will alone." The US Constitution enshrined protections to shield the judiciary from executive coercion. Trump and his fascist cabal are tearing up these foundations, on the basis of the doctrine that the law is whatever the ruler says it is.

The arrest of Judge Dugan was accompanied by a series of increasingly provocative actions taken against immigrants.

In the first publicized mass round-ups in Florida, agents of

Immigration and Customs Enforcement (ICE), working with state police, arrested 780 immigrants last week, according to ICE data reported by several corporate media outlets. An official said more than 275 migrants had final removal orders, meaning that some 500 of those detained were picked up because they were in the vicinity of those targeted.

Also in Florida, ICE agents arrested the wife of an active-duty Coast Guardsman Thursday as the couple were moving into their quarters at the Naval Air Station in Key West, Florida, where the Coast Guard ship Mohawk arrived to go on station last month. The Coast Guard said the woman “was detained by Homeland Security Investigations (HSI) pursuant to a lawful removal order.” Her work visa expired in 2017, officials claimed, and she was marked for removal. The couple married earlier this year.

Early Friday morning, three US citizen children, ages 2, 4 and 7, from two different families were deported from Louisiana, with their mothers, to Honduras. The 4-year-old has Stage 4 cancer and was deported without medication or the means for the mother to contact their doctor. Both families were taken into custody at routine immigration check-ins, which are supposed to allow migrants to remain in their communities during legal proceedings.

District Judge Terry Doughty, appointed by Trump during his first term, issued an order after the deportation of the 2-year-old, noting that the father, who remains in the US, had not wished his daughter to leave the country. He wrote that it is “illegal and unconstitutional” to deport US citizens. “The government contends that this is all OK because the mother wishes that the child be deported with her,” he added. “But the court doesn’t know that.”

The judge set a May 16 court hearing to investigate his “strong suspicion that the government just deported a U.S. citizen with no meaningful process.” Neither mother was allowed to talk to a lawyer before they allegedly asked to have their children deported along with them.

One of their attorneys told the press:

We have absolutely no idea whether they ever actually did give consent for their children to come with them or if they did under what kind of duress and what other options were presented to them.

These are the nightmarish conditions of the police state that the Trump administration is erecting with no significant opposition from within the Democratic Party or the corporate ruling elite as a whole. On the Sunday television talk shows, there was little discussion about the arrest of Judge Dugan, either from the media pundits or the

Republican and Democratic politicians they interviewed. Senator Bernie Sanders, who appeared on NBC’s *Meet the Press*, did not even raise the issue.

Senate Democratic Leader Charles Schumer called the judge’s arrest “an attack on the separation of powers, and we will fight this with everything we have.” But it is Schumer who gave the most abject demonstration of the cowardice and impotence of the Democrats, rounding up Democratic votes, including his own, to push through Trump’s spending bill last month.

Only a few weeks ago, the WSWS warned that the methods of arbitrary arrest, detention and deportation being applied to immigrants, like Mahmoud Khalil and Kilmar Abrego Garcia, could soon be applied to US citizens protesting government policy, and even to the congressmen and senators who claimed to be shocked and outraged by the White House trampling on the Constitution. Now a state judge has been arrested and threatened with years in prison.

The social and class contradictions building up within capitalist society are short-circuiting democratic forms of rule. The capitalist ruling elite is turning towards war and mass repression as the only means for preserving its vast wealth and its stranglehold on society. The working class cannot rely on the capitalist courts or the Democratic Party to defend its social interests and democratic rights. Nor can it rely on the trade unions, the bought-and-paid-for labor police of big business, and adjuncts to the two parties of the financial oligarchy.

The Socialist Equality Party is spearheading the fight to build a mass working class movement to defend democratic rights and oppose the drive to fascism and dictatorship. We urge all those wishing to become part of this fight to attend our May Day rally on May 3, to join our party and take up the struggle for socialism.



To contact the WSWS and the  
Socialist Equality Party visit:  
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