

Trump administration defies court on illegal deportations

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The Trump administration is brazenly defying the authority of a federal judge in Washington D.C., who ordered a halt to deportation flights that have sent more than 250 Venezuelan and Salvadoran men to El Salvador, where they were immediately imprisoned by the fascistic government of President Nayib Bukele, acting as a subcontractor for the US.

Federal District Judge James Boasberg, the presiding judge in the court that handles cases in the US capital, issued a 14-day restraining order on Saturday against Trump's executive order invoking the Alien Enemies Act of 1798. Boasberg took this action after the American Civil Liberties Union and Democracy Forward filed an emergency petition on behalf of five of the Venezuelan prisoners, who denied Trump's unsubstantiated claims that they were members of the Tren de Aragua gang.

The judge instructed federal officials—first orally from the bench, then in writing—to halt the deportations until the cases could be reviewed in court. He added that if planes were already in the air, they must turn around immediately and return the prisoners to US soil.

Instead, two planes that had already taken off from south Texas continued on to El Salvador, landing around midnight, hours after the judge's order. A third plane took off after the judge's order and followed the same route.

The White House pursued a two-track policy during the day Monday, giving lip service to obeying the order issued by Judge Boasberg, at least at a hearing in front of the judge, while at the same time declaring its open defiance of judicial authority.

The tone was set by Trump's chief fascist thugs on immigration, Tom Homan and Stephen Miller. Homan, the White House "border czar," told Fox News that the deportation flights under the Alien Enemies Act would

continue. "We're not stopping," he said, "we don't care what the judges think, or what the Left thinks. We're coming."

Also speaking on Fox, deputy White House Chief of Staff Miller claimed that Boasberg's order was "without doubt the most unlawful order a judge has issued in our lifetimes." He continued, "A district court judge has no authority to direct the national security operations of the executive branch. The president has operated [at] the absolute apex of his constitutional authority."

"The judge issued his unlawful order without receiving any information on this terrorist organization and the diplomacy that has been conducted," Miller said. "Let alone the fact that he's trying to issue the movement of aircraft that is operating outside of the United States."

Judge Boasberg had no information on Tren de Aragua because the Trump administration refused to provide it—repeatedly declaring that it would not do so for reasons of "national security." Instead, the White House claims that the president has the authority to determine that a Venezuelan man is a gang member without any due process. In many cases, according to press reports, tattoos are the sole "evidence" of gang membership, regardless of their content.

As for Miller's claim that the judge's order was invalid because it involved aircraft outside the United States, this argument is absurd. As the judge pointed out to a Justice Department lawyer who made the same claim at a hearing late Monday, regardless of the plane's location, those directing its movements were situated in Washington D.C. and therefore subject to his jurisdiction as the federal judge for that area.

In an extraordinary effort to block both the Monday hearing and any future review by Judge Boasberg, the

Justice Department filed a petition with the Circuit Court of Appeals for the District of Columbia seeking to have Boasberg removed from the case. It claimed that his demand for detailed information about the deportation flights was “flagrantly improper and presents grave risks to the conduct of the Government in areas wholly unsuited to micromanagement supervision by a district court judge.”

The Appeals Court gave the groups upholding the legal rights of migrants until Tuesday to file a brief, and the government until Wednesday to reply. In the meantime, Judge Boasberg has ordered the Justice Department to supply full details of the deportation flights on Tuesday.

As they have in relation to other federal judges who have delayed or blocked Trump executive actions as illegal or unconstitutional, House Republicans have immediately called for the impeachment of Judge Boasberg. They were joined in this by centibillionaire Elon Musk, Trump’s chief enforcer for cutting federal social programs and jobs.

The actions taken by the Trump administration since Friday night, when Trump signed the executive order invoking the Alien Enemies Act, are a crossing of the Rubicon in terms of the assertion of unlimited presidential authority.

The assertion, made both by White House spokespersons and in court filings, that there is no constitutional check on the power of the president, particularly in areas deemed to be “national security,” including immigration, amounts to a declaration of presidential dictatorship.

Such claims are clearly an impeachable offense, yet no one in the leadership of the Democratic Party or in the corporate media suggests that such an action is warranted.

The posture of the Democratic Party continues to be to plead with the dictator-president to stop acting as a dictator, while opposing any action to mobilize the American population against him.

Four Democratic senators, all members of the Senate Judiciary Committee, and headed by Dick Durbin of Illinois, the deputy leader of the Senate Democrats, issued a brief statement Monday criticizing Trump’s invoking of the Alien Enemies Act, describing it as an “archaic wartime law” which Trump was using for immigration enforcement in “yet another unlawful and

brazen power grab.”

The letter pointed out that there was no war, and immigrants do not constitute an invasion: “Furthermore, courts determine whether people have broken the law—not a president acting alone.” But it concluded meekly: “All of us, including the courts, must continue to hold this Administration accountable, and prevent the Trump Administration from taking us down a dark and dangerous road.”

The letter does not urge any action at all, effectively leaving it up to the courts (at whose summit is the Supreme Court with a majority of fascists, three of them appointed by Trump).

Durbin talks about “accountability,” but he voted Friday, along with Senate Minority Leader Chuck Schumer, for the budget resolution backed by Trump and the Republicans, which gives the administration a blank check to carry out its onslaught on democratic rights and social programs for the next six months.



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