

Playing the System, the American Way

When you look at the difference between the developed and developing world, and their relationship with their citizens, one of the biggest differences that jumps out is the difference in their trust in the system. In the developing world, we are taught from a young age not to trust our system and its institutions. There's corruption and it's prevalent. It's a fact, one that we have to live with because it will not change.

In the developed world, it's the opposite. We are taught to trust the system, its laws. It works, it protects us – and it will continue to protect us as long as we work within it, and remain good citizens.

So we believe, not realizing how dangerous it is. Not thinking about what will happen when government policy changes and turns against us. Because why would it? We obey the law, and that means we are protected.

As Muslims, we have been warned against this belief by Allah over and over again. ﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا عَدُوِّي وَعَدُوَّكُمْ أَوْلِيَاءَ تُلْقُونَ إِلَيْهِم بِالْمَوَدَّةِ وَقَدْ كَفَرُوا بِمَا جَاءَكُمْ مِنَ الْحَقِّ يُخْرِجُونَ الرَّسُولَ﴾ ***“O believers! Do not take My enemies and yours as trusted allies, showing them affection even though they deny what has come to you of the truth. They drove the Messenger and yourselves out of Mecca, simply for your belief in Allah, your Lord...”*** [Quran 60:1]

But living in the developed world blinds us to the truth of this, to our own detriment.

Does the West have laws that it claims to abide by? Of course! The system would collapse if they didn't and then they would have to deal with anarchy – and they spent centuries trying to develop laws and beliefs to avoid that. But that doesn't mean that they don't experience policy changes. Nor does it mean that they are incapable of manipulating their own legal system to adapt to these policy changes – quite the opposite.

Most recently, the USA's decision to target Palestinian activists has brought this to the forefront of political discussion. This decision has been discussed in regards to Trump's anti-immigration policies and what that means for the future of America.

Before moving on, it's important to note that illegal immigrants are not the only ones that are being targeted by the Trump administration. This is important because the focus on illegal immigration gives them a small legal justification for their actions. It also allows them to distract their population, focusing citizens on the anger that the administration wants them to feel towards the immigrants instead of on government policy and accountability; effectively blinding people to the corruption that exists within their system.

“The Republican president says the moves are necessary after millions of immigrants entered the U.S. under Biden, both crossing illegally and through Biden's legal entry programs.” (Source)

“Donald Trump's immigration and deportation policies have expanded beyond targeting undocumented immigrants to include some legal migrants as well. While his initial focus was on deporting undocumented immigrants with criminal records, recent actions and reports indicate that his administration has also apprehended and sought to deport individuals who hold legal status, such as visa holders and green card holders, including those married to U.S. citizens or who have lived in the country for a long time.”

While it's true that ICE (U.S. Immigration and Customs Enforcement) expanded immigration detention by 50% under the Trump administration. It's also important to understand that the USA has a history of going after immigrants. Immigration enforcement has historically been supported by both major political parties, and several presidents before Trump took significant actions to address illegal and legal immigration.

What has concerned people is the extent to which Trump is doing so as well as the fact that he is doing so by invoking the 1798 Alien Enemies Act, with the approval of the Supreme Court. This is a little-used wartime law that grants the president broad authority to detain and deport nationals of enemy countries during declared wars or invasions. And while he is using it to target both illegal and legal immigrants, there is a worry that he will extend his attacks to target people with birthright citizenship. And once that happens, is anyone safe?

.... Trump has advocated for mass deportations on a scale never before seen, aiming to deport millions annually, which would involve arresting people across the country, including legal migrants, and potentially bypassing normal judicial processes

This law isn't the only way through which the USA is able to ensure that they can arrest, and at times deport people, by bypassing normal judicial processes and avoiding repercussions.

There is a longstanding practice called "forum shopping," a strategy the government is using to have these deportation cases heard before more conservative courts. These courts are based in Louisiana, Texas and Mississippi, which are home to 14 of the 20 largest immigration detention centers in the country. Democratic and Republican administrations have long used them as a hub for immigrant detention.

"It feels like the way the system works — locking them up so far away in a really remote area where it's hard for them to get a lawyer, the courts are generally hostile, even to meritorious claims — it's made so that people give up even when you know they may have the ability to stay," (Source)

International and domestic law guaranteeing migrants – illegal or otherwise – a right to due process. But the USA is keeping immigrants, including the recently arrested Pro-Palestinian activists, in deplorable conditions whisking them away to detention centers in these states which have been described as 'black holes'.

"Trump's administration has used aggressive tactics, including invoking wartime statutes and fast-track deportation procedures, sometimes disregarding court orders. Trump has also publicly stated that immigrants without permanent legal status should not be entitled to trials before deportation, pushing for expedited removals without judicial review."

60% of people in ICE custody are subject to "mandatory detention," meaning they do not have a right to a bond hearing to make a case for release, which is basic due process. (Source)

What's more is that the Trump administration has gutted a civil rights office tasked with investigating abuses for both immigrants and U.S. citizens in such facilities. This will have a direct impact on any accountability that should be in place for their actions. And has been despite the fact these facilities are operated by private companies, and paid for with taxpayers' dollars. The budget for these facilities is approved by Congress. And the federal government receives a discount from private contractors for sending them higher numbers of detainees, creating a disturbing financial incentive to transfer more people into larger facilities.

The USA has also made deals with other countries to deport the immigrants to facilities in their areas. Brazil, China, Colombia, Costa Rica, Honduras, India, Mexico, and Panama have agreed to receive or have already received U.S. deportation flights. So have Venezuela and El Salvador. This has also raised concerns, due to the conditions that some of these countries are keeping immigrants in. But it also shows the extent to which the government can strip a person's rights, when they wish to do so.

"Prisoners in the camps in El Salvador are forced to sleep on the floor or in solitary confinement in the dark. Many suffer from tuberculosis, fungal infections, scabies, severe malnutrition and chronic digestive illnesses. The inmates, including over 3,000 children, are fed rancid food. They endure beatings. They are tortured, including by water-boarding or being forced naked into barrels of ice-cold water, according to Human Rights Watch." (Source)

Reading these instances and facts are unnerving. Especially as they go against everything that we have been taught by western countries. Being a 'good citizen' doesn't protect you when they could take away the citizenship and all the rights that are supposed to go with it.

But this is a reality and one that we cannot afford to ignore. It's easy to compartmentalize these examples, to decide that this can't happen to us if we are good citizens, to ignore the situation and look the other way. But the fact of the matter is that we can't be sure of this. And this is something that is unnerving western analysts – they can see the legal precedents that the USA is putting in place, precedents that will give their government power to target who they need to, when they need to.

The USA is proving, as are other countries, that they are capable of targeting entire segments of society. It doesn't matter if those segments are guilty or not, nor does it matter if people within these segments are innocent. Once policy turns against them, they are fully capable of playing the system to target entire sectors of society.

"Once a segment of the population is demonized — including U.S. citizens Trump labels "homegrown criminals" — once they are stripped of their humanity, once they embody evil and are seen as an existential threat, the end result is that these human "contaminants" are removed from society. Guilt or innocence, at least under the law, is irrelevant. Citizenship offers no protection." (Source)

So, we need to be aware. We cannot hide from the truth. This situation existed before the War on Gaza began. But since then, every citizen, every segment of society, has had to make a choice. Will they support the government or not? And if they are next on the list of targets, can they really do anything to stop it- without sacrificing their morals in the process? And now, we need to understand that is having a very real impact of government policy, and how far the West is willing to go to ensure that they are able to implement that policy without repercussion.

Written for the Central Media Office of Hizb ut Tahrir by

Fatima Musab

Member of the Central Media Office of Hizb ut Tahrir