

What Is Democratic Legality?

By Victor Davis Hanson

Since 2021, the left has waged a veritable war against the American legal system in a variety of ways.

One serial target of Democrats and the Left has been the Supreme Court.



In 2020, Senate Minority Leader Chuck Schumer (D-NY) spoke to an angry throng of pro-abortion protestors assembled at the very doors of the court chambers.

He threatened two of the justices, Kavanaugh and Gorsuch, by name. Schumer yelled to the volatile crowd that the justices' views would make them "reap the whirlwind," and the two would not know what "hit" them.

In the ensuing months, protestors mobbed some of the conservative justices' homes—likely committing felonies. The sympathetic Biden Justice Department chose not to follow the law, and so did nothing—although eventually a would-be assassin turned up.

Joe Biden himself bragged that he would try to ignore the Supreme Court ruling banning his arbitrary cancellation of billions of dollars in student loans. Indeed, he boasted, "The

Supreme Court blocked it, but that didn't stop me."

In response, no one on the left ever complained about endangering the "rule of law" or Biden as "a dictator."

For three years, four local, state, and federal prosecutors warped the law to neuter Donald Trump. Most of the charges had never been brought against other political figures in similar circumstances.

The vast majority of the 93 weaponized indictments backfired on the liberal prosecutors, who had contorted the legal system for political purposes and now face their own ethical or legal quagmires.

The federal prosecutor Jack Smith belatedly reported accepting \$140,000 in free legal services.

Georgia prosecutor Fani Willis was removed from the Trump case and fined, and is now under further investigation.

New York prosecutor Letitia James is now facing allegations of falsification of documents and loan fraud.

Federal immigration law prohibits the illegal entry into and residence within the United States. Yet the Biden administration deliberately violated the law by allowing somewhere between 10-12 million illegal aliens to cross the border. Thousands had criminal records.

No one on the left decried any of these various affronts to the legal system.

In polls, by overwhelming majorities—above 70 percent—the public wants the Trump administration to close the border, begin deportations, and start with criminals or those with violent histories and gang ties.

The recent deportation of Kilmar Abrego Garcia, an illegal alien from El Salvador, to the vast majority of Americans

seems to fit that profile.

Garcia entered the U.S. illegally and was later found consorting with members of M-13—a State Department-designated terrorist organization—who were selling drugs. Informants reported that he was a gang member. His own tattoos likely confirm those accusations.

Two prior immigration judges found such evidence sufficient to allow deportation proceedings. In 2019, a third judge allowed Garcia to stay temporarily, but only on the grounds that hostile gangs might harm him should he return to El Salvador.

Garcia was pulled over for speeding without a driver's license—but with eight illegal aliens who reportedly all lived at the Garcia residence. The officer released him, despite suspicions that Garcia was engaged in human trafficking.

Garcia's live-in girlfriend, now wife, was physically assaulted by Garcia on two occasions, suffered injuries, and initially sought restraining orders against him.

The left claims Garcia is a "Maryland man" without an arrest record.

But he is not a U.S. citizen or a legal resident of Maryland. Instead, Garcia is in legal limbo and remains what he always was—a citizen of El Salvador with gang ties and formerly residing illegally in the U.S.

Garcia is now back home on El Salvadorian soil and was mistakenly sent to a high-security prison. But his own government in El Salvador will ultimately decide how involved Garcia is or was with M-13 gangs. And then, as a sovereign nation, it will act according to its own policies about its own citizens' associations with that terrorist organization.

The left has demanded that Garcia be returned to the U.S. He has become a cause célèbre as a purported victim of the

supposedly fascist Trump. Returning Garcia is seen by leftists as a performance art-act to derail the Trump agenda, which otherwise they have neither the power nor public support to thwart.

The left also ignores its own hypocrisies and ironies.

Those who weaponized the court system and destroyed the border now rail that Trump is acting unlawfully by not returning an illegal alien, an M-13 member, and a domestic abuser with a propensity to ignore our laws.

How ironic that those who rail about colonialism now sound like 19th-century Yankee imperialists.

Democrats do not own El Salvador—although they act like it when dictating to its government that El Salvador cannot detain one of its own citizens on its own soil for its own reasons.

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