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Stop the Raids : 1-13

Stop the Raids Against Refugees! Defend the Rights of All!

In the first days of January, President Obama launched vicious raids against refugees, mostly women and children. Highly armed gangs of Immigration and Custom Enforcement (ICE) agents along

with local police barged into homes without warrants, terrorizing families and whole communities, arriving by the dozen at homes to arrest and detain mothers and their

Stop the Raids • 3



Keep Initiative in Our Hands : 14-17

2016 PRIMARIES

Keep Initiative in Our Hands by Advancing Fight for Empowerment

The 2016 primaries are underway, with the Iowa caucuses scheduled for February 1 and New Hampshire for February 9. South Carolina is February 20 for Republicans and February 27 for Democrats. Primary

season is a long, drawn out process, from February to June. It is followed by the national conventions for both parties earlier than usual, in July. The conventions are

Keep Initiative in Our Hands • 14



Salute Cuban Revolution : 20-21

57TH ANNIVERSARY OF CUBAN REVOLUTION

Red Salute to the Cuban People and Their Revolution!

Voice of Revolution salutes the Cuban people in celebrating their revolution, 57 years of brilliant struggle against U.S. imperialism and for their right to decide their own path. We join the Cuban people and people all over the world in celebrating this victory and in saluting the determination to

carry forward. The firm stands of the Cuban people and their leader Comrade Fidel Castro for their sovereignty and the advance of their revolution not only blocked every U.S. effort at regime, it forced the U.S. to restore relations and admit its failure. This contributes

Salute Cuban Revolution • 20

January edition of ***Voice of Revolution***

Editorials & Statements

- *Stop the Raids Against Refugees! Defend the Rights of All!..... 1*
- *Keep Initiative in Our Hands by Advancing Fight for Empowerment.... 1*
- *Red Salute to the Cuban People and Their Revolution! 1*

Stop the Raids Against Refugees

- *Fighting For Migrant Justice 3*
- *President Obama Immediately Stop the Raids Against Refugees.... 4*
- *Letter to Obama Demanding End to Raids and
Legal Representation for All Refugees 6*
- *Actions You Can Take to Oppose the Raids on Refugee Families 7*
- *ABA Condemns Government Raids Against Refugees 7*
- *Immigration Raids Target Disabled Refugees 8*
- *ICE Raids are Repugnant and Without Due Process, 8*
- *ICE Agents Ignore Warrant Requests 10*
- *DHS Secretary Jeh Johnson’s Statement On Raids – Edited For Accuracy 10*
- *Refugee Crisis Shows Increasing Conflicts Between
States and Federal Government 12*

2016 Primaries: Keep Initiative in Our Hands

- *The Role of Trump in the Elections..... 14*
- *Why The Long Primary Spectacle When Votes Do Not Count?..... 16*
- *A Primary Process that Blocks Voters from Having a Say..... 16*

Canada

- *All Out for Democratic Renewal and an Anti-War Government! 18*

Salute Cuban Revolution

- *National Assembly of People’s Power Affirms Principles and Ideals
Cubans Have Long Fought For 20*

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I • Stop the Raids

young children, many under 10 years old. An estimated 10,000 unaccompanied minors came across the border in November and December, an indication of the grave conditions they face in their home countries.

The majority of those being attacked, detained and deported are eligible for asylum. But they have been railroaded through the system, often without legal assistance or even translators. While the government claims they have been issued deportation orders, in most cases, according to lawyers and advocates directly involved, these orders are illegal. They have not been done with due process, they have not met U.S. and international standards for the treatment and rights of refugees.

As one example, those being rounded up often were not even notified of the orders, which were issued without their knowledge or presence in court. Indeed the reality of the illegality of these orders is such that when rights organizers and lawyers have been able to intervene, well over 80 percent win their asylum cases. Most recently a judge issued a temporary stay preventing the deportation of four families Obama had rounded up mainly because due process was not met and those involved had the right to pursue their cases.

The inhuman and brutal character of the raids, against women and children already traumatized by U.S. instigated drug gangs, kidnappings and killings in their home countries, is a message to all, at home and abroad. The U.S. will not hesitate to use its policing forces to unjustly and illegally target civilians guilty of no crime, with no regard for laws or rights or children. It will intervene worldwide, using its “war on drugs” and “war on terror” as excuses for wanton destruction, as the U.S. has done in El Salvador and Honduras, where many of the refugees are from.

These raids are a show of force, not only against those directly involved and the governments of their country of origin, but to all the peoples of the Americas: submit or else. Coupled with the broad racist police killings still occurring with impunity across the country, the racist hysteria directed against Syrian refugees and the unending unjust attacks on Muslims, it is clear that the government has no solutions but use of force and racist brutality.

The inability of the government to solve any problem and its increasing dysfunction can also be seen in the fight occurring between the federal government and states on the issue of refugees (see page 12). Two governors, from Texas and Alabama, have filed lawsuits. Texas has raised the possibility of using the National Guard to block entrance to refugees. States are demanding that they have all the same information on refugees, a “complete

file” as the federal government. A fight as to who controls the local and state police forces, including the National Guard is taking place, with the federal government acting to impose and consolidate its dictate all down the line. This too is part of the federal government’s effort to command all the policing forces in a situation where they declare a “national emergency” or “terrorist threat.”

The danger to the peoples from this direction is clear, as is the need for a new direction, for the economy and political affairs. A new direction for the economy would block the U.S. war drive and direct the economy instead to guaranteeing the rights of the people, at home and abroad. A new direction for political affairs would modernize democracy so as to empower the people to govern and decide. Advancing the fight for political empowerment is a critical part of the just battles against the raids and for rights.



Fighting For Migrant Justice

Critical Resistance

On Monday, January 4, Department of Homeland Security Secretary Jeh C. Johnson confirmed the agency’s weekend sweep where 121 individuals, many of them children, were raided at their homes and imprisoned pending deportation proceedings. The government focused their weekend efforts on raiding and apprehending Central American refugees who entered two years ago and have been issued final orders of removal.

While mainstream media stirred hysteria and even a xenophobic backlash, very little coverage looked at root causes and complexity behind migration from Central American countries

to the United States. Central American migration to the United States is not a new phenomenon, but rather recent waves of migration can be traced back to the 1970s during U.S. meddling in Nicaragua’s and later El Salvador’s civil wars.

Most recently, the Central American Free-Trade Agreement and the expansion of capitalist exploitation in rural areas of the region, including southern Mexico, have forced many out of their countries. Dire economic conditions coupled with the region’s violence and police impunity put many in binding situations. The country’s narrow refugee laws, together with hyper border

militarization and harsh immigration policies, do not properly capture the complexities that impel migration and the long historical linkages between Central American Countries and the United States, where people once freely migrated.

The individuals targeted over the weekend were primarily from Georgia, Texas, and North Carolina, but home raids and these kinds of homeland operations are not new. In all, U.S. immigration operations have deported over 3.7 million people in the last decade using a decentralized network of local law enforcement agency collaborations, from parole offices that help identify people who have come in contact with the penal system to county sheriffs' offices that contract out their jail beds to Immigration and Customs Enforcement. These are the same agencies and tactics that routinely terrorize urban, mostly Black, communities through federal and local programs such as gang injunctions, Operation Ceasefire, zero tolerance policing, and three strikes sentencing. [...]

As a tactic, home raids have been indiscriminately used by local level police authorities [making arrests]. At the federal level, they have become a lot more common among immigration authorities who are digging up 10- and 15-year old minor convictions of people who have been living in the country sometimes for decades. Home raids can be traumatizing experiences for people being imprisoned and their families, when officers bang on their doors during early morning hours and use diversion interrogation tactics in order to enter people's homes without the required court warrants.

As global pressure mounts to address the current refugee crisis

in South West Asia and North Africa, the U.S. government is sending a clear message with raids targeting Central American refugees that the ... U.S. will not be accountable for the harms caused by its economic and militaristic endeavors. Border militarization and control of movement by U.S. Customs and Immigration Services are tools of state violence.

Communities continue to resist this anti-migrant state violence and in the last week have held demonstrations across the country, with more upcoming to protest against raids, immigrant imprisonment, and deportations.

Organizations are also mobilizing to educate people of our basic rights and provide immigration support. Bangladeshi refugees, who have been targeted and imprisoned by immigration officials here for their political connections in Bangladesh, were on hunger strike throughout the South and speaking out for an end to migrant imprisonment and for just immigration policies. In a beautiful display of cross movement building, prisoners in California's Yuba County Jail joined this strike to build connections between the imprisonment of migrants and the imprisonment of millions of people who are criminalized inside the U.S.

Borders, policing, and deportations are among the cruel ways the prison industrial complex dehumanizes communities. We stand against the recent home raids and in support of migrant rights as a crucial component of our fight for abolition of the prison-industrial complex. (Marlene Ramos, Critical Resistance New York City Member and Lily Fahsi-Haskell, Critical Resistance Staff)

President Obama Immediately Stop the Raids Against Refugees

Presente.org

The Obama administration just launched a new wave of deportation raids targeting children and families who fled violence in Central America.[1] It is incredibly dangerous, irresponsible, and inhumane: since 2014, dozens of Central American refugees have been murdered just months after they were deported.[2]

We demand an immediate end to these inhumane deportation raids.

Many of the children targeted for deportation are facing a rushed, unfair process that gives them no chance to make their case in court.[3] Children have been ordered deported after not showing up in court – despite the fact that they never received a notification to appear. The accelerated, aggressive deportation processes put in place by the Obama administration have led to these due process violations...and may violate international law.

Join us in demanding that President Obama immediately stop the raids.

This new wave of raids is becoming an issue in the presidential campaign, so what we do now to stand up against the raids could have an impact on immigration policy for years to

come.

We already know that the Republican presidential candidates, led by Donald Trump, are committed to harsh anti-immigrant policies. But with President Obama initiating these raids, it is less clear what the Democratic position is on immigration.

Presidential candidates Bernie Sanders and Martin O'Malley have spoken out forcefully against the raids and called for them to stop.[4, 5] Hillary Clinton's position is less clear – a campaign spokesperson said she has "concerns" about the raids, but she has not called for them to stop.[6] And in the past, she has said that the unaccompanied children coming to the United States to escape violence in Central America should be deported.[7] We need to raise our voices now to make sure all the Democratic candidates know we expect them to fight for justice for immigrants, and that they cannot take Latino votes for granted.

The U.S. legacy in Central America

Many of the immigrants who recently entered the country are fleeing violence in Honduras, El Salvador, and Guatemala – countries with some of the highest rates of violence in the world.

Much of the violence – perpetrated by police, paramilitary gangs, and drug gangs – is the legacy of decades of anti-democratic U.S. intervention in the region.

Over and over again in Latin America, the United States government has undermined democracy, supported and trained oppressive military and police forces, and sent weapons. During the cold war, in the name of fighting communism, the CIA helped overthrow democratically elected governments, replacing them with violent dictators friendly to the U.S. The notorious “School of the Americas” – a U.S. military base in Georgia – trained Latin American dictators and their paramilitary foot soldiers in the use of torture and assassinations.

We demand an immediate end to these inhumane deportation raids.

U.S. aggression towards Latin America is not a thing of the past. In 2009, a military coup in Honduras – orchestrated by the country’s economic elite – overthrew democratically elected president Manuel Zelaya. The U.S. officially claimed to be against the coup – but the U.S. State department, led by Hillary Clinton, negotiated with the perpetrators of the coup, and did everything it could to ensure that Zelaya would not return to power.[8, 9, 10] Since Zelaya was overthrown, violence – from the government, gangs, and everything in between – has plagued Honduras.[11, 12, 13]

In addition to all the military and political intervention, the United States’ War on Drugs has fueled a massive criminal economy in Latin America, funding violent drug gangs that terrorize and kill.

The U.S. has an obligation to give refuge to all immigrants who come here to escape violence. But when children and families from Central America come to the U.S. to seek safety from the violence in their countries, the U.S. has a special responsibility, given the role it has played in the region. Instead, the Obama administration is sending people back into a violent environment the U.S. helped create, with very little regard for their safety or rights as human beings.

If enough of us call out President Obama now, it will help make this an issue in the presidential campaign, increasing the pressure on Obama to end the raids. It will also force Hillary Clinton to take a clear position for or against these raids, putting us in a better position to hold all the presidential candidates



accountable to Latinos.

Tell President Obama: stop deporting people to their deaths.

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13. “Correction: Honduras-Death Squads story,” Associated Press, May 1, 2013

MORE THAN 150 ORGANIZATIONS SIGN

Letter to Obama Demanding End to Raids and Legal Representation for All Refugees

American Immigration Lawyers Association, December 31, 2015

Dear President Obama,

The undersigned organizations write to express our opposition to the Department of Homeland Security's (DHS) reported plans to conduct raids in communities nationwide to round up and deport Central American children and their parents.

If these plans are implemented, many families will be deprived of the right to seek protection from persecution. The vast majority of children and families that have been ordered removed by immigration judges were ordered removed in absentia. It is likely that most of these families failed to appear in court because they did not receive adequate information from DHS explaining their obligation to go to court or their right to receive a fair hearing on their asylum, Withholding of Removal, and related claims. Moreover, raids would convey the message that these families are a threat to border security, when the reality is that most are asylum seekers in need of humanitarian protection. Given their high rate of eligibility for asylum-related claims, these children and their parents should be treated as an exceptionally vulnerable population and should not be removed without an opportunity to seek relief before a judge.

We urge you to renounce the use of such harsh tactics against this incredibly vulnerable group that has already suffered horrible, uncontrolled gang violence, domestic violence, and other forms of persecution. U.S. Citizenship and Immigration Services data shows that 88 percent of the mothers and children detained in the three family detention centers in Pennsylvania and Texas are proving to the government they are likely to be found eligible for asylum and other forms of humanitarian relief. This data is consistent with an October 2015, UNHCR report finding that 82 percent of women and girls that the U.S. government interviewed in fiscal year 2015 from El Salvador, Guatemala, Honduras, and Mexico in the expedited removal context proved they have a significant possibility of winning asylum or protection under the Convention against Torture. The women and girls not placed into expedited removal, and who were released at the border, are fleeing similar situations, yet most were not provided with information about accessing asylum or other humanitarian protection in the U.S.

Despite this growing, and now, overwhelming, evidence that many Central American families deserve protection, DHS has pursued an aggressive enforcement strategy against them. The agency has escalated the use of family detention, placing thousands of children and mothers in massive, remote facilities. DHS and the immigration courts subject families to rapid deportation procedures that deprive them of fundamental due process.



The agency's aggressive approach has continued even after two federal courts ruled against these practices (see *Flores v. Johnson* and *R.I.L.R. v. Johnson*). Under the guidelines promulgated by Secretary Johnson last November, individuals "who qualify for asylum or other forms of relief" should not be prioritized for AILA Doc. No. 15123102 (Posted 12/31/15) removal at all. Almost all of the families at issue put themselves into proceedings by turning themselves in to the authorities at the border after harrowing journeys of thousands of miles.

DHS has failed to provide adequate information to families about their rights and responsibilities in the immigration system. DHS has also failed to offer community-based services to facilitate appearances at court. Finally, the government has not provided appointed counsel to families who would otherwise go without representation. In fact, most of these families have no legal representation—the single most important factor in ensuring their appearance in court. Each of these steps would increase court appearance rates without resorting to the kind of tactics that will demonize a population in need of care and assistance.

The United States has always been a beacon of hope for asylum seekers. Over the past several months, you have championed the cause of protecting Syrian refugees when many questioned whether our nation should still be providing them refuge. We ask you to send that same signal now with respect to the families fleeing Central America and to be the same kind of champion for their protection.

Actions You Can Take to Oppose the Raids on Refugee Families

Refugee and Immigrant Center for Education and Legal Services (RAICES), San Antonio, Texas

By now you have probably heard the news about the Obama Administration's plans to raid and deport families, children and mothers, who arrived to the United States seeking protection. This news has been a shock to many of us working closely with these families, especially since we know firsthand that the reason many were ordered deported had nothing to do with the strength of their claims, rather with the lack of resources that exist for these families in the United States.

Here are 3 things you can do to make sure families are not picked up in raids:

1. Sign up to become a Refugee Family Advocate in your city.

As a Refugee Family Advocate you would help families living in your city connect to resources. We are in touch with most of the families who are released from family detention, according to our data most families are living in the following cities: Dallas, Houston, El Paso, Atlanta, Boston, Baltimore, Charlotte, Memphis, Orlando, Miami, New Orleans, NYC, Chicago, Arlington, Washington D.C., Los Angeles, and numerous other cities across the United States.

Many families do not know where they can go to get support services like medical help, trauma services, who to call if they need help with a ride to check-in with ICE or to attend immigration court. We have had some families who we have been able to link up with free legal services; however the family was then unable to secure transportation to get to the lawyer's office. As a Refugee Family Advocate you would be in contact with families living in your city, brainstorming ways to meet their unmet needs.

2. Come to Texas and volunteer to help #EndFamilyDetention!

Since the opening of the family detention centers in July of 2014, thousands of people just like you have made the trip to volunteer

here in South Texas. The CARA Project is currently providing legal services to all of the families who are detained at the Karnes and Dilley detention centers. If you sign up to be a volunteer, you would work directly with the children and mothers, inside the centers, helping them navigate the legal process to ensure that they are released from detention. To volunteer as part of the CARA Project please fill out the volunteer form and someone will get back to you.

3. Make a donation to support legal services for released mothers and children.

In September of 2014 we launched a Family Detention Defense Fund with all proceeds going directly to Central American families in need of support. Since launching, we have raised and given out more than \$280,000 to these families. A majority of the money we have provided to families has been for payment of very high bonds (\$5,000 to \$10,000 for each family) so that the children and mothers wouldn't languish away in detention.

Since September of 2015, when bonds became less common (families forced to take ankle bracelets) we have focused all of the donations on legal services. Through the Defense Fund, we sponsor payment of legal fees for initial consultations, legal representation and other emergency services that families are in need of so that they can adjust to their new living situations and focus on their legal needs. Making sure families who are released from detention have competent legal support, in their destination cities, is the only real way to ensure families are not raided and deported.

A donation of \$25 will help secure a legal consultation for a family. A donation of \$250 will help a released family apply for a work permit. A donation of \$500 will help a released family apply for asylum.

ABA Condemns Government Raids Against Refugees

American Bar Association, January 6, 2016

The American Bar Association condemns the U.S. government's operation targeting the deportation of Central American mothers and children seeking protection in the United States and calls on the government to halt these raids immediately and to adhere to fundamental principles of justice and due process.

In response to the 2014 influx of Central American families, the U.S. government implemented a patchwork of inconsistent practices, including detention and expedited removal hearings that denied basic rights to mothers and children. Many of these individuals face a complex immigration court system without access to counsel.

The legal profession has been doing all it can to help these thousands of individuals and families fleeing danger and persecution in their home countries. But we continue to be

concerned that immigration courts are trying to push these cases through the system as fast as possible, creating situations where people may be removed due to improper notice, lack of counsel, language barriers, and other factors not related to the merits of their cases.

The ABA urges the government to cease the raids immediately and to ensure that these individuals have:

- Access to effective legal representation
- Proper notice of their immigration court hearings
- Full and fair consideration of their cases in court

Due process and human rights protections are fundamental to all individuals, including refugees seeking protection in the United States. We call on President Obama's administration to ensure that we uphold principles of justice, fairness and due process for these affected mothers and children.

150 CIVIL RIGHTS, LABOR, AND FAITH GROUPS CONDEMN ATTACKS

Immigration Raids Target Disabled Refugees

Yale Law School, January 5, 2016

By letter delivered this morning, more than 150 organizations served notice on federal officials that many of the Central American refugees targeted in recent immigration raids are disabled, as that term is defined under the *Rehabilitation Act* of 1973. The groups also demanded that federal agencies make reasonable accommodation for Central American refugee parents and children with trauma-related disabilities. The notice asks that the government suspend ongoing raids pending a review to determine whether the asylum and immigration proceedings that led to these families' removal orders complied with federal disability law.

"A very high proportion of the Central American mothers and children now targeted for ICE raids have survived sexual assault or other forms of extreme violence, have mourned the loss of close family members to particularized violence, and today suffer the inevitable consequences of exposure to this trauma," the letter to Attorney General Loretta Lynch and Secretary of Homeland Security Jeh Johnson states. "Mothers and children who witnessed and survived arrest, torture, and murder of family members, and attempts on their own lives, will be grossly re-traumatized by ICE raids."

The *Rehabilitation Act* of 1973 requires that federal programs, including removal proceedings and immigration enforcement operations, provide reasonable accommodations to ensure that disabled persons are not denied meaningful access to benefits or services. The notice describes extreme violence suffered by many of the refugees, who include single mothers and toddlers, in their countries of origin. As a result, these individuals suffer from severe symptoms of post traumatic stress disorder, generalized anxiety, and depression.

"For mothers who have survived violence and journeyed with their children to the United States seeking safety, the law requires asylum and immigration processes in which they can meaningfully participate — but that's not what they are getting," said Conchita Cruz, a law student intern with the Worker and

Immigrant Rights Advocacy Clinic at Yale Law School, the organization that drafted the letter. "The government has failed to provide assistance to these disabled families, and now it plans to re-traumatize these families and remove them on the basis of potentially unlawful processes. If the government does not provide opportunities to surrender in advance of immigration raids and fails to provide counsel to disabled refugees, they are violating the *Rehabilitation Act*."

"As a physician who cares for victims of torture and human rights concerns, I am deeply concerned about the health and well-being of Central American women and children subjected to these deportation raids," stated Dr. Allen Keller, Associate Professor, NYU School of Medicine and Director of the Bellevue/NYU Program for Survivors of Torture. "These women and children were traumatized both in their home countries and then here in the U.S. —detained at our border under inhumane conditions. As such, many of them are suffering from the effects of this trauma, including anxiety, PTSD and depression. They are an extremely vulnerable population and should be treated as such."

"Disabled women and children with strong claims for refugee status are at risk of forced return to the life-threatening dangers they fled, because the government has failed to ensure that their trauma-related impairments do not prevent them from communicating and presenting their claims," said Swapna Reddy, also a law student intern with the clinic at Yale Law School. "And the ongoing raids make the problem worse. Many families could move to reopen their removal orders, even after surrendering for arrest. But additional trauma caused by the raids will make it even more difficult for these disabled families to advocate for themselves — even though, ironically, their trauma is evidence itself that many of these mothers and children should be granted humanitarian relief under the law."

A copy of the letter is available at: www.law.yale.edu/system/files/area/clinics/letter_to_dhs_and_doj_-_2015_01_04.pdf

ICE Raids are Repugnant and Without Due Process

David Leopold, Houston Chronicle Op-Ed, January 8, 2016

The Obama administration rang in the New Year with a series of heavy-handed immigration raids aimed at ferreting out and deporting Central American families who entered the United States after fleeing rampant violence in their home countries. According to Department of Homeland Security Secretary Jeh Johnson, the focus of the Immigration and Customs Enforcement operation is families ordered deported by an immigration judge either because their asylum claims were denied or they did not appear for their immigration court hearings. The raids have caused widespread shock, fear and panic among immigrant

communities in Texas and elsewhere.

The raids operation is shocking, outrageous and just plain wrong. This is something we would expect from a President Trump, not President Obama.

The president is reacting - actually overreacting - to a recent spike in the migration of Central American families and unaccompanied children to the United States. He apparently wants to deter others from making the arduous, life-threatening trip north to the United States and to show that his administration is adhering to its Nov. 14, 2014, immigration enforcement priorities that,

DEFEND THE RIGHTS OF ALL

in addition to criminals and national security threats, target noncitizens who entered the U.S. or were ordered deported after Jan. 1, 2014.

But it is morally repugnant to send ICE agents into local communities to arrest and detain vulnerable families, including women and children, and deport them to places where their lives will be threatened by unspeakable violence – countries like El Salvador, Guatemala and Honduras, where gang and drug violence force innocent families to flee north to the United States in search of a haven.

We know that most are eligible for asylum or other forms of protection because U.S. Citizenship and Immigration Services data show that an overwhelming percentage of the mothers and children in family detention centers in the United States can show a reasonable fear of persecution in their home countries.

Other Central Americans ordered deported in absentia may not have had a fair chance to plead their asylum case because they did not get adequate information from government bureaucrats explaining their obligation to go to court. Clearly, being ordered deported under those circumstances is not due process.

And this is exactly what the CARA Project — which provides pro bono legal assistance to families held at ICE detention centers in South Texas — found among the cases of Central Americans arrested in these raids. After project lawyers filed emergency appeals, the Board of Immigration Appeals temporarily stopped the deportation of at least seven Central American immigrants so their cases could be reviewed. As CARA Director Katie Shepherd cogently put it, “This is a clear indication that something is very wrong.”

Nor can it be said that deporting those whose asylum cases have been denied after a hearing before an immigration judge is any more reasonable or appropriate. Central Americans fortunate enough to make their case in court with a lawyer are burdened with complicated and exacting legal standards that govern asylum law.

An immigration judge’s refusal to grant a person’s asylum claim hardly means he or she does not face serious, life-threatening harm in the Northern Triangle of El Salvador, Honduras or Guatemala. The bottom line is that for many Central Americans, deportation means the forcible return to a cauldron of life-



Demonstration at the White House December 30, 2015 opposes the raids and deportations against refugees, mainly women and children

threatening violence.

At a minimum, the continued ICE raids should be immediately and unequivocally stopped. Raids destroy families, ruin economies and erode the community trust essential to effective local law enforcement.

Fearing deportation, undocumented immigrants may hesitate to report serious crimes to local law enforcement. Immigration raids targeting families, including women and children, should be assigned to the dustbin of history.

Unfortunately, Obama appears to be

doubling down. White House press secretary Josh Earnest said Friday that the enforcement strategy will not change.

The president is making a colossal mistake by viewing this crisis solely through the lens of immigration enforcement. It’s much bigger than that - it’s a regional humanitarian crisis that demands a regional solution.

What is needed now from Obama is leadership, not brutal enforcement policies targeting vulnerable families. Understanding the administration’s legitimate concern about preventing a new border surge, including its concern that those Central Americans who flee north to the United States face a life-threatening journey, Obama must do better than resort to ICE raids.

The president should work with regional partners toward a comprehensive regional solution aimed at the root causes of the migration and devote resources to improving the economic and social situation in Central America. That solution includes regional safe havens, so Central American families fleeing violence can find shelter in the area rather than being forced to risk the treacherous journey north.

In the meantime, even if one accepts the administration’s argument that the Central American families targeted for deportation have received fair hearings — which I do not — that still does not explain why the administration is dispatching armed ICE agents into communities to arrest, detain and forcibly deport families. ICE has the power to allow people who have exhausted court proceedings to leave the country on their own. This heavy-handed approach tells me that the president is trying to send a broader message to Central American refugees - that they need not look to America for safety or shelter. That is reprehensible, and something we would expect from a President Trump, not President Obama.

ICE Agents Ignore Warrant Requests

“The detentions of at least 11 families across the country marked the first day of an effort by the government to find and deport Central American migrants who sought refuge in the U.S. and stayed illegally, immigrant advocates said Saturday. Unlike a string of immigration raids in the mid-2000s, agents do not plan to conduct workplace raids or other mass enforcement actions, but will instead target addresses for families with deportation orders,” (L.A. Times, Jan. 3, 2016).

In Norcross, Ga., on Saturday, Joanna Gutierrez said her niece and niece’s 9-year-old son were taken by Immigration and Customs Enforcement agents, who arrived in an unmarked car and presented Gutierrez with a warrant for a man she didn’t know. Gutierrez says she told the agents they needed a warrant to enter her home. They told her they didn’t, she says, and walked inside, checking every room in the house and waking her children. “They were shaking from fear,” Gutierrez said of the children in a phone interview Saturday night.”

“Organizers from New Haven’s Junta for Progressive Action

issued an “urgent alert” Sunday to prepare local immigrants for several raids. Among the advice offered: “(1) Do not open the door for ICE. ICE can only come in and search your property if they have a signed warrant. Ask them to slide this warrant under the door before opening. ICE is known for sometimes tricking people into opening the door by telling you they are looking for someone else or they have information about a loved one. Do not fall into this trap. “(2) If ICE or the Police asks you a question, you do not have to answer. Tell them you will only answer questions in the presence of your attorney. Do not lie, do not give any false documents. You have to give them your name but you do not have to answer any other questions. “(3) If you are at work, on the street or in a public place, ask the police or immigration agent if you are free to go. If they say yes, walk away slowly and calmly. “(4) If ICE or the police pressures you to sign a document, do not sign. “(5) Take pictures and video of the officials. Write down the names and badge names of the law enforcement officials and call us for help,” New Haven, Connecticut *Independent*, Jan. 4, 2016).

DHS Secretary Jeh Johnson’s Statement On Raids – Edited For Accuracy

Not One More Deportation, January 5, 2016

In response to Department of Homeland Security Secretary Jeh Johnson’s statement on the coordinated raids of 121 people as young as four years old in the beginning of the new year, Chicago lawyer Mony Ruiz-Velasco edited the Secretary’s statement for accuracy. Her results are in italics below.

* * *

Statement by Secretary Jeh C. Johnson on Southwest Border Security, [as it should read[1]], January 4, 2016

As I have said repeatedly, our borders are not open to illegal [or in many cases, legal] migration; if you come here illegally, we will send you back [or you will be unlawfully and indefinitely detained, deported or denied entry[2]] consistent [rarely] with our laws and values. In the spring and summer of 2014 we faced a significant spike in families and unaccompanied children from Central America [also known as refugees/asylum seekers] attempting to cross our southern border illegally [seeking protection pursuant to our commitment to international standards and U.S. law – i.e., not illegally[3]].

In response, we took a number of [unlawful] actions [in violation of U.S. asylum law and international human rights standards[4]] in collaboration with the governments of Mexico, Guatemala, Honduras, and El Salvador, [that made it much more dangerous to come to the U.S. for protection[5]] and the numbers declined dramatically. In Fiscal Year 2015, the number of apprehensions by U.S. Border Patrol of those attempting to cross our southern border illegally — an indicator of total attempts to cross the border illegally — decreased to 331,333. With the exception of one year, this was

the lowest number of apprehensions on our southern border since 1972. In recent months, however, the rate of apprehensions on our southern border has begun to climb again. [because conditions in some Central American countries are extremely dangerous – El Salvador and Honduras are the top two most dangerous countries in the world; thus, people are forced to leave their home countries behind to seek protection for their children and families[6]]

In November 2014, I issued new priorities [that have mostly not been followed, and which we are not enforcing[7]] for immigration enforcement as part of the President’s immigration accountability executive actions. These new Department-wide priorities focus our enforcement resources on convicted criminals and threats to public safety. [although in many cases, individuals often do not have convictions and/or present public safety or security threats in any way[8]] These new enforcement priorities also focus on border security, namely the removal of those apprehended at the border or who came here illegally [and by illegally, we also mean seeking protection for persecution or death] after January 1, 2014.

We must enforce the law in accordance with these priorities [unless we determine, in our own unreviewable abuse of discretion that we still want to deport you], and secure our borders [yes, we must protect our borders from children, many toddlers and four year olds seeking protection from death, torture, persecution and certain harm].

Accordingly, the Department of Homeland Security, in conjunction with our domestic and international partners [such as other law enforcement agencies engaging in illegal practices], is undertaking the following actions [which are costing the U.S. mil-

lions of dollars, that would be better spent on legal representation for immigrants, community education and resources to refugees seeking protection[9]]:

Removals

Since the summer of 2014 we have removed and repatriated [*forcibly deported*] migrants to Central America at an increased rate, averaging about 14 flights a week [*mass deportation of people of color*]. Most of those returned [*forcibly deported*] have been single adults. [*many have been killed after being returned or have been unable to escape persecution again*][10]]

This past weekend, Immigration and Customs Enforcement (ICE) engaged in concerted, [*terrorizing*] nationwide enforcement operations to take into custody and return at a greater rate adults who entered this country illegally with children [*also known as families who are afraid to return to their home countries*][11]]. This should come as no surprise [*especially since this administration has detained and deported more people than any other in history*][12]]. I have said publicly for months that individuals who constitute enforcement priorities [*as well as those who do not*], including families and unaccompanied children, will be removed.

The focus of this weekend's operations were adults and their children [*i.e., families*] who (i) were apprehended after May 1, 2014 crossing the southern border illegally [*seeking protection from persecution and death and mostly being denied the right to apply for protection and in many cases ordered removed expeditiously*][13]], (ii) have been issued final orders of removal by an immigration court [*without appointed lawyers and in a system that by design denies people due process protections*][14]], and (iii) have exhausted appropriate legal remedies, and have no outstanding appeal or claim for asylum or other humanitarian relief under our laws [*or more likely, who are not informed or knowledgeable about their legal rights because they do not have lawyers and were denied protection even when facing persecution*][15]]. As part of these operations, 121 individuals were taken into custody, primarily [*but not exclusively*][16]] from Georgia, Texas, and North Carolina, and they are now in the process of being repatriated. To effect removal, most families are first being transported to one of ICE's family residential centers [*also known as jails where children and mothers are being re-traumatized and denied due process protections*][17]] for temporary processing before being issued travel documents [*deportation without a hearing*] and boarding a return flight to their home countries [*forcibly deporting against their will, to countries where they will face grave danger and possible death*].

Given the sensitive [*inhumane*] nature of taking into custody and removing [*by forcibly entering the homes and unlawfully detaining and deporting*] families with children, a number of precautions were taken as part of this weekend's operations. ICE deployed from around the country a number of female agents [*who are serving the same exact functions as their male counterparts: detaining, deporting and separating families*] and medical personnel to take part in the operations, and, in the course of the operations, ICE exercised prosecutorial discretion in a number of cases for health or other personal reasons.

This enforcement action was overseen by Sarah Saldaña, the



Director of ICE, and supported and executed by Thomas Homan, a career law enforcement official who leads ICE's Enforcement and Removal Operations.

At my direction, additional enforcement operations such as these will continue to occur as appropriate [*although breaking down doors, misrepresenting facts and detaining and deporting families and children can by no means be considered appropriate or in many cases, legal*][18]].

The Flores case

We continue to [*violate court orders and*] disagree with the District Court decision in the Flores case that a 1997 settlement of a case solely involving unaccompanied children [*although the case does not reference "unaccompanied" it simply refers to minors*][19]] now applies to children who arrive with a parent and their processing at today's family residential centers. The decision, and the resulting injunction, significantly constrains our ability to respond to an increasing flow of illegal migration into the United States. We have appealed the decision, and the appellate court has agreed to hear the appeal on an expedited basis. Meanwhile, we have implemented significant reforms to how we operate our family residential centers to transition them to temporary processing facilities for these individuals, and have taken steps to ensure compliance [*but only after threatened with contempt*][20]] with the District Court's July 24 and August 21 orders.

I know there are many who loudly condemn our enforcement efforts as far too harsh [*yes, those of us with a conscience, who are part of or stand with immigrant communities, or with basic principles of dignity and respect for families and justice*], while there will be others who say these actions do not go far enough [*Donald Trump*]. I also recognize the reality of the pain that deportations do in fact cause [*but will continue to push for more deportations, although we have deported more people in the last eight years, that in any previous administration in the history of the U.S.*][21]]. But, we must enforce the law consistent with our priorities [*but only when it is convenient, otherwise, we deport those even when not consistent with priorities, or in violation of domestic and international laws*][22]]. At all times [*except most of the time when we*

are violating our own policies, the law, constitutional due rights and international human rights standards], we endeavor to do this consistent with American values, and basic principles of decency, fairness, and humanity.

Notes

- [1] Editorial comment by Mony Ruiz-Velasco
- [2] New Study Finds Immigration Officers Ordering Unlawful Deportations (2014) <http://www.texasobserver.org/new-study-immigration-officers-ordering-unlawful-deportations/>
- Suits for wrongful deportation by ICE rise (2009) <http://www.sfgate.com/news/article/Suits-for-wrongful-deportation-by-ICE-rise-3291314.php>
- [3] See Immigration & Nationality Act §§208, 209, et.al.
- [4] See 1980 Refugee Act (signed into law by none other than President Ronald Regan) a that brought the U.S. into compliance with the 1967 U.N. Protocol Relating to the Status of Refugees; Universal Declaration of Human Rights
- [5] What It's Really Like To Cross The U.S.-Mexico Border (2015) <http://thinkprogress.org/immigration/2015/02/10/3617896/dehydration-scorpions-vigilantes-really-like-cross-border/>
- [6] One murder every hour: how El Salvador became the homicide capital of the world (2015) <http://www.theguardian.com/world/2015/aug/22/el-salvador-worlds-most-homicidal-place>
- Which countries have the world's highest murder rates? Honduras tops the list (2014) <http://www.cnn.com/2014/04/10/world-unworld-murder-rates/>
- [7] Prosecutorial Discretion Denied (2015) <http://unitedwedream.org/wp-content/uploads/2015/04/PDDenied.compressed.pdf>
- Manuel's Case: So Much of What's Wrong with ICE (2015) <http://www.notonemoredeportation.com/2015/11/09/roman-in-consistencies/>
- [8] See Ibid.
- [9] Unaccompanied children crossing southern border in greater numbers again, raising fears of new migrant crisis (2015) <https://www.washingtonpost.com/news/federal-eye/wp/2015/12/16/unaccompanied-children-crossing-southern-border-in-greater-numbers-again-raising-fears-of-new-migrant-crisis/>
- [10] Deported to death: The tragic journey of a Salvadoran immigrant (2015) <http://america.aljazeera.com/articles/2015/7/11/deported-to-death-the-tragic-journey-of-an-el-salvadoran-immigrant.html>
- US government deporting Central American migrants to their deaths (2015) <http://www.theguardian.com/us-news/2015/oct/12/obama-immigration-deportations-central-america>

- [11] Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico (2015) <http://www.unhcr.org/5630f24c6.html>
- [12] Why Has President Obama Deported More Immigrants Than Any Other President in US History? (2014) <http://www.thenation.com/article/why-has-president-obama-deported-more-immigrants-any-president-us-history/>
- [13] Mexican and Central American Asylum and Credible Fear Claims: Background and Context (2014) <http://immigrationpolicy.org/special-reports/mexican-and-central-american-asylum-and-credible-fear-claims-background-and-context>
- [14] Letter to President Obama Regarding the Denial of Access to Counsel and Fair Hearings for Immigrant Mothers and Children Detained in Artesia, New Mexico (2014) http://www2.nycbar.org/pdf/report/uploads/1_20072779-LetteronDenialofCounselandFairHearingsforDetainedImmigrantMothersChildren.pdf
- [15] At an Immigrant Detention Center – Due Process Denied (2014) http://www.nytimes.com/2014/08/26/opinion/at-an-immigrant-detention-center-due-process-denied.html?_r=0
- [16] There are reports of individuals also arrested in Illinois
- [17] Stop Detaining Families (2015) <http://www.immigrantjustice.org/stop-detaining-families>
- CARA Pro Bono Project Letter to ICE detailing problems with release practices at Dilley and Karnes (2015) <http://www.aila.org/advo-media/aila-correspondence/letter-to-ice-recent-practices-dilley>
- [18] ICE and Border Patrol Abuses <https://www.aclu.org/issues/immigrants-rights/ice-and-border-patrol-abuses>
- Coercion and Intimidation of Detained Mothers and Children (2015) <http://www.aila.org/advo-media/press-releases/2015/coercion-intimidation-detained-mothers-children>
- [19] Not just now, this case has always been interpreted as protecting all minors in DHS custody
- Judge blasts ICE, says immigrant children, parents in detention centers should be released (2015) <http://www.latimes.com/local/lanow/la-me-ln-judge-orders-release-of-immigrant-children-mothers-from-detention-centers-20150725-story.html>
- [20] Judge Increases Pressure on U.S. to Release Migrant Families (2015) http://www.nytimes.com/2015/08/23/us/judge-increases-pressure-on-us-to-release-migrant-families.html?_r=0
- [21] Why Has President Obama Deported More Immigrants Than Any Other President in US History? (2014) <http://www.thenation.com/article/why-has-president-obama-deported-more-immigrants-any-president-us-history/>
- [22] See all footnotes above

Refugee Crisis Shows Increasing Conflicts Between States and Federal Government

Shortly after the Paris attacks, governors from 31 states said they would refuse to accept Syrian refugees, commonly invoking concerns about potential terrorists. This occurred despite the fact that those involved in the Paris attacks were not Syrians and the fact that of the millions of refugees settled, not a single one has been a terrorist. Yet state governors, from Texas, Alabama and Georgia,

have all taken actions to block settlement of Syrian refugees.

Texas Governor Greg Abbot also threatened to place the Texas National Guard at the border to prevent entry, which would provoke a direct confrontation with federal policing agencies of the Department of Homeland Security. While he has not done so, the reality that such a possibility is present was reflected in statements

by New York Governor Cuomo, speaking about Syrian refugees: “To the extent that these states are saying I’m going to prohibit them. You can’t prohibit the federal government. What are we going to do: call out the National Guard and fight the federal government with our militia?” Continued efforts by governors short of such action is reflective of the growing conflicts between the powers of the states and federal government, including who controls policing agencies and national guard at the state level.

Immigration and asylum for refugees are federal matters, which the laws and numerous court rulings make clear. The federal government funds refugee resettlement, while states are in charge of contracting with local nonprofit organizations and distributing federal money to them. States also oversee health and food assistance to refugees through federally funded programs, like food stamps and Medicaid.

The Texas Case

The Texas governor, in December, was the first to file a lawsuit against the Obama administration, claiming that the federal government and the International Rescue Committee — one of several private nonprofit groups around the country with state contracts to resettle refugees — were violating federal law by moving forward with the planned resettlement of two Syrian families. At least 242 Syrian refugees have been resettled in Texas since 2012, the *Texas Tribune* reported, and additional families have been settled more recently.

The Governor had the Texas Health and Human Services Commission ask for a temporary restraining order to prevent refugees from settling in Texas. In his recent ruling on the case, federal U.S. District Judge David C. Godbey said, “The Court finds that the evidence before it is largely speculative hearsay.”

The judge brought to the fore that the hysteria being generated by both the federal and state forces concerning terrorism, used to justify collective punishment against Syrian refugees and others, had no basis in fact. His ruling rejected the restraining order, saying “The Commission has failed to show by competent evidence that any terrorists actually have infiltrated the refugee program, much less that these particular refugees are terrorists intent on causing harm.”

The judge also emphasized that refugees are a matter for the federal government to decide. “The Court has no institutional competency in assessing the risk posed by refugees. That is precisely the sort of question that is, as a general matter, committed to the discretion of the executive branch of the federal government, not to a district court.” This too reflects the difficulties the rulers are facing in a situation where the usual mechanisms for sorting out conflicts, including those between the state and federal government, no longer function. The court is attempting to affirm the power of the federal government, but governors are resisting. Governor Abbott is now pushing for federal legislation on refugee settlements.

The Georgia Case

In Georgia, Governor Nathan Deal issued an executive order in



November, just three days after the Paris attacks, directing state agencies to “halt any involvement” in the acceptance of Syrian refugees, including providing food stamps and Medicaid.

The federal government is already subjecting refugees from Syria to collective punishment and unequal treatment, including numerous additional security checks and a years-long process. It is no coincidence then that states follow this federal example. So the issues involved are not simply that of refugees, but more broadly that of conflict over power and control, especially when it comes to policing agencies and state governing agencies.

After issuing his executive order, Deal sought the opinion of his attorney general, Sam Olens on what measures could be taken. Olens responded in late December that the state had no legal basis for specifically targeting Syrian refugees. Funding for the refugee resettlement is all federal and the state was obligated to provide these resources to the agencies involved in settling refugees. Georgia, like all states settling refugees, has a formal agreement with the federal government to operate the refugee resettlement program in the state. The states’ resettlement plans include that “assurances and assurances funded under the Plan will be provided to refugees without regard to race, religion, nationality, sex or political opinion.” It was in part on this basis that the federal government warned Deal that he was violating federal law. Deal withdrew his order.

The Alabama Case

Most recently, on January 7, Alabama Governor Robert Bentley announced that he “does not want Syrian refugees to come into the state.” Bentley was one of the governors in November who said he would not accept Syrians. He too has now filed suit in federal court to block refugees from resettling in the state.

Bentley’s lawsuit does not specifically address Syrian refugees. It claims the federal government has not complied with the *Refugee Act of 1980*, which says the federal government “shall consult regularly” with states on placement.

The lawsuit charges that the federal government has failed to provide Alabama with sufficient information about the refugees who have settled or will be settled in the state. The state seeks a complete file on each of the refugees that include their medical histories and a certification that they do not pose a security risk.

Here again is an indication of the growing conflict concerning the policing agencies. The state wants the same information federal forces have — “a complete file” — to make use of as they see fit. The federal government instead wants to increase its power over the states and further integrate state and local agencies into the federal machinery. Issues concerning immigration and refugees are a means to do this. Raids being carried out now and previously are led by Immigration and Custom Enforcement (ICE) but also commonly include state and local law enforcement. Texas and Georgia were two main areas for the ICE raids in January, this time against refugees, mostly women and children, mostly from El Salvador, Honduras and Guatemala. This is likely not a coincidence.

I • Keep Initiative in Our Hands

where the selected candidate and their chosen vice president are officially crowned.

The primaries, who wins what when, who endorses who, who has more funds to spend, the debates, are all a means to draw people into the spectacle. But only as spectators, not decision makers. It is a means to line working people up behind candidates they did not select and would not select, given the power to do so. Indeed it is a process that the majority would do very differently. This includes not spending the estimated \$15 billion on endless ads that are mostly negative and geared to generating fear and divisions. We are not to think about the kind of process and candidates we actually need and want, but rather to accept and unacceptable situation where the voice of the rich and their candidates is all that is heard, repeatedly.

A main aim of the entire process is to take initiative out of those fighting and organizing for rights and put it into the hands of the rich and their elections for their champion. This particularly true at this time, when on various fronts of struggle, such as against racist police killings and government impunity, and the fight for the equal right to education for all, initiative is in the hands of the people. They are advancing their own demands, as expressed in *Our Schools, Our Rights, We Decide!* and calls to *Defund and Disarm the Police and Fund our Rights!* The demands to *Bring All U.S. Troops Home Now* and *Defend the Rights of Refugees* are also broadly resonating among the people.



It is these battles that are in our hands to decide and where advances can be made, that the rulers want to disrupt and divert with the elections spectacle.

In contending with the situation, it is important to find the ways and means to keep initiative in our hands and advance our fight for political empowerment. This means not allowing the fight among the rich expressed by the candidates to divert us from working out the program and tactics needed for advance. It means not getting drawn in to the efforts to divide people for and against a given candidate. Rather it means strengthening our united fight for rights, with the fight for decision making integral to this. By stepping up the fight for empowerment initiative will remain in our hands.

In addition, the elections are a time to raise the voice of the working class,

which is missing. Workers and their unions instead are to be silent about what is needed for a pro-worker candidate and a pro-worker modern democracy — and instead endorse a candidate of the rich. We say let the anti-war, pro-people voice of the working class be heard. Do not submit to all the false promises and false debate. Instead discuss what is needed for a modern democracy, including a modern electoral process. Discuss the necessity for an anti-war stand. Discuss the necessity for a new pro-social direction for the economy. Engage co-workers and friends in such discussions as this too is a means to keep initiative in our hands.

The Role of Trump in the Elections

Billionaire Donald Trump can be a candidate in the 2016 elections simply because he is a billionaire and can fund his own campaign. That in itself says something about the character of elections, which allow billionaires to participate but not workers and their worker politicians. This exclusion of workers and their interests is also a more vital issue for debate than any of the policies Trump has put forward.

The current elections are taking place in conditions of increasing violence and anarchy, unleashed in large part by the U.S. and its aggression abroad and anti-social offensive at home. The brutality of U.S. imperialism and its unrelenting drive for world empire has not brought the “peace dividend” and “prosperity” promised with the end of the Cold War. On the contrary, twenty five years have revealed more sharply that the U.S. has no solutions, for the economy and problems like ending poverty and inequality, for the environment, for ending racism and government impunity, for resolving social

problems at home or abroad.

Governing arrangements based on the Constitution have also shown themselves unable to deal with the present. Power is increasingly concentrated in the hands of the executive, who rules with no regard for rule of law. This is evident in the drone warfare trampling on sovereignty, torture and assassinations, spying, the unending police killings, raids and deportations and more. Congress does not function. The political parties no longer function. The candidates and their backers among the rulers now organize campaigns. The primary underway is evidence of this, as candidates vie for funding and approval of the rulers and the party machinery as basically non existent. The courts do not end or even rein in the criminality of the government and its criminalization of the people.

The concept of civil society is being torn to shreds. All that is left are police powers, exercised outside the government of laws. The current ICE raids against refugees, the bombing

of Syria and Yemen, the collective punishment of Muslims and refugees are all evidence of this. The police powers maintain the state at all costs regardless of consequences to the people or the environment.

Diversion from Government Crimes

It is in this context that Trump is a candidate. Objectively, whether intended or not, he is playing a particular role. One part of his candidacy is to test the waters for the ruling class — what response will there be among the people to the openly racist and reactionary filth he spews forth? How widespread and determined will opposition be? The answer to date is very, as numerous demonstrations and actions across the country have stood firm for the rights of the people and against Trump and the racist government.

Trump is also a diversion from government crimes already taking place. While he talks about taking action, President Obama is actually doing much of what Trump calls for. Muslims have been and continue to be under attack, using FBI sting operations; no fly lists; spying on Mosques; falsely and without let up linking Muslims with terrorism; collective punishment of various kinds, such as against Muslim student clubs; and so forth. Trump can present an extreme like having all Muslims wear badges, while the government can actually begin imposing requirements for electronic, biometric identification, not only for immigrants but in time for all.

Syrian refugees are already being collectively punished as well, simply because they are Syrians with no evidence whatever that they are connected to terrorism. While Trump makes statements that are being firmly condemned, the many *actions* of the government at home and abroad are not seen as being just as racist reactionary and more dangerous — because they are actions not words. The main target for resistance is and remains the racist U.S. state.

Cover for Clinton

The promotion of Trump as the most dangerous also serves as a cover for Hillary Clinton. It creates the notion that those fighting for

rights should rally round Clinton so as to block Trump. He is painted as the fascist, she still a liberal. The reality is that Clinton, also seen by her actual deeds while Secretary of State, is the more aggressive and dangerous. She is the one calling to eliminate Iran, to invade Syria, to carry out even more aggression abroad. She is the one who contended with Obama to such a degree a dual presidency existed, with Clinton carrying out foreign policy in contention with Obama.

The rulers very much need the illusion that Clinton is a block to Trump, when in reality she is the one that will carry out a more reactionary program and be better able to do so. The rulers very much need to rally the fighting forces against Trump and for Clinton, serving to undermine the fight for rights while strengthening the dictate of the ruling circles.

CEO's as President

Additionally Trump has the role of presenting a billionaire CEO as better able to govern than existing politicians. He is part of the effort to discredit elected governance, using the broad anger with existing governance. People are rightly angry with the failure of the government. They however are striving for an alternative that moves society forward, striving for *people's* empowerment. Trump is a block to this direction. He represents the possibility among the rulers for having the billionaires contend for the presidency and sort conflicts out in that manner, without the need for politics or political parties. Basically, when there are no politics, there is no need for a political process. While conditions have not yet reached that point, Trump is evidence that they are headed that way.

Far from making Trump the main target, what is needed is stepping up the fight against the racist U.S. state and advancing the fight for empowerment. The people do have solutions and lack the power to decide, in the workplace, schools, and governance. Staying focused on the pro-active battle for empowerment, rather than reacting to Trump, is needed.



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Why The Long Primary Spectacle When Votes Do Not Count?

For primaries, voter turn out has continued to drop and is expected to do so again this year. Average voter turnout in the 2012 primaries – for president, governor and U.S. Senate – slumped to the lowest level since most states adopted presidential primaries in 1972. Based on the 41 states which held statewide primaries in both parties, turnout was 17.3 percent of eligible voters. Low voter turn out also reflects the fact that the candidate is decided before primaries in many states are held, so there is not much point in voting. It also reflects the fact that increasingly, voters are dissatisfied with elections and the existing process, which excludes them. Primaries are a clear example of this exclusion, as there is not a straight vote for candidates, but a complex process determined by party functionaries for assigning delegates. Why then such a long drawn out process where even the votes of the few who do vote largely do not count?

The rulers are not concerned with low voter turn out. Indeed, many laws have been passed to further disenfranchise voters, especially African Americans, youth and those impoverished. Their aim is to draw everyone into the spectacle, to be *spectators* while the rich gamble hundreds of millions on who will be their champion. It is a fraud from a democratic standpoint in that the basic norm of one person, one vote, has no place in deciding the outcome.

Rather than be drawn into the primary spectacle and issues and policies dictated by the rich, now is the time to take initiatives that enable the voice of the working class to be heard. This

is the voice that is missing, yet decisive for democracy in the interests of the people to develop.

One means for doing this is to challenge all concerned about the elections to consider the main content needed for candidates to represent the interests of the people and the country as a whole. It is not a matter of the policies of this or that candidate running. Rather it is that of the principles they stand for and the direction they want to take the country in.

First and foremost we need anti-war candidates, who recognize the principle of opposing aggression, which is a crime. We need candidates who demand *All U.S. Troops Home Now!* as the necessary condition for peace. We also need pro-people candidates who stand for the rights of all. Defending rights is the source of security, not more troops, more police, more spying, more terrorism against the people at home and abroad. Both of these require a new direction for the economy, rejecting the current war economy in favor of one directed to guaranteeing the rights of all. They also require a new direction for political affairs, one centered on political empowerment.

Concretely this means taking initiative to engage all those concerned in discussion on this new direction and how to give it expression in the elections. For example, demands to fund the process, not the candidates, so as to open space for anti-war candidates are needed. It means identifying anti-war, pro-people candidates and lending them a hand. It means advancing the current struggles for rights and not allowing them to be diverted by the election spectacle. These battles are in our hands to decide.

A Primary Process that Blocks Voters from Having a Say

The presidential primary process, determined largely by the two parties, is designed to block the large majority of voters from having their votes count. While it gives the appearance that voters are deciding the candidates, in actual fact this is not the case and not meant to be. It is instead primarily a mechanism of the rulers to assess which of the candidates can best serve two main purposes: 1) preserve the union and prevent a hot civil war; and 2) to keep the people out of power and quell resistance. It is more a test of the viability of the candidates to preserve the rule of the rich and their ability to maintain the legitimacy of, or at least the illusion of legitimacy, of U.S.-style democracy. This is an increasingly difficult job in the face of widespread and growing dissatisfaction here and abroad and developing consciousness that the rich have no solutions, whoever the candidate.

The primaries are highly complex, vary from state to state, and directly stand against an election that is national in scope for a position that represents the union as a whole,

the presidency. Indeed, all federal U.S. elections, including for the presidency, are done on the basis of statewide votes, not national ones. This historically is in part because one of the compromises of the Constitution was to leave elections in the hands of each state. While most other countries have a national election commission that runs elections, the U.S. does not. The Federal Election Commission (FEC) deals solely with campaign finance, not the actual running of the elections themselves. These rules are decided in part by the Republican and Democratic national committees, the state-level parties, and the states themselves.

What stands out is there is no direct, national election for president. Nor are there any other representatives elected to represent the country as a whole, something surely needed in modern times.

Most Populous States Have No Role

Another way in which primaries block the majority is the fact

that the first two states involved, Iowa and New Hampshire, do not represent the population as a whole, being largely white and rural. Yet they play a significant role, sometimes eliminating candidates. Indeed, the majority of advertising for the entire primary campaign occurs in these two states.

California and New York, two of the most populous states, literally play no role as their primaries come late, usually after the candidate for each party has already been decided. For example, in 2008, John McCain officially clinched the 2008 Republican presidential nomination in March, while during that same month Barack Obama held an insurmountable lead in pledged delegates. In 2012, Obama faced no major challenger, while Mitt Romney gained enough delegates to be declared the Republican nominee by late April.

Many, many states vote from April-June, including California, Indiana, New Jersey, New York, Pennsylvania, Washington, Wisconsin and others. Texas is one of the few large states voting earlier this year, on super Tuesday, March 1, when 15 states vote. New York's primary is not until April 19 and California's not until June 7. It is likely the Democratic candidate will be decided before April 19 and possibly the Republican as well, though that is less clear.

The schedule is also designed to eliminate all but those with the biggest war chests, contributed by various forces within the ruling circles. Jeb Bush, for example, has the funds to persist through March even with a poor initial showing, while it is not clear if others can do so. As well, for Republicans, for example, having the South Carolina primary early (February 27 this year) is considered a "firewall" to protect establishment favorites and frontrunners in the race. It often serves to stop the momentum of other candidates who could have received a boost from strong showings in Iowa and New Hampshire.

Delegates and Super Delegates

In addition, the number of delegates each state receives for the convention is decided by top party functionaries and varies for each election, eliminating the role of one person one vote. There is a complex and different formula used by each party. This also includes measures to keep new and less wealthy candidates out. For example, the Democrats require securing 15 percent of the vote before any delegates are given.

Perhaps more significantly, every state also has what are called super delegates — elected officials and party

functionaries who can vote as they please at the convention. Hillary Clinton, for example, has been pursuing these super delegates. The Associated Press conducted a survey of super delegates in November 2015. There are 712 such delegates for Democrats. Of that, 579 (80 percent) were surveyed and 359 backed Clinton. Given that the candidate is usually chosen before the convention and thus these votes are not needed,

the support of such delegates is more a reflection of Clinton's establishment credentials than anything else. It is a means to secure whatever remains of the party machinery for her interests.

In determining which candidates get delegates, some states use a winner-take-all approach, while others use a proportional method, with candidates getting a portion of the delegates based on votes received. In most states, while the vote is said to be binding, it often is not. If a candidate — not the voters or the delegates but the candidate — decides to withdraw, he can then "release" his delegates to vote as they see fit, or call on them to support a particular candidate. This will likely occur for Republicans.

If, as could possibly be the case for Republicans, no one secures enough delegates in the primaries, then votes are held at the convention. For most states, after a certain number of ballots, the delegates are released to vote as they please or as the party functionaries tell them. All of which means the primaries do not serve as a means for voters to select candidates, but rather for the rulers to select their champion, which is also true for the election itself.

Primaries Become Dominant After 1968

It is worth noting that primaries, as the main means of the rich for selecting candidates, did not occur in the majority of states until after 1968. That is, it was developed in part to quell the broad rebellion taking place at that time, including resistance to the Viet Nam war and against police brutality and racism and for equality. It was designed as a drawn-out process that ensnares the general public into lining up behind one or another candidate, in a situation where their votes do not determine the outcome. While this was less true at that time, when conventions had floor fights and the candidate was determined there, today it is clear. The candidate is decided long before the convention, he or she picks their vice-president, and the convention itself is the grand finale of the staged spectacle.



IN 2016 ORGANIZING WORK WILL BE THE KEY TO OUR VICTORY

All Out for Democratic Renewal and an Anti-War Government!

Communist Party of Canada (Marxist-Leninist), January 1, 2016

(The statement below is extremely vital and relevant to all those organizing for rights and change that favors the people. Voice of Revolution urges our readers and supporters to read and discuss it as a significant guide for organizing work in the coming year.)

* * *

Today, as the year 2015 has come to an end and we usher in the New Year, people all over the world are yearning for a human society; a society where all human beings can flourish and the barbarities of the present conditions are a thing of the past. On this occasion, the Communist Party of Canada (Marxist-Leninist) greets its members and supporters and all the workers, youth, students and seniors who battled so hard during 2015 to defeat the Harper dictatorship and war government. The aim of the broad masses of the people was and continues to be to end the anti-social offensive and nation-wrecking which are destroying the lives of the peoples at home and abroad. In this regard, great efforts were made to organize for people's empowerment. This work will continue throughout 2016, as the communist and workers' movement makes the building of Committees for Democratic Renewal and People's Empowerment a priority.

As 2015 comes to a close, the utter barbarity of bourgeois civil society reveals itself more and more. While the problems facing the economy and the anachronistic constitutional and political arrangements are no fault of the people, the ruling elite have launched a brutal anti-social offensive. This offensive seeks to dispossess the peoples of everything that belongs to them by right at home while wars of aggression and occupation are launched against the peoples of other countries to effect regime change and covet what belongs to them by right. The destruction of productive forces on a mass scale is creating grave dangers for the world's people and the natural environment as well.

Both at home and abroad what do we see? Do we see what we think is there, or shall we lift the veil of enforced ignorance by raising our concerns and sorting out what is happening in a manner that sorts out the problems in favor of humankind?

Establish a Public Authority Consistent with the Needs of the Times!

After deliberating on the achievements of the workers' and communist movement in 2015, CPC(M-L) has concluded that what is called civil society is a concept in tatters because all that is left of the public authority is its police powers. These police powers are outside the government of laws. A government of laws legitimizes rule; police powers do not. Police powers are used to decide who to punish and on what basis. They have a main role in maintaining the person of state, which includes both government and police powers. It is done by ensuring compliance.

The number one obligation of the state is to defend the well-being of the person of state. In fact, this is how what are called liberties are secured. In this equation the state takes the absolute position, which explains why the elite keep discussing the need to strike the right balance between rights and security. It has nothing to do with upholding the rights which belong to the people by virtue of their being. The problem emerges, however, of how the rule can be legitimized when everything that concerns the relations which human beings must enter into in order to live is dictated from outside the government of laws?

Far from legitimizing the rule, the unfolding events reveal that civil society is established and sustained by police powers. This in turn reveals that the peoples are no longer served by what is called a civil society. Calls by ruling elite to rewrite constitutions so that the police powers presently outside the government of laws are brought into a government of laws show the depths of irrationality which has gripped the minds and actions of the ruling elite in the imperialist heartlands. Their desperation to see the results they wish to attain come to life, no matter what, imbues their every word and deed with a madness beyond their control. This leads them to become ever more vengeful in seeking retribution when their irrational deeds do not meet with success.

From the direction of the economy, to the laws which are used to declare what can and cannot be done, to the identity which defines us and the values we must espouse, the police powers and government, which together form the person of state, decide. Civil society's promise to provide equality, prosperity and peaceful relations within and between nations lies in tatters. The more elusive its promise becomes, the more the ruling elite speak in its name.

This is what we see. Once it is revealed that the rights civil society was created to provide were defined by the police powers as property rights or to preserve property rights, it follows that modern definitions of rights are required on the basis that people have rights by virtue of being human. So too arrangements must be brought into being which favor the peoples, not the financial oligarchs whose rule is tearing society asunder and inflicting wars for the redivision of the world. And once all that is left of the public good is the police powers, where is the "good" which people want restored and to whom should they appeal to restore it?

These are the challenges we must take up in 2016. Or are we to be driven mad by utopian liberal ideals of what might be if only we all espouse the right thinking and conduct ourselves in the right way? Can individual and collective rights be brought on par on the basis of expectations spun out of liberal illusions or will succumbing to liberal illusions provide a basis for individual and collective forms of punishment?

Let Us Together Provide Society with a Modern Definition of Rights!

What is the work we must accomplish in 2016? What does the New Year hold in store? How can we take up the major concerns of the peoples in a manner that provides solutions which open society's path to progress?

CPC(M-L) thinks that a good starting point is to recognize that the problems which exist in fact reveal for all to see a glimpse of the new world which is striving to be born. For the New to come into being and problems to be sorted out, it is incumbent on the working class to raise the expectation that the economy must be organized to fulfill its responsibilities to the people and society. It must deprive monopoly right of its power to deprive the actual producers of what belongs to them by right. A new direction is required to solve the economy's fundamental problems and contradictions, and to mobilize the full power of the socialized economy, in particular the human factor/social consciousness.

Finance capital cannot harmonize individuals and collectives and thus it increasingly resorts to exercising the power of public authority through police powers. But while police powers may permit robbery, they cannot sort out the problems of the economy.

An economy is an integrated whole. For the economy to function an equilibrium must be established. Individual right cannot be reduced to a property right which must be provided with a guarantee no matter what. It requires at a minimum the recognition of the rights of the actual producers. Individual right must be defined on a new basis while collective rights must be put on par and both harmonized within the context of the general interests of society. These general interests are greater than the sum of its parts.

The ruling elite with their sycophants, pundits, leading academic lights and monopolized media nonetheless blame their inability to sort out the fundamental contradictions at the base of the economy on the working class and people. They loathe their resistance and struggle for their rights and their very right to be. The more the contradictions inherent in the relations of production split the society asunder, the more irrational the elite become. Evidence of this is seen in the refusal to renew the political process so as to eliminate the role of power and privilege and permit the participation of the people in creating the conditions for their own living. It is seen in the promotion of fraudulent schemes, double standards and hypocrisy to cover up self-serving agenda. The increasing use of the courts, prisons and detention camps to keep the people in check and the deployment of police and armed forces to make the problems go away are acts of desperation, not acts of finding solutions to the problems which exist.

Far from the people and their existence being the cause of the problems at home and wars abroad, the peoples' resistance gives rise to a forward-looking perspective and direction and a bright future.



Actions which criminalize the workers and peoples for trying to solve the problems which face them and their societies reveal a criminal outlook which must also be opposed.

Organizing Work Will Be the Key to Our Victory

In 2016, CPC(M-L) thinks organization will be the key to our victory. The Party dedicates all its efforts to assist the working class to put on its agenda the necessity to develop its organization, thinking, practical politics and empowerment to attain a determining influence over the political affairs of the country and broad control of the economy in all the basic sectors. This entails depriving those who own and control great social wealth, the imperialist bourgeoisie and their state, of the power to deprive the working class of its empowerment and right to democratic renewal and a new direction for the economy.

For the working class to become a dynamic Proletarian Front it must have its own organizational forms, theory and practical politics. To move forward, the communist and workers' movement must look to itself and what it needs to do to accomplish its tasks within the objective conditions. To succumb to the siren song of convincing the imperialist bourgeoisie to change and behave in a pro-social manner is not an option. Change comes when the social class which produces the wealth society depends on for its living is organized and pursues its own independent politics, theory and actions with analysis.

This year, CPC(M-L) is also putting its full weight behind efforts by Youth for Democratic Renewal to make sure a political climate prevails across the country. The youth will organize themselves to oppose attempts to liquidate the people's political movement on the basis of post-modern irrationality and incoherence. Volunteerist programs which claim to deliver progressive solutions while the right to conscience and behavior of those who do not agree to fall in step are criminalized must be opposed. Only by involving everyone in political forums where people raise their concerns and sort them out and enlightened solutions are discussed can the conditions be created whereby the youth can organize a bright future for themselves.

In 2016, let us work to establish a public authority consistent with the needs of the times! Let us work so that society provides itself with a modern definition of rights! *In 2016, All Out for Democratic Renewal and an Anti-War Government!*

directly to our struggle against the U.S. rulers and for an end to U.S. aggression and interference worldwide.

On the occasion of this important 57th anniversary, we send revolutionary greetings to Comrade Fidel Castro and to Comrade Raúl Castro who is firmly leading Cuba through the complexities and difficulties at this time. As one the people are fortifying their Revolution and working to ensure the well-being of all. The outstanding achievements of the Cuban people at home and abroad are celebrated in the U.S. and worldwide and inspire confidence that yet many more advances are to come.

Revolutionary Cuba has accomplished great things on all fronts of life and work from the first triumph of the revolution January 1, 1959. It has repeatedly faced efforts by the U.S. to overthrow and undermine the revolution. This includes not only assassination attempts, failed invasions and backing terrorist attacks, but the brutal, inhuman blockade. U.S. imperialist openly claimed the blockade would bring Cuba to her knees. It was and remains designed to starve her people and crush their efforts to pursue their own path and create their own create a human-centered society. As the celebration this year shows, the U.S. is the one who was isolated and forced to restore diplomatic relations. They were forced to return all of the Cuban Five anti-terrorist heroes to Cuba, another important achievement.

As the Cuban people continue to consolidate their socialist



economy and make great strides in healthcare, education and other areas, the U.S. also continues its interference. It still intends to undermine the revolution, through different means. *Voice of Revolution* condemns all such efforts and interference and demands the U.S. immediately end the blockade! We urge the U.S. to fully open travel to Cuba, so that people-to-people relations can be strengthened. We reject all efforts by the U.S. to proclaim it is Cuba that must address human rights issues, when it is the U.S. that must end its own crimes against Cuba and all humanity! Now is the time for full relations of mutual respect and benefit, which means ending the blockade and all efforts at regime change. Cuba belongs to the Cubans and it is the Cuban revolution that has greatly contributed to peace and progress in the Americas and worldwide.

*Long Live Revolutionary Cuba!
End the Blockade Now!*

National Assembly of People's Power Affirms Principles and Ideals Cubans Have Long Fought For

On December 29, the Sixth Ordinary Session of the Eighth Legislature of the National Assembly of People's Power was held, the second of its biannual meetings. In plenary, deputies approved the 2016 National Economic Plan and the State Budget, which were looked at in detail in permanent parliamentary commissions in the three days prior to the plenary.

Remarks by President Castro

The President of the Councils of State and Ministers, Army General Raúl Castro Ruz, in his speech to close the session, stated that the history of Cuba's Revolution is full of glorious chapters in the face of challenges, risks and threats.

President Castro noted that despite the economic crisis and the U.S. economic, commercial and financial blockade of Cuba, the

country's Gross Domestic Product (GDP) grew by four per cent in 2015 and will continue to grow in 2016, albeit at a slower pace.

President Castro noted that the number of foreign tourists visiting the country this year rose to 3.5 million; the highest number recorded to date. He also reaffirmed the Cuban government's intention to honor its commitments resulting from the agreements reached in the renegotiation of the country's debt.

Regarding the issue of relations with the U.S., President Castro stressed that Cuba has repeatedly advised the U.S. government that in order to normalize bilateral relations, the blockade must be lifted. "The essential thing now is that President Barack Obama uses with determination his vast executive powers to modify the implementation of the blockade, which would give meaning to what has been achieved so far and permit solid progress to continue," he said.

President Castro also reiterated that the territory illegally occupied by the U.S. Naval Base at Guantánamo must be returned. He also reaffirmed that in its relations with the U.S., “Cuba should not be asked to abandon its independence nor renounce the principles and ideals for which generations of Cubans have fought for a century and a half.” [...]

Remarks by Other Cuban Leaders

With the forthcoming celebration of the January 1 anniversary of the triumph of the Revolution, Esteban Lazo, President of the National Assembly, acknowledged the people’s contribution to build a prosperous and sustainable socialist system. He highlighted the work of the deputies and delegates in response to proposals, complaints and suggestions from the public.

Likewise, Lazo reiterated that the right to independence, sovereignty and self-determination are essential to the defense of the Cuban people. He reaffirmed that “economic, diplomatic and political relations with any other state can never be negotiated in the presence of aggression, threat or coercion by a foreign power.”

Marino Murillo, a member of the Party Political Bureau, a vice president of the Council of Ministers and Minister of Economy and Planning, explained that the four per cent growth in Cuba’s GDP this year was mainly due to the acquisition of cash advances, contracts to secure credit, as well as a downward trend in the price of imports.

Murillo noted that all sectors have seen an increase with respect to 2014 and referred specifically to the sugar industry, which grew by 16.9 per cent, construction by 11.9 per cent and manufacturing by 9.9 per cent.

He stressed the need to prioritize and protect domestic producers in order to further reduce imports. He added that the average monthly wage of workers in the state enterprise sector had increased, although this is still insufficient, considering retail prices.

Murillo outlined the main areas in which the country is working to achieve the expected economic growth in 2016. Among these, he mentioned the need to enhance efficiency in the use of hard currency, to take advantage of the downward trend in prices, for the rational use of stocks and supplies, and for consumption rates that encourage savings.

He announced that growth is estimated to be around two per cent next year, with the largest increases projected in construction, hotels and restaurants, agriculture, livestock, forestry, transport, warehousing, communications, the sugar industry and the supply of electricity, water and gas. He added that “Considering the current global crisis, the two per cent increase of the gross domestic product in 2016 is also favorable.”

Minister of Finance and Prices Lina Pedraza noted that calculations regarding the implementation of the State Budget for 2015 reflected the Economic Plan, such that estimates for net income were met to the tune of 97 per cent and total costs are on the order of 96 per cent of the amount forecast.

She insisted that this year’s budget dedicated 30 per cent and 23 per cent respectively to public health and education, adding that 9 billion pesos were allocated for the enterprise sector, mainly to

the Ministry of Agriculture, the AZCUBA business groups (in the sugar industry) and the food industry.

The 2016 State Budget was unanimously approved by the deputies. It includes a fiscal deficit of 6,000,223,200 pesos, representing 7.1 per cent of GDP, at current prices.

New Member of the Council of State and Supreme Court Lay Judges Elected

During the afternoon session, the deputies elected Jennifer Bello Martínez, president of the Federation of University Students, as a member of the Council of State, replacing Abelardo Colomé Ibarra, who was relieved of his responsibilities at this level due to health problems.

This is the first time a student leader has held a position on this important governmental body, confirming the confidence of the Revolution in youth.

In addition, 285 lay judges for the People’s Supreme Court (TSP) were elected; 28 assigned to the military chamber and 257 to other TSP chambers.

Review of Cuba’s Economic Reality by Parliamentary Commissions

The performance of the economy and forecasts for 2016 were closely analyzed by the ten permanent commissions of the National Assembly that met at Havana’s Convention Center from December 26 to 28.

Minister of Economy and Planning Murillo reported that 58 per cent of the resources in next year’s Economic Plan will be directed toward investments in areas that are key to the country’s development, such as tourism, which will receive 1.3 billion pesos; the oil industry; renewable energy sources; and agriculture, with a budget of 600 million pesos.

During the final sessions of the parliamentary commissions, Murillo called for a continued policy of savings, increased production of material goods and the reduction of imports.

Miguel Díaz-Canel Bermúdez, First Vice President of the Councils of State and Ministers, participated in the Education, Culture, Science, Technology and Environment Commission, where the application of scientific innovation in food production was analyzed.

In discussing the connection between the university and society, Dr. Rodolfo Alarcón Ortiz, Minister of Higher Education, reviewed the major changes implemented in this sector.

Among the most significant changes are the reduction to four years for degrees in pedagogical studies, beginning next September; the integration of universities; the creation of short-cycle higher education as a new level of education; and the incorporation of the English language as a mandatory requirement in every degree course.

This commission also highlighted the role of family, school and other institutions in the formation of values. Following the presentation of a report by the Ministry of Culture on confronting social indiscipline in this and other sectors, the deputies agreed to work on how to achieve a comprehensive culture for the society.

(TML Weekly, Granma International, Prensa Latina, Xinhua)