

More on why *only the sustained determined action of decent people can be relied on to defeat and remove the Trump fascist regime.*

This is Bob Avakian—**REVOLUTION**—number 126.

Like the Republican Party, the Supreme Court—dominated by a fascist majority—is an instrument facilitating Trump/MAGA fascism.

Take the recent decision of the Supreme Court in relation to the fundamental question of Birthright Citizenship—the provision in the Constitution (the 14th Amendment) which, in very clear language, establishes that *everyone born in this country is a **citizen** of this country*. Immediately after returning to power in January of this year (2025), Trump issued an “Executive Order” that blatantly violated this basic right guaranteed in the Constitution. A number of lower court judges quickly put a stop to this, citing the obvious fact that this “Executive Order” violates the Constitution.

So the Trump regime appealed to the Supreme Court—not asking the Court to rule now on the “merits” of this (whether his “Executive Order” itself is in violation of the Constitution), but instead to rule that lower court judges cannot issue decisions that apply to the whole country (“nationwide injunctions”). Such nationwide injunctions have been issued many times over the years, and they are especially necessary to stop the government from violating fundamental rights, such as the right to citizenship. But *the Supreme Court, through the action of the fascist majority, gave Trump what he wanted—ruling in his favor, against nationwide injunctions.*

Here is a very relevant point: Although the Trump regime did not ask the Supreme Court to rule on whether Trump’s “Executive Order” is constitutional, the Court could have ruled on this anyway. *This is what happened in 2022 when the Court overturned Roe v. Wade, ripping away the constitutional right to abortion.* The case before the Court then involved a Mississippi anti-abortion law. The Supreme Court could have simply ruled on whether that Mississippi law was constitutional. But the fascist majority seized on this opportunity to overturn *Roe v. Wade* altogether—*going against 50 years of legal precedent set by previous Supreme Court rulings.* It is worth asking why the Court did not do that in this recent case—and specifically why it did not issue a ruling making clear that Trump’s “Executive Order” on Birthright Citizenship violated the 14th Amendment to the Constitution.

The fact is that the Supreme Court majority is determined to enable Trump to bulldoze over challenges to his fascist regime—*regardless of legal precedent, basic logic, and the obvious meaning of things, including the Constitution.* It is not clear at this point whether this majority is prepared to further expose its fascist nature by blatantly ruling against the clear

language of the 14th Amendment to the Constitution, but it is definitely possible that the Court could at some point (and perhaps soon) side with Trump's whole assault on Birthright Citizenship, even as Trump's actions are flagrantly in violation of the 14th Amendment. (Now Trump is threatening to revoke the citizenship of people he regards as "enemies." Can anyone feel confident that the Supreme Court will not find a way to back him up on this?)

In any case, along with overturning *Roe v. Wade* and its "no nationwide injunctions" decision favoring Trump, this fascist-dominated Supreme Court has made other outrageous rulings. Last year (2024), when Trump was facing criminal charges, the Court, through an opinion written by Chief (In)Justice Roberts, *granted Trump immunity for anything he does as part of "official presidential acts."* As one of the "liberal" Justices on the Court pointed out, the "logic" of this ruling would allow Trump to order the assassination of people and be protected by "presidential immunity"! And there have been a number of other rulings by the majority on the Supreme Court this year that have given "legal" backing to outrageous actions by the fascists.

All this because those who make up the majority on the Supreme Court are not acting as "legal scholars" who adhere to the Constitution and make rational judgments about whether laws are constitutional. *They are fascist functionaries who "re-interpret" the Constitution and the laws, ignoring and defying legal precedent, basic logic and the clear meaning of things, as a key part of enforcing the aims of the Trump fascist regime, of which they are effectively an instrument.*

This demonstrates very clearly the profound truth that all those who oppose the tyrannical madness of this Trump fascist regime must mobilize with continuing, and growing, determined non-violent action to prevent this fascist regime from functioning and create the conditions where it is removed from power, before it can fully consolidate its rule of fascist atrocity.

DONATE

TO THE NATIONAL CAMPAIGN TO
**GET[®] BOB AVAKIAN OFFICIAL
EVERYWHERE!**

BobAvakianOfficialEverywhere.org

Venmo:
@RCP-Publications
CashApp: **\$revcoms**

Go to the campaign
page to learn more



** earmark your donation for @BobAvakianOfficial

TRUMP/MAGA FASCISM

**What We're *Really* Facing, Why,
and What Must Be Done to
Defeat It Before It's Too Late.**

Volumes 1 and 2

Listen to & read Vol. 1



A series of important social media messages from Bob Avakian. Plus his New Year's message—2025: A New Year—Profound New Challenges—And a Profoundly Positive Way Forward in the Face of Very Real Horror.

Also available as a pamphlet at
TheBobAvakianInstitute.org.