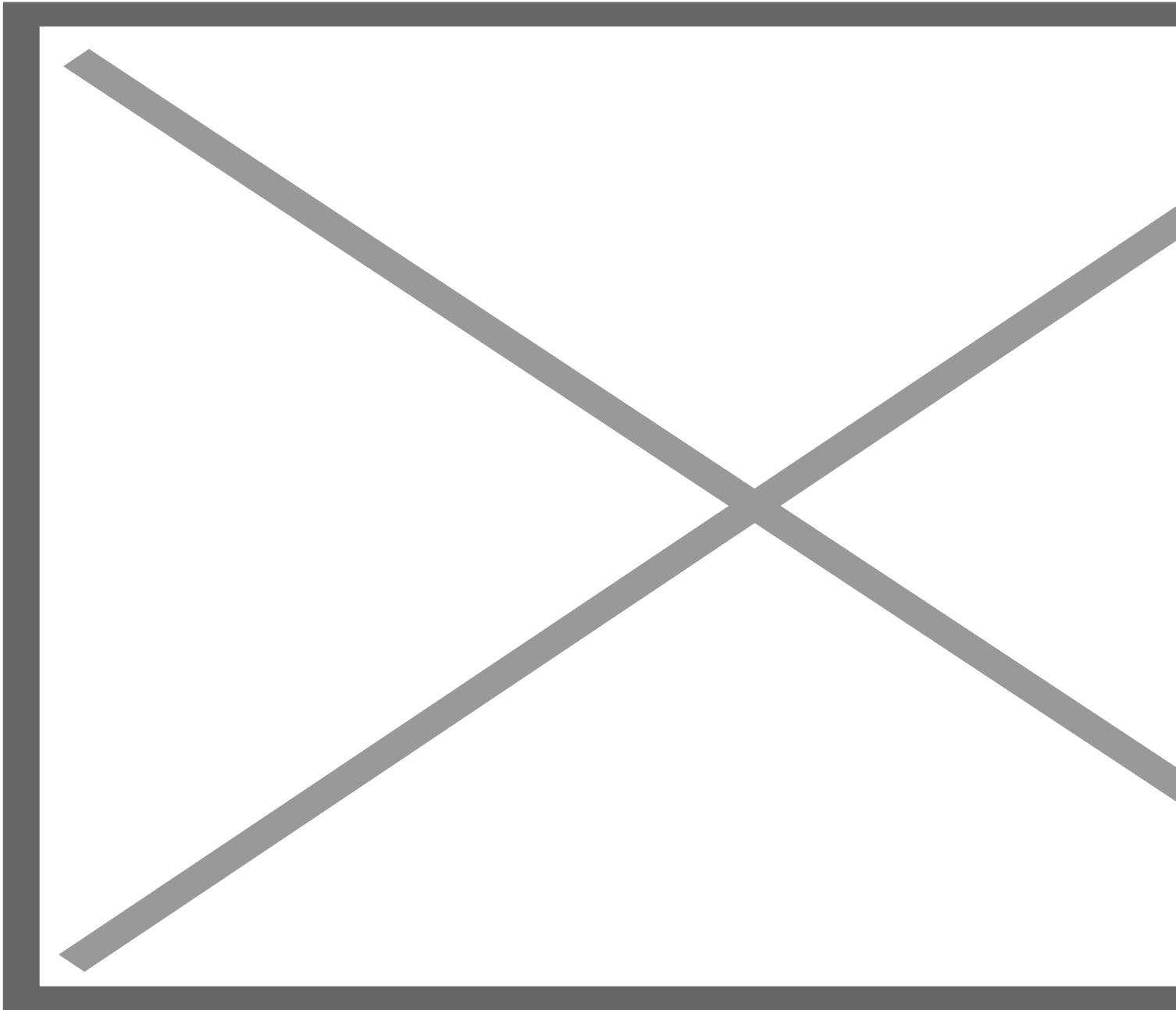


Abolish ICE, and don't stop there

Law enforcement officers generally resist any attempt to bring them to heel, and they are usually successful.

by [Phil Christman](#) in the [February 2026](#) issue
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I am not sure there's a political issue that is more important to get right than immigration. I say this despite my strong suspicion that by the time we've reached the level of abstraction at which immigration is discussed as an "issue," we've already given too much away. Abstraction itself is not the problem—it's basic to how language works, how reasoning works—but the specific abstractions we use to talk about people who move across national borders direct our attention away from everything that matters.

I can say, for example, that the freedom to move seems as basic as the right to speak, worship, marry, or exist; I can say that the immigrant is one of the biblical writers' favorite types, right up there with the orphan and the widow, for "person you have to be good to." But the mental gesture by which I classify millions of other people as examples of the issue of immigration, even for the purpose of defending them, also deadens me to what matters here. Suddenly we're debating not this threatened lady, this malnourished baby, this scarred man, but *immigrants*, people who raise a grave issue that must be balanced against other issues like *homogeneity* or *social cohesion* or whatever. Homogeneity is for gallons of milk, not communities of people, and social cohesion is something we create every day through our behavior, not something we guarantee in advance by making sure that everybody is the right kind of White person. We have only to translate this language into particulars to see how ridiculous the debate is. On the one hand, this young person wishes to escape persecution, to live near family, or simply to have a job; on the other hand, it makes Grandpa uncomfortable when people speak Spanish at the grocery store.

In any case, we must get immigration right. The world's rich countries have ensured that large portions of this planet are in the process of becoming uninhabitable. As though the centuries of theft that made these countries rich in the first place weren't bad enough, we also turned up the heat and raised the sea level. The next two centuries will be centuries of movement and displacement—or centuries of death on an inconceivable scale. The choice facing those of us who live in rich countries lies, then, between these two options. We can keep the lights on and the breadbasket full and the schools open for the children of our victims, who will live with our children in conditions that, against the backdrop of human history, are pretty good; or we can be tough on immigration and suffer the economic consequences of demographic collapse, *plus* the political consequences of a draconian immigration regime—which is, in practice, a draconian regime for everybody. We can actually be the America of myth—a place where all sorts of people build worlds together—or we can be the America that eats itself.

In 2024, we voted to eat ourselves.

So far—say this much in our favor—we don't like it much. We don't like seeing pastors shot with pepper spray while masked goons laugh. We don't enjoy seeing three-year-olds ziptied on the sidewalk while an entire apartment building is trashed. We don't love being menaced by costumed men who won't show a badge or identify themselves in any way—who cannot be distinguished from an unusually evil biker gang and like it that way, who consider *you* a criminal if you hesitate before obeying their every whim, and with whom the current administration entirely agrees on this point. We'd rather that they not burst into our cars while we're waiting to pick up our children from schools, whether or not our paperwork is in order. We had a vague idea that the Constitution proscribed this sort of thing.

The depredations of Immigration and Customs Enforcement, which has emerged as the president's private masked army, have been so extreme that "abolish ICE" is rapidly becoming the common-sense, middle-of-the-road, boring Democratic Party position. There's no need—ever—for a swollen federal agency with a settled internal culture of sadism, secrecy, deception, and racial profiling, an agency that understands itself to operate under no legal or moral constraints, to exist at all. To tolerate such an agency is already to live under tyranny, full stop.

The 2025 federal budget bill gives ICE enough money to build dozens more concentration camps, which it will then wish to fill. This makes confrontation unavoidable whenever Democrats retake the House of Representatives. It can't be put off or ignored. Our options are that Democrats find some way to cancel that funding, that ICE loses much of its new money to bloated and under-regulated private contractors, or that sooner or later our federal gestapo hurts or kills so many people that even Trump voters turn against it. As much as they might wish it, this is not a fight Democrats can simply sit out.

Now that the Democratic electorate seems to be adopting a sane position toward immigration—that is, a position other than “let's do an ethnic cleansing because it makes me feel uncomfortable when my favorite hamburger joint is replaced by a Thai place”—maybe we have just enough bandwidth to ask a disquieting question: How different is ICE from our existing, regular criminal-punishment system? The one for citizens?

It's certainly not different enough for my taste. ICE is particularly horrifying because of its officers' goon-squad habit of going incognito and the Trump Administration's insistence that they operate under basically no practical or legal constraints. But those sorts of constraints have generally been easy enough for cops to work their way around when they're dealing with people of color, poor people, or dissidents of any sort. Cops generally resist any attempt to bring them to heel, and they are usually successful. (It helps that they have all those guns.) Practically speaking, if you aren't a White person who's at least upper middle class, there isn't much a cop can't do to you.

Moreover, under successive generations of Supreme Courts filled mostly by former prosecutors, existing constraints have been hollowed out. There are many examples—the book to read is Emily Bazelon's *Charged* (2019)—but my favorite is this one: In *Connick v. Thompson* (2011), the court found in favor of a prosecutor's office that illegally and knowingly withheld exculpatory evidence in a death-penalty case. Let me put that in plain English: The DA's office not only can charge a person they know to be innocent but can also conspire to hide evidence of his innocence, and, assuming that the accused somehow survives, he can't sue and isn't entitled to damages. In practice, a finding like this makes every prosecutor a tyrant.

During the brief and ill-fated Reign of Woke—may it return soon, well rested and motivated—activists who made these points, under admittedly sloppy and unclear slogans, were called extremists and blamed for every Democratic loss. But the basic logic of their point seems inescapable to me. If you distrust ICE now, you should take a second look at your local prosecutor's office.