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Trump issues new version of Muslim travel ban

By Patrick Martin

7 March 2017

US President Donald Trump issued a revised executive order banning travel from six majority-Muslim countries and halting all refugee entry into the United States for the next 120 days. The order revokes and replaces Executive Order 13769, signed by Trump January 27, which was struck down as unconstitutional by several federal courts.

The revised order targets six of the countries named in the previous order—Iran, Libya, Somalia, Sudan, Syria and Yemen—but exempts the seventh country, Iraq. This was after objections from the Pentagon, which feared widespread popular anger in the country where 6,000 US troops are deployed alongside tens of thousands of Iraqi army and militia forces in the ongoing conflict with Islamic State guerrillas.

The order omits several of the most flagrantly illegal and unconstitutional provisions of the earlier order, including a specific preference for “minority religious groups,” which in the context of Muslim-majority countries meant overt discrimination against Muslims.

Unlike the first order, the travel ban is prospective only: it freezes new applications for visas for the next 90 days, but has no effect on current visas, or on US legal residents (green card holders) coming back from visits to one of the six targeted countries. There will be no mass cancellation of visas, as was the case under the initial draft of the order.

That said, the reactionary and anti-democratic character of the order remains, with the main immediate effect felt by refugees, who will make up the vast majority of those denied entry to the United States, rather than travelers.

Trump cuts the number of refugees to be admitted from 117,000 for the current fiscal year to only 50,000. Given that there is a 120-day freeze on all refugee admissions, which begins when the new order takes effect March 16 and lasts until July 14, it is highly unlikely that even 50,000 refugees will be able to enter the US during the remainder of the period ending September 30.

The impact on travelers could be much larger going forward, since the executive order commissions the Secretary of Homeland Security, in consultation with the Secretary of State and the Attorney General, to make recommendation on extending the travel ban, and to draw up additional lists of countries whose citizens should be excluded, based on an assessment of whether these countries have provided information on their own citizens demanded by the US government. In other words, the “temporary” ban on the six countries could well become open-ended, and Washington will bully foreign governments into collaborating with its “anti-terrorism” policies, on penalty of being added to the travel ban.

The language of the new executive order bristles with Trump’s hatred for the judicial review which resulted in the effective overturning of the earlier order, and his contempt for the issues of democratic rights and constitutional norms that were raised in the numerous legal challenges. It reiterates the claim of near-absolute presidential power to bar the entry of broad classes of foreigners at the discretion of the White House.

Immigrants’ rights groups and the American Civil Liberties Union denounced the new travel ban as just as anti-democratic and unconstitutional as the first order, even though scaled back to apply to somewhat fewer people. Lawsuits will be filed even before the new order takes effect on March 16.

The supposed “anti-terrorist” rationale for the travel ban is belied even by the agencies responsible for enforcing it. The Department of Homeland Security itself admitted, in a report made public last month, that country of origin was not a meaningful variable in assessing the likelihood of any individual mounting a terrorist attack.

According to an analysis by Charles Kurzman of the University of North Carolina, cited in Monday’s *New York Times*, of the 36 Muslim extremists who have engaged in terrorist attacks inside the United States since 2001, 18 were born in the US and 14 migrated here as children, and so would have passed any vetting procedure. And none came from the six countries targeted by the travel ban.

The *Times* concluded: “Muslim extremists have accounted for 16 out of 240,000 murders in the United States since the terrorist attacks of Sept. 11, 2001.” The newspaper could have added—but chose not to—that far more Americans have been killed by former soldiers traumatized and brutalized by the wars conducted by US imperialism in the Middle East than by any terrorists, Muslim or otherwise.

These facts did not stop Trump from claiming, in his address to Congress last Tuesday, “The vast majority of individuals convicted of terrorism and terrorism-related offenses since 9/11 came here from outside of our country.” That lie was followed by a brazen appeal to fear: “We cannot allow a beachhead of terrorism to form inside America.” This was in reference to refugees from Syria, mainly women and children, victims of a brutal civil war instigated by the United States and the oil-based monarchies of the Persian Gulf.

Congressional Democrats for the most part postured as critics of the revised travel ban, but they have focused all their attention on denouncing Trump as insufficiently aggressive towards Russia, effectively downplaying any objections to his attacks on democratic rights.

The issuance of the new order came in the midst of a mounting political crisis of the Trump administration over charges and counter-charges relating to alleged Russian interference in the 2016 presidential election and alleged contacts between Trump aides and Russian intelligence agencies. No actual evidence of such interference or such contacts has ever been made public—only an endless series of anonymous leaks from officials in the military-intelligence apparatus opposed to Trump’s apparently softer foreign policy towards Russia.

On Saturday, Trump retaliated with a series of tweets claiming President Obama had ordered wiretapping of his Trump Tower offices during the election campaign, claiming that this represented a scandal as bad as Nixon and Watergate. Like his critics in the anti-Russian campaign, Trump did not offer a shred of evidence to back up his extraordinary claims.

Reaction to these charges in the media and official political circles was overwhelmingly hostile, with congressional Republicans distancing themselves from the White House, agreeing only that the question of wiretapping should be looked into by the intelligence committees that are investigating the charges of Russian interference.

White House officials avoided all interaction with the media during the issuance of the executive order establishing the revised travel ban, apparently to avoid further questions on the wiretapping issue. Trump signed the order behind closed doors, rather than welcoming television cameras to the Oval Office as he did when he signed the first order.

The formal issuance of the order came at a joint White House appearance of Secretary of State Rex Tillerson, Secretary of Homeland Security John Kelly and Attorney General Jeff Sessions, at which each official read a short statement, and then all three left without taking any questions. A scheduled televised press briefing by Press Secretary Sean Spicer was taken off camera and behind closed doors.