

VIRGINIA LAW WEEKLY

The First Seven Days

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February 1, 2017

While we were away, Donald Trump was inaugurated as the forty-fifth President of the United States. The day following the Inauguration, over 2.25 million people marched in the Women's March on Washington and in sister marches around the world. In a firestorm of tweets about the comparative size of the Inauguration crowd to the March, the term "alternative facts" was coined by Kellyanne Conway in response to President Trump's description of his inaugural crowd as "the largest ever." After a tweet by the Department of Interior comparing an aerial image of Trump's Inauguration to Obama's Inauguration in 2009, the new administration directed the Agency to shut down all Twitter platforms until further notice.

A crowd size expert reported to the New York Times last week that the inauguration audience was approximately 160,000 people, compared to the 470,000 individuals who participated in the Women's March a day later.

The Women's March brought together millions in a stand of solidarity on dozens of progressive, intersectional issues. From Women's rights and reproductive healthcare, to LGBTQ+ rights, Black Lives Matter and other race relations issues, the environment, and immigration, the organizers applauded the turnout and the notion that the causes are stronger and advanced when advocated together. Speakers at the Washington rally included America Ferrera, Janelle Monae, Michael Moore, and Gloria Steinem, along with Planned Parenthood President Cecile Richards and National Resources Defense Council (NRDC) President Rhea Suh. Hillary Clinton tweeted her support for the march. The actual marching was cancelled due to crowd's size.

Now, nearly two weeks since both the Inauguration and the Women's March, the fight over inaugural crowd size seems trivial compared to the slew of executive orders coming out of the White House. At press time, the most controversial is called "Protection Of The Nation From Foreign Terrorist Entry Into The United States" and was signed Friday, January 27th. The order blocks citizens from seven Muslim-majority countries (Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen) from entering the United States, regardless of visa or resident status; indefinitely bars refugees from Syria from entering the United States; and suspends all other refugee admissions for the next 120 days. The effect was immediate, as individuals entering back into the United States at major airports were detained this weekend as they passed through customs.

U.S. District Court Judge Ann Donnelly of the Eastern District of New York halted the enforcement of the executive order in a ruling Saturday night. Later the same night,, Judge Leonie Brinkema of Virginia's Eastern District ruled in favor of three legal permanent residents and sixty other individuals detained at Dulles International Airport, blocking immigration officials from deporting lawful permanent residents detained at the airport and ordering immigration officials to allow lawyers to access detainees.

Jasmine Esmailbegui, a 3L, is personally feeling the effect of the executive order. Esmailbegui's father immigrated to the United States from Iran in the 1970s and she holds dual American and Iranian citizenship. Her family was in the process of sponsoring her uncle and his family to move to the United States from Iran. Although her uncle and his family were interviewed for their green cards in December, she is unsure of their current status since the executive order was signed.

"I'm confused as to the logic of this executive order," Esmailbegui said. "It is effectively punishing people for the actions of their government and militaries. We must be able to separate the people who are fleeing from their oppressive governments." Esmailbegui was planning on visiting Iran after taking the bar later this year, but with the potential retaliation from the Iranian government she says those plans are in limbo.

Sami Al-Marzoog, 3L, who holds dual Saudi and American citizenship, is also impacted by the uncertainty of the executive order. "My dad still lives in Saudi Arabia, but visits us on a visa. This is a big year for my family; my sister and I are graduating law school, we have a brother graduating medical school, and my sister is getting married, so we are worried that a change of mood with Saudi Arabia may keep our dad from coming to the United States to witness these milestones."

Al-Marzoog was a member of the Immigration Clinic last year and says the vetting process is already extremely rigorous and worries what the lack of notice has already done to refugees in transit. "Families sold everything to buy a plane ticket to the United States, now what are they going to do?" Al-Marzoog echoed Esmailbegui's point, "The administration is talking about how they want to eradicate radical terrorism, but everyone coming here as refugees is trying to get away from that same threat in their home countries."

Al-Marzoog referenced a study conducted by the Cato Institute which concluded that no person accepted to the United States as a refugee has been implicated in a major fatal terrorist attack since 1980. Before 1980, the only notable attack committed by refugees was by three Cuban refugees.

An emergency march for "Muslim, Immigrant, and International Students' Rights" was held on Sunday at the Rotunda, where a number of law students attended, including 2L Joanna Kelly. Kelly, a Middle Eastern Studies major, worked abroad in both Jordan and Egypt before coming to law school and finds the executive order particularly offensive. "I have underlying concerns as to why did they these countries were chosen. It feels like the ban is just an extension of Trump's fear mongering."

Kelly attended both the Women's March in Washington and the March in response to the order last weekend and felt the tone of encouragement, solidarity, and engagement was apparent at both events. For Kelly, the highlight of the march was hearing Charlottesville's Vice-Mayor Wes Bellamy speak. "His message was that this order isn't about politics anymore; it's about what is right and what is wrong. He urged us to remember how we feel today, and that we need to come out with this force and passion every day."

In an email to the University, President Theresa Sullivan stated the administration is in contact with UVA students and scholars from the seven countries impacted and international students more broadly. Sullivan affirmed the school's commitment to supporting international students, faculty, and staff, and Deferred Action for Childhood Arrivals (DACA) students on Grounds.