

FINANCIAL TRIBUNE

Judge Strikes Down Trump's Travel Ban

The Seattle judge temporarily halted Trump's travel ban after hearing arguments it unlawfully discriminated against Muslims and caused unreasonable harm

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A US federal judge ordered a temporary, nationwide halt to President Donald Trump's ban on travelers from seven Muslim-majority countries, in the most severe legal blow to the controversial measure.

The restraining order issued by Seattle US District Judge James Robart is valid nationwide pending a full review of a complaint filed by Washington State Attorney General Bob Ferguson, AFP reported.

"The constitution prevailed today," Ferguson said, describing the judge's decision as historic. "No one is above the law—not even the president."

"I said from the beginning it is not the loudest voice that prevails in a courtroom; it's the constitution," he added, pointing out that Robart was appointed by Republican president George W. Bush.

But the White House quickly hit back, making it clear it was ready for a drawn-out battle on the issue. It initially denounced the decision as "outrageous" but later removed the word from its statement.

"At the earliest possible time, the Department of Justice intends to file (for) an emergency stay of this order and defend the executive order of the president, which we believe is lawful and appropriate," a statement said.

Limbo

Friday's ruling was not the first to challenge the travel ban, but it was the most sweeping as it effectively vacated the main tenets of the order.

Ferguson said the order technically means that anyone with a valid visa must be allowed entry into the country by Customs and Border Protection.

But it was unclear whether the Trump administration would succeed in challenging it, leaving travelers in limbo over their legal status.

Robart's decision came after Ferguson filed a suit to invalidate key provisions of Trump's executive order that bars Syrian refugees indefinitely and blocks citizens of Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen from entry into the US for 90 days.

Refugees from countries other than Syria are barred from entry for 120 days.

The State Department said on Friday that up to 60,000 foreigners from the seven countries concerned had their visas canceled as a result of the order. A Justice Department attorney, however, told a court hearing in Virginia that about 100,000 visas had been revoked.

The US State Department was still studying the federal judge's order as of late Friday night.

Battle Not Over

Washington Governor Jay Inslee welcomed Friday's ruling as a "tremendous victory" but warned that the battle to overturn Trump's controversial order was far from over.

Senator Chuck Schumer, the leader of the minority Democrats in the upper house of Congress, urged Trump to repeal his order "once and for all".

In his suit, which the state of Minnesota joined, Ferguson said the president's ban violated the constitutional rights of immigrants and their families, and specifically targeted Muslims.

However, federal attorneys representing the Trump administration argued that as president, he had broad powers and was within his right to issue an order that protects Americans.

Critics say Trump's immigration freeze is arbitrary and point out it does not include any countries—such as Saudi Arabia—whose nationals have been involved in terror attacks that have killed Americans.

Dishonest Ban

According to a report in *The Atlantic*, Alex Nowrasteh, an immigration expert at the libertarian Cato Institute, sifted through databases, media reports, court documents and other sources to arrive at a striking finding: Nationals of the seven countries singled out by Trump have killed zero people in terrorist attacks on US soil between 1975 and 2015.

Nowrasteh also noted that at the top of the list of countries, which have killed hundreds of Americans, are Saudis (who killed 2,369 Americans), citizens of the UAE (314) and Egyptians (162). These three states have not been included in Trump's ban for a variety of reasons.

Two main reasons are linked to their heavy purchase of US arms and support for the American ally Israel.

As for refugees, Nowrasteh writes, Trump's action "is a response to a phantom menace". Over the last four decades, 20 out of 3.25 million refugees welcomed to the United States have been convicted of attempting or committing terrorism on US soil, and only three Americans have been killed in attacks committed by refugees—all by Cuban refugees in the 1970s.