

# Supreme Court Upholds Trump's Islamophobic Travel Ban

By [Stephen Lendman](#)

Global Research, December 05, 2017

Region: [Middle East & North Africa, USA](#)  
Theme: [Law and Justice](#), [Poverty & Social Inequality](#)

VISIT MY NEW WEB SITE:

[stephenlendman.org](http://stephenlendman.org)

([Home - Stephen Lendman](#)).

Contact at [lendmanstephen@sbcglobal.net](mailto:lendmanstephen@sbcglobal.net).

*Trump imposed a travel ban on six predominantly Muslim countries, a presidential proclamation adding two more.*

*Targeted nations include Chad, Iran, Libya, Somalia, Syria and Yemen, plus North Korea and Venezuela.*

None of these countries or their citizens threaten US national security. Trump's ban targets them for being predominantly Muslim nations ravaged by US aggression and/or for their sovereign independence and opposition to its imperial agenda - no legitimate reasons.

The Fourth Circuit Court of Appeals ruled against the ban because of its "religious intolerance, animus, and discrimination."

Its chief Judge Roger Gregory added:

"Congress granted the President broad power to deny entry to aliens, but that power is not absolute."

"It cannot go unchecked when, as here, the President wields it through an executive edict that stands to cause irreparable harm to individuals across this nation."

Law Professor Emeritus Marjorie Cohn argued against the ban, saying:

It "violates the Establishment Clause, the Due Process Clause, the Equal Protection Clause, and the Take Care Clause of the Constitution."

"It also violates the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), as well as the International Covenant on Civil and Political Rights (ICCPR); both are treaties the United States has ratified, making them part of US law under the Constitution's Supremacy Clause."

Law Professor Jonathan Turley disagreed, claiming “case law support(s)” Trump. The High Court voted 7 – 2 in favor of the full ban – Ruth Bader Ginsburg and Sonia Sotomayor the two dissenters.

The Supremes didn’t rule on the ban’s constitutional merits, supporting the administration’s argument that an emergency injunction against it was unnecessary.

The High Court will decide on the merits of the case later on. The Center for Constitutional Rights blasted yesterday’s ruling, saying:

“We will not allow this to become the new normal. Whatever the courts say, the Muslim Ban is inhumane and discriminatory.”

“We must continue to demonstrate that we reject and will resist the politics of fear, anti-Muslim racism, and white supremacy.”

Lower courts ruled that individuals able show a “credible claim of a bona fide relationship with a person or entity in the United States” were excluded from the ban. The High Court’s decision disagreed.

On Monday, the ACLU issued a statement, saying:

“The Supreme Court granted the Trump administration’s request to temporarily allow the latest Muslim ban to take full effect as the case is litigated.”

“Two federal appeals courts will soon hear separate challenges to the ban. The Ninth Circuit will hear Hawaii’s case on Dec. 6, and the Fourth Circuit will hear the challenge brought by the American Civil Liberties Union and partner organizations on Dec. 8.”

ACLU immigrants rights project director Omar Jadwat added:

“President Trump’s anti-Muslim prejudice is no secret. He has repeatedly confirmed it, including just last week on Twitter.”

“It’s unfortunate that the full ban can move forward for now, but this order does not address the merits of our claims.”

“We continue to stand for freedom, equality, and for those who are unfairly being separated from their loved ones. We will be arguing Friday in the Fourth Circuit that the ban should ultimately be struck down.”

Other groups supporting the ACLU’s International Refugee Assistance Project v. Trump include the National Immigration Law Center, the Urban Justice Center’s International Refugee Assistance Project (IRAP), the Yemeni American Merchants Association, the Arab American Association of New York, and numerous individual plaintiffs.

The battle for the rights of refugees, asylum seekers and other immigrants isn’t over.

*Stephen Lendman is a Research Associate of the CRG, Correspondent of Global Research*

based in Chicago.

VISIT MY NEW WEB SITE: [stephenlendman.org](http://stephenlendman.org) ([Home - Stephen Lendman](#)). Contact at [lendmanstephen@sbcglobal.net](mailto:lendmanstephen@sbcglobal.net).

My newest book as editor and contributor is titled "Flashpoint in Ukraine: How the US Drive for Hegemony Risks WW III."

<http://www.claritypress.com/LendmanIII.html>

The original source of this article is Global Research  
Copyright © [Stephen Lendman](#), Global Research, 2017

---

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: [Stephen Lendman](#)

#### About the author:

Stephen Lendman lives in Chicago. He can be reached at [lendmanstephen@sbcglobal.net](mailto:lendmanstephen@sbcglobal.net). His new book as editor and contributor is titled "Flashpoint in Ukraine: US Drive for Hegemony Risks WW III."

<http://www.claritypress.com/LendmanIII.html> Visit his blog site at [sjlendman.blogspot.com](http://sjlendman.blogspot.com). Listen to cutting-edge discussions with distinguished guests on the Progressive Radio News Hour on the Progressive Radio Network. It airs three times weekly: live on Sundays at 1PM Central time plus two prerecorded archived programs.

**Disclaimer:** The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: [publications@globalresearch.ca](mailto:publications@globalresearch.ca)

[www.globalresearch.ca](http://www.globalresearch.ca) contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: [publications@globalresearch.ca](mailto:publications@globalresearch.ca)