

# Trump fires acting attorney general, pushes ahead with ban on refugees

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US President Donald Trump fired the acting attorney general, Sally Yates, an Obama administration holdover, after she defied instructions to defend Trump's executive order banning the entry of refugees and visitors from seven Muslim-majority countries—Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen.

Yates precipitated the crisis by overruling a finding by the Justice Department's Office of Legal Counsel, which approved the executive order "with respect to form and legality." She sent a letter to the White House denouncing the temporary ban on refugees and visitors.

"I am responsible for ensuring that the positions we take in court remain consistent with this institution's solemn obligation to always seek justice and stand for what is right," she wrote. "At present, I am not convinced that the defense of the Executive Order is consistent with these responsibilities nor am I convinced that the Executive Order is lawful."

Trump responded with a tweet denouncing Yates as an "Obama AG" (attorney general), then fired her in a brief statement declaring that Yates had "betrayed" his administration.

Yates, who was deputy attorney general under Obama, agreed to stay on as acting attorney general after January 20 because the Trump administration needed daily signatures by a sufficiently high-level official in the Justice Department on foreign surveillance warrants that legalize spying on Internet and telecommunications traffic by the National Security Agency.

Yates will now be replaced as acting attorney general by Dana J. Boente, the US Attorney for the Eastern District of Virginia. His Alexandria-based office handles most national-security legal cases involving the Pentagon and CIA, both headquartered in the Virginia suburbs of Washington, DC.

Trump could have waited for the Republican-controlled Senate to confirm his nominee for attorney general,

Senator Jeff Sessions. The Senate Judiciary Committee is expected to approve the nomination on a party-line vote Tuesday. But he decided to brook no opposition to his order banning refugees and visitors.

Yates is the first Justice Department official to be fired by a president for defying orders since the infamous Saturday Night Massacre by President Richard Nixon in October 1973, during the Watergate crisis that led ultimately to his forced resignation. Nixon ordered Attorney General Eliot Richardson to fire Watergate special prosecutor Archibald Cox, but Richardson refused and resigned. Deputy Attorney General William French Smith took the same stance. It was left to the third-ranking official, Solicitor General Robert Bork, to carry out Nixon's order and fire Cox. The resulting popular outrage led to the beginning of impeachment proceedings against Nixon.

The decision of Yates is part of a growing conflict within the state apparatus over Trump's immigration ban. Sections of the political establishment, including both Democrats and Republicans, are concerned about the impact of the ban on US foreign policy. Tens of thousands of demonstrators, on the other hand, have participated in protests, motivated by hostility to the authoritarian character of the anti-immigrant measures. (See: "The protests against Trump's Muslim ban and the conflict within the state")

The Trump White House had made it clear that it would pay no attention to the mass protests in numerous US cities and around the world in reaction to the ban on refugees and visitors. Press Secretary Sean Spicer, at his press briefing Monday, repeated the lying claims of other administration spokesmen on Sunday talk shows, arguing that out of 325,000 people who arrived at US airports from overseas Saturday, only 109 had been detained under Trump's order.

Actually, this is only the most easily disproven of the

numerous lies used by the Trump White House to justify its actions and dismiss the significance of its sweeping attack on democratic rights. The figure 109 refers only to those detained at US airports on Saturday, but the Trump ban affects anyone holding a visa for entry into the United States in all seven countries. According to State Department figures cited by the *Washington Post*, the total number of visa holders in 2015, who are now barred from traveling to the United States, is more than 83,000, half of them, some 42,000, in Iran.

This figure, of course, does not include refugees, who must travel without visas. There are 63 million displaced persons around the world, largely the result of US-instigated wars and civil wars in Afghanistan, Pakistan, Iraq, Syria, Yemen and Libya, and economic devastation of large parts of Africa because of US-backed austerity policies. Trump proposes to cut the tiny US quota for refugees from the 110,000 accepted by Obama last year to 50,000 or less: in other words, from 0.2 percent of the total to less than 0.1 percent, for the richest country in the world.

In a statement, the office of the United Nations High Commissioner for Refugees expressed concerns about “the uncertainty facing thousands of refugees around the world who are in the process of being resettled to the United States.” Some 800 refugees were denied entry to the US over the weekend, and the 120-day halt in resettlement could block entry of as many as 20,000.

The administration plans aggressive legal responses in defense of the executive order. Five separate rulings by federal district judges, in Brooklyn, Boston, Seattle, Northern Virginia and Los Angeles, forced the release of most of those detained at airports over the weekend. But these actions had no effect on the denial or cancellation of visas by US government officials overseas.

Lawsuits directed against the more sweeping and long-term effects of the Trump order were filed beginning Monday by the American Civil Liberties Union, the Council on American-Islamic Relations (CAIR) and the state of Washington. A total of 15 state attorneys general, all Democrats, issued a joint statement Sunday calling the Trump refugee ban unconstitutional. Several more states, including New York and California, are considering lawsuits on the issue.

The CAIR lawsuit had the broadest political sweep, charging that the Trump order was only the beginning of a mass roundup that would dwarf the detention of Japanese-Americans during World War II. According to the suit, the purpose of the White House action is “to initiate the

mass expulsion of immigrant and non-immigrant Muslims lawfully residing in the United States.” The plaintiffs in the suit include both individuals denied entry to the United States and current legal residents, all Muslims, who might face exclusion from the country in the future.

Mounting popular sympathy for refugees and immigrants, and hostility to Trump’s attack on democratic rights, was expressed in a flood of contributions to the ACLU, which conducted much of the legal work to free the first group of detainees. ACLU officials said that \$24 million in contributions poured into the group’s website over the weekend, six times the usual total for an entire year.

The donations were sparked in part by an appeal from actress Sarah Paulson during the televised awards program of the Screen Actors Guild, where she won an award for her performance in “The People v. O.J. Simpson: American Crime Story.”

Mass demonstrations continued against the refugee ban, with the largest on Monday taking place in cities and towns across Great Britain. The main protest took place in London outside Downing Street, the residence of the prime minister, and was backed by an estimated 25,000 people. By 7pm, the crowd stretched the length of Whitehall and drowned out the official speakers with anti-Trump and pro-refugee chants.

Many thousands took part in demonstrations in dozens of other UK locations—with major cities including Birmingham, Edinburgh, Glasgow, Aberdeen, Cardiff, Manchester, Leeds, Sheffield, Brighton, Newcastle and Liverpool. Meanwhile a petition urging that Donald Trump “should not be invited to make an official State Visit,” essentially rescinding the invitation made by Prime Minister Theresa May last week, has secured in excess of one and a half million signatures.



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