

Trump's travel ban back in effect after unanimous Supreme Court ruling

Eric London
30 June 2017

At 8:00 pm Eastern Time Thursday, the Trump administration's travel ban went into effect, barring entry to thousands of refugees from six countries—Libya, Somalia, Sudan, Iran, Syria and Yemen. The new ban is a death sentence for many refugees seeking to escape the wars launched or fueled by US imperialism that are ravaging the region.

On Monday, the Supreme Court unanimously allowed the ban to take effect pending the court's decision on the merits this fall. Since most of the ban's provisions apply for just 90 or 120 days, the decision means the ban's initial phase will fully run its course.

The decision is a shameful milestone, opposed by nearly 6 in 10 Americans who agreed with the lower courts' decision blocking the ban. It is a major political victory for Trump and has been greeted with gloating articles in *Breitbart News* and the far-right press.

The court ruled that the ban applies to those without a "bona fide relationship with a person or entity in the United States." The court callously ruled that those without "close family" in the US or connections with a business or university can be denied entry.

The Supreme Court's decision gave the Trump administration the power to define which relationships are bona fide and which are not. On Wednesday night, the State Department issued guidelines defining "close family" to exclude "grandparents, grandchildren, aunts, uncles, nieces, nephews, cousins, brothers-in-laws and sisters-in-law, fiancés, and any other 'extended' family members."

The State Department rules, which were cabled to all US embassies, include siblings, parents and children as "close family." The administration was forced to include parents-in-law because the Supreme Court specifically said the ban could not apply to people similarly situated to Dr. Ismail Elshikh, one of the

plaintiffs in the case who petitioned to bring his mother-in-law from Syria.

Implementation of the State Department directive will be left to the Customs and Border Patrol (CBP) and Immigration and Customs Enforcement (ICE). Immigration attorneys and non-profits anticipate that the implementation of the ban will lead to further confusion at airports across the US, with travelers from the six countries likely being turned away due to lack of clarity on what constitutes a "bona fide relationship."

The Supreme Court ruling will disproportionately impact the poorest refugees whose close family members did not previously immigrate to the US and who do not have advanced degrees often required to establish a "bona fide relationship" based on an employment contract. Even those poorer refugees who do have a bona fide relationship will be unable to pay an attorney several thousand dollars to litigate the matter if US officials delay or block their entry.

The decision gives the Trump administration a green light to intensify its efforts to scapegoat immigrants and create a hostile if not violent anti-immigrant climate.

On Wednesday, Trump provocatively invited family members of people killed by undocumented workers to the White House. Despite the fact that studies regularly show migrants are significantly less likely to commit crimes than US citizens, Trump used the event to peddle two bills: one aimed at requiring incarceration for previously-deported immigrants who attempt to re-enter the US, and another that would cut federal funds for "sanctuary cities" whose officials do not report undocumented people to federal immigration officials. Both bills passed the House yesterday.

For all the Democrats' hollow statements about defending immigrants, the fact that Democratic

appointees Elena Kagan, Sonia Sotomayor, Ruth Bader Ginsburg and Stephen Breyer voted to allow the ban to take effect reveals the essentially xenophobic and reactionary character of the Democratic Party.

Long before Monday's unanimous decision, the Democratic Party helped establish the political and legal framework for Trump's travel ban. Throughout the 1990s and 2000s, the Democratic Party provided the votes to pass key anti-immigrant legislation used to deport millions, including many of the 2.7 million deported by Barack Obama.

Trump has escalated the attack on immigrants, deporting tens of thousands in the first months of his administration, ripping immigrants from their families, schools, and workplaces, and sending them back to violent regions destroyed by US imperialism. New Trump regulations facilitate immediate deportation for immigrants captured crossing the border, meaning thousands of refugees are being turned away at the border.

Though the Democrats managed to force nationally televised hearings on Trump's alleged ties to Russia, they have not demanded hearings on the travel ban or Trump's immigrant round-ups. Since Trump's inauguration, the Democratic Party's opposition has been centered entirely on questions of foreign policy, specifically aimed at pressuring the administration to pursue a more aggressive policy against Russia, including in Syria. The byproduct of this nationalist campaign aimed at whipping-up fear of "foreign influence" will be to provide fertile soil in the political establishment for even deeper attacks against "foreign" workers and refugees.

The Supreme Court's unanimous decision has a historical precedent.

In 1939, Secretary of State Cordell Hull advised President Franklin Roosevelt to turn away the MS St. Louis, a German ship with nearly 900 European Jewish refugees on board attempting to escape Nazi Germany. When the Cuban government barred the refugees from disembarking in Havana, Hull said the US could not allow the refugees to land on the nearby US Virgin Islands on the technical grounds that the government could not issue visas unless the refugees had a permanent address to which they could return.

Only 29 of the passengers—those with valid entry documents—were allowed to disembark in Cuba. When

the ship approached the United States, the Roosevelt administration again turned it away. The ship and the refugees returned to Europe, and 254 of the passengers died in the Holocaust, most in Auschwitz and Sobibór.



To contact the WSWs and the
Socialist Equality Party visit:

wsws.org/contact