

Source Set B—Anti-Executive Order

Instructions: You will analyze sources that take a position on the executive order. Source Set A (sources 1-7) includes sources that support the executive order. Source Set B (sources 8-14) includes sources that oppose the executive order. Your teacher will assign you a source from each set. Read your assigned sources. Follow the guidelines for analyzing sources provided in “Evaluating Media Sources.” Be prepared to share your responses with your classmates.

Source 8: “Trump’s Immigration Ban Is Illegal,” by David J. Bier, an opinion piece published in the *New York Times*. Bier is an immigration policy analyst at the Cato Institute’s Center for Global Liberty and Prosperity. The Cato Institute is a public policy research organization. Most people agree that the organization presents a libertarian perspective on issues.

You can view the full article at <<https://nyti.ms/2kcULPH>>.

“President Trump signed an executive order on Friday that purports to bar for at least 90 days almost all permanent immigration from seven majority-Muslim countries, including Syria and Iraq, and asserts the power to extend the ban indefinitely.

But the order is illegal. More than 50 years ago, Congress outlawed such discrimination against immigrants based on national origin.

That decision came after a long and shameful history in this country of barring immigrants based on where they came from. Starting in the late 19th century, laws excluded all Chinese, almost all Japanese, then all Asians in the so-called Asiatic Barred Zone. Finally, in 1924, Congress created a comprehensive ‘national-origins system,’ skewing immigration quotas to benefit Western Europeans and to exclude most Eastern Europeans, almost all Asians, and Africans.

Mr. Trump appears to want to reinstate a new type of Asiatic Barred Zone by executive order, but there is just one problem: The Immigration and Nationality Act of 1965 banned all discrimination against immigrants on the basis of national origin....

Nonetheless, Mr. Trump asserts that he still has the power to discriminate, pointing to a 1952 law that allows the president the ability to ‘suspend the entry’ of ‘any class of aliens’ that he finds are detrimental to the interest of the United States....

Mr. Trump may want to revive discrimination based on national origin by asserting a distinction between ‘the issuance of a visa’ and the ‘entry’ of the immigrant. But this is nonsense. Immigrants cannot legally be issued a visa if they are barred from entry. Thus, all orders under the 1952 law apply equally to entry and visa issuance, as his executive order acknowledges.

Note that the discrimination ban applies only to immigrants. Legally speaking, immigrants are those who are given permanent United States residency. By contrast, temporary visitors like guest workers, students and tourists, as well as refugees, could still be barred. The 1965 law does not ban discrimination based on religion — which was Mr. Trump’s original proposal.

While presidents have used their power dozens of times to keep out certain groups of foreigners under the 1952 law, no president has ever barred an entire nationality of immigrants without exception. In the most commonly cited case, President Jimmy Carter barred certain Iranians during the 1980 hostage crisis.... Even then, the policy had many humanitarian exceptions. Immigrants continued to be admitted in 1980....”

Source 9: Tweet from the UN Human Rights account, January 30, 2017. The #Zeid refers to Zeid Ra'ad Al Hussein, the UN Human Rights Chief, who recently criticized the executive order.

You can view this tweet at <goo.gl/12hwgC>.

“Discrimination on nationality alone is forbidden under #humanrights law’-@UNHumanRights Chief # Zeid”

Source 10: “Six other times the US has banned immigrants,” an article from *al Jazeera English*, January 29, 2017.

You can view the full article at <goo.gl/ZK9BSC>.

“[T]his is not the first time that the US has banned immigrants from its shores. Over the past 200 years, successive American presidents have placed restrictions on the immigration of certain groups....

The Chinese Exclusion Act, which banned ‘skilled and unskilled labourers and Chinese employed in mining’ from entering the US for 10 years, was the first significant law restricting immigration to the country. It came at a time when the US was struggling with high unemployment and, although Chinese made up a very small segment of the country’s workforce, they were nevertheless scapegoated for its social and economic woes....

The act expired in 1892 but was extended for a further 10 years in the form of another - the Geary Act.... This changed in 1943 with the Magnuson Act.... This came at a time when China was a US ally during World War II....

As millions of people became refugees during World War II, US President Franklin D. Roosevelt argued that refugees posed a serious threat to the country’s national security. Drawing on fears that Nazi spies could be hiding among them, the country limited the number of German Jews who could be admitted to 26,000 annually.

In one of the most notorious cases, the US turned away the St Louis ocean liner, which was carrying 937 passengers, almost all of whom are thought to have been Jewish, in June 1939. The ship was forced to return to Europe, where more than a quarter of its passengers are thought to have been killed in the Holocaust....

In 1903, the Anarchist Exclusion Act banned anarchists and others deemed to be political extremists from entering the US.... The act - which was also known as the Immigration Act of 1903 - codified previous immigration law and, in addition to anarchists, added three other new classes of people who would be banned from entry: those with epilepsy, beggars and importers of prostitutes. The act marked the first time that individuals were banned for their political beliefs....

The Internal Security Act of 1950 - also known as the Subversive Activities Control Act of 1950 or the McCarran Act - made it possible to deport any immigrants believed to be members of the Communist Party. Members of communist organisations, which were required to register, were also not allowed to become citizens.

Truman opposed the law, stating that it ‘would make a mockery of our Bill of Rights.’

Sections of the act were ruled unconstitutional by the Supreme Court in 1993. But some parts of the act still stand.

Following the 1979 Iranian hostage crisis, during which the US embassy in Tehran was stormed

and 52 Americans were held hostage for 444 days, American President Jimmy Carter cut diplomatic relations with and imposed sanctions on Iran. He also banned Iranians from entering the country....

In 1987, the US banned HIV positive persons from arriving in the US. The laws were influenced by homophobic and xenophobic sentiment towards Africans and minorities at the time, as well as a false belief that the HIV virus could be spread by physical or respiratory contact....”

Source 11: “How America’s rejection of Jews fleeing Germany haunts our refugee policy today,” by Dara Lind, published by Vox, January 27, 2017. Most people agree that Vox is a liberal media outlet. Lind reports on immigration and justice for Vox.

You may view the full article at <goo.gl/Vf29SZ>.

“Desperate people, fleeing a terrifying, bloodthirsty regime, try to find refuge in the US. But the American government and the public don’t want to accept them. They worry that accepting refugees would put citizens at risk, and they don’t see the refugee crisis as their problem to fix.

So they are turned away.

This is what President Donald Trump is about to sign America up for, if widespread reports are correct that he’s on the verge of signing an executive order that would ban all refugees from settling in the US for 4 months and ban Syrian refugees indefinitely.

We’ve been here before.

The US...could have saved thousands of Jews from the Nazis. They didn’t. At one point, the US literally turned away a ship of 900 German Jews. Shortly afterward, it rejected a proposal to allow 20,000 Jewish children to come to the US for safety.

At the time, the US didn’t know how terrible the Holocaust would become. But Americans did know that Nazis were encouraging vandalism and violence against Jews.... But America didn’t feel strongly enough about the mistreatment of Jews to allow them to find a safe harbor in the US.

That is a moral stain on the nation’s conscience, and it’s what led the US and other countries, after the war, to create a way for persecuted people to seek and find refuge.

Modern refugee policy, in other words, is largely a response to the failures of the Holocaust era....

It’s not that the United States wasn’t interested in helping Jewish refugees fleeing the Nazis in the 1930s. The government helped set up an international committee to try to figure out a place to settle them. But the US simply didn’t think it was obligated to take in Jews itself.

After World War II, that changed. The international community recognized the importance of helping refugees.

The UN set up its office of the High Commissioner for Refugees in 1950, and the Refugee Convention was passed the next year.... This wasn’t just a shift in policy. It was a shift in attitudes. After World War II, the US started believing it had a moral obligation to help people fleeing persecution. It became something for Americans to be proud of. It became a value people saw in America itself....

America has spent 70 years atoning for its sin by becoming the most welcoming country in the world for refugees. Half of all refugees who are permanently resettled in new countries are resettled in the United States. That is a legacy that Americans are proud of, and should be. It’s the closest America has come, in the 20th century, to honoring the inscription on the Statue of Liberty.

But America started being welcoming only after it had been cruel. America could have saved Jews from the Holocaust, and turned them away. The Statue of Liberty was standing in 1939, but just because the statue said the United States opened its doors to ‘huddled masses yearning to breathe free’ didn’t mean it was true.

America’s refugee legacy isn’t just about our decades-long record of welcoming the stranger and standing up for human rights. It’s about what happens when we don’t.”

Source 12: “Donald Trump’s executive order, explained,” a video by Joe Posner and Dara Lind of Vox. Most people agree that Vox is a liberal media outlet.

You can view the video (at the bottom of the article) by going to the following link: <goo.gl/IDwv0H>.

Source 13: “Trump’s Muslim ban is a dangerous distraction,” by Suad Abdul Khabeer, January 29, 2017. Khabeer is an assistant professor of Anthropology and African American Studies at Purdue University.

You can view the full article at <goo.gl/jnT5fV>.

“On January 27, U.S. President Donald Trump signed an executive order to make good on his promised Muslim Ban. One of the primary provisions of the order is a ban on visas to the US to nationals from seven countries: Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen, which are all Muslim-majority nations....

The draft of the executive order begins by citing 9/11 as a failure of the ‘visa-issuance process.’ It blames the state department for preventing ‘counselor officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder 3000 Americans.’

The overwhelming majority of those individuals were from Saudi Arabia, yet, Saudi Arabia is not on the list. Furthermore, when it comes to ‘homegrown terrorism’ of all the Muslims accused, charged, convicted and killed, some of them are from these seven countries in Trump’s list and some are not, some are immigrants and some are American citizens, and a number of them have been entrapped by federal law-enforcement agencies. This either means that the list needs to be much longer or there is something more than national security concerns at play....

As was reported not too long after white supremacist Dylann Roof killed nine black Americans in Charleston, white Americans cause the largest numbers of American deaths by terrorist acts on US soil. Yet unsurprisingly, Trump has not signed any executive orders specifically targeting white Americans. This is because Islam and Muslims have been ‘othered’ - made to be seen as distinctly and most despicably bad and evil in the popular imagination....

So, what is at play here? Trump is continuing what he started on the campaign trail. He is tapping into the fear that breeds the kind of xenophobia that gets folks excited about walls and bans, only to distract them from all the promises he won’t be keeping.

In this way, these moves are a bunch of smoke and mirrors, for which Trump has become pretty famous. However, that doesn’t mean these distractions aren’t dangerous. Indeed, they are. They are a danger to the communities of colour they target. Likewise, they are dangerous for Trump supporters who will find that even with bans and walls, they will still be left behind.”

Source 14: "Statement of the Ministry of Foreign Affairs of the Islamic Republic of Iran," released by the Iranian government on January 28, 2017.

This source is available at <goo.gl/Zchd74>.

"The decision of the Government of the United States to impose restrictions on the travel of Muslims to the United States – though temporarily for three months – is a clear insult to the Islamic world, and especially the great nation of Iran; and despite claims of being made to combat terrorism and protecting the people of the United States, it will be recorded in history as a great gift to extremists and their supporters.

While the international community needs dialogue and cooperation to address the roots of violence and extremism in a comprehensive and inclusive manner, ...the imprudent decision of the U.S. Government to apply collective discrimination against citizens of Muslim countries will only serve to provide a fertile ground for more terrorist recruitment by deepening the ruptures and fault-lines which have been exploited by extremist demagogues to swell their ranks with disenfranchised and marginalized youth, and further promote their campaign of hatred, violence and extremism....

To ensure respect for the dignity of all members of the great Iranian nation at home and abroad, the Government of the Islamic Republic of Iran will engage in a careful assessment of the short and medium-term impact of the decision of the U.S. Government on Iranian nationals, and will take proportionate legal, consular and political action and while respecting the American people and differentiating between them and the hostile policies of the U.S. Government – will take reciprocal measures in order to safeguard the rights of its citizens until the time of the removal of the insulting restrictions of the Government of the United States against Iranian nationals....

The decision of the Government of the United States incorporates certain requests that are illegal, illogical and contrary to international law...."