

Muslim and refugee groups continue fight against travel ban

With protests and lawsuits, opponents are pushing back against Trump's third attempt to deny entry into the U.S. for some foreign nationals.

by [Chris Mathews](#), [Gregory Korte](#), [Richard Wolf](#), and [Christian Century staff](#)

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Gamileh Jamil (left). Photo courtesy of Gamileh Jamil. Derrick Kahala Watson (right). Photo by U.S. District Court.

Gamileh Jamil from Buffalo, New York, was among the hundreds of protesters who gathered across the street from the White House to stand in solidarity with Muslims and refugees on October 18, the day the Trump administration's latest travel ban was due to take effect.

Jamil, executive director of ACCESS of Western New York, an Arab American community organization, said she sees the effects of refugees being denied shelter in the United States.

“We see on a daily basis,” she said, “the tears, the frustrations of families being in a very traumatized, very war-stricken country and not being able to bring them in.”

Trump had signed a proclamation September 24 that replaced a temporary travel ban for people from six majority-Muslim countries with a new, indefinite ban affecting eight countries.

The third version targets five countries included in the previous two—Iran, Libya, Somalia, Syria, and Yemen—and adds Chad and North Korea, as well as some Venezuelan officials. Unlike the earlier bans, it treats some countries and types of travelers, such as students and tourists, differently than others.

The administration said that the new ban is “based on detailed findings regarding the national security interests of the United States that were reached after a thorough, worldwide review and extensive consultation.”

On October 17 and 18, judges from Hawaii and Maryland temporarily blocked parts of the latest ban because of discrimination on the basis of nationality.

The Supreme Court had dismissed a major challenge to an earlier version of the ban, declaring it moot because of the new ban being issued. “We express no view on the merits,” the justices said in a one-page order.

The decision effectively wiped the record clean in the U.S. Court of Appeals for the Fourth Circuit, one of two federal appeals courts that had struck down major portions of Trump’s travel ban. The other was the Ninth Circuit, a case the Supreme Court did not comment on. The Fourth Circuit case was brought by the International Refugee Assistance Project, which argued that banning travel from six majority-Muslim countries violated the First Amendment’s guarantee of freedom of religion.

The American Civil Liberties Union, which brought the Fourth Circuit challenge on behalf of the refugee group, had said charges of anti-Muslim discrimination still apply to the new ban “despite some new window dressing”—a reference to the addition of North Korea and Venezuela.

The challengers in both cases renewed their lawsuits in the lower courts. Granting a temporary restraining order against the travel ban, U.S. district judge Derrick K. Watson wrote on October 17 that the plaintiffs, which included the Muslim Association of Hawaii, “identify a multitude of harms that are not compensable with

monetary damages and that are irreparable—among them, prolonged separation from family members . . . and the diminished membership of the Association, which impacts the vibrancy of its religious practices and instills fear among its members.”

Watson noted inconsistencies in the ban, such as how the Trump administration “finds that Iraq fails the ‘baseline’ security assessment but then omits Iraq from the ban for policy reasons,” a reference to Iraq’s partnership in fighting militants from the self-described Islamic State. He also wrote that Trump’s third executive order still fails to explain “why existing law is insufficient” to ensure security.