

Even a 'Muslim' Travel Ban Would Be Legal

Donald Trump has unquestioned unilateral authority to suspend immigration from any Muslim nation he wishes, and the Supreme Court should affirm that this week when it takes up Trump's travel ban.

Lower courts have issued injunctions against his travel ban, even the watered-down politically-correct version Trump complained about yesterday, and Trump is asking the Court to lift that injunction and allow the ban to go into effect while it's being litigated in the courts.

The Supreme Court should, without question, grant him his request. In fact, the court should not be addressing this issue at all. The court should throw the entire case out of court on the grounds that the court itself has no standing to intervene. The law makes it clear that such a ban is the exclusive province of the executive branch, and therefore the court has no legal or constitutional right to intrude. Neither the Constitution nor the law give the court any role whatsoever in establishing immigration policy.

Adherents of Islam are "inadmissible aliens" according to 8 U.S.C. Code 1182, which denies entry to "any immigrant who is or has been a member of or affiliated with the Communist or *any other totalitarian party*" (emphasis mine).

Establishing a worldwide caliphate is part and parcel of orthodox Islam. Islam is not just a religion but a totalitarian political system as well, with its Sharia law governing every part of life. Islam gives infidels such as you and me just three choices: conversion, submission or death. Islam is as totalitarian as it gets, for it aims at nothing less than nationwide and then worldwide political domination.

If Communists can be barred entry because they advocate a totalitarian political system, then Muslims can be barred for exactly the same reason.

Further, devout adherents of Islam represent a clear threat to our security and cultural unity. Not all of them, of course, but too many to safely tolerate. Until somebody shows us how to infallibly identify the Muslims we have to worry about, and distinguish them from the ones we don't, we have to be careful with them all.

In the midst of the Ebola crisis several years ago, six or seven African nations completely banned travel from any country which had an Ebola outbreak. Was every traveler from such countries infected? Of course not. But since there was no way to tell in advance which travelers were carriers and which were not, these nations wisely decided to err on the side of caution in their own nation's best interest. They knew that perfectly harmless immigrants would be denied entry, but that was far less important than protecting the nation's health.

The law makes it explicitly clear that the president has unchallengeable authority to ban immigration to any group of aliens, Muslim or not, which represent a threat to our nation's interest. The law could not be clearer or less ambiguous (emphasis mine):

"Whenever the president finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or non-immigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate." ~ 8 . 1182(f)

It's silly for critics to object that Trump's travel ban must be stopped because it unconstitutionally discriminates against

Muslims. For openers, would-be immigrants have no constitutional rights whatsoever. Constitutional rights are for legal residents of the United States. You must be legally present in this country before you have any claim on constitutional rights. There is no right to immigrate to the U.S. It is a privilege, but can never be a right, for this would be a surrender of national sovereignty and a violation of every nation's right to control immigration as it sees fit.

Since would-be immigrants have no constitutional rights they can claim, religious or otherwise, it is irrelevant whether entry is denied on the grounds of religion or politics as long as, in the president's judgment, such aliens represent a genuine and detrimental threat to American interests. Even though the president's ban does not use the word "Muslim," it could without threatening its legality in anyway.

As an aside, it is and should be utterly irrelevant whether the president is tweeting about this or not. The only issue a court should consider is the actual wording of the law and applying it fairly and objectively to the issue before it. If they allow themselves to be distracted by completely extraneous chatter, they would be in violation of their oath of office and should be ashamed of themselves.

Given the crystal clear language in the law, the Supreme Court would be violating both the law and the Constitution if it denies the president's travel ban. The court itself would be breaking the law, shredding the Constitution, and forfeiting all moral authority to insist that its edicts be obeyed. The Constitution is supreme, not the court. The court is a co-equal branch of government, not the supreme branch of government.

Critics on the left have accused Trump of fascism and see the courts as our protectors. It's the other way round. The courts are acting as dictators, threatening our security and the rule of law, while at the same time the president is the one

seeking to protect the American people. May justice prevail.

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