

# Trump Authorizes Lethal Force Against Asylum Seeking Aliens

By [Stephen Lendman](#)

Global Research, November 23, 2018

Region: [USA](#)

Theme: [Law and Justice](#), [Police State & Civil Rights](#)

*Refugees, asylum seekers, and others from the wrong countries are unwelcome in Trump's America - notably people of color and Muslims.*

His November 8 immigration order has nothing to do with protecting national security or US sovereignty - everything to do with longstanding bipartisan racism, undemocratic Dems as hostile to freedom and justice for all as Republicans.

On Monday, US District **Judge Jon Tigar** issued a temporary restraining order, blocking enforcement of Trump's November ban, effective December 19, saying:

"The rule barring asylum for immigrants who enter the country outside a port of entry irreconcilably conflicts with the (Immigration and Nationality Act) and the expressed intent of Congress," adding:

"Whatever the scope of the President's authority, he may not rewrite the immigration laws to impose a condition that Congress has expressly forbidden."

Trump's order also violates the 1951 UN Convention Relating to the Status of Refugees, its 1967 Protocol, and the US Refugee Act of 1980.

Refugees and asylum seekers, fearing persecution or fleeing war zones, are entitled to protection under the above laws.

Trump's (In)Justice Department unjustifiably claims otherwise, saying

"(i)t is absurd that a set of advocacy groups can be found to have standing to sue to stop the entire federal government from acting so that illegal aliens can receive a government benefit to which they are not entitled."

Trump's November order flagrantly violated international, constitutional, and US statute laws. No legitimate tribunal would uphold it.

The Supreme Court may have final say on this issue. It's unclear if its extremist majority will go along with or reject Trump's clearly illegal order.

Majority Supremes upheld Trump's travel ban, largely targeting unwanted Muslims from targeted countries, prohibiting them from traveling to America - the ban unrelated to

national security like DLT's November order.

On Thanksgiving Day, Trump authorized lethal force against aliens seeking asylum in America by attempting to enter along the Mexican border.

Thousands of US troops are deployed to block their entry. According to his "decision memorandum," they're authorized to use "a show or use of force (including lethal force, where necessary), crowd control, temporary detention, and cursory search" as permitted by war secretary Mattis to protect Customs and Border Protection (CPB) agents.

In early November, Trump said

"(a)nybody throwing stones (and) rocks...we will consider that a firearm. We're not going to put up with that. They want to throw rocks at our military, our military fights back. I told them to consider it a rifle."

Federal law permits use of lethal force only in self-defense or to defend others when their safety is jeopardized - only when "all lesser means have failed or cannot reasonably be employed."

Trump's authorization borders on flagrant illegality. According to attorney Brad Moss, specializing in national security issues:

"They are pushing DOD's authority right up to the line of what is permitted without violating the restrictions of Posse Comitatus" law (1878) - prohibiting use of military force domestically, except as constitutionally allowed or expressly authorized by Congress in times of an insurrection or other national emergency, Moss adding:

"Active duty personnel can respond in self-defense of border officials, but the perfect world does not exist in factual reality in which this subjective concept can be neatly applied to the environment of border enforcement."

Posse Comitatus violations include using military personnel for crowd control and detention of refugees or asylum seekers.

"That becomes the undefined gray line between emergency circumstances and routine border enforcement," said Moss, adding:

"The fine print of when either such behavior is permissible needs to be fleshed out by the government in far more detail."

"It is virtually guaranteed that" military personnel deployed for activities domestically for any purpose will commit Posse Comitatus violations - intentionally or otherwise.

They're trained for combat - not to perform police or border control duties. If violence erupts against asylum seekers, military forces will bear responsibility.

Yet individuals harmed will be blamed, the way it always is in America and in its war theaters - victims blamed for crimes committed against them.

On Thanksgiving Day, a reported 5,900 military troops and 2,100 National Guard forces are deployed along the US/Mexican border, awaiting what Trump wrongfully called “an invasion” with “hardened criminals.”

As border-crossing attempts are made, considerable bloodshed is possible, individuals seeking safe haven from violent countries encountering it along America’s southern border.

\*

Note to readers: please click the share buttons above. Forward this article to your email lists. Crosspost on your blog site, internet forums. etc.

Award-winning author **Stephen Lendman** lives in Chicago. He can be reached at [lendmanstephen@sbcglobal.net](mailto:lendmanstephen@sbcglobal.net). He is a Research Associate of the Centre for Research on Globalization (CRG)

His new book as editor and contributor is titled “Flashpoint in Ukraine: US Drive for Hegemony Risks WW III.”

<http://www.claritypress.com/LendmanIII.html>

Visit his blog site at [sjlendman.blogspot.com](http://sjlendman.blogspot.com).

Featured image is from Susan Melkisetian from flickr

The original source of this article is Global Research  
Copyright © [Stephen Lendman](#), Global Research, 2018

---

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: [Stephen Lendman](#)

### About the author:

Stephen Lendman lives in Chicago. He can be reached at [lendmanstephen@sbcglobal.net](mailto:lendmanstephen@sbcglobal.net). His new book as editor and contributor is titled "Flashpoint in Ukraine: US Drive for Hegemony Risks WW III."  
<http://www.claritypress.com/LendmanIII.html> Visit his blog site at [sjlendman.blogspot.com](http://sjlendman.blogspot.com). Listen to cutting-edge discussions with distinguished guests on the Progressive Radio News Hour on the Progressive Radio Network. It airs three times weekly: live on Sundays at 1PM Central time plus two prerecorded archived programs.

**Disclaimer:** The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: [publications@globalresearch.ca](mailto:publications@globalresearch.ca)

[www.globalresearch.ca](http://www.globalresearch.ca) contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: [publications@globalresearch.ca](mailto:publications@globalresearch.ca)