

Trump: the Muslim Ban and the Lessons of History
The Historical Clash Between Security and Human Rights

Harold J. Breaux

ABSTRACT

The current presidential directive generally referred to as Extreme Vetting and/or the Muslim Ban is examined in the context of its rationale being that of security. Its opponents suggest it was poorly planned and executed and in its implementation has the likelihood of major human rights violations and being unconstitutional. This paper suggests that the lessons of history were ignored and how those lessons might have provided caution and guidance if the president was an avid student of history. Four examples of how concerns for security in the U.S. and North America led to extreme measures which in the historical aftermath were universally decried by historians and citizenry in general because of their catastrophic impact on human rights.

Our new President has been quoted as receiving much of his information from Television. The consensus understanding is that, unlike many of his predecessors in the Presidency, he is poorly read on history. A famous quote from the philosopher George Santayana is "Those who fail to learn from history are doomed to repeat it". This admonition could well apply to our new president as the U.S. faces protests internally and all over the World regarding what is interpreted as a ban on Muslims entering the U. S. While the president disagrees that his recent executive order is a Muslim Ban, former New York mayor Rudy Giuliani is quoted as saying that Trump tasked him to charter a commission to determine how a Muslim ban could be legally implemented. This has been widely viewed as putting a sheen of acceptance on a policy that otherwise has been interpreted, both in the U.S. and overseas, as a Muslim ban. The President's executive order is designed as a security measure, the opposition cites it as being unconstitutional and in essence a violation of human rights.

Similar actions in our history provide the history lessons that our President might have been influenced by were he an avid reader. Current day Americans decry the roundup of the ethnic Japanese and their forced internment in WW II. They also decry the turn away of the shipload of 900 European Jews in 1939 which led to the eventual death of 264 of those turned away in the Holocaust. One should also mention the plight of the Native Americans in the Trail of Tears as 20,000 were illegally marched westward at gunpoint from their ancestral homes in Georgia, with one fourth dying in the journey and countless others dying later from the upheaval. This historical event, like the current one, was an example of a clash between presidential action and the courts.

The often expressed sentiment that “we are all immigrants” particularly comes to my mind as I think of the plight of those who have been and will be affected by the President’s edict on visa restrictions so as provide a period for developing a new posture of “extreme vetting”. Of note in the national debate is the fact that the President has not shared with us the current details in the vetting process, the alleged deficiencies, how they may be improved, and instances where current vetting has led to the ills he seeks to correct and how a legal, humane plan could be thoughtfully designed and legally be implemented. It should be noted that Glenn Kessler, Washington Post Fact Checker, on January 30, found that the number of personnel effected by the Visa restrictions is not 109, as stated by President Trump, but closer to 90,000.

Perhaps the president could be excused from knowing the history lesson I want to describe in this piece because it has been described as the “Lost Chapter in American History.” Before Jamestown, before Plymouth Rock, in 1603 my Acadian ancestors fled poverty and hopelessness in France and settled in northern Maine and later the vicinity of the Canadian Bay of Fundy, and named it Acadia, which is now Nova Scotia (New Scotland). These immigrants tamed the marshlands, farmed, fished, hunted, befriended and some intermarried with the Native American Micmacs. They prospered despite becoming pawns between the two great powers France and England. Hegemony over these Acadian immigrants exchanged hands ten times between 1604 and 1710. In times of British occupation, the Acadians were never in revolt, there were no guerilla bands of Acadians assassinating their British occupiers despite their having to supply the British with food and fuel, no say in their governance and the constant entreaties from the French stronghold in Quebec urging them to revolt.

In 1755, Acadia, for the tenth time, was once again occupied by the British since 1704. Tensions ran high between France and England (similar to our present concerns about terrorism), in a time that was a prelude to the French and Indian War. Despite the 150 year peaceful history of the Acadians, and their subservience to their intermittent English masters, some, in particular British Governor Lawrence, and Massachusetts colonial Governor Shirley, viewed the Acadians as threats should war come. Like today, the issue became one of security- the British fear that Acadians would assist the French in the looming war. Like Trump today viewing Muslims as threats, Lawrence overreacts (admittedly much more severe) and comes up with a plan to remove all Acadians from their ancestral home. The program becomes known in history as “le Grand Derangement” (the great upheaval). Ships and militia are equipped by Governor Shirley in Massachusetts, augmented by British troops, forces go ashore in Acadia, round up inhabitants, burn their homes, load them aboard ships and in the words of a book title by the Acadian historian, Carl Brasseau, are “Scattered to the Wind”. They are deposited in small groups throughout the New England colonies. Like the Trump action

of this week the expulsion is poorly planned, the ships are ill equipped to handle their cargo, Virginia and South Carolina refuse to accept the refugees, they sit for weeks aboard overcrowded ships, little food, poor sanitation and sickness and are eventually sent to prisons in England. Three ships sink in various journeys losing all aboard (except the crews). Years later, at wars end, the Acadian survivors seek to find new homes, some wind up in the tropics of St. Domingue and others as far as the Falkland Islands, many go to Louisiana. The Yale historian, John Mack Faragher, describes how in July 1755 Acadians numbered some eighteen thousand persons. Over the next eight years after the deportation an estimated ten thousand exiles lost their lives mostly from shock, exhaustion, dehydration, starvation, and disease. Ninety years later Longfellow kept their story alive in his book length poem Evangeline.

My Breaux ancestors were dumped into southern Maryland and survived due to the good graces of the nearby Catholic St. Thomas Manor. My Le Blanc great grandparents, Rene LeBlanc and Anne Theriot escaped deportation by fleeing into the Canadian woods in Miramichi, surviving for a time but constantly on the move seeking to avoid the ravages of British raids on their makeshift encampments and like many others eventually dying of exposure and starvation. My surviving Breaux and Le Blanc ancestors eventually migrate to Louisiana, then under Spain. Most ironically several join the Acadian militia under the Spanish governor Galvez and help expel the British from the lower Mississippi during their former colonial adversaries War for Independence. After the Louisiana purchase they become U. S. citizens, For their service, my children and I qualify as "Sons and Daughters of the American Revolution".

Yes, we are all immigrants. Our histories vary but the common theme is that America, in the words of Tocqueville, "is a Beacon of Hope". As our President, his advisors and our Congress, seek to protect us from terrorism and debate the details, wisdom and legality of President Trumps' recent edict, I am reminded of the dialogue in the British Parliament after the time of the Acadian expulsion. The famed parliamentarian, Edmund Burke in 1780, in decrying the historical actions of his government stated:

"It seems our nation had more skill and ability in destroying rather than settling a colony. In the last war, we did in my opinion, most inhumanely, and upon pretenses that in the eye of an honest man are not worth a farthing, root out these poor, innocent, deserving people whom our utter inability to govern, or to reconcile, gave us no right to extirpate."

In 1992, after years of effort by Louisiana attorney Warren Perrin, including numerous presentations to international Human Rights Conferences, Queen Elizabeth of England apologized for the British actions in the deportation of the Acadians.

Historically we regret the deportation of the Acadians , the interment of the Japanese, the expulsion and forced march of the Cherokee, the turn away of the shipboard Jews. Today we are in a national discussion, admittedly the issue seems less extreme than the historical instances cited herein, but nevertheless we are in a position to learn the lessons of that history. Today, like the four historical examples cited an action has been predicated on concern for security and has severe implications on legality and human rights. Let us join together and urge our national government to heed these lessons of history as they contemplate a just and humane course of legislation and action related to vetting and acceptance of refugees. Let us hope that the course of action we take leads us not to an Edmund Burke of the future having to decry our historical action.