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FRANCE - EUROPE

Marine Le Pen Echoes Trump's Bleak Populism in French Campaign Kickoff

Adam Nossiter

The weekend's campaigning in this prosperous southeastern metropolis — her likely runoff opponent, Emmanuel Macron, the centrist former economy minister, also drew thousands to a rally across town on Saturday — offered a taste of the fierce electoral battle to come and a rerun of some of the American election's dynamic.

The populist Ms. Le Pen, 48, offered up a forbidding dystopia in urgent need of radical upheaval, much like Mr. Trump did. The boyish Mr. Macron — he is 39 and has created a nonparty political movement that has suddenly caught fire — spoke of "reconciling" France and of "working together," and repeatedly addressed more than 10,000 supporters in a giant stadium as "my friends." France would certainly stay in the European Union, in his view, and there would be none of Ms. Le Pen's war on globalization.

The crowd spilled onto the grounds outside the stadium, forcing many to watch Mr. Macron on huge screens. He took a backhanded slap at Mr. Trump, promising refuge in enlightened France to American scientists, academics and companies "fighting obscurantism" at home. They would have, "as of next May," the date of the presidential runoff, "a homeland, and that will be France," Mr. Macron promised.

The candidates both present themselves as outsiders — Mr. Macron served in the Socialist government but is not a Socialist, while Ms. Le Pen's party has never held power — but the crowds at the two rallies were a study in contrast. Judging by a dozen-odd interviews, Mr. Macron's group was peppered with teachers, doctors, academics, civil servants and men who described themselves as "heads of companies."

In contrast, Ms. Le Pen's crowd was full of factory workers and former soldiers, and it adored her thundering opening line: "I'm against the Right of money, and the Left of money. I'm the candidate of the people!"

Still, the slickly produced two-day National Front event at Lyon's modernist conference center, full of party functionaries in blazers scurrying about, showed how far the party has come from its disreputable ragtag origins in the early 1970s, when it emerged as a xenophobic coalition of former Nazi collaborators and disgruntled veterans of the Algerian war who had not forgiven the country's leaders for having agreed to Algeria's independence — like Ms. Le Pen's father, the party's founder, Jean-Marie Le Pen.

She has effectively kicked him out of the party. But Ms. Le Pen's populist tirade echoed with many of the former patriarch's themes. She delivered her speech against a screen projecting the words "In the Name of the People," and it was full of immigrants committing crimes, jihadists plotting attacks and European Union bureaucrats stealing jobs from the French.

Ms. Le Pen promised to crack down on all of them. Clearly buoyed by Mr. Trump's victory after years of electoral defeats in France — "The impossible becomes the possible," Ms. Le Pen said of it — she offered a sketch of what her presidency might look like. She promised to hold a referendum within six months on European Union membership, which she called a "nightmare," secure the country's borders and pull France out of NATO. Foreigners, she said, were eating up France's social benefits and offering little in return. "Our benefits are distributed to people all over the world," she said.

But in contrast to Mr. Trump, for Ms. Le Pen restoring what she called "sovereignty" to France appeared as an end in itself. She offered no return to a golden age of prosperity for her country, promising instead to "restore order" within five years. Ruin was just around the corner, in her telling. "After decades of cowardice and laissez-faire, our choice is a choice of civilization," she said. "Will our children live in a country that is still French and democratic?"

The crowd ate it up. "She's got a real program, in the name of the people, for the workers, and by the workers," said Eric Fusis, a 58-year-old retired military officer from the Doubs. "It's for the nation, and not for the financial sector and the banks," he said.

Gilbert : Trump Rule-Slashing Is Bad News for Europe's Banks

Mark Gilbert

U.S. President Donald Trump has pledged to roll back rules he says are inhibiting U.S. banks. That's bad news for European banks still struggling to craft a post-financial crisis business model that can deliver a sufficient return on equity to satisfy their shareholders.

Trump signed two directives at the end of last week aimed at curbing bank regulation. "We're going to attack all aspects of Dodd-Frank," Gary Cohn, the former Goldman Sachs President who's now director of the White House National Economic Council, told Bloomberg Television on Friday. "Banks have been forced to hoard capital."

QuickTake The Volcker Rule

No matter how hard it proves for Trump to negate Dodd-Frank, legislation introduced in the wake of the financial crisis designed to make the banking industry safer, it's clear that he agrees with U.S. bank chiefs that the rules are too limiting. Allowing them to put aside less capital would tilt the playing field in their favor and against their European peers.

At a banking conference I attended last month, the head of capital markets at a big European firm said it was ironic that the meltdown in the U.S. mortgage market triggered the financial crisis that's led to tighter regulations, and yet the U.S. banks looked likely to be first to get relief from those rules, thus giving them a competitive advantage.

To be clear, European banks are in large part the architects of their own post-crisis misfortune. They were much slower than their U.S. counterparts to recognize that they needed new capital to bolster their balance sheets. And they fought against every new rule proposed by regulators designed to prevent future mishaps becoming the burden of taxpayers.

The result is clear from their share price performance relative to their U.S. peers. A six-month rally in European bank shares leaves them exactly where they were five years ago as measured by the Euro Stoxx bank index, a stark contrast to the gains delivered by the bank index of the S&P 500:

Back Where They Started and Half as Good

Relative performance of European versus U.S. bank shares

Source: Bloomberg

European banks have been retrenching in the international capital markets, ceding ground to their U.S. competitors. In global loans, for example, the top four underwriters are JPMorgan, Bank of America Merrill Lynch, Citigroup and Wells Fargo, with a combined market share in 2016 of more than 32 percent. The next three most-active banks are Barclays, Deutsche Bank and HSBC, with Credit Suisse in ninth place and the European firms sharing just 13 percent of the business among the top 10.

A decade ago, while the same three U.S. banks were the market leaders with about a third of the business, the next five most active institutions were European, and Credit Agricole was in 10th place, with a combined market share for the European firms of more than 25 percent.

In international bond underwriting, the five leading U.S. banks managed almost 31 percent of last year's sales, leaving the Europeans in the top 10 with just 25 percent of the market. There's a similar imbalance in global equity offerings, where U.S. banks hold five of the top 10 positions, sharing almost 38 percent of the market and leaving

top-10 European banks with four slots and a 17 percent share.

And in equity offerings in Europe, the Middle East and Africa for 2016, the five top-10 U.S. firms had a combined market share of more than 36 percent, while the five European firms had less than 28 percent.

I've argued before that Europe's finance firms risk becoming irrelevant if they cede too much market share to their U.S. counterparts. Trump's dismantling of Dodd-Frank looks likely to give U.S. banks more capital to commit to winning business at a time when European firms are still trying to improve their balance sheets.

Unicredit on Monday began selling new shares to raise 13 billion euros ($14 billion) of fresh capital. While the deal is fully underwritten by a who's-who of investment banks (meaning Unicredit gets its money no matter what), the willingness of investors to back Italy's biggest bank is a key test of confidence in the industry.

If the fundraising effort falters -- and the amount sought is about same as Unicredit posted as an annual loss for 2016 -- it'll be clear that shareholders remain unconvinced that European banks can achieve the strong footing of their U.S. peers.

This column does not necessarily reflect the opinion of the editorial board or Bloomberg LP and its owners.

The New York Times

Split by 'Brexit,' May and Merkel Diverge on Wider Issues, Too (UNE)

Katrin Bennhold and Alison Smale

Their differing priorities were on ample display this past week as they dealt with both Mr. Trump and President Recep Tayyip Erdogan of Turkey.

Ms. Merkel, whose overriding strategic ambition as Germany's leader is to save the European Union, has kept her distance from Mr. Trump. After his election, she firmly outlined the liberal values on which she was prepared to work with him, and she swiftly condemned his travel ban aimed at seven Muslim-majority countries.

Mrs. May, whose priority is to sign bilateral trade deals to offset her country's departure from Europe's single market, rushed to be the first foreign leader received by Mr. Trump after he took office.

Apparently pleased to be caught on camera holding his hand, she extended a speedy invitation for a state visit with Queen Elizabeth II. "Opposites attract," she beamed.

The invitation has since become a polarizing issue in Britain's sharply divided political landscape, and reinforced a view on the Continent that as Britain cuts ties with Europe, it will become America's lap dog.

"It's chalk and cheese," said Timothy Garton Ash, a professor of European history at Oxford. "But none of this tells you very much about the contrasting character of the two women. It tells you about the contrasting positions of the two countries."

If Ms. Merkel can still afford to be an idealist, Britain's plan to leave the European Union, or "Brexit," has turned Mrs. May into a calculating realist.

Within hours of leaving Mr. Trump, she was on a plane to Turkey. Upon arriving, Mrs. May waffled in her judgment of Mr. Trump's travel ban, later stiffening her criticism after a public outcry. She also negotiated a deal with Turkey involving the British defense company BAE Systems.

Five days later, Ms. Merkel paid her own visit to Mr. Erdogan and looked far clearer in her resolve when faced with the autocratic Turkish leader, calmly noting that she had raised controversial issues like press freedom and Turkey's future Constitution.

Privately, German officials express some sympathy for Mrs. May's sometimes clumsy diplomacy, understanding that she needs new partners if she is to make good on her promise of a "Global Britain."

But only occasionally have there been glimpses of the partnership that might have been.

In July, Ms. Merkel was almost effusive in welcoming Mrs. May, who chose Berlin for her first foreign trip as prime minister. The German chancellor emphasized their countries' "common values."

During a news conference, both women stiffly answered questions about Brexit. Then a journalist asked about their first impressions of each other. Their body language visibly loosened.

Ms. Merkel laughed, and Mrs. May said, "We have two women here who, if I may say so, want to get on with the job."

Their shared gender has led to many lazy comparisons, said Rosa Prince, the author of a biography of Mrs. May that is to be published this month.

"When you are a female political leader of a certain age, you are inevitably compared to Margaret Thatcher and Angela Merkel," she said. "Theresa May is nothing like Margaret Thatcher, but as it happens has quite a lot in common with Angela Merkel."

Each cautious and deliberate, they are both childless, have quiet husbands and enjoy watching sports. (Ms. Merkel knows soccer; Mrs. May prefers cricket.)

An Oxford graduate and lawmaker since 1997, Mrs. May was Britain's longest-serving home secretary of modern times before taking over from Prime Minister David Cameron in the confusion that followed the Brexit referendum. As Ms. Prince put it, "She was the last woman standing after all the men got burned or ran away."

Ms. Merkel, a scientist before she went into politics, is long used to being the only woman in the room. Evelyn Roll, a German biographer of Ms. Merkel, said that, on the advice of a German actress, the chancellor had deliberately lowered the pitch of her voice to deter men from talking over her.

Both women endured condescension and outright misogyny as they rose. Mrs. May has been called a "bloody difficult woman" by a fellow minister. Ms. Merkel's predecessor and mentor, Helmut Kohl, patronized her as "my girl."

Even after Ms. Merkel unseated Mr. Kohl as leader of the Christian Democrats amid a party financing scandal, Germany's male-dominated news media belittled her as efficient but bland — until she took office in 2005 and gradually became "Mutti," the mother of the nation.

"The only way men can process that a woman is in power is apparently to liken her to their mother," Ms. Roll said.

Ms. Merkel, who grew up in Germany's former Communist east, has never branded herself a feminist. But on her watch Germany has introduced boardroom quotas for women and created a generous system of paid parental leave shared between mothers and fathers.

Mrs. May once wore a T-shirt that read, "This is what a feminist looks like."

In 2005, Mrs. May co-founded a group called Women2Win to elect more women to Parliament and then nurture them, something that Mrs. Thatcher was often criticized for not doing.

"They are both serious people who don't grandstand, who don't play for the gallery," said Charles Grant, the director of the London-based Center for European Reform.

But the few times the two women have met privately have been highly scripted affairs with little warmth on display, according to one person who was present at more than one of their meetings.

"Theresa May is not good at small talk," said Ms. Prince, the biographer. "She is not an easygoing, smooth person. She is not a natural diplomat."

Ms. Merkel, however, is said to respect Mrs. May, considering her the "grown-up" in the British government, officials close to the chancellor say.

For her part, Mrs. May has long expressed admiration for the German chancellor.

"There are still people who don't rate her, are a bit dismissive, perhaps because of the way she looks and dresses," Mrs. May said in a 2012 interview with The Daily Telegraph. "What matters is, what has she actually done? And when you look at her abilities in terms of negotiation and steering Germany through a difficult time, then hats off to her."

The two will soon be on the opposite side of the negotiations as Brexit talks commence.

There is no wish in Berlin to "punish" Britain for leaving, said Peter Torry, Britain's ambassador in Germany until 2007, who still lives in the German capital.

But Berlin's tone has grown more distant as Britain's resolve to leave has hardened and their interests diverge.

Mrs. May has said she will turn Britain into a low-tax competitor if no favorable deal is offered by the European Union by the end of a two-year negotiation. But given her promises for a fairer society, that proposal is not considered credible or workable by many business and political leaders in Europe. Nor is

her offer to be a bridge to the new American president.

At a news conference in Malta after the European Union summit meeting on Friday, Ms. Merkel was asked whether Germany should lower its corporation tax in line with the reductions signaled by Mrs. May and Mr. Trump.

"We have a tax system in Germany that is weathering challenges well," Ms. Merkel said, suggesting that well-functioning societies rely on raising a fair amount of tax.

One reason for the difference between the two women's approaches may be that one is just starting out as head of government, while the other has been in office for over a decade. "May is like Merkel 10 years ago," Ms. Roll said.

Though sometimes accused of lacking a vision for Europe, Ms. Merkel is calm and strategic, said Daniela Schwarzer, the director of the German Council on Foreign Relations' research institute in Berlin.

"That's obviously helpful in a situation where we risk seeing a lot of provocations coming out of Washington over the next few years," she said.

By contrast, Ms. Schwarzer added, Mrs. May seems "more tactical at this point."

One leader is consumed by preparing Britain's departure from the European Union, and the other with keeping the bloc together.

Could they develop a pragmatic relationship during the Brexit talks and beyond?

"It won't be a smooth ride," Ms. Prince said, "but it certainly has a better chance of succeeding with these two levelheaded women at the top."

Editorial : Denmark's envoy to the global 'other'

The Christian Science Monitor

February 5, 2017 —

In the hit movie "Arrival," a linguist played by Amy Adams is tasked by the US government to communicate with aliens who have landed from outer space. Are they friend or foe?

What she discovers is that she must break free of limited thinking – for example, about the nature of time. She also ultimately breaks free from government to act for all humanity by embracing the strangers.

The film's plot is similar to a decision last month by Denmark to appoint a special kind of envoy – a "digital ambassador" to the world's tech giants such as Facebook, Amazon, Google, and Apple. These global nonstate entities with their extraordinary power and immense wealth do not fit neatly into the normal diplomacy of the nation-state. Their purpose is not always clear. Their language of bits and bots is alien. Are they a force for good or evil? Most of all, can a country's fear of the "other" be turned into an opportunity – by engagement rather than estrangement?

In appointing this special envoy, Denmark hopes not only to invite more tech investment but to work with their foreign companies on issues such as digital privacy, cybersecurity, fake news, and the effects of automation and artificial intelligence on jobs and society.

"We simply need to have closer ties to some of the companies that affect us," Foreign Minister Anders Samuelsen told the Politiken newspaper.

Special envoys are hardly new in diplomacy. Under recent American presidents, their numbers have exploded. Most are targeted at specific countries, regions, or conflicts, such as Darfur or the Israeli-Palestinian conflict. As global issues have grown – and fear of them – so have the number of "special" ambassadors or "high representatives" to deal with them.

Many countries as well as the United Nations now have envoys for climate change, terrorism, migration, diseases, hunger, or cybercrime. "You can emphasize an issue in a world where government to government traditional diplomatic contact is less and less the whole equation, and how things play out in the media, how they play out in social media," said Thomas Perriello, who has twice been a US special envoy, at a conference on the topic two years ago.

In a survey of 19 countries last year, the polling unit YouGov found that less than half the people in the West see globalization, such as trade and migration, as a force for good. (Those who look more favorably on globalization tend to be under 35.) Such surveys help explain the rise of nationalist politicians who promise to protect voters from what are seen as negative foreign influences.

By assigning special envoys, however, countries hope to solve a global issue, or even use it to good effect. The alternatives are walls, bans, and other forms of isolation that merely accept a fear of outside forces. Societies that can rise above such fears send out ambassadors to listen, learn, and embrace an "alien" situation. They break free of self-imposed limits.

In Trump, Poland Finds Reason to Reset EU Relations

Simon Nixon

Feb. 5, 2017 1:44 p.m. ET

WARSAW—German Chancellor Angela Merkel's trip to Poland this week is an important moment for both sides—and for all of Europe. Since Poland's conservative Law and Justice party took office in October 2015, the Polish government has been a persistent thorn in the side of the European Union.

Whereas its predecessor prioritized building a network of alliances across the continent and establishing a reputation as a reliable partner, the current government has adopted a more confrontational approach, not least over the question of EU asylum reform, where it has blocked proposals for the mandatory redistribution of refugees across the European bloc.

Meanwhile, the European Commission has accused Warsaw of undermining the rule of law, criticizing changes to Poland's constitutional court that Brussels says weaken an important check on executive power, and threatened reprisals.

But Poland has good reasons to want to reset its relationship with the rest of the EU. The first concerns national security since the arrival of Donald Trump in the White House. What Polish ministers and officials fear most is a deal between Mr. Trump and Russian President Vladimir Putin over Ukraine that forces the government in Kiev to take back the Donbas region on terms that will give Moscow sway over the country's politics, creating instability along Poland's eastern border. They fear that the latest upsurge in violence in eastern Ukraine is a ploy by Mr. Putin to bring Mr. Trump to the negotiating table.

There is also growing concern in Warsaw that Russia is attempting to extend its soft power in Belarus, another of Poland's eastern neighbors, as well anxiety that Moscow might try to use its influence over Russian minorities in the Baltic states to further destabilize the region. Polish ministers have been trying to establish—so far without success—where Mr. Trump intends to draw the border of U.S. influence in region and whether this includes Poland.

Warsaw has no intention of being drawn into any European anti-Trump front, says one senior official. Nonetheless, in the face of such strategic uncertainty, it is clearly in Warsaw's interests to repair its relations with other EU members who might be better placed to exercise leverage on Mr. Trump.

Poland also has economic reasons to want to reset its relationship with the EU. The government has embarked on a substantial program of social spending, including generous monthly payments of 500 zlotys ($125) per child for every family with more than one child, and a reduction in the retirement age. That has raised questions about how it will fund these handouts, particularly after a substantial fall in the rate of growth in 2016 to 2.7%, compared with expectations of 3.5%, in large part because of a slowdown in investment. How much of this slowdown reflects concerns over the government's actions, including concerns over the rule of law, is unclear.

The government says that foreign investment remains robust and that the shortfall instead reflects lower spending by local councils and slower deployment of EU funds. Opponents blame the government for firing officials with relevant technical and financial expertise and replacing them with incompetent party hacks.

Deputy Prime Minister Mateusz Morawiecki, a former banker, has ambitious plans to boost long-term potential growth and enable Poland to escape its middle-income trap through increased support for domestic small and middle-sized businesses, paid for in part by

demanding foreign investors pay more tax in Poland. But in the absence of deep domestic capital markets, he also knows that Poland remains heavily reliant on foreign investment, which in turn hinges on the country restoring its reputation for strong institutions and predictable decision-making.

Ms. Merkel's visit offers an opportunity for Poland to begin the process of resetting its relationship with the EU. Germany is by the far the biggest investor in Poland and a crucial ally in Polish attempts to persuade the U.S. and other European partners to take a hard line against Russian revisionism in Western Europe. That said, there is little evidence that Warsaw is ready to back down on the two major outstanding points of conflict. Opposition to mandatory resettlement of refugees remains resolute across the Polish political spectrum.

Nor does Warsaw have any intention of backing down in its dispute with Brussels over the rule of law, believing that the commission overreached by intervening in what was a domestic political dispute. Ministers concede that the government might have been clumsy in the way it has driven through its overhauls, but it has done nothing illegal or that isn't common practice in other Western democracies. Even some critics acknowledge that while the government's agenda adds up to a radical change and that some of its steps have indeed weakened checks and balances, Polish democracy remains alive and well.

In any case, Warsaw will be hoping that Ms. Merkel may be willing to play down both issues in the interests of wider strategic priorities. Whether other EU partners are willing to do so is another matter.

INTERNATIONAL

THE WALL STREET JOURNAL.

Al Qaeda Urges Followers to Hit Back at U.S. Following Yemen Raid

Asa Fitch in Dubai and Saleh al-Batati in Aden, Yemen

Feb. 5, 2017 8:20 a.m. ET

Al Qaeda's offshoot in Yemen exhorted followers over the weekend to take on the U.S. in response to a raid by American commandos that killed senior figures in the group, while the militants launched fresh attacks on territory held by the internationally recognized government.

Qasim al-Raymi, the leader of al Qaeda in the Arabian Peninsula, or AQAP, compared his group to extremists fighting American forces in Iraq, Afghanistan and Somalia, according to a speech translated by SITE Intelligence Group, which tracks extremist activities and messaging.

"My message to our lions in the battlefield [is] here comes America, stepping on your land with its arrogance and pride," Mr. Raymi said on Saturday, according to SITE. "Remind it with the raids of Mogadishu, the victories of Kandahar, and the persistence of Fallujah," he added, referring to cities in Somalia, Afghanistan and Iraq, respectively.

"Burn the land beneath their feet and make them hear the whispers of Satan," Mr. Raymi urged, referring to President Donald Trump as "the new fool of the White House."

An American special forces unit attacked an AQAP compound in a remote part of central Yemen on Jan. 29, killing militants and possibly some civilians, according to U.S. officials. A U.S. Navy SEAL was killed in a firefight and three American soldiers were wounded.

The raid, the first such operation under Mr. Trump and the first involving U.S. ground troops in Yemen since 2014, sparked controversy in Washington as officials of the former administration of Barack Obama disputed accounts of its planning and questioned assertions that it had been considered under Mr. Obama's watch.

Mr. Raymi said 25 people, including 14 men and 11 women and children, were killed in the raid. Among the dead were two senior AQAP figures—Abdulraoof al-Dhahab and Sultan al-Dhahab—he said.

Experts have warned that AQAP would try to exploit the raid to drum up anti-American feelings, as Mr. Raymi is doing, and attract more recruits.

"The use of U.S. soldiers, high civilian casualties and disregard for local tribal and political dynamics…plays into AQAP's narrative of defending Muslims against the West and could increase anti-U.S. sentiment and with it AQAP's pool of recruits," the Brussels-based International Crisis Group said in a report on Tuesday.

AQAP has also begun attacking villages recently in the southern Abyan province, south of where the U.S. raid took place, according to local residents. While it was unclear whether the assaults were a direct response to the raid, AQAP fighters haven't made such a push in Abyan in months.

The areas attacked are currently in control of Yemeni forces allied to the internationally recognized government of President Abed Rabbo Mansour Hadi. Mr. Hadi is backed by a Saudi Arabia-led military coalition that is fighting an almost two-year war against Yemen's Houthi rebels, who control the capital, San'a.

AQAP has tried to capitalize on the country's chaos to gain territory during the war, but has lost significant ground over the past year. Among the losses were its headquarters in the southern coastal city of Al Mukalla.

The militants briefly took control of one Abyan town, Loder, on Tuesday night and attacked again on Wednesday. But local government forces repelled them, residents said. With the security situation still unsettled, the government imposed a curfew in the town from 8 p.m. Saturday night to 6 a.m. Sunday morning.

On Sunday, AQAP set up a checkpoint near Loder, according to local media, suggesting that they could be readying for another advance. AQAP previously controlled several towns in Abyan, including its capital, Zinjibar, before being pushed out last August.

The New York Times

Turkey Arrests Hundreds in Sweeping Raids Against ISIS

Patrick Kingsley

ISTANBUL — Several hundred people suspected of being Islamic State operatives were arrested in a series of coordinated raids by the Turkish police on Sunday, in what constitutes one of Turkey's largest operations against the jihadist group on the country's soil.

Nearly 450 suspects were rounded up in the early hours of Sunday, according to the Anadolu Agency, a state-run news wire. Independent television reports later said 690 suspects had been held by the end of the day. At least one attack was said to have been thwarted in the process, according to Anadolu.

The operation was distinct from crackdowns on those accused of being supporters of last summer's failed coup, and on members of the country's political opposition. More than 130,000 Turks have been arrested or fired from government posts in the past seven months as part of those efforts, according to government data.

Sunday's raids were the latest salvo in a long-running conflict between Turkey and the Islamic State, also known as ISIS or ISIL. In the early years of the Syrian revolution, Turkey was accused of turning a blind eye to the movement of thousands of Islamic State fighters over its southern border with Syria, where they joined the war against the forces of the Syrian president, Bashar al-Assad. But the Turkish Army is now in direct conflict with the group in northern Syria, where Turkey is leading attempts to expel the Islamic State from the strategically important city of Al Bab.

Turkey has suffered numerous attacks linked to the Islamic State since 2014, most recently in the early hours of this year, when a fighter killed 39 people at a nightclub in Istanbul, Turkey's largest city. The

group is also believed to be behind an October 2015 bombing in Ankara, Turkey's capital, that killed more than 100 people, and was accused of organizing the killing of 45 people at Istanbul's main airport last summer.

This weekend's raids occurred across an unusually wide area, with suspects seized in 18 provinces. The move is a change in strategy by the Turkish police, who have usually detained only small numbers of jihadists at a time, said Sinan Ulgen, a former Turkish diplomat, and an analyst who focuses on Turkey for Carnegie Europe, a think tank.

But the detentions may not necessarily lead to court cases. "Over all, Turkey's efforts to combat the influence and network of the Islamic State at home is still handicapped by discrepancies between the different arms of the Turkish state," Mr. Ulgen said. "An effort led by law enforcement is sometimes handicapped by the decisions of the Turkish judiciary, which as we have seen in the recent past has let go people associated with the Islamic State."

Ahmet Yayla, a former counterterrorism chief in Turkey and a critic of the Turkish government, also questioned the effectiveness of such a large raid, which he argued could overwhelm the capacity of the counterterrorism police. Officers may not be able to properly handle the paperwork, interrogations and bureaucracy associated with processing more than 50 suspects, said Dr. Yayla, who headed counterterrorism operations in a southeast Turkish province from 2010 to 2012.

"It is impossible to process that many terrorists in one operation," said Dr. Yayla, who now lives in the United States, and who began to publicly criticize the Turkish government after his teenage son was jailed on suspicion of a connection to the coup attempt.

Yemen Is the First Battleground in Trump's Confrontation With Iran

Dan De Luce

The Trump White House has begun stepping up action against Iranian-backed rebels in Yemen, part of a broader plan to counter Tehran by targeting its allies in the impoverished Gulf state.

On Thursday, the United States diverted a destroyer to the Yemeni coast to protect shipping from Iranian-backed rebels, and is weighing tougher steps including drone strikes and deploying military advisers to assist local forces, according to officials familiar with the discussions.

"There's a desire to look at a very aggressive pushback" against Iran in Yemen within the administration, a source advising the Trump national security team said. Given the public rhetoric and private deliberations in the White House, the United States could "become more directly involved in trying to fight the Houthis" alongside Saudi and Emirati allies, said the source, who asked not to be named as he had not been authorized by the White House to comment.

President Donald Trump's aides see Yemen as an important battleground to signal U.S. resolve against Iran and to break with what they consider the previous administration's failure to confront Tehran's growing power in the region. But the tough approach carries the risk of triggering Iranian retaliation against the United States in Iraq and Syria, or even a full-blown war with Iran.

On Friday, national security advisor Michael Flynn released a statement accusing the international community of having been "too tolerant of Iran's bad behavior," adding "the Trump Administration will no longer tolerate Iran's provocations that threaten our interests."

In the first visible response to Monday's attack on a Saudi frigate by Houthi suicide boats, the USS *Cole*, a guided missile destroyer, was ordered away from a "routine mission" in the Persian Gulf late Thursday and sent to the Bab al-Mandab Strait, a Pentagon official told FP. The *Cole* is the same warship hit by a lethal Qaeda suicide bombing in 2000 in the Yemen port of Aden, which left 17 sailors dead.

The U.S. destroyer will escort vessels passing the Yemeni coastline and into the Red Sea said the official, who asked for anonymity to speak about the movement of the ship. The area saw Houthi missile attacks on a U.S. destroyer in January that fell short, and a direct hit on a United Arab Emirates vessel in October.

Additionally, on Friday, the administration slapped a new round of sanctions on Iranian businesses, backing up a stream of threats and condemnations it issued in response to Iran's recent ballistic missile test.

To counter Iran's proxies in Yemen, the administration is considering ramping up drone strikes, deploying more military advisors and carrying out more commando raids, the administration advisor and Republican congressional staffers said. The review also includes possibly expediting approval for military strikes against militants in Yemen — which required high level deliberations under the Obama administration — and expanding efforts to block Iranian arms deliveries to the Houthi forces.

Having campaigned on a get-tough policy toward Iran, Trump's first test came over the weekend, when Iran conducted a ballistic missile test, followed by the Houthi boat attack. Those moves are reinforcing Flynn's already-hawkish instincts toward Iran, the adviser said.

"Flynn wants to very strongly counter Iranian efforts" throughout the Middle East, but questions remain over the timing and the details of any stepped up U.S. role in Yemen or elsewhere, the advisor said.

The new round of sanctions target Iranian individuals and companies involved in Tehran's missile program, some of whom are based in the United Arab Emirates, Lebanon and China. The sanctions handed down Friday would not violate the nuclear agreement between Iran and major powers, but were widely viewed as a first step in a series of measures by the Treasury Department designed to squeeze Iran and discourage foreign investment. The 2015 nuclear agreement imposed limits on Tehran's nuclear program in exchange for lifting international sanctions.

Washington has already played a role in the Yemeni civil war, supporting the Saudi-led bombing campaign against Houthi rebels for the past two years, providing hundreds of aerial refueling flights and drone surveillance missions to identify targets. The Pentagon curtailed some of its intelligence assistance last year, after Saudi Arabia drew international condemnation for the killing of scores of civilians during poorly planned airstrikes.

Former president Barack Obama's administration long played down the scale of Iran's assistance to the rebels in Yemen and did not portray Tehran's activity as a major security threat. Instead, the previous administration placed a higher priority on targeting al Qaeda's affiliate in Yemen, which intelligence agencies have long described as the most capable in the terror network.

In a series of stern warnings to Iran that continued through Friday, Trump and Flynn — with backing from congressional Republicans — vowed a tougher stance to counter Iranian missile programs and Tehran's continued support for the Houthis.

On Wednesday, Flynn strode into the White House briefing room to deliver the warning that the administration is "officially putting Iran on notice," but refused to elaborate what might be under consideration.

After meeting with Flynn on Friday, Sen. Bob Corker (R-Tenn.), chairman of the Senate Foreign Relations Committee, said there needed to be "a coordinated, multi-faceted effort to pushback against a range of illicit Iranian behavior" in Yemen and the Middle East.

One worry inside the administration is that Iran will expand its support for the Houthi rebels if Yemen's civil war continues to grind on without resolution, threatening neighboring Saudi Arabia and international shipping passing along the coast — one of the world's key maritime choke points.

But deeper military involvement in Yemen is risky. An assault by U.S. Navy SEALs and Emirati commandos on Saturday in central Yemen — meant to attack al Qaeda terrorists unaffiliated with Tehran — was the first known U.S.-led ground operation in Yemen since December 2014, and it underscored the dangers of sending in American forces in the chaotic country. One Navy SEAL died, as did an unknown number of civilians.

"The raid may signal a growing U.S. interest in getting more involved clandestinely in Yemen," though most likely in an advisory role, said Seth Jones, a former adviser to special operations forces and an expert on counter-terrorism. But the American

"There will be limited boots on the ground for direct action or drone strikes," said Jones, a fellow at the RAND Corp. "I expect that most of it will be working with local partner forces on the ground."

But ramping up pressure against the Houthis could backfire, pouring more fuel on the civil war and pushing the rebels even deeper into Tehran's orbit, said Katherine Zimmerman, an analyst at the American Enterprise Institute.

The U.S. is "siding with the government that is seen as illegitimate to a majority of the population in northern Yemen," Zimmerman said.

THE WALL STREET JOURNAL.

Bolton : The Iran Deal Can't Be Enforced

John Bolton

Feb. 5, 2017 6:14 p.m. ET

Iran's continued missile testing on Saturday has given President Trump one more reason to tear up his predecessor's deal with the regime in Tehran. After Iran's Jan. 29 ballistic-missile launch, the Trump administration responded with new sanctions and tough talk. But these alone won't have a material effect on Tehran or its decades-long effort to acquire deliverable nuclear weapons.

The real issue is whether America will abrogate Barack Obama's deal with Iran, recognizing it as a strategic debacle, a result of the last president's misguided worldview and diplomatic malpractice. Terminating the agreement would underline that Iran is already violating it, clearly intends to continue pursuing nuclear arms, works closely with North Korea in seeking deliverable nuclear weapons, and continues to support international terrorism and provocative military actions. Escaping from the Serbonian Bog that Obama's negotiations created would restore the resolute leadership and moral clarity the U.S. has lacked for eight years.

But those who supported the Iran deal, along with even many who had opposed it, argue against abrogation. Instead they say that America should "strictly enforce" the deal's terms and hope that Iran pulls out. This would be a mistake for two reasons. First, the strategic miscalculations embodied in the deal endanger the U.S. and its allies, not least by lending legitimacy to the ayatollahs, the world's central bankers for terrorism.

Second, "strictly enforcing" the deal is as likely to succeed as nailing Jell-O to a wall. Not only does the entire agreement reflect appeasement, but President Obama's diplomacy produced weak, ambiguous and confusing language in many specific provisions. These drafting failures created huge loopholes, and Iran is now driving its missile and nuclear programs straight through them.

Take Tehran's recent ballistic-missile tests. The Trump administration sees them as violating the deal. Iran disagrees. Let's see what "strict enforcement" would really mean, bearing in mind that the misbegotten deal is 104 pages long, consisting of Security Council Resolution 2231 and two attachments: Annex A, the Joint Comprehensive Plan of Action (the main nuclear deal, known by the acronym JCPOA); and Annex B, covering other matters including ballistic missiles.

Annex B isn't actually an agreement. Iran is not a party to it. Instead it is a statement by the Security Council's five permanent members and Germany, intended to "improve transparency" and "create an atmosphere conducive" to implementing the deal. The key paragraph of Annex B says: "Iran is *called upon* not to undertake any activity related to ballistic missiles *designed to be capable of delivering nuclear weapons*" for eight years.

Note the language I've italicized. Iran is not forbidden from engaging in all ballistic-missile activity, merely "called upon" to do so. The range of proscribed activity is distinctly limited, applying only to missiles "designed to be capable" of carrying nuclear weapons. Implementation is left to the Security Council.

The loopholes are larger than the activity supposedly barred. Iran simply denies that its missiles are "designed" for nuclear payloads—because, after all, it does not have a nuclear-weapons program. This is a palpable lie, but both the JCPOA and a unanimous Security Council accepted it. Resolution 2231 includes a paragraph: "Welcoming Iran's reaffirmation in the JCPOA that it will under no circumstances ever seek, develop or acquire any nuclear weapons." The ayatollahs have been doing precisely that ever since their 1979 revolution.

Finally, Resolution 2231 itself also merely "calls upon" Iran to comply with Annex B's ballistic-missile limits, even as the same sentence says that all states "shall comply" with other provisions. When the Security Council wants to "prohibit" or "demand" or even "decide," it knows how to say so. It did not here.

The upshot is very simple: Iran can't violate the ballistic-missile language because it has reaffirmed that it doesn't have a nuclear-weapons program. Really, what could go wrong?

These are weasel words of the highest order, coupled with flat-out misrepresentation by Iran and willful blindness by the United States. The Jell-O will not stick to the wall. The deal cannot be "strictly enforced." And this is only one example of the slippery language found throughout the deal.

Pentagon sources have said that the missile Iran recently tested failed while re-entering the Earth's atmosphere. This is telling. If the missile program were, as Iran claims, only for launching weather and communications satellites, there would be no need to test re-entry vehicles. The goal would be to put satellites in orbit and keep them there. But nuclear warheads obviously have to re-enter the atmosphere to reach their targets. The recent tests provide even more evidence of what Iran's ballistic-missile program has always been about, namely supplying delivery vehicles for nuclear weapons.

Time always works on the side of nuclear proliferators, and the Iran deal is providing the ayatollahs with protective camouflage. Every day Washington lets pass without ripping the deal up is a day of danger for America and its friends. We proceed slowly at our peril.

Mr. Bolton is a senior fellow at the American Enterprise Institute and author of "Surrender Is Not an Option: Defending America at the United Nations and Abroad" (Simon & Schuster, 2007).

The Washington Post

Trump wants to push back against Iran, but Iran is now more powerful than ever (UNE)

https://www.facebook.com/lovedaymorris?fref=ts

BEIRUT — President Trump's tough talk on Iran is winning him friends in the Arab world, but it also carries a significant risk of conflict with a U.S. rival that is now more powerful than at any point since the creation of the Islamic republic nearly 40 years ago.

With its warning last week that Iran is "on notice," the Trump administration signaled a sharp departure from the policies of President Barack Obama, whose focus on pursuing a nuclear deal with Iran eclipsed historic U.S. concerns about Iranian expansionism and heralded a rare period of detente between Washington and Tehran.

Many in the region are now predicting a return to the tensions of the George W. Bush era, when U.S. and Iranian operatives fought a shadow war in Iraq, Sunni-Shiite tensions soared across the region and America's ally Israel fought a brutal war with Iran's ally Hezbollah in Lebanon.

Today's WorldView

What's most important from where the world meets Washington

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Except that now the United States will be facing down a far stronger Iran, one that has taken advantage of the past six years of turmoil in the Arab world to steadily expand its reach and military capabilities.

"In order to confront Iran or push back more fiercely against it, you may find you're in a conflict far more far-reaching and more destructive to the global economy than many of our allies or American public are willing to bear," said Nicholas Heras of the Center for a New American Security.

(Reuters)

During the White House daily briefing on Feb. 1, President Trump's national security advisor Lt. Gen. Michael Flynn spoke about Iran's ballistic missile test. During the White House daily briefing on Feb. 1, President Trump's national security advisor Lt. Gen. Michael Flynn spoke about Iran's ballistic missile test. (Reuters)

[Iran holds military exercises in response to U.S. sanctions]

Iran's alleged quest to produce a nuclear weapon — which Tehran has always denied — has been curbed by the nuclear accord signed in 2015. But in the meantime it has developed missiles capable of hitting U.S. bases and allies across the Middle East and built a network of alliances that have turned it into the most powerful regional player.

Iran now stands at the apex of an arc of influence stretching from Tehran to the Mediterranean, from the borders of NATO to the borders of Israel and along the southern tip

of the Arabian Peninsula. It commands the loyalties of tens of thousands in allied militias and proxy armies that are fighting on the front lines in Syria, Iraq and Yemen with armored vehicles, tanks and heavy weapons. They have been joined by thousands of members of the Iranian Revolutionary Guard Corps, Iran's most prestigious military wing, who have acquired meaningful battlefield experience in the process.

For the first time in its history, the Institute for the Study of War noted in a report last week, Iran has developed the capacity to project conventional military force for hundreds of miles beyond its borders. "This capability, which very few states in the world have, will fundamentally alter the strategic calculus and balance of power within the Middle East," the institute said.

America's Sunni Arab allies, who blame the Obama administration's hesitancy for Iran's expanded powers, are relishing the prospect of a more confrontational U.S. approach. Any misgivings they may have had about Trump's anti-Muslim rhetoric have been dwarfed by their enthusiasm for an American president they believe will push back against Iran.

"We are so happy and excited about President Trump," said Abdullah al-Shamri, a former Saudi Arabian diplomat, speaking from the Saudi capital of Riyadh. "We expect him to deal with the Iranians as the threat that they are, producing missiles and interfering in other countries."

Exactly what the Trump administration intends to do about a state of affairs that has already become deeply entrenched is unclear, however. So pervasive is Iran's presence across the region that it is hard to see how any U.S. administration could easily roll it back without destabilizing allies, endangering Americans, undermining the war against the Islamic State and upsetting the new regional balance that emerged during the Obama administration's retreat, analysts say.

9 foreign policy issues the Trump administration will have to face

[Pentagon chief advocates restraint in response to Iran, China]

The Trump administration has given no indication that it intends to abrogate the nuclear accord. Rather, U.S. officials say, the goal is to contain activities that lie outside the scope of the accord, such as the ballistic missile program and what one official called the "destabilizing activities" of the Revolutionary Guard Corps and its proxies.

So far, U.S. action has been confined to retaliation for Iran's test-launch of a ballistic missile last week and an attack by Yemen's Houthi rebels on a Saudi Arabian navy ship in the Red Sea. The Treasury imposed sanctions Friday against people and companies alleged to be involved in the missile program and the Pentagon dispatched the destroyer USS Cole to the coast of Yemen, suggesting that Iran's arming of the Houthis may be an early target.

Otherwise, the Trump administration has given little indication of what it has in mind, except to make clear that it intends to be different from Obama.

"Iran is playing with fire — they don't appreciate how 'kind' President Obama was to them. Not me!" Trump wrote in a tweet Friday.

Iran has offered a relatively muted response to the challenge, with Iran's foreign minister tweeting that Iran is "unmoved" by the threats emanating from Washington. "We'll never initiate war," he said.

Iran may well conclude that it is not in its interests to engage in confrontation with a new U.S. administration already earning a reputation for unpredictability, analysts say.

But those familiar with Iran's behavior in the region have said that they do not believe it will readily surrender its gains.

"Any pushing back, the Iranians won't take it lying down," predicted Mowaffak al-Rubaie, a Shiite Iraqi parliamentarian who has, for many years, worked to bridge the divide between Iran and America in Iraq.

"Iraq, Iran and the United States are an extremely finely balanced equation, and Trump shouldn't come and bash," he said. "He should play this extremely delicately."

It is in Iraq, where fighting the Islamic State has most conspicuously brought the United States into a tacit alliance with Iran, that a more hostile relationship between Tehran and Washington could prove most consequential.

Iranian-backed militias are deeply embedded in the overall Iraqi effort to wrest back territory from the militants, one that is also being aided by the United States. In the Mosul offensive, hundreds of U.S. advisers are working alongside Iraqi troops advancing from the east, among about 6,000 U.S. troops currently deployed in Iraq. Thousands of Iranian-backed militia fighters are meanwhile advancing on the city from the west, among a force of tens of thousands that answers mostly, though not exclusively, to Iran.

One of the Iranian-backed groups fighting around Mosul is Kitaeb Hezbollah, which also blew up American troops with roadside bombs and fired mortars into U.S. bases at the height of U.S.-Iranian tensions a decade ago. It will not hesitate to attack U.S. troops should the United States attempt to diminish Iran's role in Iraq, said Jaffar al-Hussaini, Kitaeb Hezbollah's spokesman.

[Trump cites warnings against Iran; Tehran shrugs off pressures from 'inexperienced' president]

"We look at America as our first enemy, the source of all evil on the Earth," he said. "American interests in Iraq are within our sights and our fire range. If they act foolishly, their interests will be wiped out . . . and we can target their bases whenever we want."

It is also hard to see how the United States could act to curtail the extensive influence acquired by Iran during the war in Syria. Iran and Russia together have fought to ensure the survival of President Bashar al-Assad's regime, and they are now pursuing a peace settlement in alliance with Turkey that excludes a role for the United States. America has been left with few friends and little leverage, apart from the Kurds in the northeast of the country.

Russia controls the skies over Syria, and Turkey wields influence over the rebels, but Iran holds sway on the ground, through its extensive network of Shiite militias drawn from Lebanon, Iraq, Afghanistan and Pakistan. They have provided the manpower for front lines from the northern countryside of Aleppo, near the Turkish border, to the Golan Heights bordering Israel in the south.

Trump's promises to curb Iranian influence are at odds with his stated desire to pursue closer cooperation with Russia in Syria and also to support Assad, because Iran is allied with both Assad and Russia, said Mustafa Alani, a director at the Dubai-based Gulf Research Center.

"He will not be able to contain Iran if he is going to support Assad. He cannot have both at the same time," he said. The solution, he said, is to topple Assad, because "Assad is the man who is underpinned by Iranian support. He was saved only by Iranian intervention."

Alani sees no reason Trump should not easily be able to contain Iranian influence.

"It is a myth that Iran is strong. The only reason Iran is strong is because of U.S. weakness," he said. "Iran is very thinly stretched. It will not take a lot to contain Iran."

But even those celebrating the shift in American policy don't seem so sure.

"Tehran today is challenged by a strict, driven, strong and decisive United States, which was not always the case with the lenient and hesitant Obama administration," said a commentary Saturday in the Pan-Arab Asharq al-Awsat newspaper. "The region now faces turbulent winds of change. It will not be easy."

Morris reported from Baghdad. Mustafa Salim in Baghdad also contributed to this report.

THE WALL STREET JOURNAL.

Trump Administration Looks at Driving Wedge Between Russia and Iran (UNE)

Jay Solomon

Feb. 5, 2017 7:47 p.m. ET

WASHINGTON—The Trump administration is exploring ways to break Russia's military and diplomatic alliance with Iran in a bid to both end the Syrian conflict and bolster the fight against Islamic State, said senior administration, European and Arab officials involved in the policy discussions.

The emerging strategy seeks to reconcile President Donald Trump's seemingly contradictory vows to improve relations with Russian President Vladimir Putin and to aggressively challenge the military presence of Iran—one of Moscow's most critical allies—in the Middle East, these officials say.

A senior administration official said the White House doesn't have any illusions about Russia or see Mr. Putin as a "choir boy," despite further conciliatory statements from Mr. Trump about the Russian leader over the weekend. But the official said that the administration doesn't

view Russia as the same existential threat that the Soviet Union posed to the U.S. during the Cold War and that Mr. Trump was committed to constraining Iran.

"If there's a wedge to be driven between Russia and Iran, we're willing to explore that," the official said.

Such a strategy doesn't entirely explain the mixed signals Mr. Trump and his circle have sent regarding Moscow, which have unnerved U.S. allies and caught Republican leaders in Congress off guard.

Days after the U.S. ambassador to the United Nations, Nikki Haley, said a surge in violence in eastern Ukraine demanded "clear and strong condemnation of Russian actions," Vice President Mike Pence suggested Sunday that Washington could lift sanctions on Moscow soon if it cooperated in the U.S. fight against Islamic State.

Mr. Trump himself spoke again about wanting to mend relations with Mr. Putin in an interview that aired before Sunday's Super Bowl, saying "it's better to get along with Russia than not." After Fox News host Bill O'Reilly said Mr. Putin was a "killer," the president responded: "What, you think our country's so innocent?"

But those involved in the latest policy discussions argue there is a specific focus on trying to drive a wedge between Russia and Iran.

"There's daylight between Russia and Iran for sure," said a senior European official who has held discussions with Mr. Trump's National Security Council staff in recent weeks. "What's unclear is what Putin would demand in return for weakening the alliance."

But persuading Mr. Putin to break with Tehran would be immensely difficult and—a number of Russian experts in Washington say—come at a heavy cost likely to reverberate across America's alliances with its Western partners. Nor would Mr. Trump be the first U.S. president to pursue the strategy: The Obama administration spent years trying to coax Russia away from Iran, particularly in Syria, only to see the two countries intensify their military operations there to bolster the Damascus regime.

"If the Kremlin is to reduce its arms supplies to Iran, it is likely to expect a significant easing of sanctions," said Dimitri Simes, a Russia expert and president of the Center for the National Interest in Washington. "The Russians don't believe in free lunches."

The Kremlin has said it aims to mend ties with the U.S. under the Trump administration but in recent months has also signaled its intent to continue to build on its cooperation with Iran.

Moscow and Tehran have formed a tight military alliance in Syria in recent years. The Kremlin is a major supplier of weapons systems and nuclear equipment to Iran.

But the Trump administration is seeking to exploit what senior U.S., European and Arab officials see as potential divisions between Russia and Iran over their future strategy in Syria and the broader Mideast.

"The issue is whether Putin is prepared to abandon [Ayatollah] Khamenei," said Michael Ledeen, an academic who advised National Security Council Advisor Michael Flynn during the transition and co-wrote a book with him last year. "I think that might be possible if he is convinced we will 'take care' of Iran. I doubt he believes that today."

Russia, Iran and Turkey have been leading talks in Kazakhstan in recent weeks to try to end Syria's six-year war. Participants in the discussions, which have excluded high-level U.S. diplomats, said Russia has appeared significantly more open than the Iranians to discussing a future without President Bashar al-Assad.

A Russian-backed faction in the talks has promoted the creation of a new Syrian constitution and a gradual transition away from Mr. Assad.

Moscow has pressed the Trump administration to join the talks at a high-level, an invitation not extended while President Barack Obama was in office. Last week, the administration sent only a lower-level official, its ambassador to Kazakhstan.

Mr. Putin largely has succeeded in saving the regime of Mr. Assad from collapse through a brutal air war in Syria over the past 18 months. But the Kremlin is interested in fortifying its long-term military presence in Syria and doesn't necessarily view Mr. Assad as an enduring partner, these officials said.

Iran, conversely, is wholly wedded to Mr. Assad as its primary partner for shipping weapons and funds to Iran's military proxies in Lebanon and the Palestinian territories, including Hezbollah and Hamas. Any future Arab leader in Syria, even one close to Mr. Assad, is unlikely to tie his position so closely to Tehran.

"Russia is fully aware of the corruption and incompetence of the Assad regime…[and] knows that a stable Syria—a country worth having military bases in the long term—is unattainable with Assad at the helm," said Fred Hof, a former State Department official who oversaw Syria policy during President Obama's first term.

He added: "Tehran knows there is no Syrian constituency beyond Assad accepting subordination to [Iran]."

The Obama administration also pursued a strategy of trying to woo Russia away from Tehran. During his first term, Mr. Obama succeeded in getting then-Russian President Dmitry Medvedev to support tough United Nations sanctions on Iran for its nuclear activities. Moscow also delayed the delivery of antimissile batteries to Tehran, sparking a diplomatic row between the countries.

In return, the Obama White House rolled back missile-defense deployments in Europe that Russia believed weakened its strategic position.

Tensions between Russia and the U.S. flared, though, after Mr. Putin regained the presidency in 2012 and seized the Crimean region of Ukraine in 2014. The U.S. and European Union responded with tough financial sanctions on Mr. Putin's inner circle.

A number of Russia experts in Washington say they believe Mr. Putin would demand a heavy price now for any move to distance himself from Iran. In addition to easing sanctions, they believe he would want assurances that the U.S. would scale back its criticism of Russia's military operations in Ukraine and stall further expansion of North Atlantic Treaty Organization membership for countries near the Russian border.

Montenegro is scheduled to join NATO this year. The U.S. Senate still needs to vote to approve the bid.

In a report released Friday, the Institute for the Study of War, a Washington think tank, cautioned that even if Moscow were to distance itself from Tehran, it wouldn't contain the enormous influence that Iran wields over Syria's economic, military, and political institutions. "Any U.S. effort to subvert Iran's posture in Syria through Russia will undoubtedly end in failure," the assessment said.

Russia delivered its S-300 antimissile system to Iran after Tehran, the U.S. and five other world powers implemented a landmark nuclear agreement a year ago. The Kremlin since has talked of further expanding its military and nuclear cooperation with Tehran.

Mr. Trump, though, campaigned on improving relations with Moscow, a theme that Mr. Putin has publicly embraced. Mr. Trump has suggested he could ease sanctions on Russia if the Kremlin took serious steps to cooperate in fighting Islamic State in Syria and Iraq and addressing other national security threats to the U.S.

Mr. Trump and his advisers have made clear since assuming office that constraining Iran would be among their top priorities. They have also privately acknowledged there is no certainty the Kremlin will cooperate.

Last week, the administration declared Iran "on notice" and the U.S. Treasury Department imposed sanctions on 25 Iran-linked individuals and entities for their alleged roles in aiding Iran's ballistic missile program and terrorist activities. The Pentagon also dispatched a naval destroyer, the USS Cole, last week to police the waters around Yemen.

The Trump administration's show of force has raised concerns that the U.S. and Iran could stumble into a military conflict. But officials close to the Trump administration said they believed the White House could gain the respect of the Kremlin if it showed a commitment to enforcing its warnings to other governments.

"Iran has a continuing operation throughout the region…that is not sustainable, not acceptable, and violates norms and creates instability," a senior U.S. official said on Friday. "Iran has to determine its response to our actions. Iran has a choice to make."

THE DAILY BEAST

U.S. Preps for Infowar on Russia

Tim Mak

While President Trump is still defending Vladimir Putin in public, American policymakers have finally awoken to Russian intervention in

the U.S. democratic process—and are pumping tens of millions into a counter-propaganda initiative.

President Trump may be continuing his public pursuit for Vladimir Putin's affections. But behind the scenes, the United States is quietly preparing to wage an information war against Russia.

The 2016 presidential campaign alerted the public to the concept of information as a weapon—and to its incredible effectiveness when used just right. From WikiLeaks to RT to Sputnik, the Russian government tried to sow discord among Americans, according to a recent U.S. intelligence report. To some extent it succeeded, by facilitating public skepticism of American institutions and the press—and undermining Hillary Clinton's campaign.

"Russia is trying to create civic chaos, questions about what is reliable, and mistrust about institutions," said Karl Altau, director of the Joint Baltic American National Committee, which advocates against Russian misinformation. "It's a national threat. This is something responsible citizens need to be aware of."

Russian intervention in the U.S. democratic process caught many American policymakers dozing at the wheel, observers say. But the dramatic nature of the intelligence community's findings, both before and after Trump's election, has woken them up.

"This was not paid much attention to until the Hillary Clinton [presidential campaign was upended by hacked and leaked emails] last summer," said Donald Jensen, a senior fellow at the Center for European Policy Analysis, a leading think-tank on Russian information warfare. "If you went around town last spring and asked senators and lawmakers if this is a problem, they would have said 'no'… People are playing catch-up."

Without fanfare, the catch-up is slowly beginning. The United States government is spending tens of millions of dollars to counter propaganda from Vladimir Putin and other state actors, a move slipped into the thousands of pages of the annual defense policy bill passed by Congress.

The great uncertainty of the new counter-propaganda initiative lies in how it will take shape under the Trump administration and whether the administration will use propaganda tools wisely and for the intended purposes of the law. Trump's public coziness with Putin puts that in question. And the new measure raises yet another question: Is giving the president another propaganda tool a good idea?

Typically, when Congress directs a response against America's enemies, it takes the form of sanctions—a targeted squeeze on an adversary's economic health. Countering propaganda and information warfare is more abstract and complex, and often goes under the radar.

But a bipartisan initiative led by Republican Sen. Rob Portman and Democratic Sen. Chris Murphy has authorized $160 million over two years to fight propaganda state actors through a little-known interagency office housed at the State Department called the Global Engagement Center (GEC).

Bipartisan Russian sanctions legislation, proposed last month by Sens. Ben Cardin and John McCain, would expand it even further, dedicating another $100 million for the GEC and others to support objective Russian-language journalism, counter "fake news," and support research on the effects of information warfare.

The interagency office, when it enters operation later this year, will mark the first centralized counter-propaganda pushback against the Russians since the 1990s, when the Cold War seemingly left such counter-propaganda obsolete.

The GEC will track foreign propaganda campaigns, analyze the tactics, and counter them through a series of grants to overseas journalists, civil society organizations, and private companies.

"By directly countering false narratives and empowering local media and civil societies to defend themselves from foreign manipulation, this legislation will help support our allies and interests in this increasingly unstable world," Portman told The Daily Beast.

The grants would go to independent organizations—for example, websites like Bellingcat and StopFake.org—which provide access to truthful information and counter false Russian narratives in Ukraine.

"We cannot respond to state propaganda with more state propaganda. The proper response is to use the main advantage that Western societies still have over authoritarian regimes: a really robust, pluralistic civil society," explained Alina Polyakova, who is the Atlantic Council's Eurasia Center deputy director and was an early supporter the GEC legislation.

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The Global Engagement Center was initially created under the Obama administration to fight ISIS propaganda, but the Portman-Murphy measure expanded its scope to target propaganda from state actors, with Russia in mind as a primary antagonist. The measure also upped their funding 16-fold. The GEC originally had just $5 million a year for operations, according to Murphy's office.

However, information warfare remains a battlefield where the Russians are far more advanced. The concept is a formal idea in Russian declarations of their military doctrine, released publicly in 2013. And Putin puts his money where his mouth is: Polyakova estimated that Russia spends, at a bare minimum, $400 million annually on information warfare in the United States.

"Russia has a well-thought out, complex information strategy that seeks to influence narratives and politics and policy in Western countries… unrivaled in the scope and complexity and maliciousness," she said.

Unlike the Cold War, Putin doesn't need to promote Soviet-style communism: He merely has to undermine America's democracy.

"Russia doesn't have to sell an ideology, it just needs to exploit divisions in the West and the West's uncertainty about its own values and what is true and what isn't," Jensen said. "There's a complacency in the West… about the danger this poses."

The United States, on the other hand, moved away from much of the anti-Russian information warfare game with the closure of the U.S. Information Agency in 1999. The resources dedicated to counter-propaganda in recent years have been focused on countering jihadi propaganda, rather than Russian—and many of these have been shown to be of dubious effectiveness.

The Center for Global Engagement, in the Obama administration's original conception, focused on targeting would-be extremists with anti-ISIS messaging. But ISIS has had an advantage over the West's campaign to defeat it: The United States and its allies have not been able to agree on anti-ISIS messaging.

One anti-ISIS messaging effort, which used video of the terrorist group's savagery—crucified bodies and severed heads among them—was criticized by some experts as embarrassing and possibly even beneficial to the enemy.

And the initiatives have seemed stale, despite the efforts of Hollywood's most talented creative minds. American officials have previously concluded that ISIS is more effective in spreading its message than the U.S. is in countering it.

Other American information warfare efforts, such as spending $24 million to fly a plane around Cuba, beaming U.S.-sponsored television programming that the Cuban government immediately jams, have been ill-conceived or poorly executed.

Around the turn of the decade, the United States began trying to create internet access and social networking tools in order to empower dissidents and democracy activists, including ones in Russia. These efforts on social media networks like Twitter and Facebook backfired, as Putin viewed these tools as U.S.-backed efforts to overthrow him—and now uses these same networks to spread fake or pro-Russian news.

Still, Russia's aggressiveness and effectiveness on this front, combined with American flat-footedness, have started to attract the attention of America's intelligence community. In one of his final hearings on Capitol Hill, outgoing Director of National Intelligence James Clapper proposed that the United States reestablish an U.S. Information Agency to counter misinformation.

It's an idea that has energized lawmakers from both sides of the aisle. Both Democratic Sen. Chris Coons and Republican Sen. Todd Young spoke about countering Russian propaganda at the confirmation hearing for Secretary of State Rex Tillerson.

"Our enemies are using foreign propaganda and disinformation against us and our allies, and so far the U.S. government has been asleep at the wheel. We have to delegitimize false narratives coming out of Russia, China and other nations and increase access to factual information," Portman told The Daily Beast. "We need to get the law implemented and the new center up and running so it can help confront the extensive, and destabilizing, foreign propaganda and disinformation operations being waged against us by our enemies overseas."

If anything, Trump knows the powers of using new mediums, such as social media, for counter-messaging—with widespread effects. As presidential pal and notorious conspiracy theorist Alex

Jones might say, there's a war on for your mind.

Jim Mattis Seeks to Soothe Tensions in Japan and South Korea

Michael R. Gordon and Choe Sang-Hun

The task was all the more challenging given the administration's mixed signals on foreign policy and Mr. Mattis's testimony to Congress that he was reluctant to repeat the Obama administration's language about "rebalancing" or pivoting to Asia, because it implied that the United States was turning away from its defense obligations elsewhere.

South Korea, which remains technically at war with the nuclear-armed North Korea, cherishes its strong alliance with the United States. But in a nation still scarred by the Korean War, many are concerned that a hawkish American administration might escalate tensions with the North. They fear that could disrupt their export-driven economy and even lead to an armed conflict with the North under its unpredictable young leader, Kim Jong-un.

During his two-day visit to Seoul, which was his first stop, Mr. Mattis pushed to deploy an antimissile system known as Thaad, short for Terminal High Altitude Area Defense, which would be used to intercept North Korea's medium-range missiles. In a stark warning to Pyongyang, he said that any use of nuclear weapons by North Korea would be met with an "overwhelming" response.

But Mr. Mattis also sought to remind South Koreans of the United States' past sacrifices for their country and its commitment to their defense.

During a meeting with his South Korean counterpart, Defense Minister Han Min-koo, Mr. Mattis recalled how he had come to South Korea for training in the 1970s when he was a young Marine lieutenant based in Okinawa, Japan. He fondly remembered a Sergeant Chung, a South Korean marine who shared some kimchi with him. He also noted that he had commanded the First Marine Division, which had fought in 1950 in the Chosin Reservoir battle of the Korean War.

Such comments clearly resonated with Mr. Han and top Defense Ministry officials, all of whom are retired or serving military officers and who have had close interactions with American troops. Mr. Mattis is a retired four-star general.

"'Mad Dog' Mattis in South Korea was unexpectedly soft," read a headline in OhMyNews, a widely read online newspaper. It observed that Mr. Mattis, despite his nickname, was considered the most prudent among Trump administration officials when it came to military action because he had seen what war was like.

In Japan, Mr. Mattis sought to carry out a similar balancing act. During the campaign, Mr. Trump threatened to walk away from the mutual defense pact unless the Japanese did more to reimburse the United States more for defending their territory.

But speaking at a joint news conference with his Japanese counterpart on Saturday, Mr. Mattis said that the United States stood by the pact, reiterating that the American defense commitment extended to disputed islands in the East China Sea, known in Japan as the Senkaku and in China as the Diaoyu. Mr. Mattis also described Japan as "a model of cost sharing" and praised the administration of Prime Minister Shinzo Abe for increasing spending on the military.

Strikingly, Mr. Mattis expressed caution about using military force. In contrast, Rex W. Tillerson, Mr. Trump's new secretary of state, suggested during his confirmation hearing that the United States should be prepared to block China's access to the islands that it has claimed in the South China Sea and built up with airfields, ports and weapons.

"We're going to have to send China a clear signal that first, the island-building stops, and second, your access to those islands is also not going to be allowed," Mr. Tillerson told the Senate Foreign Relations Committee last month.

Mr. Mattis has long argued that diplomacy should be backed up by military might, but that force should not be the first recourse. In the case of the South China Sea, he said, it is the diplomats who should be carrying the ball.

"There is no need right now at this time for military maneuvers or something like that," said Mr. Mattis, who described the dispute as "something that's best solved by the diplomats."

With the Trump administration in flux, and the potential for surprises from North Korea and China, it seems likely that there will be fresh challenges. But for now, Mr. Mattis appears to have succeeded in his reassurance mission in Seoul and Tokyo.

"Words matter enormously over there," said Michael O'Hanlon, a military expert at the Brookings Institution. "Not only did Mattis say all the right things on issues ranging from Thaad to the Senkaku/Diaoyu to the strength of alliances to the need for a firm but steady and nondramatic U.S. approach to the South China Sea, he also went with a listening ear and little bravado. Things are definitely better, at least for the moment."

Mexico Teeters Between Its Recent U.S. Friendship and 170 Years of Hostility (UNE)

David Luhnow and Jacob M. Schlesinger

Feb. 5, 2017 2:55 p.m. ET

Mexico had a closed and struggling economy in the mid-1980s, with little American investment, and most Mexicans viewed the U.S. as their historic enemy. After Mexican drug lords tortured and murdered a U.S. Drug Enforcement Administration agent, President Ronald Reagan temporarily closed the border.

Much has changed in the ensuing 30 years. Under the North American Free Trade Agreement, the two countries trade half a trillion dollars worth of goods and services each year. There is cooperation on security, migration and the environment. Wal-Mart Stores Inc. has become Mexico's largest private-sector employer. Americans couldn't make enough Super Bowl guacamole without Mexican avocados.

President Donald Trump's vows to move quickly to renegotiate the Nafta accord, build a wall along the border and crack down on immigration are testing those bonds. He has said the alliance fostered by his four predecessors, two Republicans and two Democrats, has undermined America's economy by encouraging U.S. manufacturers to relocate jobs south of the border, and its security by what he calls lax enforcement of immigration restrictions.

The U.S. trade deficit with Mexico, he notes, has increased. Mexico "has outnegotiated us and beat us to a pulp through our past leaders," he said on Jan. 27. "They've made us look foolish." On Thursday, he told U.S. lawmakers he is aiming to "kick-start" the Nafta renegotiation process.

The escalating tension has called into question whether the friendliness of the past three decades will endure, or whether the two neighbors will revert to the hostility common during the first 170 years of U.S.-Mexican relations. Much will depend on whether early signs of a working relationship between lower-level officials will overcome President Trump's propensity to rile the Mexican government.

The confrontation is sparking a nationalist backlash in Mexico not seen in years. Mr. Trump's insistence that Mexico pay for the proposed wall—a demand seen as an insult in Mexico—prompted the normally mild-mannered Mexican President Enrique Peña Nieto leader to call off a planned visit to Washington. "This is not a negotiating strategy," Foreign Minister Luis Videgaray told a Mexican broadcaster. "This is a limit we are not going to cross because it's about Mexican dignity."

A recently trending Twitter hashtag was #Fuera Starbucks, or Starbucks Out, referring to the American coffee chain that has opened hundreds of shops across Mexico. The flare-up is stoking support for populist leftist Andrés Manuel López Obrador, an early front-runner in next year's presidential election, who has branded Mr. Trump's actions "foreign aggression" and declared "the fatherland is first." A recent poll showed 59% of Mexicans think relations with the U.S. are bad or very bad, compared with 13% two years ago.

Mr. Trump's approach to Mexico is an early test for his foreign policy—

one that gives primacy to trade and promises to rethink longstanding alliances and assumptions. How the confrontation with Mexico plays out could affect how the Trump presidency takes on other challenges overseas, especially in trying to redress a trade imbalance with China.

"Trump inherited an inbox of foreign policy problems that could be described as daunting," said Richard Haass, president of the Council on Foreign Relations who formerly worked in George W. Bush's State Department. "What he has done with Mexico and China is add to that inbox."

Mr. Trump formally announced his plan to go ahead with the border wall on the same day that high-ranking Mexican officials arrived in Washington for talks on how to proceed with the bilateral agenda. The timing was seen in Mexico as a diplomatic slap in the face.

Nevertheless, Foreign Minister Videgaray and Economy Minister Ildefonso Guajardo met with senior White House officials over two days, including Mr. Trump's son-in-law, Jared Kushner and top aide Steve Bannon. "The meetings were going well until Trump's tweet," said a high-ranking Mexican official in reference to Mr. Trump's suggestion that the Mexican president cancel his U.S. visit if his country wasn't prepared to pay for the wall.

A White House official said, "President Trump and his team continue to have productive meetings on a wide range of issues with officials from Mexico."

Aides to both leaders set up another phone call for that Friday to smooth things over. Both sides agreed not to discuss the issue of payment for the wall publicly. Mr. Trump was quoted as saying Mexico wasn't doing a good job tackling drug gangs, whom he called "bad hombres," angering many in a nation that has lost hundreds fighting cartels.

Mr. Trump says his tough stance on trade, immigration and the border wall will help, not hurt, ties between the two countries. "By working together on positive trade, safe borders and economic cooperation, I truly believe we can enhance the relation between our two nations to a degree not seen before in a very, very long time," he said when announcing his actions. "I think our relationship with Mexico is going to get better."

Michael C. Camúñez, chief executive of Washington consulting firm ManattJones Global Strategies and a former U.S. assistant Commerce secretary in the Obama administration, said that "despite the rhetoric, there's actually a plausible scenario in which the U.S.-Mexico relationship could ironically emerge even stronger, commercially speaking, under a Trump administration because of the political willingness to actually get to the table and strengthen and improve the Nafta agreement."

Mexican sensitivities about American slights are studded throughout the history of the bilateral relationship. The seminal event in Mexican history is the 1846-48 Mexican-American War that led the U.S. to take more than half of Mexico's land. Mexico's late 19th and early 20th century dictator Porfirio Díaz famously said: "Poor Mexico, so far from God and so close to the United States."

Behind-the-scenes maneuvering by an American ambassador helped lead to the 1913 assassination of Mexico's first democratically elected leader. That event intensified the Mexican revolution, when some 700,000 died. Democracy didn't return for nearly 90 years.

Yet Mexico never fully turned against its northern neighbor. It rebuffed a German attempt to enlist Mexico against the U.S. in World War I in exchange for the return of Mexico's old lands. In World War II, Mexico declared war on Axis powers and sent a fighter squadron to the Pacific to fight the Japanese.

After the war, Mexico closed off its economy to the outside world. "Made in Mexico" became paramount. Mexico stayed on the sidelines of the Cold War. Mexican schoolchildren grew up reading textbooks that highlighted the historic danger the U.S. posed to their country.

By the early 1980s, an inward-focused economy had run its course. Periodic financial crises rocked the country, threatening its stability, and millions of Mexicans headed to "El Norte"—one of the biggest waves of human migration in recorded history. Mexico's government began slowly opening the economy.

In 1988, then-President Carlos Salinas, who had been educated at Harvard, decided to advance the free-market opening by seeking strategic partnerships with more advanced economies. He has said the indifference he encountered on trips to Japan and Europe made him realize that Mexico's future was with the U.S.

He told his countrymen they had to change the way they thought of the U.S.: It wasn't their greatest threat, he said, but their greatest opportunity.

American leaders responded quickly and enthusiastically. "We wanted a stable neighbor," says Carla Hills, who launched the Nafta negotiations as President George H.W. Bush's trade representative. She compares it to the Marshall Plan, calling it an "activity of self-enlightenment" for the U.S. to create a less troublesome state on its border.

Mexico signed more free-trade deals than any country in the world. Nafta and trade helped stabilize its economy following the 1994-95 peso collapse and eventually helped pull millions out of poverty. The pact forced Mexico to embrace investment rules and protections demanded by Western companies, opening its economy to a flood of foreign direct investment. Mexico also became a full democracy after Nafta began.

The Nafta era largely erased anti-Americanism, one of the foundations of the nationalist PRI regime which ruled from 1929 until 2000, and returned in 2012 under Mr. Peña Nieto.

"Nafta has created a mentality in younger Mexicans that the gringos are not our enemies," says Armando Santacruz, 55, president of a Mexican company that distributes chemicals throughout Latin America. "Every day, Mexicans had less of a chip on their shoulder. It was all: Let's get down and do business, Mexicans and gringos."

In a 2015 survey of attitudes around the world toward the U.S., the Pew Research Center found one of the biggest generation gaps in Mexico: 74% of Mexicans between the ages of 18 and 29 had a favorable view of the U.S., compared with 55% among those age 50 or older.

Over the past decade, U.S. law enforcement and military authorities have helped train their Mexican counterparts to fight drugs and organized crime—a once-unthinkable collaboration given historical sensitivities. U.S. military and intelligence agencies share information with Mexican counterparts to fight drug trafficking and terrorism. In 2016, Mexico deported close to 150,000 non-Mexican immigrants headed to the U.S.

Despite those ties, U.S.-Mexico relations have been a sensitive subject for some Americans suspicious of the impact of Mexican exports and immigrants on the U.S. economy and on their communities, even as the number of illegal immigrants crossing the border has dropped in recent years. From the start of his presidential campaign, Mr. Trump made a point of speaking to those voters' concerns in blunt terms.

Even Nafta advocates acknowledge job loss from the pact. In a 2014 report, the Peterson Institute for International Economics put the annual net U.S. job loss from trade with Mexico at 15,000, while also citing research arguing that the offsetting benefit to the U.S. economy was several hundred thousand dollars for each lost job.

Some Mexicans view Mr. Trump as a blip in the increasing integration of North America. Cross-border supply chains in industries such as autos will make unwinding commercial ties costly and complicated. Some 4.9 million U.S. jobs are linked to exports to Mexico, the U.S.'s second-biggest export market, according to a recent estimate by the Wilson Center, a nonpartisan think tank in Washington. There are more than 160 million Mexicans and Mexican-Americans in North America.

Just as Mexico was beginning to view itself more as North American than Latin American, it feels to many in Mexico as if the U.S. wants to kick it out of the neighborhood. Mr. Trump's emphasis on building a wall—a fence already exists along much of the border—sends a pointed message to Mexicans, says Lorenzo Meyer, a leading Mexican historian.

"The idea, which had been accepted in Mexico, that we were a part of—a poor part of, but part of—North America has been destroyed," says Mr. Meyer. "Trump is saying, we have changed the definition of who belongs in North America, and it's just us and Canada."

—José de Córdoba contributed to this article.

The New York Times

Editorial : The Finger on the Nuclear Button

Scientists who study the risk of nuclear war recently moved the hands of the symbolic Doomsday Clock to 2½ minutes before midnight — meaning they believe that the world is closer to nuclear catastrophe than it has been since

1953 after the United States and Soviet Union tested hydrogen bombs. The Bulletin of the Atomic Scientists, which created the clock in 1947, says that President Trump is the main reason for this worrisome development.

Mr. Trump came to office with little knowledge of the vast nuclear arsenal and the missiles, bombers and submarines it contains. He has spoken, alarmingly, about deploying this weaponry against terrorists and about expanding America's nuclear capabilities. He has said he values unpredictability, meaning presumably that he wants to keep other nations on edge about whether he will use nuclear weapons.

"Let it be an arms race," he told a television interviewer in December. During a debate three months earlier he contradicted himself, saying that "I would certainly not do first strike," then adding, "I can't take anything off the table." What's worrisome about all this is that it is the opposite of what Republican and Democratic presidents have long sought, which is to ensure that these weapons are not used precipitously if at all.

It is the fear of such precipitous action that has led Senator Edward Markey of Massachusetts and Representative Ted Lieu of California, both Democrats, to propose legislation to prohibit any president from launching a first-strike nuclear weapon without a declaration of war from Congress.

The bill would not undercut Mr. Trump's ability to respond on his own authority to a nuclear attack, an authority all presidents have had and should have. It has support from leading arms control advocates, including former Defense Secretary William Perry. And while it won't go anywhere in this Republican-led Congress, it sends a clear message to Mr. Trump that he should not be the first since World War II to use nuclear weapons. Mr. Trump could more usefully deploy his energies engaging with Russia to further reduce both countries' nuclear arsenals, maintaining the Iran nuclear deal and finding new ways to curb North Korea's nuclear program.

A Pentagon advisory board recently proposed that the United States consider building more lower-yield nuclear weapons to provide an option for "limited use" in a regional conflict. The only legitimate role for nuclear weapons is deterrence. The absurd notion of a "limited" nuclear war, which could make it easier for a president to use lower-yield weapons, needs to be rejected. The country has enough advanced conventional weapons to defend against most threats.

Mr. Trump commands about 4,000 weapons that he alone is empowered to launch. Any decision responding to an attack would have to be made quickly. That kind of life-or-death choice would test any leader, even those well-schooled in arcane nuclear doctrine, the intricacies of power politics and the importance of not letting tensions get to the point where a nuclear exchange becomes likely. But none of Mr. Trump's closest advisers are known to be nuclear experts, the president has yet to put together a nuclear strategy and, as the Bulletin's Science and Security Board warned last month, Mr. Trump "has shown a troubling propensity to discount or outright reject expert advice."

With Mr. Trump, sound decision-making may be an even greater challenge, given his disruptive, impulsive style. There is also the fact that he has assumed office at a particularly unstable time, with the Middle East in turmoil and Russia and China acting more aggressively. This is a time for restraint and careful deliberation, and for leaders who clearly understand that nuclear weapons are too dangerous to be brandished as a cudgel.

THE WALL STREET JOURNAL.

U.N. Chief Presses U.S. to Keep Up Its Support

Farnaz Fassihi

Feb. 5, 2017 7:59 p.m. ET

UNITED NATIONS—Secretary General António Guterres urged the U.S. not to scale back its support for the United Nations, saying that any move to defund or disengage from the world body would pave the way for other nations to fill in the void.

In an interview with The Wall Street Journal, Mr. Guterres said he hoped to send a message to President Donald Trump that "there is value" to the U.S. for its contributions to programs and operations such as peacekeeping, climate change and humanitarian relief. "We are engaging in a dialogue….I hope will lead to a confidence being built to allow the U.S. to be a strong and reliable partner to the U.N.," he said.

"Whenever there is space left by someone, another moves to occupy it," he added.

The U.S. contributes about $8 billion a year to the U.N. and is its top donor.

Mr. Guterres' comments followed indications by Mr. Trump that he was rethinking the U.S.'s commitment to the global body.

Mr. Trump, on his Twitter account, has called the U.N. a "club." A draft executive order prepared at the White House, meanwhile, calls for a 40% cut in U.S. funding of international organizations, including such programs as Unicef, which is focused on children, and U.N. peacekeeping. The Trump administration hasn't formally proposed the cuts and hasn't said whether the draft order is under serious consideration.

Mr. Guterres took charge of the U.N. on Jan. 1, after a polling process in which he consistently ranked first among his competitors for the job. Previously, he served as Portugal's prime minister and the head of U.N.'s refugee agency, where he gained a reputation as a vocal advocate for protecting and sheltering refugees.

In trying to convince Mr. Trump to maintain his support, he said, he intended to highlight that negotiations and deals are central to the U.N.'s success.

Mr. Guterres has made institutional reform the bedrock of his vision. In the interview, he said one of his goals was to streamline the U.N.'s development, human rights and peace and security endeavors so the three arms of the organization work as one entity.

"We want the U.S. administration to be active in supporting us in the reforms we want to implement," he said. "That support can be very important. And I presume that these will help for the U.S. to maintain its very strong financial support of the organization."

The U.S.'s new Ambassador to the U.N., Nikki Haley, has said that overhauling the organization, including getting rid of programs she called obsolete, is one of her top priorities. Mr. Guterres said her goals for greater efficiency weren't too far from his, adding that he believed that if the U.N. avoided overlap and improved accountability, "it will be much easier with this administration to have strong support for what we do."

Mr. Guterres said he has formed committees to start tackling thorny topics that have damaged the U.N.'s credibility, such as widespread reports of sexual violence by peacekeepers in Africa and better protection of whistleblowers who come forward with reports of financial corruption.

The structural reforms, in areas of management and staffing, will be harder to tackle, he said, because any change would have be approved by the member-state General Assembly.

Mr. Guterres's approach to diplomacy is hands-on. He is also known for having a high level of engagement with the Security Council.

"I intend to be a facilitator with the Security Council," he said, adding that he is hoping to build bridges among Council members to help break deadlocks on difficult issues, like the continuing conflict in Syria.

The Washington Post

Hayden : Trump's travel ban hurts American spies — and America

Michael V. Hayden, a principal at the Chertoff Group and visiting professor at George Mason University's Schar School of Policy and Government, was director of the National Security Agency from 1999 to 2005 and the Central Intelligence Agency from 2006 to 2009.

President Trump's executive order on immigration was ill-conceived, poorly implemented and ill-explained. To be fair, it would have been hard to explain since it was not the product of intelligence and security professionals demanding change, but rather policy, political and ideological personalities close to the president fulfilling a campaign promise to deal with a threat they had overhyped.

I've heard from a lot of intelligence professionals who are going to have to live with the consequences. They noted that six of the seven countries involved in the ban (Iran being somewhat an exception) are troubled, fragmented states where human sources are essential to defeating threats to the United States.

Paradoxically, they pointed out how the executive order breached faith with those very sources, many of whom they had promised to always protect with the full might of our

government and our people. Sources who had risked much, if not all, to keep Americans safe.

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I understood their angst. As CIA director, I reminded them at their case officer graduations that, when they recruited a source, they would likely be the only face of America that the source would see. And that in the act of recruitment they would assume a powerful and permanent moral responsibility for the well-being of the source and his or her loved ones.

(Jayne Orenstein,Dalton Bennett,Natalie Jennings/The Washington Post)

Families that had been affected by President Trump's ban on travel reunited in airports across the U.S. on Sunday. Families that had been affected by President Trump's ban on travel reunited in airports across the U.S. on Sunday. (Jayne Orenstein, Dalton Bennett, Natalie Jennings/The Washington Post)

The case officers believed that they were also empowered to offer the full faith and credit of the American nation for that task. Now, they told me, that promise was eroding.

Some will quibble that this, at least technically, is not really the case. That this is a temporary ban (maybe) and exceptions can be made (possibly). But as a former station chief told me, in the places where intelligence officers operate, rumor, whisper and conspiratorial chatter rule people's lives. It doesn't take paranoia to connect the action of the executive order with the hateful, anti-Islamic language of the campaign. In the Middle East, with its honor-based cultures, it's easier to recruit someone we have been shooting at than it is to recruit someone whose society has been insulted.

As the station chief reminded me, the fundamental posture of an intelligence service looking for sources is that "We welcome you, you have value. Our society respects you. More than your own." He feared that would no longer be the powerful American message it once was.

The simple idea of America didn't hurt either. The station chief said that one of the fundamentals of his business was selling the dream. The Soviets "had a hard time with that. We had it easy. A lot of intelligence targets — officials, military figures, African revolutionaries, tribal leaders — railed against our policies, our interventions, many things . . . but they loved America. It was the idea of the country as a special place. They didn't necessarily want to go there, but it was a place they kept in their minds where they would be welcome."

The station chief and I knew Mohammed Shahwani, an Iraqi and American hero. Shawani carried the Iraqi flag at the 1960 Rome Olympics and later became a war hero as a commander of a special forces unit in the war against Iran. His popularity grew to a point where Saddam Hussein viewed him as a threat and he had to flee for his life.

Shahwani settled in Leesburg, Va., from where the United States convinced him after the invasion of Iraq to return to set up and run Iraq's post-Hussein intelligence service. A Sunni, he established a nonsectarian service that was a trusted, professional partner to the CIA and U.S. forces. Not sectarian enough for Shiite Prime Minister Nouri al-Maliki, Shahwani was eventually sacked as U.S. influence waned.

Shahwani acted because he was an Iraqi patriot, but also because he was welcomed and sheltered by the United States, and believed he would be again.

Of course, today any members of Shahwani's family still in Iraq are forbidden to enter the United States.

My station chief asks, "How would you look him in the eye these days and promise him we'd take care of him and the men who follow him? What do you tell him to tell those men? We'll take care of them no matter what? That our president is shoulder to shoulder with them?"

Great questions, since we are at war in Iraq today and desperately need partners of Shahwani's character.

These effects will not pass quickly. These are not short-term, transactional societies. Insults rarely just fade away. Honor patiently waits to be satisfied. In the meantime, we will be left with the weak and the merely avaricious, agents who will cut a deal just for the money, the worst kind of sources.

To all the tough-guy ideological thinkers who created this, professional CIA case officers will do what they can to deal with the unnecessary burden you have given them.

But in the future you might want to consult them — before you rush proclamations out the door.

ETATS-UNIS

Editorial : What Bannon shares with ISIL leader

What does President Trump's chief strategist have in common with the leader of the Islamic State terror group? Both Steve Bannon and Abu Bakr al-Baghdadi share similar world views. Both harbor apocalyptic visions of a clash of civilizations between Islam and the West.

Bannon, the right-wing provocateur who used to run the *Breitbart* website, inveighed on radio in 2010 that "Islam is not a religion of peace; Islam is a religion of submission." Baghdadi echoed those sentiments five years later: "Islam was never for a day the religion of peace; Islam is the religion of war."

Each man spins a narrative for his followers of sprawling conflict between believers of Prophet Mohammed and followers of Jesus Christ. "There is a major war brewing, a war that's already global," Bannon warned an audience at the Vatican in 2014. A year later, Baghdadi said: "Oh Muslims ... this war is only against you and against your religion." Each man proselytizes for this vision of war. A decade ago, according to *The Washington Post*, Bannon outlined a movie proposal based on the fear that radical Muslims will overrun the U.S., turning it into the "Islamic States of America."

In reality, the West is not at war with the world's 1.7 billion Muslims, the vast majority of whom want nothing to do with ISIL's savagery. The West is at war with a warped, barbaric, nihilistic fringe that is a cancer within Islam. Many are not only at peace with Western culture but also are part of its fabric. The world's Muslims include 3.3 million who are Americans. Nearly 6,000 serve in the U.S. military. In the terror hot spots in the Middle East and South Asia where jihadist terror attacks are most frequent, Muslims bear the brunt of the suffering. The war on terrorism cannot be won without their help. As the two presidents before Trump emphasized, any discussion of a wider war with Islam plays straight into the hands of radical Islamist recruiters.

So, too, does Bannon's populist and nationalistic rhetoric, which seeks to upend the establishment and thrives on chaos. His views influenced the new president's dark and divisive "American carnage" inaugural address and helped shape the half-baked executive order banning refugees and travel from seven Muslinm-majority nations. More than 1,000 State Department careerists signed a letter of protest, saying the order sours relations with "much of the Muslim world."

A White House office could grant Bannon more practical means of turning his overwrought fears into reality. Trump's political adviser has been handed a permanent seat on the National Security Council, where he sits with a like-minded national security adviser, retired Army lieutenant general Michael Flynn. The two men are well-positioned to shape when and where the United States might take military action.

Might Bannon fly too close to the sun? Conceivably. On the security council, he'll face pushback from Defense Secretary James Mattis and Homeland Security Secretary John Kelly, two tough retired Marine Corps generals with little patience for dubious theories about clashing global religions.

Perhaps even more threatening to Bannon is all the attention he has been receiving lately; witness his face on the cover of *Time,* with an article carrying the headline, "Is Steve Bannon the second most powerful man in the world?" The ego-driven president might

forgive his advisers of any sin — except stealing the spotlight.

If Bannon cannot desist, President Trump's out-of-control vanity could become a welcome force for peace. To the modern ear, that might sound ironic, but Muslims and Christians have long been united in understanding that God works in mysterious ways.

Former top diplomats, tech giants blast immigration order as court showdown looms (UNE)

https://www.facebook.com/robert.barnes.3139

Fresh challenges to President Trump's court-frozen immigration order took shape Monday with two former secretaries of state claiming the White House was undermining national security and nearly 100 Silicon Valley tech companies arguing it will keep the best minds from coming to America.

The powerful new voices were added with another legal showdown coming as early as Monday. The suspension of the order, meanwhile, has allowed those previously banned more time to try to reach the United States.

A decision Sunday by the U.S. Court of Appeals for the 9th Circuit preserved a lower judge's order to temporarily halt the ban — and based on a schedule the court outlined, the stop will remain in place at least until sometime on Monday. The Justice Department said it would not elevate the dispute to the Supreme Court before that.

Trump responded to the development Sunday by writing on Twitter that he had "instructed Homeland Security to check people coming into our country VERY CAREFULLY." A Department of Homeland Security spokeswoman did not immediately return messages seeking comment on how, practically, that screening would be implemented.

[The order denying the Trump administration's request to restore the travel ban]

(Thomas Johnson/The Washington Post)

The Department of Homeland Security complied with a judge's orders, Feb. 4, and stopped enforcing President Trump's controversial travel ban. The Washington Post's Robert Barnes explains the next steps. The Department of Homeland Security complied with a judge's orders, Feb. 4, and stopped enforcing President Trump's controversial travel ban. (Thomas Johnson/The Washington Post)

"Just cannot believe a judge would put our country in such peril," Trump wrote. "If something happens blame him and court system. People pouring in. Bad!"

Trump further came to the defense of his stalled order Monday. In a tweet, Trump dismissed as "fake news" various polls showing solid opposition to the executive order. "Sorry," Trump wrote, "people want border security and extreme vetting."

The next few days will be telling for the future of the president's executive order. The states of Washington and Minnesota, which are challenging the ban, asked the appeals court in the wee hours of Monday to keep the ban suspended, and Justice Department lawyers have until 6 p.m. to respond. The court will then schedule a hearing or rule whether the ban should remain on hold.

Early Monday, two former secretaries of state — John F. Kerry and Madeline Albright — joined a six-page joint statement saying Trump's order "undermines" national security and will "endanger U.S. troops in the field." The rare declaration, addressed to the 9th Circuit, was also backed by top former national security officials including Leon Panetta, who served as a past CIA director and defense secretary during the Obama administration.

[Court document: Declaration of National Security Officials]

Hours earlier, a host of technology giants — including Apple, Facebook, Google, Microsoft, Netflix, Twitter, Uber — were part of a "friend of the court" legal brief by 97 companies opposing the Trump administration's immigration order.

The brief claimed the order was a "significant departure" from U.S. immigration polices and "makes it more difficult and expensive for U.S. companies to recruit, hire, and retain some of the world's best employees."

[Court document: Amicus brief by tech companies]

In the meantime, people who had been stranded in legal limbo rushed to fly back to the United States. Some successfully reunited with family members, while others — particularly those whose visas were physically taken or marked as invalid — ran into roadblocks trying to board planes overseas. At Dulles International Airport in Northern Virginia on Sunday, immigration lawyers could be heard on phones, arguing with airline representatives to let their passengers board as some seemed confused over the various court rulings and what they meant.

What lies ahead is likely to be a weeks-long battle that will be waged in courtrooms across the country over whether Trump's ban can pass legal muster. Federal courts in New York, California and elsewhere have blocked aspects of the ban from being implemented, although one federal judge in Massachusetts declared that he did not think that challengers had demonstrated that they had a high likelihood of success. The lawsuits now stretch from D.C. to Hawaii, and the number seems to grow regularly.

The Trump administration has been steadfast in its support of the executive order, which it says is necessary for national security, and the president himself tweeted repeatedly his disdain for the judge in Washington state who put a stop to it.

"The opinion of this so-called judge, which essentially takes law-enforcement away from our country, is ridiculous and will be overturned!" Trump wrote Saturday.

[Trump lashes out at 'so-called judge' who temporarily blocked entry ban]

Vice President Pence said Sunday on NBC's "Meet The Press" that White House officials felt that Trump was "operating within his authority as president, both under the constitution and under clear statutory law." Legal analysts have said that the president has broad authority to set immigration policy, although civil liberties advocates have countered that the order essentially amounts to a discriminatory ban on Muslims that has no real national security purpose.

"We're very confident that we're going to prevail," Pence said. "We'll accomplish the stay and will win the case on the merits. But again, the focus here is on the safety and security of the American people."

On Sunday morning television talk shows, some Republicans in Congress took issue with comments by the president, particularly his description of U.S. District Judge James L. Robart as a "so-called judge."

"I'll be honest, I don't understand language like that," Sen. Ben Sasse (R-Neb.) said. "We don't have so-called judges, we don't have so-called senators, we don't have so-called presidents. We have people from three different branches of government who take an oath to uphold and defend the Constitution … So, we don't have any so-called judges, we have real judges."

Senate Majority Leader Mitch McConnell (R-Ky.) said: "We all get disappointed from time to time at the outcome in courts on things that we care about. But I think it is best to avoid criticizing judges individually."

McConnell went on to offer a broader critique of Trump's executive order than he had previously: "We all want to try to keep terrorists out of the United States. But we can't shut down travel. We certainly don't want Muslim allies who have fought with us in countries overseas to not be able to travel to the United States. We need to be careful about this."

Several federal judges have ruled against the administration on its implementation of the ban, though the case now before the San Francisco-based 9th Circuit is perhaps the most significant one. It stems from a lawsuit brought by the states of Washington and Minnesota, which alleged that the immigration order was "separating families, harming thousands of the States' residents, damaging the States' economies, hurting State-based companies, and undermining both States' sovereign interest in remaining a welcoming place for immigrants and refugees."

Responding to those arguments, Robart temporarily halted the ban on Friday. Then, 9th Circuit Judges William C. Canby Jr., who was appointed by Jimmy Carter, and Michelle Taryn Friedland, who was appointed by Barack Obama, denied the Justice Department's request on Sunday to immediately restore it.

[Travelers from Iran board flights to the United States following stay, attorney says]

The Justice Department could have gone straight to the Supreme Court, but a Justice Department spokesman said it would not do so.

"With the fast briefing schedule the appeals court laid out, we do not plan to ask the Supreme Court for an immediate stay but instead let the appeals process play out," spokesman Peter Carr said.

Although the side that loses can request intervention from the nation's highest judicial body, it would take the votes of five justices to overturn the panel decision. The court has been shorthanded since the death of Justice Antonin Scalia nearly a year ago, and it is ideologically divided between four more liberal justices and four conservative-leaning ones.

Leon Fresco, the deputy assistant attorney general for the Office of Immigration Litigation in Obama's Justice Department, said he was "surprised that there is this exuberance to immediately rescind the executive order," particularly given the timing issues.

Trump's order, which barred all refugees as well as citizens of seven Muslim-majority countries from traveling to the United States, was temporary. Refugees were banned for 120 days. The others were barred for 90 days, except those from Syria, whose travel to the United States was blocked indefinitely. The order was purportedly designed to give the administration time to formulate a plan on how to vet people coming from countries that have terrorist activity.

"It is perplexing why the government wouldn't want to simply, at this point, maintain an orderly process in one court as opposed to fighting it out all across the country in different courts, and working its way to the Supreme Court," Fresco said. "Unless the goal is to have an outright travel ban forever, and we should take the president at his word that that's not the goal, then let's just have calmer heads prevail and conduct the security analysis that was going to be conducted during these 90 days."

Indeed, if Trump's ban were to be immediately reinstated, that might spark chaos similar to that which occurred when it was first rolled out on Jan. 27. To implement the order then, the State Department provisionally revoked tens of thousands of visas. When people began landing at U.S. airports, Customs and Border Protection officers detained more than 100 people and deported some, sparking protests and lawsuits across the country.

It was unclear Sunday whether U.S. officials had a plan in place to avoid a repeat of that scenario, though much would depend on what specifically was ordered by a court, and when. Spokesmen for the State Department and Customs and Border Protection declined to comment on the question.

In an interview with Bill O'Reilly of Fox News that aired Sunday afternoon, Trump insisted that the initial implementation of his order was "very smooth" and said — misleadingly — that "you had 109 people out of hundreds of thousands of travelers, and all we did was vet those people very, very carefully." That does not take into account the tens of thousands of people who could not travel because their visa was revoked, nor does it acknowledge those who were taken out of the country after their plane landed.

The Department of Homeland Security said Saturday that because of Robart's ruling, it was suspending enforcement of the executive order entirely, and the State Department restored the visas that had been provisionally revoked. Advocates encouraged travelers from the affected countries who qualified for entry to get on planes as soon as possible because of the unpredictable legal terrain.

Early Sunday, the Justice Department asked the appeals court to intervene, asserting that it was improper for a lower court to engage in "second-guessing" of the president's judgment on a national security matter.

"The injunction contravenes the constitutional separation of powers; harms the public by thwarting enforcement of an Executive Order issued by the nation's elected representative responsible for immigration matters and foreign affairs; and second-guesses the President's national security judgment about the quantum of risk posed by the admission of certain classes of aliens and the best means of minimizing that risk," acting solicitor general Noel Francisco wrote in a brief.

[The Justice Department's argument to restore the travel ban]

It is somewhat unusual for a district judge to issue an order that affects the entire country, but Robart, who was nominated by President George W. Bush and has been on the bench since 2004, said it was necessary to follow Congress's intention that "the immigration laws of the United States should be enforced vigorously and uniformly."

He was quoting from a 2015 appeals court ruling that had blocked Obama's executive action that would have made it easier for undocumented immigrants in this country to remain. It was never implemented because of legal challenges.

Fred Barbash, Darryl Fears, Mike DeBonis, Spencer S. Hsu, Aaron Blake, Fenit Nirappil and Mark Guarino contributed to this report.

POLITICO

Trump order's critics urge appeals court not to allow resumption of travel ban

By Josh Gerstein

Former top U.S. officials and some of the nation's largest tech firms also weighed in against Trump's order.

Three states, nearly 100 technology companies and a variety of immigrant rights advocacy groups are pleading with a federal appeals court not to allow President Donald Trump to reinstate his executive order sharply limiting travel to the U.S. by citizens of seven majority-Muslim countries.

The legal briefs piled up at the San Francisco-based 9th Circuit Court of Appeals late Sunday and in the wee hours of Monday morning as critics of Trump's travel ban fought a federal government request to lift an order a federal district court judge in Seattle issued Friday temporarily blocking most of the key aspects of Trump's controversial immigration-limiting anti-terrorism directive.

Story Continued Below

A three-judge 9th Circuit panel is expected to rule as soon as Monday evening on the Justice Department's stay request, teeing up a likely repeat of the same battle at the U.S. Supreme Court.

The states of Washington and Minnesota — the plaintiffs in the case that led to the broad block on Trump's order — argue in their appeals court filing that Trump's claims that the travel limits are needed to combat terrorism are a "sham" aimed at obscuring a deliberate attempt to discriminate against Muslims — a purpose the states say is evident from Trump's own comments on the issue.

"The Order's refugee provisions explicitly distinguish between members of religious faiths. President Trump has made clear that one purpose of the Order is to favor Christian refugees at the expense of Muslims," the states argue. "And the States have plausibly alleged that the countries chosen for the travel ban were chosen in part to disfavor Muslims ... Here, the sham of a secular purpose is exposed by both the language of the Order and Defendants' expressions of anti-Muslim intent."

While the Justice Department has contended that Trump's authority to restrict foreigners' entry into the U.S. is essentially unfettered and not properly subject to scrutiny by the courts, the states assert that the order was so poorly focused that judges are entitled to question whether it is actually a genuine effort to limit the threat of terrorism.

"For several months [the order] bans all travelers from the listed countries and all refugees, whether they be infants, schoolchildren, or grandparents. And though it cites the attacks of September 11, 2001, as a rationale, it imposes no restrictions on people from the countries whose nationals carried out those attacks," the states argue, calling the order "at once too narrow and too broad."

Ten former, high-ranking U.S. government officials also weighed in with the court against the Trump order early Monday, including former Secretaries of State John Kerry and Madeleine Albright, former Defense Secretary and CIA Director Leon Panetta and former National Security Adviser Susan Rice. The statement questioning the national security grounds for the executive order was signed mostly by appointees of President Barack Obama, but also won the endorsement of Michael Hayden, former CIA and National Security Agency Director under President George W. Bush.

"In our professional opinion, the Order was ill-conceived, poorly implemented and ill-explained," the group declared, arguing that the move will increase national security threats by bolstering U.S. enemies such as the Islamic State in Iraq and the Levant.

"It will aid ISIL's propaganda effort and serve its recruitment message

by feeding into the narrative that the United States is at war with Islam," the ex-officials argued. "Rebranding a proposal first advertised as a 'Muslim Ban' as 'Protecting the Nation from Foreign Terrorist Entry into the United States' does not disguise the Order's discriminatory intent, or make it necessary, effective, or faithful to America's Constitution, laws, or values."

Trump's order, issued Jan. 27, unleashed what the states and at least one federal judge has called "chaos" at the nation's international airports. The directive led to hundreds or thousands of travelers being delayed or detained for hours. Some travelers were denied entry to the U.S., coerced into signing forms abandoning their U.S. visas, and placed on flights out of the country. The order also sought to shut down all refugee entry for 120 days and indefinitely in the case of refugees from the ongoing civil war in Syria.

Since the broad order blocking Trump's directive was issued Friday night, U.S. customs officials stopped enforcing the new rules and instructed airlines that passengers from Iran, Iraq, Libya, Somalia, Sudan Syria and Yemen with previously issued visas could board U.S-bound flights.

Washington state and Minnesota officials also note in passing in their new brief that the Trump administration had already announced it was no longer applying the travel ban to permanent U.S. residents who are citizens of the seven countries targeted in the order. The states took a swipe at the federal government's confusing series of stances on that issue, pointing out that many so-called green card holders were impacted by the directive as it was implemented early on.

"After taking a dizzying number of positions, Defendants landed on the view that the travel ban 'does not apply to lawful permanent residents,'" the states note. "Nonetheless, the text of the Order remains unchanged, and the States' challenge to that [provision] is not moot."

A wide array of the nation's largest technology firms, including Apple, Ebay, Facebook, Google, Microsoft and Twitter, also weighed in against Trump's order. The companies' joint brief filed with the appeals court takes several carefully-aimed shots at the directive, arguing that it undercuts Trump's declared "America First" policy by encouraging U.S. businesses to move more of their operations abroad.

"The Order effects a sudden shift in the rules governing entry into the United States, and is inflicting substantial harm on U.S. companies. It hinders the ability of American companies to attract great talent; increases costs imposed on business; makes it more difficult for American firms to compete in the international marketplace; and gives global enterprises a new, significant incentive to build operations — and hire new employees — outside the United States," the firms contend.

Two tech firms absent from the brief, IBM and Tesla, have chief executives who serve on Trump's business advisory council.

The briefs pull few punches in attacking Trump's order, comparing it to odious episodes in American history such as the internment of Japanese Americans by the U.S. government on the order of President Franklin Roosevelt during World War II.

The states quote Justice Frank Murphy's dissent from the Supreme Court's 1944 ruling upholding Roosevelt's order: "Individuals must not be left impoverished of their constitutional rights on a plea of military necessity that has neither substance nor support."

A group affiliated with the plaintiff in that case, Fred Korematsu, goes even further by contending that the Trump administration's arguments against judicial scrutiny of the travel ban are rooted in racist legal precedents justifying the exclusion of Chinese immigrants from the U.S. more than a century ago.

The Korematsu Center bluntly warned that any decision blessing Trump's order would be regarded as a blot on the court's reputation by future generations just as the precedents upholding earlier actions against Chinese and Japanese are now widely deplored.

"History…has rejected judicial sanction of those actions. Not only do we dismiss those cases as wrongly decided, we condemn those courts for allowing racist views to go unchecked by the judiciary," the group argued. "History would look similarly at this case and this Court if it allows the Executive Order to evade review."

While the politically-charged accusations of racism are attention grabbing, the government's stay motion could be felled by a fairly pedestrian procedural issue. The states note that temporary restraining orders are not typically considered appealable and that parties are usually supposed to wait until a more durable court order known as a preliminary injunction is entered or turned down by the district court.

Many legal experts say the 9th Circuit panel could seize on that argument and its own court's prior precedents to turn down the stay request without wading into thorny legal questions about what limits exist on a president's authority to rein in immigration.

As the legal arguments were being drafted Sunday, Trump continued to use Twitter to wage an unprecedented public relations battle on behalf of his order and against judges standing in its way. One particular focus was U.S. District Court Judge James Robart, the Seattle-based George W. Bush appointee who issued the broadest halt on Trump's directive.

"The judge opens up our country to potential terrorists and others that do not have our best interests at heart. Bad people are very happy!" Trump wrote Sunday. "Just cannot believe a judge would put our country in such peril. If something happens blame him and court system. People pouring in. Bad!"

On Saturday, Trump appeared to question Robart's legitimacy, calling him a "so-called judge" and dismissing his decision as "ridiculous" and "terrible."

Obeidallah : Trump's most bone-chilling tweet

Dean Obeidallah, a former attorney, is the host of SiriusXM radio's daily program "The Dean Obeidallah Show" and a columnist for The Daily Beast. Follow him @deanofcomedy. The opinions expressed in this commentary are his.

*(CNN)*On Saturday morning, President Donald Trump may have unleashed his most bone-chilling tweet -- at least to those who believe the United States should not become a Trump-led dictatorship. And I don't make that comment simply to be provocative or without giving it a great deal of thought. Our democracy is far more fragile than some might grasp and Trump is engaging in a concerted effort to undermine the workings of it.

Here is Trump's truly jaw-dropping tweet

from Saturday morning: "The opinion of this so-called judge, which essentially takes law-enforcement away from our country, is ridiculous and will be overturned!"

Why is this so concerning? It's OK to argue about whether the judge should or shouldn't have issued this order. But Trump is apparently attempting to delegitimize our federal judiciary by calling

Judge James Robart,

a George W. Bush-appointed judge, a "so-called" judge while arguing that his decision is "ridiculous."

The President truly appears to be leading a master class in transforming the United States into a dictatorship. Trump -- and it's fair to assume it is by design -- has sought to undermine anyone or anything that tries to counter him.

First, Trump has made the media -- which is a watchdog of our presidents -- a focus of his attacks, calling them "dishonest," claiming they peddle "fake news" and even recently labeling them

"the opposition party."

The practical result is that when the media calls out Trump's lies and presents objective facts to counter him, his followers will likely dismiss the media reports and instead side with Trump.

Then Trump went after our intelligence agencies because he didn't agree with their views on Russia's involvement in our recent election. Trump

lashed out,

calling these agencies, charged with gathering information for our national security, "disgraceful" and accusing them of leaking information, comparing it to "something that Nazi Germany would have done."

And now Trump, who attacked a judge during his campaign, citing his Mexican heritage, has turned on our judiciary again. But this time it's far more disturbing given Trump is not a candidate, but president of the United States. The rationale must be assumed to be the same, namely that Trump wants to delegitimize the judiciary so that court decisions Trump disagrees with will be viewed by his followers as at the least horribly partisan, or at worst invalid.

It's frightening to think where this could lead. For example, when the United States Supreme Court ruled

in the historic case of Brown v. Board of Education that racial segregation in our public schools was unconstitutional, it took then-President Dwight Eisenhower to

implement that decision

.

Arkansas Gov. Orval Faubus had refused to follow the Court's decision and instead surrounded an all-white high school in his state with National Guard troops to prevent its integration. Eisenhower responded by federalizing the Arkansas National Guard to enforce the Supreme Court's seminal decision and allow black students to attend the school.

Would Trump do the same if he had passionately disagreed with the Court's decision or would he simply ignore it while attacking the legitimacy of our judiciary, sparking a constitutional crisis? And would certain Trump-supporting federal agency heads, or even federal officers, refuse to follow court orders (or at least do it very slowly) because Trump has convinced them the federal judiciary's decisions cannot be trusted?

There's no doubt Trump supporters are very loyal to him personally. Keep in mind that Trump infamously bragged that he could even

shoot a person

on Fifth Avenue in New York and his supporters would still be on his side. And according to a

CNN/ORC poll

, while Trump has only a 44% approval rating overall, 90% of Republicans think he's doing a good job.

The Founding Fathers enshrined a separation of powers in our Constitution so that there would be inherent checks and balances to avoid a situation where a president could become a king. After all, the Founders had just risked life and limb rebelling against the King of England.

Trump's concerted attacks to delegitimize our media, our intelligence community and now our federal judiciary would have no doubt alarmed them. And it should be terrifying to every American who truly believes in our Constitution and in the promise of America.

Bloomberg

O'Brien : Trump's Ethics Plan Is Even Worse Than You Thought

Timothy L. O'Brien

Just about a month ago, Donald Trump gave his first press conference since last summer to try to reassure voters, ethics watchdogs and political analysts concerned about financial conflicts of interest that might entangle and compromise his White House.

Like many Trump press events, it was a carnivalesque affair, featuring meandering attacks on the media and the intelligence community before finally offering an outline of how Trump would insulate his public policymaking from his own business dealings.

In short, Trump said he would extricate himself (and his daughter and political adviser Ivanka) from the Trump Organization by turning it over to his eldest sons, Donald Jr. and Eric, and keeping them under the watchful eyes of a pair of internal ethics and business monitors. Trump also promised to forward some profits from his hotels to the federal government to avoid violating constitutional restrictions against the president receiving gifts or money from foreign entities.

None of this amounted to Trump authentically distancing himself from his businesses. Nor was it in line with decades of presidential traditions informing how the commander in chief has avoided the substance and appearance of conflicts of interest (even though federal conflict-of-interest laws don't apply to the president).

Thanks to documents that ProPublica, a non-profit investigative journalism organization, first unearthed recently through a Freedom of Information Act request -- and which the New York Times subsequently reported on Friday -- we now know that Trump appears to have even less distance from his business interests than the window dressing of that press conference suggested.

According to the documents, Trump has established a trust, the Donald J. Trump Revocable Trust, that will house all of the president's assets tied to the licensing and development activities of the Trump Organization. But the trust's two managers are Donald Trump Jr. and Allen Weisselberg, a longtime Trump confidante who first worked for Trump's father, Fred, and who has been the Trump Organization's chief financial officer for years.

The documents note that President Trump is to receive "exclusive benefit" from any assets in the trust. In other words, he still could see profits from the Trump Organization flow directly into his wallet and he gets to keep those for himself. While Donald Trump Jr. and Weisselberg have legal authority over the assets in the trust, the president can revoke their authority at any time.

How much money might course through the Trump Organization and find its way to the president may never be discernable because Trump has resisted releasing his tax returns ever since he began his White House bid. Keeping those returns buried is also out of step with presidential tradition. While Trump's spokeswoman, Kellyanne Conway, has tried to minimize the significance of that lapse, Trump's refusal to do so continues to concern voters.

Trump's tax returns are significant -- they would offer the public a necessary window onto his business dealings, his philanthropic efforts, his overseas operations and the financial forces that will come to bear upon him in the White House. Yet Trump has latched on to a number of slender reasons for avoiding releasing them.

As long as Trump remains intimately tied to the Trump Organization's deals and profits, and for as long as he refuses to be transparent about his tax returns, virtually every action he takes as president will carry an odor of self-dealing.

Trump's recent executive order banning immigration from seven Muslim-majority countries has drawn various forms of criticism, while Trump has defended it as necessary to secure the nation's borders from terrorists. But as my Bloomberg News colleagues first noted, the list of banned countries didn't include Muslim-majority countries where Trump has pursued or completed deals.

Trump's team took its list of banned nations from an earlier Obama administration list of targeted countries, his supporters noted. It followed, they said, that Trump hadn't purposefully limited the scope of his list to countries where he didn't have financial interests.

On the other hand, his minions had been crafting the executive order since shortly after Election Day and they had plenty of time to broaden the roster of banned nations to include countries where Trump has operated -- if they had wanted to do that. Perhaps they didn't to avoid stepping on Trump's financial toes.

Either way, Trump and his team won't get the benefit of the doubt about their actions and choices at moments like these because they've opposed a clear and clean separation of Trump Tower deal-making from White House policy-making.

Such behavior appears to flow from the father down to his children. Ivanka, for example, has claimed that she would part ways with the Trump Organization and her own clothing and jewelry business by moving to Washington and taking a "leave of absence" from the companies. (She hasn't defined exactly what she means by "leave" other than to say that she's letting others run both enterprises for her.)

But as ProPublica reported last week, Ivanka has yet to make public any documentation demonstrating that she has formally left her and her family's businesses. Her husband, Jared Kushner, now has an influential role as a presidential advisor and is a potential conduit to his wife for confidential information about public policy decisions.

Ivanka has already begun making her Washington home into a salon of sorts. She may hope to revivify and update a largely vanished tradition established by society hostesses -- such as Katharine Graham, Pamela Harriman, Polly Kraft, Sally Quinn -- who helped give Washington life some texture and offered guests a safe harbor to discuss their differences.

But Ivanka, who was photographed last week attending a White House meeting with her father's economic advisory council, recently hosted a dinner party that included a number of prominent corporate executives. Doug McMillon, the chief executive officer of Wal-Mart, was among them, according to Politico. Ivanka's clothing line is sold in Wal-Mart stores, and Wal-Mart's operations will be subject to a number of decisions that the Trump White House makes, including such things as corporate tax rates and labor regulations.

All of Ivanka's overlapping interests are thus rendered murky. What's okay and what's not? What's traditional Washington hobnobbing and what's influence peddling or self-dealing? The Trumps make it hard for all of us to draw clear lines around some of these things because they don't draw clear lines themselves.

More likely than not, the Trumps' hesitation to do so stems from the simple reality that they aren't

serious about leaving their business dealings behind in the name of public service. Trump himself has historically been enamored of making money almost any way he can, and that behavior isn't likely to change now -– especially if he saw his presidential bid from the very beginning as a marketing effort that could ultimately fatten his wallet, and not really as a crusade to make America great again.

This column does not necessarily reflect the opinion of the editorial board or Bloomberg LP and its owners.

Trump and Staff Rethink Tactics After Stumbles (UNE)

Glenn Thrush and Maggie Haberman

"We are moving big and we are moving fast," Mr. Bannon said, when asked about the upheaval of the first two weeks. "We didn't come here to do small things."

But one thing has become apparent to both his allies and his opponents: When it comes to governing, speed does not always guarantee success.

The bungled rollout of his executive order barring immigrants from seven predominantly Muslim countries, a flurry of other miscues and embarrassments, and an approval rating lower than that of any comparable first-term president in the history of polling have Mr. Trump and his top staff rethinking an improvisational approach to governing that mirrors his chaotic presidential campaign, administration officials and Trump insiders said.

This account of the early days of the Trump White House is based on interviews with dozens of government officials, congressional aides, former staff members and other observers of the new administration, many of whom requested anonymity. At the center of the story, according to these sources, is a president determined to go big but increasingly frustrated by the efforts of his small team to contain the backlash.

"What are we going to do about this?" Mr. Trump pointedly asked an aide last week, a period of turmoil briefly interrupted by the successful rollout of his Supreme Court selection, Judge Neil M. Gorsuch.

Chris Ruddy, the chief executive of Newsmax Media and an old friend of the president's, said: "I think, in his mind, the success of this is going to be the poll numbers. If they continue to be weak or go lower, then somebody's going to have to bear some responsibility for that."

"I personally think that they're missing the big picture here," Mr. Ruddy said of Mr. Trump's staff. "Now he's so caught up, the administration is so caught up in turmoil, perceived chaos, that the Democrats smell blood, the protesters, the media smell blood."

One former staff member likened the aggressive approach of the first two weeks to D-Day, but said the president's team had stormed the beaches without any plan for a longer war.

Clashes among staff are common in the opening days of every administration, but they have seldom been so public and so pronounced this early. "This is a president who came to Washington vowing to shake up the establishment, and this is what it looks like. It's going to be a little sloppy, there are going to be conflicts," said Ari Fleischer, President George W. Bush's first press secretary.

All this is happening as Mr. Trump, a man of flexible ideology but fixed habits, adjusts to a new job, life and city.

Cloistered in the White House, he now has little access to his fans and supporters — an important source of feedback and validation — and feels increasingly pinched by the pressures of the job and the constant presence of protests, one of the reasons he was forced to scrap a planned trip to Milwaukee last week. For a sense of what is happening outside, he watches cable, both at night and during the day — too much in the eyes of some aides — often offering a bitter play-by-play of critics like CNN's Don Lemon.

Until the past few days, Mr. Trump was telling his friends and advisers that he believed the opening stages of his presidency were going well. "Did you hear that, this guy thinks it's been terrible!" Mr. Trump said mockingly to other aides when one dissenting view was voiced last week during a West Wing meeting.

But his opinion has begun to change with a relentless parade of bad headlines.

Mr. Trump got away from the White House this weekend for the first time since his inauguration, spending it in Palm Beach, Fla., at his private club, Mar-a-Lago, posting Twitter messages angrily — and in personal terms — about the federal judge who put a nationwide halt on the travel ban. Mr. Bannon and Reince Priebus, the two clashing power centers, traveled with him.

By then, the president, for whom chains of command and policy minutiae rarely meant much, was demanding that Mr. Priebus begin to put in effect a much more conventional White House protocol that had been taken for granted in previous administrations: From now on, Mr. Trump would be looped in on the drafting of executive orders much earlier in the process.

Another change will be a new set of checks on the previously unfettered power enjoyed by Mr. Bannon and the White House policy director, Stephen Miller, who oversees the implementation of the orders and who received the brunt of the internal and public criticism for the rollout of the travel ban.

Mr. Priebus has told Mr. Trump and Mr. Bannon that the administration needs to rethink its policy and communications operation in the wake of embarrassing revelations that key details of the orders were withheld from agencies, White House staff and Republican congressional leaders like Speaker Paul D. Ryan.

Mr. Priebus has also created a 10-point checklist for the release of any new initiatives that includes signoff from the communications department and the White House staff secretary, Robert Porter, according to several aides familiar with the process.

Mr. Priebus bristles at the perception that he occupies a diminished perch in the West Wing pecking order compared with previous chiefs. But for the moment, Mr. Bannon remains the president's dominant adviser, despite Mr. Trump's anger that he was not fully briefed on details of the executive order he signed giving his chief strategist a seat on the National Security Council, a greater source of frustration to the president than the fallout from the travel ban.

It is partly because he is seen as having a clear vision on policy. But it is also because others who had been expected to fill major roles have been less confident in asserting their power.

Jared Kushner, Mr. Trump's son-in-law, occupies a central role in the administration and has been present at most major decisions and photo ops, but he is a father of young children who has taken to life in Washington, and, along with his wife, Ivanka Trump, has already been spotted at events around town.

Mr. Bannon has rushed into the vacuum, telling allies that he and Mr. Miller have a brief window in which to push through their vision of Mr. Trump's economic nationalism.

Mr. Bannon, whose website, Breitbart, was a magnet for white nationalists and xenophobic speech, has also tried to reassure official Washington. He has been careful to build bridges with the Republican establishment, especially Mr. Ryan — whom he once described as "the enemy" and vowed to force out. He now talks regularly with Mr. Ryan to coordinate strategy or plot their planned overhaul of the tax code.

Before he was ousted in November as transition chief, Gov. Chris Christie of New Jersey, the Trump adviser with the most government experience, helped prepare a detailed staffing and implementation plan in line with the kickoff strategies of previous Republican presidents.

It was discarded — a senior Trump aide made a show of tossing it into a garbage can — for a strategy that prioritized the daily release of dramatic executive orders to put opponents on the defensive.

Mr. Christie, who agrees in principle with the broad strokes of Mr. Trump's immigration policy, says the president has been let down by his staff.

"The president deserves better than the rollout he got on the immigration executive order," Mr. Christie said. "The fact is that he's put forward a policy that, in my opinion, is significantly more effective than what he had proposed during the campaign, yet because of the botched implementation, they allowed his opponents to attack him by calling it a Muslim ban."

In the past few days, Mr. Trump's team has stressed its cohesion and the challenges of jump-starting an administration that few outside its group ever thought would exist.

"This team spent months in the foxhole together during the campaign," said Sean Spicer, the White House press secretary. "We moved into the White House as a

unified team committed to enacting the president's agenda."

As part of Mr. Trump's Oval Office renovation, he ordered that four hardback chairs be placed in a semicircle around his Resolute Desk now heaped, in Trump Tower fashion, with memos and newspapers. They are an emblem of Mr. Trump's in-your-face management style, but also a reminder that in the White House, the seats always outlast the people seated in them.

But finding enough skilled players to fill key slots has not been easy: Mr. Spicer is serving double duty as communications director, a key planning position, in addition to engaging in day-to-day combat with the news media. Mr. Trump, several aides said, is used to quarterbacking his own media strategy, and did not see the value of hiring an outsider.

An early plan was to give the communications job to Kellyanne Conway, his former campaign manager and top TV surrogate, but the demands of the job would have conflicted with Ms. Conway's other duties as a free-range adviser to Mr. Trump with Oval Office walk-in privileges, according to one aide.

Mr. Trump remains intensely focused on his brand, but the demands of the job mean he spends less time monitoring the news media — although he recently upgraded the flat-screen TV in his private dining room so he can watch the news while eating lunch.

He often has to wait until the end of the workday before grinding through news clips with Mr. Spicer, marking the ones he does not like with a big arrow in black Sharpie — though he almost always makes time to monitor Mr. Spicer's performance at the daily briefings, summoning him to offer praise or criticism, a West Wing aide said.

Visitors to the Oval Office say Mr. Trump is obsessed with the décor — it is both a totem of a victory that validates him as a serious person and an image-burnishing backdrop — so he has told his staff to schedule as many televised events in the room as possible.

To pass the time between meetings, Mr. Trump gives quick tours to visitors, highlighting little tweaks he has made after initially expecting he would have to pay for them himself.

Flanking his desk are portraits of Presidents Thomas Jefferson and Andrew Jackson. He will linger on the opulence of the newly hung golden drapes, which he told a recent visitor were once used by Franklin D. Roosevelt but in fact were patterned for Bill Clinton. For a man who sometimes has trouble concentrating on policy memos, Mr. Trump was delighted to page through a book that offered him 17 window covering options.

Ultimately, this is very much the White House that Mr. Trump wanted to build. But while the world reckons with the effect he is having on the presidency, he is adjusting to the effect of the presidency on him. He is now a public employee. And the only boss Mr. Trump ever had in his life was his father, a hard-driving developer the president still treats with deep reverence.

With most of his belongings in New York, the only family picture on the shelf behind Mr. Trump's desk is a small black-and-white photograph of that boss, Frederick Christ Trump.

THE WALL STREET JOURNAL.

Trump Rips Judge on Ruling Against Immigration Order (UNE)

Devlin Barrett and Brent Kendall

Updated Feb. 6, 2017 5:33 a.m. ET

WASHINGTON—A federal appeals court, based in San Francisco, is set to rule as soon as this week on President Donald Trump's executive order on immigration in a decision that may have more influence—and last longer—than usual because of the longstanding vacant seat on the U.S. Supreme Court.

The Ninth U.S. Circuit Court of Appeals early Sunday morning denied a request from the Justice Department to immediately restore the executive order after U.S. District Judge James Robart, a federal judge in Seattle, late on Friday issued a restraining order against enforcement of the travel ban.

The ban suspended entry to the U.S. for visitors from seven predominantly Muslim countries for at least 90 days, saying such action was needed to keep terrorists from entering the U.S. The order also sought to freeze the entire U.S. refugee program for four months.

Over the weekend, Mr. Trump repeatedly criticized Judge Robart's ruling. "Just cannot believe a judge would put our country in such peril," he posted Sunday afternoon on Twitter. "If something happens blame him and court system. People pouring in. Bad!"

- Justice Department Asks Appeals Court to Restore Trump Immigration Order

The Justice Department filed papers seeking to reinstate an executive order by President Trump on immigration and refugees, arguing a federal judge overstepped his authority by ordering immigration agents to stop enforcing the order.

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- Donald Trump Appears to Draw Parallels Between U.S., Vladimir Putin's Russia

The president responded to a remark about Mr. Putin being a "killer" by saying: "We got a lot of killers—what, you think our country's so innocent?"

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- Judge Temporarily Halts Trump Order on Immigration, Refugees

A federal judge in Seattle temporarily blocked President Trump's executive order on immigration and refugees, a decision that applies nationwide.

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- Trump's First Weeks Leave Washington— and the White House Staff—Panting

This account shows that while President Donald Trump might try to impose more discipline among his staff, his own freewheeling style drives some of the turmoil.

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TRUMP'S FIRST 100 DAYS

The appeals court in its order early Sunday asked for further legal briefings on the issue, the last of them due Monday afternoon. The case was brought by the state of Washington and was joined by the state of Minnesota.

Lawyers for the two states told the court in a filing early Monday that restoring the travel ban would "unleash chaos again" and hurt residents, businesses and universities, according to the Associated Press. They also said the ban was unconstitutional.

The filing from Washington and Minnesota was accompanied by an amicus brief from a group of nearly 100 technology companies including Apple Inc. and Alphabet Inc's Google challenging the executive order.

The earliest the appeals court could reach a decision on whether to reinstate the ban during the ongoing court case would be late Monday.

Either side could appeal any action by the appeals court, asking the Supreme Court to intervene. But that may prolong the legal limbo, potentially for months.

Given the current 4-4 split on the Supreme Court between liberal-leaning and conservative-leaning justices, it is possible that the losing side at the Ninth Circuit won't be able to muster the support needed among the justices for high-court intervention. An emergency stay of the lower court ruling by the Supreme Court would require agreement from five justices. A Supreme Court tie vote would leave the Ninth Circuit decision in place.

The Ninth Circuit has long been regarded as perhaps the nation's most prominent left-leaning appeals court, though such leanings aren't necessarily predictive of how three-judge panels will rule on specific issues. A large majority of judges on the court have been appointed by Democratic presidents.

The vacancy on the high court remains open because Republicans declined to act on U.S. Circuit Judge Merrick Garland's nomination by former President Barack Obama to succeed the late Justice Antonin Scalia, saying they wanted to allow voters to weigh in on the court's direction by electing the next president.

The justices have found ways to come together in a range of cases, but even with Chief Justice John Roberts's push for consensus, the eight-member court has found itself at loggerheads in some ideologically divisive cases. And those tie votes have left some areas of the law unsettled, including in a major case last year involving Obama administration efforts to assist illegal immigrants.

It isn't yet clear if Mr. Trump's immigration order would produce those kinds of divisions, and lower court judges appointed by both liberal and conservative presidents have ruled against the administration so far. But if there

were gridlock at the high court, the ruling from the Ninth Circuit could be the final word on what legal rules are in place in the near term while a flurry of court challenges unfold.

Mr. Trump last week nominated Judge Neil Gorsuch as his nominee to fill the vacant seat, though his nomination process may become a prolonged fight given that some Democratic senators feel they were unfairly deprived of consideration for Judge Garland.

The eight current Supreme Court justices don't automatically split into ideological camps and broad agreement among them is possible. The previous immigration split, however, highlights potential court tensions. The justices deadlocked last June on the Obama administration's plan to defer deportations and allow work authorization for millions of illegal immigrants.

At some point months down the road, a nine-judge Supreme Court may decide to answer the overarching legal question of how much authority a president has to decide who does and doesn't enter the U.S.

Mr. Trump, meanwhile, ramped up his criticism Sunday of the legal wrangling over the ban, saying the courts should be blamed if there is a terrorist attack.

For now, immigration agents aren't enforcing Mr. Trump's Jan. 27 order. A small number of people from the targeted countries in the ban began to clear customs this weekend without incident, immigration attorneys said.

On Saturday, also on Twitter, Mr. Trump had referred to Judge Robart as "this so-called judge," an attack that made some Republicans uneasy. "I think it's best not to single out judges for criticism,'' Senate Majority Leader Mitch McConnell (R., Ky.) told CNN on Sunday.

Mr. Trump's comments this weekend aren't the first time he has publicly attacked a federal judge. During the presidential campaign, he criticized a judge overseeing civil fraud lawsuits against Trump University, claiming Judge Gonzalo Curiel had "an absolute conflict'' in presiding over the litigation because he was of Mexican heritage. The judge was born in the U.S.

After the election, Mr. Trump reached a $25 million settlement to end the litigation. He didn't admit wrongdoing.

Over the weekend, government lawyers filed court papers arguing that because the executive order was issued out of a concern for national security, it is wrong and potentially dangerous for a court to review such judgments.

"Judicial second-guessing of the president's national security determination in itself imposes substantial harm on the federal government and the nation at large,'' Justice Department lawyers wrote in legal papers defending the executive order.

Noah Purcell, a lawyer for the state of Washington, which had filed the suit, criticized that reasoning at Friday's court hearing.

"They're basically saying that you can't review anything about what the president does or says, as long as he says it's for national security reasons. And that just can't be the law.''

Mr. Trump's executive order, which suspended entry to the U.S. of visitors from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen, indefinitely barred Syrians from entering as refugees. It cut the number of refugees the U.S. will accept in fiscal 2017 to 50,000—less than half the number former President Barack Obama called for this year.

The order caused confusion and confrontations at major U.S. airports, as some travelers were detained for many hours or sent away, and protesters gathered to denounce the new rules.

Late Friday, Judge Robart issued the restraining order against enforcement of the travel ban. About 24 hours later, the Justice Department filed papers appealing that order.

Two appeals-court judges, both nominated by Democratic presidents, rejected a request to immediately stop the order, but made clear they plan to get more information before making a decision.

Judge Robart wrote that he was granting the order because the plaintiffs, which included the state of Washington, were likely to win on their constitutional claims.

Not halting the president's order would cause the plaintiffs "irreparable injury," wrote Judge Robart, who was appointed to the federal bench by President George W. Bush.

In response to Judge Robart's order, the U.S. Departments of State and Homeland Security said Saturday they had stopped enforcing Mr. Trump's executive order. If the appeals court rules for Mr. Trump's administration, they likely would resume enforcing it.

Mr. Trump's executive order already had been hit with dozens of lawsuits as individuals, civil-rights groups and state officials sought to strike it down on constitutional or other legal grounds.

The New York Times

Trump Clashes Early With Courts, Portending Years of Legal Battles (UNE)

Peter Baker

"Just cannot believe a judge would put our country in such peril," Mr. Trump wrote, a day after referring to the "so-called judge" in the case. "If something happens blame him and court system."

Even before the latest post, Republicans joined Democrats in chiding him. Senator Mitch McConnell of Kentucky, the majority leader, said it was "best not to single out judges."

"We all get disappointed from time to time," he said on CNN's "State of the Union." "I think it is best to avoid criticizing judges individually."

The White House offered no evidence for Mr. Trump's suggestion that potential terrorists would now pour over the border because of the judge's order. Since Sept. 11, 2001, no American has been killed in a terrorist attack on American soil by anyone who immigrated from any of the seven countries named in Mr. Trump's order.

The impassioned debate over the immigration order brought to the fore issues at the heart of the Trump presidency. A businessman with no experience in public office, Mr. Trump has shown in his administration's opening days that he favors an action-oriented approach with little regard for the two other branches of government. While Congress, controlled by Republicans, has deferred, the judiciary may emerge as the major obstacle for Mr. Trump.

Fact Check: Trump's Immigration Order

President Trump blocked travel from seven Muslim-majority countries, and cut refugee admissions by more than half. We checked the facts.

By DAVE HORN, MEG FELLING and DAPHNE RUSTOW on February 3, 2017. Photo by Al Drago/The New York Times. Watch in Times Video »

Democrats and some Republicans said Mr. Trump's attack on the courts would color the battle over the nomination of Judge Neil M. Gorsuch to the Supreme Court as well as the president's relationship with Congress.

Other presidents have clashed with the judiciary. The Supreme Court invalidated parts of Franklin D. Roosevelt's New Deal, forced Richard M. Nixon to turn over Watergate tapes and rejected Bill Clinton's bid to delay a sexual harassment lawsuit.

The last two presidents battled with courts repeatedly over the limits of their power. The judiciary ruled that George W. Bush overstepped his bounds in denying due process to terrorism suspects and that Barack Obama assumed power he did not have to allow millions of unauthorized immigrants to stay in the country.

Charles Fried, solicitor general under Ronald Reagan, said the ruling by a Federal District Court in Washington State blocking Mr. Trump's order resembled a ruling by a Texas district court stopping Mr. Obama from proceeding with his own immigration order.

But rarely, if ever, has a president this early in his tenure, and with such personal invective, battled the courts. Mr. Trump, Mr. Fried said, is turning everything into "a soap opera" with overheated attacks on the judge. "There are no lines for him," said Mr. Fried, who teaches at Harvard Law School and voted against Mr. Trump. "There is no notion of, this is inappropriate, this is indecent, this is unpresidential."

Other Republicans brushed off the attacks, noting that judges have lifetime tenure that protects them from criticism. But even some Republicans said Mr. Trump's order raised valid legal questions for the courts.

"If I were in the White House, I'd feel better about my position if the ban or moratorium or whatever you call it were based on an actual attack or threat," former Attorney General Alberto R. Gonzales, who served under Mr. Bush, said in an interview. Still, he said, when it

comes to noncitizens overseas, “the executive has enjoyed great deference from the courts.”

Judge James Robart, a Federal District Court judge in Seattle appointed by Mr. Bush, on Friday issued a nationwide suspension of Mr. Trump’s order while its legality was debated. The administration quickly asked the United States Court of Appeals for the Ninth Circuit to overrule the judge, but it refused early Sunday and instead ordered the government to file a brief on Monday. The quick briefing schedule indicated that the appeals court could issue a ruling on the merits of the president’s order within days.

In the meantime, refugees vetted by the government can proceed to the United States, as can any travelers with approved visas from the seven targeted nations: Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen.

Still, widespread confusion and anger were reported at overseas airports on Sunday. Unsure which orders to follow, airlines stopped even some of the people named in the lawsuits who were technically cleared to come to the country, according to a government official.

The assertion of broad latitude by the president in areas of national security resembles the struggles of the Bush years, when in the months after the Sept. 11 attacks the administration claimed sometimes sweeping power in the name of fighting terrorism.

Jack Goldsmith, who as head of the Justice Department’s Office of Legal Counsel under Mr. Bush argued that some of the initial orders went too far and forced them to be rolled back, said on Sunday that there were similarities. “But Bush’s legal directives were not as sloppy as Trump’s,” he said. “And Trump’s serial attacks on judges and the judiciary take us into new territory. The sloppiness and aggressiveness of the directives, combined with the attacks on judges, put extra pressure on judges to rule against Trump.”

This was not the first time Mr. Trump has castigated a judge who ruled against him. As a candidate last year, Mr. Trump asserted that Judge Gonzalo P. Curiel, who was presiding over a fraud lawsuit by former students of Trump University, had a conflict of interest because his family was of Mexican heritage and he therefore would be biased because of Mr. Trump’s promise to build a border wall.

Such comments from a sitting president, however, were unusual and triggered consternation in the legal community. Bartholomew J. Dalton, the president of the American College of Trial Lawyers, called Mr. Trump’s “insulting language” inappropriate.

“It is wrong for the chief executive of the executive branch to demean a member of the judiciary with such language,” Mr. Dalton said in a statement. “This undermines judicial independence, which is the backbone to our constitutional democracy.”

Senators of both parties appearing on Sunday talk shows concurred. “I’ll be honest, I don’t understand language like that,” Senator Ben Sasse, Republican of Nebraska, said on “This Week” on ABC. “We don’t have so-called judges. We don’t have so-called senators. We don’t have so-called presidents. We have people from three different branches of government who take an oath to uphold and defend the Constitution.”

“The president is not a dictator,” Senator Dianne Feinstein of California, the Judiciary Committee’s top Democrat, said on “Fox News Sunday.” “The framers of our Constitution wanted a strong Congress for the very reason that most of these kinds of things should be done within the scope of lawmaking. This is done within the scope of executive power.”

It fell to Mr. Pence to defend Mr. Trump. “Well, look, the president of the United States has every right to criticize the other two branches of government. And we have a long tradition of that in this country,” he said on “Meet the Press” on NBC.

“The judge’s actions in this case,” he added, “making decisions about American foreign policy and national security, it’s just very frustrating to the president, to our whole administration, to millions of Americans who want to see judges that will uphold the law and recognize the authority the president of the United States has under the Constitution to manage who comes into this country.”

Bloomberg

Wilkinson : Trump Inflicts Pain With Purpose

Francis Wilkinson

President Donald Trump’s chaotic first weeks have featured a recurring theme not generally associated with deliberate means and ends of U.S. government policy.

His sudden travel ban on seven Muslim-majority countries left grandmothers stranded incommunicado in American airports, unable to reach family members waiting to receive them. Other detained travelers were denied access to lawyers, as well as family. An infant girl, whose grandparents are American citizens, was prohibited from traveling to Oregon for treatment of a serious heart ailment until extraordinary pressure was applied by Oregon politicians.

It’s possible that these instances of seemingly pointless cruelty resulted merely from incompetence. From the sloppy travel ban, to his damaging and bizarre conversations with and about foreign leaders, to his attacks on the federal judiciary, Trump’s presidency has been consistent with his haphazard, improvised campaign. As my Bloomberg View colleague and Trump biographer Timothy O’Brien points out, Trump’s only experience running large organizations -- casinos -- ended in chaos and bankruptcy. He is not the business manager many Americans imagined.

But the travel ban exhibited something more than incompetence. When the hardships produced by the ban became apparent, broadcast by the hated news media and disseminated across social platforms, the Trump administration made no effort to mitigate them. More telling, it made little effort to *pretend* to mitigate them. The administration dissembled about the total number of travelers affected. But no government lawyers rushed out to Dulles International Airport in suburban Virginia to reassure anxious family members or the public.

The suffering of travelers was worthwhile *if* the ban saved just one life, said White House press secretary Sean Spicer. (An interesting standard not only because the ban, which manages to be both unsystematic and indiscriminate, appears to have little likelihood of improving security, but also because this administration will oversee some 30,000 American gun deaths this year -- almost certainly without policy intervention.)

As Conor Friedersdorf noted in a powerful September essay in the Atlantic, cruelty is one of Trump’s most consistent and fundamental character traits. During the campaign, Trump tweeted side-by-side photographs of Melania Trump and Heidi Cruz. Senator Ted Cruz’s wife had been caught in an awkward pose that makes normal people appear curiously ugly. Trump used the photos to demean her, taunt his rival and show off his own wife in the manner of a tribal chief parading the spoils of a village raid.

Given the traditional context and mores of American politics, it was natural to view this behavior as both personally disqualifying and politically self-defeating. Would American voters really want a president who was so viciously, pointlessly cruel?

Well, now we know.

We also know that Trump’s cruelty is not merely personal. It’s political. He uses it to signal to both followers and detractors that he’s having his way, and won’t be stopped. Like authoritarians in Europe and South America, he manufactures enemies not just to hate, but to hurt. Mexico, Muslims, immigrants, even American businesses that fail to genuflect at the appointed hour must pay a price.

To supporters, the pain he inflicts, randomly or otherwise, is a mark of authenticity. “He’s going to be a bully,” one Trump supporter told the New York Times, approvingly, last March. “He don’t care who he makes mad in the process.”

Whether the victims are immigrant families or longstanding alliances with pro-American democracies, Trump’s destruction is thrilling to some. “He is a bull in a china shop,” GOP strategist and Trump supporter John Feehery told the Hill. “But people knew that when they let him in the china shop. They wanted the china shop torn asunder.”

Trump’s chaotic personality and his chaotic politics are in sync, and the resulting wreckage is not always incidental. Often it’s the point. When his White House ideologist, Steve Bannon, spoke of destroying the state, Lenin-like, he specifically said he wants “to bring everything crashing down, and destroy all of today’s establishment.”

That is Trump’s promise. He is not just the champion of the denizens of “real America.” He is their avenger. Those aligned with Trump will enjoy his protection. All those outside the circle -- foreign or domestic -- have earned their pain.

In a campaign speech in May, Trump said, “The only important thing is the unification of the people

-- because the other people don't mean anything."

This is the polarizing, populist essence of Trumpism. Only Trump supporters qualify as "the people." The "other people" have no claims on the American government that he is bound to honor, and no claims on community that his supporters are required to respect. Trouble is headed their way. They've got it coming.

THE WALL STREET JOURNAL.

Editorial : Trump Restraining Order

Updated Feb. 6, 2017 7:18 a.m. ET 345 COMMENTS

The damage from President Trump's order on immigration and refugees continues to compound, now escalating into a conflict with the judicial branch. There's enough bad behavior and blame to go around, but Mr. Trump didn't need to court this altercation.

On Friday federal Judge James Robart in Seattle issued a nationwide temporary restraining order (TRO) on Mr. Trump's suspension of U.S. entry for migrants from seven countries associated with terrorism risks. The Trump Administration is obeying and not enforcing its new immigration policy pending appeal of the TRO, so apparently the onset of fascism that we keep hearing about will be postponed by the Constitution's normal checks and balances.

But Mr. Trump is exporting his politics-by-insult to the courts, writing on Twitter that "The opinion of this so-called judge, which essentially takes law-enforcement away from our country, is ridiculous and will be overturned!" The more appropriate response to executive defeat in the courts is to say that the Administration is confident it will prevail on appeal, and especially in this case. Judge Robart's TRO is remarkably flimsy.

Judges have the power to impose temporary restraining orders when the plaintiffs can show they are suffering irreparable injury and are likely to win on the merits. Judges have an obligation to explain why they are availing themselves of this extraordinary remedy and to work through the logic.

Judge Robart's seven-page ruling includes no discussion or analysis, with only a cursory assertion of the harms that Washington and other states have conjured to "the operations and missions of their public universities and other institutions of higher learning, as well as injury to States' operations, tax bases and public funds."

The Constitution gives the federal government supremacy over immigration, and in the Immigration and Naturalization Act of 1952 Congress gave the President the exclusive authority to temporarily suspend "the entry of any class of aliens" that "would be detrimental to the interests of the United States."

The first step for any judge is to determine if he has jurisdiction—that is, the plaintiffs have suffered concrete injuries that are grounds for a lawsuit. Speculative claims about state budgets and colleges don't qualify. Thus Judge Robart's TRO exceeds the limits on judicial power. The Ninth Circuit Court of Appeals denied the Trump Administration's motion for an administrative stay that would have lifted Judge Robart's order immediately, but the plaintiff—Washington State—must respond by Monday. Then a panel will decide whether to rule or hear oral arguments.

Mr. Trump's rants against the judiciary are offensive to the rule of law, and perhaps also to his own case. Anyone who defies Mr. Trump these days becomes an overnight progressive folk hero—think Sally Yates—and the judicial liberals of the Ninth Circuit may rally around a bad ruling if they feel they have to defend the judiciary from presidential attack.

Even if the law is on his side, Mr. Trump and aides Stephen Bannon and Stephen Miller created this mess with an executive order that was conceived in secret, sloppily written and overbroad, and sprung on a confused public. Breitbartian methods may work online but in the Oval Office they run up against political reality. When Mr. Trump indulges his worst impulses, he makes enemies out of potential friends and debacles out of should-be victories.

The New York Times

Lifting of Travel Ban Sets Off Rush to Reach U.S. (UNE)

Caitlin Dickerson and Jeffrey Gettleman

The rush inundated some domestic and international airports, reunited loved ones and friends, and prompted another round of criticism from Mr. Trump that national security was being endangered by court orders that blocked his tight border policy from taking effect. Mr. Trump and his aides have suggested that terrorists and others who wish to do harm to the United States could arrive through normal immigration channels and that the administration needs time to tighten its vetting procedures.

Those travelers now being admitted to the United States from seven predominantly Muslim nations singled out for a temporary ban by Mr. Trump had already been granted visas after screening. Refugees from those countries and elsewhere who were rushing to reach the United States had likewise already been vetted, even more extensively, in a process that involves dozens of checks and can take more than two years.

But it was unclear whether a court order blocking Mr. Trump's policy from taking effect, issued by a federal judge in Seattle, would remain in place for long, creating a sense of urgency among those trying to reach the United States.

The back and forth had sown confusion, anxiety, fear and disbelief, but the court order created "a temporary window that we wish to take advantage of," said Leonard Doyle, a spokesman for the International Organization for Migration, an intergovernmental agency that facilitates refugee resettlement. "Our staff are being told to move like crazy."

Families and immigration advocacy groups were buoyed twice over the weekend — first when the Seattle judge temporarily blocked the executive order, and again when the United States Court of Appeals for the Ninth Circuit in San Francisco denied the government's attempt to gain an emergency stay. But a mood of uncertainty persisted after a week in which thousands of travelers bound for the United States were halted in transit and turned away at airports, and courts across the country issued conflicting rulings over whether and how the executive order should be carried out.

Mr. Trump reacted angrily on Sunday. In a Twitter post, he seemed to give immigration lawyers and advocates reason to fear that the country may not remain open for long to refugees, or to visa holders from the seven nations — Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen.

"I have instructed Homeland Security to check people coming into our country VERY CAREFULLY. The courts are making the job very difficult!" he wrote.

Mr. Doyle said that between Monday and Feb. 17, about 2,000 refugees would be rebooked on flights to the United States. Those who were expected to leave first had moved out of their apartments or refugee camps, sold their belongings and turned in their food ration cards.

In Kenya, dozens of Somalis who had cleared all the final security and medical checks to enter the United States were waiting on Sunday in the refugee camp, where they were told that they might be able to travel in the next few days. But they were no longer sure who — or what — to believe.

"I feel completely ruined," said Ahmed Hassan, a Somali refugee heading for Rhode Island. In the past few weeks, Mr. Hassan was bused out of the camp; sent to a transit center in Nairobi, Kenya's capital, several hundred miles away; given travel documents; told he was about to fly to America; told he was not about to fly to America; bused back to the camp; and then told he might actually fly to America after all. He boarded a bus in Nairobi to return to the camp just hours before the federal judge lifted the travel ban.

Mr. Hassan had sold his home and feared that he could be targeted as an American sympathizer by the Islamist and anti-American militants known to move in and out of the camps. He had arrived back at the refugee camp on Saturday afternoon, retreated from the crowds shouting questions at him and hid inside a room.

On the floor of Terminal 4 at Kennedy Airport, Wael Izzeldin, 6, clutched a green marker as he wrote a welcome sign for his father's best friend, Dr. Kamal Fadlalla. Dr. Fadlalla is a second-year resident at Interfaith Medical Center in Bedford-Stuyvesant, Brooklyn, and had been on vacation

visiting his mother in Sudan, his first time home in three years.

When Dr. Fadlalla appeared, the boy went running across the arrivals hall, leapt and wrapped himself around the doctor, crushing the tiny sign.

Dr. Fadlalla was ebullient but fatigued. Though he holds a visa for people in specialty professions, he had been turned away at the airport, and spent a week marooned in Sudan. Around him, members of his union, Committee of Interns and Residents, wearing white lab coats, cheered.

“I’m glad justice won,” he said, adding that he was happy to return to his family and patients. “I need to get back to my work.”

Across the country on Sunday, the nongovernmental agencies that place refugees into homes and help them find jobs were gearing up to resettle as many as possible, while recovering from the whiplash of last week. Before Friday, their work had begun to trickle off, as they could resettle only refugees who were already in transit when the president’s order was signed. They had been preparing for their activities to come to a halt for four months in accordance with the order.

Leslie Aizenman, of Jewish Family and Children’s Services, a resettlement agency in Pittsburgh, had already put back on the market an apartment prepared for a family from Homs, Syria, who had been scheduled to arrive in the United States on Tuesday. The State Department canceled their trip last week, and Ms. Aizenman was unsure when it would be rescheduled.

Her staff had already returned the backpacks filled with school supplies and stuffed animals they had prepared for the family’s 9-year-old son and 8-year-old daughter. They had also told another Syrian family in Pittsburgh, who had volunteered to make a warm meal to welcome their new neighbors, not to bother.

Because of the last-minute change, Ms. Aizenman said that refugee family may have to live briefly in temporary housing, and settle for a restaurant meal rather than something homemade.

“We had stopped the process, but no matter what, we’ll accommodate them when they get here,” she said.

An interim ruling on whether the executive order may be enforced is likely to come quickly from the appeals court. But the ultimate decision on whether the order is lawful will take much longer, and is likely to come from the Supreme Court. That means people seeking to travel or settle here may be in limbo until the case is finally resolved. Over the weekend, lawyers were telling clients to take advantage of the precarious window.

“We are encouraging people to come in as soon as possible,” said Mary McCarthy, executive director of the National Immigrant Justice Center, a Chicago-based organization that provides legal services and advocacy to immigrants. “If you need to be back in this country, you should do it now.”

Ms. McCarthy said her organization had been in regular contact throughout the weekend with a network of roughly 1,500 lawyers who had volunteered to help travelers pro bono. The lawyers were stationed in shifts at airports across the country, observing customs officials to ensure that the Seattle judge’s ruling was being carried out, and counseling refugees and visa holders on how to prepare for issues that could arise with their immigration status.

“We are being very vigilant,” she said.

NATIONAL REVIEW ONLINE

Lowry : Nationalism & Conservatism Are Compatible, but Trump Is Imperfect Vessel

‘Dark,” “divisive,” and “dangerous” were a few of the negative descriptors that critics attached to President Trump’s inaugural address, and those were just the ones that start with “d.” (A few threw in “dystopian” for good measure.) The critics took him this way in part because he depicted the last few decades of American life as a hellscape from which he would shortly deliver us: “This American carnage stops right here and stops right now.” But the critics also had this reaction because the address had a theme — nationalism — that has itself long been assumed in many quarters to be dark, divisive, and dangerous.

That assumption has never been justified and should now be discarded. Nationalism can be a healthy and constructive force. Since nationalistic sentiments also have wide appeal and durability, it would be wiser to cultivate that kind of nationalism than to attempt to move beyond it.

Fear of nationalism became very widespread, especially in Europe, after the world wars, and it remains a core premise behind the sputtering drive toward further European integration. A few months ago, European Union president Jean-Claude Juncker recalled François Mitterrand’s admonition, “Le nationalisme, c’est la guerre,” adding, “This is still true, so we have to fight against nationalism.” Juncker also called borders “the worst invention ever made by politicians.” Any attempt to loosen the bonds of European unity is held to mark the beginning of a descent back into European carnage.

For conservatives to say that a similar attitude took root on the American left may come across as a slander of political opponents. The late Richard Rorty was, however, a member in good standing of the American Left (and still is even posthumously; his warnings about the rise of an American strongman were dusted off after the election), and he said much the same thing. He wrote that the academic Left’s “focus on marginalized groups will, in the long run, help to make our country much more decent, more tolerant and more civilized.” He then added, “But there is a problem with this left: it is unpatriotic. In the name of ‘the politics of difference,’ it refuses to rejoice in the country it inhabits. It repudiates the idea of a national identity, and the emotion of national pride.”

In associating these attitudes with the “academic” Left, Rorty might have understated their prevalence. In 2016, a BBC poll found that 43 percent of Americans agreed with the statement “I see myself more as a global citizen than a citizen of my country.”

Nationalism has a bad odor even among some conservatives. Perhaps this should not be surprising, since nationalism is in tension with two powerful strains of conservatism. Economic conservatism, particularly as influenced by libertarianism, can come to see borders as barriers to free markets. Businessmen with interests abroad, an important part of the conservative coalition, can acclimate to that way of thinking even if they have no philosophical inclinations. Religious conservatism often emphasizes the God-given dignity of all people, which transcends national borders. Thus former president George W. Bush’s declaration, in the context of immigration policy, that “family values do not stop at the Rio Grande river.”

And American conservatives of many kinds, like liberals and libertarians, have been influenced by the notion that America is an “idea” or a “proposition nation.” The expression of this view is itself often a manifestation of patriotism, because it is self-flattering: “Our country, unlike all the world’s ethno-states, is founded on high-minded ideals.”

All of these intellectual currents have fed the view that nationalism is atavistic and sinister, a corruption of conservatism if it has anything to do with it at all. And the plasticity of the term “nationalism” has contributed to its bad reputation in all corners of the political world. Take George Orwell’s influential essay against nationalism. He adopted a capacious definition of the term, one that included Stalinism and excluded a normal devotion to one’s own country. What he meant by nationalism — self-identification with a group or cause, hostility to any criticism of it, and a limitless desire for it to have additional power and prestige — was something like what Edmund Burke had in mind when he spoke of “armed doctrine.” Orwell’s definition remains idiosyncratic, but hostility to nationalism typically rests on similar conceptual muddles. Anti-nationalists blame the world wars on nationalism even though those wars involved multinational empires (in the case of the first) and transnational ideologies (in the case of the second). They strain to devise labored distinctions between a good patriotism and a bad nationalism.

There’s no doubt that there are aggressive and noxious forms of nationalism. John Fonte of the Hudson Institute makes a useful distinction between authoritarian and democratic nationalism. Vladimir Putin and Recep Tayyip Erdogan are examples of the former (although Putin leads a multinational empire with designs for more territorial acquisitions). Democratic nationalism is a category that encompasses Lincoln, Churchill, de Gaulle, Reagan, and Thatcher, all of whom were champions of national sovereignty and solidarity.

The outlines of a benign nationalism are not hard to discern. It includes loyalty to one’s country: a sense of belonging, allegiance, and gratitude to it. And this sense attaches to the

country's people and culture, not just to its political institutions and laws. Such nationalism includes solidarity with one's countrymen, whose welfare comes before, albeit not to the complete exclusion of, that of foreigners. When this nationalism finds political expression, it supports a federal government that is jealous of its sovereignty, forthright and unapologetic about advancing its people's interests, and mindful of the need for national cohesion.

Any worthwhile nationalism has these components, but beyond them the content of a country's nationalism depends on its particular character. American nationalism has an ideological component, so much of one as to render it exceptional (as in "American exceptionalism"). This is the truth underlying the simplification that America is an idea rather than a nation. In reality, it is a nation with an idea. The first *Federalist* paper presents America as an example to the world, and even John Quincy Adams's famous remark about how America "goes not abroad, in search of monsters to destroy," was immediately followed by: "She is the well-wisher to the freedom and independence of all." The aspiration that all people enjoy freedom is built into our political DNA.

Important as these ideas are, American nationalism is not merely about them. This fact can be seen easily enough from our patriotic fanfare. A flyover or July Fourth fireworks display is not creedal. Neither is a Memorial Day parade, or laying a wreath at the Tomb of the Unknown Soldier. John Philip Sousa marches aren't statements of ideals. Surely, the revulsion that most people feel when protesters burn an American flag is based on the belief not that the protesters are symbolically destroying an idea, but rather that they are disrespecting the nation to which they owe respect and fealty.

Indeed, the vast majority of expressions of American patriotism — the flag, the national anthem, statues, shrines and coinage honoring national heroes, military parades, ceremonies for those fallen in the nation's wars — are replicated in every other country of the world. This is all the stuff of nationalism, both abroad and here at home.

It is worth noting, as well, that none of these expressions of love of country and anger at its opposite reflects ethnocentrism, either. Discussions of nationalism frequently pose the alternatives of an obsession with blood and soil (nationalism!) and an exclusive focus on political ideals (patriotism!). The actual practice of American patriots has avoided both.

For conservatives, the sensible and moderate form that nationalism has taken in America should have particular appeal. Conservatism is grounded in a respect for what is local, particular, and traditional. And most nations are historical accretions, as the conservative philosopher Roger Scruton, who has written powerfully in defense of nationalism, notes:

A nation-state is a form of customary order, the byproduct of human neighborliness, shaped by an "invisible hand" from the countless agreements between people who speak the same language and live side by side. It results from compromises established after many conflicts, and expresses the slowly forming agreement among neighbors both to grant each other space and to protect that space as common territory.

The emphasis on "neighborliness" is appropriate. People aren't just atomistic individuals bouncing around in a free market; they are members of communities with attachments to faith, family, and civic associations that give their lives meaning. The nation is a community writ large, and it is natural for people to love it — to revere its civic rituals, history, landscape, music, art, literature, heroes, and war dead.

No one, no matter how cosmopolitan, is truly a citizen of the world.

"Cosmopolitanism gives us one country, and it is good," G. K. Chesterton wrote. "Nationalism gives us a hundred countries, and every one of them is the best. Cosmopolitanism offers a positive, patriotism a chorus of superlatives. Patriotism begins the praise of the world at the nearest thing, instead of beginning it at the most distant." He continued, in a charming touch, "Wherever there is a strangely-shaped mountain upon some lonely island, wherever there is a nameless kind of fruit growing in some obscure forest, patriotism insures that this shall not go into darkness without being remembered in a song."

No one, no matter how cosmopolitan, is truly a citizen of the world. The "international community" doesn't give out citizenship, or even green cards. We are citizens of particular nations where we live and are enmeshed in relationships of reciprocal obligation. No nation opens itself to all people of the world willy-nilly; every nation privileges people born within it (and those foreigners it decides to welcome). Every nation worth its salt takes special care to protect its own citizens and soldiers. No nation is going to care more than France if a French citizen is taken hostage somewhere in the Middle East.

The nation also makes democracy possible. Without the nation, and people bound together by a common home, language, and sense of shared identity and interests, there is no real polity. There is a reason that the European Union, a collection of disparate nations with disparate interests and traditions, has a democracy deficit and always will.

Nationalist sentiments are natural and can't be beaten out of people if you try. It would be a strange and etiolated conservatism that lacked any foundation in them. And at its best, post–World War II conservatism has been highly protective of the prerogatives of the nation.

Conservatives have been suspicious of the United Nations and any "global test" that might constrain the sovereign power of the United States to act in international affairs. Nothing so engenders conservative opposition to an international agreement as any hint that it might impinge on American sovereignty. This suspicion has been the source of the fierce resistance, for instance, to the Law of the Sea Treaty. In reaction to the possibility that the International Criminal Court might gain jurisdiction over American citizens, the George W. Bush administration — under the leadership of John Bolton — secured bilateral agreements with 104 countries that they would not extradite U.S. citizens to the court.

The premise of conservative foreign policy has always been the national interest, or as the Sharon Statement put it, "American foreign policy must be judged by this criterion: does it serve the just interests of the United States?" This view is compatible with a commitment to human rights, as during the Cold War and George W. Bush's war on terror (although Bush at times veered into a thoroughgoing Wilsonian universalism at odds with the conservative tradition). The driving rationale of conservative foreign policy, though, has always been protecting our citizens and advancing the country's interests. Fundamentally, we buttress the liberal world order not because it is good for the world (it is) but because it is good for us. We cooperate with other countries to advance joint interests, not to serve a "world community."

Domestically, since the 1960s and 1970s, what the late social scientist Samuel Huntington called a "denationalized" elite in this country has waged war on the nation and its common culture. Conservatives have fought back on issues such as bilingual education, the downgrading of traditional U.S. history in curricula, racial preferences, the elevation of subnational groups, and mass immigration — anything that has been part of the multiculturalist onslaught on national solidarity.

There's a reason that Irving Kristol said the three pillars of conservatism are religion, nationalism, and economic growth.

The appeal to national pride has also been important to conservative politics, and has tended to be most pronounced precisely when conservatism has been politically successful, as during the Reagan years. It remains a sentiment that differentiates Left and Right. Research into public opinion typically finds that patriotic sentiments — e.g., "I often feel proud to be an American" — are more widespread among conservatives than liberals. In sum, there's a reason that Irving Kristol said the three pillars of conservatism are religion, nationalism, and economic growth.

But the spread of post-nationalist attitudes on the right combined with events and trends — such as the end of the Cold War, the expansion of global trade, a wave of immigration, and the professionalization of the military — to render mainstream American conservatism less able to make this kind of appeal and less interested in doing so. Conservatism became less nationalist in a kind of response to declining national cohesion. (We should note, by the way, that our friend and colleague John O'Sullivan has been persuasive and prescient in pushing back against the trends, writing in these pages and elsewhere about the importance of nationalism.)

This same decline in cohesion made many Americans yearn for a politics that provided a sense of solidarity. This was particularly the case for many white voters without college degrees, who have seen their relative social and economic standing decline and their patriotism devalued. Traditional conservatives did not appeal to them. Donald Trump's call to make their country great again did.

What to make of President Trump's nationalism in particular? The most generous understanding of what he represents — and it can be well hidden beneath his bluster and bullying — is an enriched understanding of what it means to be American. During the campaign, Trump policy director Stephen Miller introduced him at events with speeches that were notably communitarian in emphasis. For Trump, we are more than just consumers, the way libertarians tend to view us. We are also workers, and can't be abstracted from the economic and social health of our communities. CEOs aren't just profit maximizers, as economic theory says; they are citizens with obligations to their countrymen. Trump's view of immigration is of a piece with this nationalism — we have the sovereign right to decide who comes here and who doesn't, and policy should be crafted to serve the interests of U.S. citizens.

If Trump has pointed the GOP back to a more secure and realistic grounding in nationalism, his version is lacking in important respects. The country's founding ideals, history, and institutions barely enter into his worldview. Too often he seems to want to make America great without appreciating what makes it exceptional. He's not a limited-government conservative, nor does he appear to be a religious man. His obsessions with making Mexico pay for the border wall and with taking Iraq's oil strongly smell of nationalist predation. Trump makes gestures toward an inclusive nationalism, but they can get lost in the combative haze created by his truculent persona and aren't as convincing as they would be if his nationalism were softened and elevated by traditional invocations of our civic creed. To the extent that Trump's nationalism does not include Americans of all races and religions, it betrays the goal of true national unity. His views on trade, meanwhile, rightly take the national interest as the goal of economic policy but then systematically misidentify the means to advance it.

To the extent that Trump's nationalism does not include Americans of all races and religions, it betrays the goal of true national unity.

The elements of American nationalism that Trump scants are moderating influences on it. They push in the direction of decentralization and localism rather than an all-powerful central government. They appropriately situate loyalty to the nation within a set of concentric circles of concern starting with the family and ending with the globe.

As with many things related to Trump, though, he offers an important lesson at the same time that he is a flawed vessel. Conservatives should reject the atomism inherent in libertarianism and the Wilsonian millenarianism that characterized the George W. Bush administration at the zenith of its ambitions. We should instead favor a broad-minded nationalism that takes account of the nation's idealism and rationally calculates its economic and foreign-policy interests.

Nationalism should be tempered by a modesty about the power of government, lest an aggrandizing state wedded to a swollen nationalism run out of control; by religion, which keeps the nation from becoming the first allegiance; and by a respect for other nations that undergirds a cooperative international order. Nationalism is a lot like self-interest. A political philosophy that denies its claims is utopian at best and tyrannical at worst, but it has to be enlightened. The first step to conservatives' advancing such an enlightened nationalism is to acknowledge how important it is to our worldview to begin with.

— *Rich Lowry is the editor of* National Review*. Ramesh Ponnuru is a senior editor of* National Review*. This article appears in the February 20, 2017, issue of* National Review*.*

The Washington Post

Dionne : The issues all Trump foes can agree on

The movement that Donald Trump's presidency has inspired against him is broad, passionate, engaged and determined. Its prospects depend upon highlighting a set of principles that can unite an American majority already appalled by what Trump is doing to our country.

While almost everything in our politics these days has a strongly partisan cast, the anti-Trump forces cannot be defined by party or ideology. That's true even though, with a sadly short list of exceptions, Republicans in the House and Senate have been timid in speaking out against Trump's overturning of long-established norms and values.

Over time, these profiles in meekness will regret where they stood in the early going. But they must be prodded and encouraged to break with the most egregious of the president's policies.

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In the meantime, many conservatives beyond the ranks of elected officialdom have spoken up courageously in defense of tolerance, openness and democracy. The concerns that bind left, center and right must stay at the forefront of efforts to stop the administration's abuses, even as those of us who are progressive will challenge the reactionary tax, budget and regulatory policies that Trump will use to buy off Republican leaders.

The obligations that ideology should not encumber include speaking out against the blatantly anti-Muslim character of Trump's travel ban: Those who defend religious liberty must also fight religious discrimination.

(Thomas Johnson/The Washington Post)

Protesters in cities across the nation rallied against President Trump's entry ban executive order on Feb. 4. Protesters in cities across the nation rallied against President Trump's entry ban executive order on Feb. 4. (Thomas Johnson/The Washington Post)

There ought to be solidarity in condemning an approach to Europe that is pushing away the United States' longtime democratic allies and currying favor with the autocrat in Moscow.

A disorganized, slapdash and careless approach to policymaking that turns chaos into an achievement rather than a problem should horrify Americans regardless of whom they normally vote for. It is dangerous and also disrespectful of the responsibilities power imposes.

Party loyalty should not get in the way of insisting upon a respect for fact and evidence — or of calling out lies. Consider that when Secretary of State Rex Tillerson told his department's employees that "honesty will undergird our foreign policy," his words could be seen, whether intentionally or not, as a rebuke to an administration that touts "alternative facts."

And Trump's critics don't have to agree on a single policy to bemoan his crude and sloppy use of language and to see this as a genuine obstacle to honorable politics and a well-functioning government. He doesn't just want to repeal the Johnson Amendment, which bars religious organizations from getting involved in elections. He wants to "destroy" it. He lightly threatens war with Mexico to go after "bad hombres" and undermines our relationship with Australia by recklessly accusing one of our very closest friends of wanting to export the "next Boston bombers."

And just this weekend, Trump showed his disrespect for the rule of law by denouncing the "so-called judge" who blocked his administration's travel ban. In an interview for broadcast Sunday, Fox News's Bill O'Reilly described Vladimir Putin as a "killer," and Trump astonishingly but off-handedly replied: "Well, you think our country is so innocent?"

As George Orwell taught us, how people talk offers a clue about how they think and what they value. Our language, he wrote, "becomes ugly and inaccurate because our thoughts are foolish, but the slovenliness of our language makes it easier for us to have foolish thoughts." He added: "If thought corrupts language, language can also corrupt thought."

Pretending that there is something "brilliant" or "populist" about how Trump communicates is one of the worst forms of elitism because it demeans ordinary citizens who have always appreciated eloquence, as our greatest leaders knew. And please don't compare George W. Bush to Trump on this score. We poked fun at Bush's ability to mangle sentences, but he respected the need to find words that could move and unite the nation.

Finally, we must resist a bad habit infecting political commentary that sees Trump's irresponsibility, bigotry and casual cruelty as a heroic form of "disruption" aimed at bringing down "the establishment."

No. The people in the streets rallying against Trump are not the establishment. Those political and business leaders who are, for now, playing along with and enabling Trump very much *are* the establishment.

Americans who tell pollsters they oppose Trump — including outsiders from Sen. Bernie Sanders (I-Vt.) on the left to independent presidential candidate Evan McMullin on the right — are not

defending some status quo. They are standing up for humane principles that Trump is threatening: democracy over authoritarian nationalism; religious pluralism over bigotry; clarity of thought, speech and action over a self-involved indiscipline; civil rights and civil liberties over their unchecked abuse; and a basic decency toward each other over a political approach devoted to disparaging and bullying adversaries.

The democratic left and the democratic right will continue to disagree on many things. But these commitments should transcend all of our divides.

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The New York Times

Trump Protesters Borrow From Tea Party to Put Pressure on Lawmakers (UNE)

Kate Zernike

MORRISTOWN, N.J. — For weeks, a swelling group has been showing up every Friday here at the local office of Representative Rodney Frelinghuysen to demand that he hold a town-hall meeting to answer its concerns about his fellow Republicans' plan to dismantle the Affordable Care Act.

After weeks without an answer, the congressman's staff replied that he would be too busy, that such gatherings took considerable planning and that just finding a meeting place could be tough.

So the group, NJ 11th for Change, secured venues in all four counties that Mr. Frelinghuysen represents for times during the congressional recess this month — and constituents plan to show up even if he does not.

With congressional phone lines overloaded and district offices mobbed across the country, it's beginning to look a lot like 2009.

That year, horrified by a new president they saw as a radical, activists took to the streets under the Tea Party banner to protest government bailouts, then stormed forums held by congressional Democrats to fight legislation that would become the Affordable Care Act.

With methodical door-to-door campaigns in the next year's midterm elections, the Tea Party ended the careers of some of the nation's most senior lawmakers. It pushed the Republican Party to the right, stymied the Obama agenda and ultimately paved the way for an outsider to win the White House.

This year, it is that new president, Donald J. Trump, who is cast as a radical. And as the resistance to him on the left tries to turn the massive protest rallies of the last two weeks into political power, it is borrowing explicitly from the Tea Party playbook. The early result has been the biggest outpouring of constituent anger on members of Congress since the Tea Party's rise.

"We borrowed the organizing and taking to the streets from the left. They're borrowing the showing up outside offices and doing legislative contact from us," said Brendan Steinhauser, who helped organize and train Tea Partyers as a staff member of FreedomWorks, a libertarian group in Washington.

Many of the new groups are embracing as their bible "Indivisible," a 27-page guide written by former congressional staff members that advises Tea Party-like tactics "to resist the Trump agenda." Just as groups like FreedomWorks used Google maps to help expand local Tea Party groups, the website for the guide helps Trump resisters find Indivisible groups near them.

Last week, groups that organized the nationwide women's marches in January announced local "Next-Up Huddles" to plan more local political actions, starting with crowds at town forums during the congressional recess beginning Feb. 20. And another group, the Town Hall Project 2018, is keeping a list of where members of Congress will hold meetings that week, encouraging constituents to show up the way Tea Partyers did in the summer of 2009.

"I want to take our country back," said Katie Farnan, a member of Indivisible Front Range Resistance, which is among the groups calling, writing and showing up weekly with bagels and protest signs at Senator Cory Gardner's district offices to urge the Colorado Republican to hold town meetings. "I hate to say that because it's so Tea Party-ish, but it feels like we've lost it."

"I don't embrace the tactics so much that I want to say let's go to the extreme," Ms. Farnan added. "But I do embrace the idea that if your congressman wakes up worrying that he's not going to be re-elected, it's a good thing. I want him to wake up worried."

The goal is to shake Republicans away from voting the party line for Mr. Trump's agenda, and to stiffen the spines of Democrats who might be inclined to go along with it. In Missouri, members of the new Indivisible group have been showing up every Tuesday at the office of Senator Claire McCaskill, a Democrat, as well as her Republican counterpart, Roy Blunt. In New York, they have mobbed the district offices of Senator Chuck Schumer, the Democrats' leader, and even demonstrated outside his Brooklyn home.

There's some circularity here: The Tea Party loudly borrowed from the left, using as its guide "Rules for Radicals," by Saul Alinsky, considered the father of modern community organizing. It urged followers to adopt the Alinsky playbook to block health care reform at the town halls of 2009: "freeze it, attack it, personalize it, polarize it," as one widely circulated email advised.

Like many of the initial Tea Partyers, many of the resisters on the left say they had never been involved in politics. They simply got frustrated yelling at their televisions.

Now, they organize on social media, and download apps, like Countable, that allow them to track lawmakers' votes and to contact them. Some are running for long-vacant Democratic precinct leadership positions as a way to gain access to voter information that they plan to use in door-to-door canvassing.

And just like many Tea Partyers, the resisters of 2017 are getting what Elaine Patterson, a constituent marching on Mr. Frelinghuysen's office, called "a big civics lesson."

"A friend asked me, 'Does Congress have any say in the president's appointees?'" Ms. Patterson recalled. "I didn't know. I learned it was the Senate."

The resisters insist theirs are more polite protests. "We send thank-you notes to members of Congress after we show up," said Hillary Shields, a paralegal who helped start Indivisible Kansas City. But the Tea Partyers say they did the same thing.

And like the Tea Partyers, members of the resistance declare that the very soul of the nation is at stake.

Having watched the results of the presidential election with mounting gloom, Ms. Farnan, in Colorado, said she had to act, for her children. "I don't want them to say, 'What did you do when this happened?'" she said. "I'm making a paper trail. You're going to see we did stuff."

But while it took the Tea Party months to register as serious opposition, the resistance on the left has already rattled Capitol Hill. Congressional offices report being overwhelmed by calls, letters and faxes about Mr. Trump's cabinet appointees. Senator Lisa Murkowski of Alaska, a Republican, said she had been persuaded by calls from constituents when she announced she would vote against Mr. Trump's nominee for secretary of education, Betsy DeVos.

"The women are in my grille no matter where I go," Representative Dave Brat, a Virginia Republican, told an audience last week. "They come up, 'When is your next town hall?' And believe me, it's not to give positive input."

Mr. Brat well knows the power of the Tea Party, having harnessed it in 2014 to unseat Eric Cantor, the House majority leader, whom he characterized as out of touch with his constituents.

A vast chasm separates the parties when it comes to the issues, but in protesting the other side there appears to be some common ground.

As Mr. Steinhauser, the Tea Party activist, planned rallies in Washington in 2010, he cited as one of his heroes Bayard Rustin, for his persistence in organizing blacks for the March on Washington in 1963.

"For the right, Barack Obama represented an existential threat to the American way of life. And for the left, Donald Trump represents an existential threat to the American way of life," Mr. Steinhauser said. "And I take the current protesters at their word that they're that afraid and concerned about the changes Trump is going to make very quickly."

But he questioned whether the left could stick to one of the Tea Party's most successful strategies, which was to purposefully — if not entirely successfully — steer away from divisive social issues and talk about economic issues instead.

Resisters want nothing to do with the uglier elements of the Tea Party — the rallies where politicians were

burned in effigy. But they are eager to model its electoral tactics.

"That whole strategy, most of it was legitimate," said Michele DeVoe Lussky, a small-business owner who recently helped organize Indivisible West Michigan.

Ms. Shields, in Kansas City, said: "They call it resistance, but really it's just being a good citizen, showing up at town halls, paying attention to legislation, calling your representative. That's just civics."

the Atlantic Conservative Critics Are Bracing for Trump's Revenge

McKay Coppins

Donald Trump has never made a secret of his penchant for personal vengeance. He boasts about it, tweets about it, tells long, rambling stories about it on the transcontinental speaking circuit. When, last year, he was asked to identify a favorite Bible passage, he cited "an eye for an eye." And in his 2007 book, *Think Big and Kick Ass*, he devoted an entire chapter to the joys of exacting revenge.

"My motto is: Always get even," he wrote. "When somebody screws you, screw them back in spades."

For those who have crossed Trump, then, these are understandably anxious times. As he enters the White House and takes the reins of the most powerful government in the world, a small cadre of high-profile conservatives—the haters, the losers, the Never-Trumpers who never fell in line—has found itself wondering whether their party's president will use his new powers to settle old scores.

"The question is not whether he's vengeful," conservative columnist Ben Shapiro told me. "The question is how willing he is to use the levers of government to exact that revenge."

This is no idle question for Shapiro. The California-based commentator emerged in 2016 as one of Trump's most vociferous—and most frequently targeted—critics in the conservative movement. He spent months relentlessly prosecuting the candidate on TV and Twitter, and in March set off a media frenzy when he abruptly quit his job at *Breitbart* and blasted the company's then-CEO Steve Bannon for being a "bully" who had turned the site into "Trump's personal Pravda."

Now that Trump and Bannon are both in the White House, Shapiro says he has no intention of trying to make amends—but can't help but worry about his standing with them. "Trump has an extremely long shit list...I don't want to flatter myself and say I'm top 10, but I'm certainly top 50," he told me. "I've been half-joking for almost a year that my IRS audit is already being drawn up."

In fact, he's taking the threat of retaliation from Trump and his allies quite seriously. A favorite target of the alt-right troll army that Breitbart helps marshal, Shapiro told me he's already purchased a shotgun and installed a high-end security system in his home. When we spoke the night before the inauguration, he was deliberating over whether to delete his entire personal email archive before spies or Russian hackers could infiltrate his inbox.

He knows all this may sound a little paranoid, but he doesn't want to take any chances. "They can fight very ugly and very nasty," he said of Trump and Bannon. "And they do have power now, where if they feel like destroying you, they can."

For Glenn Beck, there's nothing new about the fear of payback from a power-crazed president and his minions. The right-wing talk radio host spent much of the past decade preaching against the tyrannical terrors of the Obama administration, and twitchily looking over his shoulder as a result. Now, it looks as if Beck—who spent the 2016 election bitterly feuding with Trump—is consigned to repeating that experience for at least another four years. He believes the new president is "dangerously unhinged," and he travels with two bodyguards by his side, fearing the death threats he's received from Trump supporters.

"It is not fun," Beck told me. "I don't cherish it, but I value the truth more than I'm afraid of retribution."

Beck has spent recent months on an unlikely tour of the liberal media landscape—voyaging from *The New York Times'* op-ed page, to Vice News, to Samantha Bee's late-night talk show. At times, he has appeared like a refugee seeking asylum. He acknowledges now that much of his apocalyptic Obama rhetoric was overheated, and he's apologized. Still, his anxiety hasn't completely subsided.

When I asked Beck if he'd spent any time worrying about revenge from the Trump White House, he replied, "I'm a catastrophist, so I'm worried all the time." He says the president has populated his inner-circle with some "disturbing people," and he's grown increasingly alarmed at Trump's treatment of the press.

For now, he's holding out hope that Trump will focus on more important things than feuds with media personalities. "I don't think the president of the United States should worry about me and my voice," Beck said. "I'm hoping the presidency weighs on him." But in the event of a First Amendment crackdown, he says he'll stand ready to link arms in solidarity with the press. "I will stand with anyone whose voice is being silenced." He's just hoping they'll stand with him, too.

Though the record is fairly clear when it comes to Trump's passion for vengeance, it remains an open question whether he actually maintains a comprehensive, up-to-the-minute catalog of the haters and losers he wants to destroy. (A White House spokesperson did not respond to requests for comment.) It seems unlikely — but, of course, it wouldn't be a first. Richard Nixon's aides famously compiled an "enemies list," the stated purpose of which was to "use the available federal machinery to screw" political opponents. John Dean, the former Nixon White House counsel, told me recently that he'd be shocked if Trump didn't have something similar on hand. "The envy these men have is blended with their desire for revenge."

Whether or not such a list exists today, there are clear signs that Trump and his team are keeping track of their enemies. Last month, *The Washington Post* reported that more than 100 national-security veterans in the GOP establishment are said to be "blacklisted" from administration jobs because they signed a public letter during the campaign opposing Trump's candidacy. In another episode, the president-elect aggressively campaigned behind the scenes to unseat a state party chairman in Ohio who had fought him during the election.

"They can fight very ugly and very nasty. And they do have power now, where if they feel like destroying you, they can."

Trump also spent weeks during the transition publicly weighing two of his most stubborn 2016 foes—Ted Cruz and Mitt Romney—for top cabinet posts, only to unceremoniously dump them once they'd been seen cozying up to the president-elect. Transition officials insisted these meetings were all in good faith; Trump's longtime adviser Roger Stoneclaimed otherwise.

"Donald Trump was interviewing Mitt Romney for secretary of state in order to torture him. To toy with him," Stone said on the *Alex Jones Show*. "And given the history, that's completely understandable. Mitt Romney crossed a line."

With Trump's surprise victory last fall, meanwhile, some in the professional political class have suddenly transformed into enthusiastic boosters, hoping the new president will forgive (or at least forget) their heat-of-the-campaign criticism. But not everyone has that luxury.

Katie Packer, a Republican consultant who led a conservative anti-Trump super-PAC, told me Trump's election prompted her to take a break from politics. "I kind of stepped away from it all," she said. "I just made the decision that he'd won, he's the president now, and I'm really not interested in banging my head up against the wall for the next four years." She said she'll likely return to the political fray at some point, but for now she takes comfort in the belief that she's no longer on Trump's radar. "I think they're focusing their attention on other targets."

Rick Wilson, a Florida-based GOP strategist who appears frequently on cable news as an anti-Trump taunting head, told me his flamboyant opposition to his party's new leader meant that he would likely miss out on many of the "perks" enjoyed by his more conciliatory colleagues in the consultant class. "But the comfort of this is that I don't have to vary in what I believe," Wilson said. "I don't have to lie, and get up every morning and say, 'Why yes, the emperor is resplendently robed!' when the guy is buck naked."

For many Republican politicos who were critical of Trump during the campaign, the fear of personal retribution from the leader of the free world is softened somewhat by their unwavering conviction of his incompetence. Several consultants and operatives, who requested anonymity so as not to provoke the president's wrath, said Trump would likely be too overwhelmed and disorganized in office to keep working his way down the enemies list.

"I don't think anybody's too worried about Trump death-starring their business, because he's still struggling to even make the Death Star operational," cracked one strategist.

"When you're really dealing with Putin and Turkey and Syria, is that

county chair in Iowa who turned on you gonna get the attention of the president of the United States?" asked another. He paused and then added with a laugh, "Of course, that's what staff is for."

Indeed, Trump's administration is not lacking for enforcers who share his instincts. Reince Priebus, now the White House Chief of Staff, publicly threatened Republicans who were withholding their support from the nominee in the final weeks of the election. And according to two knowledgeable sources, White House press secretary Sean Spicer used to maintain a "bad reporters" folder in his inbox to keep track of journalists he believed had treated him or the RNC unfairly.

But if consultants are worried about their contracts, and party officials about their positions, some of Trump's opponents harbor deeper and more serious concerns. For Evan McMullin—who quit his job as policy director for House Republicans to launch a long-shot indie bid in 2016 under the #NeverTrump banner—the question of how President Trump plans to get even from the Oval Office is a singularly important one. Petty partisan punishments are one thing, McMullin told me. But as a former CIA officer, he has witnessed firsthand the rise of despotic regimes abroad. "If Trump uses state power to exact revenge on political opponents, that will be a very clear sign that he is a true authoritarian."

During the election, McMullin's candidacy unexpectedly threw his native Utah into contention, sending the Trump campaign on a frantic last-minute scramble to lock down the deep-red state. By the end, Trump managed to eke out a plurality win there, but he was left seething at McMullin's meddling. The future president lashed out repeatedly at McMullin in the final days of the race, calling him a "puppet" for moneyed establishment interests. And the attacks only intensified once Trump won and embarked on his post-election victory tour.

McMullin told me that watching the president-elect rail against him at raucous rallies was a "chilling" experience. "I remember at one of his rallies when he was attacking me, he said something like, 'He's sort of a bad guy, this guy.' I immediately recognized that as something I'd seen before overseas in places where authoritarians takes power. They try to criminalize their political opposition. They tried to do it with Hillary Clinton… and they could do it with more of us."

McMullin made clear that it's still too early to know whether Trump will cross that line. "Despite my concerns, I genuinely still have hope that he will not govern in the way that he said he would during the campaign," he told me. "At least, I hope that's the case, because it would certainly make my life a lot easier."

THE WALL STREET JOURNAL.

The $100 Billion Reason Investors Loved Trump's Bank Order (UNE)

Telis Demos and Peter Rudegeair

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The six biggest U.S. banks could potentially return more than $100 billion in capital to investors over time through dividends and share buybacks if the Trump administration succeeds in a push to loosen bank regulation.

President Donald Trump on Friday signed a memorandum ordering a review of the Dodd-Frank Act, the postfinancial-crisis regulatory overhaul that has guided regulators such as the Federal Reserve. The aim is "cutting a lot out" of those rules, Mr. Trump said in a meeting at the White House.

That caused bank stocks to gain ground Friday, building on sharp increases since the presidential election. Those occurred as expectations among investors of higher interest rates, less regulation and stronger economic growth stoked optimism that banks will be able to return more capital to shareholders. While there is no guarantee the banks will do so when they are able, they have been eager in recent years to return capital as their profits have grown and their balance sheets have become less risky.

The top six U.S. banks have $101.57 billion in capital in excess of what regulators require them to set aside, according to research from RBC Capital Markets. Analysts at Morgan Stanley estimate such capital at around $120 billion across 18 of the largest banks.

Big banks such as J.P. Morgan Chase & Co. and Citigroup Inc. climbed more than 3% Friday, while the KBW Nasdaq Bank Index gained about 2.2%. That index has risen about 24% since Election Day compared with a 7.4% gain for the S&P 500.

"Bank regulation didn't seem like priority one for the administration, so to see these executive actions come so early is a positive," said Jason Benowitz, senior portfolio manager at the Roosevelt Investment Group Inc., which manages $3 billion.

Requirements for capital aren't explicitly laid out in the Dodd-Frank Act, but are set by the Fed and other regulators. They also are guided by international banking agreements.

While the Trump administration couldn't directly change these requirements, it could influence them, as well as the Fed's stress tests, through its appointments to regulatory bodies.

As much as shareholders would welcome greater capital returns, such a move would create risks. Before the financial crisis, for example, it was common for large banks to spend more on dividends and stock repurchases than they earned in annual profit. That left big banks including Citigroup poorly positioned for financial tumult, leading it and others to accept government bailouts.

It isn't clear exactly what regulatory measures Mr. Trump's push could eliminate. One area of interest for investors are the billions of dollars of capital that banks have been forced to hold as a buffer against future financial crises. Bankers have argued that those buffers are in excess of what they need to absorb losses. Regulators, however, see them as a means to ensure that systemically important firms can withstand global shocks.

Supporters of higher capital requirements counter that banks need even higher buffers to truly dispel the notion that they are too big to fail.

Some investors have come to regard these buffers as trapped capital since the banks' ability to return funds to shareholders is restricted by the Fed through annual "stress tests." That has led many lenders to hold more capital.

Citigroup has the most excess capital at around $27 billion, according to RBC. J.P. Morgan has $20 billion, and Wells Fargo & Co. has $16 billion.

"Regulatory relief could be a significant tailwind for the industry in terms of capital efficiency and managing cost," said Conor Muldoon, fundamental portfolio manager at Causeway Capital Management LLC, which manages $44 billion globally. Citigroup is the largest holding in the firm's Global Value fund, which invests across sectors. The potential for it to return capital is a key reason for the investment, Mr. Muldoon said.

Being able to release more or all of that capital would be a boon to banks and their investors in several ways. First, banks would likely return much of the capital through dividend increases or higher share buybacks. The latter, by decreasing the number of shares a bank has outstanding, helps to boost earnings per share. That, in turn, can boost share prices.

Goldman Sachs bank analysts said the average big U.S. bank could boost 2018 earnings per share by 13% if all excess capital is returned to shareholders via buybacks.

As well, reducing the amount of capital a bank holds helps to boost returns on equity. This is a measure of bank profitability that compares net income with common shareholder equity.

Many big banks have struggled in recent years to post returns that exceed their theoretical cost of capital—or how much it costs them to raise funds—of about 10%. This is due to the superlow-interest-rate environment, slow revenue growth, subdued trading activity and higher capital bases.

If banks' return on equity jumps, that would likely lead to higher valuations for their shares.

Notably, Mr. Trump is expected to appoint a new head of bank supervision for the Fed, a position mandated by Dodd-Frank but which went unfilled by the Obama administration. Meanwhile, Republicans in Congress have urged the Fed to suspend its participation in these global banking discussions.

And the trend was already headed toward greater capital returns. Before the election, the Fed had been forecasting that it would let banks pay out more to investors, and banks including Citigroup have said their aim was for substantially greater return to investors in 2017.

CLSA analyst Mike Mayo in a January report estimated that the typical bank's payout in the form of dividends and buybacks as a portion of earnings would go to 85% by 2019 from 65% in 2015, with capital returned rising to $110 billion from $70 billion.

But capital returns that are a boon for shareholders could make debt investors nervous, leading to an increase in bank funding costs. Fitch Ratings warned Friday that

banks could become riskier with smaller capital buffers.

"Any changes in rules that reduce capital and liquidity requirements could have negative rating implications if banks respond to such rules with weaker capital and liquidity positions," said Joo-Yung Lee, head of North American financial institutions for Fitch.

The Washington Post — Trump's blasts at judge raise questions for Gorsuch on independence (UNE)

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President Trump's Twitter assault on the "so-called judge" who put a nationwide hold on the president's executive order on immigration has motivated Democrats to challenge Trump's choice for the Supreme Court, Judge Neil Gorsuch, on an important but elusive issue.

Is Gorsuch independent enough, they ask, to stand up to the president who picked him?

As the legal battle over Trump's immigration directive shows, Gorsuch's nomination lands at a time when the Supreme Court is likely to be called upon to review what Trump already has shown to be a broad reliance on executive power.

[Appeals court declines to quickly reinstate Trump ban]

It is difficult for appeals court judges such as Gorsuch to point to past decisions to demonstrate independence, and few are called upon to make definitive rulings on a president's powers.

Vice President Pence on Feb. 5 defended President Trump's travel ban while senators questioned Trump's criticism of the federal judge who temporarily blocked the ban. Vice President Pence defends President Trump's travel ban while senators question Trump's criticism of the judge who temporarily blocked the ban. (Bastien Inzaurralde/The Washington Post)

(Bastien Inzaurralde/The Washington Post)

Those who have studied Gorsuch's record say he has shown a skepticism about government power but warn against weaving a philosophy from a series of unrelated votes.

It is already clear that Trump's broadsides against U.S. District Judge James L. Robart, who put the president's immigration order on hold, have placed Gorsuch in a difficult position. Democrats have been quick to exploit it.

"When [Trump] attacks the independence of the judiciary, I think it does focus on the fight before us now," Sen. Amy Klobuchar (D-Minn.) said Sunday on ABC's "This Week," adding, "We want to see a nominee that is independent."

Sen. Patrick J. Leahy (D-Vt.) has picked up the theme. "We need a nominee for the Supreme Court willing to demonstrate he or she will not cower to an overreaching executive," he said.

Senate Minority Leader Charles E. Schumer (D-N.Y.) weighed in as well. "With each action testing the Constitution, and each personal attack on a judge, President Trump raises the bar even higher for Judge Gorsuch's nomination to serve on the Supreme Court," Schumer said in a statement. "His ability to be an independent check will be front and center throughout the confirmation process."

It's a difficult situation for Gorsuch and those shepherding his nomination. On the one hand, they want to energize the base by portraying Gorsuch as a solid conservative worthy of the late Justice Antonin Scalia's place on the court.

But at the same time, they must combat the view that he would be a rubber stamp for a president whose hard-charging style shows little patience for the separation of powers.

The first part seems easy.

Gorsuch, 49, who has served for 10 years as a judge on the U.S. Court of Appeals for the 10th Circuit in Denver, is a well-credentialed Republican and an outspoken conservative all the way back to his high school days. His writings on and off the bench show more of an ideological kinship with Scalia than the more-moderate justice for whom Gorsuch once worked, Anthony M. Kennedy.

Gorsuch would not have made Trump's list of 21 candidates without a thorough vetting from the conservative activists who advised the president and who are delighted by his selection.

But it is not easy to look at a judge's past rulings and make ironclad predictions about his future on the Supreme Court. Some opinions are open to interpretation, some reflect a required conformance to precedent and some major issues simply never land on his docket.

On the question of executive power, there are no more than "hints," according to Jonathan H. Adler, a law professor at Case Western Reserve University who has written about Gorsuch's views questioning judicial deference to executive agencies.

"Chevron deference" is based on a long-standing Supreme Court decision that is little known to the public but vitally important to the functioning of the federal government. It directs courts to grant wide leeway to executive branch agencies when they reasonably interpret acts of Congress that are ambiguous. This approach obviously works to the benefit of the president and those put in charge of federal agencies.

But Gorsuch has written that it allows "executive bureaucracies to swallow huge amounts of core judicial and legislative power and concentrate federal power in a way that seems more than a little difficult to square with the Constitution of the framers' design."

That indicates a skepticism of government, Adler said, but does not reflect detailed views on deference owed the president.

Few federal judges have definitive rulings on such a question or opportunities to prove the kind of independence Democrats are demanding. Adler said his review of the Gorsuch record did not uncover any reason to believe that he would be overly deferential to the president.

"If Donald Trump were looking for someone who would be a green light to broad assertions of executive power, Neil Gorsuch is not that," Adler said.

Such questions of independence are not new, of course; President Obama's nominees faced them as well.

Republicans point out that Obama, too, was combative in approaching the courts. He took the highly unusual step of scolding the Supreme Court for campaign finance decisions as the justices sat at his 2010 State of the Union address.

And while the court was considering but had not ruled on the constitutionality of the Affordable Care Act, many thought Obama was applying pressure by publicly opining that it would be "unprecedented" for the court to overturn the law.

But Trump's tweets about Robart, who has been on the bench since 2004, were personal, and exaggerated the effects of the judge's temporary restraining order imposing a nationwide stop to Trump's order.

[Trump lashes out at judge]

"Just cannot believe a judge would put our country in such peril. If something happens blame him and court system. People pouring in. Bad!" Trump tweeted Sunday afternoon.

Today's WorldView

What's most important from where the world meets Washington

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Sen. Ben Sasse (R-Neb.) is a strong Gorsuch supporter who calls the judge "a rock star." But Sasse is also a longtime critic of Trump, and said Sunday on ABC's "This Week" that the president's actions weren't helpful.

"We don't have so-called judges, we don't have so-called senators, we don't have so-called presidents. We have people from three different branches of government who take an oath to uphold and defend the constitution," Sasse said. "And it's important that we do better civics education for our kids."

Curt Levey, a conservative legal activist, said Trump's controversial comments and his intended disruptive role will transform the Senate hearing and debate on Gorsuch.

"This confirmation process may well be different, with President Trump's tweets and other remarks driving the flow," Levey wrote in an op-ed in the Hill newspaper, adding, "Don't be surprised if Democrats question Trump's legitimacy to make Supreme Court nominations and hold Gorsuch's nomination hostage to extraneous demands on the president."