

“Second Shutdown” Theatrics: Heads Trump Wins, Tails America Loses

Unless Congress and the Trump administration reach a new spending deal by February 15, the federal government will go back into “partial shutdown” status. As of February 10, congressional negotiators seem to be nearing agreement on a deal that includes about \$2 billion in funding for President Trump’s “border wall” project. Trump, as before the recent shutdown, is seeking \$5.7 billion.

My prediction: There are three ways this can come out. One is highly unlikely, and both of the other two would constitute a victory for Trump and a loss for Congress in general, even more so for congressional Democrats, and most of all for the American people.

Let’s get the unlikely outcome out of the way first: There’s probably not going to be another shutdown. Trump is going to sign whatever deal lands on his desk.

If the deal includes the \$5.7 billion he’s demanding (it won’t), he’s obviously the winner. Expect a lavish White House Rose Garden signing ceremony, even if there’s snow on the ground.

If the deal offers a lesser amount (it will), congressional Democrats will have lost anyway, by buckling on their previous opposition to funding the wall at all. That’s a bad outcome for a new Democratic majority in the House. It signals a lack of political will to take on the Republican agenda.

Whatever amount the deal includes, Trump will sign it — and if it’s less than \$5.7 billion, he’ll then follow through on his threat to declare a “state of emergency” and use existing military funding to make up the difference.

In doing so, he’ll throw yet another serving of red meat to his electoral base, acting as the strong-man figure they adore.

He’ll also add another boxcar to a long train of abuses & usurpations (as the Declaration of Independence puts it) by himself and previous presidents. His contemplated “state of emergency” tactic would seize executive power to do what only Congress, under the Constitution, may do (“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law”).

Not long ago, journalists might have labeled that situation a “constitutional crisis.” But in the 21st century, Americans and American politicians have seemingly become desensitized to presidential rebellion against the Constitution, from George W. “unitary executive” Bush’s use of “signing statements” to modify the content of bills passed by Congress, to

Barack “I’ve got a pen and I’ve got a phone” Obama’s claims of power to wage war in Libya, Syria and elsewhere without congressional approval.

The border wall is fast becoming more than just a morally bankrupt and economically stupid political ploy. It’s in the process of becoming yet another milestone on the road to the presidency as an openly proclaimed, and uncontested, dictatorship.