

WIN WITHOUT WAR



Progressive Foreign Policy Debrief

Intel for Advocacy

TRUMP'S BORDER WALL ANTICS ARE CAUSING A CONSTITUTIONAL CRISIS

In a move straight out of the authoritarian playbook, this week, Donald Trump doubled-down on his threat to declare a national emergency for the Department of Defense to build his multi-billion dollar border wall. After three weeks of a government shutdown that has, for example, held the livelihoods of hundreds of thousands of American workers and families [hostage](#), prevented Native American communities from accessing [critical health services](#), and put the lives of [sexual assault survivors](#) directly in harm's way, Trump proved yet again that there is no line -- including throwing the entire country under the bus -- he wouldn't cross for his own personal interests and political survival. In a nationally televised speech this week, Trump went [on and on with lies](#) about the southern border, and the refuge-seeking families that his administration is [irreparably harming](#).

While Trump's claims were obviously absurd, what's perhaps almost equally embarrassing is that the mainstream discourse has been busier obsessing over Trump's own talking points than about his evasion of Congress's authority -- a move that is driving our country into a constitutional crisis -- or the humanity of those who are seeking refuge at the southern border.

CONSTITUTIONAL CRISIS

It can't be overstated: This is not normal. **Trump declaring a national emergency to build his wall would amount to a constitutional crisis.** Seizing military funds to build a border wall is a direct attack on our democracy and the foundations of the republic. This extreme and unprecedented abuse of emergency powers would set a dangerous precedent and undermine our Constitution, making a mockery of the separation of powers, all in the interest of enacting a political agenda rejected by the majority of the American public ([who don't want the wall](#)).

The Commander-in-Chief is able to utilize certain, limited emergency powers in times of a true national security crisis in order to protect the security of the American people. Trump is not allowed to simply claim Congress refusing to enact his preferred policy is a "crisis" so he can please his political base. Trump's threats dangerously **subvert the will of Congress as a co-equal branch of government and make political pawns out of the U.S. military** -- which took an oath to defend and secure the nation, not the president's reelection.

WIN WITHOUT WAR



As Win Without War Director Stephen Miles [wrote](#), “If he [Donald Trump] can claim anything is a crisis to get what he wants, **there is no meaningful balance of power.**” What’s more, Miles [added](#), if Trump can use the U.S. military (which by the way is [prohibited](#) from performing domestic law enforcement to build his wall), “what can’t he use them for?”

And in a move that furthers this administration's [racist disaster relief posture](#), Trump is [reportedly](#) considering pulling billions—**set aside for areas devastated by natural disasters, including Puerto Rico**—from the Army Corps of Engineers and Army Corps to build his vanity wall.

Should Trump proceed with his threat to declare a national emergency for his morally corrupt and racist wall project, it will be up to Congress, the courts, and the American public to stop his unprecedented power grab. Allowing this attack on the basic rule of law to go unchallenged would be a disastrous slide towards authoritarianism.

THE HUMAN COSTS OF OUR BATTLEFIELD-TURNED BORDERS

Make no mistake: there is no national security crisis at the U.S. southern border. But there is an ever-worsening humanitarian catastrophe **created by the racism and militarism** of the Trump administration and its anti-immigrant hardliners, like Stephen Miller and Kirstjen Nielsen, **who are a [real national security threat](#)**. When Trump says “border security,” he means firing tear gas and rubber bullets at families seeking refuge and falsely demonizing them as “terrorists” and “criminals.” He means empowering the caging and death of children, and preventing people who are survivors of some of the [world’s worst horrors](#) (some of which the U.S. helped foster) -- poverty, conflict, climate catastrophes, sexual violence, and persecution -- to achieve their right to safety and justice.

In a sobering piece highlighting the perspectives of mothers on the frontlines of border brutality, Yifat Susskind, Executive Director of MADRE, [wrote](#):

Militarism has seeped into the way we set government budgets, decide policies, approach conflict, deliver humanitarian aid, and greet **impoverished families seeking refuge at the border** [...] Increasingly, we’re seeing the **tentacles of this monstrous industry wrapping around borders**, in an explicit sales pitch to “[bring] the battlefield to the border” by installing military weaponry, surveillance, and personnel.

Rather than terrorizing vulnerable people with thousands of [troops](#) authorized to illegally use deadly force, torturous detention camp “[iceboxes](#),” and a wall, the U.S. should concentrate on accelerating and humanizing our asylum processes to uplift the rights and dignity of all people seeking refuge.

What’s more, there is no question the U.S. has a **direct responsibility to help alleviate the conditions that drive forced migration in Central America**. Lest we forget that [the conditions](#)

WIN WITHOUT WAR



[forcing vulnerable families to flee](#) are in part a result of decades of disastrous American political and economic interventions, destabilizing military missions, local resource exploitation, and U.S. bolstering of corrupt governments and militaries that drive conflict, crime, and human rights abuses. The U.S. should be providing humanitarian protections, fully enforcing international and domestic human rights laws, and reforming its policies to address the [global and local drivers to forced displacement](#).

These steps are important. Not only as acts of human solidarity and compassion, but also as acts of justice and reparation for the damage caused by the United States' violence-first foreign policy in the region.

NOW IS THE TIME TO #RESIST

Instead of trading a shutdown for a constitutional crisis, and rewarding Donald Trump for his human rights abuses and erosion of democratic norms, Congress should reopen the government without funding the wall and take immediate action to investigate and block the president from tearing apart our republic and our humanity (by ending border brutality).

MORE RESOURCES

- Win Without War: [Messaging Guidance](#)
- Trump's Plan to Have the Military Build a Wall is Illegal ([Just Security](#), 01-08-19)
- The real national emergency is the threat of Trump's collapse ([Washington Post](#), 01-08-19)
- Win Without Twitter: Thread on Trump's threat to declare a national emergency ([Twitter](#))
- Terrorists and the Southern Border: Myth and Reality ([Just Security](#), 01-08-19)
- What the President could do if he declares a state of emergency ([The Atlantic](#), 01-19)

TAKE ACTION

- CREDO Action: "[Tell Mitch McConnell: End the government shutdown now.](#)"
- MoveOn: "[Tell Congress: Don't fund Trump's border wall.](#)"

BURIED LEDES

Today marks the 17 year anniversary of the terror suspect prison at Guantanamo Bay. To celebrate, we [learned this week](#) that current CIA Director Gina Haspel may have run a black site there shortly after 9/11.

The Pentagon [has so much money](#) it literally doesn't know what to do with it.

WIN WITHOUT WAR



A recent Congressional Research Service [report](#) says **“there are no indications” that Trump’s reimposition of sanctions on Iran is having an effect** on its regional ambitions or prodding Iran’s leaders to come to the negotiating table.

Secretary of State Mike Pompeo’s speech in Cairo this week [was](#) **a master class in blind revisionism in the Middle East**. (Our friends at NIAC and National Security Action have more on this [here](#) and [here](#).)

A recent [poll](#) found that a **majority of Americans (56 percent) support withdrawing U.S. troops from Afghanistan**, and a plurality (49 percent to 33 percent) support the idea of pulling U.S. troops out of Syria.

The same poll also found that a plurality say **the U.S. is engaged in too many military conflicts abroad**, sentiment that the Washington foreign policy establishment is finally [coming around to](#) as well.

Meanwhile, those [inside the White House](#) opposed to Trump’s inclination to scale back our endless wars **are bringing in reinforcements**.

The Arms Control Association [announced](#) this week that “a group of 4,000 anonymous Google employees opposing the company’s work on a Pentagon project using artificial intelligence (AI), which could be used to improve drone targeting, **was chosen as the 2018 Arms Control Persons of the Year for 2018.**”

(Most) Democrats [blocked](#) a bill in the Senate this week that would have, [according to the ACLU](#), **“encourage[d] states to suppress constitutionally protected political boycotts of Israel,”** despite a misinformation [campaign](#) by its supporters.

And finally, Comedy Central’s Trevor Noah [interviewed Malala Yousafzai this week](#) and offered a bit of advice: “I’m going to teach you a little something about swag,” he said. “If you have a Nobel Prize, you should start every sentence with ‘Nobel Prize,’ even if it’s not necessary. If you’re in Starbucks and they’re like, ‘What would you like?’ **You say, ‘Well as a Nobel Prize winner, I’ll have the venti.’”**