
News Analysis: Trump's national emergency declaration to spark knock-down, drag-out fight with Congress

16/02/2019



Democrats in Congress are headed toward a massive political brawl with U.S. President Donald Trump over his declaration of a national emergency that enables him to use funds earmarked for the military to build a wall on the southern border with Mexico.

Trump invoked the mechanism on Friday to build the wall aimed at curbing illegal immigration. However, the Democrats, experts said, are expected to put up a tooth-and-nail fight and challenge the measure in court.

Earlier in the week, Congress refused to approve the 5.7 billion U.S. dollars Trump says he needs to build the wall he has promised.

"It's an invasion," Trump said of the illegal migration pouring into the United States.

"We have an invasion of drugs and criminals coming into our country. We're going to confront the national security crisis on our southern border and we're going to do it one way or the other," Trump said from the White House as he declared the national emergency.

The move immediately sparked fury from the Democrats, who said the wall is too expensive, won't work, and sends the wrong message to neighbors.

"This is plainly a power grab by a disappointed president, who has gone outside the bounds of the law to try to get what he failed to achieve in the constitutional legislative process," House Speaker Nancy Pelosi and Senate Minority Leader Chuck Schumer, both Democrats, said in a joint statement.

BATTLE TO COME

Experts said Trump's move on Friday sets the stage for a major battle to come, amid bitter partisan rivalry in

Washington.

"There will be a major fight in Congress," Brookings Institution Senior Fellow Darrell West said in an interview with Xinhua.

"Democrats will sue and likely stop it in the lower courts. The Supreme Court is a question mark because Republicans have a 5-4 advantage," West said.

John Malcolm, vice president of the Institute for Constitutional Government at the Heritage Foundation, said he believes there would be a legal fight. "Somebody is going to challenge this. How long it will be tied up in court is anybody's guess," he said.

Nevertheless, he believed Trump is on solid legal ground.

"Whether it's a good idea or a bad idea, I think the president is operating on fairly firm legal footing. I think that the National Emergencies Act gives him pretty broad authority," Malcolm said.

"But we'll see whether a court upholds him or not," he said.

Christopher Galdieri, assistant professor at Saint Anselm College, said the Democrat-controlled House "is likely to pass a measure stating that there is no emergency."

"Beyond that, expect relevant committees in the House to grill Trump appointees about this, particularly about data that contradicts Trump's claims about a border crisis," Galdieri said.

CAMPAIGN PROMISE

The wall was a major promise Trump has made to supporters while campaigning for the presidency, on which he needs to deliver, experts said.

"Trump needs some portion of the wall to be built in order to satisfy his base. It was his primary campaign promise in 2016 so even if it is a short distance, he has to show he kept his promise," West said.

The wall is "important to the message that he ran on when he ran for the presidency," Malcolm said.

Working-class males, who make up a large part of Trump's base, have blamed illegal migrants for lowering working class wages and taking jobs in industries such as construction, making their life difficult.

Americans have also voiced concerns about an increase in gang violence, which some have blamed on illegal immigrants. In 2017, two teenage girls were brutally murdered in Long Island, New York by members of MS-13, a ruthless gang believed to comprise illegal migrants from El Salvador.

PARTISAN RIVALRY

The fight over the border wall is the latest example of the bitter partisan rivalry that has long troubled Washington.

It will only serve to worsen an already tense situation in Washington, and will only add fuel to an already roaring fire, experts said.

"The Democrats have been angered by everything Trump has done, even before he entered office. So why should today be any different from any other day in that regard?" Malcolm said.

Trump last month shut down part of the U.S. government in a bid to win the political fight over the wall. The president refused to sign a bill to continue funding the federal government unless the 5.7 billion dollars he requested were included to fund the wall on the U.S.-Mexico border.

After a month of partial shutdown, Trump re-opened the government, but vowed to continue pushing toward his goal of building the wall.

