

Getting Back to Work and Back to Church



By Cliff Kincaid

The Washington Post [claims](#) “constitutional experts” have “no idea” where President Trump got the idea that emergency powers give him the total authority to reopen the U.S. economy. It took me less than one minute to find a report from a liberal group, the Brennan Center, which [noted](#) that “the president has significant discretion to declare a national emergency” and “there are no statutory limitations, beyond the word ‘emergency’ itself, on what type of event qualifies.”

Does an economic depression constitute a special event requiring emergency action? Do food shortages constitute a special event requiring emergency action? You betcha.

Trump [declared](#) a national emergency on March 13, under the National Emergencies Act, relating to the coronavirus. The Brennan Center found 123 statutory powers that are available to the president when he declares a national emergency.

The problem in America is not Trump but outlaw governors and mayors who have, in the case of Greenville, Mississippi, [banned](#) drive-in church services.

Critics of Trump who assert his claim of total authority is hogwash are ignoring what scholars call the “Emergency Law Regime.” Trump didn’t make this up. It’s been on the books for decades. Congress gave the president these powers. They are

what political science professor Clinton Rossiter called the "Constitutional Dictatorship," which is also the name of his 1948 book.

Presidents of the past using these powers have been swooned over by the liberals. One was Abraham Lincoln, who didn't even have emergency powers granted by Congress. He simply exercised raw power. Another was FDR.

With the prospect of food shortages, in addition to massive unemployment, it's very easy to see how President Trump can use these emergency powers to control and expand the national economy, including interstate commerce. On Tuesday, he said he would rather work with the governors than order them around. But he made it clear he has the ultimate authority, and he's right.

The liberal media are promoting the notion that Trump, if he acts to save jobs and the economy, would be a dictator or King. It seems the Post and its "experts" would rather leave the national economy in the hands of liberal governors who have closed down churches while keeping potheads addicted to marijuana they get from the "essential businesses" selling the dope. Liberal governors want people to remain in a fog, drunk or stoned, and not go to church. That makes them more susceptible to mindlessly accepting anti-Trump propaganda.

President Lincoln suspended habeas corpus without Congressional approval in 1861. But he's a beloved president because he rescued the nation. Trump can rescue the nation without exercising Lincoln-like powers. He can use the emergency powers Congress gave him. These also include the [Robert T. Stafford Disaster Relief and Emergency Assistance Act](#).

Trump has not acted like a dictator. He has followed the law.

By contrast, some governors and mayors are acting like tyrants by ordering churches closed down and church members arrested

or fined. But the liberal media don't utter a peep. They would, however, probably scream to high heaven if the governors in their states shut down their pot shops and liquor stores. These journalists, of course, have been designated as employees of "essential businesses" in the states, despite their open disdain for our constitutional system and the legitimate election of Donald J. Trump as president.

Trump has depended on the governors to exercise such power properly. Clearly, however, many governors have gone far beyond what is necessary. Trump can and should assert control over these outlaw governors. Many Americans would welcome federal intervention under these circumstances. They want to get back to work and get back to church.

Congress has never revoked national emergency powers, and it's unlikely they would intervene, in voting to override an emergency declaration, to stop Trump from getting Americans back to work. Instead, Democrats will obstruct the legislative process of helping those forced out of their jobs through government action. As we have already seen, they are trying to use this crisis to add extreme left-wing agenda items, such as fraudulent mail-in voting, to financial stimulus legislation.

Trump, under current circumstances, is simply contemplating a decision to allow private businesses that have been closed down by government to get back to work. There's no legal basis on which to challenge his executive authority. In fact, he's trying to restore a system of free enterprise, one of our birthrights as Americans.

Congress passed the [Defense Production Act](#) (DPA), under which Trump has ordered General Motors to make ventilators. This is acceptable, proper, and necessary. Nobody disputes the president's authority in this case. In fact, Democrats asked for it.

The DPA, according to the [Congressional Research Service](#),

“confers upon the President a broad set of authorities to influence domestic industry in the interest of national defense.” Once again, we see wide latitude given to the president. Since the law refers explicitly to “production,” it is easy to see how it could be used to justify a presidential decision to get the United States back to work. Trump would simply have to justify the decision as critical to the national security posture of the United States and in the “national interest.” Various sections of the Defense Production Act, such as “Strengthening domestic capability,” are open-ended.

One of the objectives as mandated by the Congress in the [Federal Reserve Act](#) is promoting maximum employment. The president can and should declare that to be his objective as well. It’s difficult to see how the “progressives” would argue with that, unless of course it serves them politically to have people out of work, miserable, and starving. If that’s the case, then they are consciously serving the interests of the country which spawned the virus, Communist China.

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