Opinion

News



Campaign rally for incumbent President Franklin D. Roosevelt, left, with New York Gov. Herbert Lehman and U.S. Sen. Robert Wagner at Madison Square Garden, Oct. 31, 1936 (Wikimedia Commons/FDR Presidential Library & Museum)



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It is no surprise to regular readers of this column that its author has been increasingly despondent about the direction of the Democratic Party as it abandoned its strong moorings as the party of working people and became the party of late-term abortion, transgender rights and political correctness. The party has become too "woke" for its own good.

Now, in this moment of crisis, the Democrats have an opportunity to reclaim their mantle as the party of the people, the party of Thomas Jefferson battling Alexander Hamilton over fiscal policy, of Andrew Jackson battling the banks, of Woodrow Wilson standing up to the trusts and the monopolies and levying the first income tax, of Franklin Roosevelt and the New Deal and Lyndon Johnson and the Great Society. The recent stimulus bill called for congressional oversight of the distribution of a half-trillion dollars to corporations — oversight demanded by the Democrats to ensure that the money goes to help corporations maintain their payrolls, not reward their executives. They were right to insist on these provisions.

In a signing statement, President Donald Trump rejected congressional oversight as mandated in the law. Democrats should insist to know where this president, who is so committed to appointing originalist judges, finds the authority for signing statements in the Constitution. Could it be among the penumbras?

Signing statements, which were used by President Barack Obama also, attempt to serve as the executive department's equivalent of congressional intent, which judges sometimes use in deciding cases. While the U.S. Supreme Court has never ruled directly on the issue, the high court refused to consider President George W. Bush's signing statement in its 2006 ruling in *Hamdan* v. *Rumsfeld*. And the logic of *Clinton* v. *City of New York*, the 1998 case that threw out the line-item veto as unconstitutional, to say nothing of *Marbury* v. *Madison*, which assigned legislative review to the courts way back in 1803, would mitigate against the court's upholding the constitutionality of such a signing statement.

Not many voters on the fence about Trump will take the time to research case law, but the Democrats might want to make copies of the president's signing statement and mail it to all Americans, highlighting the passages where the president insists there will be no oversight.

Now, according to Politico, officials at the Federal Reserve are indicating that they do not feel bound to insist that corporations comply with government-imposed norms about how the money should be spent. Democrats should return to Washington as soon as possible, and call Fed Chair Jerome Powell to testify about his understanding of the law

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The Democrats may strike out with Powell: The law is passed, it is vital the money get into the economy, and an injunction could easily backfire. But it is also vital that the Democrats do everything they can to make sure the American people know which party is standing up against executive bonuses and stock buybacks with taxpayer money, and which party thinks it is not important to insist that government bailouts of corporations go to help sustain payrolls. It is time for a Tea Party of the Left.

Democrats will also have to insist that House Speaker Nancy Pelosi abandon her proposal to repeal the limit of the deductibility of state and local income taxes from federal returns. The only part of the 2017 Trump tax reform that had merit was the placing of a $10,000 cap on the amount an individual can deduct from their federal taxes on account of state and local income taxes. Before 2017, a taxpayer could deduct all their state and local income tax from their federal taxable income. So the repeal of the cap would only benefit people making more than $100,000.

In the nature of the thing, few people making that much money are losing their jobs in the current crisis: They can work from home and, if you make six figures, surely you should have some savings. Pelosi represents a very affluent district in San Francisco, and I am sure many of her constituents would like to see the cap removed, but she is a leader in a national party and must act accordingly.

Elections are about choices. Candidates and parties need to draw distinctions between themselves and their opponents. Through most of American history, it has

been the task of the progressive party, the party of the people, to stand up to the wealthy and challenge the influence of money in politics. Usually but not always — and never thoroughly, for the Democrats were long hobbled by the racism of their southern wing — the Democratic Party has been the carrier of that progressive creed. Way back in 2009 when I wrote the first Distinctly Catholic column here at NCR, I included these sage words from Arthur Schlesinger Jr.'s *The Age of Jackson*:

> American democracy has come to accept the struggle among competing groups for the control of the state as a positive virtue — indeed, as the only foundation for liberty. The business community has been ordinarily the most powerful of these groups, and liberalism in America has been ordinarily the movement on the part of the other sections of society to restrain the power of the business community.

If the Democrats want to win in November, they must return to their progressive roots and confront the moneyed interest as they fashion these massive stimulus measures. They will not get everything they want, to be sure, but they must make sure the Republicans show their true oligarchic colors in this election year.

In 1936, on the eve of the election at which Franklin Delano Roosevelt would be reelected in the largest Electoral College landslide in the history of the nation, he looked back at his first term in office and told a crowd gathered at Madison Square Garden:

> We had to struggle with the old enemies of peace — business and financial monopoly, speculation, reckless banking, class antagonism, sectionalism, war profiteering. They had begun to consider the Government of the United States as a mere appendage to their own affairs. We know now that Government by organized money is just as dangerous as Government by organized mob. Never before in all our history have these forces been so united against one candidate as they stand today. They are unanimous in their hate for me — and I welcome their hatred.

It is time for the Democrats to cultivate — and to welcome — that hatred again.

[Michael Sean Winters covers the nexus of religion and politics for NCR.]

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