



Written by [Joe Wolverton, II, J.D.](#) on March 5, 2019

Rand Paul: If I Supported Trump's Declaration of National Emergency "I Would Lose My Political Soul"

In keeping with his consistent commitment to maintain the separation of powers among the three branches of the federal government, Senator Rand Paul (R-Ky.) has announced that he will vote to pass a measure opposing President Donald Trump's order to use military funds to pay for the wall along the southern border.



Paul issued a press release explaining that he was opposing the president's plan to use money marked for national defense to finance the border wall that has been his pet project since the days of the campaign.

According to a statement accompanying his own plan for improving border security, Paul said that his proposal was "a constitutional answer that guarantees funding for our needs on the border without taking away from other priorities or increasing the burden on American taxpayers."

According to several news outlets, Senate Majority Leader Mitch McConnell (R-Ky.) anticipates that his colleagues will vote to reject President Trump's declaration of a national emergency.

"I think what is clear in the Senate is there will be enough votes to pass the resolution of disapproval which will then be vetoed by the president and then all likelihood the veto will be upheld in the House," McConnell told press gathered at the Capitol.

On his Facebook page, Senator Paul reminded Republicans of their recalcitrant refusal to go along with unconstitutional executive actions of former President Barack Obama.

"Every single Republican I know decried President Obama's use of executive power to legislate. We were right then. But the only way to be an honest officeholder is to stand up for the same principles no matter who is in power," Paul posted.

By a vote of 245-182, the House of Representatives passed their own version of the resolution rejecting Trump's declaration that the influx of immigrants across the border with Mexico constituted a national emergency. The emergency status, the president declared, gave him power to redirect funds from the Pentagon to the building of the wall.

"The current situation at the southern border presents a border security and humanitarian crisis that threatens core national security interests and constitutes a national emergency," President Trump declared on February 26.

In an op-ed published by Fox News, Paul said that he would "literally lose [his] political soul" if he supported Trump's usurpation of Congressional authority. Paul writes:

In September of 2014, I had these words to say: "The president acts like he's a king. He ignores the Constitution. He arrogantly says, 'If Congress will not act, then I must.'"



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Donald J. Trump agreed with me when he said in November 2014 that President Barack Obama couldn't make a deal on immigration so "now he has to use executive action, and this is a very, very dangerous thing that should be overridden easily by the Supreme Court."

I would literally lose my political soul if I decided to treat President Trump different than President Obama. (Although, I'll note, not one Democrat criticized Obama for his executive orders.)

As for the president's premise — that illegal immigration is a national emergency — Paul puts forth an alternate explanation:

I support President Trump. I supported his fight to get funding for the wall from Republicans and Democrats alike, and I share his view that we need more and better border security.

However, I cannot support the use of emergency powers to get more funding, so I will be voting to disapprove of his declaration when it comes before the Senate.

To gauge the response of rank-and-file Republicans to Senator Paul's position, one need only read the comments posted to his Fox News editorial.

Paul does address the recriminations of Republicans:

I, and many of my fellow members, called out President Obama for abusing executive authority. President Obama famously said that if Congress wouldn't do what he wanted, he had his pen and his phone ready. That was wrong. Many of those voting now spent a good portion of their campaigns running ads against these words and actions of President Obama. They will and should be condemned for hypocrisy if they vote to allow this because they want the policy or want to stand with the president in a partisan fight.

Paul's friend and frequent ally in the House of Representatives, Representative Justin Amash (R-Mich.), posted a message on Twitter for all those who are denouncing Paul (and himself) as traitors to their party.

"The same congressional Republicans who joined me in blasting Pres. Obama's executive overreach now cry out for a king to usurp legislative powers. If your faithfulness to the Constitution depends on which party controls the White House, then you are not faithful to it," Amash tweeted.

And, at the end of the day, it comes down to that. Every senator and every representative swore to uphold the Constitution, not to support a president or a party. In fact, support for a president or party over the Constitution would seem to be an act of constitutional infidelity.

I will close with the words of Thomas Gordon, a man whose *Cato's Letters* was considered to be one of the works of the most profound impact on the Founding Fathers and one that confirmed the justness of their taking up arms against Great Britain. Gordon, writing on the corruption wrought by partisans, declared:

In most Countries, they who blind and enslave the People, are popular, and revered; they who would enlighten and free them, hated and persecuted.... It is with Measures as with Men; they are praised, or condemned, not because they are Right or Wrong, Beneficial or Hurtful, but because they come from this Party, or the other. Evil is turned into Good, and Good into Evil: Truth passes for Falsehood; Falsehood is dressed up in the Guise of Truth: The best Actions are decried as the worst, if they arise from one Quarter; the worst Actions adored as the best, if from the other. The Resisting of lawless Tyrants, is, at one time, Rebellion and Damnation: To rebel against the most lawful Authority, is, at another time, Duty and Glory.... When we have taken a Fancy to a Man, and



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chuse [sic] or consider him as our Chief and Leader, we are disposed to see all Excellency and no Fault in him, to think him every way able to serve and support us, and quite incapable [sic] of betraying or hurting us, or of ill serving us. We represent him to ourselves, just like ourselves, full of warm Zeal for Us and our Cause, without any Views to himself, or any Motives that are personal.... Party Principles are therefore substituted for moral Principles; the sure way to destroy all Morality, and to confound the Characters of Men, and even those of Good and Evil. In truth, Morality, with Sense, is the only true Standard of Popularity, and the only just Recommendation to it. A virtuous Man can never endanger Liberty, nor hurt Society; nor is a wicked Man ever to be trusted with the Support of either. Yet from this Spirit, this baneful and pestilent Spirit of Party, the ablest and best Men are often precluded from the Service of their Country; the weakest, the worst, and most contemptible, employed in its Service; and the best Men often forced from that Service, to make room for the worst.

Senator McConnell expects that he and his colleagues in the U.S. Senate will vote on the president's declaration of national emergency before that body breaks for recess on March 15.

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