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Donald Trump, meet the Founding Fathers

PUTTING IT IN PERSPECTIVE On one level, it seems individuals are thwarting the president's legislative agenda. But seen more broadly, it's America's system of governance that the president is running up against.

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Handwritten signature



Joshua Roberts/Reuters | Caption

An Orange "Duck"

Trump is an asshole

Trump can't run this country

Trump is a hopeless dog

Francine Kiefer

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AUGUST 4, 2017 | WASHINGTON — America's senators scattered to the winds for their summer recess on Thursday, leaving behind a big unfinished agenda and a peeved president.

The chief executive has lambasted lawmakers for failing to repeal and replace the Affordable Care Act, for their investigations into Russia and his campaign, for their arcane voting rules, and for passing sanctions legislation against Russia.

He took a parting shot in a tweet Thursday morning, saying "You can thank Congress" for a US-Russia relationship that is at an "all-time & very dangerous low."

President Trump may think his problem is with members of Congress and the way they run things. In one sense, the decisions and behaviors of individuals in Washington — not least, himself — account for his threadbare legislative accomplishments, despite Republican control of both ends of Pennsylvania Avenue.

But in the broadest sense, the resistance he's encountering is due to America's system of governance. The story of his early presidency might easily be called "Donald Trump meets the Founding Fathers," as a beginner politician runs up against the checks and balances that are designed to prevent tyranny and forge consensus.

Trump and his team are "surprised at the intransigence and resistance they're meeting, when in fact, every other president has met them," says Don Ritchie, former Senate historian. This outsider White House "didn't anticipate these things because they hadn't experienced these things," as former governors or legislators, like other presidents and senior White House officials.

During the honeymoon phase of a new administration, presidents can make significant headway. Barack Obama and George W. Bush scored some major legislative wins, when their parties, too, controlled both the House and Senate.

By the first August recess, a Democratic Congress had passed President Obama's big economic stimulus package, confirmed a Supreme Court justice, and was deep into the policy weeds of health care, which would become law early the next year. In his first year, President Bush got a \$1.35 trillion tax cut and Congress passed landmark education reform with bipartisan support.

But Trump's marriage with the GOP has been rocky from the start.

He has been able to appoint a Supreme Court justice – a biggie – and roll back 14 Obama-era regulations, which Republicans say has helped to fuel the stock market to a record high. Still repeal-and-replace failed, the president's budget is being strongly resisted by his own party, the border wall is a disputed budget line, tax reform is a set of talking points, and Democrats have panned his infrastructure plan.

Resistance from Congress is common

It's not uncommon for presidents to meet resistance in Congress even when their party is in control. Democrats Franklin D. Roosevelt, Harry Truman, John Kennedy, and Jimmy Carter all faced pushback, even though they had Democratic majorities.

Party members rebelled against FDR's attempt to pack the Supreme Court. They spurned Truman on his domestic agenda, though they agreed with him on key foreign policy issues. President Carter was too conservative for many Democrats

– witness Massachusetts Sen. Edward Kennedy's decision to challenge him in the 1980 primary.

The common notion is that it's presidents versus the opposition party in Congress, "but it's really presidents versus Congress as an institution," says Mr. Ritchie, the former Senate historian, recalling President Kennedy's observation that he didn't realize how powerful Congress was until he was no longer just one of its 535 members.

Trump saw that in a very tangible way when Sen. John McCain (R) of Arizona became the unexpected third Republican to vote down, and thus kill, the Republican effort to pass a "skinny" repeal of the Affordable Care Act in the wee hours of July 28. Senator McCain also strongly supported punishing sanctions against Russia for attempting to influence US elections last year and for its military actions overseas – as did most members of Congress.

"We are an important check on the powers of the executive," Senator McCain said in a speech before the full Senate earlier last week. "Whether or not we are of the same party, we are not the president's subordinates, we are his equal," the senator emphasized, as he urged a return to the "regular order" of hearings and the painstaking business of consensus-building between the parties.

Learning curve with the judicial branch, too

That flexing of congressional muscle by Republicans – even against their own president – was on display again this week as two Senate bipartisan bills were introduced to protect against a possible firing of independent counsel Robert Mueller by the president. Trump calls the investigation by the counsel into possible collusion between members of his campaign and Russia a "witch hunt."

Firing the independent counsel would create a constitutional crisis by undermining the rule of law, lawmakers of both parties say.

Republicans and Democrats have circled the wagons around Mr. Mueller and around the embattled attorney general, former Sen. Jeff Sessions (R) of Alabama. Senator Sessions has been one of the president's most loyal supporters, now scorned by Trump for having recused himself from the Russia investigation.

Early on in his administration, Trump complained bitterly about the judicial branch. He chastised judges and lower-court rulings that went against his immigration travel ban, though he exulted when the Supreme Court partially upheld the ban in June.

As Ritchie points out, while just about everything in this young presidency is unprecedented, the pushback from the legislative and judicial branches is not.

"I can't name a single president who has not been frustrated by the courts at some time," he says, pointing out that it is usually only after a crisis – the Great Depression, Pearl Harbor, 9/11 – that the legislative, judicial, and executive branches all come together.

Opportunities for civics lessons

While the resistance from the other parts of government might frustrate the president, many Americans have a newfound appreciation for it.

"Thank God we have three branches of government," said Stephen Benjamin, the Democratic mayor of Columbia, S.C., at a Monitor breakfast on Wednesday. Mr. Benjamin was part of a delegation from the nonpartisan US Conference of

Mayors, which visited Washington this week to meet with legislators about the president's proposed budget cuts, among other things.

"It's great to have strong leadership and outspoken leadership in the White House," said John Giles, the Republican mayor of Mesa, Ariz., in an interview after the breakfast. But he also hearkened back approvingly to McCain's speech of last week.

"Senator McCain gave us a great civics lesson ... that the Senate and the Congress is not subservient to the president. They are the president's equal."

i Did this story deliver on 'Putting it in perspective'?  

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