

USA: The Shutdown Showdown - “Here lies the possibility of a genuine Constitutional crisis”

Sunday 6 October 2013, by [FINKEL David](#) (Date first published: 1 October 2013).

This is an update of the September 24, 2013 article on the same topic and available on ESSF website [\[1\]](#)

Yes, they did it: over the edge and down the ravine, into the “partial government shutdown.” If you need help from your local Social Security or Veterans Administration office, forget it. Calling Fannie Mae for a loan modification? Don’t bother – those notoriously cynical bureaucrats aren’t even there. Camping in a national park? Pack up and get out. Even if you want to stage an antiwar protest at your downtown Federal Building, you may as well move it elsewhere.

Don’t worry about essential services, however, most importantly the work of minding the empire. Military operations are not affected — drones are flying, Cruise missiles remain on standby. The NSA’s supercomputers are mining your emails and phone calls just as usual. You can feel as safe and secure as always, as long as the bridge you cross driving to work on the Interstate doesn’t collapse...

For the most part, the short-term effects of a shutdown are inconvenient and somewhat harmful, but not visibly catastrophic. So how deep and long-lasting is this impasse — and the bigger one looming over the debt ceiling – going to be? It’s not clear, but there are three essential points to keep in mind.

First, what’s at stake: it’s not about technical details in the Affordable Care Act (e.g. the medical devices tax) or a “one-year delay” in implementing the individual mandate. It’s not about budget details, which are negotiable, but about issues of power, which aren’t. Defunding “Obamacare” or delaying it a year (a delay which could obviously be repeated over and over) would cripple the Obama presidency beyond hope of repair. That’s precisely why the racist-fuelled Tea Party is forcing the issue, and why the Democrats cannot give in even if they’re ready to viciously slash Social Security and Medicare for decades to come.

Second, how to resolve it: in these circumstances, there appears to be no way out until the shutdown lasts long enough to begin doing visible economic damage. A government cannot function if a minority faction of one party permanently “blocks supply,” i.e. chokes off essential funding. At some point, the Tea Party stranglehold over the Republican Party – which represents, in the final analysis, the control of a handful of far-right billionaires over the politics of the U.S. capitalist class as a whole – needs to be broken, although this seems unlikely to occur immediately.

Ultimately, U.S. and global capital do not want to risk the consequences of a thoroughly crippled presidency in a delicate world financial climate. Wall Street might ultimately send a signal to John Boehner that he needs to get a Continuing Resolution without poisonous anti-“Obamacare” clauses up for a vote in the House of Representatives, with Democrats perhaps agreeing not to vote against

Boehner if his Speaker's position is challenged by the Teapublicans. Such an arrangement would be a highly unorthodox case of "centrist extremism," but could become a ruling class necessity - and the threat of a split in the Republican Party might cause part of the Tea Party to tactically retreat.

Third, what comes next: it's possible that the budget showdown and government shutdown might vent the steam from a potentially more dangerous "debt ceiling" crisis that hits around October 15. The Tea Party's rage over "Obamacare" could slowly burn itself out in the shutdown, allowing the debt ceiling increase (which is the creation of a 1917 law enacted for the funding of World War I) to occur without too much fuss.

But that's not the current trajectory. Instead, the fights over the budget and debt ceiling appear to be combining to create a real tidal wave - and here lies the possibility of a genuine Constitutional crisis resulting from bourgeois political gridlock.

The fact is that a partial government shutdown can last for weeks, or even months, without truly devastating consequences. A U.S. default, even a technical one where no actual bills are unpaid, can't. Not only the U.S. financial system but the world economy rests in large part on the safety of investments in U.S. debt. If the Republican Party imposes the kind of unacceptable conditions on raising the debt ceiling that it has declared on the budget Continuing Resolution - essentially demanding that the Obama presidency commit suicide - pressures will build on the president to take unilateral action to raise the debt ceiling on his own, relying on ambiguous Constitutional clauses declaring the president to be responsible for maintaining "the full faith and credit" of the United States.

Conceivably, Obama could declare a provisional lifting of the debt ceiling in lieu of Congressional action. Would that be illegal - really? More illegal than indefinite detention without trial at Guantanamo? More illegal than "extraordinary rendition" and torture in the War on Terror?

This scenario would put the U.S. political system in uncharted waters. The shame of it all is that the U.S. working class is essentially a passive spectator, even as people's real lives are damaged - when what's really necessary is mass action to shut down corporate capital.

David Finkel, update, October 1, 2013

P.S.

* <http://www.solidarity-us.org/site/node/4005>

Footnotes

[1] See on ESSF (article 29846) [USA: Is the Ship of State Heading for Shutdown?](#).