

If the Supreme Court upholds Trump's tariffs, the next Democratic President should declare a climate change national emergency on Day One and impose a carbon tariff. The tariff should be set at levels that will pressure countries to clamp down on emissions relating to industry. Democrats should immediately announce that this will be on the agenda for the next President.

This strategy would have a series of advantages. First, announcing it now would put the courts on notice that, if they uphold Trump's tariffs, they are also opening the door to tariffs based on liberal priorities. That will help keep conservative judges honest when they decide the Trump tariff cases. If they hold that he lacks the power to impose their tariffs, you can ignore the rest of this post.

Second, it also makes it clear to Republicans that Democrats are willing to use their tools. Unilateral disarmament is a losing strategy. If one side feels free to make unrestrained use of executive prerogatives and the other side is totally inhibited, the lesson will be that executive overreach is a costless strategy. Yet, it is also important to deescalate so that in the long run use of executive powers will return to a more appropriate level. Carbon tariffs could be considered a de-escalation in the sense that using carbon tariffs is more restrained and principled than Trump's semi-random imposition of draconian tariffs.

Third, use of carbon tariffs should encourage renewed ambitions in other country's climate policies. Global carbon emissions have continued to rise year after year, despite international negotiations and many pledges to cut emissions. A U.S. carbon tariff could help give climate policy a needed jolt.

And fourth, a carbon tariff takes away the argument that stricter emission limits in the U.S. will give countries with weaker climate policies an unfair advantage. For that reason, in announcing carbon tariffs, the President should also pledge reductions in U.S. emissions. Indeed, if other countries adopted carbon tariffs of their own, perhaps drawing on the EU's CBAM, there would also be pressure on U.S. industry to reduce emissions.

As a matter of policy, a border adjustment for carbon emissions is much more defensible than the kinds of tariffs that Trump is proposing. And conservatives need to know that what is sauce of the goose is sauce for the gander. Or to switch metaphors, liberals need to show that they're willing to move beyond bringing baked goods to a gunfight.