

# The President Needs Congressional Authorization for Military Action as Required by the Constitution

If You Have Time, Mr. President, Senator Paul Can Help You Learn That The Constitution Means What It Says

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*“While we all condemn the atrocities in Syria, the United States was not attacked. The President needs congressional authorization for military action as required by the Constitution, and I call on him to come to Congress for a proper debate. Our prior interventions in this region have done nothing to make us safer, and Syria will be no different.”* Senator Rand Paul, (R-Kentucky), 7 April 2017

A central concern of the Founding generation, when writing the Constitution, was to ensure that no one man, or one man and his clique, could take the republic to war. To that end, the Constitution delegates the citizenry’s power to declare war solely to its servants in Congress, and, in doing so, uses language that makes it clear that the Congress cannot delegate this power to the executive branch of the government. The ability of a president to order military action was — and is — tightly limited to instances in which the United States is attacked or, perhaps, if a clear threat must be preempted.

Since 1955, however, every president and every Congress have acted in clear and deliberate violation of the Constitution’s allocation of war-making powers. In 1955, the Congress passed a resolution — called an “Authorization for the Use of Military Force” (AUMF) — that allowed President Eisenhower to do what he wanted, when he wanted to do it, with U.S. military forces in the defense of Formosa (Taiwan) against Mao’s China. Later, the Vietnam war began with another AUMF, and every other U.S. war since Vietnam has started with one, save for those which the president started off his own hook — the Obama/Clinton Libyan war, for example, — without even bothering to seek an unconstitutional delegation of the war-making power from Congress.

Your 6 April 2017 attack on a Syrian military airfield/chemical-storage depot, Mr. President, is the latest example of this unconstitutional war-making. The barrage of 60 cruise missiles — worth about \$5.5 billion — was, as usual for the U.S. military, a feckless exercise in concrete-smashing. As in Bill Clinton’s Serbia war, the national government attacked a state that had not harmed the United States, and in which the republic has no genuine national interests at stake. All of this was done via the decision and then orders of one man — advised by his unelected advisers — for the U.S. military to conduct an unconstitutional act of offensive war, as if the republic is an absolute and so lawless monarchy.

President Trump, was your pledge to install a commonsense, non-interventionist and

America First foreign policy just lying words? I trusted that they were not, but now I wonder. You appear to have been genuinely shaken by the chemical attacks and the deaths that resulted therefrom. Yes, Mr. Trump, war is tough and bloody, and people of all ages get killed, just ask some Gold Star families. But if you truly launched 60 cruise missiles because you were overcome by your personal emotions after seeing the results of the chemical attack, your temperament is worrisome. Indeed, if you attacked because you felt bad about the deaths in Syria, you created a situation in which the Founders' genius has never been on better display than in their creation of a document that tried to make sure that no single distraught individual could use the republic's military power to seek revenge for his personal pain.



What have you and the pro-war Americans gained from the attacks, Mr. Trump? Are you and they enjoying soothed sensitivities and weeping less? Well, good on you and them. Other than some smashed-up military facilities, a handful of dead Syrians, and 20 or so destroyed Syrian aircraft, you, your generals, and advisers achieved only a disgrace.

- You ignored constitutional requirements and you attacked a state that did not threaten the republic. These are two distinct and self-inflicted defeats for the rule of law.

- You probably will see the Russians and the Iranians station additional aircraft squadrons of their own in Syria, and more sophisticated anti-aircraft systems, to replace Syrian losses and issue a silent challenge to you to come after them.

- You have certainly focused Syrian and Iranian irregular forces in the Syria and Iraq on the task of killing U.S. Marines and soldiers in response.

- You followed the attack by placing more sanctions on Syria, which appears to mean that, as in Iraq under Clinton and Bush, the killing of civilians — including kids like those you got all weepy over — by starvation and the lack of medical care is, as Albright said, “worth it”.

So as not to be entirely negative, Mr. Trump, there is some praise flowing in for your attack. The NATO leaders who refuse to defend themselves, and want America to do so and pay for the privilege, have given you a collective thumbs up. The Arab tyrants who oppress their peoples, and fund al-Qaeda and the Islamic State, think you are swell. And just look at the hurrahs coming from Israel's leader, who graciously took time out from extorting U.S. taxpayer money from the congressmen and senators he has suborned to send his congratulations. Needless to say, the leaders of ISIS and al-Qaeda also have sent you their hearty thanks.

Finally, I hope you can revel in the widespread praise of those who are more loyal to Israel and endless war than they are to the United States, and who did all they could to elect Clinton, defame your family, and slander you. The praise of disloyal, Neocon, and interventionist U.S. citizens like John McCain, Bill Kristol and his *Weekly Standard*, Lindsey Graham, and Marco Rubio, whose speech on FOX this morning must have been written by AIPAC, emanate from men who hate your guts and will never stop seeking to destroy you. Their praise is not even worth what John Nance Garner once described as a “bucket of warm spit.”

✖ You said, Mr. President, that you only wanted to be America’s president, and not the president of the world. Well the only way to be the former is to obey the constitution, and the only way to be the latter is evade it, so as to become the world’s self-funding policeman who gets the title of “Leader of the Free World”, which means you get to bleed the United States white by fighting other peoples’ wars. That title would be sought only by a Globalist, never by an American nationalist.

Your attack on Syria — like the attacks of all your post-1945 predecessors — evaded the constitution, and so damaged the republic by undermining the rule of law. The achievements that the attack achieved are, at best, paltry, Islamist-assisting, and unconscionably expensive. The applause you have won for attacking is both a plague sent by your and the republic’s enemies, and a nightmare for your supporters and advocates.

Surely you must remember the latter, Mr. Trump, they are the people who elected you because they believed you meant what you said about putting America First. Perhaps they were wrong.

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