U.S. Army specialist challenges U.N.

by Leo F. Scanlon

In a well-known fable, the citizenry of a kingdom is solemnly assembled, as the emperor parades proudly about in his newest garments. The emperor has been convinced that the garments possess magical qualities, such that their beauty can only be seen by those who are worthy. The spell of self-delusion is broken by the innocent statement of a little boy who observes that "the emperor has no clothes!"

Like the hero of the fable, Army Specialist Michael New, who is a decorated veteran with military service in Kuwait, has rocked the edifice of United Nations military operations, by asking his U.S. military superiors, "by what authority" were they ordering him to don the insignia of a foreign power—the United Nations—in violation of the Army regulations he has sworn to obey?

The question was simple (in military jargon it is "a sergeant's question," and can be answered by a non-commissioned officer), but the Army had no answer that was consistent with its own regulations. So, New stood his ground, and has been court-martialled, and faces a bad conduct discharge. In the course of the proceeding, New's attorneys have unearthed evidence that shows deep confusion within the Clinton administration about the legal technicalities which govern aspects of the U.S. deployment in the Balkans.

Before the case is over, Specialist New and his attorney, Col. Ronald Ray, could ask the questions which end the delusion, that the United Nations is a legitimate, "supra-sovereign" institution.

Disputed and undisputed facts

In August 1995, Michael New was ordered to go to Macedonia as part of a deployment of U.S. forces which had been active in that area, under U.N. jurisdiction, for some time. New had no problem with the deployment, but questioned the additional orders that required him to don U.N. insigina, and carry a U.N. identification card—the latter, an apparently unprecedented requirement, and one which opens up serious questions of international law for a combatant who is exposed to hostile forces, and potential capture. The Army stipulated that the insignia were not authorized by any existing regulation.

The trick is that nonregulation insignia may only be worn on a military uniform, if the deployment is in response to a *lawful* order by the President. From the earliest days of the United Nations, American law has recognized the inherent danger of entangling U.S. military forces in operations which derive their legitimacy from a supranational institution with parentage as dubious as the U.N.; and so, there are complex legal "hoops" that the President must jump through in order to *lawfully* deploy U.S. forces on a U.N. mission.

Up until the final briefs were filed by the attorneys in the court-martial proceeding, the administration argued that the Macedonia deployment was conducted under Chapter VI of the U.N. Charter (a regulation which governs noncombatant "observers" of signed cease-fires or peace treaties), and therefore did not require prior Congressional approval.

The problem is, that the U.N. resolutions which authorized the Macedonia deployment explicitly define it as a "Chapter VII" operation, involving combatant troops, a definition which automatically requires Congressional approval—which the administration has never sought to obtain. Technically, New was correct to question his orders.

Subsequent to the court-martial, the administration admitted that the operation is a Chapter VII action, and constructed tortured justifications as to why Congressional approval was not required.

Unfortunately, none of this was admitted in the court-martial, because New's attorneys were given the relevant documents after the court-martial was under way—the reflex action of the corrupt "permanent bureaucracy" which manages

these affairs. In response, his attorneys have filed a *habeas corpus* motion in federal court in Washington, D.C., pointing to the contradictory legal interpretations of the highest administration officials, the President included, and asking that the injustice done to New by the bad conduct discharge—a sentence which prevents him from ever serving in the Armed Forces, receiving his military benefits, or being buried in a military cemetery, and which seriously impairs his future employment prospects—be remedied by a ruling which returns him to civilan status.

No need to hide behind the U.N.

The irony of this sad story is that the deployment of the small force of U.S. combatants to Macedonia during the Balkan war was one of the most successful steps taken to halt the spread of that bloody conflict. Informed observers have noted that the U.S. "trip-wire" deployment thwarted British efforts to spread the conflict throughout the entire Balkan and Near East region. It is exactly the kind of operation that U.S. forces should be carrying out, and which the population would support, if the appeal were properly made.

Neither Michael New, nor the President of the United States, has any need for the stained garments of an institution which has discredited itself at every step of this bloody tragedy.

Accepting the U.N. as 'the world government' is unconstitutional

by Lyndon H. LaRouche, Jr.

Acting in my function as a candidate for the Democratic Party's 1996 U.S. Presidential nomination, I wish to announce that I am fully in support of the principal claim by Army Specialist Michael New.

There is no allowable margin for doubt, that Army Specialist New rightly judged himself to have received an unlawful order, directly contrary to his oath to uphold the U.S. Constitution. Except in the instance of nullification of our Constitution by virtue of our republic's defeat in warfare, no branch or other agency of our government has the authority to subvert our national sovreignty by acts tantamount to accepting the United Nations Organization as "The World Government." To order any sworn officer of the United States to overthrow the sovreignty of the U.S.A. by means of such an unlawful order is a plainly impeachable act, tantamount to treason, whether actionable under the treason clause of our Constitution, or not.

Relative to these United States, there exists on this planet no higher governmental authority than the sovreignty of a nation-state republic.

Furthermore, in the cases of continuing sanctions against Iraq, and in its recent role in the Balkans, and on other counts, the Security Countil of the U.N.O. has perpetrated past and continuing violations of the Nuremberg Code prohibiting "crimes against humanity."

In respect to the U.S. Department of Defense itself, I have already noted the unconstitutional features of its September 1995 policy statement entitled *United States Security for the Americas.* My exposition on this subject is contained in a published, October 1995, policy paper of my campaign, *The Blunder in U.S. National Security Policy.* The DOD's cited paper contains numerous instances in which the authors of that policy statement proceeded in direct violation of the principle of sovreignty of nation-state republics such as our own.

Respecting the DOD, I am obliged to add the following intelligence respecting the Defense Department's continuing, ten-year record of flip-flops on the issue of international narco-terrorism.

During 1985, acting in consultation with representatives of the U.S. military, I assisted the government of Guatemala with technical advice on the matter of narco-terrorists operating within and athwart its national borders. The proximate outcome of this technical advice was one of the most successful anti-narco-terrorist operations of the 1980s, conducted entirely by sovreign forces of Guatemala, called "Operation Guatusa."

It had been my expectation, that the brilliant success of this operation would demonstrate to even hard-heads in the DOD that, with aid of proper equipment and technical assistance supplied by the U.S.A., the nations of Central and South America could combat the Colombia-centered international narco-terrorist operations within their territory. Instead, I found that, in collaboration with Vice President George Bush, and others, the DOD had suddenly adopted the policy that "narco-terrorism does not exist." During that period, the Bush-directed "Iran-Contra" "focal-point"-style operation was working with the Colombia "narcos" against the narco-trafficking Communist terrorists gangs of Colombia. Today, the latest dispatches indicate, the DOD has reversed that late-1980s policy, this time to protect Colombia's Communist terrorists from the impact of U.S. anti-drug operations, still under the fraudulent, Bush-league presumption that "narco-terrorism" does not exist.

The DOD and State Department should reflect upon their sworn commitment to uphold and defend the U.S. Constitution and the perfect sovreignty of both the United States and of the nation-states with whom our republic has presumably friendly dealings. Specifically, all actions which are tantamount to accepting the U.N.O. as "The World Government," should be considered as either unlawful, or simply nullified in other appropriate ways.