

Rep. Jones Calls for Support on Legislation

Jan. 28—The more than 300 people attending the New York City Jan. 26 conference of the Schiller Institute, unanimously endorsed a call by Rep. Walter Jones (R-N.C.) to mobilize support for two important legislative initiatives now before the 113th Congress.

In video-taped remarks to the New York City gathering, Jones conveyed his greetings and congratulations, declaring, “I am pleased to have this moment of time to welcome you to the conference on ‘A New Paradigm To Save Mankind.’ If there’s ever been a time that we need to have these types of discussions, it’s now, not later.”

He continued, “I would like to start by explaining a couple of bills—one I have introduced; the second bill, I am a co-sponsor. The first bill is H. Con. Resolution 3. This basically says that any President, without provocation, that bypasses Congress to bomb a foreign country, can be and should be impeached. I would really appreciate if those of you in this conference would join me in this effort by calling your member of Congress, and ask that member of Congress if he or she would please join Walter Jones from North Carolina, in H. Con. Resolution 3.

“To me, the Constitution is like the Bible, it is sacred. And we need to follow the Constitution, especially when we decide to send our young men and women to war.

“The second bill I’d like to present to you, and ask your help with, is introduced by my friend Marcy Kaptur [D-Ohio]. I have joined her in this bill H.R. 129. The reason for this legislation is to reinstate Glass-Steagall. I must tell you that one of the worst mistakes I’ve made, was, one, sending our troops to Iraq to an unnecessary war. And the second was to vote to repeal Glass-Steagall. And I join my friend Marcy Kaptur in trying to get the House of Representatives to bring this bill up for a hearing in the House, and then a debate. But just like H. Con. Resolution 3, we need your help with H.R. 129, Marcy Kaptur’s bill to reinstate Glass-Steagall.



North Carolina Congressman Walter Jones

“I think these two bills are extremely important, but we cannot get these bills even heard in the Congress, unless you pick up the phone, or you e-mail your member of Congress, and tell that member of Congress to join in H. Con. Resolution 3, which is dealing with War Powers; and then, H.R. 129, which deals with the reinstatement of Glass-Steagall.

“This conference that you are a part of is very important and very special to the future of America. Thank you for being at this conference! When you leave this conference, please be energized to pick up the phone and let the people in Congress know, that you are aware of what’s happening, especially with these bills.”

Fein: The Background to the Legislation

Immediately following Jones’ videotaped address, Bruce Fein, a former U.S. Department of Justice official and a renowned Constitutional lawyer, who addressed the Schiller Institute event earlier in the morning, rose to support and amplify on Rep. Jones’ remarks on the issue of War Powers.

“I drafted the impeachment resolution for Congressman Jones,” Fein stated. “And I want to try to explain the background and the reason for its urgency.

“When the Founding Fathers gathered in Philadelphia in 1776, these were people who were erudite. They had examined the history of conflict, and it appeared that it was the Executive branch that regularly

was leading people into war, whether it was [King] David, or otherwise, because, they concluded, during times of conflict, the Executive gets all the power, the taxes, the money, the secrecy, the contracts, the footprints in the sands of time.

“And therefore, the Executive had concocted danger out of thin air in order to justify warfare. Therefore, the members *universally* and unanimously insisted that only the Congress of the United States, which did not confront a conflict of interest in entering war, would not increase, but would have its power diminished in times of war, *could* vote a war resolution. *Only* the Congress of the United States. And indeed, the first President, George Washington, who himself presided over the Constitutional Convention, stated, before any President can use the military offensively, Congress must provide a declaration of war.

“Thomas Jefferson needed ten statutes, to use force against the Barbary pirates, who were engaged in an international crime of piracy.

“Now, why did the Founding Fathers believe it was very important to set a very exacting threshold, in order to move the country from a state of peace, to a state of war? The definition of war, ladies and gentlemen, is that it makes what’s customarily murder, legal. *It makes what’s customarily murder, legal*: In other words, you return to a state of nature. As Cicero said, ‘In times of war, the law is silent.’

“It isn’t that there can *never* be occasions that justify war. We couldn’t have responded to the Japanese attack at Pearl Harbor with indifference. But you need to have *very high* and exacting standards of provocation, to justify war, because you return to a state of nature, where, as Thomas Hobbes wrote in *The Leviathan*, “life is poor, brutish, nasty, and short.” Even for the superpowers, ultimately, who will go the same way as the Roman and all other empires, unless they step back from the precipice.

“Because the Founding Fathers stated repeatedly, ‘freedom and liberty cannot exist in a state of perpetual warfare.’ Those instruments of authority and power that were initially concocted to fight foreign danger, will come back domestically and destroy liberty at home. Ladies and gentlemen, that is *exactly* what has happened since 9/11. We were told at the outset, ‘We must fight them in Kabul; we must fight them 6,000 miles



EIRNS/Stuart Lewis

Constitutional lawyer Bruce Fein

away; or else we will end up fighting them in Washington, D.C.’ That justified Guantanamo, preventive detention without accusation or trial, unilateral use of force by the President in secrecy, intercepting our phone conversations, e-mails, and otherwise, without warrants.

“Now, over ten years later, the last iteration of the National Defense Authorization Act, one of the most vocal proponents of war and belligerency, [Sen.] Lindsey Graham of South Carolina, the famous state that shot the Union at Fort Sumter, he said, in defending the continuing authority of the President, to use not only law enforcement, but *the military*, to detain American citizens and to dispatch them to Guantanamo Bay, because they’re an ever-present danger to the country, if they were somehow ‘associated’—whatever that means—with a group ‘associated’ with al-Qaeda.

“He said, ‘Ladies and gentlemen in the Senate, we need to bring the battlefield here to the United States! We can’t keep it in Kabul! Those terrible people come to the United States, and we know that they could be here. Even if they’re in embryo, you can’t wait for that embryo to grow 60 years later and turn into a mushroom cloud—you need to stop it now! We need to exterminate it, now! We may need to go to lobotomy, so they can’t learn chemistry and physics to develop these IEDs! We can’t be timid, you know;

otherwise that mushroom cloud keeps comin’ up!’

“And that’s what we have.”

What is the President’s Authority?

Fein continued: “What was initially created, to capture and detain persons abroad—now, right in the United States! And as far as legal architecture goes, the President’s claimed authority, to employ Predator drones against anyone who he decides in secret is an imminent threat—and imminence no longer means, soon to happen; it could be a year from now, two years from now, three years from now. In other words, it means, ‘whatever the President wants it to mean,’ as he borrows from Humpty Dumpty in *Alice in Wonderland*, which is where we are. It means he can use the Predator drones here! On us, on me, on anyone who says something, and he says, ‘well, you’re saying something that could be sympathetic to the enemy.’ Wow!

“That means, ladies and gentlemen, that *all* of our liberties, including our right to life, are not a matter of right; it’s the indulgence of the President. He has chosen for political reasons, *not* to vaporize us. It’s not something that should let you sit with equanimity: ‘Really?! That sounds like vassalage, rather than citizenry.’

“And even if we have a President, who, because of his own moral compass, if that’s not a contradiction in terms, would refrain from using Predator drones in the United States, think about the principle! It lies around like a loaded weapon, ready for any successor, and sometimes, at one point, it’ll be Caligula, to use, at the claim of any need.

“Is that what our posterity will inherit? Those yet to be born will inherit vassalage and serfdom, rather than citizenry? And I think about this daily, as to what historians will say about *us*, in this room and elsewhere in the United States: Will they say, what Tacitus wrote about Rome, as it degenerated from a Republic to an Empire: ‘The worst crimes were dared by a few, willed by more, tolerated by all.’”

Immediately after Fein’s remarks, Helga Zepp-LaRouche called upon the conference attendees to endorse Rep. Jones’ call for a full mobilization in support of H.C.R. 3 and H.R. 129. By a resounding unanimous voice vote, the participants endorsed the motions and vowed to mobilize, in deeds, as well as words, to pass both Congressional acts.