

# The 25th Amendment, Then and Now

by Theodore Andromidas

Sept. 21—On October 6th, 2010, less than two years after Barack Obama assumes office, speaking on the LPAC-TV *Weekly Report*, Lyndon LaRouche called for President Obama's immediate removal from office. For LaRouche it was clear, even this early in Obama's administration, that Obama was clearly no longer mentally competent to remain in that position of great command. LaRouche demanded the immediate invocation of the 25th Amendment, which provides for the orderly removal of a President, and his replacement by the Vice President, due to physical or mental impairment. "It requires no offense," LaRouche said, "other than the fact that he has got the [psychological—ed.] problems . . .

that are diagnosed in fact, by Jerrold Post<sup>1</sup> and company who composed a study on the amendment."

For the second time since its ratification in 1967, the 25th Amendment is required to save our nation, and most of the world, from the threat of a deranged U.S. president, whose finger rests on the nuclear button. It was first used to remove a president certainly as corrupt, yet not, perhaps, as insane, as Obama—Richard Nixon.

The nation had survived 190 years, despite the illnesses of James Garfield, Woodrow Wilson, Franklin Roosevelt, and Dwight Eisenhower, without such a provision. However, since the passage of the 25th



Generals Douglas MacArthur (left) and Dwight D. Eisenhower on a visit to Tokyo in May 1946. Both generals opposed Truman's decision to use the bomb in Japan.

Amendment in 1967, it has had much use. Why? In great part because the United States, in the aftermath of World War II, had assumed super-power status, and the deployment of nuclear weapons under the sole control of the President, requires that presidential succession be resolved in a swift and rational manner. This question of a swift succession, based on a review of the President's ability to carry out the duties of his office, became more critical than any time before 1945, in part, because of the new dangers posed by the emergence of the seemingly ever-present threat of nuclear war.

## Harry Truman, Mass Murderer

These dangers clearly emerged first under the Truman Administration, when he ordered the nuclear annihilation of the Japanese cities of Hiroshima and

1. Jerrold Post. *The White House Years: Mandate for Change: 1953-1956: A Personal Account*, (New York: Doubleday, 1963), pp. 312-313.

Nagasaki, peddling the lie that it would "... save millions of American lives." This dangerous lie, that has outlived Truman, continues to this day.

...President Harry Truman's decision to use the atomic bombs against Japan almost certainly saved lives. This is undoubtedly true if one accepts the arguments of U.S. leaders at the time; namely, that not using the atomic bomb would have forced the U.S. to launch a full invasion of Japan's home islands, and this would have killed far more people than Hiroshima and Nagasaki.<sup>2</sup>

Yet, it has been documented with certainty that there was almost universal opposition to the use of nuclear weapons against the Japanese homeland among "U.S. leaders" at the time, and most certainly from within our nation's *military* leadership. As can be seen by the following statements of two of the most important American generals of World War II, no military leader proposed or endorsed this insane, genocidal act as a way of shortening the war against Japan, or saving a million soldiers in an invasion of the Japanese homeland. General Dwight D. Eisenhower would later report:

In 1945 ... Secretary of War Stimson visited my headquarters in Germany, and informed me that our government was preparing to drop an atomic bomb on Japan. I was one of those who felt that there were a number of cogent reasons to question the wisdom of such an act. ... I voiced to him my grave misgivings, first on the basis of my belief that Japan was already defeated and that dropping the bomb was completely unnecessary and second because I thought that our country should avoid shocking world opinion by the use of a weapon whose employment was, I thought, no longer mandatory as a measure to save American lives.<sup>3</sup>

In 1985 Richard Nixon would recall discussing the bombings of Hiroshima and Nagasaki with General of the Army Douglas MacArthur:

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2. Gar Alperovitz, *The Decision to Use the Atomic Bomb and the Architecture of an American Myth* (New York: Knopf, 1995).

3. *Military Situation in the Far East*, Hearings, 82d Congress, 1st Session, Part 1, p. 77.

MacArthur once spoke to me very eloquently about it, pacing the floor of his apartment in the Waldorf. He thought it a tragedy the bomb was ever exploded. MacArthur believed that the same restrictions ought to apply to atomic weapons as to conventional weapons, that the military objective should always be limited damage to noncombatants ... MacArthur, you see, was a soldier. He believed in using force only against military targets, and that is why the nuclear thing turned him off, which I think speaks well of him.<sup>4</sup>

Other senior U.S. military leaders disagreed with the necessity of the nuclear bombings of Japan. These included Fleet Admiral William Leahy, Chief of Staff to the President; Brigadier General Carter Clarke, the military intelligence officer who prepared intercepted Japanese cables for U.S. officials; Fleet Admiral Chester Nimitz, Commander in Chief of the Pacific Fleet; and even the man in charge of all strategic air operations against the Japanese home islands, then-Major General Curtis LeMay. But the actual reason for Truman's decision to use the A-bomb was in fact, as Eisenhower warned, for the sake of "shocking world opinion."

After these two horrific acts of mass murder by a United States President, Truman would be president for another seven years, repeatedly threatening to bring the world to the brink of nuclear annihilation. In 1948, Truman once again put his finger on the nuclear button, this time in Europe. During the Berlin Blockade of 1948-49, Truman transferred B-29 bombers capable of delivering nuclear bombs to the European region as a signal to the Soviet Union—in the days before the USSR had developed nuclear weapons—that the United States was both capable of implementing a nuclear attack, and willing to execute it.

During the Korean War Truman brought the world to the 'brink' once again, deploying the B-29s to signal U.S. resolve. The use of nuclear weapons was openly discussed as the means of reversing U.S. setbacks and losses during the Korean War. One of the pervasive and pernicious lies of the Korean conflict is that Truman fired MacArthur because MacArthur wanted to drop "the bomb" on North Korea. Not only did MacArthur not advocate the use of nuclear weapons to re-

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4. James Carroll, "Nixon's madman strategy," *Boston Globe*, June 14, 2005.



Dwight D. Eisenhower Presidential Library

*President Dwight Eisenhower, in his first public appearance after suffering a heart attack on October 25, 1955.*

cover the situation, but in public testimony before a Senate inquiry, he said that he had never recommended their use. In 1960, MacArthur challenged a statement by Truman that he [MacArthur] had wanted to use nuclear weapons. Truman was forced to issue a retraction, stating that he had no documentary evidence for this claim; it was merely his, Truman's, personal opinion.

It became clear to many in various positions of authority, that a clear chain of succession for the presidency, if and when the President were not capable of sane and rational decision, would be essential, perhaps even to the future of Humanity.

### **Senator Estes Kefauver—The Kefauver Plan**

Once again, contrary to common belief, what was to become the 25th Amendment was not introduced as a result of the assassination of President John Kennedy. Rather it was President Dwight Eisenhower's 1955 heart attack and subsequent health problems over the next two years, that put the question of presidential disability and succession in the minds of much of the leadership of the nation. In what perhaps was an example of profound prescience, it was not just a question of how, but *who* was to succeed the President. In 1957, the Eisenhower-Nixon letter of agreement, working out the

transfer of temporary or, if necessary, permanent powers from the President to Vice President, was signed by both men. But many considered this approach an inadequate solution, since it left the decision solely in the hands of the President and Vice President. Therefore two senators introduced legislation to deal with those inadequacies: New Deal Democrat Estes Kefauver of Tennessee and Democratic Senator Birch Bayh of Indiana.

Following Eisenhower's stroke in 1957, Kefauver, who had been the 1956 Democratic Party nominee for Vice President, opened hearings before the Senate's Subcommittee on Constitutional Amendments. He presented a proposal similar to the disability agreement between Eisenhower and Nixon, but included modifications designed to address those concerns expressed by some members of Congress.

Those concerns centered on the absence of any means of settling a dispute between a President and Vice President over the state of the President's health. This was an absolutely critical question for the nation, especially with Richard Nixon as Vice President. It was clear to many—especially to Kefauver, who had not just been not a political opponent but was also Nixon's next door neighbor in Washington—that the issue of succession should not be left in the hands of a man many knew to be an unprincipled political opportunist.

The original Kefauver proposal, presented in 1958, called for the Vice President and a majority of the members of the cabinet to present the issue before Congress, whereupon the Congress would decide the matter—a two-thirds vote of each house being necessary to declare the President incapable of continuing in office. Kefauver ultimately recommended a constitutional amendment that, unlike the Eisenhower-Nixon Agreement, did not establish a specific procedure, but rather gave Congress the general power to establish, by law, a procedure by which it could declare a President disabled.

With President John F. Kennedy's assassination, the need for a clear way to determine presidential succession—especially with the new reality of a possible nuclear Armageddon—forced Congress to act. The new

President, Lyndon B. Johnson, had once suffered a heart attack, and the next two people in line for the Presidency were Speaker of the House John McCormack, who was 71 years old, and Senate President *pro tempore* Carl Hayden, who was 86 years old. This time it was Senator Birch Bayh, who had succeeded Kefauver as Chairman of the Subcommittee on Constitutional Amendments, who began to advocate a detailed amendment on presidential succession. Adopted first by Nebraska on July 12, 1965, the Amendment was certified on February 23, 1967.

There are four crucial sections to the 25th Amendment:

**Section 1:** The process by which the Vice President becomes President if the current President dies, resigns, or is removed from office.

**Section 2:** If the Vice Presidency becomes vacant, the President may choose a new Vice President, who must be voted on and approved by Congress.

**Section 3:** The President may temporarily make the Vice President the Acting President with a written declaration that endures until a second declaration ends this condition.

But most important for the nation—then under Nixon, and now with Obama—is:

**Section 4:** This is an emergency provision that allows the Vice President and a majority of the Cabinet to declare the President unfit to carry out the duties of the Presidency. The President may assert his competency (ability to serve) by sending a declaration to Congress. The Vice President and Cabinet can submit another declaration of the unfitness of the President, which would force Congress to reach a two-thirds majority vote that the President is unfit for office.

Although Section 4 has never *formally* been used, it was used *de facto* in the removal of one of the most insane presidents in our history.

### **Richard Nixon—The Madman Theory**

On August 22, 1974, less than two weeks after his resignation, and less than a month after articles of impeachment against President Richard Nixon had passed the House Judiciary Committee, *The Washington Post* printed a short, hardly noticeable, article. It was entitled “Pentagon Kept Watch on Military.”

This relatively innocuous headline actually con-



*President Richard Nixon, proponent of the “Madman Doctrine.”*

cealed explosive allegations. It reported that during the final days of the Nixon Administration, Defense Secretary James Schlesinger and the Joint Chiefs of Staff had “... kept a close watch to make certain that no orders were given to military units outside the normal chain of command.” The article asserted that this extraordinary alert was only “... based on hypothetical situations that *could* [emphasis added] arise during a period when President Nixon’s hold on the presidency” and his sanity “... was not clear.” Pentagon sources also said, according to the article, that no one had any evidence that any such action was being contemplated, but steps were taken to ensure that no military commander would take an order from the White House or anywhere else that did not come through military channels.

But even before the 1968 presidential election, Nixon would demonstrate the quality of corrupt insanity that led to his removal from office six years later. *Politico*, a Capitol Hill newspaper, reported one important instance in a June 9, 2014 article by John Aloysius Farrell, entitled, “Yes, Nixon Scuttled the Vietnam Peace Talks.” Nixon aide Tom Charles Huston had prepared a comprehensive, still-secret report, which said that Johnson would try to help the Democratic nominee—Vice President Hubert Humphrey—by staging an October surprise. When LBJ announced to the nation, just days before the balloting, that he was calling a halt in the bombing of North Vietnam to help fuel progress in ongoing peace talks, a paranoid Nixon was sure that



his fears had been realized.

Anna Chennault, a Republican activist with ties to the South Vietnamese government, sent word to Saigon that it would get better terms if Humphrey lost and Nixon took office, the FBI would discover.<sup>5</sup>

From literally his first days in office, Nixon placed the world on the edge of a nuclear precipice. To lead his inner circle of advisers, Nixon promoted the man who would become the model for Stanley Kubrick's Cold War classic character in the movie, *Dr.*

*Strangelove or: How I Learned to Stop Worrying and Love the Bomb*, Henry Kissinger. Nixon and Kissinger then launched a new military initiative: "The Madman Theory."

Nixon explained this new strategy to his White House Chief of Staff, H.R. Haldeman:

I call it the Madman Theory, Bob. I want the North Vietnamese to believe I've reached the point where I might do anything to stop the war. We'll just slip the word to them that, "for God's sake, you know Nixon is obsessed about communism. We can't restrain him when he's angry—and he has his hand on the nuclear button" and Ho Chi Minh himself will be in Paris in two days begging for peace.<sup>6</sup>

In October 1969, the Nixon Administration warned that "the madman was loose" when the United States military was ordered to full global war readiness alert (of which the American population was completely unaware), and bombers armed with thermonuclear weapons flew patterns near the Soviet border for three consecutive days.

Nixon and Kissinger used the madman strategy sev-



Today's candidate for the 25th Amendment, President Barack Obama.

eral other times in the following years. It was reported that the "madman strategy" was used to force the North Vietnamese to the peace table. It has also been reported that Henry Kissinger, and others, would portray the 1970 Cambodian Campaign as a symptom of Nixon's lunacy.

### Actual Lunacy

In fact, actual lunacy seems to have been at the very core of Nixon and Kissinger's thinking. In his *Secrets: A Memoir of Vietnam and the Pentagon Papers*, Daniel Ellsberg reports the following discussion:

Nixon: I still think we ought to take the North Vietnamese dikes out now. Will that drown people?

Kissinger: About two hundred thousand people.

Nixon: No, no, no, I'd rather use the nuclear bomb. Have you got that, Henry?

Kissinger: That, I think, would just be too much.

Nixon: The nuclear bomb, does that bother you? I just want you to think big, Henry, for Christ's sake.<sup>7</sup>

The Watergate scandal began with a burglary at the

5. Robert D. Schulzinger, *U.S. Diplomacy Since 1900*, (Oxford University Press, 2002), p. 303.

6. Michael S. Sherry, *In the Shadow of War*, (Yale University Press, 1995), p. 312.

7. Daniel Ellsberg, *Secrets: A Memoir of Vietnam and the Pentagon Papers* (Penguin, 2003), p.418.

Watergate Hotel in June 1972 and ended with a President's resignation in August 1974. The move to clean out the Nixon Presidency began in January 1973, when Senator Ted Kennedy (D-Mass.) introduced a resolution to establish a Select Committee on Presidential Campaign Activities to investigate campaign activities related to the presidential election of 1972. In October 1973, Vice President Spiro Agnew resigned, to be replaced—according to the Constitutional procedures established by the 25th Amendment—by then-Senate Minority leader Gerald Ford. Nixon would go next.

There were three options: Senate impeachment, which was a certainty; invoking the 25th Amendment, which was under active consideration and in process; and Nixon's resignation. Although Section 4 of the 25th Amendment was never publicly invoked, both Secretary of Defense Schlesinger and White House Chief of Staff Alexander Haig based themselves on Section 4 when they told the Joint Chiefs not to act on any Nixon order without first checking with them, according to qualified *EIR* sources. In August 1974, Nixon resigned and, once again under the terms of the 25th Amend-

ment, Gerald Ford became the 38th President of the United States. The great danger of a corrupt and lunatic presidency had, for the time being, been averted.

Today, as then, the President of the United States himself represents the greatest threat to the future of our nation and all humanity. This threat has been repeatedly and exhaustively documented in the pages of *Executive Intelligence Review*.

Five years have passed since Lyndon LaRouche provided that clinical assessment of a deranged President and named the methods available for his removal. In these five years we have moved closer and closer to nuclear conflict once again. We have seen an insane expansion of wars from the Ukraine in Eastern Europe to islands in the South China Sea.

And yet, in these same five years, we have seen President Putin, President Xi, and the leadership of the BRICS nations create the conditions for lasting peace and economic development on the planet. The 25th Amendment was created, and adopted, to deal with just the kind of threat we face today, a deranged President, Barack Obama, occupying the White House. It must be invoked once again.

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