

cast kicked off a nationwide drive to sink Alito, Senate Democrats caucused for the first time since the holiday recess. Following the strategy session, a number of Senate Democrats, led by Leader Reid; Richard Durbin (Ill.); Patrick Leahy (Vt.), the ranking Democrat on the Senate Judiciary Committee; and Edward Kennedy (Mass.), delivered a series of coordinated public statements, all rejecting the Alito nomination, and zeroing in on precisely the “unitary executive” and Federalist Society issues that LaRouche had highlighted.

In a press conference on Jan. 19, Senator Durbin directly addressed the central issue of a Democratic filibuster: “A week ago, I would have told you it’s not likely to happen,” Durbin said. “As of now, I just can’t rule it out. I was surprised by the intensity of feeling of some of my colleagues. It’s a matter of counting. We have 45 Democrats, counting [Independent] Jim Jeffords, on our side. We could sustain a filibuster if 41 Senators . . . are willing to stand and fight.

“We’re asking Senators where they stand,” he continued. “When it reaches a critical moment when five Senators have said they oppose a filibuster, it’s off the table. It’s not going to happen. But if it doesn’t reach that moment, then we’ll sit down and have that conversation.”

“That conversation” not only must occur. If the republic is to survive the Cheney-led drive for dictatorship, all Democrats, along with those Republicans who cherish the Constitution more than they fear Cheney, must defeat the Alito nomination by an up-or-down vote or a filibuster. LaRouche called it “the test of whether the nation has the moral fitness to survive.”

Documentation

Legislators Go on Record Against Alito Nomination

Missouri State Rep. Juanita Head Walton (D-81), joined by a group of other legislators and elected officials, issued the following statement on Jan. 19, 2006:

We call upon the Senate of the United States to reject the nomination of Federal Judge Samuel Alito to the Supreme Court. If need be, we call upon the Senate to conduct a filibuster to block his nomination. Mr. Alito is unfit to be a member of our nation’s highest court in these “times that try men’s souls.”

Mr. Alito’s views on race and women’s rights are antagonistic to both the highest value of this nation, and to already existing Supreme Court rulings that guarantee protection of these basic constitutional rights.



EIRNS/James Cameron

Missouri State Rep. Juanita Walton is organizing state legislators and other officials to demand that the U.S. Senate reject Alito’s nomination.

Mr. Alito further disqualifies himself with his egregious support of the views of the Federalist Society, an institution with which he is publicly identified. The Federalist Society was created twenty years ago under the direct influence of ideas promulgated by Carl Schmitt, the Crown Jurist of the Nazi regime.

Mr. Alito openly supports the idea of the “unitary executive,” which is the core dogma of the Federalist Society. This idea was originally known as the “Fuehrerprinzip” under the Hitler regime, and stated that the head of state can assert absolute power during periods of so-called emergency. The policies of the executive do not have to withstand the scrutiny of the Congress or the Supreme Court, and simply are the law. This policy has already been adopted wholesale by the Bush/Cheney Administration with their promotion of NSA spying, torture, and other abhorrent policies typical of dictatorships. This has brought our nation to the brink of totalitarian rule.

We stand with Democratic leader Lyndon LaRouche and others who denounce this policy and Mr. Alito. At a recent meeting in Washington, Mr. LaRouche challenged the Senate to reject Mr. Alito’s confirmation. “I see strong men and women I’ve regarded as strong, in the Senate—flinching! When the issue is: Are you willing to defend this nation from a takeover by Nazism? The issue is not opinion, the issue is Hitler. And we can’t have him here. Will they capitulate and let this Alito pass? If they do, the existence of this nation is in jeopardy. Everything hangs on it.”

Therefore, we call upon the Senate to muster up the courage to reject Mr. Alito's nomination.

Rep. Juanita Walton—St. Louis, Mo.
Rep. John Bowman—St. Louis, Mo.
Rep. LaMar Lemmons III—Detroit, Mich.
Sen. Carlos Cisneros—Santa Fe, N.M.
Rep. Catherine Barrett—Cincinnati, Oh.
Rep. Thomas Jackson—Thomasville, Ala.
Rep. Esther Haywood—St. Louis, Mo.
Rep. Harold James—Philadelphia, Pa.
Rep. Arthur Turner—Chicago, Ill.
Rep. Christine Sinicki—Milwaukee, Wisc.
Sen. Joe Neal (former)—Las Vegas, Nev.
Mark Sweazy—President, UAW local 969, Columbus, Oh.
Rep. Earl Banks, Jackson, Miss.
Rep. Bryant Melton, Tuscaloosa, Ala.

Retired Military Demand That Bush Ban Torture

Twenty-three retired admirals and generals on Jan. 18 sent a letter to President Bush, demanding full and forceful implementation of the McCain Anti-Torture Amendment. Gen. Joseph Hoar, USMC (ret.), former Commander-in-Chief of the U.S. Central Command, and Adm. John Hutson, USN (ret.), former Judge Advocate General of the Navy, gave a press conference on Jan. 19 releasing the letter, which we reprint below.

As explained in the press release announcing the press conference, which was sponsored by Human Rights First, the former military officers were impelled to action by the fact that, when the President signed the McCain amendment into law, banning cruel, inhuman, and degrading treatment of detainees, the White House issued a "signing statement"—an official document in which the President lays out his interpretation of the new law. In the statement, President Bush said he views the limits on abuses prohibited by the McCain amendment in the context of his broader powers as Commander-in-Chief.

Human Rights First then expressed its concern that this statement might mean the President believes he can bypass the absolute ban passed overwhelmingly by both Houses of Congress. The military men's letter seeks to counter circumvention of the amendment.

Dear President Bush:

We write to thank you for publicly endorsing Senator McCain's amendment on the treatment of detainees in U.S. custody, and for signing it into law. The new law, implemented and enforced in accordance with Congressional in-

tent, will ensure that the United States has a single standard for interrogating enemy prisoners that is effective, lawful, and humane. The primary reason we strongly supported Senator McCain's effort is that we believe this law, if effectively and forcefully implemented, will help protect our troops in Iraq and elsewhere, now and in the future.

Past abuses have damaged military discipline, put American military personnel at greater risk, undermined U.S. intelligence-gathering efforts, and greatly harmed America's image around the world. It is incumbent on you as President and Commander-in-Chief to ensure that all senior members of your administration speak with a consistent voice to make clear that the United States now has a single standard of conduct specified in law that governs all interrogations, regardless of the legal status or the location of the detainee being interrogated. Accountability and deterrence have never been more important to end all torture and abuse in America's name, and thereby restore America's reputation in the world. This long overdue corrective action will require strong leadership from you and others in positions of authority.

Mr. President, we welcome your attention to this issue and stand ready to assist in any way we can to ensure the effective implementation of this new law. Clear and unambiguous implementation will help ensure that our brave men and women in uniform will never again feel that to prevail against the enemy they must risk their honor or the values they fight to protect.

Sincerely,

General Joseph Hoar, USMC (ret.)
Lieutenant Gen. Robert G. Gard, Jr., USA (ret.)
Lieutenant Gen. Claudia J. Kennedy, USA (ret.)
Vice Admiral Al Konetzni, USN (ret.)
Lieutenant Gen. Charles Otstott, USA (ret.)
Vice Admiral Jack Shanahan, USN (ret.)
Major General Eugene Fox, USA (ret.)
Major General John L. Fugh, USA (ret.)
Rear Admiral Donald J. Guter, USN (ret.)
Major General Fred E. Haynes, USMC (ret.)
Rear Admiral John D. Hutson, USN (ret.)
Major General Melvyn Montano, ANG (ret.)
Major General Gerald T. Sajer, USA (ret.)
Major General Robert H. Scales, USA (ret.)
Major General Michael J. Scotti, USA (ret.)
Brig. General David M. Brahams, USMC (ret.)
Brig. General James Cullen, USA (ret.)
Brig. General Evelyn P. Foote, USA (ret.)
Brig. General David R. Irvine, USA (ret.)
Brig. General Richard O-Meara, USA (ret.)
Brig. General John K. Schmitt, USA (ret.)
Brig. General Stephen N. Xenakis, USA (ret.)

Biographies of the signers can be found at www.humanrightsfirst.org.