

WALTER JONES PRESS CONFERENCE

Legal Experts, Military Leaders, Say Restore Constitution

Congressman Walter B. Jones (R-N.C.) held a press conference Sept. 21, on his House Concurrent Resolution 107, introduced on March 7, for which there are now 12 co-sponsors.¹ He was joined by:

Bruce Fein, specialist in constitutional and international law, Associate Deputy Attorney General under President Reagan, author, *American Empire: Before the Fall* (2010).

Lt. Col. Lawrence Wilkerson (USA-ret.), former Chief of Staff to Secretary of State Colin Powell (2002-05).

Lt. Col. Anthony Shaffer (USA-ret.), author of *Operation Dark Heart* (2010) exposed the Pentagon data-mining program known as Able Danger, and uncovered two terrorist cells involved in 9/11.

A statement of support was read from **Gen. Joseph P. Hoar (USMC-ret.)**, who served as the Chief of Staff, and later as Commander-in-Chief of the Central Command.

EIR Counterintelligence Director Jeffrey Steinberg moderated.

Here is an edited transcript. The video is at larouhepac.com/hcr107press.

Jeffrey Steinberg: I want to thank everybody for coming this morning on relatively short notice. I understand that the Congress is in a mad dash to the door, and that there are a whole series of votes in, so Congressman Jones will have to leave for some of those votes fairly quickly.

In March of this year, Congressman Walter Jones filed House Concur-

1. The co-sponsors, as of Sept. 22, are: Representatives Dan Benishek (Mich.); Mo Brooks (Ala-5); Dan Burton (Ind.); Mike Coffman (Colo.); John J. Duncan (Tenn.); Louis Gohmert (Tex.); Dennis Kucinich (Ohio); Tom McClintock (Calif.); Michael H. Michaud (Me.); Ron Paul (Tex.); Reid J. Ribble (Wisc.); Lynn C. Woolsey (Calif.)

rent Resolution 107, which simply states that only the U.S. Congress, under Article I, Section 8 of the Constitution, has the authority to declare war, and that any President who violates this cardinal principle of the Constitution may be subject to impeachment proceedings, under Article II. And of course, this is not simply a philosophical issue, as important that is, but a very real question as we see events in now, Africa, as well as the Middle East, and elsewhere, driving us in the potential direction of a war. And therefore, the role of Congress, as envisioned by the Founders, is pivotal in making sure that we don't rush headlong into a conflict that could lead out of proportion into a general war.

There is an extraordinary group of people who have come together here today, who have all been extremely outspoken in their concerns; and so what I'd like to do, is just turn the floor over to Congressman Jones, who will speak briefly, and then be followed by Colonel Wilkerson, Bruce Fein, and Colonel Shaffer, and I may say a few remarks at the end, and there will be time for some questions. So, thank you all.

Jones: Congress Needs To Come Back to the Constitution

Rep. Walter B. Jones: Jeff, thank you very much, and I will be brief, because we do have votes in about ten minutes. But, my concern has always been, since we were misled with the intelligence to go into Iraq, and all the number of young men and women who have been killed, and loss of limbs, that Congress needs to come back to what the Constitution says, and that is, if you're going to commit our young men and women to fight and die, you must declare war.

Now, there are exceptions; let's be fair about that, the exceptions being, like 9/11, the President must have the authority to make immediate decisions. Hopefully, he or she would consult with Congress at that point.

I was one of 20, back in 1999, that went to the Federal



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Rep. Walter Jones: "Congress needs to come back to what the Constitution says, and that is, if you're going to commit our young men and women to fight and die, you must declare war."

courts with [former Rep.] Tom Campbell [R-Calif.], when President Clinton bypassed Congress and went in and bombed Kosovo. We went to the Federal courts; the Federal courts kicked it back out, saying, "Well, you in Congress have the authority to cut the budget, so therefore you have authority to stop war."

Then again, when President Obama decided to go in and bomb Libya, that again brought it to my mind—here we go again. Here's an administration that has bypassed Congress—meaning bypassed the Constitution, which is more important than the Congress, really; but the Constitution says that you will consult with Congress; you will ask for a declaration of war. And, to my knowledge, if he consulted with anyone at the time, it was just one, two, or three people, maybe in the leadership of the Republican and Democratic parties.

So, working with Bruce Fein, we put in H. Con. Resolution 107, that Jeff just mentioned. And it says, "a President," it does not say "*the* President"; it says "a President." I wanted that to become a vehicle for debate on war powers.

Sadly, as much as we pushed and pushed, we did not get a hearing in this Congress, on the role of Congress as it relates to the Constitution and the issue of war.

So therefore, today, I am delighted to be a small part

of this. We keep continuing to hear war drums beating in the Middle East, and also in other parts of the world. And all I think should happen is that Congress should follow the Constitution. And there are exceptions, which I've already mentioned.

Colonel Wilkerson and I became friends. After I knew I'd made a mistake on [voting for] the Iraq War, I consulted with Larry Wilkerson, also other people. He helped me understand that too many times, there are backroom decisions made by administrations that bypass Congress and the American people, and commit this country to war.

Bruce Fein is a very dear friend of mine. Again, he's helped me with many of the Constitutional issues. I'm not an attorney; I think I understand the Constitution, but I'm not an expert; he is an expert.

And Col. Tony Shaffer is the kind of person who believes in integrity, in intelligence. He believes that the truth has to guide the policy.

So you've got some wonderful people to speak to you, and I'm delighted to be here, and I will continue—if I should get reelected in November—I will continue to do my part in a very small way, to ensure, that a kid, an American boy, girl, does not have to give their life, unless we follow the Constitution.

So, with that, thank you so much for giving me a chance to be here, today. Jeff, thank you.



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Lt. Col. Lawrence Wilkerson: "When President Obama decided to go in and bomb Libya... Here's an administration that has bypassed Congress—meaning bypassed the Constitution...."

Wilkerson: 'Fateful Decision-Making'

Col. Lawrence Wilkerson: Thanks for being here. I think this, even though it's not massively attended, like many events in our past that were very important, is an important event. And I think Congressman Jones' point, especially in his [letter](#) to the President of the United States, is one of the most important points we confront today, and I speak from 31 years of experi-

ence, at all levels of responsibility, in the United States Army, and a lot of joint service, with particularly the Marine Corps and the United States Navy. I was trained, for example, to think as a strategist at the U.S. Naval War College.

We've come to a point, in this empire's history, that I spend most of my time that's free, studying, so I can relate it to my students. What we focus on is what we have come to call "fateful decision-making" by the President. "Fateful decision-making" we define as decisions made to send young men and young women to die for state purposes; and also, some-

thing we often forget, particularly in this country, to kill other people for state purposes. In the last decade, by conservative Pentagon estimates, we have killed over 300,000 people. That's a sobering thought, especially when there is no existential threat to the United States of America *whatsoever*. Nor is there one in sight, other than perhaps ourselves.

Bruce Fein can speak to this a lot better than I, but James Madison, often thought of as the father of our Constitution, often said, that to turn the war power over to the Executive was tantamount to tyranny. That's *precisely* what we've done. Precisely what we've done.

And why is the Executive so eager to have the war power? I've served three of them, closely! Because they *can* use it. It is the most facile thing in this country to do. We have ways to get around Congressional instincts on the Armed Forces—we simply deploy 200,000 private military contractors, and thereby increase the strength of the land forces by that amount. We have a modern volunteer military: that takes less than 1% of America to bleed and die for the other 99%. And when I ask my students, "How many of you—I'm going to put you on the spot—how many of you, would change places with that Marine or that soldier in Afghanistan, Iraq, or wherever it might be?" And I never get a hand! They're at least candid and honest with me.

And I tell them, “Those soldiers and those sailors, *to a man and to a woman*, by and large, would rather be sitting where you’re sitting, than being where they are! And yet, the President has the power to put them there.”

The suicide rate in the Army and Marine Corps is off the charts. One of the reasons is because we lowered the requirements *so far*, that we took *100,000 troops* who failed psychological examinations, multiple times, before we put them in the Army or the Marine Corps. It’s not the only reason. Deployments, excessive deployments, frequent deployments, a really nasty battlefield, and other things have contributed to that. But we, as Americans, I think—and I am!—should be ashamed to have allowed this to happen.

And it’s all happened because of what Congressman Jones is pointing at: the facility with which the President of the United States can take this apathetic nation to war, and kill people!

Thanks.

Fein: ‘The Very Definition of Tyranny’

Bruce Fein: Thank you. I want to also pay homage to Congressman Walter Jones. He reminds me of an observation then-President Andrew Jackson made when he was asked, “What is a majority?” He said, “One man, with courage.” And with Walter Jones, we may have an ability to step back from the precipice.

And I’d like to pick up and amplify on what Colonel Wilkerson said: Those 300,000 killings are murder. Because *legal* war makes what’s customarily murder, legal. But if you’re not at war legally, those are homicides. And the reason why the Founding Fathers were so intent on having a very exacting standard to enter war, was precisely because war is the law of the jungle.

Cicero had said 2,000 years before, “In times of war, the law is silent.” Even the purported laws of war are

regularly flouted with virtual impunity. And so, the Founding Fathers drew on the history of all of mankind that showed the Executive branch was the most inclined to enter war, because it gets the spending, the appointments, the glory, the footprints in the sands of time: “I’m transforming the world.”

If you look at the history of *all* human [societies], it’s the Executive that invariably initiates the warfare.

Sometimes, it’s for vendettas. I’ve been told that George W. Bush wanted revenge because of Saddam’s effort to kill his father. Once Saddam was captured, he didn’t care any more. Those are exactly the reasons why *every single Founding Father*, at the Constitutional Convention, had said, “We do not want any single person, or any group of people, to enable us to enter war!” That ranged from the most liberal to the most conservative, like Alexander Hamilton, who was in favor of a muscular Presidency. They all

agreed that warfare was irreconcilable with freedom! The principles that are established to justify war, national security, migrate back into the domestic arena.

And we’ve seen it just recently, with the National Defense Authorization Act, that empowers the President to detain any American citizen, on his say-so alone, if you provide substantial assistance to an associated force of a terrorist group! And when recently, in the Southern District of New York, the United States was asked, what is “substantial assistance,” in this suit brought by [truthdig.com columnist] Chris Hedges—“Oh, we don’t know.” What’s an “associated force”? “We don’t know. We’ll know it when we see it.”

That shows you the breadth of the authority that’s authorized by the NDAA, that’s a migration from the war powers usurpation!

And, indeed, it’s very ironic, when we’re initially told, “we need to fight in Afghanistan, Iraq, 6,000-8,000 miles away, to prevent the battlefield from coming home,” and their those champions of the NDAA said,



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Bruce Fein: “Recent disclosures in the New York Times . . . show that the President claims and exercises authority to surveil every individual on the planet. . . .”

“The battlefield’s home!” If we capture and detain anyone here, now they don’t have any rights to a lawyer. They have no rights to due process. We’re telling them that the battlefield here is the United States; this was the Lindsey Grahams, the Mr. Liebermans, John McCain, while we were fighting 6,000-8,000 miles away, to prevent that! Now you’ve taken the battlefield here!

And even expand beyond that. The most recent disclosures in the *New York Times*, not at all refuted by the Obama Administration—they take pride in it!—show that the President claims and exercises authority to surveil every individual on the planet; if he says you’re an imminent danger to the United States, you get va-

pORIZED: predator drone. Any judicial review? No! Any Congressional review? No! Any disclosure of the profile of the intelligence that justifies the finding, you’re one of the terrorists we’re going to vaporize? No!

All secret!

What we call a combination of Legislative, Executive, Judicial power, plus being executioner, all in one man! Which the Founding Fathers described in *Federalist 47*, as *the very definition of tyranny!* Now, think of that: The whole reason we had a Declaration of Independence and fought the war of the American Revolution was what? To end the tyranny of King George III. And now, we’re practicing exactly what we revolted against some 225, 230 years ago!

We Don’t Want Standing Armies

And where’s the Congress? The invertebrate branch, other than Congressman Jones? And what’s so stunning, is that you don’t need to do archeological expeditions to find the evidence of the impeachable offense: It’s on the front pages! It’s openly confessed!



Fein: “At the Constitutional Convention, Ben Franklin said . . . impeachment is a substitute for assassination, to rid yourselves of a tyrant; it is a substitute for Brutus and Cassius plotting against Julius Caesar.”

Now, many suggest, “Oh, impeachment sounds like a coup d’état, like only banana republics do impeachment.” At the Constitutional Convention, Ben Franklin said, no. Impeachment is a *substitute* for assassination, to rid yourselves of a tyrant; it is a substitute for Brutus and Cassius plotting against Julius Caesar. So, it is the civilized way, in which we don’t impose criminal punishment. It’s simply ouster from office: “We cannot trust you with the reins of power any more.” That’s why it’s my judgment, that it really is quite obtuse to suggest to think about impeachment as some kind of revolutionary idea. No! It’s the first time to civilize, to domesticate, the kinds of convulsions that typically happen,

when you’ve got to change a regime, from abuse of power.

And what’s very odd about the passivity of the Congress, the need for this particular resolution, is that virtually *half* of the Constitutional Convention, half of the ratification debates, at the state level, were devoted to the worry and anxiety about having standing armies. We don’t want standing armies. In fact, in the Constitution, there’s a limit of two years on any appropriations for the Defense Department, for the military, in order to *force* Congress, every two years, to return to the question, “Do we want a standing army?”

And there’s a companion idea, incorporated in the Second Amendment—the right to keep and bear arms—in order to have a well-regulated militia. The reason why there was an obligation for all citizens to participate in the militia, was to make a standing army superfluous! That was the idea.

And now we’ve got standing armies; trillion-dollar national security expenditures; can’t even audit the Pentagon, to even *know* whether the spending was in

the two-year limitation period. And Congress sits quiescent.

The most recent, the most extravagant usurpation, in the history of the entire United States, was the Libya War. Open, notorious, “we don’t want to talk to Congress, we don’t report to Congress...” And then, you have the astonishing testimony of the legal advisor of the State Department, Mr. Harold Koh, formerly a great critic of Executive power, when he was Dean of the Yale Law School. And then it’s kind of like Dr. Jekyll and Mr. Hyde, but he didn’t need a potion. He’s there now, the legal advisor to the State Department, and he’s testifying as to why Libya, and the Tomahawk missiles, the bombings—not a conflict. “It’s not hostilities within the meaning of the War Powers Act,” he says. “Swell. Our pilots are at such high altitudes, they’re not in danger of being shot down.”

Oh. Well, that’s a nice analysis. So, if we used ICBMs with nuclear warheads, to kill and destroy *every living, breathing thing in Libya*, and we shot the missiles from the United States, no hostilities, right? No war. Our people aren’t endangered. You could blow up the whole world, kill 1.5 billion Chinese, no warfare. I mean, is that Orwellian, or not? You know, this is the Ministry of Peace, and the Ministry of War—flip! And instead of being insulted, the Congress accepts that. Congress accepts that.

And before I conclude, I want to explain as well, why these simply are not academic ideas that we need to worry about, because the rule of law generally becomes inflamed, in tatters, if it’s not complied with scrupulously everywhere.

But the consequence of endowing the President with unilateral authority to commence war, is disaster. Because the Presidents go in and fight, without even being able to define what victory is. Isn’t it truly criminal, that we have those brave men and women that Colonel Wilkerson mentioned, dying in Afghanistan, and the President, and Mr. Holbrooke, before his death, can’t even define victory? They say: “It’s like obscenity, we’ll know it when we see it”!

You’re letting people die for something that amorphous, that elusive, that intangible? You don’t even know why you’re fighting—it’s fighting for the sake of fighting. And what are the consequences? Afghanistan, a trillion dollars, \$350 million a day? Not only do you have staggering expenditures, the killing, the deaths, not only of our own men and women, but the civilians and others in Afghanistan. It’s almost regularly we read

in the newspapers—perhaps they must—maybe, I don’t know, Colonel Wilkerson might tell us, whether they’ve now got a new job, for Afghan soldiers; they report to the civilian families who have had their loved ones killed, and say, “We apologize for the 88th time, we really didn’t mean for you to be collateral damage.” Over and over and over again. And, then the sincerity seems to rub off, since the pattern repeats itself in the next day or two.

‘We Create Our Own Enemies’

But perhaps, even more ultimately dangerous from these fools’ errands, is that invariably, they have what we colloquially call “blowback.” We create our own enemies. We arm our own enemies, and I think that was explained in yesterday’s press conference, with regard to Afghanistan.² That’s one example, where we armed, gave money to the mujahideen to fight the Soviets. “Charlie Wilson’s War” celebrated how the great Haqqani faction got money; Hekmatyar got money, arms. And then what happens? They turn and use them on us—you know, the Sorcerer’s Apprentice idea.

And these things are inevitable, because we can’t control the evolution of political dispensations for warfare in other countries, unless we’re going to occupy them forever. And so, this is not anything unique to Afghanistan. Take Vietnam, all the armaments that we had given to South Vietnam, \$4 or \$5 billion; we exited. They’re all going to North Vietnam, our enemies! All the arms we sold to the Shah of Iran, what happens? They end up with Ayatollah Khomeini and the mullahs. And we started the shipment of uranium to the Shah. Now we complain, “Oh, now you’re building a nuclear bomb.”

And if you try to look at what are the great beneficial results of Presidential interventions; if you measure them against what are obvious consequences on the negative side, it’s really hard to find any. It’s been said, well, Bosnia is a great example of a success; there was all sorts of internal fighting there between the Serbs and the Croats and the Muslims. There are still troops in Bosnia! This is 17 years after Dayton—the same divisions haven’t been mitigated at all. If anything, they’re accentuated. So, we’re supposed to stay there forever?

2. On Sept. 20, the Out of Afghanistan Caucus in the House held a press conference; among the participants were Reps. Walter Jones, Ron Paul, Jim McGovern (Mass.), Lynne Woolsey, Dennis Kucinich, and Barbara Lee (Calif.).

Have we really accomplished anything?

And Kosovo, that's another one that's supposed to be a great success story. But you still have vicious infighting with a small enclave of Serbs. Some of the Kosovo groups are before the International Criminal Tribunal for war crimes. Have we really accomplished anything that is relevant to the national security of the United States?

And I want to close with the example of Libya. Now, all the headlines that we've read about, about the tragedy of our ambassador being killed in the last few days. And it's all suggested, well, al-Qaeda, or somehow misguided forces, have gone in and interrupted the perfect democratic evolution that we all were hoping would flower after Qaddafi was removed. That's not true!

I mean, the reason why he was killed, was precisely because of our intervention. We set the stage for a country that now is semi-anarchic, like Somalia. We destroyed the entire social-cultural infrastructure, that at least had some solidity under Qaddafi, and that we had no responsibility for. We go in and destroy everything, and then we can't understand why, by spontaneous combustion, a new country didn't emerge that loves the United States, and you find George Washingtons and James Madisons everywhere, I mean, that's really—it's hallucinogenic, is what it is.

It's this naïve belief that you can take cultures that are very, very primitive political cultures—they're tribal ethnic cultures. We don't have to necessarily deride or degrade them, but they are outside our ability to turn into democracy, even if our role in the world was to make everyone a carbon copy, a clone, of the United States, which it isn't.

And the result that we see has come back and harms the United States.

And again, what is so amazing is, we don't have any Congressional hearings, saying, "Well, let's make an assessment of what the intervention was about." How come, 17 years after the Dayton Accords, there are no Congressional hearings saying, "Was this really worth it? What have we accomplished? Where are we in Kosovo?" Nothing!

Even now, is the time for [Sen.] John Kerry [chairman of the Foreign Relations Committee] to hold some hearings, again, on Vietnam. Why are we pledging to defend Vietnam against China in the South China Sea? You know, we fought, we have a Vietnam War Memorial, this was our enemy, the "dominoes." Does that

suggest there was some errant thinking, and maybe we need to be more suspicious, of what the Executive tells us is the national security imperative?

And finally, to me, it almost is an obscenity, that we have Presidents suggesting that they can go to war, without consulting Congress, getting authorization, if they talk to the UN Security Council, the Arab League, Mr. Netanyahu, AIPAC. All these institutions that have *no* accountability to the American people, and *that's* who we consult?

That's who we consult? You know, Congress, in that scenario, looks like an extra in a Cecil B. DeMille extravaganza.

Thanks.

Shaffer: A 'Deficit of Leadership'

Lt. Col. Anthony Shaffer: Good morning. I'd like to also add my support, gratitude, for Congressman Walter Jones' leadership on this issue. He is taking up this issue at a time super-critical to our country, and I don't think people fully understand the magnitude of the challenge, or the deficit of leadership in this issue by his colleagues here on the Hill.

Let me run through a couple points: I'm simply an intelligence officer, a retired intelligence officer, who believes their oath of office does not expire with their retirement. And as a private citizen, with an informed opinion, I'd like to add my voice to everything my colleagues have said today.

First, some history. I think we often forget the lessons of history. Emperor Trajan was one of the five good emperors of the Roman Empire. And I believe he was a great guy; he did a lot of great things for the Roman Empire, to include, extending the boundaries of the Empire to its greatest extent ever. And in extending those boundaries—even though he did great public works things—he actually died from being ill from one of his last conquests. So, if that's good, then I don't want to see bad, because that's what it took in those days.

In many ways, I think we have become similar to that: We threw off the yoke of British imperialism; we were the first colony to break ranks; and yet, we have, in many ways, become that which we threw off, and I think this is something we have to consider in the larger context of everything we do.

Speaking of King George and the British, there was something called the Star Chamber that existed in the



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Lt. Col. Anthony Shaffer: "We threw off the yoke of British imperialism; we were the first colony to break ranks; and yet, we have, in many ways, become that which we threw off..."

Middle Ages. And one of the great things about the Star Chamber, it was a secret court, where facts didn't really matter; it's just whatever the sovereign felt. Geez! Wouldn't that be nice if we could just do whatever we wanted, based on our feelings? That's where we're at!

We have a system of adjudication, of assassination, at the senior level, that allows for the sovereign to do whatever the heck he wants. And oh, by the way, we've got lawyers looking at it, so don't worry about it. That should give everybody a really good feeling! "Don't worry. I've got all my best lawyers telling me why it's okay to do it." This is where we're at.

And by the generation of this capability, in this way, we're creating the next generation of our adversaries. The so-called drone program is an excuse to use military force, without an understanding of the second and third order of facts. I've talked with some Pakistani colleagues about this; I've talked to the Pakistani media; one of the reporters I spoke to the other night said, "Don't you all understand, you're creating the next generation of terrorists that are going to come after both our government and your government?"

No, apparently we don't. Because we don't have people who understand that the blind use of military force can have secondary effects, detrimental to the very objective you're trying to achieve. That's what this is ultimately, in my judgment, all about: the actual rethinking of why we do what we do, when we do it with military force.

That's why I'm a strong advocate of HCR 107.

There's no doubt that the President should maintain and retain certain powers relating to the immediate response to threats. I get that, we get that, we're all onboard with that. But what we can't have is this endless use of military force whenever we want to. There's been no debate on the authorized use of military force, in any great way, since we authorized it in 2001. Why?

I think al-Qaeda is pretty much diminished from what it was then, you know, our big adversary. Has it gone away? No, not at all! As a matter of fact, I do believe that al-Qaeda was materially responsible and involved in the assassination of our Ambassador Stevens this past week. With that said, we helped create the circumstance for his death, by the fact we destabilized Libya. As much as we may have not liked Muammar Qaddafi, he was essentially a form of Tito: He kept things in check. And as much as I think the Libyan

people want to be free, I don't think they were ready, by the fact that we've seen a reversion to tribalism, which is the chaos we now see.

Congress Must Be Involved in the Debate

We probably have some people at the State Department and Executive branch who had the best intentions, without a freakin' clue of what they were doing. And that's why Congress *must always* be involved in a debate, any time we go to war, where it is not necessary! I argue, *clearly*, the Libyan War was not *necessary* to defend the equities and interests of our nation!

That is why we must have Congress take an active role, retain an active role. They control the purse strings, as Representative Jones pointed out, and by controlling the purse strings, they must take responsibility of the actions of our *government*—not just the Executive branch—of our *government*. They fund it. So any time you have an expenditure of a dollar, it's like blood money. If you sign off on that, you pay for that. And we're paying for the deaths, as pointed out, of *300,000 people*. Think about that! That's like a quarter of the population of Dayton, Ohio! Just gone! How's it possible we've not debated this?

Today is the end of the Afghan surge. Wow, who'd-a-thought? That was an affectation meant to provide this administration the illusion of making progress. "Let's send some troops in there, and we're gonna win this! And we're gonna pull 'em out unless we..." Any

strategist will tell you, you never tell the adversary when you're going to deploy, and when you're going to withdraw. We did that, we told them what to expect.

More importantly, several of us who criticized the Administration, based on facts, were dismissed. I actually said on one of the cable news networks, back in 2009, "If you're going to do this, you got to go big, or go home." If you're going to do counterinsurgency, 500,000 troops for 10 years. That's it! That's the only way you would have success. And oh, by the way, you know, Year 11, you leave? Chances are, it's going to revert back to the way it was, because it's hard to change 2,000 years of a cultural bent.

So, we've not had the time to look at root causes, because simply, we've been trying to use a military solution to issues which, as my colleague Bruce [Fein] pointed out, some of these cultural disputes go back 2,000, 3,000 years. And you're not going to change it over two years, using military force.

So, again: Why didn't we have debate on this? Why haven't we looked at this? Does it make sense in the American interest, to do what we're doing? And frankly, why don't we actually work to try to understand the root causes of the conflicts, if we're going to do anything at all? This is where there may be some daylight between my colleagues and me—I'm not saying we should sit back and do nothing. I am actually an advocate for special operations and doing things. But, again, I would argue, we didn't have to do Iraq as an invasion; we could have done other things. We don't have to do a lot of things we do, expensively. We can do it much simpler—but, again, with oversight.

One of the things I'll close with—there's all this dispute about, "Well, we don't want to tell the Congress about what we're doing in the Executive branch." Look, there are best practices. The fact is this, I ran operations under the Clinton White House that are still secret, and they were briefed every year to Congress, by law. So, any time I hear the Executive branch say, "You know, if we talked over there, it's going to be leaked." No. Wrong answer. Some things I think are purposely briefed in such a way to have them leak, to kind of float the ball, to see how things will fly with the American people. But I can tell you, there are processes in place to keep things completely secret. So that argument does not wash. That's why the Congress *must* be involved in the debate.

So, as we move out today, as we all go back to our lives, I think it's important to understand how important

HCR 107 is. Not simply because it is something we're saying, that if it's passed, we'll have an impeachment potential for the President. It's more important that we use this to bring ourselves back to a point of *sanity*, a point of understanding the need for debate, the need to have a reconciliation of our country's actions, with our intent with what we were founded on, with our Founding Fathers, because there's a huge amount of daylight there, between what we are today, and what our Founding Fathers intended us to be.

Thank you.



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Gen. Joseph Hoar: "Under our Federal Constitution, only the Congress has the power to declare war, and that must remain a cardinal principle."

Hoar: The Wisdom of Our Founding Fathers

Steinberg: I'd just like to make two additional points before we open the floor for questions and discussion.

First of all, there was to be another speaker here this morning, but he unfortunately had to be back out on the West Coast for urgent business, and asked me instead to read a brief statement. This is Gen. Joseph P. Hoar, a retired Marine Corps four-star general, who was both Chief of Staff, and later, the Commander-in-Chief of the U.S. Central Command. What he said, is:

"In their great wisdom, our Founding Fathers, gathered in Philadelphia to draft the new U.S. Constitution, gave the sole authority to declare war to the U.S. Congress. Having just waged a successful revolution to free themselves from the British Monarchy, our Founders

understood that it was essential, to secure a representative form of republican self-government, that the power to declare war must be in the hands of Congress, and not in the Executive Branch. They were committed to preventing any form of monarchy or dictatorship.

“Nothing has transpired in the intervening centuries to justify any alteration in their wise decision. Under our Federal Constitution, only the Congress has the power to declare war, and that must remain a cardinal principle. In recent decades, we have seen an erosion of that Constitutional principle, and I fully concur that this erosion must be halted and reversed.”

There are copies of General Hoar’s statement over there on the table.



LPAC-TV

Jeffrey Steinberg: “We’re on the very precipice of wars breaking out in the Middle East, where there are potentialities for this to go much further than anybody particularly desires, and we could find ourselves facing a prospect of general war.”

Steinberg: ‘We Could Be Facing Thernuclear War’

Everything that has been said by Congressman Jones, and all of the other speakers, [shows] that impeachment should *not* be considered a four-letter word, but is something that was, again, a critical issue among the Founders, as a way of dealing with the problems of out-of-control Executive tyranny.

I want to point out one additional matter that I think is something else that there’s a tendency to be basically tone-deaf on, here in Washington. All of the previous speakers have cited the Libya War as an illegal action that has caused an enormous amount of blowback. The Libya War was also viewed as a strategic turning point, in both Moscow and Beijing. We’ve seen this in the fact that the Russians and the Chinese have vetoed every action at the UN Security Council that might even remotely suggest that we’re about to enter into a replay of Libya in Syria. And, in particular, the top military leadership in both Russia and China have warned that we’re not simply facing the danger of constitutional erosion, or regional wars, but that if these situations continue in

the direction that they’re going, we could very well find ourselves stumbling into a situation of general war, involving countries that still operate under the doctrine of MAD [mutually assured destruction], and still have arsenals of thernuclear weapons.

In fact, in May of this year, Russian Prime Minister Medvedev was speaking at a conference in St. Petersburg, with Attorney General Holder seated on the dais right behind him, and explicitly warned that any attempts to carry out further regime change outside the framework of the UN Security Council, would be seen as an attempt to fundamentally overhaul and overturn the entire system under which the world has avoided general war since the end of World War II. And

he said, God forbid, we could find ourselves facing thernuclear war, and thernuclear extinction.

So, we’re on the very precipice of a danger of wars breaking out in the Middle East, where there are potentialities for this to go much further than anybody particularly desires, and we could find ourselves facing a prospect of general war.

Many of the events that are playing out right now are sorely reminiscent of the kinds of deals and back-room agreements and alliances that immediately preceded World War I. The main difference between then and now, is that in the eruption point of World War I, there were not yet nuclear weapons.

So, I just want to underscore the points that have been made by all of my colleagues here on the podium: that what we’re dealing with is a grave crisis that cannot, in any way, shape, or form, be underestimated. And again, I think it’s appropriate to thank Congressman Jones for taking the stand that he’s taken, and putting the war danger, and the issue of impeachment, on the table, so that this is once again seen as a universal principle for restoring our Constitution, and hopefully avoiding a general war that could get completely out of control.

So, if the speakers are available to continue and take

some questions, the floor's open for questions or comments.

A Craving To Dominate the World

Fein: I could just make a couple of observations. One with regard to the secrecy issue: Congress was alerted to the Manhattan Project and it didn't leak out to Adolf Hitler or anyone else. And then, Director of the Central Intelligence several years ago, George Tenet, who was testifying before Richard Shelby's Senate Intelligence Committee, testified that between the leaks that come out of Congress, and the leaks that come out of the Executive branch, the Executive branch wins about a million to one. So, if you're trying to simply shield the so-called national security information from those who might leak, the Executive branch is the one that needs more compartmentalization, not the Congress of the United States.

But I want to amplify further on this whole issue of the war power, although we read about it right now in connection with Iran and Syria, you're absolutely right: It's clearly a testament to all the empires, that there is an insatiable craving to dominate the entire world, if it's available. There is no stopping point. It becomes war for the sake of war. The British encountered that during the heyday of their imperialism. Why were they fighting the Boer War, the first Afghan War, the second Afghan War, the war against Burma, everywhere in the world?

And even when they [the British] were arguing against Edmund Burke in fighting the American Revolutionary War, it was said, "Oh, it's our prestige that's at stake. We can't let America go, then everything else will unravel." So, it's sort of a macho thrill that you get about being a bully, and if anybody defies you with impunity, you don't get that ecstasy of feeling that you can tell everybody else in the world what to do.

I'm not sure, Colonel Wilkerson, you can tell me, was it an offshoot of the Committee on the Present Danger, right after the 1990s, after Clinton was elected, Paul Wolfowitz and Rumsfeld, or whoever, stated that the objective of the United States should be, in foreign policy, to prevent any country from doing *anything* that we couldn't crush instantly. For whatever reasons we wanted. That's the mindset of this empire mentality. That's the mindset of all power being within the Executive branch. And it's not a question of personalities; whether you have Trajans or Hadrians, or if you've got Caligulas or Claudiuses—it's the institution itself that

thrusts the executive forward to all these foreign domains, because there is this idea, "Hey! What else can I do in the Presidency? I don't deal with minimum wage; I have to do something as a legacy," that's the equivalent of their face on Mt. Rushmore. And how to do that other than fighting wars?

And it's really quite a gruesome result: 300,000 dead. You can't even think of it. It reminds you of Stalin, where one death is a tragedy; a million is a statistic. And that's sort of where we are as a people, and it's not very complimentary.

Question: Sorry, I missed the beginning. How many members of Congress have signed on to the HCR 107?

Fein: I believe there's 10 or 11. And most of them are Republican, not Democrat. And I think the reason, again, is the partisanship. We can't do anything under President Obama, just like there was under Bush, the other side.

Question: And the second is, if you believe that it's such a clearcut case that, entering war without consulting Congress is an impeachable offense, how come no one has introduced an impeachment resolution against the President?

Fein: Well, I don't know. I've drafted one relating to Libya. It's been printed in *Politico*, but not in the *Congressional Record*, yet. Again, these are political maneuvers, but maybe it would make sense to do that in the lame-duck session, because at least you would set a standard to compare what might happen in Iran or Syria—those are the most imminent possibilities for Presidential wars.

But the larger question is an insightful one: Why shouldn't an impeachment resolution be introduced? Part of it, I think, there's still the backlash around Clinton, which people thought was an instance where impeaching a President over sex, and we had all the people like [former Speaker of the House Newt] Gingrich and others who were indiscreet—minor indiscretions, or youthful indiscretions—who were sitting on the impeachment committee, so the outlook wasn't very favorable.

And so, for that reason, the idea of impeachment, wrongly, fell into disrepute. And therefore, people don't want to touch it. They think that they'll immediately be branded as fringe, and how could you be so revolutionary—this is a coup d'état, and all these mindless, wit-

less statements made to try to avoid the accountability that impeachment ought to bring to the Executive branch.

The Founders Would Be Stunned

Wilkerson: Just a couple of points.

First, I think the Founders—and there's plentiful evidence for this, in their letters, in the *Federalist* papers, even in the anti-federalists, the Founders would be stunned that we haven't thrown a scurrilous bastard out every generation. They'd be absolutely stunned. And they'd be equally stunned at how feckless our use of Article II impeachment powers has been. Because it has been feckless, whether we're looking at Andrew Johnson, or Bill Clinton, or whatever.

The second point is more important. This is not about President Obama. He just happens to be the occupant at the moment. Look from 1947 to 2012: This is a natural evolution of power. This is what was going to happen as soon as Harry Truman, on the 26th of July, put his signature to the 1947 National Security Act. [Gen.] George Marshall, perhaps the most iconic military figure other than George Washington in American history, and certainly the master of our victory in World War II, looked at the President and said, "Mr. President, I fear we have militarized the decision-making process."

Precisely the case. We have! Our foreign policy today is our military policy. Unified command, commanders around the world, make our foreign policy. The four-star in Hawaii, the admiral sitting in Hawaii, is more important in Tokyo and Beijing than *any* diplomat. In some cases, even more so than anyone from the White House, other than the President himself. Because he carries with him, when he goes in to see the prime minister of Japan, carrier battle groups, aircraft wings, marine amphibious groups, army divisions. The Assistant Secretary of State for regional affairs, in this case



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Wilkerson: George Marshall, "perhaps the most iconic military figure, other than George Washington, in American history," told Truman when he signed the National Security Act: "Mr. President, I fear we have militarized the decision-making process."

for East Asia and the Pacific, if he can even get in, carries a briefcase, empty.

That's *your country*, today. A representative from New York said recently at West Point, "America should give the world soldiers who...." Is that what America should give the world? Soldiers? That's what we're giving them.

And let me tell you: if you read the international news, you read the papers in Tehran, in Damascus, in Beirut, in Cairo, in Tripoli—the rest of the world, which is about 6 billion people, realizes it. And anybody who knows any theory of international relations at all, and any theory of power at all, knows that the rest of the world will eventually *marshal its forces and bring us down*.

It's that simple! That's the way the world works. Every empire in human history is gone, whether it's the empire of the

Khans, or the Thousand-Year Reich of Adolf Hitler. They're gone! Nowhere in the world is it written in stone that the American empire is an exception, different, and going to last forever. It isn't!

What I'm saying is, we need to last a little longer than next week. Because we *are* a total force for good in the world, not because of the military we thrust upon the world, *and the bayonets we arm for democracy*, but because our values, when they are exemplified, and adhered to, really do impact change in the world: whether it's human rights, human dignity, women's rights, or any of the things that we *say* we stand for, but often by our actions, *bastardize* completely.

That's why it's important we stay around for a while. Chaos and anarchy are the alternative. And we're doing our level best to create that chaos and anarchy right now.

The American People Don't Want War

Question: I have two questions for Colonel Wilkerson. [Russian] President Putin has said recently that one could open Guantanamo, and let everybody out to fight

in Syria, because these are the same people, the same people who the United States and NATO are fighting in Afghanistan. And if these are the people involved in the assassination of the ambassador in Benghazi, isn't that a little bit inconsistent? Which raises the question, that the United States in one country fights the same people who it's allied with in another country?

The second question is, that everybody in Europe thinks that a military strike by Israel against Iran, or any other country against Iran, inevitably leads to World War III. And I think that we are looking in the short term, at that danger. And this time, it's not going to be a war, just regional, but the concern is, will it be a thermonuclear war which will lead to the extinction of civilization?

Wilkerson: I agree with your first point. And I can just say, yes.

Your second point: We just—I say we, Ambassador Pickering, former National Security Advisor Zbigniew Brzezinski, Brent Scowcroft, former Central Command commanders Adm. Fox Fallon, Gen. Anthony Zinni, and others, just did a report. I recommend it to you all, if you haven't read it. It's been reviewed in the *Wall Street Journal* and the *New York Times*, and a number of other places.³ And Frank Wisner, former ambassador to India, and Bill Luers, and I think Tom Pickering, are headed to the West Coast right now to do some press conferences out there.

This report is bipartisan, if you will, and a very careful analysis of what military force against Iran would do. It's very disquieting and very disconcerting, in the sense that, if you ask the basic question, to what purpose would we use military force, the answers aren't good. And when I say "we," I mean Israel alone, the United States alone, or somehow together—seriatim, or together. The answers aren't good.

The ultimate answer from me, as a military man who's studied Iran for almost eight years, for the purpose of stopping the Soviets from coming out of Afghanistan, and going to Chabahar and Bandar Abbas to get essentially warm-water ports, which is sort of the myth we had in the military in the '80s, while Iraq and Iran were fighting a war. I know the Zagros Mountains. I know where Alexander and his companions almost lost their lives in Iran. For someone's who's studied that territory, someone who understands what it would be

3. See "Retired Diplomats, Military Warn Against Strike on Iran," *EIR*, Sept. 21, 2012.

like to fight 70-plus million Iranians, 51% of whom are Persians, and what it would be like to occupy that country. Because that's the only way—invasion and occupation—that going to ensure yourself of what [Senators] Lindsey Graham and John McCain and Joe Lieberman and others want: regime change. And thus, no nuclear weapon.

It's 10 years, 500,000 troops, and \$3 trillion. That's the analysis.

The American people, by margins that are overwhelming—70%, 76%, 67% of my own party, the Republican Party—don't want war, don't want war with Iran. And yet, we're walking down a road where the President has said all options are on the table, and we know diplomacy is going to fail. Or at least 99% chance it's going to fail, because frankly, no one wants it to work. And I'm not so sure even the President does.

So, what do you do when you've said all this, and all the other options have failed? You back up and say, "Well, no, we won't have a war." I'm very concerned about that.

Does it have the potential to spread? You bet. Turkey, the most powerful army in NATO [after the United States]—Turkey has a *vested interest* in what happens. Iran has a vested interest in what happens.

I just met with the UN Ambassador from Iran, Mohammad Khazaei, in New York, and we talked about this, and I was encouraged to understand, that actually, under the table, things are happening that are positive, not the least of which is, perhaps, working out a channel, even without an incidents-at-sea agreement—which we should have—working out a channel between our two navies to talk to each other. So that we don't have an incident in the Gulf. It's the most crowded sea in the world right now, with U.S. warships, and Iranians, and so forth. An incident could happen at any moment.

That doesn't take into account the IRGC [Iran Revolutionary Guard Corps], which is the most volatile military element in Iran; they could still start an incident tomorrow morning, and Tehran might not have ordered it, in the sense of the Guardian Council, the Ayatollah, the President, or whatever—it might be just an errant IRGC commander. Particularly if they're afraid that some negotiations are going on that might succeed.

This is a very volatile situation.

Would China and Russia get involved? You bet. If we started a NATO no-fly zone over Syria, I wouldn't be surprised to see the Russians, either covertly (prob-

ably) or overtly (possibly), begin to sell their most sophisticated air defense missiles to Syria. Then they're going to start shooting down NATO airplanes; not one or two, but lots of them. Uh, that's a problem, isn't it?

Now as a military officer, I could paint you a scenario where we start a NATO no-fly zone over Syria, and wind up, in a year or two, with a general regional war, and then, within a year or two of that, possibly lots of big players fighting each other, first through surrogates, and then their own troops. That's not a very good scenario to contemplate. Certainly not where we should be headed.

The Glory of the United States Is Liberty

Fein: I'd like to make one observation about the idea of attacking Iran over having a nuclear capability, or acquiring a nuclear weapon. It underscores the total ruination of international law, to whatever the United States says it is at any time, and creates *huge* double standards that creates the resentment that I think Colonel Wilkerson is talking about, and all the rest of the world sees the incredible hypocrisy of the United States.

Now, I was struck the other day; on the front page of, I believe it was the *Washington Post*: On the one hand, you had a huge story on modernizing 5,100 nuclear warheads of the United States. No one was saying, in that story, if we possess these nuclear weapons, that's an act of war, and any country can attack us. Because we might use them like we did at Hiroshima and Nagasaki. It just said, well, actually we need these for defensive purposes, mutual assured destruction.

Then you get, on the other hand, the stories about Netanyahu: Where's the red line we're drawing? Romney forgetting whether it's a capability or an actual weapon [in Iran]; but it is assumed in these discussions, both in Israel and in the United States, the mere act of acquiring a nuclear capability, by Iran alone, *is* an act of belligerency that triggers the right of self-defense, for us to attack.

Well, what's wrong with that picture? How can that



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Fein: "You know, at Nuremberg, that quaint, quaint precedent at Nuremberg, where the Nazi leadership was convicted of conducting aggressive war: It was made a war crime. And aggressive war is conducting war without the justification of self-defense." Shown: a U.S. nuclear bomb test.

be? If that's the standard, any country in the world could attack Israel, right now? The United States, or all these others? I mean, it's amazing, it really is. Everyone says, of course, if they actually acquire a weapon, then militarily we're entitled to go in! I thought, well, you know, at Nuremberg, that quaint, quaint precedent at Nuremberg, where the Nazi leadership was convicted of conducting aggressive war. It was made a war crime. And aggressive war is conducting war without the justification of self-defense.

And remember: The theory of attacking Iran isn't that they've actually threatened to use the weapons. It isn't that there's an imminent danger that they're about to launch. Just the acquisition, *alone*, is an act of war.

How can that be international law? That's "might makes right" at its zenith.

Now, I want to also amplify a little bit upon what Colonel Wilkerson said about the Iranian situation expanding into a more global conflict. Because I think, even if Iran was off the table, you can see our own mindset is already contemplating a global conflict. You can go back as far as the last campaign. And remember, Senator McCain was saying, we are all Georgians now, when there was a fight over South Ossetia, and a few rocks there—like this was the Berlin Wall. And he said, we should all be ready to go to war, against Russia over South Ossetia!

And we already see our support, maybe not as vocal

as it might be, for Japan and the fighting over a few uninhabited islands in the East China Sea. Japan itself, for the first time in its history, is seriously contemplating altering Article 9 of its Constitution, which is the no-war clause which General MacArthur inserted, after World War II. And we are fully allied to Japan, committed to fighting for their sovereignty, in conflicts that they're involved in.

And you see the pivot from the Middle East to Asia. We've got Marines now in Australia, because we want to defend Vietnam against China in the South China Sea. You can see this inevitable, insatiable expansion, everywhere, to control everything that moves.

Cyber security: I'm sure we'll have the Mars rover—we'll be worried about whether that can be utilized in some way or another for national security, because, if you want anything funded, stick it in the Defense Department budget, right? I think they've even got a biofuels program the Navy uses, buying \$28 a gallon gasoline—you know, to spur the biofuels industry.

And I agree with everything that Colonel Wilkerson said about you've totally transformed who we are as a country, what our soul is. And this is what John Quincy Adams was asked: He was writing, as Secretary of State, his 1821 July Fourth address. Well, because the United States, at that time, wasn't a global power, and the United States was ridiculed: What have you done for the world, huh? Where are your pyramids? Where is your Great Chinese Wall? How come you don't have some kind of monument that you can give to mankind?

He said, no. The United States, the republic, the glory of the republic, is liberty. The glory of an empire is domination and control. He said, we could be dictators of the world, but we don't want to. Because our



Fein: John Quincy Adams said, "the glory of the republic is liberty. The glory of an empire is domination and control. We could be dictators of the world, but we don't want to. Because our policy would change from one of freedom, to one of coercion and power."

policy would change from one of freedom, to one of coercion and power.

And he was applauded! No one stood up and said, oh, you're so weak. How come you don't want to control the world? That's wrong-headed. And he said the march of the United States was the march of wisdom. The march of empires is the march of the foot soldier. And he rejected, the United States rejected, that idea.

And it found expression very early on, when all of Latin and Central America were in upheaval against the Portuguese and Spanish empires. Nobody claimed, "We have to intervene. We need to spread democracy everywhere, we're the military." We stood neutral, which is where we should, with regard to the use of force. It

doesn't mean, as Colonel Wilkerson said, that we're neutral with regard to values. Obviously, our own exercise of freedom has the influence of imitation, the influence of example.

And it can be powerful. Remember when the Democracy Wall was up in Beijing, in Tiananmen Square, and people were carrying around copies of the Declaration of Independence, and we encouraged that. We are human beings; we have values that we believe in. But we know they would be destroyed if we start to export them at the end of a bayonet.

Steinberg: If there are no further questions, I'd just like to thank Congressman Jones once again; thank Colonel Wilkerson, Bruce Fein, Colonel Shaffer, and urge people to really take to heart everything that's been said here today, because the survival of the country, and perhaps the survival of humankind, depends very much on these ideas being fought for, and that battle being won successfully.

So, thank you all for coming.