Libya and the War Powers Act

by Phyllis Schlafly June 24, 2011

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One of the reasons leftwingers voted for Barack Obama for President in 2008 was that they opposed the war in Iraq. The anti-war left is disappointed that Obama continued the Iraq war, escalated Afghanistan, and started a new war in Libya.

Cheers for House Speaker John A. Boehner (R-OH) who sent a letter to Obama reminding him that on June 19 he will be in violation of the War Powers Act unless he receives authorization from Congress.

The Constitution gives Congress the power to declare war, and the War Powers Act gives the President the go-ahead if there is "(1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces." None of these conditions exists with Libya.

On June 3, the House passed a Boehner resolution by 268 to 145, including 45 Democrats and all but 10 Republicans, requesting a detailed outline of the cost and scope of the operation in Libya. A stronger resolution sponsored by Rep. Dennis Kucinich (D-OH), which would have required the U.S. to withdraw all its troops from Libya within 15 days, failed but was supported by 87 Republicans and 61 Democrats.

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Obama is pursuing a go-it-alone involvement in Libya without knowing the allegiances of the people we are backing or what kind of regime they would

institute if they win. Even the top lawyers in the Pentagon and the Justice Department told him that the war in Libya meets the definition of "hostilities" in the War Powers Act and therefore requires the President to stop unless he gets congressional authorization.

Obama prefers to take advice from Harold H. Koh, the State Department's transnationalist, i.e., a person who advocates incorporating foreign law into U.S. domestic law. Koh is in the globalist tradition of Bill Clinton's Deputy Secretary of State Strobe Talbott, who in 1992 rejoiced in the coming "birth of the Global Nation" in which "all states will recognize a single, global authority."

Obama continues to equivocate about Libya, but Speaker Boehner says the White House position "doesn't pass the straight-face test." Some say the President should not have to comply with the War Powers Act, but it was passed in 1973 over President Richard Nixon's veto and is the law of the land.

The pro-war claque in the Republican Party has gone to the defense of Obama by using the tired smear word "isolationism." Like the left's favorite smear word "racist," and the feminists' favorite smear word "patriarchy," "isolationist" is argument by epithet to avoid dealing honestly with real issues.

After the recent CNN New Hampshire debate, John McCain labeled statements by Republican presidential candidates "isolationism." He even tried to blame Pat Buchanan, who was not present.

McCain has called for Republicans to be bipartisan about Obama's foreign policy, but let's remember what McCain means by bipartisan. His first choice for his vice presidential running mate in 2008 was Senator Joe Lieberman (D-CT).

In his 2000 presidential campaign, McCain told NBC's Tim Russert that he would appoint Joe Biden as his Secretary of State. In 2004, Biden reciprocated by

persuading John Kerry to invite McCain to be Kerry's running mate on the Democratic ticket against Bush-Cheney.

NPR reporters were glad to be an echo chamber for misuse of the term isolationist. Reporter Mara Liasson hung the label not only on Republicans in the New Hampshire debate such as Ron Paul, but even on Jon Huntsman, Obama's Ambassador to China who is now running for President as a Republican.

Huntsman observed about our military involvement in Libya, "we just can't afford it." Time Magazine jumped in to attack Huntsman for saying about Afghanistan, "If you can't define a winning exit strategy for the American people, ... then we're wasting our money."

Obama has tried to justify his war in Libya by citing United Nations and NATO approval. But his Secretary of Defense, Robert Gates, just delivered a frank speech in Brussels to our NATO friends.

Gates reminded them that America is getting fed up with providing three-fourths of the money for NATO's wars and defense spending, while most NATO countries have reneged on their promises. All 28 NATO members agreed to spend two percent of their gross domestic product on military defense, but only France, Britain, and tiny Albania are meeting that minimum commitment, while the U.S. spends about five percent.

All 28 NATO members voted for the operation in Libya, but fewer than a third have participated in the strike mission. Gates said this is "unacceptable," and sooner or later Americans will stop financing NATO.

Gates also said that NATO is risking "collective military irrelevance" since it can't defeat a two-bit dictator like Moammar Gadhafi after 11 weeks of military action. NATO has outlived its usefulness.