



Congressman Kucinich's Address to Congress on the War in Libya

[Dennis Kucinich](#)

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Congressman Dennis Kucinich delivered this address to Congress on March 31, 2011.

Mr. Speaker, the critical issue before this nation today is not Libyan democracy; it is American democracy. In the next hour, I will describe the dangers facing our own democracy.

The principles of democracy across the globe are embodied in the UN Charter, conceived to end the scourge of war for all time. The hope that nations could turn their swords into plowshares reflects the timeless impulse of humanity for enduring peace and, with it, an enhanced opportunity to pursue happiness.

We are not naïve about the existence of forces in the world which work against peace and against human security.

But it is our fervent wish that we should never become like those whom we condemn as lawless and without scruples, for it is our duty as members of a democratic society to provide leadership by example, to not only articulate the highest standards but to walk down the path to peace and justice with those standards as our constant companions. Our moral leadership in the world depends chiefly upon the might and light of truth and not shock and awe and the ghastly glow of our 2,000-pound bombs.

Mr. Speaker, our dear nation stands at a crossroads. The direction we take will determine not what kind of nation we are but what kind of nation will we become.

Will we become a nation which plots in secret to wage war?

Will we become a nation which observes our Constitution only in matters of convenience?

Will we become a nation which destroys the unity of the world community, which has been painstakingly pieced together from the ruins of World War II, a war which itself followed a war to end all wars?

Now, once again, we stand poised at a precipice, forced to the edge by an administration which has thrown caution to the winds and our Constitution to the ground.

It is abundantly clear from a careful reading of our Declaration of Independence that our nation was born from nothing less than the rebellion of the human spirit against the arrogance of power. More than 200 years ago, it was the awareness of the unchecked arrogance of George III that led our founders to carefully and deliberately balance our Constitution, articulating the rights of Congress in article I as the primary check by our citizens against the dangers they foresaw for our republic. Our Constitution was derived from the human and political experience of our founders, who were aware of what happens when one person took it upon himself to assume rights and privileges which placed him above everyone else.

“But where,” asked Tom Paine in his famous tract “Common Sense,” “is the king of America?”

“I’ll tell you, friend. He reigns above, and doth not make havoc of mankind like the royal of Britain. So far as we approve of monarchy, that in America the law is king; for as in absolute governance the king is law, so in free countries the law ought to be king, and there ought to be no other,” said Thomas Paine in “Common Sense.”

The power to declare war is firmly and explicitly vested in the Congress of the United States, under article I, section 8 of the Constitution. That is the law. The law is king.

Let us make no mistake about it. Dropping 2,000-pound bombs and unleashing the massive firepower of our Air Force on the capital of a sovereign state is in fact an act of war, and no amount of legal acrobatics can make it otherwise. It is the arrogance of power which former senator from Arkansas J. William Fulbright saw shrouded in the deceit which carried us into the abyss of another war in Vietnam.

My generation was determined that we would never see another Vietnam. It was the awareness of the unchecked power and arrogance of the executive which led Congress to pass the War Powers Act. Congress, through the War Powers Act,

provided the executive with an exception to unilaterally respond only when the nation was in actual or imminent danger to repel sudden attacks.

Mr. Speaker, today, we are in a constitutional crisis because we have an administration that has assumed for itself powers to wage war which are neither expressly defined nor implicit in the Constitution nor permitted under the War Powers Act. This is a challenge not just to the administration but to this Congress, itself.

A president has no right to wrest that fundamental power from the Congress, and we have no right to cede it to him. We, members of Congress, can no more absolve a president of his responsibility to obey this profound constitutional mandate than we can absolve ourselves of our failure to rise to the instant challenge to our Constitution that is before us today. **We violate our sacred trust to the citizens of the United States and our oath to uphold the Constitution if we surrender this great responsibility and through our inaction acquiesce in another terrible war.** We must courageously defend the oath we took to defend the Constitution of the United States or we forfeit our right to participate in representative government.

How can we pretend to hold other sovereigns to fundamental legal principles if we do not hold our own presidents to fundamental legal principles here at home?

We are staring not only into the maelstrom of war in Libya; the code of behavior we are establishing sets a precedent for the potential of evermore violent conflicts in Syria, Iran, and the specter of the horrifying chaos of generalized war throughout the Middle East. Our continued occupation of Iraq and Afghanistan makes us more vulnerable, not less vulnerable, to being engulfed in this generalized war.

In two years, we have moved from President Bush's doctrine of preventive war to President Obama's assertion of the right to go to war without even a pretext of a threat to the nation. This administration is now asserting the right to go to war because a nation may threaten force against those who have internally taken up arms against it.

Keep in mind, our bombs began dropping even before the United Nations International Commission of Inquiry could verify allegations of murder of noncombatant civilians by the Qaddafi regime. The administration deliberately avoided coming to Congress and, furthermore, rejects the principle that Congress has any role in this matter.

Yesterday, we learned that the administration would forge ahead with military action even if Congress passed a resolution constraining the mission. This is a clear

and arrogant violation of our Constitution. Even a war launched ostensibly for humanitarian reasons is still a war, and only Congress can declare war.

Mr. Speaker, we saw in the President's address to the nation on March 28 how mismatched elements are being hastily stitched together into a new war doctrine. Let's review them: number 1, an executive privilege to wage war; number 2, war based on verbal threats; number 3, humanitarian war; number 4, pre-emptive war; number 5, unilateral war; number 6, war for regime change; number 7, war against a nation whose government this administration determines to be illegitimate; number 8, war authorized through the UN Security Council; number 9, war authorized through NATO and the Arab League; and, finally, war authorized by a rebel group against its despised government. But not a word about coming to the representatives of the people in this, the United States Congress, to make this decision.

Mr. Speaker, [at this very moment, thousands of sailors and marines are headed to a position off the coast of Libya](#). The sons and daughters of our constituents willingly put their lives on the line for this country. We owe it to them to [challenge a misguided and illegal doctrine which](#) could put their lives in great danger, for we have an obligation to protect our men and women in uniform as they pledge to defend our nation.

[This administration's new war doctrine will not lead to peace but to more war, and it will stretch even thinner our military](#). In 2007, the Center for American Progress released a report on the effects of war in Iraq and Afghanistan and the multiple, multiple deployments of our Armed Forces. The report cited a lack of military readiness. It cited high levels of posttraumatic stress and suicide. The report was released just before President Bush's surge in Iraq, just one year after the surge in Afghanistan. And after eight years of war in Iraq, the president commits an all-volunteer army to another war of choice. If the criteria for military intervention in another country is government-sponsored violence and instability, over commitment of our military will be virtually inevitable and, as a result, our national security will be undermined.

It is clear that the administration planned a war against Libya at least a month in advance, but why? The president cannot say that Libya is an imminent or actual threat to our nation. He cannot say that war against Libya is in our vital interests. He cannot say that Libya had the intention or capability of attacking the United States of America. He has not claimed that Libya has weapons of mass destruction to be used against us.

We're told that our nation's role is limited; yet, at the same time, it is being expanded. We've been told that the administration does not favor military regime change, but then they tell us the war cannot end until Qaddafi is no longer the leader. Further, **two weeks earlier, the President signed a secret order for the CIA to assist the rebels who are trying to oust Qaddafi.**

We're told that the burdens of war in Libya would be shared by a coalition, but the United States is providing the bulk of the money, the armaments and the organizational leadership. We know that the war has already cost our nation upwards of \$600 million, and we're told that the long-term expenses could go much, much further. **We're looking at spending additional billions of dollars in Libya at a time when we can't even take care of our people here at home.**

We're told that the president has legal authority for this war under **United Nations Security Council Resolution 1973**, **but this resolution specifically does not authorize any ground elements.** Furthermore, the administration exceeded the mandate of the resolution by providing the rebels with air cover. Thus, **the war against Libya violated our Constitution and has even violated the very authority which the administration claimed was sufficient to take our country to war.**

We're told that the Qaddafi regime has been illegitimate for four decades, but we're not told that in 2003 the US dropped sanctions against Libya. We're not told that Qaddafi, in an effort to ingratiate himself with the West in general and with America specifically, accepted **a market-based economic program** led by the very harsh structural adjustment remedies of the IMF and the World Bank.

This led to the **wholesale privatization of estate enterprises, contributing to unemployment in Libya rising to over 20 percent.**

CNN reported on December 19, 2003, that Libya acknowledged having a nuclear program, pledged to destroy weapons of mass destruction, and pledged to allow international inspections. This was a decision which President George W. Bush has praised, saying Qaddafi's actions "made our country and our world safer."

We're told that Qaddafi is in breach of the UN Security Council resolutions, **but now our own secretary of state is reportedly considering **arming the rebels**, an act which would be **a breach of the United Nations Security Council resolution which established an arms embargo.**** We are told that we went to war at the request of and with the support of the Arab League. But the Secretary-General of the Arab League, Amr Moussa, began asking questions immediately after the imposition of

the no-fly zone, stating that what was happening in Libya, “differs from the aim of imposing a no-fly zone. What we want is the protection of civilians and not the shelling of civilians.” Ban Ki-moon, the UN Secretary-General, has also expressed concern over the protection of civilians, even as allied bombing continued during the international conference on Libya in England this week, stating, “The UN continues to receive deeply disturbing reports about the lack of protection of civilians, including various abuses of human rights by the parties to the conflict.” He was alluding to possible human rights abuses by Libyan rebel forces. Even the Secretary-General of NATO, an organization which the United States founded and generally controls, expressed concern, saying, “We are not in Libya to arm people but to protect people.” So I ask, is this truly a humanitarian intervention? What is humanitarian about providing to one side of the conflict the ability to wage war against the other side of a conflict, which will inevitably trigger a civil war, making all of Libya a graveyard?

The administration has told us, incredibly, they don’t really know who the rebels are, but they are considering arming them, nonetheless. The fact that they are even thinking about arming these rebels makes **one think the administration knows exactly who the rebels are.** While a variety of individuals and institutions may comprise the so-called opposition in Libya, in fact, one of the most significant organizations is **the national Front for the Salvation of Libya**, along with its military arm, the Libyan National Army. It was **the National Front’s call for opposition to the Qaddafi regime in February which was the catalyst of the conflict** which precipitated the humanitarian crisis which is now used to justify our intervention.

But I ask, Mr. Speaker, **how spontaneous was this rebellion?** **The Congressional Research Service in 1987 analyzed the Libyan opposition. Here’s what the Congressional Research Service wrote: “Over 20 opposition groups exist outside Libya. The most important in 1987 was the Libyan National Salvation Front, formed in October 1981.” This national Front “claimed responsibility for the daring attack on Qaddafi’s headquarters at Bab al Aziziyah on May 8, 1984. Although the coup attempt failed and Qaddafi escaped unscathed, dissident groups claimed that some 80 Libyans, Cubans, and East Germans perished.” Significantly, the CRS cited various sources as early as 1984 which claim, “The United States Central Intelligence Agency trained and supported the national Front before and after the May 8 operation.”** By October 31, 1996, according to a BBC

translation of *Al-Hayat*, an Arabic journal in London, a **Colonel Khalifa Haftar**, who is **leader of this Libyan National Army, the armed wing of the National Front**, was quoted as saying, “**Force is the only effective method for dealing with Qaddafi.**”

Now follow me to **March 26, 2011**. The McClatchy Newspapers reported, “**The new leader of Libya’s opposition military left for Libya 2 weeks ago,**” **apparently around the same time the president signed the covert operations order.** And I am making that observation. **The new leader spent the past two decades of his life in Libya? No. In suburban Virginia, where he had no visible means of support. His name, Colonel Khalifa Haftar.** One wonders when he planned his trip and who is his travel agency?

Congress needs to determine **whether the United States, through previous covert support of the armed insurrection, driven by the American-created National Front, potentially helped create the humanitarian crisis that was used to justify military intervention.** We need to ask the question. **If we really want to understand how our constitutional prerogative for determining war and peace has been preempted by this administration, it is important that Congress fully consider relevant events which may relate directly to the attack on Libya.**

Consider this, Mr. Speaker: **On November 2, 2010, France and Great Britain signed a mutual defense treaty which included joint participation in Southern Mistral, a series of war games outlined in the bilateral agreement and surprisingly documented on a joint military website established by France and Great Britain.**

Southern Mistral involved a long range conventional air attack called Southern Storm against a dictatorship in a fictitious southern country called Southland in response to a pretend attack. **The joint military air strike was authorized by a pretend United Nations Security Council resolution.** The composite air operations were **planned**, and this is the war games, **for the period of March 21 through 25, 2011.**

On March 20, 2011, the United States joined France and Great Britain in an air attack against Libya, pursuant to UN Security Council Resolution 1973.

So the questions arise, Mr. Speaker, **have the scheduled war games simply been postponed, or are they actually under way after months and months of planning under the named of Operation Odyssey Dawn?**

Were operation forces in Libya informed by the US, the UK or France about the existence of these war games, which may have encouraged them to actions leading to greater repression and a humanitarian crisis?

In short, was this war against Qaddafi's Libya planned, or was it a spontaneous response to the great suffering which Qaddafi was visiting upon his opposition? Congress hasn't even considered this possibility.

NATO, which has now taken over enforcement of the no-fly zone, has morphed from an organization which pledged mutual support to defend North Atlantic states from aggression.

They've moved from that to military operations reaching from Libya to the Chinese border in Afghanistan. North Atlantic Treaty Organization.

We need to know, and we need to ask what role French Air Force General Abrial and current supreme allied commander of NATO for transformation may have played in the development of operation Southern Storm and **in discussions with the US and the expansion of the UN mandate** into NATO operations.

What has been the role of the US African Command and Central Command in discussions leading up to this conflict?

What did the administration know, and when did they know it?

The United Nations Security Council process is at risk when its members are not fully informed of all the facts when they authorize a military operation. It is **at risk from NATO, which is usurping its mandate, the UN mandate**, without the specific authorization of UN Security Council Resolution 1973.

Now, the United States pays 25 percent of the military expense of NATO, and NATO may be participating in the expansion in exceeding the UN mandate.

The United Nations relies not only on moral authority, but on the moral cooperation of its member nations. If America exceeds its legal authority and determines to redefine international law, we journey away from an international moral order and into the amorality of power politics where the rule of force trumps the rule of law.

What are the fundamental principles at stake in America today? First and foremost is our system of checks and balances built into the Constitution to ensure that important decisions of state are developed through mutual respect and shared

responsibility in order to ensure that collective knowledge, indeed, the collective wisdom of the people is brought to bear.

Two former secretaries of state, James Baker and Warren Christopher, have spoken jointly to the “importance of meaningful consultation between the president and Congress before the nation is committed to war.”

Our nation has an inherent right to defend itself and a solemn obligation to defend the Constitution. From the Gulf of Tonkin in Vietnam to the allegations of weapons of mass destruction in Iraq, we’ve learned from bitter experience that the determination to go to war must be based on verifiable facts carefully considered.

Finally, **civilian deaths are always to be regretted, but we must understand from our own Civil War more than 150 years ago that nations must resolve their own conflicts and shape their own destiny internally.** However horrible these internal conflicts may be, these local conflicts can become even more dreadful if **armed intervention in a civil war** results in the internationalization of that conflict. **The belief that war is inevitable makes of war a self-fulfilling prophecy.**

The United States, in this new and complex world racked with great movements of masses to transform their own government, must, itself, be open to transformation away from intervention, away from trying to determine the leadership of other nations, away from covert operations to manipulate events and towards a rendezvous with those great principles of self-determination which gave birth to our nation.

In a world which is interconnected and interdependent, in a world which cries out for human unity, we must call upon the wisdom of our namesake, our founder, George Washington, to guide us in the days ahead. He said: “The Constitution vests the power of declaring war in Congress. Therefore, no offensive expedition of importance can be undertaken until after they shall have deliberated upon the subject and authorized such measure.”

Washington, whose portrait faces us every day as we deliberate, also had a wish for the future America. He said: “My wish is to see this plague of mankind, war, banished from the Earth.”

I yield back the balance of my time.

[Dennis Kucinich](#)

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