



Written by [Steve Byas](#) on June 21, 2019

Pelosi's Double-standard on Need for Congressional Authorization for War

"The responsibility in the Constitution is for Congress to declare war," Nancy Pelosi said on Thursday, in reaction to the intensification of tensions between the United States and Iran, following the Iranian downing of an unmanned surveillance drone near Iranian territory.

"So I hope," she continued, "that the president's advisers recognize that they have no authorization to go forward in any way."



In her statement, Pelosi sounded almost like Old Right leaders such as Senator Robert A. Taft (R-Ohio), or more recent non-interventionist advocates such as former Congressman Ron Paul (R-Texas), or his son, Senator Rand Paul (R-Ky.). Rand Paul is generally supportive of Trump's agenda on domestic issues, but has expressed concern about the push within his administration for war with Iran.

"There are people who do want a war for regime change," Paul said. "They don't mind putting all the people so close together that there might be a skirmish that leads to war. I think that would be a terrible tragedy." Although he did not name them, some in Trump's own administration, such as Secretary of State Mike Pompeo or National Security Adviser John Bolton, have long advocated use of military force to replace the present Iranian government.

Pelosi commended the president's statement that he has "no appetite" for war, and added that the 2001 Authorization for the Use of Military Force (AUMF), which Congress passed after the September 11, 2001, attacks upon the World Trade Centers and the Pentagon, would not authorize any such assault upon Iran.

The San Francisco Democrat added that she and Trump both opposed the invasion of Iraq in 2003. Of course, in the case of Trump now, and of George W. Bush in 2003, those were *Republican* presidents in the White House. But what has been Pelosi's record on military actions conducted by *Democratic* presidents?

In what could be viewed as a hypocritical stance, Pelosi supported President Barack Obama's use of military force in Libya back in 2011. At the time she was the House Minority Leader, and said that while she is "very protective of congressional prerogative" regarding military action, she believed that Obama did not need congressional authorization to take action against Libya, and furthermore, he did not need it to continue military action in Libya.

At a Capitol Hill press conference in June 2011, she said, "I've always believed that it's very important to respect the prerogatives of the Congress in terms of being involved in any military action.... The consultation between the executive and the legislative branch is essential whenever we engage in a military action."

She added, "I'm satisfied that the president [Obama] has the authority he needs to go ahead."



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Two members of Congress, Representative Dennis Kucinich (D-Ohio) and Representative Walter Jones (R-N.C.) filed a bipartisan lawsuit against President Obama, arguing that he had violated the law by not seeking any congressional authorization for the U.S.-led Libya mission.

Kucinich said, "With regard to the war in Libya, we believe that the law was violated. We have asked the courts to move to protect the American people from the results of these illegal policies."

Unfortunately, it is far too seldom that members of Congress are consistent on the war powers question. Whereas Ron Paul consistently opposed Republicans as well as Democrats when they took military actions, and Kucinich opposed Democrats as well as Republicans as a matter of principle, far too many members of Congress throw their principles and the Constitution to the side when a president of their party occupies the White House and desires to take military action.

The Framers of the Constitution believed Congress would jealously guard its constitutional authority over war, and even other matters, but probably did not foresee the rise of political parties that cause far too many in Congress to switch their positions based on whether their party's man is president.

Then, there are, of course, some warhawks, in and out of government, who consistently agitate for war, regardless of what party runs the executive branch. When President Trump bombed Syria in reaction to the alleged use of chemical weapons by Syrian President Bashar Assad in that country's civil war, even many of Trump's most ardent foes praised him. One even lauded him by saying that Trump "became president" with the attack — all of this despite Syria having never attacked America at any time!

The very fact that Obama could cite the 2001 Authorization for the Use of Military Force (or AUMF) for action 10 years later in Libya — a nation that had no role in the September 11, 2001 terrorist attacks — demonstrates the danger of Congress abdicating and delegating its constitutional powers to declare war.

Article I, Section 8 of the U.S. Constitution gives the power and authority to declare war to Congress, not the president, yet American presidents have often taken all sorts of military action without even the fig leaf of congressional authorization. President Harry Truman even evaded the issue in 1950 by saying his use of military force in Korea did not need a declaration of war, because it was just a "police action."

Pelosi's hypocrisy is stark, but unfortunately, she is far from alone in the halls of Congress. Fortunately, there are some non-interventionists such as Fox News' Tucker Carlson, who are consistent, who challenge both Democrat and Republican presidents — but unfortunately, not enough.

Photo of Nancy Pelosi: [house.gov](https://www.house.gov)

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