



Written by [Michael Tennant](#) on June 15, 2011

## House Passes Amendment Blocking Some Funding for Libya War

It was added to a bill appropriating money for military construction and the Department of Veterans Affairs.

Two hundred forty-eight Representatives voted in favor of the amendment, while 163 voted against it. On both sides of the issue the vote was fairly evenly split between the parties: Of those in favor, 138 were Republicans and 110 were Democrats; of those opposed, 93 were Republicans and 70 were Democrats.



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The Sherman amendment was [narrowly defeated](#) on a previous vote, when Sherman attempted to attach it to the Homeland Security appropriations bill. This time it wasn't even close. What explains this sea change in Congressmen's opinions with regard to the war?

For one thing, the Obama administration has been obstinate from the start, with Secretary of State Hillary Clinton [telling](#) Sherman shortly after the war commenced that the administration would simply ignore any congressional attempts to rein in the President's military adventures. Even now Obama still maintains that his war is perfectly legal, consistent with both the Constitution and the War Powers Resolution. House Speaker John Boehner (R-Ohio), in fact, contested that assertion in a June 14 [letter](#) to Obama:

Since the mission began, the administration has provided tactical operational briefings to the House of Representatives, but the White House has systematically avoided requesting a formal authorization for its action. It has simultaneously sought, however, to portray that its actions are consistent with the War Powers Resolution. The combination of these actions has left many members of Congress, as well as the American people, frustrated by the lack of clarity over the administration's strategic policies, by a refusal to acknowledge and respect the role of the Congress, and by a refusal to comply with the basic tenets of the War Powers Resolution.

Clearly, Boehner and many other members of Congress are piqued at the White House.

Congressmen are probably also responding to the desires of their constituents. A recent [Rasmussen poll](#) found that only 26 percent of likely voters favor continuing the Libya war, while 42 percent are opposed. Moreover, 59 percent believe that the President needs to get congressional approval to continue the war, and 68 percent think it unlikely or very unlikely that the war will be over by year's end. Put all those numbers together, and it seems likely that legislators have heard from their constituents in no uncertain terms that America needs to get out of Libya before it turns into another



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Iraq or Afghanistan.

The passage of the Sherman amendment will not settle the matter. The appropriations bill still has to be considered in its entirety by both the House and the Senate; it might not pass either chamber, but especially the Democrat-controlled Senate, with the amendment intact. If the bill did pass Congress with the amendment still in place, Obama could (a) veto it, (b) sign it and attach a signing statement saying he will ignore the amendment, or (c) sign it and continue funding the war on the grounds that he is already complying with the War Powers Resolution. Even if this particular bill became law and Obama abided by the amendment, there could still be many other appropriations without the amendment, leaving ample funds available to keep the war going. Congress would have to attach the amendment to every single appropriations bill to ensure that Obama had no means of circumventing its will, and even then the possibility exists that he would ignore the amendment anyway.

Hubris was a term frequently applied to George W. Bush's approach to governance. Constitutionalists believe it is equally applicable to Obama's, as they say the intragovernmental conflict over the Libya war plainly demonstrates. Just as Bush's arrogance and disregard for the law eventually made him a pariah among members of his own party, so Obama's highhandedness is increasingly alienating his fellow Democrats, as witness the votes on the Sherman amendment and recent anti-Libya war resolutions. If the President chooses to proceed with his war in defiance of Congress — which alone has the constitutional authority to take the United States to war — then Congress is duty-bound to remove him from office. Failing that, Obama's hubris may very well lead to his downfall in a more conventional way — at the voting booth next year.

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