



Written by [Joe Wolverton, II, J.D.](#) on March 7, 2013

## Rand Paul Filibusters for Almost 13 Hours as Millions “Stand with Rand”

[#StandwithRand](#). For a short time Wednesday night, that was the most popular trending hashtag on Twitter. And for good reason.

At 10:39 p.m. (EST), March 6, Senator Rand Paul (R-Ky) ended his epic almost-13-hour filibuster of the nomination of John Brennan as head of the CIA.

Tag-teaming with more than a dozen of his colleagues, including Senators Ted Cruz (R-Texas), Mike Lee (R-Utah), and Marco Rubio (R-Fla.), Paul delivered body blow after body blow to the case made recently by President Obama that he has the authority — “in extraordinary circumstance” — to order a deadly drone strike to kill Americans on American soil.

During his speech, Paul called that response “frightening.” And he said, “When I asked the president, can you kill an American on American soil, it should have been an easy answer. It’s an easy question. It should have been a resounding, an unequivocal, ‘No.’ The president’s response? He hasn’t killed anyone yet. We’re supposed to be comforted by that.”

At 4:45 p.m., Senate Majority Leader Harry Reid (D-Nev.) had had enough of these tough questions. He rose to ask Senator Paul when he would be ending his filibuster and allow a vote.

He said he’d be happy to sit down if “if the president or the attorney general will clarify that they will not kill Americans on American soil.”

They, of course, will not answer the question. During a Judiciary Committee hearing earlier in the day, Senator Cruz asked Attorney General Eric Holder if drones would be used to kill a suspect sitting in a cafe in the United States. “No,” the Attorney General responded.

Senator Lindsey Graham (R-S.C.) seemed disappointed in Holder’s answer.

“Wouldn’t that be kind of crazy to exempt the homeland, the biggest prize for the terrorists, to say for some reason the military can’t defend America here in an appropriate circumstance?” Graham asked.

When asked what he thought of Paul’s filibuster, Graham called it “ridiculous” and said it displayed nothing more than “paranoia between libertarians and the hard left that is unjustified.”

Standing behind the straw man of terrorists blowing up the homeland is a familiar gambit of the neocon war-hawk wing of the GOP that cares less for the Constitution than for control.

As for Senator Paul, he sees a more devastating threat to our freedom.

“Are we so afraid of terrorists that we are willing to throw away our rights and our freedoms?” Paul





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asked.

When asked how long he planned to carry on, Paul responded with an inspiring pledge to:

    speak as long as it takes, until the alarm is sounded from coast to coast that our Constitution is important, that your rights to trial by jury are precious, that no American should be killed by a drone on American soil without first being charged with a crime, without first being found to be guilty by a court.

And he sounded that bell, hour after hour reading article after article about the expansion of the drone war and the use of these unmanned vehicles to target and kill thousands without a single charge, a single trial, a single conviction.

“No president has the right to say he is judge, jury and executioner,” Paul said.

Throughout the more almost 13 hours of being called out, the president was silent. Well, he probably wasn’t exactly silent. He was likely laughing it up at the [“secretive dinner date with a group of Republican senators”](#) he was holding over at the Jefferson Hotel across town.

The guest list, which was not released until after the check was paid (out of the president’s own pocket, according to the White House), included: Senators Lindsey Graham, Bob Corker, Kelly Ayotte, John McCain, Dan Coats, Tom Coburn, Richard Burr, Mike Johanns, Pat Toomey, Ron Johnson, John Hoeven and Saxby Chambliss.

It is hardly surprising that Senators McCain and Graham would opt out of watching Senator Paul defend the Constitution in favor of palling around with the president. The president is, after all, the de facto judge, jury, and executioner.

Regardless of the choices made by some of his fellow Republicans to criticize his efforts, Paul reached out saying that the specter of unchecked executive authority to order the military to kill Americans on American soil was beyond partisan.

“I would be here if it were a Republican president doing this,” Paul said. “Really the great irony of this is that President Obama’s opinion on this is an extension of George Bush’s opinion.”

Senator Rubio echoed that sentiment, saying, “It’s not a Republican question. It’s not a conservative question,” Rubio said. “It’s a constitutional question.”

At one point in his speech, Paul reminded senators of the many prominent radicals of the 1960s who spoke out and demonstrated against the Vietnam war. “Were these people colluding with the enemy?” he mused. “Would they have been targets for execution by drone?”

“Is objecting to your government or objecting to the policies of your government sympathizing with the enemy?” Paul asked.

“Some openly were sympathetic. No one will ever forget Jane Fonda swiveling around in North Vietnamese armored guns, and it was despicable. And it’s one thing if you’re going to try her for treason, but are you just going to drop a drone hellfire missile on Jane Fonda?” he asked.

Admiring his (seemingly) tireless defense of due process and the Constitution, Senator Cruz compared Senator Paul to another famous filibusterer, Jimmy Stewart’s character in the movie *Mr. Smith Goes to Washington*.

“You’re standing here like a modern-day ‘Mr. Smith Goes to Washington,’” Cruz said. “You must surely



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be making Jimmy Stewart smile.”

Taking the comparison a little further, Senator Mark Kirk (R-Ill.) handed Paul an apple and a thermos of tea, which [the Washington Post identified](#) as “a possible reference to the film,” as “Jimmy Stewart brings out similar provisions” during his character’s filibuster.

If there is any one of Senator Paul’s statements that sums up the nearly 13-hour session, it may be this: “I have allowed the president to pick his political appointees, but I will not sit quietly and let him shred the Constitution.”

Although it didn’t break the record for longest filibuster (that distinction belongs to Strom Thurmond who railed for 24 hours against the Civil Rights Act in 1957), Paul’s declamation against drone strikes and the denial of due process brought attention — at least for a little while — to one of the most challenging constitutional issues of our time.

The full transcript of Senator Paul’s filibuster is [available here](#).

*Photo of Sen. Rand Paul (R-Ky.) speaking to reporters after the filibuster: AP Images*

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