Trump vetoes war powers resolution on Iran

By Bill Van Auken
8 May 2020

The United States Senate Thursday fell well short of the two-thirds majority needed to override President Donald Trump’s veto of a war powers resolution that purported to limit his authority to wage aggressive war against Iran.

Forty-nine senators voted against the veto and 44 to sustain it. Seven Republicans joined Democrats in voting to override the president’s actions. This was similar to the lineup in the February Senate vote to pass the resolution, when eight Republicans joined Democrats in supporting it.

While the legislation was passed by the Senate in February and the House in March, it took nearly two months to get to the White House because of the coronavirus pandemic.

The legislation was introduced in the wake of the criminal January 3 drone missile assassination of Gen. Qassem Suleimani, one of Iran’s most senior leaders, shortly after he arrived at Baghdad international airport on a diplomatic mission to meet with then Iraqi Prime Minister Adel Abdul Mahdi. A top leader of Iraq’s Shia militia movement, part of the country’s armed forces, was also killed in the attack, along with several other Iranians and Iraqis.

Senate Majority Leader Mitch McConnell defended Trump’s veto in remarks delivered on the Senate floor Thursday, calling the war powers resolution “misguided” and defending the assassination of the Iranian leader, “We must maintain the measure of deterrence we restored with the decisive strike on Suleimani.”

Democratic Senator Tim Kaine of Virginia, one of the principal sponsors of the legislation, used his own remarks to insist that the measure was “not part of a strategy to hurt President Trump.” He added, “I’ve advocated these same positions as have other members of this body under presidents who were both Democratic and Republican.”

For his part, Trump issued two statements, one a formal presidential veto message and the other a crudely political statement issued from the Pentagon in which he described the bill as a “very insulting resolution, introduced by Democrats as part of a strategy to win an election on November 3 by dividing the Republican Party.” He accused the eight Republicans who voted in favor of the measure of having “played right into their hands.”

He continued by insisting that the resolution was unnecessary, declaring that the US “not engaged in the use of force against Iran.” He indicated that the assassination of Suleimani in Iraq followed by Iranian missile strikes on US bases in Iraq, in which no American personnel were killed, had ended the matter. As for the assassination, he claimed it “was fully authorized by law, including by the Authorization for Use of Military Force Against Iraq Resolution of 2002 and Article II of the Constitution.”

He criticized the war powers resolution for implying that the US president’s right to launch a war without congressional approval was limited to the defense of the United States and its military against “imminent attack.”

“That is incorrect,” he wrote. “We live in a hostile world of evolving threats, and the Constitution recognizes that the President must be able to anticipate our adversaries’ next moves and take swift and decisive action in response.”

In other words, he claimed that the US Constitution recognized the right of an American president to wage preventive, i.e., aggressive war, a war crime under international law. What precise language in the US Constitution authorizes such criminal actions, Trump did not say.

In the separate formal statement addressed to the Senate, Trump said that the resolution was “unnecessary and dangerous,” adding that its apparent
aim was to prevent an escalation of conflict with Iran.
“Yet no such escalation has occurred over the past 4
months, contrary to the often dire and confident
predictions of many,” the statement said.

Trump’s assertion of the essentially unrestricted right
of the president to wage war when and how he pleases,
regardless of constitutional limitations or popular
sentiment, is hardly an innovation. His predecessor,
Democrat Barack Obama, asserted the same right in
relation to the US-NATO war for regime change in
Libya in 2011.

The latest resolution on Iran, which is founded upon
the War Powers Resolution passed by Congress in
1973 after the US withdrawal from Vietnam and over
the veto of then-President Richard Nixon, was largely
toothless in terms of restraining presidential power.

It called for the US president to end armed conflict
with Iran absent a declaration of war or authorization
for the use of military force approved by Congress. It
included a provision, however, ensuring the president
the power to carry out military action in the face of an
“imminent attack” without such approval.

Given that the initial defense of the US assassination
of Suleimani was based on the phony claim that it was
designed to forestall just such an “imminent attack,”
the resolution provided a deliberately designed escape
clause to assure that unlimited power to launch military
aggression would remain in the hands of the White
House.

The Trump administration later backed off of the
claim that the murder of Suleimani was aimed at
preempting any imminent attack on US forces,
acknowledging that the killing had been designed to
curb Iran’s “malign activity” in the Middle East, i.e.,
its interference in Washington’s imposition of undisputed hegemony in the region. Suleimani was
killed as he was attempting to negotiate an easing of
tensions between Iran and the Saudi monarchy, thereby
threatening the anti-Iranian axis built up around the
Saudis and other Gulf oil sheikdoms along with Israel.

Just two days before Trump’s veto of the Iran war
powers resolution, an overwhelming bipartisan
majority of 387 members of the House of
Representatives issued a letter to the US State
Department calling for the use of “robust diplomacy”
to force an extension of an arms embargo against Iran
that is supposed to expire in October as part of the 2015
Joint Comprehensive Plan of Action (JCPOA), the
nuclear deal concluded between Tehran and the major
powers.

The lifting of sanctions against Iran was offered
under the agreement in exchange for Tehran drastically
curtailing its nuclear program. The Trump
administration abrogated the agreement in May 2018
imposing a series of increasingly punishing unilateral
sanctions under a “maximum pressure” campaign that
is tantamount to a state of war.

While Washington’s thuggish secretary of state,
Michael Pompeo, has threatened to invoke the
“snapback” of previously existing UN sanctions in
order to maintain the embargo, Washington has no
standing to do so having broken the nuclear deal. It
may pressure its erstwhile European allies to pursue a
continued embargo, but it is virtually certain that China
and Russia, both signatories to the agreement, would
veto such a maneuver.

The bipartisan congressional group calling for
increased US pressure against Iran is led by House
Foreign Affairs Committee Chairman Eliot Engel of
New York. Its action underscores the support of both
the Democratic and Republican parties for the
campaign of US aggression against Iran.

Washington has steadily tightened US economic
sanctions against Iran under conditions in which the
country has faced one of the highest mortality rates in
the world from the coronavirus pandemic, with over
103,000 confirmed cases as of Thursday and nearly
6,500 deaths. The sanctions regime has prevented
Tehran from importing essential medicine and medical
supplies needed to fight the pandemic and provide
adequate health care, leading to thousands of
unnecessary and preventable deaths.

The deadly pandemic is seen by Washington as
another useful weapon of war in its protracted
campaign to force the Iranian people into submission
and effect regime change in the oil-rich and
geostrategically important country.