

Follow the Leader?

U.S. soldiers are being placed in harm's way -- for the new world order

By William Norman Grigg

On November 24th, the New York Times, the nation's self-anointed arbiter of the news that is "fit to print," finally acknowledged the story of Army Specialist Michael New, who is undergoing a court-martial for refusing to wear United Nations insignia on his military uniform. Although the Times was tardy to report a story which is already familiar to millions of Americans, it did correctly identify the central issue of the dispute: "The Army argues that the order [to wear UN insignia] was legal under the classified Presidential Decision Directive 25. Along with the United Nations Participation Act of 1945, the directive sets out the conditions under which American troops may be placed under United Nations command." In short, the Army and the Clinton Administration contend that the constitutional restraints on presidential war-making powers have been dispensed with, and that the armed forces are a President's tool subject to the whims of whoever occupies the Oval Office.

"Law of the Land"

A significant elaboration upon this position has been presented by Rice University professor Harold Hyman, a supposed authority on military history and constitutional law. In an op-ed column published in the November 12th Houston Chronicle, Hyman deployed the familiar fallacy that Article VI of the U.S. Constitution can be used to incorporate treaties into America's domestic law, and that therefore the UN Charter is "the supreme law of the land." Hyman contended that Spec. New's oath "commands obedience to the Constitution as a whole, including the provision that 'all treaties' became part of the nation's 'supreme law.'"

According to Hyman, New and his supporters are "endanger[ing] our constitutional society" by subverting the principle of civilian control over the military: "This single -- so far -- recalcitrant soldier imperils the Constitution's delicate, perhaps fragile, provisions requiring civilian control of our armed forces, military policy and international relations." Hyman insisted that New's refusal to wear UN insignia is pregnant with apocalyptic consequences:

Those consequences include bloody armed clashes between the soldiers and units who choose to obey a president and those of other units or branches who opt instead to obey seemingly contrary laws of Congress or decisions by Supreme Court justices. In this scenario the Army vs. Navy football clash could become fire-fights in which the Air Force, Coast Guard and Marines also take sides against former comrades-in-arms, with the states' military units adding to the bloody messes.

Of course, Hyman's indictment of Michael New depends heavily upon an historically untenable interpretation of Article VI. Alexander Hamilton maintained, "The only constitutional exception to the power of making treaties is, that it shall not change the Constitution." Under Article VI, according to Hamilton, "A treaty cannot be made which alters the Constitution of the country or which infringes any express exceptions to the power of the Constitution of the United States." James Madison supported this assessment: "I do not conceive that power is given to the President and the Senate to ... alienate any great, essential right [through treaty] The exercise of the power must be consistent with the object of the delegation."

From this perspective, it is the civilian political leadership of the nation -- not soldier/constitutionalists like Michael New -- who have imperiled our constitutional order. However, in a telephone interview with THE NEW AMERICAN, Professor Hyman dismissed the insights of Madison and Hamilton as "silly arguments that were used to get the Constitution ratified They haven't held up during the last fifty years." In any case, Hyman asserts, the constitutional questions are none of New's concern: "Like everybody else in the military today, he volunteered to serve. He's a mercenary; he's getting paid. There might be a different standard if he had been a conscript."

But Michael New, like thousands of other patriotic Americans, did not enlist in the military to become a mercenary of the new world order. Although Professor Hyman is unreliable in his rendering of constitutional history, he is correct in predicting that the U.S. military may soon confront a major institutional crisis. The crisis would not necessarily result in the internecine combat described so luridly by Hyman in his op-ed column. However, it would probably result in a steady

exodus of capable, principled, patriotic individuals from the armed forces and a corresponding enfeeblement of America's defense.

Betrayal by Congress

As the New York Times observed, the key to this entire controversy is the United Nations Participation Act of 1945 (UNPA), which was signed on December 20, 1945 by President Harry Truman. The UNPA authorizes the U.S. President to "negotiate a special agreement or agreements with the Security Council" concerning the use of American military personnel and facilities for UN "peacekeeping" and "peace enforcement" missions. The measure also specifies, "The President shall not be deemed to require the authorization of the Congress" to make American troops and assets available to the Security Council. In essence, once the "special agreement" is achieved, the President could use the UNPA as a perpetual declaration of war -- and deploy American troops anywhere in the world under the color of UN authority.

During the final congressional debate over the UNPA on December 18, 1945, Representative Pete Jarman (D-AL), who volubly supported the measure, admitted: "After the Congress ratifies the agreement signed by the President with the Security Council those troops are at the disposal of the Security Council. Neither the President nor the Congress can prevent their use." Several congressmen emphatically condemned this proposed surrender of congressional authority. Representative John Robison (R-KY) observed that "this measure before us is violative of the Constitution of the United States, which expressly provides that Congress alone shall have the power to declare war [I]f this measure is adopted, Congress will not be called upon in the future to declare war as provided in the Constitution." Representative Frederick Smith (R-OH) concurred: "This measure strikes at the very heart of the Constitution. It provides that the power to declare war shall be taken from Congress and given to the President. Here is the essence of dictatorship, and dictatorial control over all else must inevitably tend to follow."

Representative Clare Hoffman (R-MI) admonished his colleagues that "the desire for peace should not lead us down a path that will bring us continuous war [and] give opportunity for the oppression of smaller nations." Hoffman yielded to nobody in his support for American military strength and insisted that "we should continue as we are, the greatest and strongest nation in all the world" and retain our independence from entangling diplomatic pacts. However, he lamented, "we are advised that we must go in, surrendering at least a portion, not only of our sovereignty, but of our freedom of action, and be bound by the decision of the Security Council."

Several UNPA supporters invoked the Christmas holiday and blasphemously suggested that the UN represented the consummation of Christ's teachings. Such high-viscosity sanctimony provoked Representative Howard Buffett (R-NE) to offer this rebuke:

A number of speakers here have mentioned with quite some piousness the birthday of the lonely Nazarene, but I do not think many of them have mentioned ... that it was probably the first international police force of all times that crucified the lonely Nazarene. It was the Roman legions that were in this land foreign to their own that crucified the lonely Nazarene whom we revere as the founder of Christianity. That leads me to the further observation that if great international police forces are set up we might again see the spectacle 2,000 years later of an international police force crucifying Christianity that the lonely Nazarene died for years ago.

Perhaps the most emphatic and perceptive critique of UNPA was delivered by Congresswoman Jesse Sumner (R-IL), who declared that "our government's peace program is no peace program The movement for it is led by the same old warmongers, still masquerading as princes of peace, who involved us in a war while pretending their purpose was to keep us out of war." "And what have Americans gotten out of that war?" Sumner rhetorically inquired. "Nothing but Communism and corpses and [a] new eunuch world plunderbund...." Further, Sumner predicted, "This measure obviously authorizes the surrender to the new world supergovernment of enough American men and military might to conquer any nation in the world, including the United States, in the same way the southern states were conquered in the Civil War."

"Global Reconstruction"

Representative Sumner's allusion to the American Civil War and Reconstruction has an eerily prophetic ring in light of the emerging redefinition of American military personnel as agents of "reconstruction" on a global scale. This new definition of the military's role was presented in "Ambushing the Future," an article published in the April 1995 issue of *Special*

Warfare, the publication of the JFK School of Special Warfare at Ft. Bragg, North Carolina. The author of that article, James J. Schneider, is a professor of military theory at the School of Advanced Military Studies at the U.S. Army Command and General Staff College at Ft. Leavenworth, Kansas. * Schneider wrote that "the U.S. Army of the future will face its greatest challenge since the end of the Civil War":

... the future will be dominated by a single overwhelming presence -- the United Nations. The resurgence and the growing influence of the UN will not only affect our soldiers but may change the very structure of the nation-state One of the key legal [rights] was the right of the state to declare and wage war. The growing power of the UN is beginning slowly to erode this defining characteristic In the future, war and peace will be re-established on a new conceptual footing, and the idea of the soldier will be redefined.

According to Schneider, in the UN-dominated future, "nations will no longer wage war. They will wage peace." The purpose of the military in this new scheme will be to conduct "operations other than war" -- specifically "peace compelling, peace enforcement, and peacekeeping." The model for these new missions, Schneider projected, will be the Reconstruction period: "Reconstruction was, all at once, an effort in peacekeeping, peace enforcement, humanitarian relief, nation-building, and, with the rise of the Ku Klux Klan, counter-terrorism."

In short, according to Schneider, "For the Army ... the future will be a period of global reconstruction" under the direction of the UN. He acknowledged that the Reconstruction period "represented, from a military standpoint, the darkest days in the history of the Army." It was a dismal period for individual liberty as well, as Southerners were suffocated beneath a military dictatorship and tyrannized by carpetbaggers. Furthermore, at the end of the Reconstruction period, the transformation of the American constitutional republic into a consolidated, unitary state dominated by Washington was well underway. The concept of "global reconstruction," therefore, presents an ominous prospect to those who cherish individual rights and American independence.

Hazards of "Peacekeeping"

Schneider points out that "Operation Restore Hope," the UN-directed military occupation of Somalia, is representative of the missions to be carried out by the military during the period of "global reconstruction." To many Americans, the word "Somalia" conjures up painful memories of the October 3, 1993 fire-fight in Mogadishu, in which 19 Americans were killed and 75 were injured and the body of a fallen American GI was dragged through the streets by jubilant Somalis. Needless to say, the Somalian misadventure did nothing to enhance military morale.

"Joe," an Army Sergeant First Class stationed at Ft. Bragg who asked that his name not be used in this article, was deployed to Somalia during "Operation Restore Hope" in 1992-93. Although "Joe" offered nothing but praise for the professionalism of the soldiers and Marines with whom he served, he is contemptuous of the UN guidelines he had to follow and the UN personnel with whom he was assigned to work. "Joe" was ordered to disarm Somalis, and he discovered that certain local thugs enjoyed UN protection: "The Marines would collect the weapons and give their owners receipts for them. Some of those weapons belonged to bodyguards for the UN people and NGOs [non-governmental organizations]. Those bodyguards would complain to the UN people and demand their weapons back, and once they got their weapons back they would use them to rob other people and shoot at Americans."

"Joe" recalls that on another occasion an NGO's headquarters was overrun by armed Somalis, at least one of whom wielded a rocket-propelled grenade launcher: "The Marines were called in to help the NGO people, and they were told to 'arrest' the bandits. But when they took aim at the bandits with their weapons, the UN people stopped them, because they weren't being shot at. So the bandits were allowed to escape with their weapons, which for all I know were used later against American personnel."

The humanitarian relief aspect of the Somalia mission also left "Joe" less than impressed: "I watched tons and tons of so-called food aid being distributed here, but it didn't do any good. Almost all of it was grain, and you simply can't live on grain alone It struck me as a big farce staged for the cameras. We weren't really feeding people; it was just a big show intended to make it appear that the whole world was doing something together to help Somalia."

"Joe" is not optimistic about the impending U.S. involvement in a NATO/UN "peace implementation" mission in Bosnia: "I hope I'm wrong, but I think that within one year, we'll be losing a lot of men and it just won't be worth it. If the Bosnians

really want peace, they'll have to settle their problems on their own, or otherwise peace isn't going to last. It's not our problem, and it's not the right mission for our men."

Morale Crisis

Like "Joe," Sergeant First Class Ed Rasor, a Special Forces medic who has publicly announced his refusal to serve under UN command (see THE NEW AMERICAN, December 11th, page 19), is stationed at Ft. Bragg, and he has reported that growing entanglement with the UN is creating "a morale crisis" within the Armed Forces. "This isn't a matter of money or some budgetary concern," Rasor told THE NEW AMERICAN. "It's a result of the emerging role of our military as an instrument of the UN. It's a result of the increasing realization that the Constitution is simply being slaughtered." Sergeant Rasor wryly observed that "I can't throw a dart into a crowd here without hitting somebody who's had it with the United Nations. I know of hundreds of soldiers, particularly in the 3rd Special Forces Group, who have been involved in Haiti who are getting ready to leave because of having to serve under UN command."

Sergeant Scott Sudweeks, another Special Forces medic stationed at Ft. Bragg who has forsworn service to the UN, told THE NEW AMERICAN, "The UN does not recognize the divine source of our freedoms, it does not protect our freedoms, and its principles do not allow us to put God first." Accordingly, says Sudweeks, the prospect of serving in UN-related missions creates "new moral and ethical dilemmas" for Christians: "There is a loss of the concept that there is a Supreme Being to whom government is accountable, and that government is given delegated powers. Instead, the government is being recast as the supreme power, and the military is being defined as a servant of that supposedly supreme power."

Similar misgivings have been expressed by Sergeant First Class Shane Chrisler, who has also declared his intention to refuse UN service. Unlike Rasor and Sudweeks, Chrisler has actually served under UN authority as part of a long-standing "peacekeeping" mission in the Sinai. "I had no idea at the time as to what was going on [with the UN], but now I know better," Chrisler remarked to THE NEW AMERICAN. As his understanding of the UN has increased, his enthusiasm for military service has eroded. "During the last three years I have been very tempted just to get out," he recalls. "Those are the feelings of a lot of people I know. We're losing our basic core of really good people in the military, and that is something which our country simply can't afford."

"Reconstruction" in Bosnia

As the morale crisis described by Sergeants Rasor, Sudweeks, and Chrisler deepens, plans are being finalized for the NATO/UN "peace implementation" mission in Bosnia. The Bosnia mission promises to create a number of dangerous precedents in "global reconstruction": According to the Washington Post, the NATO-led "peace implementation force" (IFOR) will be charged with "controlling or overseeing many aspects of civilian and military life in the divided country." IFOR will be supervising "the free movement and resettlement of refugees, aiding humanitarian workers, resolving boundary disputes, creating 'secure conditions' for free elections, and responding to violence against civilians."

The Post also reported that IFOR "will have authority to arrest any persons indicted for war crimes whom they encounter, or who interfere with their mission...." It was the use of American servicemen to execute a UN-issued "arrest warrant" against Somalian clan leader Muhammad Farah Aidid which led to the tragic Mogadishu fire-fight. At some point, the UN will require American troops to pursue "war criminals" across the land mine-strewn Bosnian landscape. Additionally, irregular forces from all of the Bosnian factions will look upon the NATO force -- particularly the U.S. component -- as a hostile army of occupation.

Canadian General Lewis MacKenzie, who served until recently as chief of staff for the UN's mission in Yugoslavia, has offered one of the most cogent cases against U.S. entanglement in Bosnia:

Peacekeeping is no place for U.S. front-line soldiers. If America is foolhardy enough to put troops on the ground in Bosnia-Herzegovina, they will be used as bargaining chips. There's no point in warlords killing Canadians or Swedes But if Croats killed U.S. soldiers, and made it look as if the Serbs did it, or if Serbs killed some and made it look as if the Muslims did it -- then they'd get the world's attention.

During a November 27th appearance on CNN's Larry King Live program, MacKenzie reiterated many of his concerns, recalling that when the UN force was deployed in 1991, it was only instructed to keep the Sarajevo airport open. "And then what happened was mission creep," MacKenzie recalled, with the UN enlarging its mission to include the creation of "safe

havens," UNICEF outreach, and the like. "All I'm saying is, watch it -- the same thing can happen with NATO." He also predicted that although the NATO mission might be folded within a year (as the Clinton Administration has promised), American entanglement in a UN mission in Bosnia might continue into the indefinite future -- with American soldiers acting as hapless mercenaries on an errand utterly irrelevant to American interests.

Repeal UNPA!

The purpose of the U.S. military is not to carry out grandiose schemes of "global reconstruction," to conduct interminable "operations other than war," or to settle for objectives other than victory. Its purpose, as General Douglas MacArthur famously declared, "is to win our wars. Everything else ... is but corollary to this vital dedication."

The U.S. military was never intended to be the plaything of the President. The court-martial of Army Specialist Michael New may result in a significant legal challenge to the constitutionality of Mr. Clinton's Presidential Decision Directive 25. New's defense team has demanded that the still-classified directive be unsealed and entered into evidence. However, the restitution of America's military independence and the restoration of Congress' constitutional powers require the immediate repeal of the United Nations Participation Act.

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