HON. RON PAUL OF TEXAS BEFORE THE U.S. HOUSE OF REPRESENTATIVES February 4, 2004

Congress Abandoned its Duty to Debate and Declare War

There is plenty of blame to go around for the mistakes made by going to war in Iraq, especially now that it is common knowledge Saddam Hussein told the truth about having no weapons of mass destruction, and that Al Qaida and 9/11 were in no way related to the Iraqi government.

Our intelligence agencies failed for whatever reason this time, but their frequent failures should raise the question of whether or not secretly spending forty billion taxpayer dollars annually gathering bad information is a good investment. The administration certainly failed us by making the decision to sacrifice so much in life and limb, by plunging us into this Persian Gulf quagmire that surely will last for years to come.

But before Congress gets too carried away with condemning the administration or the intelligence gathering agencies, it ought to look to itself. A proper investigation and debate by this Congress-- as we're now scrambling to accomplish-- clearly was warranted prior to any decision to go to war. An open and detailed debate on a proper declaration of war certainly would have revealed that U.S. national security was not threatened-- and the whole war could have been avoided. Because Congress did not do that, it deserves the greatest criticism for its dereliction of duty.

There was a precise reason why the most serious decision made by a country-- the decision to go to war-- was assigned in our Constitution to the body closest to the people. If we followed this charge I'm certain fewer wars would be fought, wide support would be achieved for just defensive wars, there would be less political finger-pointing if events went badly, and blame could not be placed on one individual or agency. This process would more likely achieve victory, which has eluded us in recent decades.

The president reluctantly has agreed to support an independent commission to review our intelligence gathering failures, and that is good. Cynics said nothing much would be achieved

by studying pre-9/11 intelligence failures, but it looks like some objective criticisms will emerge from that inquiry. We can hope for the best from this newly appointed commission.

But already we hear the inquiry will be deliberately delayed, limited to investigating only the failures of the intelligence agencies themselves, and may divert its focus to studying intelligence gathering related to North Korea and elsewhere. If the commission avoids the central controversy-- whether or not there was selective use of information or undue pressure put on the CIA to support a foregone conclusion to go to war by the administration-- the commission will appear a sham.

Regardless of the results, the process of the inquiry is missing the most important point-- the failure of Congress to meet its responsibility on the decision to go, or not go, to war. The current mess was predictable from the beginning. Unfortunately, Congress voluntarily gave up its prerogative over war and illegally transferred this power to the president in October of 2002. The debate we are having now should have occurred here in the halls of Congress then. We should have debated a declaration of war resolution. Instead, Congress chose to transfer this decision-making power to the president to avoid the responsibility of making the hard choice of sending our young people into harms way, against a weak, third world country. This the president did on his own, with congressional acquiescence. The blame game has emerged only now that we are in the political season. Sadly, the call for and the appointment of the commission is all part of this political process. It is truly disturbing to see many who abdicated their congressional responsibility to declare or reject war, who timidly voted to give the president the power he wanted, now posturing as his harshest critics.