

WHAT BUSH-CHENEY COULDN'T DO

## Facing Plummeting Support, Obama Goes for Coup d'État

by Nancy Spannaus

Nov. 24—With his poll numbers sinking daily, in the face of the popular and institutional outcry against Obamacare and his other domestic policies, Barack Obama has taken a page from the Bush-Cheney book.

The increasingly desperate President Obama ordered the Majority Leader of the United States Senate, Harry Reid, to carry out a flagrant assault on the U.S. Constitution on Nov. 21, ramming through a simple-majority change of the Senate rules to end the procedure for extended debate, known as “filibuster,” for Presidential nominations requiring Senate approval, with the exception of Supreme Court Justices.

On a 52-48 vote, the Senate changed its rules, wiping out decades of Senate tradition and practice, and effectively gave Obama further dictatorial powers under the so-called “nuclear option.” As Lyndon LaRouche said in 2005, when he opposed the Bush-Cheney threat, this is an “illegal coup d'état,” whose purpose is “to overturn the U.S. Constitution, in favor of White House dictatorship, by breaking the Constitutional powers built into the Senate's power to impose checks and balances against an out-of-control Presidency....”

While the rules change—allowing a nomination to be approved by a simple majority—might seem to make the Senate more “democratic,” this is directly contrary to the spirit and intent of the Constitution, which created the Senate as a deliberative body designed to put a brake on the passions of the moment. As opposed to the House of Representatives, in which each

citizen has approximately equal representation, and members are elected every two years, the Senate gives equal representation to both the smallest and largest states, and the six-year terms are staggered. The rule of extended debate allows a determined minority to block a Presidential action or nomination.

In 2005, when then-President George W. Bush and Vice President Dick Cheney tried to pull off a similar coup, a bipartisan group of 14 Senators, led by Democrat Robert Byrd (W.Va.) and Republican John Warner (Va.), blocked the effort. Byrd, a Democrat who was regarded as Congress's leading Constitutional scholar, warned against the threat of fascism in America, comparing the attempts to eliminate the filibuster, to the “Enabling Law” that created the Hitler dictatorship (see quotes below).

### What Has Changed

At that same time, Senators Joe Biden and Barack Obama assailed the Bush-Cheney move as a drive for a tyranny of the majority in clear violation of the spirit and letter of the Constitution. In his passionate speech before the Senate, Biden warned fellow Democrats that there would come a time when they would be back in the Senate majority, and he “prayed to God” that they would not fall prey to the same partisan power grab being attempted by the Bush-Cheney forces.

Then-Sen. Barack Obama said: “Everyone in this chamber knows that if the majority chooses to end the



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*In 2005, when President Bush and Vice President Cheney attempted to deploy the “nuclear option” against the Senate’s filibuster rule, leading Democrats, including Barack Obama and Joe Biden (shown here in the Senate in 2007), assailed it as a drive to establish the “tyranny of the majority.”*

filibuster—if they choose to change the rules and put an end to democratic debate, then the fighting and the bitterness and the gridlock will only get worse. . . .

“I urge my Republican colleagues not to go through with changing these rules,” Obama continued. “What [Americans] don’t expect is for one Party, be it Republican or Democrat, to change the rules in the middle of the game, so that they can make all the decisions while the other Party is told to sit down and keep quiet.”

This last week, Obama did precisely that. What had changed?

Surely, the partisan divide within the Congress has deepened since 2005. But was this process of blocking nominations actually an impediment to governing effectively?

Not according to Sen. Carl Levin (D-Mich.), who, in the course of his dissent from the Democratic majority, laid out how the current Senate rules could save the filibuster, by a requirement “to make the filibusterers filibuster”—that is, that Senators must come to the floor and actually carry out extended debate (as, for example, Sen. Rand Paul [R-Ky.] did on the John Brennan nomination as CIA director). Under those conditions, which Majority Leader Reid had declared he would implement earlier in 2013, filibusterers would have to show up, and personally speak on the subject at length, as opposed to the technical procedure now in vogue of simply filing a piece of paper announcing the intent to

filibuster (in confidence that the other side does not have enough votes to cut off debate). Filibusters would undoubtedly be reduced substantially.

### Obama’s Threat

But the Obama Administration, which is rapidly losing support among Democrats, is not interested in preserving and encouraging a deliberative process. Armed with an agenda set by Wall Street and British financial interests—to block Glass-Steagall, impose Green de-industrialization, and eliminate all obstacles to that global, genocidal program—Obama needs to suppress the remaining institutional resistance however he can.

This is a President who has always declared his desire to rule by Executive Order, rather than through the Congress. He has bypassed Congress and the Constitution repeatedly—from the illegal war in Libya, to the violation of law on surveillance, to appropriating the right to be judge, jury, and executioner in the case of drone killings, including of American citizens. His intent to continue such unconstitutional Executive power has not diminished in the least.

Thus, as soon as Reid had rammed through the rule change, Obama made a public statement hailing the move, not just because of the fact that some of his judicial nominees had been blocked, but because the Congress had been obstructing his economic agenda! He complained that the filibuster had blocked legislation that would have created jobs, strengthened civil rights, protected Americans from gun violence, etc. “It is a harm to our economy, and it’s been harmful to our democracy, and it’s brought us to the point where a simple majority vote no longer seems to be sufficient for anything. . . even routine business.”

In concurring with Obama, the *New York Times* predicted that “the vote may lead to broader filibuster changes,” meaning that the “majority rules” law could be applied beyond appointments, to legislation as well.

This is precisely what Senators Byrd and Levin have warned against: the potential for the President using the power of his office, especially over his party, to ram through an agenda that will destroy the rights and livelihoods of the American people, by exercising the “tyranny of the majority.”

*Edward Spannaus contributed to this article.*