

The Case To Impeach Barack Obama Now

by Nancy Spannaus

Sept. 12—Barack Hussein Obama, currently holding the office of President of the United States, represents a clear and present danger to the People of the United States. His specific violations of our Constitution, in addition to his actions in furtherance of conspiracies to commit further heinous crimes, make him eligible for immediate impeachment and removal from office.

In fact, if these measures are not pursued immediately, the damage to the United States and its citizens, and humanity as a whole, could be irreparable—including through the provocation of nuclear war.

Those who argue that this President's misconduct has not risen to the Constitutional level of "treason, bribery, or other high crimes and misdemeanors," are either delusional, or incorrigibly corrupt. Obama's offenses have already gone far beyond those of President Richard M. Nixon, whose bills of impeachment recounted how he had "acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States."

Prestigious lawyers, including Bruce Fein and Prof. Francis Boyle, have even stepped forward to offer their services in drafting bills of impeachment against Obama.

LaRouchePAC and this magazine have repeatedly put forward an amply documented case for why Obama is eligible for removal, either by impeachment, or—should the case be made that he is too mentally ill to be responsible for his actions and intent—by application of Section 4 of the 25th Amendment to the Constitution, which would remove him from office. Over the course of the two and a half years during which we have made this argument, the list of offenses has grown even longer.

The greatest danger is, of course, that Obama will launch a new war in the Middle East, against either Syria or Iran—an action that, as shown graphically in LaRouchePAC's latest video "[Unsurvivable](#)," would lead in very short order to a confrontation with the world's two other major nuclear superpowers, Russia

and China. One Congressman, Republican Walter Jones of North Carolina, has had the nerve to raise the threat of impeaching *any* President who would take such action, in the form of House Concurrent Resolution 107. That resolution now has ten co-sponsors, including two Democrats.

HCR 107 simply reiterates the relevant section of the U.S. Constitution, which assigns the role of deciding on committing the nation to war to the Congress, *not* the Executive branch.

Recall that the purpose of impeachment is *not* to punish a public official for crimes committed, but to protect the nation, its Constitution, and its people. Yet, if offenses are wanted, Barack Obama has amply provided them. Most notable is his continuing *personal* habit of ordering what can only be called summary executions of alleged enemy combatants, and thousands of innocent civilians, through drone strikes around the world. Recently, the United Nations Special Rapporteur on Extra-Judicial Killings made special note of the Obama's Administration's actions in this regard, specifically the practice of follow-up drone strikes on sites where rescue actions for drone victims are underway. Such strikes are blatant war crimes under international law.

It is a matter of utmost urgency that leading political circles, as well as the U.S. citizenry, take the necessary action to get Congress to act. Waiting until "after the election"—as occurred in the case of Richard Nixon—is potentially an act of suicide for the nation.

We hereby provide a draft outline for a formal Bill of Impeachment, which we originally published in the Nov. 7, 2011 *EIR*.¹

Count I VIOLATION OF THE CONSTITUTIONAL PROVISION THAT CONGRESS HAS THE UNIQUE RESPONSIBILITY

1. For further elaboration of the conspiracy counts, see Nancy Spannaus, "The Case for Impeachment of President Barack Obama," *EIR*, Jan. 15, 2010.

TO DECLARE WAR, AS WELL AS OF THE 1973 WAR POWERS RESOLUTION.

Article I, Section 8 of the U.S. Constitution grants to the Congress the power “to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.” Reports on the discussions in the Constitutional Convention reveal that the Founders were particularly concerned that the power to declare war not be lodged exclusively in the Executive, as it was in the British monarchy.

Yet, in violation of this Article, and of the procedure set up under the War Powers Resolution of 1973 for notification of the Congress, and obtaining its subsequent approval, President Obama went ahead with a war against the nation of Libya in March of 2011. While Obama notified the Congress of the action, no vote of approval was ever sought, nor obtained.

Nor did the President’s commitment of military forces in Libya ever conform to conditions set forth in the War Powers Resolution, including self-defense. In fact, the whole operation has been ultimately shown to have been a preemptive aggressive war in pursuit of regime change, which was explicitly condemned as a war crime by the post-World War II Nuremberg Tribunal.

For these high crimes and misdemeanors, and before he applies this “precedent” again, Barack Obama must be impeached.

Count II VIOLATION OF THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION.

The Fifth Amendment to the U.S. Constitution declares that no person shall “be deprived of life, liberty, or property, without due process of law.”

President Obama has flagrantly violated this provision, with the assassination of at least three American citizens, Anwar al-Awlaki, his 16-year-old son Abdul-Rahman, and Samir Khan, without benefit of due process of law. Indeed, the death warrants against these individuals were effectively signed in secret, in a committee which is overseen directly by the President.

It is highly likely that other American citizens have also been summarily executed in like fashion, through the President-sanctioned program of deploying drones against individuals alleged to be “terrorists,” who were hit while in the company of other unknown persons. At least one report has been leaked about U.S.

soldiers in Afghanistan having been killed in such a way.

For these high crimes and misdemeanors, and before more such extrajudicial executions take place, Barack Obama must be impeached.

Count III VIOLATION OF THE FOURTH AMENDMENT TO THE U.S. CONSTITUTION.

The Fourth Amendment declares that the “right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

President Obama has violated this provision of the Constitution by continuing, and even expanding, the Bush/Cheney Administration’s program of warrantless interception by the National Security Agency of the electronic communications of millions of Americans.

For this high crime and misdemeanor, Barack Obama should be impeached.

Count IV CONSPIRACY TO COMMIT CRIMES AGAINST HUMANITY.

In 1946, the United States subscribed to the definition of Crimes Against Humanity utilized by the Nuremberg Military Tribunal, which read as follows:

“...murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population . . . whether or not in violation of the domestic law of the country where perpetrated.” This standard was applied to medical care, with the inclusion of “systematic under-nutrition” and “inadequate provision of surgical and medical services.”

President Obama, through his promotion of a health-care “reform” which explicitly calls for cutting the cost of medical care, by either denying services, pricing them in such a way as to reduce their usage, or penalizing “overutilization,” has conspired to carry out mass murder through the denial of medical care to those considered to have “lives not worthy to be lived.” The standard of “knew or should have known,” also coined in the trials of the Nuremberg Tribunal, applies strictly in this case.

In addition to denying care, through non-payment, for certain categories of the population—especially the elderly and poor who are enrolled in Medicare and Medicaid—Obamacare is reducing reimbursements to medical and surgical facilities, as well as to physicians, with the predictable result of denying medical services to a population in need.

For his actions to commit these crimes against humanity, Barack Obama must be impeached.

Count V

CONSPIRACY TO VIOLATE THE SEPARATION OF POWERS PROVISION OF THE U.S. CONSTITUTION.

Title I, Section 7 of the Constitution mandates that “all bills for raising revenue shall originate in the House of Representatives.” Section 8 declares that the Congress “shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.”

Despite this mandate, President Obama has taken the powers of the Hitlerian “Unitary Executive,” to preempt the powers of the Congress in economic policy, on behalf of imposing fascist austerity measures. The most recent and flagrant example is the so-called Budget Control Act, which sets up a Super-Congress to usurp the powers of the House of Representatives over economic policy, even denying Congress the ability to amend decisions made by a committee of 12 (along with President Obama).

The establishment of the Super-Congress follows the same pattern of usurpation that President Obama pioneered with his proposal for an Independent Payment Advisory Board (IPAB) to dictate the terms for what medical procedures are to be covered, and what they should cost. In the name of “removing decisions from politics,” President Obama would prevent Congress from defending the general welfare, and implement policies like those carried out by Adolf Hitler’s “non-political” panel of experts at Tiergarten-4, the center of the 1939-41 Nazi euthanasia program that resulted in the mass death of the disabled and elderly.

For this high crime, Barack Obama must be impeached.

Count VI

CONSPIRACY TO COMMIT THE UNITED STATES TO AN INTERNATIONAL GENOCIDE POLICY.

Under the principles developed by the U.S.-initiated and -supported Nuremberg Military Tribunal after World War II, genocide was determined to be a crime against humanity. Among the measures determined to lead to genocide was *population* reduction, no matter under what pretext and criteria it was carried out.

President Obama, by wholeheartedly embracing the Green genocide agenda of low-technology and depopulation which was promoted by the British monarchy at the 2009 Copenhagen Climate Summit, has conspired with that monarchy and its agents to carry out genocide against large sections of the world’s population. He has simultaneously acted to sabotage the life-saving scientific capacities of the United States, including by cancelling the manned space program, and refusing to fund life-saving satellite remote-sensing programs required in today’s intensified extreme weather events—actions which will inevitably lead to accelerated death rates among the world’s population, within the United States and out.

For this high crime, Barack Obama must be impeached.

Count VII

CONSPIRACY TO DESTROY THE SOVEREIGNTY OF THE UNITED STATES.

Article III, Section 3 of the U.S. Constitution defines treason against the United States as “only in levying war against them, or in adhering to their enemies, giving them aid and comfort.” President Obama meets that standard, by acting to cede U.S. sovereign powers to institutions loyal to the British Empire, and supranational institutions such as the International Monetary Fund.

As early as April 2009, Obama agreed to IMF demands to expand Special Drawing Rights (SDRs), as a means of strengthening the IMF, and, de facto, weakening the U.S. dollar. Obama has also continued the Bush Administration’s massive looting of taxpayer dollars to be sent into the bottomless pit of the international financial institutions, including, but not limited to the Royal Bank of Scotland, and other Inter-Alpha banks, thus indebting U.S. citizens in support of institutions dedicated to destroying the Constitution of the United States.

For this high crime, bordering on treason, Barack Obama must be impeached.