

A Trump War in Iran Means the End of MAGA?



By Cliff Kincaid

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The pro-MAGA commentator Lex Greene [insists](#), in regard to U.S. military action against Iran, that if President Trump chooses to end the conflict “by using USA special weapons to destroy all Iranian efforts to develop long-range nuclear capabilities,” he will be acting in accordance with the U.S. Constitution. Greene writes, “He does indeed hold that power but appears reluctant to use it unless necessary.”

However, Greene’s statement about the Constitution is false, creating more uncertainty in MAGA about the wisdom of President Trump’s current course of action and the possibility of deep U.S. involvement in another Middle East war.

Trump ran for office promising to be the peace president and avoid the “forever wars.”

In this case, constitutional conservatives point to the original text of the Constitution, which requires congressional approval for involvement in a war of this nature, as well as the words of James Madison, father of the Constitution, who served two terms as President and declared:

“In no part of the constitution is more wisdom to be found than in the clause which confides the question of war or peace to the legislature, and not to the executive department.”

This famous quote was published under the title “[Helvidius](#)”

[Number 4](#) and dated September 14, 1793. It was designed as part of a debate as Madison's response to Alexander Hamilton's interpretation of executive power.

Madison went on to highlight how in war "the public treasures are to be unlocked, and it is the executive hand which is to dispense them." That means that war is financed by the people through Congress. Then he warned of the dangerous tendency of presidents to use their powers in war to make themselves look good, decisive, and noble. He said "The strongest passions, and most dangerous weaknesses of the human breast; ambition, avarice, vanity, the honorable or venial love of fame, are all in conspiracy against the desire and duty of peace."

So when President Trump says he is waiting up to two weeks to decide whether to strike Iran, he is pursuing a peaceful course that is consistent with his constitutional duties and obligations but ignoring the role of the legislature, the Congress, when he threatens unilateral action without Congressional authorization.

Ironically, Trump's own party controls Congress, leading many to question why he won't take the time to make his case and go to war, if that is his decision, on a basis that precludes impeachment.

Lex Greene writes, "For the record, Congress has not 'declared a war' since WWII. Yet every President since, has ordered American troops into harm's way without any declaration from Congress." Let's examine this claim and see whether it is true and relevant in this case.

I can understand the argument that the president has inherent powers to use military force without congressional authorization for defensive purposes. Debate notes [attributed](#) to James Madison and Elbridge Gerry declare that while Congress has the power to "declare war," this would "leav[e] to the Executive the power to repel sudden attacks."

Under this constitutional authority, which is self-defense for a nation state, the president can repel an invasion or rescue Americans in peril or protect American property being attacked. But none of this rationale applies to Iran.

Greene seems to be arguing that the president can ignore the plain meaning of the Constitution when the matter becomes deep and sustained involvement in a foreign war, such as in Iraq and now possibly Iran. In the Iraq war, 4,432 American soldiers were killed and almost 32,000 were wounded in action. President Trump opposed that war, which is [estimated](#) to have cost \$3 trillion.

But his argument falls apart when we note that the Congress passed a resolution for the Authorization for Use of Military Force Against Iraq.

It was the wrong war at the wrong time. But at least Congress was consulted and acted.

It's time to get back to what the Constitution says and what the founders intended before our troops are sent into another major war that could easily become a quagmire.

The Constitution Party [declares](#), "We condemn the presidential assumption of authority to deploy American troops into combat without a declaration of war by Congress, pursuant to Article I, Section 8 of the U.S. Constitution." This is the position of constitutional conservatives.

The Constitution Party, which once ran conservative icon Howard Phillips for president, also notes: "One of the greatest contributors to deficit spending is war. If the country is to eliminate debt, these United States cannot become gratuitously involved in constant wars. Constitutional government, as the founders envisioned it, was not imperial. It was certainly not contemplated that America would police the world at the taxpayers' expense."

Another No-Win War

The assumption seems to be that if the United States sends our troops and aircraft into Iran with a big “bunker buster” bomb, the Iranian nuclear weapons program will be destroyed. That case has not been made. “I don’t believe you can completely dismantle the nuclear program through military means,” Scott Roecker of the Nuclear Threat Initiative told the New York Times. He argues that monitoring and verification are required.

Attorney Bruce Fein not only cites the work of Madison but [contends](#) that Trump is acting in an unconstitutional fashion by providing intelligence, weapons, and U.S. personnel to man anti-missile systems in Israel.

As a non-lawyer, I do not know if that is true. In my opinion, they stop short of being proof of complicity in Israel’s decision to go to war in Iran. But I think Fein’s citation of Madison proves the point that Congress declares or authorizes war and the president becomes commander-in-chief and then carries out the will of Congress. That is my honest reading of the document.

Lex Greene cites the War Powers Act of 1973 as an attempt by Congress to restrict what the president can do. It may or may not be constitutional. This is more reason to return to the plain text and meaning of the Constitution.

In this case, to repeat, if Trump’s intelligence on the Iran threat is correct, let him present the evidence to a sympathetic Congress, now under Republican control.

Greene writes, “No nation on earth can afford for Iran to ever have nuclear war capabilities.” This is obviously not the case because Russia and China have been helping Iran develop that nuclear weapons capability. And those regimes are the real problem. Yet, Greene is not making the argument for presidential and/or military action against Russia or China.

Is he putting Israel First over America First?

The fact is that Israel has more than 100 nuclear weapons that are maintained without monitoring or inspections. Israel's defenders say these are for the survival of the Jewish state. But they clearly haven't been a deterrent against Iran's development of nuclear weapons. Since Israel will apparently not use them to destroy the Iranian nuclear site Fordow or any other facility, the argument shifts to what the United States will do.

How convenient for Israel.

Even if Iran's nuclear weapons capabilities are destroyed in this war, Russia and China can help Iran build them up again. Hence, the cries are made that we need "regime change" in Iran, so that a pro-Western government emerges there. Do we seriously think Russia and China will stand for that?

This is when American involvement dramatically escalates.

\$80 Billion for Bad Intelligence?

To make matters worse, there is confusion over the intelligence. Trump says his Director of National Intelligence (DNI) Tulsi Gabbard is "wrong" in her assessment that Iran is not close to building a nuclear weapon. Yet, we are spending more than \$73 billion on the "Intelligence Community" and that is supposed to rise to more than \$80 billion. Is this money being wasted? Why do we have an "Intelligence Community" if the president is going to reject its conclusions?

Does Trump believe the intelligence from Israel or some other country? If so, let us get this evidence on the record before America goes to war. What if we get more deeply involved in Iran and then discover, such as in Iraq, that there are no weapons of mass destruction?

Trump came into office having opposed U.S. involvement in the

Iraq war.

But in this case people like Lex Greene contend the president can go to war on his own. He is dangerously wrong and even the Iraq War, approved by Congress, undercuts his argument.

The text of the Constitution provides war-related powers to Congress, including the powers to appropriate and spend money, and makes the rules and regulations for the Armed Forces. The president assumes the role of commander-in-chief when called into the "actual service" of the United States, that is, through Congressional action.

In other words, the President is given the exclusive power to command the military in military operations approved by Congress.

I believe a fair reading of the language of the Constitution is that Congress would have to declare war and provide funds in order for the President to exercise his authority as Commander in Chief. Today, that would apply to circumstances in which the Army, Navy, Marine Corps, Air Force, National Guard, and Reserves are "called" into service of the United States by the Congress in general or in specific and rare circumstances when the U.S., its citizens, or property are attacked and the president must act quickly.

Trump, therefore, is on firm ground in declaring through the Alien Enemies Act and the Constitution that he can arrest and deport foreign invaders. Strangely, Trump has deferred to the Supreme Court on this question.

The Impeachment of Trump

Regarding Iran, however, he acts as though he has the constitutional power to declare or make war on Iran. If he continues to make that case and then follows through by making war on Iran, argues Bruce Fein, he can be impeached.

“From the North Korean war, to Vietnam, to Lebanon, to Somalia, and our various, ongoing entanglements in the Middle East,” [commented](#) Senator Mike Lee in 2019, “our presidents now routinely send our country to war unilaterally without congressional authorization. What’s worse, Congress has consistently and deliberately chosen not to do anything about it. Out of cowardice and self-interest, it has surrendered its constitutional responsibilities and willingly empowered the executive branch instead.”

In view of this history, what President Trump is doing is not unique. However, he ran on a platform different than other presidents, an “America First” platform that presupposes respect for the U.S. Constitution. We expect adherence to the Constitution from him.

If Trump fails this test, many in his MAGA base will abandon him as the nation spirals into more war and debt.

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