

4-1-2011

Campus-wide Electronic Survey Referendum: Announcement and Results

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Recommended Citation

"Campus-wide Electronic Survey Referendum: Announcement and Results" (2011). *CACTUS--Citizens' Assembly for Critical Thinking About the United States*. Paper 3.

<http://encompass.eku.edu/cactus/3>

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CACTUS 2011 Campus-wide Electronic Survey Referendum: Announcement and Results

CACTUS: War Powers Referendum

By a final vote of 10 to 8 the Assembly recommends that the United States adopt a Constitutional Amendment. To see the amendment, visit the CACTUS home page at <http://www.cactus.eku.edu>. In summary, it would:

- Vest the power to declare war and initiate warfare in the Congress;
- Create a Special Commission on Warfare that must approve offensive military action by 3/4 vote, unless Congress declares war;
- Require that approvals for military action be renewed regularly;
- Allow unilateral action by the President in urgent situations, but require later approval for continuance;
- Require reporting and reapproval if the budget for an action exceeds three per cent of the military budget;
- Specify that violation of the Amendment falls under "high Crimes and Misdemeanors" in Article II, Section 4, and allows Congress to implement the Amendment by appropriate legislation.

MAJOR REASONS DISCUSSED IN THE ASSEMBLY FOR RECOMMENDING THE AMENDMENT INCLUDE:

In practice, declarations of war have fallen into disuse because they are extreme and activate many cumbersome legal requirements, and Presidents have interpreted their powers as "Commander in Chief" to allow them to unilaterally begin warfare, including long-term, costly, and sometimes ill-advised military commitments. Previous attempts by Congress to regulate the use of these powers through legislation, such as the War Powers Act of 1973, have failed, in part because Congress has been unable or unwilling to take the necessary actions to enforce them, and because Presidents have refused to accept and follow the law. This Amendment would institutionalize a required, specific process for review and approval by the Commission and by Congress, while allowing for emergency action and adjustment of details by legislation.

MAJOR REASONS DISCUSSED IN THE ASSEMBLY FOR OPPOSING THE AMENDMENT INCLUDE:

The Amendment cannot address the more fundamental causes of ill-advised warfare, which include the repeated quest by presidential administrations to increase their unilateral power over warfare, a willingness of the public and Congress to accept Presidential war initiatives too readily, political incentives for Congress to refrain from challenging the President, and the institutional constraints that make it difficult for Congress to take initiative in any event. Even

the Amendment is unlikely to change this historical pattern, yet may in certain ways actually increase President power; education of the public and initiative by the public are more likely to make a meaningful difference.

War Powers Referendum:

1 I SUPPORT the CACTUS recommendation to adopt the Constitutional Amendment.

I OPPOSE the CACTUS recommendation to adopt the Amendment.

Please click Submit to cast your vote.



Referendum Now Closed;

RESULTS:

The final tally on the internet survey vote regarding the referendum question was:

Support the amendment option: 114

Support the status quo option: 93

Because of difficulties accessing the survey, five members of the assembly submitted their votes by e-mail. Of these, four voted for the amendment option; 1 voted for the status quo option. The overall total is therefore:

Support the amendment option: 118

Support the status quo option: 94