



Written by [Joe Wolverton, II, J.D.](#) on November 16, 2022

Biden Admin. Continues Funding and Facilitating Saudi Atrocities in Yemen

Despite promising “[consequences](#)” for Saudi Arabia’s reducing production of oil by over two million barrels a day, Joe Biden not only has *not* held the Saudis accountable for that decision, but he carries on funding the Saudis’ genocide in Yemen.

By the end of the year, 400,000 Yemenis will have been killed by Saudi Arabia, and now that the United Nations cease-fire has expired, the kingdom will undoubtedly resume its airstrikes, airstrikes it could not carry out without the cooperation of the government of the United States.



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In fact, [a Business Insider report](#) on the U.S. government’s close cooperation with the Saudi strikes on Yemen claims that most of the casualties in Yemen “were a consequence of airstrikes conducted by the Saudi-led coalition the US supports.”

As for the “consequences” promised by Biden, he seems to have forgotten about them, the way he forgets about a lot of things.

Evidence of the real relationship between the U.S. and Saudi Arabia is found in the following headline in an [article published by Yahoo News](#): “Last week, the US scrambled jets toward Iran amid warnings that it was planning an imminent drone and missile attack on Saudi Arabia.”

The story explains the apparent switch in sentiments:

“There is no denying that as long as the Islamic Republic maintains power, officials in Washington and Riyadh will continue to view the Iranian regime as a grave threat to both US and Saudi interests,” Giorgio Cafiero, the CEO of Gulf State Analytics, told Insider.

“This factor is one of many that serve to keep the Washington-Riyadh partnership alive notwithstanding all the sources of tension between the Americans and Saudis,” he added.

Not exactly follow-through on the tough talk. But, such sycophantic pandering is to be expected from an administration that has never put the strength of the United States at the top of its priorities.

While some might give Biden a pass on following through with promised consequences against a nation whose global position makes it a key “ally” in a war with a potential rogue regime like that controlling Tehran, even the most staunch supporter and believer in realpolitik would be hard pressed to greenlight genocide.

The United States’ supply of drones, missiles, and other weapons of war to the kingdom of Saudi Arabia for use in its war against Yemen is not only unconscionable, but unconstitutional.

As Senator Rand Paul said when asked about the U.S. government’s support for the Saudis’ brutal



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bombing of Yemen, “The Constitution is pretty clear that Congress should declare when we go to war. We shouldn’t be at war with the Saudis in Yemen without approval of Congress.”

Paul’s take on the Constitution’s placement of the power to declare war mirrors that of the man credited with being the Father of the Constitution, James Madison.

Within five years of the publication of *The Federalist Papers* (and four years of the ratification by the states of the Constitution), the co-authors of those seminal and influential essays on American political theory and constitutional interpretation were back at their desks once again, writing letters to the editors of newspapers.

This time, however, James Madison and Alexander Hamilton were not allies working to persuade others to commit to their common constitutional cause, but were opponents, striving through their letters to reveal each other’s perceived constitutional misdeeds to the American people. This episode in American history is known as the “Pacificus-Helvidius” debates, named for the pen names adopted by Hamilton and Madison, respectively.

In the first letter, Madison wrote that the power to declare war is “of a legislative and not an executive nature.” He continued on that subject:

Those who are to conduct a war [the Executive Branch] cannot in the nature of things, be proper or safe judges, whether a war ought to be commenced, continued, or concluded. They are barred from the latter functions by a great principle in free government, analogous to that which separates the sword from the purse, or the power of executing from the power of enacting laws.

Madison was so strident in his insistence that the power to make war not be placed in the hands of the president, that his next letter (Helvidius No. 2) began with the bold pronouncement that if any president were to presume the war-making power, “no ramparts in the constitution could defend the public liberty or scarcely the forms of republican government.”

Did you get that?

James Madison warned us in 1793 that if Americans were to permit the president to make war, then the Constitution would not be able to protect us from tyranny.

In Yemen, as with most American military operations of the modern era, it is typically the president who initiates the commitment of American troops to combat zones and who orders the military might of the United States of America to deploy here or there to fight this or that foreign foe. The Congress is rarely involved in that decision, with the exception of allocating money to supply the armed forces with requisite equipment, ammunition, and other necessary supplies.

In additional warnings against allowing a president to make war, in another Helvidius paper, Madison made a clear and constitutionally sound statement on this subject of profound importance on the future of free government: “Until war be duly authorized by the United States, they are actually neutral when other nations are at war, as they are at peace (if such a distinction in terms is to be kept up) when other nations are not at war.”

Finally, Madison explained, in Helvidius No. 4, why Americans must remain vigilant, keeping close watch over the actions of their elected representatives. To equal degree, though, Americans must be familiar with the powers granted to those representatives lest they claim to possess constitutional



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powers that are not enumerated in the Constitution. Regarding the duty of Americans to learn for themselves and enforce on their elected leaders the limits of federal power set out in the Constitution, Madison wrote:

It is also to be remembered, that however the consequences flowing from such premises, may be disavowed at this time, or by this individual, we are to regard it as morally certain, that in proportion as the doctrines make their way into the creed of the government, and the acquiescence of the public, every power that can be deduced from them, will be deduced, and exercised sooner or later by those who may have an interest in so doing. The character of human nature gives this salutary warning to every sober and reflecting mind. And the history of government in all its forms and in every period of time, ratifies the danger. A people, therefore, who are so happy as to possess the inestimable blessing of a free and defined constitution cannot be too watchful against the introduction, nor too critical in tracing the consequences, of new principles and new constructions, that may remove the landmarks of power.

And here we are. Americans have not been watchful and now “new principles and new constructions” are considered not only constitutional, but patriotic.

As of today, [House Joint Resolution 87](#) — a bipartisan resolution with support of over 100 members of Congress — awaits a vote. The measure would mandate the removal of United States armed forces from hostilities in the Republic of Yemen, which have not been authorized by Congress.

Given that leadership of both parties support the perpetuation of the U.S.-funded and -facilitated genocide in Yemen, it isn't likely that HJR 87 will ever make it to the floor, much less to the Senate or the desk of the president.

So, not only has the Biden administration failed to impose “consequences” on the Saudis for their efforts to inflate the price of oil, but the White House is committed to carrying on our country's cooperation in the Saudis' near-decade-long indiscriminate destruction of life and property in Yemen.



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