Mr. Speaker, American governance

today is confronted with an unprecedented

challenge. A concerted terrorist attack

has been perpetrated against our institutions,

people, and way of life. As legislators we are

obligated to look to our constitutional heritage

to craft an appropriate response. What is clear

is the imperative to act. What is less clear is

the methodology to pursue.

Terrorism is neither easily understood nor

combatted. The assaults on the World Trade

Center and the Pentagon represent perhaps

more a conspiracy of hatred than a traditionally

understood act of war. Yet the rationale

for an international police action led by U.S.

Armed Forces must be rooted in traditional

just war doctrine.

There is in the Western tradition a hallowed

just war doctrine developed by ecclesiastics

and jurists, followed by statesmen, instinctively

accepted by the peoples of many countries in

tradition and right. Briefly, it holds that for war

to be considered just, it must be animated by

a just cause and informed by righteous intention,

that it be undertaken by a lawful political

authority and only as a last resort, and that

rectifying actions be proportionate to the

wrongs committed.

With this resolution Congress is obligated to

lay forth an intent to hold accountable to the

bar of justice perpetrators of a crime against

civilized values. We do this, however, with no

intent of territorial aggression nor desire to

precipitate breaches between the Moslem and

Judeo-Christian worlds. Indeed, we act our of

a desire to emphasize what unites rather than

divide the three great monotheistic religions.

All moral communities are structured by religious

values. Thus our revolution against British

authority was premised upon ‘‘self-evident’’

individual rights and legitimized by an ‘‘appeal

to heaven,’’ a higher law of conscience which

precedes the more mundane civil laws of society.

In establishing our constitutional form of

government the Founders brought into being

not a secular system, but a desectarianized

one premised on the dual conviction that no

political leader or institution speaks for God,

and at the same time, that under God, truth

and right are not matters ultimately decided by

majority vote.

The decision not to establish a state church,

however, was never intended to precipitate a

divorce of religious values from politics. Citizens

were expected to derive their values

from religion, but to practice their faith by example

rather than coercion; to be moral without

moralizing. Likewise, governance was intended

to be rooted in law and due process

and the resolution we are now debating is intended

to underscore the role of our legislators

in advancing a foreign policy decision.

Here, it demands stressing that for a community

founded as ‘‘one nation, under God,’’ a

critical basis for making judgments of the nature

thrust today before Congress is the Ten

Commandments, the essence of the ethical

teachings of Judaism, Christianity and Islam.

As the scholar Huston Smith puts it:

As Smith and others have pointed out, the

ethical precepts contained in the Ten Commandments—

whether as worded in Exodus

20: 1–17 or Deuteronomy 5: 6–21 of the Hebrew

Bible, as summarized by Jesus of Nazareth

in ‘‘two great commandments,’’ Matthew

22: 37–39 in the New Testament, or as in the

injunctions and prohibitions in Surah 17: 22–

39 of the Koran—represent the minimum

standards of conduct if life in community is to

be an enduring possibility.

The Ten Commandments are not the exclusive

possession of a single religious tradition

nor the expression of a particular moral code.

Rather the importance of the Ten Commandments

lies not in their uniqueness but in their

universality. They are not only the final word

in any area, they are the first word. This is

why, over three thousand years after their formulation,

they remain the moral cornerstone of

half the world.

The Ten Commandants are relevant to discussion

of this resolution because just as the

Judeo-Christian tradition emphasizes the civilized

belief that ‘‘Thou shalt not kill,’’ the

Koran states: ‘‘do not kill any one whom Allah

has forbidden . . .’’

The distinction that matters is not nuanced

differences between the Old and New Testaments

and the Koran, but between committed

individuals of faith and fanatics. The former

are concerned principally with improving their

own lives; the latter with imposing their beliefs

on others. Yet it is impressive how closely St.

Paul’s admonition about modesty of judgment—

that we all see through a glass darkly—

parallels Mohamed’s directive ‘‘follow not

that of which you have not the knowledge . . .

do not go about in the land exultingly, for you

cannot cut through the earth nor reach the

mountains in height.’’

These parallels are important in this discussion

because as we contemplate the use of

force, we the representatives of the American

people have an obligation to emphasize the

commonality of our values. We respect Islam

and Islamic nations. The only brief we hold is

against parties that manipulate hatred and employ

tactics of terror.

Here, to return to just war doctrine, a central

tenet is proportionately. Care must be taken in

any military action to limit to the maximum extent

possible collateral damage and seek instead

individual accountability. We must in the

American tradition pay a decent respect to the

opinions of mankind. Otherwise, we will not

only create more terrorists than we root out

and cause a world currently sympathetic to

our dilemma to turn against us, however righteous

our cause. Fanaticism, in other words,

should be matched by a commitment to right

or wrong, not counter-fanaticism. The fundamental

goal of the policy we sanction this

evening must be prevention, not revenge.

Finally, a note about historical parallels. The

Gulf of Tonkin resolution is not proper precedent.

Tonkin, after all, involved an

unconfirmed rifle attack from a wooden boat

against a U.S. naval vessel in a combat zone

off the shores of Vietnam. No one was killed

or injured; no damage was inflicted. In this

case, an unprovoked, cowardly attack was

launched against American citizens and military

personnel on American territory. The Congress,

in conformity with the War Powers Resolution

which resulted from the lack of constitutional

clarity that engulfed our involvement

in Vietnam, has no choice except to authorize

executive discretion. What this debate must

frame, however, is both the discretion that is

appropriately delegated to the President or underscored

under the Constitution and the limits

of nature of judgment that must be applied to

the circumstance. In this regard, this Member

simply wishes to place in the RECORD a concern

for the need for international cooperation

and proportionality of response. Fundamentally,

at this stage, the crimes that have been

committed are of a few against two symbolic

bastions of civilization. The goal should be individual

accountability of parties that plan and

participate in terrorism or harbor terrorist activity.

Prayerfully, a war on terrorism need not

precipitate a war between cultures or states.