



HR0575

LRB104 16647 ECR 30051 r

1 HOUSE RESOLUTION

2 WHEREAS, Recent public statements, attributed to the  
3 President of the United States, have been widely interpreted  
4 as threats of political violence or retaliation against  
5 elected representatives who have publicly affirmed that  
6 members of the United States Armed Forces must refuse unlawful  
7 orders; and

8 WHEREAS, The Constitution of the United States establishes  
9 a system of separated powers and checks and balances designed  
10 to prevent the consolidation of authority in any one  
11 individual, including the president, and guarantees that all  
12 elected officials may discharge their duties free from threats  
13 of retaliation or violence; and

14 WHEREAS, The Declaration of Independence states that  
15 governments derive their just powers from the consent of the  
16 governed and that the legitimacy of our Republic depends upon  
17 the free exercise of representative government without fear,  
18 intimidation, or coercion; and

19 WHEREAS, Any rhetoric, regardless of the speaker or  
20 political party, that could reasonably be construed as  
21 encouraging, endorsing, or threatening political violence or  
22 prosecution against members of the legislative branch for the

1 lawful exercise of their constitutional duties is of grave  
2 concern; and

3 WHEREAS, The Uniform Code of Military Justice (UCMJ) and  
4 the long-standing traditions of the United States Armed Forces  
5 make it unequivocally clear that service members have a legal  
6 and moral obligation to refuse unlawful orders, consistent  
7 with Articles 90, 91, and 92 of the UCMJ, which require  
8 obedience only to lawful orders; and

9 WHEREAS, The Nuremberg Principles, the rulings of American  
10 military tribunals, and U.S. military doctrine establish that  
11 following orders is not a defense for participation in illegal  
12 acts, and that the rule of law requires individual  
13 responsibility; and

14 WHEREAS, Any attempted direct or implied threat to elected  
15 representatives for affirming these foundational principles  
16 represents a danger to constitutional governance, civilian  
17 control of the military, and the rule of law itself;  
18 therefore, be it

19 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE  
20 HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that  
21 we condemn any statements, threats, or insinuations of  
22 political violence, from any official, including the President

1 of the United States, that seek to intimidate or punish  
2 elected representatives for upholding the Constitution or for  
3 reaffirming the duty of service members to refuse unlawful  
4 orders; and be it further

5 RESOLVED, That we reaffirm the constitutional and  
6 statutory obligations of all uniformed military personnel to  
7 obey only lawful orders, to protect the Constitution of the  
8 United States, and to reject any directive that violates the  
9 rights of the people or the rule of law; and be it further

10 RESOLVED, That suitable copies of this resolution be  
11 delivered to the President of the United States, the U.S.  
12 Secretary of Defense, the U.S. Senate Majority Leader, the  
13 U.S. Senate Minority Leader, the U.S. Speaker of the House,  
14 the U.S. House of Representatives Minority Leader, and all  
15 members of the Illinois Congressional Delegation.