

# The US: New Congress; New Atmosphere; New Policy?

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In the November 2006 mid-term elections the Democratic Party replaced the Republican Party as the majority in the United States Congress. Even before the elections, but especially following the elections with the publication of the Baker-Hamilton recommendations, new voices were heard regarding US policy in the Middle East in general and Iraq in particular. What is the significance of these developments, and to what extent will they lead to a new US policy?

## A New Congress

The Democratic victory in the elections represents a dramatic event on the American political scene. Although the achievement of a majority in the House of Representatives was expected, the control of the Senate came as a surprise (albeit not overwhelming). This is the first time in seventy years that a party has succeeded in holding on to all its seats, and only the third time in which there has been an upset in both houses of Congress. The Democrats have a slim majority in the Senate, 51 against 49, which rests on the support of two independent senators. In contrast, in the House of Representatives, there is a comfortable Democratic majority of 233 against 202; in fact, 232 was the highest number of seats that the Republicans have had in the last twelve years. If the Democrats demonstrate united action they will be able to push through legislation and influence policy with the effectiveness that in the past characterized their political opponents.

The victory naturally confers key positions on the Democrats. Nancy Pelosi

(California) is the Speaker of the House of Representatives, the first woman to hold this position; Harry Reid (Nevada) is the Majority Leader in the Senate. Furthermore, Democrats have replaced Republicans as chairs of all committees in both Houses, positions with greater influence than in most parliaments throughout the world. Despite the talk of inter-party cooperation in order to advance issues important to the public, there are three major reasons that the election results are expected to intensify partisan polarization. First, most of the Republicans who lost their seats were moderates; it was easier for their moderate Republican voters to switch their support to the Democrats. The Republican Party is consequently likely to become less flexible in its positions, indicated by the election of the aggressive senator Trent Lott (Mississippi) to the second most senior position in the party. Second, the investigations initiated by the Democratic heads of committees will heat up the atmosphere. Third, the Democratic victory is not considered the mark of a so-

cial or ideological change among the voters, rather is the result of several specific factors: in the mid-term elections in the sixth year of a president's term of office, his party generally loses seats; corruption and other ethical problems have afflicted the Republicans; and of course, Iraq. Consequently the strong chances of a turnaround in the 2008 presidential elections will increase the hostile competition between the two parties over the next two years.

The upset in Congress does not necessarily entail a dramatic change in American foreign policy. According to the constitution, the president makes policy and conducts diplomacy, and is the supreme commander of the armed forces. While Congress legislates and has extensive powers for investigation and monitoring, most of the activity regarding foreign policy is not official and does not require Congressional approval. To be sure, Congress has numerous prerogatives that it can use in order to influence – and especially block or interfere with – policy. Declarations of war, alliances, agreements (with certain limitations), appointments, and budgets all require the approval of Congress. However, the president has the right to veto any legislation, and in order to override this veto a two thirds majority is required, which the Democrats lack. In addition, in virtually all the laws dealing with foreign policy there is a clause allowing the president to skirt implementation out of “national interest” considerations. Every six months President Bush, like his predecessor, signs the postponement of implementation of the law obligating the transfer of the US embassy in Israel from Tel Aviv to Jerusalem.

In the light of the above, the most significant change in foreign policy will occur in a field less relevant to the Middle East: inter-

national trade. In order to protect jobs in the US, the Democrats are inclined to oppose free trade, and consequently trade agreements will be ratified by Congress only under strict conditions. There will also be a change in tone; a Democratic Congress will demand, in a louder voice than in the past, more energetic and comprehensive multilateral diplomacy than that preferred by the administration. The Democrats are likely to delve deeper in the field of intelligence and internal security, and they are expected to dominate the Congressional committees (debates, hearings, investigations, orders) in order to steer constitutional issues related to the fight against terror (legal defense, phone tapping, the prison camp in Guantanamo, kidnappings, and torture throughout the world) in a direction that gives more protection to human and civil rights and hinders the government. Furthermore, particularly if a new policy is not formulated that is acceptable to mainstream Democrats regarding Iraq, they are expected to make extensive and assertive use of their powers in order to emphasize the failures of the past and present and thus weaken President George W. Bush. The heads of the relevant committees in the House of Representatives (Allocations, Intelligence, Armed Services, Justice) were among the 126 Democrats who voted in October 2002 against going to war. In the field of appointments, the Democratic victory has already led to the resignation of the US ambassador to the UN, John Bolton. It may be assumed that in contrast to past practice, the president will not choose a successor liable to arouse strong ideological opposition.

Nonetheless, Congress's ability to influence two major issues in the next two years – withdrawal from Iraq and the Iranian nu-

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clear project – is limited. Regarding Iraq, the Democrats could attempt to impose a timetable on the president for reduction of the military forces there by blocking the allocation of necessary resources – yet this will not happen. First, they will not have a majority for such a move, because even among their own ranks there will be those who oppose this. Second, even if they achieve a majority, the president will impose a veto. Such a move would cause the Democrats tremendous political damage and, if it succeeded, would transfer responsibility for the failure in Iraq from the president to them. Consequently the Democrats have already announced that they have no intention of exploiting their control of the purse strings in order to achieve this aim. Regarding Iran, if the president decides on an air strike (as opposed to an invasion), approval from the Senate is not required, but only discreet updating of its leaders. Although the defeat of the Republicans has weakened him, President Bush is still the leader in foreign policy issues.

As to the Jewish-Israeli angle of the election results, according to data supplied by the Democratic Party, 87 percent of the Jewish voters voted Democrat. The Republicans claim 26 percent support, yet even if correct, this does not represent a significant change, certainly not when taking into account the hopes entertained by the Republicans in the light of the unprecedented support for Israel by the administration. The number of Jews in the Congress rose from 37 to 43, and in the Senate reached a new height of thirteen. The Jewish presence in the Congress is by far disproportionately greater than the percentage of the Jews in the population, and the Jewish profile is also quite prominent.

However, what influences Congressional

policy towards Israel to the greatest extent is the major position-holders themselves, and in this respect Israel has no grounds for anxiety. Virtually all the Democrats appointed to the important posts are old and active friends of Israel. Though the defeat of Republican senator Rick Santorum (Pennsylvania) is not a positive development – apart from his support for Israel, he was also one of the leaders of the hard line against Iran – there is no need to regret the departure of Senator Lincoln Chafee (Rhode Island). In general, members of the Israeli lobby and officials in the Israeli Foreign Ministry chart a more or less equal number of new and old elected officials whose victories or defeats help or hinder Israel. The personal composition of the new Congress is consequently at least as comfortable for Israel as its predecessor.

The same does not apply, however, to Congress's ideological composition, due to the diminished influence of the Evangelists. They are the major supporters of Bush's foreign policy in general, and towards Israel in particular. It is still impossible to know whether the imbroglio in Iraq and the defeat in the elections will weaken their status in the Republican Party, but their influence over Congress was significantly weakened from the moment the Republican Party lost its control. Of course the Democrats have also exhibited consistent staunch support for Israel, but the support of the Republicans, under the influence of the Evangelists, has been far more pronounced in recent years.

The Democratic support is traditional, rational, and semi-balanced; the Republican support (especially but not only that of the Evangelists) is far more categorical, being based on religious or ideological black-and-white perception. The Democrats have a

greater inclination towards diplomacy, multilateralism, and understanding of the problematic nature of the Palestinian issue than the more militant and forceful Republicans; one example is the post-elections visits to Syria paid by three Democratic senators, to the chagrin of the administration.<sup>1</sup> From this aspect the atmosphere in Washington in the wake of the Democratic victory weakens the international status of the president, and to a certain extent decreases Israel's capability of maneuver.

### A New Atmosphere

The major issue in American foreign policy in general, and regarding the Middle East in particular, is the imbroglio in Iraq. With the continuing deterioration of the situation in Iraq and the president's approval rating in public opinion polls, Democratic voices criticizing the policy of President Bush "to persist in the same direction until victory is achieved" have intensified over the last two years. The extremist wing of the Democratic Party (John Murtha, Howard Dean) has called for immediate withdrawal of the US troops from Iraq, though most Democrats have made do with a demand to fix a timetable for reduction of the forces. Thus while the president contends that the US forces will be withdrawn when the Iraqi forces are ready, the Democrats have reversed the order. They argue that if a date is fixed for the withdrawal of the American forces, the Iraqis will have no alternative other than to be prepared.

Over time some Republicans have joined the critics of the administration's policy. Personalities in the conservative-realist camp, inspired by the approach of Henry Kissinger and George Bush Sr., have attacked the neo-conservative insistence of the administration

to set up a Democratic regime in Iraq notwithstanding the tremendous cost that this effort is exacting. In parallel, criticism has been leveled at the inflexible policy towards Iran, criticism that contributed to the administration's proposal in the middle of 2006 on a rapprochement with Iran if the nuclear program were suspended, and incentives if it were to be discontinued. In general, critics of the president have called and are continuing to call for more multilateral diplomacy and an effort towards rapprochement with opponents, along with removing the democratization efforts from the top of the agenda.<sup>2</sup>

The elections to the Congress have strengthened this trend. The defeat of the Republicans was related directly to the situation in Iraq, and President Bush hurriedly replaced Secretary of Defense Donald Rumsfeld with Robert Gates. The new secretary is a recognized member of the realistic camp, was a member of the Baker-Hamilton commission, and has publicly identified with the critical stance regarding Iraq and Iran. Furthermore, two senior Democratic senators have already demanded a change of direction. Joseph Biden (Delaware), the new chair of the Foreign Affairs Committee, has announced a program for the stabilization of Iraq, based on a political-diplomatic effort rather than a military one. He proposed copying the model of the 1995 Dayton Agreement, which under regional and international sponsorship stabilized Bosnia with a federal structure open to changes.<sup>3</sup> Carl Levin (Michigan), the new chair of the Armed Forces Committee, called for the beginning of the US military withdrawal within four to six months. Other commentators and personalities, including British prime minister Tony Blair, claimed that the major key to the imbroglio in Iraq lies outside it: a diplomatic

effort with the participation of all of Iraq's neighbors, including Iran and Syria; and/or significant progress towards a settlement of the Israeli-Palestinian conflict. These voices expressing criticism and proposing alternatives reached a crescendo with the submission of the recommendations of the Baker-Hamilton commission.

This commission was set up in March 2006 at the initiative of the House of Representatives and with the reserved support of the White House. It was intended that the commission, composed of ten senior Democrats and Republicans (most of them experienced politicians) and consequently carrying substantial public weight, would propose an alternative for the policy in Iraq that would be acceptable to both parties and help the president to change direction (if not force him to do so).

In early December the commission submitted a final document that defined the situation in Iraq as "grave and deteriorating." After rejecting four alternatives (hasty withdrawal, persistence in the current direction, significant long term reinforcement of the US troops, and partitioning Iraq into three semi-autonomous regions), the commission recommended "a new way forward," which it outlined in 79 points. The main features were: participation of all of Iraq's neighbors in its stabilization, including Iran and Syria (recommendations 5 and 9); an overall regional diplomatic initiative including a settlement between Syria and Israel and a resolution of the Israeli-Palestinian conflict (recommendations 13 and 14); halting the open military commitment and making it conditional on the implementation of milestones towards security and governance (recommendations 20, 21, 40, and 41); completion of evacuation of the combat forces in

the first quarter of 2008 (as a result of recommendation 42); and shifting the American military effort from fighting to training Iraqi forces (recommendation 43). The commission made it clear that it would be wrong to accept only some of the recommendations, since the various elements complement one another. Not surprisingly, the Democrats regard the recommendations of the commission as support for the approach they have adopted for some time.

Great hopes were pinned on the Baker-Hamilton commission to decipher the Iraqi conundrum through the creation of a kind of Rosetta Stone for policy. This hope mainly arose from the general feeling that a new approach was required, from the auspicious composition of the commission, and from the PR campaign held before the publication of its conclusions (apparently inspired by the commission itself). According to opinion polls, about 70 percent of the American public supports the recommendations of the commission, the same segment of the population that is dissatisfied with the administration's handling of the issue.<sup>4</sup> However, while the commission's work and its analysis of the situation received considerable praise, its recommendations were awarded a lukewarm welcome.

The criticism from the extremes was expected. The left-leaning wing of the Democratic Party argues that in the absence of binding dates and numbers of troops, the recommendations are mere cover provided by Baker the Republican for the continuation of the existing policy.<sup>5</sup> From the right, neo-conservatives and hawks such as Senator John McCain (Arizona) regard the recommendations as a recipe for surrender instead of necessary persistence in achieving victory.<sup>6</sup> Less expected were the reservations expressed by

the professional community. Current and former army officers claim that it would be impossible to make the recommended changes without causing additional deterioration of the military situation in Iraq.<sup>7</sup> Middle East experts and former diplomats define the expectations for cooperation with Iran and Syria as unrealistic, as well as the assumption that the region has decisive influence on developments within Iraq.<sup>8</sup> In addition, Iraqi leaders from all the ethnic groups criticized the recommendations of the committee.<sup>9</sup> Even the Democratic establishment avoided official, full, or enthusiastic adoption of the recommendations. In the light of relevant reservations on the practicality of the major military and diplomatic recommendations and in the absence of consensus, the major spokespersons of the party prefer that the administration should find the solution.

## A New Policy?

Under the title "The New Way Forward," US president George W. Bush announced on January 10, 2007 "a new strategy" to be adopted by the US in Iraq. The following are the major points in his program:

- The greatest priority is security, in particular in Baghdad. Only the Iraqis can solve this problem, and their government has in fact prepared an aggressive plan that avoids repeating the mistakes of the past.
- The Iraqi force that will be employed in enforcing security in the city will be reinforced by 17,500 American troops. Their mission is clear: to help the Iraqi forces control the city, protect the lives of the residents, and maintain long term control.
- The American commitment is not unlimited in time. If the Iraqi government does not fulfill its promises, it will lose the support of the American people.



- The US will insist that the Iraqi government implement the milestones that it undertook: acceptance of responsibility for the security of all of Iraq by November; passing an oil law that will guarantee a relatively equal division of the oil income between all the ethnic groups; holding local elections during the course of the year; changing the law prohibiting members of the Ba'ath party from working in public service; making changes to the constitution as promised to the Sunni minority.

- Reinforcement of 4,000 American troops in the Sunni Anbar region.
- Disruption and destruction of the support networks that supply men and weapons from Syria and especially from Iran.

At this critical point in time the support for Iraq must be intensified in order to break the circle of violence. The coming year will likely be very violent, but the new strategy will bring the US closer to success. Victory will not take the form of the victory parades of the past, but will bring with it a demo-

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cratic Iraq, not perfect, but one that combats terror instead of awarding it a place of refuge. "The challenge playing out across the broader Middle East is more than a military conflict. It is the decisive ideological struggle of our time,"<sup>10</sup> declared the president, and the new strategy is intended to guarantee the future of the young democracy in an area of tremendous importance to the US.

This program involves shifting the major military effort to Baghdad and a significant acceleration in transferring the burden to the Iraqis. For the first time Bush said that the American commitment is not unlimited in time. Yet overall, this is not a new strategy. Over the last three years several operations have been conducted with the aim of cleansing Baghdad (or other regions) from violence, and all of them have failed. In fact, to put it bluntly, the strategy represents an approach of achieving results by ever-increasing force, or more of the same.

The president is aware of this, and consequently explained in his speech that this time there was a better chance of success since the Shiite majority government was demonstrating an increased commitment to the struggle against the violent elements in both major ethnic groups, and was allocating sufficient combat forces to this task. On the other hand, one of the members of the Congress who met with the president before the speech testified that Bush, in response to the question why what had failed in the past would succeed this time, answered, "because it must succeed."

Will this way in fact succeed in leading forward? There are two obstacles. First is the opposition by the Democratic Congress. The leadership of the Congress, backed by the voters at the polls, called on the president before his speech not to send more troops

to Iraq. The Democrats are united in their opposition to the president, but not regarding the alternative. Proposals have already been raised to block Bush by legislation or by non-approval of allocations (the immediate cost of the program is about seven billion dollars). Since the constitution awards the president priority in control of the army, and since the Democrats won't want to risk harming their image, it is reasonable to assume that the president will succeed in overcoming the Congress.

The second obstacle is the Iraqi government, on which in fact the program relies. Bush expects that this time Prime Minister Nouri al-Maliki has both the desire to act forcefully against all the violent elements, and the capability of doing so. This is a very optimistic expectation, based on the assumption that the Iraqi government will on the one hand act against the Shiite militias, and on the other hand court the Sunni minority through the implementation of the promised milestones, most of which were designed to appease it. So far the government has shown no real signs that it will do so. It should be remembered that Bush decided to send additional American troops to Baghdad against the wishes of the Iraqi government. The Shiite majority government regards the reinforcements as tightening of the security control by the Americans in Iraq, contrary to its desire to gain independent authority as soon as possible.

The Americans currently have four major aims in the Middle East: to stabilize Iraq and leave; to block the Iranian nuclear program; to preserve and strengthen the Lebanese government; and to jumpstart the negotiations between Israel and the Palestinians. Even in those cases in which there is a connection between the various problems, the

Bush administration is not ready to make a tradeoff and pay a price on one issue in order to advance the solution of another. Consequently, changes of policy are not to be expected in the other issues. The US will continue its efforts to impose sanctions on Iran, isolate Syria and protect Lebanon, and pressure Hamas so as to bring about the establishment of some kind of government that will permit the renewal of negotiations.

The president's critics will likely accuse him of employing a strategy of obstinacy that leads to an impasse on all fronts. He will reply that this is determination and tenacity, required when conducting a generation-long struggle between the forces of peace and democracy and the axis of evil. Following the victory of the Democrats and the continued deterioration of the situation in Iraq, a certain degree of change is to be expected in American policy. However, the division of power between the administration and Congress, the worldview of President Bush, and the absence of real alternatives suggest more continuity than change.

### **The Significance for Israel**

Israel has a clear interest both in Iraq not becoming a Sunni fundamentalist exporter of terror or the Shiite ally of Iran, and in halting the erosion of the status and freedom of action of the US. From the Israeli angle it should therefore be hoped that the policy formulated by the administration will succeed, even though the chances of this occurring are slight. Israel can contribute to this in a very modest manner by avoiding comments on the subject. The blunt support that Prime Minister Ehud Olmert awarded the president's policy during his November visit to Washington is harmful both to Israel and Bush. It is advisable not to strengthen

the suspicion that the policy of the administration in Iraq is also (if not mainly) motivated by its support for Israel.

If the Baker-Hamilton recommendation for a multi-track diplomatic initiative (against Iran, Syria, and the Palestinian Authority including Hamas) were accepted, this would be of far-reaching significance for Israel. Since this is not the case, the Israeli government, based on its current policy, has no reason for anxiety.<sup>11</sup> At the same time, Israeli public relations should convey the message that Israel is striving for diplomatic progress on the Palestinian track, but should not link this to the Iraqi issue in a way that would undermine the policy of isolation towards Hamas. However, if the problem of Hamas is handled in some way that would restart the diplomatic process, it may be assumed that the Americans will expect Israel to take steps that are not to its liking (dismantling of outposts, freezing construction in the settlements, showing greater flexibility regarding "the dismantling of terrorist organizations"). This in part is because of the Iraqi and regional context, in the spirit of the Baker-Hamilton commission. The US support for Israel demands that it pay a high diplomatic price in the Arab world, a price that even Bush will not agree to continue to pay if the Palestinian side relinquishes its staunch aggression.

Regarding Iran, although the president has rejected and will reject the more moderate approach recommended by the commission, Israel's situation is now apparently less good. Until now the Republicans have displayed greater firmness, and consequently the Democratic approach will not contribute to the message of determination required to convince Iran to reverse course (if this is at all possible). More significant is the replacement of the hawkish Rumsfeld by the mod-

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erate Gates. The former never spoke publicly of an attack against Iran. Gates, on the other hand, published in 2004 a document of the Foreign Relations Council that focused on the difficulties involved in such a military operation, including the problems that an Israeli operation would cause to the US. If and when the time comes for a military attack against Iran, it would be preferable for Israel that Rumsfeld be at the side of the president rather than Gates. On the assumption that regarding dangers in the Middle East a forceful American president is preferable for Israel, the weakening of the president in Congress and in the public is not a good omen for Israel.

### Notes

1. [http://www.nytimes.com/2006/12/15/world/middleast/15syria.html?\\_r=1&oref=slogin](http://www.nytimes.com/2006/12/15/world/middleast/15syria.html?_r=1&oref=slogin).
2. It should be noted that administration leaders are continuing to speak of the dissemination of democracy, but since the beginning of 2006 they have stopped pressing in this direction (for example, vis-à-vis Egypt and Saudi Arabia).
3. *The National Interest* 85 (September-October 2006): 36-40.
4. <http://www.washingtonpost.com/wp-dyn/content/article/2006/12/12/AR2006121200278.html>.
5. Almost a third of the House of Representatives Democrats belong to the "leave Iraq" group.
6. [http://www.nytimes.com/2006/12/10/us/politics/10elect.html?\\_r=1&ref=politics&oref=login; http://www.washingtonpost.com/wp-dyn/content/article/2006/12/09/AR2006120900443.html](http://www.nytimes.com/2006/12/10/us/politics/10elect.html?_r=1&ref=politics&oref=login; http://www.washingtonpost.com/wp-dyn/content/article/2006/12/09/AR2006120900443.html).
7. <http://www.washingtonpost.com/wp-dyn/content/article/2006/12/11/AR2006121100508.html>.
8. [http://www.cfr.org/publication/12214/two\\_tracks\\_diplomacy\\_on\\_iran.html?breadcrumb=%2F; http://www.cfr.org/publication/12199/which\\_way\\_forward\\_on\\_iraq.html?breadcrumb=%2Finde](http://www.cfr.org/publication/12214/two_tracks_diplomacy_on_iran.html?breadcrumb=%2F; http://www.cfr.org/publication/12199/which_way_forward_on_iraq.html?breadcrumb=%2Finde).
9. <http://www.washingtonpost.com/wp-dyn/content/article/2006/12/06/AR2006120602235.html>.
10. <http://www.whitehouse.gov/news/releases/2007/01/20070110-7.html>.
11. The policy of the Israeli government that rejects contacts with Iran and Syria before these "repent," or with the Palestinian Authority before the Hamas leopard changes its spots – which matches the stance of the Bush administration – is not necessarily good for Israel. However, this is beyond the scope of this article.