

Implications of the US Senate Vote on Limiting Arms Sales to Israel

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On November 20, 2024, the US Senate rejected three resolutions aimed at limiting the export of offensive weapons to Israel. The resolutions, introduced by Vermont Senator Bernie Sanders, were based on claims that Israel was failing to meet its obligations under international law in the war in the Gaza Strip. Despite their defeat, the resolutions garnered significant support among progressive Democrats—especially compared to previous similar resolutions—and also received backing from some liberal Jewish organizations. The willingness of many Democratic senators to support the resolutions and the shattering of the united front in the pro-Israel Jewish camp highlight growing rifts within the American political establishment and the Jewish community regarding Israel. If widespread bipartisan support for Israel was once a given, this is now changing. In the next several years, this trend could pose a major challenge for Israel, especially as the US Congress prepares to discuss the next ten-year Memorandum of Understanding on military aid.

On November 20, 2024, the US Senate overwhelmingly rejected three resolutions aimed at limiting the export of offensive weapons to Israel. These resolutions were based on claims that Israel was failing to meet its obligations under international law in the war in the Gaza Strip. All three resolutions were soundly defeated, with about 80 senators voting against and between 17 and 19 voting in favor. Every Republican senator opposed the resolutions, as did most Democrats. However, roughly a third of Democratic senators voted in favor of the measures, a notable increase from past efforts. Among those who voted in favor were Vermont Senator Bernie Sanders and Georgia Senator Jon Ossoff (both of whom are Jewish), along with Maryland Senator Chris Van Hollen, Virginia Senator Tim Kaine, and other members of the progressive wing of the Democratic Party.

This increase in support for limiting arms exports to Israel can be traced to the rising number of civilian casualties in Gaza, reports of reduced humanitarian aid entering northern Gaza, and the evacuation of much of the civilian population

from that area. In addition, some of the political restraints that had previously prevented Democrats from supporting such measures may have eased since Donald Trump's election victory. Although the resolutions were rejected, the fact that they were brought to a Senate vote, received more support than past attempts to restrict military aid, garnered backing from influential senators, and were positively received by some Jewish American organizations all raise concerns about Israel's standing among segments of American society that have traditionally offered nearly unwavering support.

Since Hamas's October 7 attack, the US administration has provided Israel with unprecedented assistance. This includes direct military aid; comprehensive diplomatic backing—including exercising its UN Security Council veto power on four different occasions; strategic measures such as large-scale military deployments in the Middle East to deter Iran and Hezbollah; and actively helping to defend Israel during Iran's missile attacks in April and October. However, criticism from the international community and the American left, centered on the perceived disproportionate harm to civilians in Gaza and restrictions on humanitarian aid, increased the pressure on the Biden administration to push Israel to agree to a ceasefire or, at the very least, change the nature of its military operation in Gaza. Some demanded that the US government limit military aid to Israel to compel it to stop harming civilians, increase the flow of humanitarian aid to Gaza, and pursue a ceasefire and a hostage-release deal. Furthermore, they argued that American law prohibits the sale of military equipment to any country violating international law, legally requiring the administration to act.

The Biden administration's response to these pressures has been limited in scope. It has continued to provide military aid to Israel, stood by its side in the confrontations with Iran, and consistently emphasized Israel's right to selfdefense. However, this support has been accompanied by both public and private calls for Israel to moderate its military operations and by the decision to restrict the supply of heavy bombs. In a letter sent by the US Secretaries of Defense and State in October 2024, the Biden administration warned that it would review the legality of arms sales to Israel if Jerusalem did not commit to international law in its conduct of the war. The administration's subsequent determination that Israel had done enough to satisfy its concerns was one reason Senator Sanders introduced the resolutions to the Senate.

Sanders's resolutions aimed to prevent the sale of various types of offensive weapons to Israel: tank rounds, high-explosive mortar rounds, and joint direct attack munitions (JDAMs). All three of these weapons were utilized by Israel in its operations in Gaza and Lebanon. However, the sales that would have been affected by the resolutions were only planned for the coming years, making the resolutions largely symbolic in the context of the current conflict. Moreover, the resolutions had no chance of passing in the Senate or the House of Representatives and would have been vetoed had they ever reached the President's desk (the White House actively <u>worked</u> to persuade Democratic senators to vote no). In short, the symbolic nature of the votes was never in question.

From Israel's perspective, another troubling precedent was the decision by the liberal Zionist organization J Street to support the resolutions. Founded some 20 years ago as an alternative to AIPAC, J Street prioritizes promoting the two-state solution as its main objective. While the organization defines itself as pro-Israel, senior members defended their support for the resolutions by emphasizing that they were not intended to undermine Israel's security, as they excluded defensive weapons such as the Iron Dome missile defense system. Facing criticism from the far left for supporting Israel at the start of the current war and for its Zionist identity, J Street may now be trying to reposition itself. Against the backdrop of the horrendous images from Gaza, J Street appears to be advocating for changes in Israeli policy that extend beyond those typically supported by the Jewish establishment in the United States. Although several other left-leaning Jewish organizations joined J Street, the broader pro-Israel community, led by AIPAC, rejected the resolutions to limit arms sales and criticized J Street for its stance.

Even though all three resolutions were decisively defeated, the incident highlights the erosion of Israel's standing in the American political arena and in its relationship with the US Jewish community. In the past, Israel was viewed as a bipartisan issue. However, in recent years, a growing divide has emerged. In particular, there are increasing calls within the Democratic Party to apply pressure on Israel in areas where its actions are perceived to be in conflict with American values and Washington's international interests. The Palestinian issue is the most prominent example, but the sense that the Israeli government is actively working to benefit the Republican Party contributes to the frustration within the Democratic ranks. This partisan gap is also evident in attitudes toward the war in Gaza. A September 2024 poll by the Pew Research Center found that about half of Democratic voters believe that Israel's response to the Hamas attack was excessive, while only 13% of Republicans held a similar view. The anger among young people from the American left, who see Israel as guilty of implementing a regime of apartheid, ethnic cleansing, and genocide, has increased pressure on Democratic leaders to condition their support for Israel in various ways.

The Senate votes and the surrounding discourse highlighted a similar trend within the American Jewish community, where a united front on Israel has been perhaps irreparably fractured. Most American Jews, who are largely liberal and religiously unaffiliated, continue to support the Democratic Party, while the Orthodox community has consolidated its support for the Republican Party. Among younger left-wing Jews, there is voluble support for anti-Zionist organizations such as Jewish Voice for Peace. The support from the liberal wing of the Israel lobby for Sanders's resolutions reflects a broader current in public opinion. <u>A poll conducted</u> by J Street reported that 61% of Jewish respondents "strongly" or "somewhat" supported a partial arms embargo until Israel agrees to a ceasefire in Gaza. While the Jewish establishment and most of the Israel lobby continue to offer unqualified support for military aid, the united front has been shattered.

Nevertheless, in the short term, the threat to Israel's vital interests in Washington remains limited. A solid bipartisan majority continues to provide Israel with a large margin of support, and US President-elect Donald Trump will enjoy Republican majorities in both houses of Congress for the next two years. However, bipartisan support is critical for Israel in the long term. The Republicans currently hold only a slim majority in both chambers of Congress, and there is no guarantee that they will retain power after the 2026 midterm elections. When the time comes over the next few years to ratify the new US-Israel Memorandum of Understanding on security—set to take effect in 2028—Israel will need Democratic backing. The growing divide between Israel and the Democratic Party, especially if the current Israeli government remains in power, could make securing this support more difficult. While Congress will likely approve the aid package, the process will undoubtedly involve a tougher battle than in the past, potentially resulting in changes to its terms and substance.

Recommendations:

- 1. Israel and its supporters must communicate why the differentiation between offensive and defensive weapons is misleading. Offensive weapons play a critical role in preventing and defending against imminent attacks, neutralizing enemy forces, and deterring future attacks. Other than the Iron Dome and related air-defense systems, very few weapons can be categorized as "defensive."
- 2. Israel must visibly uphold its commitment to international law in its operations in the Gaza Strip. This includes avoiding actions that could be perceived as violations, such as the permanent evacuation of civilians from their homes, which could be seen as "ethnic cleansing" under international

law. Such measures risk exacerbating the erosion of Israel's standing in the American public and political spheres.

- 3. Israel must maintain and rebuild bipartisan support in Washington. While Israel cannot allow itself to alienate President Trump, it must avoid any actions that could be perceived as partisan or overly aligned with Republican domestic policies. Alienating the Democratic Party could harm Israel's position, especially if the Democrats regain control of Congress after the midterm elections in 2026 and the presidency in 2028.
- 4. Israeli officials, both in the government and beyond, should enhance their engagement with the pro-Israel Jewish community in the United States, including its liberal branches.

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