

Occasional paper

OCCASIONAL PAPER
NOVEMBER 2006



** Dr. Michael Haltzel, Senior Fellow at the Johns Hopkins University School of Advanced International Studies, was for many years Democratic Staff Director for European Affairs of the Senate Foreign Relations Committee and Senior Advisor to Senator Joseph R. Biden, Jr. of Delaware.*

Am 7. November 2006 fanden in den Vereinigten Staaten Zwischenwahlen statt. Die Demokraten gewannen mit großem Vorsprung die Mehrheit im House of Representatives und mit knappem Vorsprung von nur einer Stimme die Mehrheit im Senate.

Das Wahlergebnis ist vor allem Ausdruck eines Votums gegen die bisherige republikanische Mehrheit im Congress, weniger ein Votum für das Programm der Demokraten, das in mancher Hinsicht, vor allem bezüglich der Außenpolitik, nicht sehr konsistent ist.

Um so dringlicher stellt sich nun die Frage, wie der Ausgang der Midterm elections die zukünftige US-Außenpolitik beeinflussen wird.

Hierzu hat Michael Haltzel, einer der tiefsten Kenner der amerikanischen Außenpolitik und der transatlantischen Beziehungen, im Auftrag der Konrad-Adenauer-Stiftung Washington einen sehr lesenswerten Beitrag verfaßt.

*Dr. Norbert Wagner
Konrad-Adenauer-Stiftung
Washington, D.C.*

KONRAD-ADENAUER-STIFTUNG
WASHINGTON, D.C.



The Mid-Term Congressional Elections and U.S. Foreign Policy by Dr. Michael Haltzel*

The election of November 7, 2006 that propelled the Democrats into the majority in both Houses of the U.S. Congress was replete with paradoxes. Few observers believe that the Democrats' victory was a mandate for a sweeping new program, domestic or foreign. In fact, during the campaign the Democrats, while they did articulate a coherent domestic agenda, were con-

tent to criticize the Bush foreign policy without offering a unified position on the leading issue of the day, the Iraq war. The Democrats' victory was more a repudiation of the Republicans, who had become identified with corruption, economic inequality, and a deeply unpopular war: in short, a feeling that the country was on the wrong track.

So does the change in leadership portend a rapid, decisive turn for American foreign policy after January 3, 2007 when the 110th Congress is sworn in? Probably not, an answer which may frustrate many Europeans. But significant, if not immediate, course corrections are possible, and, moreover, there are areas offering opportunity for increased European-American and German-American cooperation.

Decisive change in U.S. foreign policy will be constrained by structural and political factors. To begin with, the Democrats' margin in the Senate could not be narrower. In fact, formally there will be as many Republicans as Democrats, 49 from each party. Two Independents – the reelected Joe Lieberman of Connecticut, and freshman Bernie Sanders of Vermont, the first self-described Socialist in the history of the U.S. Senate – will caucus with the Democrats, thereby giving them a 51-49 edge. Lieberman, whose pro-war stance

led to his defeat in Connecticut's Democratic primary, has emerged with enhanced influence. Were the Democrats foolish enough to deny him a coveted committee chairmanship or similar perquisite, he could jump to the Republicans, thereby creating a 50-50 tie, which Vice President Cheney, in his position as President of the Senate, would break in favor of the Republicans. The Democrats will not make this mistake, but Senate rules, which require a supermajority of 60 votes to cut off debate, will ensure that the Democrats compromise in order to win necessary Republican support. With a Republican in the White House, GOP Senators will be loath to support radically new foreign policy measures, especially in Iraq.

The situation in the House of Representatives is somewhat more favorable to the Democrats. First of all, they will have a working majority of 15 or 16 seats, and second, House rules do not

Beyond the structural factors, most of the Democrats' priorities are on domestic, not foreign, issues: raising the minimum wage, reversing tax breaks for the wealthiest citizens, improving prescription drug insurance coverage, ensuring the solvency of the student loan program, financing stem cell research...

grant the minority significant blocking power as is the case in the Senate. Bills passed by the House, however, must be reconciled in conference committee with counterpart Senate legislation, which will further moderate any House Democratic course changes. Finally, even if any resulting act of Congress is fairly radical, the President has the power to veto legislation unpalatable to him, and the Democrats' numbers are not remotely adequate to override a veto.

New York's Congressman Charles Rangel, one the most outspoken anti-war Democrats who is about to become Chairman of the powerful House Ways and Means Committee, advocates using Congress's ultimate weapon: the power of the purse (he also favors reintroduction of the draft, a proposal which is going nowhere). It was, after all, the Congress that effectively put an end to America's Vietnam involvement in the 1970's when it passed a law forbidding the expenditure of any funds for the war effort and then overrode a presidential veto of the legislation. Rangel's "power of the purse" position has garnered very little support. For now at least, the "Congressional nuclear weapon" will remain sheathed.

Beyond the structural factors, most of the Democrats' priorities are on domestic, not foreign, issues: raising the minimum wage, reversing tax breaks for the wealthiest citizens, improving prescription drug insurance coverage, ensuring the solvency of the student loan program, financing stem cell research, carrying out all of the recommendations of the September 11th Commission, and fashioning meaningful lobbying reform. The Democratic leadership hopes to enact much of this

legislation in a "first hundred hours" blitz, but some of it will require months of work, which will compete with foreign policy for Members' time.

What about the Iraq war? To be sure, in exit polling on November 7th, Iraq ranked near the top of voters' priorities, and many analysts maintain that it was, in reality, the key factor in the election results. Yet no other issue, domestic or foreign, remains as much "up in the air" in political Washington as does Iraq. A military victory seems impossible. The cold, hard truth – profoundly difficult for congenitally optimistic Americans to swallow – is that the situation in Iraq has deteriorated to the point where *there are no good policies available, only less bad ones*.

If the Iraq war were – or were even perceived as – an existential struggle for the security of the United States, as were the two World Wars of the twentieth century, then Washington would be able to marshal and employ the requisite military and civilian power to pacify and stabilize the situation. But a strong majority of the American public feels deceived by the misleading propaganda and deliberately shaded intelligence that it was fed by the Bush Administration in the run-up to the war in 2002 and 2003. Only hard-core Republican party faithful still believe in a tie between Saddam Hussein and al-Qaeda or in the existence of Iraqi weapons of mass destruction, much less Saddam's intention to transfer them to terrorists. This disillusionment, augmented by popular revulsion at torture and prisoner abuse, and above all by the anguish at steadily rising American battle fatalities and injuries, compelled even President Bush in the closing days of the

election campaign to decree an end to his slogan “stay the course!” Needless to say, the Democrats refused to heed Bush’s admonition, preferring to continue to cite the slogan as the best evidence of a bankrupt policy. However inchoate and imprecise the sentiment, a sizeable majority of the American public wants a change in Iraq policy.

What will that change in Iraq policy likely be? *At the time of the writing of this analysis, there simply is no certain answer to that question.* At the elite level among both the Republicans and Democrats there is a consensus that for geopolitical reasons the U.S. must “succeed” in Iraq, although opinions differ widely on exactly what would constitute “success.” Lower down in both parties, though, the sentiment is different. At the Democrat grassroots the sentiment is “out now!” Rank and file Republicans have also become much less supportive of the war. They are not yet ready to desert President Bush, but they could if significant progress has not been achieved several months down the road. More days like November 23rd when more than 200 civilians were killed in sectarian violence in Baghdad alone could move even Republican opinion to a tipping point.

Several plans for Iraq are being discussed publicly. A few radical voices are calling for immediate withdrawal. Senator Carl Levin of Michigan, the moderate incoming Democratic Chairman of the Armed Services Committee, has called for ending the “open-ended American commitment,” which he believes has enabled the Iraqis to evade responsibility. Levin advocates a phased reduction of U.S. troops in Iraq within four to six months. Even a few Republicans like Connecticut Congressman Christopher

Shays are urging the Bush Administration to set a timetable for withdrawal. Many others have called for a “strategic redeployment” without giving a precise timeline. Joe Biden of Delaware, the incoming Democratic Chairman of the Senate Foreign Relations Committee, favors a strong federalism with far-reaching regional autonomy for the Shiites, Sunnis, and Kurds, together with an equitable sharing of oil revenue. Biden, former UN Ambassador Richard Holbrooke, and even some Republican stalwarts like Henry Kissinger emphasize the need for a political solution facilitated by a regional conference on Iraq, which would involve neighbors Iran, Syria, and Turkey. The recent agreement between Iraq and Syria to reestablish diplomatic ties after nearly a quarter-century does offer a glimmer of hope in that regard.

No one is sure, however, that any or all of the neighboring countries would be willing to use their influence to assist in achieving a settlement of the conflict. If they are, their price may be too high: e.g. allowing Iran’s nuclear program to proceed and Syria’s dominating presence in Lebanon to resume. In fact, the widespread suspicion of Syrian involvement in the assassination of several Lebanese political figures will make it more difficult politically for Washington even to engage Damascus on the Iraqi situation. Nonetheless, Jordan’s King Abdullah has called for a mega-settlement in the region that includes Iraq, Lebanon, and the Israeli-Palestinian dispute.

Senator John McCain, the current front-runner for the Republican presidential nomination in 2008, recently called for a temporary increase in the number of U.S. troops in Iraq to definitively put down the

At the elite level among both the Republicans and Democrats there is a consensus that for geopolitical reasons the U.S. must “succeed” in Iraq, although opinions differ widely on exactly what would constitute “success.”

Not only official Washington, but increasingly also the American public is eagerly awaiting the report of the Iraq Study Group, a group of ten distinguished citizens co-chaired by former Secretary of State James Baker (Republican) and former Chairman of the House Foreign Affairs Committee Lee Hamilton (Democrat).

sectarian militias and murder squads that are causing carnage in the streets. General John Abizaid, who leads the U.S. Army's Central Command, in Congressional testimony called this suggestion potentially counter-productive because it could dissuade Iraqi troops from taking the leading security operations and because it could seriously damage the already overstretched U.S. military. He prefers increased and accelerated training of the Iraqi Army.

Not only official Washington, but increasingly also the American public is eagerly awaiting the report of the Iraq Study Group, a group of ten distinguished citizens co-chaired by former Secretary of State James Baker (Republican) and former Chairman of the House Foreign Affairs Committee Lee Hamilton (Democrat). The Baker-Hamilton commission has been interviewing experts for months and is expected to issue its report in the coming weeks. Few believe that it will come up with startling new ideas, but its conclusions will nonetheless carry considerable weight because of the panel's bipartisan composition and the high reputations of its members. *Administration supporters are hoping for a reinvigoration of the war effort, the mass of the public for light at the end of the tunnel, and opponents of the war for a face-saving exit strategy.*

A November 27th *New York Times* article claimed that the Baker-Hamilton commission will stress an aggressive regional diplomatic initiative. Some of the commission's members, in fact, have already had meetings with high-ranking Syrian and Iranian diplomats. Baker is known to favor a "grand bargain" approach along the lines of the 1993 Madrid Middle East Peace Conference, which he organized. One must emphasize, however, that the

U.S. bargaining position is much weaker than it was in early 2003 when the Iranian government asked for open-ended negotiations but was rebuffed by the Bush Administration.

Earlier leaks to the press indicated that two options remain on the table for policy within Iraq:

- 1) stabilizing Baghdad and renewing an attempt at ethnic and sectarian reconciliation;
- 2) a phased withdrawal, while maintaining a commitment to contain terrorists – not much different from what mainstream Democrats are advocating.

A potentially divisive debate about timetables for beginning an American withdrawal may occur when the commission meets to finalize its report in late November or early December. Its recommendations will find a newly receptive audience in the Pentagon, where former commission member Robert Gates awaits Senate confirmation as Secretary of Defense to replace the discredited Donald Rumsfeld.

Constitutionally mandated Congressional oversight of the Executive Branch, which was largely ignored by the Republicans, will recommence under the Democrats. Incoming committee chairmen have given notice that they plan to utilize their subpoena power to hold probing Iraq-related hearings on intelligence processes, the allegedly corrupt letting of Iraq reconstruction contracts, U.S. domestic surveillance, and the treatment of detainees accused of terrorism. In that last connection, however, Europeans should not expect a quick closing of the prison at Guantanamo Bay. The Administration

plans to construct a modern \$125 million compound there in which it hopes to conduct war-crimes trials by the middle of next year.

While Washington wrestles with the seemingly intractable mess in Iraq, other foreign policy issues may be ripe for change. A comprehensive immigration reform bill – probably a guest worker program with a path toward earned citizenship -- now appears more likely, since House Democrats are sympathetic to the package initially favored by the White House a year ago and then abandoned in the face of right-wing Republican opposition. One of the most aggressive leaders of that opposition in the House, Representative J.D. Haworth of Arizona, went down to defeat on November 7th. Senate support for reform would seem certain; the comprehensive McCain-Kennedy immigration bill got bipartisan majority support last spring.

Congressional approval of the Administration's nuclear deal with India, initially thought to be problematic, now seems to be on track for passage. India's Asian rival China may actually have less to fear from a Democratic Congress after the withdrawal of tariff-threatening legislation by Senators Charles Schumer (D-NY) and Lindsey Graham (R-SC). The new Treasury Secretary Henry Paulson, a man with significant China expertise, will likely exert key influence on U.S. policy toward Beijing. If China plays a constructive role in the North Korea nuclear issue and agrees to meaningful UN sanctions on Iran – unlikely, but not impossible -- ties between Beijing and Washington would warm considerably.

Few issues have besmirched the American image in Europe more than Bush's withdrawal from the Kyoto climate change

process. The incoming Democratic chairs of energy and environment-related committees like California Senator Barbara Boxer and New Mexico Senator Jeff Bingaman are decidedly more “green” than their Republican predecessors. Passage of a more progressive energy bill stressing renewables, alternative energy, and conservation is now conceivable. Nevertheless, the White House will be able to stymie any fundamental Kyoto-like Congressional change such as a binding cap on carbon emissions. Fortunately, federalism is alive and well in the United States, and several states have taken up where the Republican White House has left off. California, the world's eighth largest economy and the trend-setter for the entire country in most matters, recently passed a law that mandates a 25% cut in emissions of heat-trapping gases by 2020, and seven Northeastern states have entered a less draconian compact to reduce greenhouse gas emissions. The European Union, especially Germany, could offer valuable advice to state officials in the U.S., based on their half-decade of experience in implementing the Kyoto Protocol.

With well-informed, “Eurocentric” Democrats poised to chair the foreign affairs committees in Congress – Biden in the Senate and Hungarian-born Tom Lantos, the only Holocaust survivor in the Congress, in the House – European views will get a sympathetic hearing. Three important areas need immediate, transatlantic attention: trade, Iran, and NATO.

Democrats insist that they are not against free trade, but they insist upon “free *and fair*” trade. That means being sure that trading partners ensure job safety and environmental standards at home, and do

With well-informed, “Eurocentric” Democrats poised to chair the foreign affairs committees in Congress – Biden in the Senate and Hungarian-born Tom Lantos, the only Holocaust survivor in the Congress, in the House – European views will get a sympathetic hearing. Three important areas need immediate, transatlantic attention: trade, Iran, and NATO.

Continued close European-American cooperation on the multi-faceted struggle against radical Islamic terrorism – including joint efforts in police, customs, banking, civil defense, the environment, and transportation – is more important than ever, and will find ready support in the Democratic-majority Congress.

SEITE 6

not advantage their exports through massive subsidies or artificially low valuation of their currencies. Several new Members of Congress like Senator-elect Jim Webb, the upset Democratic winner in Virginia, and Sherrod Brown of Ohio are passionate about how large corporations and wealthy investors have profited mightily from globalization at the expense of the working and middle classes. Both the President's Trade Promotion Authority and the multi-year Agriculture Bill need to be renewed in 2007, and both pieces of legislation will face intense scrutiny and difficult fights. To be sure, a ready-made opportunity for European-American trade cooperation does exist -- cutting the Gordian knot of the stalled WTO Doha Round on trade liberalization – but barring an unforeseen breakthrough, the agrarian lobbies on both sides of the Atlantic appear to be too strong for that hugely desirable step to be taken.

In early 2005, after hesitating for several years, the Bush Administration finally backed the Iran negotiating efforts of the EU-3 – Germany, the U.K., and France. In the face of unprecedented international condemnation of its nuclear program, Iran seems more defiant than ever. Democrats in Congress seem just as opposed to a nuclear-armed Iran as the Republicans. Where they differ is in their willingness to negotiate directly with Tehran and, in many cases, in their deep skepticism about the efficacy of a military strike against Iranian nuclear sites. If bad should come to absolute worst, and President Bush should decide to use military force without Congressional approval, the Democrats, now in the majority, could utilize the impeachment weapon. *While it should be emphasized that this is an unlikely "doomsday scenario,"* it is vitally important for the EU-3

to hold firm with the U.S. on diplomatic and economic moves against Tehran in order to halt Iran's nuclear program before it becomes a genuine military threat.

NATO remains the touchstone of U.S. involvement in Europe, and Members of Congress see the course of the war in Afghanistan as a litmus-test for the future of the Alliance. "National caveats," especially formal or informal ones against committing combat forces to the south and east of the country, could become an emotional bone of contention with North America.

Continued close European-American cooperation on the multi-faceted struggle against radical Islamic terrorism – including joint efforts in police, customs, banking, civil defense, the environment, and transportation – is more important than ever, and will find ready support in the Democratic-majority Congress.

Inevitably, it is the President who is the chief image-maker of the United States in the rest of the world, and George W. Bush will occupy that office for two more years. European leaders would do well, however, to engage the Democratic-majority Congress whenever possible and to highlight to their European constituents the new, more internationalist cast of mind of the American legislature.

KONRAD-ADENAUER-
STIFTUNG
WASHINGTON, D.C.

2005 MASSACHUSETTS
AVENUE NW
WASHINGTON, D.C. 20036
PHONE: 1-202-464-5840
FAX: 1-202-464-5848
WWW.KASUSA.ORG