

CONFUSED AND CONFOUNDED, OBAMA GOES TO CONGRESS

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In a previous note on these same pages, we made reference to Obama's unpredictable use of executive power and his tendency to overuse it for certain domestic policies, while deferring to the military and foreign policy establishment on issues he is ambivalent about, such as the international use of force. We also alluded to his tendency to isolate himself and rely excessively on his own judgment in shaping policy, to the detriment of his relations with staff, cabinet and other leaders. The long-drawn decision to seek Congressional approval before striking Syria is a case study of these proclivities.

After resisting calls for intervention in Syria by Senate Republican "hawks" and foreign policy specialists since 2011, a year ago Obama conceded that, in spite of his aversion to intervene in "sectarian struggles", certain actions such as the use of chemical weapons by the Syrian regime against the opposition would constitute a "red line" which, once crossed, would automatically bring about an armed response by the United States. This week he had to face the consequences of his own words.

When robust evidence of the use of sarin gas by Bashar Al Assad's forces in rebel occupied territory was produced, the President had no choice but to spend the last week of the month of August frantically building a case for immediate intervention. Acting simultaneously as Chief Executive, policy shaper and his own spokesman, he used several venues, including an NPR interview, to announce to the American people that the time had come to act.

But while Secretary of State John Kerry made a compelling speech on the need to act swiftly to punish the "moral obscenity" committed by the Assad regime, Obama appeared much more circumspect in his appeals to the American people. His early words conveyed both his outrage at the disproportionate actions by Assad as well as his empathy with the war-weary American citizens. In private, he confided he had qualms both about the legality and the political legitimacy of military action. In public, his argument focused on the violation of an international convention prohibiting the use of chemical weapons and the absolutely unavoidable duty to enforce it. But the fact that UN inspectors had not completed their field report on the attack, coupled with the refusal of the UN Security Council to consider armed action, gave him pause and forced him to

confront his own doubts once again.

In the meantime, momentum was building in the United States where, according to press reports, it was all but certain there would be a military strike to “punish and deter” the Syrian regime, by Labor Day weekend. GOP Senators John McCain and Lindsey Graham were vocal in their support of intervention but demanded more than just a punitive strike and showed some impatience towards the President’s pondering an action that should have been decided long ago.

Abroad, Turkey, Israel and Saudi Arabia were in favor of the US action. As it is widely known, Russia was against it and that is why the US had to bypass the UN Security Council where Russia has veto power. While NATO allies all offered strong support (indeed, both France and Britain were the first to insist on support for the rebels a year ago), Prime Minister David Cameron was delivered a strong blow when he lost a vote in the House of Commons, with some of his own backbenchers voting against intervention. German Chancellor Angela Merkel, facing a coming election and against the perennial background of German Basic Law constraints, had already told the President that Germany would stand in the sidelines, while offering moral support. The long shadow cast by the Iraqi war around the world once again became evident. But the French President, not required by the Fifth Republic Constitution to consult the legislature, and encouraged by France’s recent successful actions in Mali and Libya, remained firm.

By Friday, Obama’s tortured deliberations came to an end as he abruptly changed courses. Against the advice of his National Security and political advisors team, he made a dramatic announcement from the Rose Garden: his decision on the need for a narrow punitive action against Syria had been made, he said, but he had decided to ask for Congressional authorization first. As Commander in Chief, and in spite of the War Powers Resolution of 1973, he is not obligated to do this. He thus appears to be shifting responsibility onto the legislature while simultaneously buying some time to explore diplomatic solutions in the upcoming G-20 summer.

The cerebral constitutional law professor and the risk-taking politician in him have made a Faustian bargain. If Congress authorizes the use of force, he will have both legal and political cover for his action while at the same time fulfilling his moral duty of punishing a violator of the Chemical Weapons Convention and of Humanitarian law. If they vote No, he can just blame them for his own lack of action and use all the power of the Presidency on his domestic agenda.

It is, in any case, a big gamble, one that has the potential of weakening him and turning him into a lame duck for the rest of his Presidency. The GOP is internally divided on many issues, among them foreign policy, where conservative ideologies run the gamut from minimalist /isolationist to neo-cons/regime-change interventionists and all the shades in-between. And the far left in Obama’s own party is against intervention. So there is no guarantee he will get Congressional approval.

The cost of losing this vote is enormous: it may set a strong precedent in diminishing Presidential prerogatives.

To be fair to the President and his vacillating stance, this is not an easy decision. None of the world leaders have made a compelling public case for a strategic need of intervention in Syria. The proposed limited “punitive” strike will most likely be inconclusive: it will not deter further extreme actions by Assad, who has now been given time to disperse his military assets and capabilities. The strike will not significantly degrade his capacity to fight, and there will be little change in his main goal, namely, to destroy the opposition and regain total control of the country.

This is a fight to the end by both sides. If overthrown, Assad and his Alawite supporters (as well as the Christians who have traditionally been under his protection) will be massacred. There are no desirable outcomes in this conflict. The rebels are divided and the biggest group is that of the jihadists with strong support of Al Qaeda. While Turkey, Saudi Arabia and Israel are on the side of the United States and want a moderate alternative to the Assad regime, Iran, to an extent Iraq, and Hezbollah in Lebanon are on the dictator’s side (as, incongruously, is Venezuela). The Palestinian group Hamas, previously favoring Assad has now changed sides and is supporting the rebels. So in many ways this is a war by proxy that could become a generalized regional war. There is no indication that the President or anyone else has a political plan or a diplomatic effort in mind for the post-strike scenario.

However, US inaction at this time undermines the security of its allies, especially Israel. Even though Netanyahu has adopted a “no comment” stance and hasn’t, accordingly, said a word on this issue, other Israeli politicians are worrying out loud about the implications the US lack of resolve will have on other “red lines”: Will the United States act when Iran crosses the nuclear threshold? Or will Israel find itself facing Iran alone? They bitterly remind themselves of Obama’s speech in Jerusalem, in March this year, when he said in Hebrew: “*Atem lo levad*” (“You are not alone”). They are very skeptical, now more than ever, that the President will match his lofty rhetoric with action.

In the United States the momentum is gone, Congress won’t reconvene until September 9, and the President is using the last week of summer to energetically lobby House and Senate leaders and persuade skeptics through intelligence briefings. Urgent issues in the domestic agenda will thus have to be postponed.

What no one, either at home or abroad denies, is that the credibility of the Presidency and with it, that of the United States, is at stake. International support for the operation is unlikely to improve. A negative vote by Congress will further weaken the President and may complicate the White House legislative agenda, where he will have to spend all his political capital and still, perhaps, fall short.

In a keynote speech to the National Defense University earlier this year, Obama expressed the need to chart a new way in American foreign policy,

one that would end the “perpetual wartime footing” that characterized the post 9-11 era, after G.W. Bush got a virtual blank check from Congress in the use of military force and intelligence gathering. So far, Obama has ended two protracted unpopular wars in Iraq and Afghanistan, and it is clear he will not engage in regime change. But a new foreign policy strategy has not crystallized yet. There is no Obama doctrine, no overall framework to guide his decisions and give predictability to his actions.

His whole approach to the Middle East, the most explosive region in the planet today, is misconceived. His tepid reaction to the Egyptian situation had already given some approximation of how reluctant he is about taking sides in conflicts in the region. Syrian use of chemical weapons has confirmed his ambivalence and exposed his indecision. At the same time, it has provoked a collapse of American credibility abroad, and uncertainty about its reliability as an ally. Regardless of what follows after this week, his hesitancy will have dire consequences for American foreign policy into the future.

The larger problem that looms over the heads of world leaders and that few seem to acknowledge is that this is not about Syria or Egypt or Libya or Yemen or Tunisia as separate conflicts; it is a regional conflagration that has to be addressed comprehensively, within the larger regional and international context. All major actors, whether it is Europe, Russia, or China and of course the United States, have a stake in the region and it is in their interest to define the rules of the game and together find an overall solution to this predicament.