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## The Wrong Partnership for Iraq

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By Bill Delahunt and Rosa DeLauro

Tuesday, July 8, 2008; A15

The June 15 editorial "[A Partnership With Iraq](#)" criticized Democrats in Congress for opposing the proposed long-term military agreement between the United States and Iraq that would replace the [U.N.](#) mandate under which U.S. forces are fighting. The editorial called the agreement a way of "countering Iran's attempt to dominate the Middle East." We have examined this issue for many months and believe that The Post's position is badly misguided.

First, the editorial failed to recognize congressional obligations, imposed by the Constitution, on governing the use of our armed forces. The Post argued that barring a "formal commitment to defend Iraq from external aggression," congressional approval of the agreement is not required. Yet constitutional scholars testifying before the oversight subcommittee of the [House Foreign Affairs Committee](#) have stated that "the authority to fight" that the administration seeks from Iraq does indeed require congressional approval. Requiring international legal approval of combat is what makes this agreement anything but what the administration incorrectly calls it: a "status of forces agreement."

The U.N. mandate provides the last legal thread of domestic U.S. authority for combat because "enforcing relevant U.N. resolutions" was one of the two activities cited by the 2002 vote in Congress authorizing the use of force against Iraq (the other being to dispose of the threat posed by [Saddam Hussein](#)). If the U.N. mandate expires on Dec. 31, so does domestic authority for our troops to fight, along with their immunity from Iraqi prosecution. This is precisely the "legal vacuum" that constitutional scholars Bruce Ackerman and Oona Hathaway detailed in an April 5 op-ed, "[The War's Expiration Date](#)," on washingtonpost.com.

We have proposed an alternative that would serve our interests and those of the Iraqis far better: extending the U.N. mandate in Iraq for six months, as has been done before, so that the new president and Congress can work with Iraq's leaders to determine the next agreement.

Second, The Post failed to appreciate the exclusivist manner in which the administration has pursued this agreement. Congress was broadsided by the "declaration of principles," outlining the negotiating parameters, signed by [President Bush](#) and Iraqi Prime Minister [Nouri al-Maliki](#) in November. Lawmakers have since been denied access to information on the U.S. negotiating position and even on U.S. goals. This is a key reason that not just Democrats but also Republicans have expressed reservations.

Congress has a constitutional obligation to conduct oversight of international negotiations and to approve agreements that relate to offensive military action. Everything about this agreement is being handled by rumor and leak. We cannot support something for which we have no concrete details.

The Post, which mistakenly supported an invasion of Iraq as a means to protect U.S. national security, should recognize that there are alternatives to the Bush administration's failed Middle East policies. Certainly, there are other options for addressing the threat posed by an Iran that has been made stronger by the administration's ill-conceived war in Iraq; these include engaging in tough, direct negotiations with the Iranians and redeploying our troops out of Iraq in a manner that allows them to contain aggressive Iranian posturing, wherever it may occur.

Moreover, The Post appears to misunderstand the dynamics in the Middle East when it compares a

continuing U.S. troop presence in Iraq to our long-term presence in Japan and Korea. Everything we hear from the only elected branch of Iraq's government -- the Council of Representatives -- tells us that Iraqis' sense of sovereignty and grievances against Western domination in the past century will make a long-term U.S. presence a source of violence, not stability. In fact, members of the Iraqi parliament who testified before Congress last month told us that if there was a clear timetable for withdrawal, the warring factions would lose much of their rationale, and public support, for attacking each other and U.S. forces.

During their visit to Washington, the parliamentarians released a letter signed by parties representing a majority of the parliament; the letter affirmed that, as was the case last year during debate on extending the U.N. mandate for 2008, Iraqi parliamentarians would approve the U.S.-Iraq agreement only if it contained a timetable for complete U.S. withdrawal. Prime Minister Maliki appears to concur; he stated yesterday that any agreement should include a timetable to redeploy U.S. troops.

It is time for everyone to slow down. We should extend the U.N. mandate for a short period to maintain the status quo and ultimately turn this issue over to the next president and Congress, who must implement any agreement. Rather than dictating the terms of our long-term relationship with Iraq, such a policy would allow us to work with Iraqis to craft an agreement that includes the carefully coordinated withdrawal of U.S. combat forces that majorities in both countries support. Doing so would also solidify the type of sustainable partnership that the people of the United States and Iraq need and deserve.

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