

## Congress vs. commander in chief

*by Robert\_J\_Caldwell*

A Democratic Congress is forcing a showdown with President Bush over who runs the war in Iraq: the constitutionally designated commander in chief or his hectoring critics on Capitol Hill. It's a confrontation Bush will win, as he certainly should.

But that's only half the story. Beyond Congress' political gamesmanship lies the far more fateful issue of the American mission in Iraq, essential support for our troops on the battlefield and whether America's new motto for the decisive front in the war on terror will become "united we quit."

Bush vows to veto any legislation that sets a date (2008 in this instance) for withdrawal of American military forces from Iraq. The narrow margins by which congressional Democrats passed such legislation - 218-212 in the House and 50-48 in the Senate - leave no doubt that they lack the required two-thirds votes to override a Bush veto.

These votes to begin pulling American troops out of Iraq as soon as three months from now were solely symbolic victories for Democrats. This legislation won't become law because Bush won't permit it; and he's right to refuse.

The framers of the Constitution apportioned war-making powers wisely and explicitly. They gave Congress the power to declare war and to appropriate funds to wage war. But they made the president commander in chief of the armed forces with the power to direct military operations.

The framers recognized what was obvious then and is no less obvious today - that Congress can authorize and fund a war but not conduct it. Imagine strategy, tactics and troop movements determined not by the president and his designated military subordinates but by 535 members of Congress. Absurd and unworkable are descriptions that spring readily to mind.

Hefty bipartisan majorities - 77-23 in the Senate and 296-133 in the House - voted in 2002 to give Bush authority to use military force in Iraq. If the Democrats' narrow majorities in Congress now wish to terminate U.S. military involvement in Iraq, they can do so. They need only refuse to appropriate additional funds for the war.

That's an option most Democrats decline as political suicide. Even a war-weary public wouldn't accept cutting off support for American troops on the battlefield.

But that doesn't mean that what the Democrats have done doesn't already pose potentially grave risks for U.S. forces.

The Pentagon says it must have Bush's proposed \$100 billion supplemental military appropriations bill by mid-April to fund combat operations in Iraq. Having attached the withdrawal timetables that will compel a Bush veto of the supplemental legislation, Congress is now on its Easter recess. There won't be any Easter recess in Iraq, of course, where America's young soldiers and Marines are risking their lives each day and counting on their government to provide the support they need to prevail and survive.

What the Democrats have done leaves only days to accomplish the following. Negotiate a compromise with the White House or, failing that, reconcile the differing House and Senate versions, send Bush legislation he is certain to veto, hold override votes and, when the president's veto is sustained, pass a new military supplemental that Bush can accept.

This near impossibility makes a mockery of the Democrats' platitudes about how "we all support our troops."

The reality is that House Speaker Nancy Pelosi and Senate Majority Leader Harry Reid are provoking a constitutional confrontation with President Bush while American lives in Iraq hang in the balance.

And what of the Iraq mission itself?

The Democrats' plan to begin withdrawing U.S. troops from Iraq as soon as three months from now would preclude any chance that Bush's new "surge" strategy could work.

Only two of the planned five brigades of reinforcements for securing Baghdad and Anbar province have as yet arrived. While the early results in Baghdad are encouraging, this operation and its wholly new counterinsurgency strategy are just beginning. Army Gen. David Petraeus, the new U.S. commander in Iraq, notes the obvious when he says the security offensive in Iraq's capital needs time to succeed. That should be clear enough even to Pelosi and Reid, both blissfully ignorant of any military expertise.

Petraeus suggests it will be late summer before fair conclusions can be drawn about whether a beefed-up U.S. military presence and dramatically better tactics can calm the violence. The same can be said for buying time for Iraq's struggling new government to make progress in reconciling Iraq's warring factions.

Cutting all this short in a mad rush to begin pulling U.S. forces out of Iraq is a formula for certain defeat. All past and present U.S. commanders in Iraq oppose setting arbitrary timetables for withdrawal. Fortunately for American prospects in Iraq, so, too, does their commander in chief.

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