

# With Senate letter, tensions mount over US policy toward Iran

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Political tensions in Washington over US foreign policy have continued to mount in the wake the “open letter to the leaders of the Islamic Republic of Iran” signed by 47 Republican senators and sent on Monday. The letter warns that any nuclear deal reached with the Obama administration can be abrogated “with the stroke of a pen” by the next president, or changed at any time by congressional action.

The letter is clearly aimed at sabotaging any agreement limiting Iran’s nuclear activity in exchange for the lifting of punishing economic sanctions against the country.

It comes barely one week after the Republican leadership in Congress staged a State of the Union-style address by Israeli Prime Minister Benjamin Netanyahu to a joint session of the Senate and House to denounce a proposed agreement with Iran as a betrayal of both US and Israeli security. The speech, organized behind the back of the Obama White House, was, like the Senate Republicans’ letter intervening into ongoing diplomatic negotiations, without historical precedent.

The letter was organized by Republican Tom Cotton, a right-wing freshman senator from Arkansas, who has distinguished himself with calls for the US to wage a global war against “Islamic terror” and for “regime-change” in Iran. Last December, he called for Congress to consider providing both B-52 bombers and “bunker-buster” bombs to Israel to facilitate air strikes against Iranian nuclear facilities.

The letter took the form of a condescending lecture to the Iranians on the US constitutional system, which managed to get fundamental constitutional questions wrong. “First, under our Constitution, while the president negotiates international agreements, Congress plays the significant role of ratifying them,” it states.

In point of fact, it is the president who ratifies

treaties, after a two-thirds majority vote expressing the “advice and consent” of the US Senate. More fundamentally, the blurring of the terms “agreement” and “treaty” entirely misrepresents the deal being negotiated with Iran. It is not a bilateral treaty between Washington and Tehran, but rather an agreement negotiated between Iran and the so-called P5+1, the five permanent members of the United Nations Security Council—the US, China, Russia, Britain and France—plus Germany. The US, like other nations, enters into many such agreements, which are binding under international law, covered in this case by the existing Nuclear Non-Proliferation Treaty.

While the Obama administration has rejected claims that it needs Senate approval for the agreement, the chairman of the Senate Foreign Relations Committee, Senator Bob Corker of Tennessee, has sponsored a resolution that would give Congress a vote on any nuclear deal with Iran. It has been co-sponsored by the ranking Democrat on the committee, Robert Menendez of New Jersey, who is currently facing criminal corruption charges, and four other Democrats.

Obama is also empowered to suspend sanctions against Iran for up to two years, but he would have to seek a Senate vote to repeal them entirely.

Iranian Foreign Minister Javad Zarif dismissed the letter, declaring that it had “no legal value and is mostly a propaganda ploy.” He mocked the Republican’s lecture on constitutional law, saying: “I should bring one important point to the attention of the authors, and that is, the world is not the United States, and the conduct of inter-state relations is governed by international law, and not by US domestic law. The authors may not fully understand that in international law, governments represent the entirety of their respective states, are responsible for the conduct of

foreign affairs, are required to fulfill the obligations they undertake with other states, and may not invoke their internal law as justification for failure to perform their international obligations.”

He continued, “I wish to enlighten the authors that if the next administration revokes any agreement with the stroke of a pen, as they boast, it will have simply committed a blatant violation of international law.” The nuclear agreement, he stressed, would be reached not just with Washington, but with the five other powers participating in the negotiations, and would be codified through a United Nations Security Council resolution.

Behind the laughable attempt to present the Senate Republicans’ letter as a learned treatise on constitutional law, the document—like the invitation to Netanyahu—amounts to a brazen assault on constitutional government, particularly the principle of the separation of powers.

It has been widely described as a “stunt” aimed at currying favor with a key Republican base, the Christian right, as well as with the Israeli lobby.

More fundamentally, however, it expresses divisions within the US state apparatus over foreign and military policy that have only sharpened since the Obama administration backed away from a planned US air war against Syria in September of 2013 and turned toward rapprochement with Iran.

The actions of the Republicans are indicative of the deep-going breakdown of constitutional forms of government under the impact of the past period of unbridled militarism, combined with the consolidation of ever greater power and wealth in the hands of a narrow financial oligarchy.

It is doubtless also the case that the Republicans are emboldened to carry out provocations against the presidency because they enjoy support within key sections of the military and intelligence apparatus, which has increasingly become the most decisive branch of government.

The essentially reactionary character of Democratic denunciations of the Republican letter expresses fundamentally the same phenomenon. Obama himself set the tone by denouncing the Republicans for “wanting to make common cause with the hardliners in Iran.”

Senate Minority Leader Harry Reid took the floor of the Senate Monday to denounce Republicans for

“undermining our commander-in-chief while empowering the ayatollahs,” casting the negotiations with Iran as essentially a tactic within the generalized US strategy of global war.



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