

# US Presidents and the Making of Foreign Policy

Tim Clancey asks whether American Presidents have exceeded their legitimate powers.



## An Imperial President?

What do you think of George W. Bush? The British government's decision to follow the USA into Iraq in 2003 has in Britain led to a heightened level of interest in how the US President conducts his foreign policy. You will hardly find a stronger critique than Arthur Schlesinger Jr's *War and the American Presidency* (2004). Schlesinger, former adviser to John F. Kennedy in the 1960s and author of the classic study *The Imperial Presidency* in the 1970s, presents the Bush regime as the Imperial Presidency reborn, arguing that Bush more than any other US President (even Johnson or Nixon) has exceeded the powers intended for the presidency by the US Constitution, instead governing in the style of an emperor, launching wars at will, unrestrained by Congress or public opinion.

The notion of an 'imperial presidency' emerged in the 1960s and

early 1970s when, on more than one occasion, the President made key foreign policy decisions, committing tens, even hundreds, of thousands of US troops, without regard to the views of Congress. By 1974, after Vietnam and the Watergate scandal, the notion of an arrogant, over-powerful presidency was in vogue. This reflected an increase in presidential control over foreign policy since the USA joined the Second World War in 1941, while the subsequent Cold War era is seen as a period where US presidents, helped by their own appointed secretaries of state and of defence, took more personal control over foreign policy than ever before. There is a lot of truth in this. However, the term 'imperial presidency' has been overused, trotted out every time US troops are deployed abroad, and there have been in reality more constraints on presidential decision-making than Schlesinger's concept

suggests.

In defence of Bush we can note that, despite continuing violence in Iraq, he was re-elected in 2004 by a small but clear majority, defeating a serious Democrat challenge, and he was duly named *Time* magazine's Person of the Year for 2004, for, as they put it, 'sharpening the choices until they bled'. This reflects the conflict between the democratic desire for a 'constitutional presidency', held accountable by Congress, an opposition party and even the president's own conscience, and a perceived need for effective, forceful leadership in a war on terror. This conflict, in a slightly different form, was first evident in the very making of the US Constitution, and emerged on numerous occasions in the 20<sup>th</sup> century.

## The Constitution and the Powers of the President

The US Declaration of Independence in 1776 is full of accusations against Britain's George III, all centred on his supposed abuse of power and despotic rule over the 13 American colonies. The new US Constitution, drafted in 1787, was criticised for its proposal for a strong central government, led by a president, as a potential return to a George III-style dictatorship. One Massachusetts senator, on the election of George Washington to the presidency, warned 'I fear that we may have exchanged George the Third for George the First.' Its supporters, however, recognised the need for a form of leadership that could react quickly to any foreign threat and act as a unifying force. They also pointed to the checks to presidential power included in the Constitution: the president having to



One Massachusetts senator, on the election of George Washington to the presidency, warned 'I fear that we may have exchanged George the Third for George the First.'



**The Japanese attack on Pearl Harbour, 7 December 1941, dubbed 'a day which will live in infamy' by President Roosevelt. Over two thousand American sailors were killed.**

apply for re-election every four years, and having to rely on the support of both the House of Representatives and the Senate (together known as Congress) in order to push through a programme of legislation.

The Constitution was explicit on presidential control over foreign policy. The President would be Commander-in-Chief of the armed forces, would negotiate treaties, nominate ambassadors and foreign policy advisers, and receive envoys from foreign governments. Congress, though, could confirm or reject presidential nominees, would have control over raising and financially supporting armies, and – very important to the Constitution's Founding Fathers – only with Congress's support could a treaty be ratified or a war declared. The Constitution has hardly changed since then, and a key story of US government since has been a struggle between the Presidency and Congress for control. John F. Kennedy admitted in 1963 'When you're in the White House, Congress looks like the enemy.'

In 1835 Alexis de Tocqueville wrote that 'the President of the United States possesses almost royal prerogatives which he has no opportunity of exercising ... the laws permit him to be strong, circumstances keep him weak.' The first half of the 20<sup>th</sup> century, however, provided increasing opportunities as the USA began to operate as a genuine world power. Theodore Roosevelt's presidency took US involvement in world affairs further than ever before. Roosevelt's political energy and ambitions for the presidency – Graubard's view is that 'an elemental force had entered the White House' – was at times frustrated in domestic policy by a strong Senate, but his expertise and leadership in foreign policy set the tone for much of the 20<sup>th</sup> century. Not all of his successors took the same interest in foreign policy, but the presidencies of Woodrow Wilson and Franklin Roosevelt were definitely shapers of their country's foreign policy to the extent that they were at least temporarily able to take the initiative away from Congress.

Wilson did not match Theodore Roosevelt's expertise in foreign policy but he did match his ambition. In Wilson's view, the president was 'at liberty both in law and conscience to be as big a man as he can'. Once Congress had authorised the USA's entry into World War I in 1917 Wilson found himself in a position to mobilise the nation. This made the presidency more powerful than ever before. Yet within three years Wilson was humiliated by the Senate's refusal to ratify the Treaty of Versailles and join Wilson's own brainchild, the League of Nations. Even more significant was the growth of 'isolationism' that followed. Franklin Roosevelt took an internationalist view of foreign policy in the tradition of Wilson, but Congress's response to the rise of the dictators in the 1930s was to pass a series of neutrality acts, resolutions and amendments designed to preserve US isolation, and this stance was firmly backed by public opinion. Roosevelt was buoyed by an unprecedented third election victory in 1940 but had to tell Churchill as late as autumn 1941 that Congress would not sanction a declaration of war.

### **The Impact of Hot and Cold War**

When the USA entered World War II in 1941 there was no long-term tradition of presidential domination of foreign policy. However, the post-1941 period saw successive presidents able to exercise greater control. There was no dispute that the USA was right to enter the war after the unprovoked Japanese attack at Pearl Harbour, and this was a turning point in the role of the president in foreign policy. Roosevelt proved to be a towering war leader, already admired for his presidential record before the war and then pursuing Germany and Japan to unconditional surrender. Congress chose not to object to his arbitrary approach to foreign policy decision-making. Arthur Vandenberg, chairman of the Senate Foreign Relations Committee in 1945, stated that foreign policy was 'the



## John F. Kennedy admitted in 1963 'When you're in the White House, Congress looks like the enemy.'

prerogative of the Chief Executive', in other words the President; such a statement in the 1930s would have been unthinkable.

Once Congress had come to terms with the reality of a 'Cold War' by the late 1940s, Harry Truman and his successors enjoyed bipartisan support in Congress for any strong stance taken by the USA in foreign affairs. Congress might complain, criticise or water down presidential initiatives – the Marshall Plan (a programme of economic aid to Europe) was scaled down to a fraction of its original scope – but outright defiance of Truman's foreign policy wishes hardly occurred. Eisenhower, Kennedy and Johnson enjoyed a similar level of bipartisan support. Kennedy blockaded Cuba and placed the US air force on alert in 1962 without consulting, or receiving any objection from, Congress; and, astonishingly, the 1964 Gulf of Tonkin resolution – allowing Johnson freedom to commit as many US troops as he wished in Vietnam (in response to a North Vietnam attack on a US destroyer in the said gulf) – was passed unanimously in the House of Representatives, and with only two votes against in the Senate. When Professor Clinton Rossiter wrote in 1965 that the presidency combined 'the dignity of a king and the authority of a prime minister in one elective office', and that 'one of the true prides of the American people is that none of their presidents has been a scoundrel or a tyrant', his views would have been far more widely accepted than would be the case today.

### Managing Congress

The key to understanding the growth of presidential dominance of foreign policy after 1941 lies not just in the consensus over foreign policy but also in the tactics used by presidents to manage Congress. A president would usually consult with congressional leaders beforehand to explain and persuade them not to oppose his plans. Truman and Eisenhower both used this tactic to remarkable effect.

Eisenhower was able, in 1955 and 1957, to win the go-ahead to take whatever military action he saw fit in defence of Taiwan and US interests in the Middle East.

Truman, struggling to rouse a Congress unconvinced of cold war and worried by domestic economic problems, repeatedly used dramatic scare tactics to push his policies through Congress. The Truman Doctrine (a mission statement to prevent the spread of communism by whatever means necessary) went through after Truman used

apocalyptic anti-communist rhetoric. For the Marshall Plan, Truman made a personal appearance before the House of Representatives, warning that the plan was not enough on its own and more must be done. Truman was able to use external events to persuade Congress; for example the announcement that the USSR had exploded its first atom bomb in 1949 did wonders to persuade Congress to allocate funds to NATO. He could also use the recognised need to act quickly in foreign policy when intervening in Korea in 1950, advising opposition



**Harry S. Truman (President in 1945-53). He is said to have brought Missouri-style straight talking to the Presidency. 'The buck stops here,' he famously insisted. But should responsibility for foreign policy have been shared with Congress?**



leader Senator Taft that Congress would not be consulted, and then, although publicising Taft's support for the intervention, ignoring the senator's objection to the lack of consultation.

Later, Johnson and Nixon and Reagan were all prepared to effectively lie to Congress, or at least deliberately conceal information, in order to have their way in foreign policy. The 1964 Gulf of Tonkin incident was misrepresented, the 1969 bombing of Cambodia was kept secret (for a while) and later Reagan was fortunate to escape impeachment over the 1986 Iran/Contra affair. These tactics, however, did rely on a degree

**The announcement that the USSR had exploded its first atom bomb in 1949 did wonders to persuade Congress to allocate funds to NATO.**

of trust and approval from Congress, which was not forthcoming in the 1970s or 1990s. Congress's lack of confidence in itself also encouraged presidential control. It suffered its own financial scandals, regretted its support of the anti-communist purges initiated by Senator McCarthy in 1950, and recognised its indecision and lack of specialised knowledge. Even recent examples such as the 1996 Helms-Burton Act, an attempt to strengthen economic sanctions against Cuba, showed Congress running into trouble by passing unenforceable legislation.

### **Bypassing Congress**

All presidents in this era were prepared to bypass Congress altogether whenever they could. The USA has not formally declared war since 1941. A favourite technique was to make 'executive agreements'

instead of treaties. A deal to exchange US destroyers for leases on British bases had been made on this basis in 1940, and the Tehran, Yalta and Potsdam conferences – hardly minor foreign policy matters – had had the same status. An attempt was made by Congress to close this loophole in 1954 when the Bricker Amendment (an attempt to ban executive agreements) was put before the Senate. The vote – 60-31 in favour – was only one vote short of the two-thirds majority needed to change the constitution. Undeterred by this, executive agreements remained a favourite presidential tool until, by 1991, the USA was bound by an estimated 4,000 executive agreements compared to only 1,000 treaties. This again reflected the dominance of the presidency in post-1941 foreign policy.

Another presidential method of bypassing Congress was to surround oneself with individuals and institutions that would carry out one's wishes. Roosevelt had infuriated Congress with his reliance on friends and insiders to decide on policy, while both Kennedy and Nixon also used close aides and had little contact with Congress. In Roosevelt's case, the need to win a major and complex war made his unconstitutional methods more acceptable, while Kennedy wisely appointed Dean Rusk as his Secretary of State, not a close friend but a well-respected establishment figure with strong links to Congress as well as various government agencies. Truman (Acheson), Eisenhower (Dulles) and Reagan (Shultz) all benefited from strong Secretaries of State, all of whom came from careers in law or business, but had the ability to manage Congress. Nixon, by contrast, lost vital communication channels with Congress and paid the price, while Carter, elected as an outsider figure and lacking old friends in Congress, was also unable to dominate foreign policy.

Congress had taken steps as early as 1947 to lock the president into a

more formal approach to foreign policy. The National Security Act set up the National Security Council to advise the President, along with the Department of Defence and the CIA (Central Intelligence Agency). All of these groups, however, were eventually used by the president to strengthen his own power. The Secretary of Defence was a presidential appointee, the NSC became a bureaucratic arm and a more reliable source of presidential advisers than Congress, while the CIA carried out covert operations, acting as a presidential 'secret army' free of restraint by Congress. Revolutions in Iran and Guatemala in 1953 and 1954 were CIA operations. So were the 1961 Bay of Pigs fiasco and the 1986 Iran/Contra affair. A 1975 Congress analysis of the CIA called it 'a rogue elephant', causing unconstitutional mayhem around the world.

### **The Presidency Imperilled?**

The 1970s represented a turning point, with congressional interference in foreign policy to a degree not seen since the 1930s. In 1970, alarmed by the growing disaster in Vietnam, the resulting public opinion backlash and the apparent recklessness of Johnson and Nixon, Congress first repealed its 1964 Gulf of Tonkin Resolution. The president would no longer have a free hand. This was followed in 1973 with the War Powers Act, whereby the President could not commit US troops for longer than 30 days without the approval of Congress. This of course meant that the president *could* commit troops in the first place without approval, and once in it might be difficult to pull them out again; but it symbolised a change in the relationship between Congress and the presidency. After US troops were pulled out of Vietnam, Congress resolved in 1974 not to allow their return. It then ruined a USA/USSR trade treaty by limiting the amount of money the USSR could borrow from the USA. And when the USSR flew Cuban troops into Angola, a clear



By 1991, the USA was bound by an estimated 4,000 executive agreements compared to only 1,000 treaties.

example of war by proxy, Congress refused the Secretary of State's request to intervene with financial aid, the result being a hostile, Cuban-backed MPLA in charge of Angola. Worst of all for the presidency, the 1979 SALT II Pact (a joint agreement with the USSR to slow the nuclear arms race) was rejected by the Senate due to conservative opposition. The 'imperial presidency' was over, and seemed to have been replaced, in the words of Gerald Ford, by an 'imperilled presidency'.

As a consequence, in the 1980s Reagan and Bush had to work with a more independent-minded Congress which forbade financial support to overthrow the Nicaraguan government in 1982. However, this was overturned in 1986, and Reagan's skill in managing Congress deserves scrutiny. For example, he appointed a bipartisan national commission on Strategic Forces in order to persuade Congress to accept at least part of his proposed MX missile programme. His 'grace under fire' after an attempt on his life increased his popularity and won him bipartisan support in Congress. He even deployed troops in Lebanon in 1982 without congressional permission and then negotiated an agreement with Congress to keep them there for 18 months. His successor, George H. W. Bush, was able to win congressional acceptance of his intervention in Panama in 1989 and Iraq in 1991.

A healthier balance of influence seemed to be emerging as the Cold War came to an end. However, Bill Clinton's presidency was more



**Ronald Reagan (President in 1981-89) described the USSR as the 'evil empire' during his first term in office. Perceived Communist threats during the Cold War undoubtedly boosted presidential power.**

troubled. First, a Republican victory in the 1994 mid-term elections led to a hostile Congress: for example, the

president's 1999 nuclear test ban treaty was rejected by the Senate. Then a sex scandal during his second term threatened his impeachment. At the scandal's height in August 1998, *Time* magazine reported that 'US foreign policy ... has been all but abandoned for most of this year.' Even George W. Bush, prior to 9/11, had an uncertain start to his presidency; his 2000 election victory was dubious and he was on the verge of losing majority control over Congress.

### **The President under Scrutiny**

Presidential dominance of foreign policy has also been checked in more subtle ways. Individuals in Congress were able to influence foreign policy through their expertise and attention to detail. In the 1980s Representative James Oberstar was able to influence government decisions relating to Haiti having lived there for several years, while Senator Charles Grassley incited Congress to cut air force funding after discovering that the purchase of a coffee pot had accounted for \$3,000 of the budget! A 'Lone Ranger' approach to diplomacy was also shown by Representative

Jim Wright's meetings with Nicaraguan leaders in 1987. Such contributions affected the details, if not the principles, of US foreign policy.

Lobby groups and business interests also influenced presidential decisions, usually through Congress. In 1950 a 'China lobby' used Congress to threaten an end to military funding in Korea if Taiwan, controlled by Chinese Nationalists, did not also receive US protection. It succeeded.



The 'Israel lobby' has intervened successfully on numerous occasions, a rare exception being in 1991 when Bush argued that aid to Israel would endanger his efforts to form a peaceful alliance of Middle East Arab states. It is harder to prove the influence of business interests, but one example was ITT (a business conglomerate) urging Nixon to intervene in Chile in the early 1970s. Allegations of Halliburton influencing the US decision to invade Iraq, despite its links with the current Vice-President, are of course unproven.

A final constraint on presidential power is public opinion. This was most noticeable in the public protests against the Vietnam war, but even at the height of the 1970 Washington protests Nixon was not forced to change his foreign policy, and Congress supported him. On other occasions a president might attempt to educate or appeal to public opinion over the head of Congress. Truman's public pronouncements in 1947 were designed to mobilise public support as well as Congress, while Reagan went on television in 1984 to appeal for public support for further aid to the Contras in Nicaragua. There is evidence that public opinion will follow a President's lead: for example in November 1990 only 21 per cent of those polled wanted military action against Iraq, but within two days of Bush launching Operation Desert Storm, this had grown to 75 per cent. Television controllers have acted as a constraint on presidential power at times, though, notably over Vietnam, Watergate and the 1980 Iran hostage crisis. These were all blatant presidential failures, however.

The overall theme for the 20<sup>th</sup> century has been, despite scepticism at times, trust for the President in his conduct of foreign affairs. He is a democratically elected leader, and has a capacity for confidentiality and rapid decision in foreign affairs which Congress is simply too large to match. It is significant that any US presidential candidate is expected to be expert in

one field above all others – foreign affairs. Whatever you think of George W. Bush, this final point may rank alongside the impact of 9/11 as an explanation of his election victory in 2004.

The 'imperial presidency' was over, and seemed to have been replaced, in the words of Gerald Ford, by an 'imperilled presidency'.

#### Further Reading

J.P.D. Dunbabin, *The Cold War: The Great Powers and Their Allies* (Longman, 1994)  
 Stephen Graubard, *The Presidents* (Allen Lane, 2004)  
 Fraser J Harbutt, *The Cold War Era* (Blackwell, 2002)  
 Michael Kort, *The Columbia Guide to the Cold War* (Columbia University Press, 1998)  
 Walter Lafeber, *America, Russia and the Cold War 1945-2000* (McGraw-

Hill, 9<sup>th</sup> ed 2002)

Arthur Schlesinger Jnr, *War and the American Presidency* (Norton, 2004)

Robert D. Schulzinger, *US Diplomacy Since 1900* (Oxford University Press, 5<sup>th</sup> ed 2002)

John Spiller, Tim Clancey, Stephen Young and Simon Mosley, *The United States 1763-2001* (Routledge, 2005)

There are numerous excellent websites. Two good starting points are:

[www.whitehouse.gov/history/presidents](http://www.whitehouse.gov/history/presidents) (the official White House site, tends to be uncritical)

[www.cnn.com/SPECIALS/cold.war](http://www.cnn.com/SPECIALS/cold.war) (a companion to the Cold War television series)

#### Issues to Debate

- o What theoretical and what real checks limit a President's conduct of foreign policy?
- o Why have some post-1941 US Presidents been more dominant than others in foreign policy?
- o How valid is Schlesinger's concept of an 'Imperial Presidency'?

**Tim Clancey teaches History and Politics at The Edinburgh Academy. He is co-author of *The United States 1763-2001* (Routledge, 2005).**

#### Checklist on US Presidents

1933-45	Franklin D. Roosevelt
<b>1945-53</b>	<b>Harry S. Truman</b>
1953-61	Dwight D. Eisenhower
<b>1961-63</b>	<b>John F. Kennedy</b>
1963-69	Lyndon B. Johnson
<b>1969-74</b>	<b>Richard M. Nixon</b>
1974-77	Gerald Ford
<b>1977-81</b>	<b>Jimmy Carter</b>
1981-89	Ronald Reagan
<b>1989-93</b>	<b>George W.H. Bush</b>
1993-2001	Bill Clinton
<b>2001-present</b>	<b>George W. Bush</b>

NB: US presidents are elected for a fixed four-year term in the November of each leap year, and officially take up the position the following January. In 1951 a constitutional amendment forbade presidents from serving for more than two four-year terms.

Copyright of History Review is the property of History Today Ltd. and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.