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## THESIS

COALITION WAR AND BURDEN-SHARING:  
THE PRESIDENT VS  
THE CONGRESS

by

James A. Pierce

December, 1991

Thesis Advisor:

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Coalition War and Burden-sharing:  
The President vs  
the Congress

by

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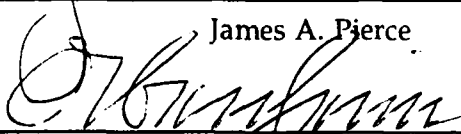
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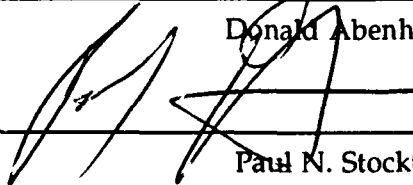


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## ABSTRACT

This thesis examines past U.S. approaches to coalitions and efforts to forge alliances in peace and war in the 20th century. Specifically, it analyses the conflict between the executive and legislative branches with respect to coalition building and burden-sharing. The thesis suggests that the amount of Congressional activism depends upon the perception of an external threat among members of the legislative branch. Likewise, the thesis highlights the tension between Congressional desires to impose the burden upon allies while retaining exclusive control over coalition policy and forces. The thesis concludes with a case study of Operation Desert Storm and burden-sharing. Finally, the author warns of dangerous precedent established by the shift in burden-sharing responsibilities in the recent past between the executive and legislative bodies.



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## I. INTRODUCTION

Dramatic changes in Presidential and Congressional approaches to the knotted issues of coalitions have evolved over the past half century. Once bound by strong isolationist policies, American leaders now attempt to build not only military coalitions for warfare, but also political and economic coalitions for ideological and burden-sharing reasons. American foreign policy, however, gets its direction from two sources. The President, seen by many as the leader of American foreign policy, influences policy in a realistic direction. He is the national leader of the United States, and carries a unity of purpose and influence into office. He can speak and act on the world stage with a global manner, unhindered by local interests and commitments. As such, the President has more embraced *raison d'etat* than has the Congress. Congress, on the other hand, directs foreign policy from a more idealist, even populist perspective. Responsible for the budget and "paying the bills", Congress has obligations as a representative of a state or community. Thus, although Congress must likewise pursue a national policy, it is compelled to support the homefront by bringing dollars and jobs to local citizens. To Congress, all politics are local politics. Sometimes, as in the face of a perceived threat, the

two views converge, and American foreign policy pursues a straight and coherent course. Often, however, the two branches of government clash in their vision of the direction of foreign policy.

In the past, American leaders have abhorred alliances and coalitions. From President Washington's farewell address warning in 1799 of "no entangling alliances" to the establishment of the North Atlantic Treaty Organization (NATO) in 1949, the reluctance to enter into alliances and coalitions had characterized American foreign policy. Yet events following the Second World War marked a substantial change in U.S. foreign policy. The Executive branch, with Legislative branch approval, entered into alliances and coalitions for the reasons of collective security and global stability. For the first time, the United States, under Presidential urging, became entangled in peacetime military alliances with nations overseas.

Most important was the role the U.S. Congress played vis-a-vis the President in directing foreign policy. Congress sees itself as more than merely a "watchdog" of the Executive branch. In the Senate's capacity to "advise and consent" with the president on entering into treaties with other nations, their power to approve or dismiss the treaty is absolute. Congress demonstrated its influence by not only supporting the President in two major wartime coalitions, the First and

Second World Wars, but also in the ensuing peacetime coalitions, such as NATO.

The Congress, however, did not provide a rubber stamp to the Executive branch's actions. As the following chapters suggest, since 1945, the voice of Congress has been significant in deciding and curtailing the Executive's policy. Congress has specifically raised the burden-sharing issue regarding coalitions. Burden-sharing has come to mean the desire to share the costs of manpower and resources dedicated to military coalitions. Therefore, since Congress controls the purse strings of the government, it can use that power effectively to limit the goals of the President.

Nevertheless, Congress by and large is supportive of Executive foreign policy. Why has Congress acceded to Executive desires to enter into alliances? Although Congressional support has varied since the end of World War II and the beginning of U.S. peacetime coalitions, external events have been critically important to that backing. This thesis will suggest that the extent of Congressional support for the coalitions is vitally dependent upon the perceived external threat. For example, when the external threat is perceived high, Congress tends to abide by Presidential decisions. Fear of a Communist invasion of Europe following the 1948 coup in Czechoslovakia spurred Congress to adopt the Vandenberg Resolution, supporting collective security in Europe, and ultimately to adopt the North Atlantic Treaty in

1949. When the external threat has diminished, the Congress takes a more assertive role towards Presidential adventurism. Presidential "imperialism", the stagnating war in Vietnam, and the continuing burden of troops in Europe sparked Congressional activism in the late 1960s under the Mansfield Amendments to cut U.S. troop numbers overseas.

The reasons for Congressional intervention are many. By attacking Presidential power, Congress can hope to increase its own power at the expense of the executive Branch. Likewise, as the keeper of the purse, Congress is concerned with burden-sharing issues. These two factors alone provide impetus enough to challenge presidential foreign policy. Combined, the factors provide the basis for Congressional activism against the degree of U.S. involvement in coalitions.

Furthermore, the American approach to coalition warfare is unique. While Americans traditionally seek other nations to aid in sharing the military risk and burden, American leaders are hesitant to seek "too much" assistance. Having equal partners to share the burden would mean relinquishing control of the coalition's directions. Thus, by always sustaining the heaviest burden and enduring the greatest risk, the United States ensures that it will have the dominant voice in a coalition's foreign policy.

This thesis examines the past U.S. approaches to coalitions and efforts to forge alliances in peace and war, and reflects on the relevance of this record for makers of

U.S. policy of today and tomorrow. America's entry into the Great War in 1917 marked the beginning of that effort to forge alliances. It was the end of a century and a half of isolationism. Yet the United States was the junior partner in the First World War, and dissatisfaction over wartime and postwar settlements left American leaders bitter and apathetic. America retreated back to isolationism.

The lessons of World War I played important roles in America's next great coalition. The U.S. found itself the senior partner in the Second World War, determined to direct alliance policy. The United States shouldered a majority of the burden, and thus decided coalition goals.

America remained an active international player following World War II. External threats-- the Greek Civil War, the Czechoslovakian coup, the Berlin Blockade -- drove Congress to support Presidential actions to establish a peacetime coalition. The Vandenberg Resolution (1948) and NATO exemplified strong Congressional leadership and backing of executive policy. The Korean war likewise provided the impetus for Truman's capstone of alliance policy in sending U.S. troops to Europe. Although Congress, in the Great Debate of 1951, challenged Truman's ability to deploy American troops overseas, its acquiescence signalled agreement with the administration's alliance-oriented policy.

Congressional activism, however, rose during the late s and began to peak by 1966. Strengthened european powers, a

weak dollar, and the continued burden of overseas troops led to the Mansfield Amendments, challenges to executive authority to deploy troops abroad. The decrease in external threats and weakening American economy compelled Congress to confront the President on the burden-sharing issue. Likewise, the Iran Contra affair in the early 1980s demonstrated a coalition gone awry. With no distinct threat, Congress ceased funding of the Contra movement. Covert Administration operations illegally attempted to circumvent the congressional mandate to end the coalition.

Operation Desert Storm represents a shift in the traditional roles of the President and Congress. This time, the President enacted the call for increased burden-sharing, effectively preempting Congress. Simultaneously, Congress demonstrated its increased stature in foreign affairs by challenging both the executive branch and overseas governments on burden-sharing and coalition guidance.

The tension between the executive and legislative branches is inherent to American government. Each branch jealously guards its power base, and challenges the other to maintain that power. In coalition and alliance policy, burden-sharing is the venue for such challenges.

Congressional and Presidential confrontation is an important aspect of American foreign policy. Both branches have a strong desire to decide the direction of U.S. policy, and the influence both branches have upon the other is the

largest factor in the unsteady course of American coalitions.  
By examining the above cases of the struggle to build American  
coalitions, one better understand today's current events as  
well as decide the events of tomorrow.

## II. EARLY COALITIONS

### A. WORLD WAR ONE

Prior to 1917, national leaders and the public alike abhorred the idea of coalition war. Nothing outside of America's borders seemed threatening enough to risk involvement in European alliances or wars. In fact, short of the alliance with France during the American Revolutionary War, American leaders prided themselves on their ability not to involve the United States in "messy" European affairs.

World War One changed American thinking. America's entry into the Great War in 1917 marked the end of a century and a half of non-participation in "entangling alliances". By deciding to take part in coalition war, many in the United States saw it as a way to prevent having to enter such wartime coalitions in the future. By acting decisively to defeat the Central Powers in "the War to end all Wars", optimists in the United States hoped to establish a New World Order of stability and peace.

The United States was the junior partner in its first coalition. Yet the allies, Britain and France, recognized the importance of cooperating with the United States for both the successful completion of the war and the securing of the peace afterwards. The Europeans could not help but acknowledge the

influence that a young and powerful America could wield on the international scene. Also, President Wilson entered the war with idealistic dreams and visions. In a choice between totalitarian Germany and a free Britain and France, the United States was making the world safe for democracy. The war, in fact, emerged as the vehicle for establishing the peaceful civilization of which Wilson dreamed.<sup>1</sup> Wilson's Fourteen Points would be the basis for World peace and stability. Furthermore, he hoped, the League of Nations would deter further war since the might of all nations would act against any aggressor.

President Wilson, however, did not include Congress in his negotiations and dreams; the League of Nations failed ratification of the Senate. Leaders in the Senate, such as Henry Cabot Lodge (R-MA), saw entry into any international agreements as detrimental to U.S. national interest.<sup>2</sup> In fact, disillusionment in 1919 over the postwar settlement ran rampant. Conservative Republicans, led by Lodge, rebelled against Wilson's League. Lodge was willing to support the Treaty, provided certain amendments were made that did not automatically drag the U.S. into conflict. Meanwhile, with Lodge acting as a moderator, fiery isolationists, led by

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<sup>1</sup> Eliot Asinof, 1919: America's Loss of Innocence (New York: Donald I. Fine, Inc., 1990), p. 83.

<sup>2</sup> Norman A. Graebner, America as a World Power: A Realist Appraisal from Wilson to Reagan (Wilmington, DE: Scholarly resources Inc., 1984), p. xix.

Senators William E. Borah (R-ID) and Hiram Johnson (R-CA) saw their opportunity to crush the League Treaty. They toured the 48 states, speaking vehemently against Wilson's League. Termed the "Irreconcilables", the Senators set out to battle a President at the peak of his power.<sup>3</sup>

America was not ready for a peacetime alliance, and the Senate sensed that. Allied domination of the war and postwar leadership irritated Congressional leaders. Moreover, as the junior member of the coalition, the United States was not privy to many of the secret negotiations between Britain and France for the postwar settlement. Congress resented being left out of the greater peace settlement. Finally, the democratic ideals and goals of which Wilson spoke when taking the nation to war failed to materialize after the war. To many, involvement in the Great War had been of no benefit to the United States. The Senate reflected popular opinion in rejecting the Versailles Treaty.

America retreated into isolationism. To the Congress, no real threat loomed on the horizon. The absence of any external threat solidified their belief not to act internationally. Wilson had offered the Congress only two choices: avid internationalism or its antithesis in isolationism. Furthermore, as the junior partner, the U.S. was unable to substantially influence the other members of the alliance.

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<sup>3</sup> Selig Adler, Uncertain Giant (New York: Macmillan Company, 1965), p. 11.

Although unrivaled in power, the United States did not make that power felt among the European nations. The general bitterness and antipathy towards coalitions fueled an America to turn inward.

## **B. WORLD WAR TWO**

The reluctance to enter alliances and the bitterness following the First World war played important roles in America's next great coalition. Prior to U.S. involvement in World War II, President Roosevelt recognized the part America must play in any future conflict, and specifically in the one evolving in Europe and the Pacific. For some of the same reasons (democracy, free trade) as Wilson, Roosevelt provided aid to the allies through a series of ingenious aid packages.

Linkage to the allies was not easy, especially with an isolationist Congress and reluctant public. For example, in the summer of 1939, Senator Key Pittman (D-NV), an advocate for the Roosevelt Administration, tried to modify the neutrality acts by extending the cash-and-carry policy past a May 1, 1939 deadline. Isolationists in the Congress had pitted their policy to the neutrality acts; they vowed to maintain a policy of "enforced neutrality". Opposition to Pittman's proposal was so strong that Pittman could not bring the

resolution out of committee. The House proved no better friend to Roosevelt.<sup>4</sup>

By now, however, Roosevelt and Congress recognized the weight that America carried on the international scene. No longer a junior member, American military and economic might dictated that the United States be more than just an equal in any coalition they entered. Months before the attack on Pearl Harbor, Roosevelt and Churchill signed the Atlantic Charter. Although Anglo-American in its principles, it was an American idea. The Charter linked the United States to the British, and envisioned the triumph of democracy and self determination in the postwar world. Most important, it dictated the emergence of the United States as an active international player.<sup>5</sup>

Once involved in the War, the United States took the lead in the coalition. Although the allies, especially Great Britain, still possessed a significant voice in the wartime decisions, the U.S., as the strongest nation economically and militarily, dictated the direction that the coalition would take. America, shouldering the majority of the burden, could decide coalition goals.

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<sup>4</sup> Graebner, p. 57. Pittman's measure was finally rejected on July 11. Roosevelt bitterly stated that "the administration should 'introduce a bill for statues of [Senators] Austin, Vandenberg, Lodge, and Taft...to be erected in Berlin and put the swastika on them.'"

<sup>5</sup> Adler, p. 258. The Charter was to "join the Fourteen Points on the scrap heap of forgotten pledges," but it did signal a presidential conclusion that eventually the United States would have to enter the war.

Following the war, only the United States was in a position economically and militarily to take the lead on the international scene. And, luckily enough for the administration, a new threat -- Communism-- had emerged against which to focus America's might. Roosevelt had promised two days after the Pearl Harbor attack that "we are going to win the war and we are going to win the peace that follows." By being the dominant member of the Alliance, Roosevelt, unlike Wilson, could ensure that postwar settlements were in the U.S. national interests.<sup>6</sup>

#### **C. NATO-- PEACETIME COALITION**

America emerged more than ever the dominant power following the Second World War. As after World War I, only the United States was unscathed from the aftermath of the war. Determined to take positive steps to prevent another world war, both the President and Congress acted to establish European recovery and security under U.S. auspices. The ultimate result was a peacetime military coalition-- the North Atlantic Treaty Organization (NATO).

On April 4, 1949, Secretary of State Dean Acheson signed the North Atlantic Treaty, the first peacetime military

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<sup>6</sup> Wilson, in fact, never acted on behalf of U.S. national interest. Instead, Wilson acted for greater mankind and other lofty goals. Roosevelt's realism and dedication to advancing U.S. national interests, while simultaneously advancing lofty humanitarian ones, helped to coopt Congress and the American people.

alliance entered into by the United States. It was the culmination of Truman's foreign policy towards Europe. NATO, a collective defense organization, combined with the Marshall Plan for European economic recovery, and the Military Assistance Plan, for military restoration, was one of the legs in Truman's triad to combat communist aggression in Europe.

Entrance into an "entangling alliance" was not an overwhelmingly popular move. Resistance in the Senate, led by hardline Republicans such as Robert A. Taft (R-OH), reflected popular concerns of American involvement in Europe's problems.<sup>7</sup> Communism and the Soviet Union provided the necessary enemy to overcome popular reluctance to alliances and a desire for a return to isolationism.

NATO found its roots in early 1948 in the Brussels Treaty, a collective security pact between Britain, France, Belgium, Netherlands, and Luxembourg. At the same time that the Brussels signatories were aligning themselves, Truman was placing his European Recovery Programs before Congress. External events provided a blessing to the administration: on February 25, 1948, Czechoslovakia fell under a coup to Communist dictatorship. Communist aggression, combined with the support of key bipartisan senators, ensured the approval in Congress of the European Recovery Programs (the Marshall Plan). Senator Arthur Vandenberg (R-MI), Chairman of the

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<sup>7</sup> Phil Williams, The Senate and U.S. Troops in Europe (New York: St. Martin's Press, 1985), p. 11.

Senate Committee on Foreign Relations, was a key reason behind passage of many of Truman's plans. He recognized the importance of a strong and healthy Europe, and in bi-partisan negotiations with his Democratic counterpart Senator Tom Connally (D-TX), skillfully steered ambitious foreign policy matters through the Senate.

British Foreign Secretary Ernest Bevin mentioned the Brussels negotiations to Secretary of State Marshall in early 1948. Marshall then sent Undersecretary of State Robert Lovett to the Senate for "exploratory" conversations with Vandenberg and Connally.<sup>8</sup> The product of the talks was Senate Resolution 239, the Vandenberg Resolution. Approved by the Senate on June 11, 1948, the Vandenberg Resolution recognized that Europe, still recovering from the devastation of the War, was unable to stand against the Communists alone. As such, the resolution urged the United States to develop self defense coalitions "with such regional and other collective arrangements as are based on continuous and effective self-help and mutual aid."<sup>9</sup>

Vandenberg was able to push through the resolution urging "mutual-aid" for many reasons. First, it highlighted the important role of the Senate in treaty and coalition building.

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<sup>8</sup> Colin Gordon, "NATO and Larger European States" in NATO after Thirty Years, ed. Lawrence S. Kaplan and Robert W. Clawson (Wilmington, DE: Scholarly Resources Inc., 1981), p. 60.

<sup>9</sup> U.S., Congress, Senate, Congressional Record, 80th Cong., 2d sess., June 11, 1948, p. 7791.

President Truman was unable to launch into a mutual defense pact without first sending Marshall to consult with Congress. Second, Vandenberg, Connally, and the Administration employed a true bi-partisan approach to the problem, thus increasing the possibility of passage from both parties in the Senate. Finally, Vandenberg's resolution was only a "small" step towards a defensive coalition. The Administration had approached Vandenberg in 1948 to obtain his support for a treaty with Western Europe; Vandenberg warned the Administration about moving too fast.<sup>10</sup> Thus, as Phil Williams observes, the Senate Resolution "may have paved the way for a security treaty with Western Europe 1949, but it was also a substitute for such a treaty in 1948".<sup>11</sup>

The Vandenberg Resolution was enough to nurture the idea of an association between the United States and the signatories of the Brussels Treaty. Yet the Vandenberg Resolution was far from an alliance with Europe. The Administration, recognizing the influence of isolationists in both the Congress and the public, needed a catalyst to drive the United States into a peacetime alliance. Again, Soviet actions provided impetus. In the summer of 1948, the Soviets blockaded Berlin, cutting the city off from Western nations

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<sup>10</sup> Lawrence S. Kaplan, A Community of Interests: NATO and the Military Assistance Program, 1948-1951 (Washington, DC: U.S. Government Printing Office, 1980), p. 19.

<sup>11</sup> Williams, p. 12.

and supplies. At the height of the Crisis, the State Department initiated talks with the Brussels Pact Powers.<sup>12</sup>

Undersecretary Lovett met with his European counterparts in Washington to discuss a peacetime coalition. The European view was that although the Marshall Plan had helped the Europeans substantially, "the constant threat of unpredictable Soviet moves resulted in an atmosphere of insecurity and fear among the peoples of Western Europe."<sup>13</sup> The U.S. would have to join in a security pact to dispel the fears that the Soviet Army could overrun the continent.

The Brussels Pact nations then raised the most controversial element of the proposed Treaty. They wanted the pact to state that "if a member was attacked, the other members would supply all the military and other aid and assistance in their power."<sup>14</sup> This was the entangling alliance that Congress feared. Canada proposed a compromise, suggesting that in case of attack on one member, it was to be seen as an attack on all members. Thus, the national right of each country was not infringed upon. The Canadian proposal

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<sup>12</sup> Harry S. Truman, Memoirs: Years of Trial and Hope (Garden City, NJ: Doubleday and Co., 1956), p. 247.

<sup>13</sup> Ibid., p. 248.

<sup>14</sup> Ibid., p. 249.

provided an escape for the U.S. Congress; the compromise became Article V of the Treaty.<sup>15</sup>

Unlike Wilson's debacle with the League Treaty, the Truman Administration recognized the importance of working carefully with Congress over the proposed Treaty. Of all the "entangling" dilemmas, Congress saw three primary issues in the Treaty: the possibility of U.S. troops deployed to Europe, the substance of a European-American Treaty, and the requirement for European self-help.<sup>16</sup> Truman obviously wanted the Treaty passed, but feared that to place it before the Senate as a *fait accompli* would destine it to a death like the League of Nations. Newly appointed Secretary of State Dean Acheson was given the formidable task of presenting and pushing the Treaty through the Senate.

Acheson's first goal was to win over Senators Vandenberg and Connally. The Administration realized that consultation with the Senate on the North Atlantic Pact was a prerequisite

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<sup>15</sup> Article V of the Treaty states: "The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such an attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area." From "North Atlantic Treaty", quoted in NATO and the Policy of Containment, ed. Lawrence S. Kaplan (Lexington, MA: D.C. Heath and Company, 1968), p. 13.

<sup>16</sup> Williams, p. 13.

for its later "consent". The Secretary of State met with the Committee on Foreign Relations to work out differences.<sup>17</sup> After numerous changes to the working of the articles, particularly to the "constitutional processes" of Article V, the Treaty was ready for public hearings.

The factors in obtaining Senate support of the Administration's goals were many. First, as mentioned above, inclusion of the Senate in the negotiation and revision of the Treaty built support for passage. Second, many Senators, such as Vandenberg and Connally, simply saw it as logical action upon the Vandenberg Resolution. Third, proponents of the Treaty saw it as providing a serious deterrent to the Soviets.<sup>18</sup>

A North Atlantic Alliance still embodied an "entangling" problem for Congressmen; ratification was not a foregone conclusion. The fears of Congress in enacting an alliance

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<sup>17</sup> H. Bradford Waterfield, Foreign Policy and Party Politics: Pearl Harbor to Korea (New York: Octagon Books, 1972), p. 331. Vandenberg and Connally were consulted almost daily until the draft was finished.

<sup>18</sup> Peter Foote, "America and the Origins of the Atlantic Alliance: A Reappraisal," in The Origins of NATO, ed. Joseph Smith (Exeter: University of Exeter Press, 1990), p. 82. Vandenberg stated that the treaty was "notification to Mr. Stalin which puts him in exactly the contrary position to that which Mr. Hitler was in, because Mr. Hitler saw us with a Neutrality Act. Mr. Stalin sees us with a pact of cooperative action." See The Vandenberg Resolution and the North Atlantic Treaty: Meetings Held in Executive Session before the Committee on Foreign relations, United States Senate, Eightieth Congress, second session on S. Res 239, Historical Series (Washington, DC: Government Printing Office, 1973), p. 158.

treaty were put to the test. On the one hand, the North Atlantic Treaty seemed to fulfill Senate desires to have Europe begin its own self-help program. With the North Atlantic Pact as a logical extension of the Marshall Plan, eventually the European nations would be able to economically and militarily defend themselves. Most important, however, was the Senate belief that the defense pact (like the Marshall Plan) involved U.S. aid in material only. According to testimony, no ground troops were to be sent to Europe. In Committee Hearings for the North Atlantic Treaty, Senator Bourke Hickenlooper (R-IA) summed up Congressional feeling:

HICKENLOOPER: I am interested in getting the answers as to whether or not we are expected to supply substantial numbers- by that I do not mean a thousand or two, or 500, or anything of that kind, but very substantial numbers- of troops and troop organizations, of American troops, to supplement the land power of Western Europe to aggression.....Are we going to be expected to send substantial number of troops over there as a more or less permanent contribution to the development of these countries' capacity to resist?

Acheson: The answer to that question, Senator is a clear and absolute "no".<sup>19</sup>

Finally, Congress was assured that the Treaty in no way infringed upon the national sovereignty of the United States. Truman had instructed the negotiators from the beginning to reword Article V so as not to drag the U.S. automatically into war.<sup>20</sup> Furthermore, the Committee on Foreign Relations report

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<sup>19</sup> The Vandenberg Resolution and the North Atlantic Treaty, p. 99.

<sup>20</sup> Truman, p. 249.

asserted that the Treaty in no way impaired the rights of the Congress. The Treaty did not affect the constitutional power of either the Executive or Legislative branches, nor did it change the relationship between them.<sup>21</sup>

A number of conservative Republicans were still uneasy about the Treaty. Senator Taft warned that by signing the Treaty, "we put ourselves at the mercy of the foreign policies of other nations, and do so for a period of 20 years."<sup>22</sup> Nevertheless, the North Atlantic Treaty was approved July 21, 1949, by a vote of 82 to 13. On July 25, 1949, President Truman signed the Treaty Ratification. By August 24, 1949, ratification from enough of the member states had been made to bring the treaty into effect. NATO became a reality.<sup>23</sup>

The peacetime coalition built was a product of the Cold War and Red Threat, presidential reaction to that threat, and Congressional temperance to Presidential adventurism. Yet coalition building between the executive and legislative branch ensured that the coalition among the Atlantic nations would be a success. The sticking point would come with the burden-sharing and troop issue.

Furthermore, the Alliance continued the American presence in a leadership role in Europe following the Second World War.

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<sup>21</sup> Williams, p. 63. See also The Vandenberg Resolution and the North Atlantic Treaty, pp. 357-387.

<sup>22</sup> Congressional Record, July 11, 1949, p. 9205.

<sup>23</sup> Truman, p. 251.

The Vandenberg Resolution and the North Atlantic Alliance were logical extensions of commitments the United States had made to Europe in World War II. Linkage to Europe meant that the U.S. could continue to enhance stability worldwide. Congress and the President shared a desire to not only influence world events, but to ensure that the United States possessed the dominant role.

#### **D. MILITARY ASSISTANCE PROGRAM**

In order to fulfill Congressional desires for European self help and to ensure a dominant American voice in a formidable military alliance, the Truman Administration had one more foreign policy objective. Flushed with the success of the Marshall Plan and NATO, President Truman's next step was to propose the Military Assistance Program (MAP). As mentioned above, MAP was the third leg in Truman's grand scheme to provide economic aid, U.S. defensive assurances and guarantees, and military aid for Europe's recovery.

All the members of the alliance suspected that the success of NATO was linked to military assistance. On the same day (July 23, 1949) that President Truman signed the North Atlantic Treaty, he proposed the Military Assistance Program to Congress. According to Truman, only through the "program of military assistance now proposed" could a "tangible assurance

of our purpose"<sup>24</sup> prove to the soviets the degree of American resolve.

This time, however, Truman made a tactical mistake; he left Congress out of the consultations. MAP was a crucial element of Truman's grand plan. By disregarding Congress in the formulation of the idea, Truman was at the mercy of Congress not only for approval of the plan, but also for the amount of money appropriated for the Military Assistance Program. Even traditional supporters of Truman's foreign policy were upset. Senator Vandenberg "was appalled and angered by the disregard for liaison procedures that had been so essential to the creation of bipartisan support for previous undertakings."<sup>25</sup> Chairman Connally expressed the "burden-sharing" concerns of the Congress:

What I have been fearing about this whole program...is that most of those countries in Europe are just going to sit down and fold their hands and say "well, the United States is going to arm us. The United States is going to protect us...The American people are not favorable to our just saying "all right, now, you just go ahead, we will take care of you. We will furnish you food, lineament, and money and arms, and men if necessary." The next call we are going to have will be for men. They are going to want men, soldiers.<sup>26</sup>

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<sup>24</sup> Robert Endicott Osgood, NATO: The Entangling Alliance (Chicago: University of Chicago Press, 1962), p. 42.

<sup>25</sup> Williams, p. 27.

<sup>26</sup> The Vandenberg Resolution and the North Atlantic Treaty, p. 237.

The Administration tried to dismiss the troops issue. Instead, they attempted to sell the Military Assistance Program by mirroring the arguments behind the Marshall Plan. Only by American assistance could the Europeans become self sufficient in the defense realm. Thus, they argued, in order to lower American defense spending in the future, military aid to Europe must increase now.

Moreover, State Department officials, in an effort to soothe Congressional ire, tried to downplay the scope of the Military Assistance Program. Administration witnesses attempted to alleviate the fears of Connally and others that America would end up carrying an inordinate share of the burden.<sup>27</sup> Instead, officials played up the idea that MAP was merely an extension of European self-help, a notion embraced by Vandenberg and other Senators in the North Atlantic Treaty hearings. Furthermore, the Administration stressed that the Europeans would spend six dollars for every one dollar the Americans granted in military aid.<sup>28</sup>

Members of Congress were not without their doubts. Senator Vandenberg was instrumental in cutting back the amount of requested aid, and as well as in persuading fellow senators to be skeptical of the Military Assistance Program. Vandenberg was worried that MAP gave the President "virtually unlimited

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<sup>27</sup> Kaplan, A Community of Interests, p. 40. Kaplan refers to it as a raid on the American Treasury.

<sup>28</sup> Williams, p. 31.

power to give aid wherever he deemed appropriate".<sup>29</sup> Vandenberg, however, did see some merit in the program. It provided a deterrent value and did fulfill the goals of the Administration. Again, however, it was the Soviets who provided the Administration with the push it needed. On September 22, 1949, President Truman announced that the Soviets had detonated an atomic bomb. Six days later, Congress approved the appropriations for NATO.<sup>30</sup>

#### **E. KOREA**

The North Atlantic Treaty, MAP, and the Marshall Plan all envisioned a rebuilt and rearmed West Europe that would be able to withstand a Soviet invasion. None of the programs, however, brought about the rapid rearmament of Western Europe. In early 1950, Truman directed a study in light of the loss of China, Soviet advances in Europe, and the detonation of the Soviet nuclear weapon. In April, the National Security Council released its policy paper number 68. NSC 68, written by Paul Nitze, became the justification and rationale behind the Administration's strategy to wage the Cold War.

NSC 68 was the logical application of the Truman Doctrine. It was global in scope, and, as Russell E. Weigley notes,

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<sup>29</sup> A. H. Vandenberg, Jr., ed., The Private Papers of Senator Vandenberg (Boston: Houghton Mifflin, 1952), p. 504.

<sup>30</sup> Steven E. Ambrose, Rise To Globalism: American Foreign Policy, 1938-1980 (Harrisburg, VA: George Banta Co., 1980), p. 158.

NSC 68 suggested a danger of limited war, of Communist military adventures disguised not to annihilate the West but merely to expand the periphery of the Communist domains, limited enough that an American riposte of atomic annihilation would be disproportionate in both morality and expectancy.<sup>31</sup>

NSC 68 urged "an immediate and large scale build up in (U.S.) military and general strength and that of (U.S.) allies with the intention of righting the balance of power" and thus preventing any Russian expansion.<sup>32</sup> The policy advocated by NSC 68 was expensive (up to 35 billion dollars a year to rearm Europe and the U.S.)<sup>33</sup> and the urgency of the message was lost on Europeans and Americans alike. Congress was not willing to support the high expenditures envisioned by the Administration and NSC 68. The North Korean attack upon South Korea changed that attitude.

On June 25, 1950, North Korean troops poured across the 38th parallel, sending South Korean forces reeling in defeat. By the end of the day, the United Nations Security Council gave the U.S. its support for any military intervention in Korea. On June 26, 1950, the President made the Truman Doctrine a global commitment, announcing that further

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<sup>31</sup> Russell F. Weigley, The American Way of War (Bloomington, ID: Indiana University Press, 1973), p. 382.

<sup>32</sup> Ambrose, p. 164.

<sup>33</sup> Ibid., p. 165.

communist aggression in Asia would invoke a U.S. military response.<sup>34</sup>

On June 27, Truman met with fourteen members of Congress, spelling out his objectives in the Korean conflict. Senator Connally and Representative John Kee (D-WV) made some suggestions about the wording of the U.N. resolution, but "apparently expressed no demand to participate more extensively in determining U.S. policy with respect to the Korean incident."<sup>35</sup>

By June 30, President Truman had decided to send U.S. troops to Korea. That same day, the President met with fifteen Congressional leaders to inform them of his actions. Senator Kenneth Wherry (R-NE) was angry with Truman for not meeting with Congress prior to his decision. Yet Representative Dewey Short (R-MO), ranking Republican of the House Armed services Committee (HASC), "cut him off with an endorsement of the President's action."<sup>36</sup> The Congressmen were handed a *fait accompli* of the President's actions. Due to the nature of the crisis, they felt they had to support the deployment of troops to Korea.

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<sup>34</sup> Ibid., p. 171.

<sup>35</sup> James A. Robinson, Congress and Foreign Policy-Making: A Study in Legislative Influence and Initiative (Homewood, IL: The Dewey Press, 1962), p. 49.

<sup>36</sup> Ibid.

## F. COALITION WAR IN KOREA

Following Truman's decision to send troops to the Korean Conflict, the United States was poorly prepared to fight. The troops closest and first sent to the war were Occupation troops from Japan. The first three divisions sent to Korea were inadequately trained and badly understrength.<sup>37</sup> Two of the divisions had only six (instead of nine) battalions of infantry. The equipment was World War II vintage, badly worn and in poor shape. The South Korean Army that the American troops were to reinforce were likewise profoundly demoralized from the disastrous retreat. The combined forces were no match for the advancing North Korean Army. Allied forces ultimately held a perimeter in the South until U.S. reinforcements could arrive. By mid-September, following reinforcement and an amphibious landing at Inchon, the tide of the war turned. The North Koreans retreated rapidly in the face of an allied onslaught.

Truman's approach to coalition warfare was typically American. First, Truman sought (and obtained) a United Nations resolution condemning the North Korean attack. The resolution tied the U.N. to any action the United States might take.<sup>38</sup> The American rush to obtain U.N. backing proves three points. First, in international conflict, the United States strives

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<sup>37</sup> F.A. Godfrey, "Crisis in Korea," in War in Peace, ed. Sir Robert Thompson (New York: Harmony Press, 1981), p. 50.

<sup>38</sup> Ambrose, p. 171.

for world acceptance of U.S. actions. Whether for moral or political reasons, the United States seeks world approval of its actions. Second, the U.N. resolution provided world assistance in terms of financial and manpower support for the ongoing conflict. From a burden-sharing point of view, the U.N. resolution was vital for U.S. interventionists. Finally, and critically linked to the second point, by obtaining support from a bureaucratic body like the U.N., Truman could more readily enlist Congressional support for his policy. In other words, by demonstrating United Nations' approval of actions and willingness to share the burdens and risks, Truman could better "sell" his decisions and policies to Congress.

Also true to U.S. style, despite promised U.N. involvement, the United States provided the bulk of equipment and non-Korean fighting men in the war. Fifty-three of the fifty-nine members of the U.N. approved of the 27 June resolution. Of those, forty states offered help, but only fifteen (apart from the United States) provided military forces to Korea.<sup>39</sup> The United Nations troops amounted to a token force of 44,000 men (compared to over 300,000 U.S. troops during the peak of the war).<sup>40</sup> As a result, the United

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<sup>39</sup> War in Peace, p. 52. Another 5 nations sent medical forces.

<sup>40</sup> Ibid. The British Commonwealth provided the largest amount of ground forces in the United Nations force. Australia provided two infantry battalions and one fighter squadron; Canada provided an infantry brigade and a squadron of transport aircraft; Great Britain, two infantry brigades, one

States, in providing the mass of equipment and troops, took command of all forces in Korea. As long as the United States suffered the majority of the risks, the U.S. would retain command of coalition forces in the conflict.

Armistice talks began June 1951 after fighting settled down to a stalemate on the 38th parallel. When newly elected President Eisenhower threatened to end the war by "whatever means possible", the armistice was finally signed. On July 27, 1953, the Korean War ended.<sup>41</sup> The United States had suffered 34,000 deaths with 105,000 more wounded. South Korea lost over 50,000 men. The North Koreans lost roughly 500,000; The Chinese approximately 900,000.<sup>42</sup>

#### **G. CONSEQUENCES OF KOREA**

The outbreak of the Korean War was enough to convince Congress of the need for a massive rearmament program. In

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armored regiment, artillery regiments, and two squadrons of fighter aircraft; and New Zealand, one artillery regiment. All but New Zealand also provided naval forces. Belgium, Columbia, Ethiopia, France, Greece, Holland, Philippines, and Thailand each sent approximately one infantry battalion. Turkey sent an infantry brigade; South Africa, a fighter squadron; and Luxembourg, one infantry company. Also, Denmark, India, Italy, Norway, and Sweden sent medical forces and aid to South Korea. The token size of the coalition forces in relation to the size of the American forces closely mirrors the levels of the Persian Gulf War of 1990-1991.

<sup>41</sup> Godfrey, p. 43.

<sup>42</sup> Ibid., p. 60.

1950, the United States was ill prepared to fight a conventional war; the North Atlantic allies were in even worse shape. The Korean conflict vindicated the arms buildup envisioned in NSC 68. By August 1950, Congress authorized an additional three and a half billion dollars in European aid.<sup>43</sup> Congress approved of Truman's plan to contain the Communist threat on a global scale.

More important was the realization that containment would require more than material and money alone. President Truman and the Defense Department wanted to send American troops to Europe as a deterrent to the Soviets. On September 9, Truman announced that the buildup in armed forces would include "sending substantial numbers" of American troops to Europe.<sup>44</sup> Three days later, the President proposed the creation of ten German divisions to assist in carrying out the containment policy. Although the French and British protested, Acheson insisted and ultimately prevailed. The French accepted German rearmament on the condition that the Americans commit ground forces to Germany.<sup>45</sup> Thus, the Korean war precipitated the evolution of NATO from an assistance oriented organization to a cohesive, interdependent military alliance. The war was the

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<sup>43</sup> Williams, p. 36.

<sup>44</sup> Ambrose, p. 175.

<sup>45</sup> Williams, p. 38.

catalyst behind NATO's transformation into a coalition under U.S. dominance.<sup>46</sup>

Finally, the Korean War was the capstone of Truman's foreign policy. In six years, Truman had succeeded in convincing a traditionally isolationist Congress to support a nation on Cold War footing. Truman's accomplishments were many: the Truman doctrine, Marshall Plan, Military Assistance Program, NATO, six U.S. divisions sent to Europe, German rearmament, and an American commitment to stop Soviet (Communist) aggression. Steven Ambrose summed up the American role in burden-sharing and commitment to containment: Truman had learned

"not to push beyond the iron and bamboo curtains, but he made sure that if any communist showed his head on the free side of the line, someone-- usually an American-- would be there to shoot him."<sup>47</sup>

Truman's containment policy was rolling-- the only task left was to sell the program to Congress.

#### **H. THE GREAT DEBATE**

Selling the program to Congress would prove to be no easy chore. Truman's decision to send troops to Europe sparked a

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<sup>46</sup> David Calleo, The Atlantic Fantasy: The U.S., NATO, and Europe (Baltimore: The Johns Hopkins Press, 1970), p. 25. Calleo, emphasizing Washington's role as the leader of NATO, adds that the "Supreme Allied Commander has never been the first servant of the [NATO] Council, but the viceroy of the American president" (p. 27).

<sup>47</sup> Ambrose, p. 180.

controversy in the Congress. The issues, among other things, were envisioned "entangling alliances", burden-sharing in Europe, and the role of Congress in foreign policy. Already President Truman had dispatched troops to an undeclared war in Korea; the commitment of American forces to the NATO alliance was seen by many in Congress as a direct challenge to their constitutional authority. Thus, from January through March of 1951, Congress was caught up in the debate over the above issues.

The Great Debate began, according to Secretary of State Acheson, during a joint session of the Foreign Affairs Committees on December 22, 1951. Acheson was to report on his latest trip to Brussels, and "all was affability" between the Secretary and "his guardian committees".<sup>48</sup> Although the meeting went well, Acheson felt obliged to speak later that afternoon of American commitments abroad.

Earlier that month, the former American Ambassador to Great Britain, Joseph P. Kennedy, had denounced American foreign policy.<sup>49</sup> The real challenge, however, was made by former President Herbert Hoover. On December 20, Hoover lambasted the "containment" theory and heavy U.S. involvement

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<sup>48</sup> Dean Acheson, Present at the Creation: My Years in the State Department (New York: W.W. Norton and Company, Inc., 1969), p. 488.

<sup>49</sup> Ibid. Kennedy called U.S. foreign policy "suicidal" and "morally bankrupt", denounced American allies, and demanded withdrawal from all overseas bases. See also Kaplan, A Community of Interest, p. 151.

overseas. While he did not advocate a complete withdrawal to Fortress America, he did suggest the United States leave the European continent and provide the Allies with material assistance alone.<sup>50</sup> Hoover's final "principle"-- that the prime obligation to defend Europe should rest with the nations of Europe-- found many eager supporters in Congress.

Acheson's rebuttal on the evening of December 22 called for American resolve "to build our strength side by side with our allies, calling upon the entire free world to maintain its freedom"<sup>51</sup> Acheson rightfully supported his Administration's goals and accomplishments to date. The Great Debate would decisively challenge the Executive Branch's power to accomplish further goals in coalition building and foreign policy.

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<sup>50</sup> Kaplan, A Community of Interests, p. 149. Hoover's Comments were not new; he had originally suggested them two months earlier in a speech on October 20, 1950. His December speech summed up both American and Soviet strengths in manpower and military power. Hoover reached four conclusions: U.S. ground forces could not win a conventional war; American sea and air power could hold the Western Hemisphere; The A-bomb had lost importance; and U.N. forces had been defeated in Korea, leaving the U.S. economically shattered. Hoover therefore suggested seven "principles" for the U.S.: First, preserve the Western Hemisphere as a Western Gibraltar; Second, build air/sea power on the island periphery of Europe; Third, arm air/sea power to the teeth; Fourth, after a short intense buildup, reduce expenditures, and balance the budget; Fifth, aid the hungry of the world; Sixth, no appeasement; Seventh, let the Europeans defend Europe. See Norman A. Graebner, ed., Ideas and Diplomacy: Readings in the Intellectual Tradition of American Foreign Policy (New York: Oxford University Press, 1964), pp. 742-745.

<sup>51</sup> Acheson, Present at the Creation, p. 490.

The debate on the floor of the Congress began appropriately enough with a speech by the Senate's chief isolationist, Robert Taft. Inspired by Hoover's speech, Taft argued on January 5, 1951, against military assistance and the dispatch of troops to Europe. More important, claimed Taft, would be the increase in Presidential powers that such a deployment of forces would have.<sup>52</sup>

Taft, like Hoover, did not believe that the United States should totally abandon Europe as the fight against Communism. Instead, U.S. interests lay in material assistance and aligning the United States with the "island nations" on the periphery of Europe. He also acknowledged the need for a permanent land army, just not one on the scale that the Administration envisioned.

Taft's isolationist thoughts struck a sympathetic chord among fellow Senators. As keepers of the purse, alignment with the island nations would be less burdening than to commit forces to a large standing army on the Continent. Second, Taft charged that the Truman Administration's desire to create a standing army of three million men would drive the country into economic ruin. Most important, Taft feared an increase in Truman's power. The President had already gained vast power (at the expense of Congress) by sounding the alarm of the encroaching Communist threat. Taft worried that by allowing

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<sup>52</sup> Kaplan, A Community of Interests, p. 151.

Truman to continue his foreign policy unchecked, Congressional influence would be further diminished.

Taft's objections to Truman's policy were reflected throughout the Congress. Kaplan suggests that Taft was more interested in limiting executive power than in worrying about American entanglements abroad.<sup>53</sup> In fact, a key element in Taft's speech was over who was to conduct the foreign policy and coalition building for the United States. Taft protested over the President's sole claim to guidance of foreign policy. Taft observed

As I see it, Members of Congress, and particularly Members of the Senate, have a Constitutional obligation to reexamine constantly and discuss the foreign policy of the United States. If we permit appeals to unity to bring an end to that criticism, we endanger not only the constitutional liberties of the country, but even its future existence.<sup>54</sup>

Rather than an Executive branch-administered program, Taft suggested that a combined executive-legislative approach to foreign policy was far superior. In fact, Taft thought that if the Congress sent troops to Europe, the action would not be as threatening to the Soviets than if the President were to act alone.<sup>55</sup> Taft's suggestion that the Congress seize the initiative and send troops to Europe proved that he was not a strict isolationist. He was more a moderate, willing to send

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<sup>53</sup> Ibid.

<sup>54</sup> Congressional Record, January 5, 1951, p. 55.

<sup>55</sup> Kaplan, A Community of Interests, p. 151.

troops to Europe, but wanting it to be a joint executive-legislative decision.

Taft, however, merely sparked the Great Debate. Soon more radically conservative Republicans like Senator Kenneth Wherry joined the fray. Senator Wherry focused the issue of the Great Debate by introducing Senate Resolution 8, which would limit Executive power to deploy troops. The Resolution stated:

Resolved: That it is the sense of the Senate that no ground forces of the United States should be assigned to duty in the European area for the purposes of the North Atlantic Treaty pending the formulation of a policy with respect there to by the Congress..."<sup>56</sup>

Wherry and Taft reiterated Hoover's questions concerning the NATO coalition.<sup>57</sup> The first set of issues dealt with the military side of NATO. Key Congressmen, concerned with the economic and military burden into which Truman was plunging headstrong,<sup>58</sup> questioned whether Europe could be defended. They likewise questioned the extent that Europeans would make to aid in their own defense (as promised at the establishment

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<sup>56</sup> Congressional Record, January 16, 1951, p. 320.

<sup>57</sup> Timothy P. Ireland, Creating the Entangling Alliance: The Origins of the North Atlantic Treaty Organization (Westport, CT: Greenwood Press, 1981), p. 208.

<sup>58</sup> Taft: "We have given them billions of dollars, and are preparing to give billions of dollars more, for arms aid, to enable those countries to protect themselves. After all, there are 225, 000, 000 people in Western Europe-- 50 percent more than we have in the United States... They have more extra manpower than we have in the United States today." (emphasis added). Congressional Record, January 5, 1951, p. 62.

of NATO) and the ultimate cost in aid that the United States would eventually absorb.

The second issue raised was the extent to which Truman had gone to build an effective coalition to combat the Communists. The Berlin and Korean crises had strengthened Truman's position, and encouraged him to act further. Congress, seeing the growth of presidential influence, feared the growing power of the Executive branch.

Truman was able to achieve such powers at Congressional expense because of the extraordinary crises that arose following the Second World War. By 1951, however, Congress felt that its power was slipping away too quickly. Congress had approved all of Truman's foreign policy to date. Now, with an unpopular war bogging down in Korea, and the threat of a Communist invasion of the United States increasingly unlikely, Congress decided to take a stand.

All in Congress did not attack the Administration's desire to station troops in Europe; in fact, many were sympathetic to the Truman administration. Senator Paul Douglas (D-IL) staunchly defended the Administration. On January 15, 1951, Douglas rebutted Taft's burden-sharing concerns, commenting:

Let it be enough to say here that the Senator from Ohio would tailor our security to fit his conception of proper military costs instead of adjusting our military costs to conform to the needs of true security... I am asking that Congress stamp its formal approval on the sending of *more* troops to Western Europe (emphasis added).<sup>59</sup>

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<sup>59</sup> Congressional Record, January 15, 1951, p. 243.

Douglas, in fact, was more hawkish than the Administration. In the same speech, Douglas called for an increase in American force levels to six million men by the end of the year, a goal that was twice what the president requested.<sup>60</sup>

Other rebuttals to Taft's and Wherry's proposals came from Senators Tom Connally (Chairman of the Foreign Relations Committee) and Senator Wayne Morse (R) of Oregon. The Senators placed "considerable emphasis" on the strategic and economic importance of Europe's industrial capacity and its geographical position relative to the Soviet Union.<sup>61</sup> Loss of Europe would be too serious a blow to the United States. Morse likewise asserted that conventional and atomic weapons could be complementary to each other rather than escalatory. Finally, echoing Douglas's earlier speech, Connally "put the point most succinctly" in stating that the U.S. international role could not be "bought at the bargain center" and that no price tag could be placed on national security.<sup>62</sup>

The "price tag" of security remained a key issue throughout the debate. Traditional cries of the allies not carrying their share of the burden still troubled many Congressmen. President Truman himself tried to combat that problem early in the debate. During his State of the Union

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<sup>60</sup> Ibid., p. 248.

<sup>61</sup> Williams, p. 59.

<sup>62</sup> Ibid.

address on January 8, 1951, Truman emphasized the commitment that the allies had undertaken in their own defense, and asserted that European force goals were actually higher than American goals. Truman acknowledged the debate occurring and, in true Presidential style, stated

First, we shall have to extend economic assistance where it can be effective... Second, we shall continue our military assistance to countries which want to defend themselves... The heart of our Common Defense is the North Atlantic Community.<sup>63</sup>

He was met with applause.

As the burden-sharing aspect of the debate intensified, the notion of an arithmetical ratio of U.S. forces to European forces arose. The idea, originally proposed by the Administration, was that for every six European divisions raised, the United States would raise one. Furthermore, additional U.S. divisions would only be sent once the Europeans had raised their share of the army. Thus, if the army was to grow, it would be only at a European initiative.<sup>64</sup> Most important, however, was a growing acceptance of U.S. troops in Europe. Of the prominent Senators insisting on "self help," especially Hickenlooper and John Stennis (D-MS), the attitude was of limiting the amount of U.S. troops rather than prohibiting them. Increasingly, the Congress sent their message that they were willing to support

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<sup>63</sup> Congressional Record, January 8, 1951, p. 99.

<sup>64</sup> Williams, p. 61.

the President's decision to deploy troops overseas. Congress, however, wanted to flex its muscle. By debating and limiting the extent to which the President could act (all in the name of burden-sharing), the Congress could effectively maintain at least some voice in the foreign policy arena.

The debate continued, predominately in the Senate, throughout January. On January 23, the Senate reached an agreement to move the debate into a joint session of the Senate Committee on Foreign Relations and Committee on Armed Services. Their agenda specifically was to examine Wherry's call for hearings on his resolution.<sup>65</sup> The hearings continued through February.

The Administration wisely used the hearing to take the offensive for the debate. High ranking military officials made their arguments before the Committee. Eisenhower, appointed by Truman to be Supreme Allied Commander Europe (SACEUR) on December 19, 1950,<sup>66</sup> testified to the extent that the European countries were providing for their own defense. Likewise, Secretary of Defense Marshall claimed that NATO was fulfilling a *Congressional* mandate for the defense of the North Atlantic region. Marshall, in fact,

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<sup>65</sup> Kaplan, A Community of Interests, p. 151.

<sup>66</sup> Lawrence S. Kaplan, NATO and the United States: The Enduring Alliance (Boston: Twayne Publishers, 1988), p. 187.

"emphasized that the abilities of the Supreme Allied Commander were beyond question, and that the intentions of Congress were the nub of the problem."<sup>67</sup>

Senator Vandenberg wrote to Senator Wherry from his deathbed on February 17, 1951, and urged the Senate to recognize to President as Commander in Chief. He likewise reemphasized the U.S. obligation to NATO.<sup>68</sup> Of equal importance, however, were Vandenberg's Congressional biases in urging the Resolution to

restate the great responsibility of Congress in decisions of their character and it should urge the President to submit his recommendations... when not incompatible with the public interest.<sup>69</sup>

The hearing continued for another month. Hickenlooper, chief among Senate skeptics, had great credibility in criticizing Acheson. He recounted Acheson's pledge of "no troops" during the 1949 hearings. Acheson in 1951 made no excuses. Instead, Acheson asserted his position remained the same. Conditions, however, had changed, "making troops necessary irrespective of the claims of Article 3."<sup>70</sup>

The result of the debate was a compromise resolution submitted by Senators Connally and Russell. The compromise originally recommended that the United States contribute its "fair share" of forces to the Atlantic Alliance, but that the

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<sup>67</sup> Kaplan, A Community of Interests, p. 152.

<sup>68</sup> Ireland, Creating the Entangling Alliance, p. 211.

<sup>69</sup> The Private Papers of Senator Vandenberg, p. 571.

<sup>70</sup> Kaplan, A Community of Interests, p. 152.

President should consult with (among other people) the Secretary of Defense, the Secretary of State, the Joint Chiefs of Staff, the Senate Committees of Armed Services and Foreign Relations, and the House Armed Services and Foreign Relations Committees.<sup>71</sup> The resolution was then amended further. Finally submitted to the floor as Senate Resolution 99, the resolution approved the appointment of Eisenhower as SACEUR and recognized the security of the North Atlantic Alliance.<sup>72</sup> On the troops issue, however, the resolution was the most restrictive, stating:

it is the sense of the Senate that, in the interests of sound constitutional processes... congressional approval should be obtained of any policy requiring the assignment of American troops abroad... and the Senate hereby approves the present plans of the President... to send four additional divisions of ground forces to Western Europe, but... that no ground troops in addition to such four divisions should be sent to Western Europe... without further Congressional approval.<sup>73</sup>

Resolution 99 was passed by a vote of 69 to 21.<sup>74</sup> Wherry's Resolution had failed, as had Taft's muted call for a return to isolationism. The limits Resolution 99 placed upon the Executive Branch were minimal, but it was important since that it kept a Congressional "finger" in the foreign policy "pot".

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<sup>71</sup> Williams, p. 86.

<sup>72</sup> Ireland, Creating the Entangling Alliance, p. 211.

<sup>73</sup> Williams, pp. 90-91.

<sup>74</sup> Ireland, p. 242. Taft actually voted for the Resolution; Wherry voted against it.

Likewise, the Resolution did win the fight to limit the desires of the Executive Branch.<sup>75</sup>

More important, the Resolution actually endorsed Truman's actions.<sup>76</sup> It demonstrated Congressional support of the Atlantic Alliance and of defending the European continent. Furthermore, the endorsement was accomplished during an unpopular and dismal war in Korea. Thus, the Communist threat provided sufficient impetus for the Congress to almost wholeheartedly endorse Presidential actions.

Finally, burden-sharing emerged as both the dominant issue and the key factor that Congress used in addressing the United States and its coalitions. Senate Resolution 99 clearly stated Congressional resolve for the Europeans to hold up their end of the alliance.<sup>77</sup> Paragraph 5 included "the understanding that the major contribution to the ground forces under General Eisenhower command should be made by the European members of the North Atlantic Treaty (emphasis added).<sup>78</sup> Distrust of the Allies and belief that they were unwilling to do their fair share led the Congress to include the paragraph.

The Great Debate brought gains to the Congress and focused the issue for the country for the first quarter of 1951. In

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<sup>75</sup> Kaplan, A Community of Interests, p. 153.

<sup>76</sup> Ibid.

<sup>77</sup> Ireland, p. 211.

<sup>78</sup> Williams, p. 88.

the end, Congress successfully limited executive prerogative and kept the burden sharing issue in the forefront. Yet the results of the debate were unquestionably a victory for an alliance-oriented Administration. It proved that, regardless of the cost, the Truman Administration was able to accomplish its foreign policy goals in the light of a perceived external threat.

### III. CONGRESSIONAL CHALLENGES

#### A. THE BURDEN REVISITED

Throughout the remainder of the 1950s and the early 1960s, Congressional critics continued to challenge the deployment of American troops to Europe. The Great Debate had demonstrated the volatility of the "troops to Europe" issue. Yet the length and passion of the Debate had been the opportunity for the Congress to vent its frustration over the issue. Once the Debate was over, acceptance of large numbers of American troops in Europe came to be the established norm.<sup>79</sup>

This chapter will examine two cases of Congressional challenge to alliance-oriented Administrations. The first case, the Mansfield Amendments of 1966-1972, illustrates the ongoing struggle between Congress and the President over foreign policy control. The second case, the Iran Contra Affair, is an example of the executive branch circumventing the legislative checks and balances built into the Constitution. Both cases center on burden-sharing, coalition support, and control over U.S. foreign policy.

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<sup>79</sup> Williams, p. 109.

## B. THE MANSFIELD AMENDMENTS

Although the passing of Resolution 99 ended the furor of the Great Debate, many of the sentiments remained. Conservative Republicans still chafed over the burden-sharing issue with Europe. Likewise, as the years passed, critics in Congress pointed to the "self-help" resolutions of the late 1940s. An economically resurgent Europe could and should take on some of the burden in troops and money that the United States shouldered.

By the late 1950s, a chief complaint among Congressional critics was the "dollar drain" that the stationing of troops placed upon the United States. The costs of troops stationed in Western Europe are shouldered by and large by the country providing the troops.<sup>80</sup> Critics argued that American servicemen spent American dollars on porsches and cuckoo clocks while overseas; likewise, the U.S. government paid foreign contractors to conduct work on the overseas bases. U.S. dollars, then, were spent to boost foreign economies rather than invested in U.S. goods and services. In addition, they argued, the U.S. received nothing in return.<sup>81</sup>

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<sup>80</sup> Gregory F. Treverton, The Dollar Drain and American Forces in Germany (Athens, OH: Ohio University Press, 1978), p. 5.

<sup>81</sup> Host nations replied that they provided land for military bases and many services at low or no cost. The United States did enter into a series of "offset agreements" with host nations. The U.S., in agreement, sold military equipment to NATO countries, received "direct support" (fuel, land, barracks, etc.), and usually some form of financial measures

Furthermore, by the mid 1960s, the United States was becoming more heavily involved in the war in Southeast Asia. Simultaneously, France withdrew from NATO, further increasing the burden on the remaining nations, and specifically on the United States. The wide spread disillusionment with the Vietnam War sparked a move by the Congress to reopen the Debate on NATO burden-sharing.<sup>82</sup> The leading spokesman for the current battle was Senator Majority Leader Mike Mansfield (D-MT).

Senator Mansfield was regarded during the 1950s as "one of the leading internationalists amongst the Democrats in the Senate."<sup>83</sup> He had served in the Army, the Navy, and the Marines. He supported the North Atlantic Treaty on the grounds that it was an investment that would reap the U.S. benefits far beyond the cost. NATO, as a coalition, not only increased the American capability to wage war, but more importantly, it denied those Western European resources to the Soviets.

By the late 1950s, Mansfield became increasingly disillusioned by the lack of West European military power that matched its increase in economic power. In 1961, he was

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(foreign investment in U.S. T-bills, for example). See Treverton, The Dollar Drain.

<sup>82</sup> Karen A. McPherson, "No Entangling Alliances? The Congress and NATO" in Alliances in U.S. Foreign Policy: Issues in the Quest for Collective Defense, ed. Alan Ned Sabrosky (Boulder: Westview Press, 1988), p. 66.

<sup>83</sup> Williams, p. 117.

advocating partial U.S. troops withdrawals, which could "contribute significantly to a redistribution of burdens and responsibilities within NATO that was long overdue."<sup>84</sup> By 1966, "growing agitation" in Congress supported a move to reduce the number of U.S. troops in Europe.<sup>85</sup> On August 31, 1966, Senator Mansfield proposed a "substantial reduction" of U.S. forces stationed in Europe.<sup>86</sup>

The sentiment of Mansfield and others in Congress erupted in 1966 for a variety of reasons. First, as mentioned above, disillusionment with the Vietnam War sparked a desire for a retreat from internationalist policy. Neo Isolationism, as Henry Kissinger argued, was "again made respectable by the Vietnam War."<sup>87</sup> According to Kissinger, Senators such as Mansfield characterized a return to "historical nostalgia" of an America "uncontaminated by exposure to calculations of Power and petty quarrels of short sighted foreigners."<sup>88</sup>

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<sup>84</sup> Ibid., p. 131.

<sup>85</sup> McPherson, p. 66.

<sup>86</sup> "Around the Capitol: U.S. Troop Cuts," Congressional Quarterly, September 2, 1966 (Washington, D.C.: Congressional Quarterly Press), p. 1911.

<sup>87</sup> John Rourke, Congress and the Presidency in U.S. Foreign Policy Making: a Study of Interaction and Influence, 1945-1982 (Boulder: Westview Press, 1983), p. 128.

<sup>88</sup> Rourke, p. 128.

Moreover, agitation in the Congress was increased over the French withdrawal from the NATO Joint Command.<sup>89</sup> Critics correctly predicted the United States would have to pick up more of the burden. Likewise, with a dollar declining relative to foreign countries, stationing troops overseas became increasingly expensive.<sup>90</sup> Mansfield stated that expenditures on forces in Europe "are especially undesirable at a time of balance of payments difficulties and enormous and growing military costs."<sup>91</sup>

The Johnson Administration took a subdued offensive. Secretary McNamara "informed Senator Mansfield.....that in the Administration's opinion this would not be a helpful step at this time."<sup>92</sup> Although Mansfield's proposal was only in the form of a "Sense of the Senate Resolution," and therefore without any real legislative "teeth", the Administration feared significant political impact from the resolution.

First, the Administration was concerned that the troop level question would assist an ongoing attempt to cut the defense budget. In addition, President Johnson feared that the Republicans would make troop levels in Europe an issue during

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<sup>89</sup> McPherson, p. 66.

<sup>90</sup> Ibid.

<sup>91</sup> "Around the Capitol," Congressional Quarterly, September 2, 1966, p. 1911.

<sup>92</sup> Ibid.

the 1968 Presidential campaign.<sup>93</sup> Most importantly, however, the Administration dreaded an increasingly angered and disillusioned Congress which had the monetary power to enact restrictive burden-sharing legislation. In order to preempt Congress and attempt to swing momentum back on the side of the Executive Branch, Johnson ordered the withdrawal of 60,000 troops from Europe.<sup>94</sup>

Senator Mansfield, however, was not satisfied. He was determined to exercise Congressional influence over the matter, and annually proposed his resolution to reduce the amount of U.S. troops in Europe. From 1966 to 1971, his resolutions had little impact except to keep the Executive Branch on the offensive by cutting naval strength and lowering reserve commitments. Mansfield, however, was tired of postponing troop reductions. Although he applauded European efforts to increase their share of the defense burden, Mansfield's primary concern now "was not more equitable burden-sharing , but a smaller American presence."<sup>95</sup>

Mansfield was not the only critic of the troops in Europe. Senator William Proxmire (D-WI) supported Mansfield's demands for reductions. Proxmire observed:

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<sup>93</sup> Rourke, p. 128.

<sup>94</sup> Rourke, p. 128. The troops consisted of part of one Army division and a "number" of Air Force units.

<sup>95</sup> Williams, p. 167.

It seems to me that whereas President Nixon has properly called for a Vietnamization of the war in Vietnam, we should call for a Europeanization of Europe in defense.<sup>96</sup>

On May 11, 1971, Senator Mansfield changed his tactics. Rather than simply offer a Sense of the Senate Resolution, he carried his attack to a piece of legislation that would have a real and substantial impact. Mansfield offered an amendment to the Draft Law Extension Bill (HR 6531) that would limit funds for troops in Europe to cover only 150,000 personnel, essentially cutting the present levels in half. Mansfield defended his amendment, stating

Several times I have introduced resolutions making clear one belief in the need for a substantial reduction in our forces in Europe. Several times I have held off action because I have not wished to disrupt an allegedly delicate situation, or to give any justification to those who might charge that we in the Senate have not given the most mature and informed consideration to the problem.<sup>97</sup>

Immediately the Nixon Administration took the offensive. Believing "it would be easier to defeat the drastic Mansfield Amendment than a more palatable compromise,"<sup>98</sup> the Administration mounted a one week all-out campaign to defeat the proposal. Nixon obtained the backing of Presidents Johnson ("the amendment would endanger what we have achieved in the

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<sup>96</sup> Congressional Record, February 3, 1971, p. 1530. Proxmire added that it was "unwholesome and unhealthy that American troops have been stationed in a foreign country for all these many years. It is wrong."

<sup>97</sup> "U.S. Troops in Europe," Congressional Quarterly, May 14, 1971, p. 1065.

<sup>98</sup> Rourke, p. 129.

past and shatter our hopes for the future")<sup>99</sup> and Truman. He also announced the support of former Secretaries Acheson, Rusk, McNamara, as well as 21 other high ranking officials of previous Administrations.<sup>100</sup> Mansfield referred to the coalition as a "resurrection of the Old Guard."<sup>101</sup>

The Administration's fear was well founded. Dissatisfaction over Nixon's handling of the Vietnam War and a continued burden to station "peacekeeping" troops around the globe irritated many Congressmen. Representative John Melcher (D-MT) again raised the issue of the trade imbalance between the U.S. and Europe, "aggravated by the \$14 billion spent annually" to station troops in Europe.<sup>102</sup> More important was the manpower drain while fighting a war.

We still have 300, 000 men and 128 generals in Europe...It would be difficult for me to believe that in all of the NATO countries, none of which are engaged in the Vietnam War, that there are not enough men and generals to take over for part of our 300,000 troops and part of our 128 generals, which would still leave us with our share of the NATO alliance commitment.<sup>103</sup>

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<sup>99</sup> "European Troop Cut: Massive White House Lobby Effort," Congressional Quarterly, May 21, 1971, p. 1096.

<sup>100</sup> Ibid., p. 1095.

<sup>101</sup> Ibid., p. 1096.

<sup>102</sup> Congressional Record, May 17, 1971, p. 15211.

<sup>103</sup> Ibid.

Yet even the Democrats could not find unity. Representative Les Aspin (D-WI) opposed reductions, since the overseas troops enhanced American national security.<sup>104</sup>

Five Congressional compromises were likewise proposed, ranging from Senator Mathias's (R-MD) amendment to "maintain the status quo in Europe" to Senator G. Nelson's (D-WI) proposal to extend the timetable of Mansfield's cuts over two years. Most important, however, was a Soviet proposal to discuss multilateral withdrawals from Europe. In a May 14th speech, Secretary Brezhnev repeated an offer made in March to discuss troop withdrawals and arms reduction in Central Europe.<sup>105</sup> The Soviet initiative gave the White House the chance it desperately needed. The Senate seized on the initiative as a reason not to reduce forces unilaterally, but rather wait and cut forces as part of a bilateral agreement.<sup>106</sup> The Mansfield Amendment was defeated May 19, 1971, by a 36-61 roll call vote. The five alternative proposals were likewise defeated.<sup>107</sup>

In November 1971, Mansfield again attached an amendment to the Defense Appropriations Bill (HR 11731), proposing a 20 percent cut in European troops. Again, the Administration

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<sup>104</sup> Congressional Record, May 18, 1971, p. 15639.

<sup>105</sup> Ibid.

<sup>106</sup> Rourke, p. 129.

<sup>107</sup> "Senate Defeats plans to Reduce U.S. troops in Europe," Congressional Quarterly, May 21, 1971, p. 1101.

response was immediate,<sup>108</sup> and again, Administration influence prevailed. The second Mansfield Amendment lost by a 54-39 vote.<sup>109</sup> Although still a significant victory for the Executive branch, Nixon had lost seven votes in the past six months. Congressional dissatisfaction was making progress against the Administration's position.

The drive to cut U.S. troops in Europe reached its peak in 1973. The primary reasons, according to Williams, were

the presence in the Senate of a profound and pervasive sense of dissatisfaction as, more accurately, a combination of impatience, disappointment, resentment and frustration with the European allies, with the continuing high levels of defense expenditure in the United States, with the centralization of power in the Presidency, and, perhaps most important, with the attitudes, actions, and policies of President Nixon.<sup>110</sup>

Congress was simply annoyed and frustrated with the lack of burdensharing efforts by the European allies. Likewise, momentum had gathered supporting Mansfield's proposals since 1971. Also, the spring and summer of 1973 saw another round of dollar weakness abroad. Finally, American troop strength in Europe had not be reduced during the Mutual Balanced Force

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<sup>108</sup> Nixon sent personal letters to key Congressmen, urging them to vote down the Amendment. In the letter to Senator John Stennis, he warned that "passage of the proposed troop cut would, with one stroke, diminish Western military capability in Europe and signal to friend and adversary alike a...weakness of purpose in the American government." Congressional Record, November 23, 1971, p. 42895.

<sup>109</sup> "Nixon Survives Effort to Cut Defense Spending," Congressional Quarterly, September 29, 1973, p. 2622.

<sup>110</sup> Williams, p. 205.

Reduction (MBFR) talks with the Soviets, which the Administration had begun specifically to obstruct the Mansfield initiatives. Congress wanted to flex its muscle and make its voice heard in the foreign policy arena.

Prior to September, much behind the scenes bargaining set the stage for the upcoming proposals. Many prominent Democrats, especially Senators J. Fulbright (D-AR), Philip Hart (D-MI), and Fritz Hollings (D-SC), expressed their support of Mansfield's attack on increased military spending at the expense of domestic programs.<sup>111</sup> Yet not only Mansfield's forces were acting. Senator Henry Jackson (D-WA) long a critic of troop withdrawal propositions, teamed in August with Senator Sam Nunn (D-GA) to propose an amendment requiring the NATO allies to contribute to the cost of stationing American troops in their countries. The amendment would require the President to seek direct payments to the United States to offset the yearly balance of payments deficit caused by the cost of overseas forces.<sup>112</sup> If the allies failed to offset the deficit, then a percentage of American troops would be reduced (equal to the percentage of the deficit). The Jackson-Nunn amendment was clearly designed to undermine the forthcoming Mansfield proposal.

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<sup>111</sup> Ibid., p. 213.

<sup>112</sup> "Nixon Survives Effort to Cut Defense Spending," Congressional Quarterly, September 29, 1973, p. 2622.

On September 26, 1973, Senator Mansfield introduced his amendment to cut U.S. troops by 50 percent, criticizing the Jackson-Nunn amendment for not coming close to real reduction goals. Ironically, the Mansfield Amendment itself was a substitute for a similar amendment offered by Senator Alan Cranston (D-CA), which called for a 40 percent reduction in overseas forces. Just prior to the vote, Mansfield modified his amendment to mandate a 40 percent cut, identical to Cranston's amendment. With this modification, the Senate approved the Mansfield Amendment, 49-46.<sup>113</sup>

Under Senate parliamentary procedure, however, the original Cranston amendment, although identical, still had to be voted upon. Due to Republican stalling and objections, the vote was postponed until later that afternoon. This gave the Administration time to lobby against the amendment. Defense Secretary Schlesinger met with key Senators, notably Senator Johnston (D-LA). Likewise, General Andrew Goodpaster, Supreme Allied Commander Europe, telephoned (from Belgium) several Senators.<sup>114</sup> The intense lobbying led to a switch of four senators. The Cranston amendment was defeated by a 39-54 vote.<sup>115</sup> Thus, neither Mansfield's nor Cranston's amendments carried. The following day, September 27, the Senate

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<sup>113</sup> Ibid.

<sup>114</sup> Williams, p. 221.

<sup>115</sup> "Nixon Survives Effort," Congressional Quarterly, September 26, 1973, p. 2622.

approved an amendment proposed by Senators Robert Byrd (D-WV) and Hubert Humphrey (D-MN) to reduce overseas troops by 110,000 (a 23 percent cut). The amendment to HR 9286 (Defense Authorization Bill) passed by a vote of 48-36. Despite strong Administration objections, the Amendment passed since it represented a compromise in forces reduced (23% vice 40 %) and in part from a feeling that Senator Mansfield had been humiliated at the hands of the Executive branch.<sup>116</sup> Furthermore, the Byrd-Humphrey Amendment allowed troops to be withdrawn worldwide, not just from NATO.

The Mansfield Amendments were defeated for a number of reasons. Clearly, many still saw the utility of troops overseas. Some, like Aspin, recognized that economic savings only would come with a demobilization of troops overseas; it was relatively as expensive to station troops in the U.S. as it was in Europe. Finally, the Soviet threat, though not outwardly aggressive, still remained, and was actually growing in military power.

The move by Congress to reduce the number of troops demonstrates the rise of the activist Congress that began in the mid 1960s. Congress increasingly saw a greater role for themselves in foreign affair than merely as rubber stamps of the President's policy. Unlike in Vandenberg's day, with the most powerful Senators meeting with the President behind

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<sup>116</sup> Williams, p. 224.

closed doors to help form and consent to foreign policy, the Congress of the 1970s found itself more and more antagonistic to the President's foreign policy.

Congressional opposition to the President existed for many reasons. First, the character of the President himself brought about much antagonism. Both Johnson and Nixon became more "imperial" during their time in office. In other words, they felt they were justified in their actions, regardless of the approval of Congress. Nixon obviously acted without any consideration of a Congressional check to his power. The Watergate Scandal infuriated many Congressmen, who saw the Executive branch as abusing its Constitutional Powers.

Second, burden-sharing became a more important issue to an America that was no longer the uncontested dominant economic power. To Congress, the President was doing nothing to relieve the excessive economic and military burden placed upon the United States. The Mansfield Amendments attacked the President in three methods. It brought the burden-sharing debate into the public eye, questioned the Presidential right to deploy troops, and enhanced Congressional power by highlighting the appropriations control it has over the Executive branch.

Disillusionment with the war in Vietnam was another reason for the Congressional activism, especially in the burden-sharing arena. The war showed to many Americans "the hazards

of unchecked executive power."<sup>117</sup> Congress felt an obligation as well as a desire to recoup power at the expense of the executive branch. Moreover, the balance of payments uproar over troops in Europe incensed many Congressmen. They wanted the dollars to spend in their own districts at home in the U.S.

Finally, the Mansfield Amendments demonstrate the differences in perception of the external threat that existed by 1973, and also by the change in domestic strength. According to McPherson,

Political Pressures to remove troops from Europe were generated by perceptions that the United States was carrying more than its fair share of the defense burden of the alliance, not by assumptions that the threat no longer called for U.S. troops in Europe.<sup>118</sup>

But the issue goes much deeper than that. With the desire for increased burden sharing came the change in perception of the external threat. In the late 1940s and early 1950s, Congress supported Truman's policies because of the fear of the Soviet Union. In fact, communist aggression seemed to be everywhere; Congressional approval of Truman's containment policy appeared to be the only chance to stop the advance of Communism. By the early 1970s, however, the external threat had seriously diminished. The only Communist advances had been in minor third world nations, which few regarded as a significant

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<sup>117</sup> McPherson, p. 62.

<sup>118</sup> Ibid., p. 69.

threat to American national security. Thus, as the perceived external threat diminished, the need for Congressional acquiescence of Presidential foreign policy diminished also.

### **C. IRAN CONTRA**

In the early 1980s, Congress again challenged the Executive branch's conduct of foreign policy. This time, however, instead of challenging a grand coalition, Congress contested a small, U.S.-sponsored war in Nicaragua. Congressional deletion of funds dictated that military aid to Nicaragua stop. Yet forces in the Administration continued funding the war, hitting at the heart of the burden-sharing and control of foreign debate.

In 1979, General Anastasio Somoza Debayle, President of Nicaragua, was overthrown and replaced by a Communist government under the control of the Sandinista party. The Sandinista regime became "increasingly Anti-American and autocratic," and "turned towards Cuba and the Soviet Union for political, military, and economic assistance."<sup>119</sup> The Nicaraguan Contras, the opponents of the Sandinista government, began armed insurrection in an attempt to

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<sup>119</sup> Report of the Congressional Committees Investigating the Iran-Contra Affair with Supplemental, Minority, and Additional Views, 100th cong, 1st sess, S. Rept No. 100-216, H Rept No. 100-433 (Washington, DC: U.S. Government Printing Office, 1987), p. 3.

overthrow the Communist leadership. In December 1981, the United States began supporting the Contra Rebels.

President Reagan was dedicated to the Contra cause. Without support for the rebels, proponents argued, the Soviets would possess a formidable base in Central America. To them, it would only be a few years before the rest of Central America fell to Communist forces. Thus convinced, Reagan provided foreign aid and military assistance to the Contra Rebels.

Many in the United States, however, were opposed to funding the revolution in Nicaragua. Opponents feared that support for the Contras would drag the U.S. into another ill advised foreign war, much like Vietnam. Moreover, mistrust of the Central Intelligence Agency (CIA), which had armed and supervised the Contra rebels,<sup>120</sup> fueled the fear that the executive branch was incrementally involving the United States in a war in Central America.

Although Congressional anger over the funding grew, the CIA continued to aid the Contras, providing 90 million dollars through 1982 and 1983. By 1984, the House of Representatives voted to cut off all funding. Although the vote failed, it did lead to a \$24 million cap on Contra aid in 1984.<sup>121</sup>

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<sup>120</sup> Ibid.

<sup>121</sup> The Iran Contra Puzzle (Washington, DC: Congressional Quarterly Inc., 1987), p. 4.

The Administration battled many factors in the effort to push Contra aid through the Congress. The immediate threat to the United States was not clearly apparent. With a low external threat and repeated comparisons to Vietnam, Congressional reluctance to become involved in this overseas commitment derailed any Executive chance for an adventurous anti-Communist foreign policy. Finally, internal disputes within the Reagan Administration hindered Reagan policy. Leaks and infighting demonstrated a less than coherent approach to foreign policy.<sup>122</sup>

Through a series of legislation known as the Boland Amendments, Congress prohibited Contra Aid "for the purpose of overthrowing the Sandanista Government."<sup>123</sup> Boland I allowed only humanitarian aid to the rebels, while Boland II limited all aid to the Contras in 1984 to \$24 million. By late 1984, following disclosure that the CIA had covertly misused Nicaraguan harbors, Congress cut off all funds for the Contra's military operations.

The President, however, still wanted to aid the Contra Rebels. He ordered his National Security Advisor to "find a way to keep the Contras body and soul together."<sup>124</sup> The Security Council decided that though private donations, the

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<sup>122</sup> Ibid.

<sup>123</sup> Report of the Iran-Contra Affair, p. 3.

<sup>124</sup> Ibid., p. 4.

Contras could maintain their fight against the Sandinista regime. The man in charge of the operation was Lt. Col. Oliver L. North, USMC.

The importance of this event cannot be overemphasized. For the first time, and with Presidential acquiescence, the executive branch would step outside the Constitutional provisions of the government to obtain funding for a foreign policy goal. The Boland Amendments had cut off all money to the Contra Rebels. Yet private donations, not routed through the U.S. government, were perfectly legal, and seemed the ideal path to channel funds to the Contra effort.

The Reagan Administration first solicited King Fahd of Saudi Arabia in 1984. Former National Security Advisor Robert C. MacFarlane convinced King Fahd to provide \$1 million a month to the Contras. King Fahd later agreed to double his contribution, and by 1985 had contributed approximately \$32 million. Taiwan, at the Administrations request, provided \$2 million. Likewise the Sultan of Brunei donated \$10 million (although the money was inadvertently sent to the wrong Swiss bank account and never reached the Contras).<sup>125</sup>

Private contributions were not limited to foreign governments. Lt. Col. North also briefed wealthy citizens and private interest groups on the "plight" of the Contras, and solicited money for their cause. North clearly filled any void

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<sup>125</sup> Iran Contra Puzzle, p. 6.

that the CIA left by "phasing out" of the Contra business.<sup>126</sup> The Administration clearly approved of building support through any channel for the anti-communist rebels in Nicaragua.

North also was instrumental in arranging arms buys for the Contras. Arms shipments from China, Poland, and other nations arrived for the Contras, with Saudi money purchasing the weapons. North later testified that he believed he was in compliance with the law. The Boland Amendments, in North's interpretation, barred involvement with the Contras by *U.S. intelligence operations*, but not the National Security Council. Admiral John Poindexter, North's supervisor and Chief of the NSC staff, supported North's belief.<sup>127</sup>

The chief flaw and inherent danger in North's and Poindexter's argument is the role of the National Security Council. The Council is an advisory board, designed to assist the President in decision making in the vast world of international affairs and U.S. National Security. It is not, and was not designed to be, an operational entity. Other organizations, specifically the CIA, exist for that purpose. When the NSC can determine policy, raise revenue, and carry out foreign operations without any limiting system of checks

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<sup>126</sup> Ibid.

<sup>127</sup> Ibid., p. 7.

and balances, then the Constitution is clearly being circumvented.

North continued to fund the Contras, and sought new ways to raise more money. At the same time, the Administration was making covert overtures to Iran to help in releasing American hostages in the Mideast. Iran, meanwhile, desperately needed arms to fight its war with Iraq. Through a series of middlemen, including Israel, North was able to sell arms to Iran, and channel the profits to the Contras. Since the entire operation was covert, the money sent to fund the rebels in Nicaragua would never be accounted for.

As the story leaked out, Congressional uproar was justifiably serious. Representative Jim Wright (D-TX), House Majority Leader, stated that "it defies credulity" that a middle level advisor like North could determine U.S. foreign policy.<sup>128</sup> Although Democrats in the Congress by and large did not attack the President (perhaps because of Reagan's popularity),<sup>129</sup> they did point to Iran-Contra as yet another of Reagan's fiascos in foreign policy.

The Select Committee Report, issued November 18, 1987, suggested "eliminating any Presidential discretion "for disclosing to congress in advance of any covert operations. The Majority report found serious flaws in Reagan's foreign

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<sup>128</sup> "Iran Arms and 'Contras': A Reagan Bombshell," Congressional Quarterly, November 29, 1986, p. 2974.

<sup>129</sup> Ibid.

policy-making process, and placed the "ultimate responsibility" upon the President. The Minority report, on the other hand, accused Congress of overstepping its constitutional powers when it used the appropriations measures to block presidential foreign policy in Nicaragua.

#### **D. CONCLUSIONS**

The key issue in Iran-Contra deals with Congressional power of the purse over Executive privilege. Congress had every right to block funds to Nicaragua; the appropriations process is its only real influence over the executive branch and foreign policy. By acting outside of legislated law (the Boland Amendments), the Administration went beyond its Constitutional bounds.

More important, however, was the covert nature of the act. Had the diversion of funds been made public, with Congressional power to debate and make legislation regarding the action, then the Administration would not have broken any law. Once the decision was made to circumvent Congress's Constitutional obligations, the Executive branch thwarted democracy and the Constitution.

Congressional challenge to the executive branch is necessary. The Founding Fathers wrote the Constitution with checks and balances in mind. The Mansfield Amendments signaled dissatisfaction with executive policy; Iran Contra demonstrated Executive dissatisfaction with Congressional

control. Both cases are examples of the friction that develops between the branches of government in the absence of a clear threat. As the period of detente and peaceful coexistence continued, and the Soviet threat to the shares of the U.S. waned, Congressional challenges to Presidential policy increased.

#### **IV. DESERT SHIELD/STORM: A CASE STUDY**

##### **A. INTRODUCTION**

The burdens coalitions place upon the United States never left the Congressional eye. During the Reagan buildup, Congress continued demands for allied assistance and self-help in Europe. One event in particular illustrated the significance of external threats and burden-sharing to U.S. national security-- the invasion of Kuwait.

On August 1, 1991, Iraqi forces invaded and occupied Kuwait. Immediately, President Bush set out to establish a coalition unprecedented in diversity of nationalities, unity of purpose, and speed of coming together. The Persian Gulf War brought about significant enhancement of the President's power and stature at the expense of Congress. President Bush was applauded for his ability to bring together a coalition of forces that could effectively fight and win a war. Simultaneously, the Administration roamed the globe searching for financial support to further achieve the President's foreign policy goals.

This chapter will examine the legalities, ethics, and rights of the President to raise and spend money to pursue an administration's foreign policy. At issue is the treading of the executive branch upon the Congressional power of the

purse. Furthermore, it will examine the role of Congress in foreign policy and burden-sharing. The circumstances surrounding the Persian Gulf War further emphasized the divisions inherent in the American government.

By analyzing a case study of Desert Shield/Storm, this chapter will suggest that Congress has not only sole power of the purse, but also that President Bush tried to usurp that power by collecting funds for his foreign policy goals. Furthermore, it will illustrate that Congress does have a significant voice and role in foreign policy. The results of Desert Storm may have significantly shaped the role of the President and Congress in U.S. foreign policy for years to come. Finally, in light of the "external threat/Congressional Reaction" theory, Desert Storm provides interesting insight. Although the invasion of Kuwait provided no direct military threat to the United States, the long term economic and balance of power threats to America were very apparent. Presidential money-raising circumvented one key Congressional worry (and source of power). Thus, the President could coopt Congress through both an envisioned external threat and a shared burden-sharing aspect.

#### **B. THE ROLE OF THE PRESIDENT**

"The Executive Power shall be vested in a President of the United States of America."<sup>130</sup>

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<sup>130</sup> U.S., Constitution, art. II, sec. 1.

The Constitution entrusts the President with executing all legislation passed by Congress. He swears faithfully to execute the duties of the office. By and large, Congress trusts him with the conduct of foreign policy. The Constitution establishes him as the Commander in Chief of the Armed Forces. When all these interests come together, however, conflicts are bound to happen.

The Iraqi invasion set into motion an alliance unprecedented in world history. Almost simultaneously, President Bush ordered the establishment of Desert Shield, a military deployment to contain Hussein's aggression. His alliance building was more than merely strategic; when countries could not support the alliance with arms and men, the Administration requested "alternate" means of support. Such support was more than financial. Certain countries provided medical teams, chemical warfare detecting vehicles, and food and shelter for the troops. Primarily, however, they provided money.

The question then arose over the legality of the issue. President Bush established the United States as the "world's policeman" in his New World Order. As the world's policeman, the implication seemed to be that, while the U.S. provided the police force, other nations would pay their "wages". By requesting financial payments, one could accuse the President (and Congress through their tacit agreement) of establishing

the United States as a mercenary nation, with a military ready to be deployed to the highest bidder.

Yet burden-sharing was of vital importance during the buildup. President Bush realized early during the Persian Gulf Crisis that the United States could not defeat Saddam Hussein alone. Not only was support necessary from nations such as Saudi Arabia for airfields and military bases, but the sheer cost in manpower and money would be detrimental to a slowing American economy.<sup>131</sup> The Americans needed allied support in every fashion. The quest for financial support was a sideshow in comparison to the real issue of coalition building in American foreign policy. Within a week of the invasion, Bush made several calls to American allies for support in the Persian Gulf Crisis. In fact, the support he requested was not primarily for financial support, but rather for military and embargo support.<sup>132</sup>

Congress as a whole supported Bush's decision. As the appropriators and managers of U.S. budgetary dollars, Congress

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<sup>131</sup> The cessation of Kuwait's and Iraq's combined oil output (in excess of 3 million barrels per day) in itself would have a profound impact on the world economy through higher oil prices as demand exceeded supply. The President dispatched Secretary of Defense Cheney to Saudi Arabia to confirm Saudi agreement to boost production by 2 million barrels a day. Eventually, the Saudis boosted production to completely compensate for the embargo on Iraq. This also took Congressional pressure off Bush to use strategic reserves to counter rising oil prices. "Bush Sends U.S. Forces to Saudi Arabia as Kingdom agrees to Confront Iraq," New York Times, August 8, 1990, p. A10.

<sup>132</sup> Author's interview.

has a vested interest in the burden-sharing debate. As discussed earlier, Congress has been the force driving the President to enlist more support from U.S. allies. In fact, Congress's initial support of Bush's deployment was due to the President's very active coalition building during the first week of the Crisis. In effect, Bush gained Congressional support by coopting their views on burden-sharing and allied support.

Furthermore, Congressional support also resulted from Congressional sympathies for the President. Congress cuts deals every day. They understand the intricacies behind the coalition building that the President achieved. Bureaucratic admiration must, to some extent, have boosted the President's policy in Congressional eyes.

With the beginnings of Congressional backing, the President continued his coalition building at an unprecedented rate. Secretary of State Baker and Secretary of Defense Cheney travelled the globe enlisting support; President Bush made telephone calls to world leaders every hour. Congressional support continued. The mood of Congress (and the nation) was reflected by Senator Christopher J. Dodd (D-CT): "It's entirely appropriate for us to work with our allies around the world and nations in the region to isolate Iraq."<sup>133</sup>

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<sup>133</sup> Ibid.

Congress clearly approved of the job the President was accomplishing. Two reasons stand out. First, as mentioned above, Congressional support is indicative of the people they represent. Obviously, if one's constituency supports the President, the Congressman should also support the President. Second, every nation the President enlisted to support Desert Shield decreased the pressure on the American military. Congressmen pose as patriots, and they do passionately care about U.S. foreign policy. During the Crisis, Congress rallied behind the President, presenting a unified front to both Iraq and allies alike.

By August 9, President Bush appealed, "with a tone of some anxiety,"<sup>134</sup> for other nations to commit ground troops to the defense of Saudi Arabia. The President continued to call for military support, especially from the NATO countries. On August 17, both Japan and Germany hinted at sending military support forces, but the debate over their Constitutional legality stifled the discussion.<sup>135</sup>

On August 23, Japan offered to provide financial aid to Middle East nations that would suffer as a result of the Iraqi trade embargo. President Bush suggested that Japan help

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<sup>134</sup> "Washington Appeals for Ground Forces From Other Countries," New York Times, August 10, 1990, p. A1.

<sup>135</sup> The willingness to quickly dismiss the deployment of troops to the region without a true national debate rightfully angered Congress. "Japan Considers A Role In The Gulf Force," New York Times, August 18, 1990, p. A6.

finance the international forces to the Persian Gulf, cover more of the annual costs of stationing American troops in Japan, and that the Japanese Self-Defense Forces buy more American made military equipment.<sup>136</sup>

Of equal importance was the American aid received on that same day. Saudi Arabia decided to suspend the nation's daily export of hundreds of thousands of barrels of jet and diesel fuel, and diverted the fuel to the American military. It was, said the New York Times, "a downpayment on reimbursement for United States aid in the Persian Gulf crisis."<sup>137</sup> The exports were worth 5 million dollars a day, and the act was the largest Saudi compensation to date.

Nevertheless, with acceptance of monetary contributions, as mentioned earlier, one might suggest that the U.S. military was now a mercenary force deployed to Saudi Arabia to play out Arab interests to the tune of Saudi compensation. By accepting payment for the use of the U.S. military, one could easily see the detrimental precedent set. One can argue that it is better not to accept any form of payment for Desert Shield than place the stigma of "mercenary" upon U.S. forces (and likewise raise expectations that the American military can be "bought").

Clearly, American forces supported Saudi interests. Nevertheless, one cannot lose sight of the fact that American

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<sup>136</sup> "Japan Offering Billions to Arabs To Help Offset Gulf Crisis Losses," New York Times, August 23, 1990, p. A1.

<sup>137</sup> Ibid.

forces also supported American interests. The two interests were, in this case, the same: the expulsion of Iraqi forces from Kuwait.

Congressional opinion reinforced this attitude. During Secretary Cheney's testimony before the Senate Armed Services Committee, Senator John Warner (R-VA) began his comments by addressing the mercenary issue. He, with Congressional backing, was adamant that U.S. troops were not mercenaries in any way.<sup>138</sup> The Secretary of Defense agreed. American forces were not mercenaries, but rather forces deployed in the national interest of the United States. In fact, monetary support did not begin until three weeks after the decision to deploy troops.

Congressional intervention at this point was important. Congress, not the President, brought (and dismissed) the issue into the public eye. This is due to their being more "in touch" with their constituency than the President. Senator

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<sup>138</sup> "I would like to start by reading a term from the dictionary. It is entitled 'Mercenary: working or acting merely for money or other reward for the sole purpose of money compensation. Fighting for a cause solely for pay as remuneration.' I hope, if we achieve nothing else in this hearing, it is to put that term out of the context of reference to this military operation. It is clear to me, and it is clear to the country, as it is clear to the world, that this military deployment was undertaken for the national interest of this country... and certainly they march for the cause of freedom. I think it is an insult to the men and women of the Armed Forces to have that term applied to them in any way. U.S., Congress, Senate, Committee on Armed Services, Crisis in the Persian Gulf Region: U.S. Policy Options and Implications, 101st Congress, September 11, 1990.

Warner deserves praise for bringing to the forefront a politically sensitive issue (something that many politicians are apprehensive to do).

The Japanese financial pledge was the key to what would become overwhelming financial support from countries unwilling or unable to provide military support.<sup>139</sup> Support from the Japan came as a direct result of prompting from President Bush.<sup>140</sup> Clearly the executive branch could make its weight felt amongst the allies.

Japan specifically was quick to downplay their role in "checkbook diplomacy." The Japanese government did not want charges that Japan would send money while other countries, particularly the United States, shouldered the military burden of displacing Iraq from Kuwait. Instead, the Japanese government announced that the President had suggested that Japan help finance the international force in the Gulf, as well as joining the embargo.<sup>141</sup>

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<sup>139</sup> In the case of Japan and Germany, both countries claimed their constitutions forbade participation. Saudi Arabia, UAE, and other oil rich Arab states did provide military support as well as considerable financial pledges. The size of their armies paled in comparison to their ability to provide substantial cash contributions.

<sup>140</sup> Bush telephoned Prime Minister Kaifu urging support. "Japan Is Offering Billions to Arab Countries Hurt by the Gulf Crisis," New York Times, August 23, 1990, p. A14.

<sup>141</sup> Ibid., p. A14. Japan receives 12 percent of its oil from Iraq and Kuwait.

Following the Japanese offer, the Saudi nation extended its support further. By August 26, Saudi Arabia provided the bulk of fuel, transportation, food, and shelter for the growing American force. The Saudis were "willing to give anything they had without any hesitation."<sup>142</sup>

At this point, Congress could no longer watch the President alone determine foreign policy at will. Congressional involvement, with foreign policy guidance and power at stake, began to rise. The Founding Fathers established the Congress and executive branches to act as checks to each other's power. Members of Congress see themselves as the watchdogs of the President. To an extent, they are right. Even as public support rallied behind the President's Persian Gulf policy, Congressional lawmakers began to question the cost and the purpose, as well as allied burden-sharing.

Congressional verbally gave backing to the President following a brief given by the President to over 170 Congressmen on August 28. More important, support was bipartisan. Representative Thomas Foley (D-WA), Democratic Speaker of the House, stated that "there's very strong support for the President's actions. He was commended by speaker after

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<sup>142</sup> Ibid., August 27, 1990, p. A8. Critics argue that the Saudis alone could finance the entire Gulf operation with the windfall generated by higher oil prices.

speaker. There were really no overall reservations expressed."<sup>143</sup>

Foley and Congress, however, were not without their reservations. As the Pentagon doubled its estimate of operational costs in less than two weeks time (from \$1.2 billion to \$2.5 billion), Congressional uneasiness over burden-sharing surfaced. Some, like Senator Frank Lautenberg (D-NJ), argued that countries with no military forces should help defray the costs: "the Japanese have a hell of interest in this [sic] and ought to pay a hell of a lot more."<sup>144</sup>

Lautenberg's statement was indicative of both the mood of Congress and of the nation. As the body that must ultimately finance any foreign policy operation, Congress finds itself increasingly caught between ambitious administration plans and unfeasible monetary constraints. Furthermore, the burden-sharing debate has historically been a sore subject in Congress. As the group that always gets "stuck" with the bill, Congress encourages any form of burden-sharing, especially financial.

Moreover, the President did not continually press the issue because of the question of control. The more money and troops the other nations provided, the less influence the United States (and President Bush) would have over the

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<sup>143</sup> "Bush Briefs Legislators on Crisis And They Back His Gulf Strategy, New York Times, 29 August 1990, p. A14.

<sup>144</sup> Ibid., p. A14.

situation. By pushing for some middle ground on donations, Bush hoped to appease Congressional critics while maintaining control of all the operations conducted.

By August 31, the Bush Administration announced that the Persian Gulf Crisis would require world wide financial burden-sharing of tens of billions of dollars. Administration officials would not provide an exact price tag, but estimated the cost would far exceed \$25 billion. The burden-sharing program remained to be negotiated by President Bush, Secretary of State James A. Baker and Treasury Secretary Nicholas F. Brady.<sup>145</sup> The Administration attempted to reassert its lead in the burden-sharing debate. The President readied Baker and Brady to start "passing the hat".<sup>146</sup>

Congress, on the other hand, found itself trying to keep up with presidential initiatives. Congress, for a variety of reasons, often finds itself attempting to define its role in issues initiated by the President. First, the President often seizes the initiative on issues, and Congress must attempt to catch up. Second, the public expects the President to be a leader, especially in times of crisis. Third, whereas the President can issue policy and have an administration to back him up, Congress is a diverse political bureaucracy, with

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<sup>145</sup> "U.S. Says Gulf Moves' Cost Will Far Exceed \$25 Billion," New York Times, September 1, 1990, p. 5.

<sup>146</sup> The two distinct fund-raising efforts came to be known around Washington as "Tin Cup One" and "Tin Cup Two".

multiple interests, voices, and opinions. Power struggles within the Congress often diminish its collective authority and respect.

In the Persian Gulf Crisis, Congress searched for the correct role in the crisis. As politicians, they wanted a visible leadership role. Therefore, 36 senators and representatives toured Saudi Arabia and other Middle East states on September 2. Although their findings generally supported the President, the trip did continue to keep Congress in the limelight. It also demonstrated Congress's considerable influence in foreign policy. By travelling to the Middle East, key Congressmen demonstrated that the President is not the only voice of the United States. Indeed, many Congressmen made additional remarks regarding the burden-sharing debate. House leaders, particularly Representatives Richard Gephardt (D-MO) and Robert Michel (R-IL), called upon other nations "to make more significant contributions through the dispatch of additional troops".<sup>147</sup> They likewise encouraged "higher levels of military spending in light of the buildup,"<sup>148</sup> while promising that the United States would do its part.

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<sup>147</sup> "The Congressmen pointed to the NATO allies as the nations who should be the first to give. "Lawmakers Touring Persian Gulf Stressing Sanctions Over Combat," New York Times, September 4, 1990, p. A14.

<sup>148</sup> Ibid.

On September 6, as a result of Congressional and Presidential urging, Saudi Arabia promised that it would cover "virtually all of the hundreds of millions of dollars in monthly operating costs of American forces based in or near Saudi Arabia".<sup>149</sup> They likewise pledged to provide millions in aid to countries hurt by the embargo, such as Egypt, Turkey, and Syria. The next day Kuwait offered five billion dollars in aid, essentially covering the entire military deployment to the Persian Gulf.<sup>150</sup>

The Kuwaiti and Saudi donations obviously enhanced the Bush Administration's position in the Persian Gulf. By agreeing to cover all operational costs, they removed a major obstacle that Congress could erect upon the President. In fact, their offer, although easing U.S. financial burdens, essentially cut around the Congressional power of the purse, as is discussed in the following pages.<sup>151</sup>

With the sizeable influx of money to pay for Persian Gulf operations, questions arose about the size and control of the

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<sup>149</sup> "Saudis to Cover U.S. Troops Cost And Help Middle East Countries," New York Times, September 7, 1990, p. A1.

<sup>150</sup> 2.5 billion dollars would cover American operational costs; the other half would be donated to Third World nations affected by the embargo. "Deposed Kuwaiti Offers \$5 Billion For Gulf Effort," New York Times, September 8, 1990, p. A1.

<sup>151</sup> At the same time, European nations proposed aid to countries damaged by the Gulf crisis. No aid would go to the United States. Instead, approximately 2 billion would be available to Egypt, Turkey, and Jordan. It was, in the eyes of the E.C., "money the United States will not have to give." (Ibid.)

funds. Secretary Brady hinted that Arab contributions would not only cover the costs of American involvement, but "may even produce a profit for the treasury".<sup>152</sup> The growing Congressional uproar was understandable. During hearings conducted in the Senate Armed Services Committee, senators questioned control of the Gulf Aid. At issue, does the Constitution allow the executive branch to control billions of dollars in foreign aid pledged to the United States?

"All Bills for raising Revenue shall originate in the House of Representatives..."<sup>153</sup>

The Constitution gives sole power of the purse to the Congress, placing a check on the power the executive branch can wield. Yet by raising foreign contributions for his Persian Gulf policy, President Bush was effectively circumventing the issue. Congressional leaders, extremely protective of their Constitutional basis of power, questioned the Administration's intent.

The opening statement by Chairman Sam Nunn set the tone of the Hearing. The senators not only wanted to "increase significantly other nations' financial contributions to the costs of this crisis," but also to see "what oversight should

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<sup>152</sup> Ibid., p. A4.

<sup>153</sup> U.S., Constitution, art. I, sec. 7.

be in place with respect to the expenditure by the executive branch of these outside contributions."<sup>154</sup>

"No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by law."<sup>155</sup>

During the Hearings, Secretary Cheney was quick to point out that all funds would be placed in the Treasury. The Administration held that precedent existed: a 1954 law, the Defense Gift Act, established procedure for private citizens donating money for defense purposes. All donated funds are deposited into the Treasury, and the Secretary of the Treasury has the broad discretion to place the money in such accounts as will best fulfill the intent of the donors.<sup>156</sup> Once placed in such a category (research and development, operations, etc), the Secretary of Defense can spend the money as he sees fit. The spending is all done, of course, without any authorization or appropriation from Congress.

"The purse and the sword ought never to get into the same hands, whether legislative or executive."<sup>157</sup>

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<sup>154</sup> Senator Nunn's opening remarks, in Crisis in the Persian Gulf, 101st Congress, 11 September 1990, p. 3.

<sup>155</sup> U.S., Constitution, art. I, sec. 8.

<sup>156</sup> U.S., Congress, Senate, Report to the Committee on Armed Services, S. Rept. 480 to accompany S. 3144, 101st Congress, 2d sess., 1990, p.7.

<sup>157</sup> George Mason, Constitutional Framers, quoted by Senator Nunn, *ibid.*, p.7.

Under continued Congressional pressure, the Administration began to recant. Although legally within the law passed by Congress in 1954, the 1954 Defense Gift Act was not designed around substantial foreign contributions. It was, as Senator Nunn pointed out, to provide for patriotic citizens to make contributions to the Defense Department.

The legislation was born during the Cold War. It was indicative of 1950s fear of Soviet aggression, and provided a means for citizens to help in the defense against Communism. Furthermore, in the 35 years since its enactment, the law had only collected a few hundred thousand dollars.

The 1954 Defense Gift Act was not justification for the President to spend his financial windfall. Moreover, the billions of dollars available at the President's discretion was not the Framers' intent for the balance between Congress and the executive branch. President Bush was establishing dangerous precedent with both sword and purse in hand.

Administration actions brought about Congressional outrage. No less than half the senators on the Armed Services Committee questioned Administration officials specifically about the monetary issue, emphasizing the importance Congress staked in it. The Secretary of the Treasury agreed to notify Congress of all money arriving in the Treasury and how it would be spent. Likewise, the Congress amended the 1954 Defense Gift Act, enacting the following restrictions on donated funds. The funds could not be used for illegal

activities, could only be used for operational programs, projects, and activities associated with Desert Storm, and could only be spent for items previously authorized by Congress.<sup>158</sup>

The Administration chose to abide by the Congressional mandates. As a President riding high in the polls and flushed with success, Bush could easily have challenged Congress on this issue. Four reasons exist for the acquiescence of the Administration. First, the President realized he was constitutionally and ethically wrong on the point. Second, if challenged, Congress could have passed further legislation restricting the President's funds in some way. Third, the President needed Congressional support for the debate on the war yet to come. Without overwhelming Congressional support on the question of going to war, Bush knew better than to challenge Congress on a trivial issue with key debates yet to come. Finally, direct confrontation is not the President's style. Bush is a compromiser, who tends to build broad coalitions to achieve his policy.

### **C. CONGRESS AND FOREIGN POLICY**

The most important result of Desert Shield is the impact Congress had on foreign policy. Although the President gained significant popularity as an outcome of the War, Congress too

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<sup>158</sup> Report of the Committee on Armed Services, S. rept 480 to accompany S. 3144.

found its role in foreign policy greatly enhanced. In fact, Congress unknowingly may have discovered their niche in foreign policy.

The Constitution gives the President the right to receive foreign ministers and dignitaries, but nothing prohibits Congress from conducting their own foreign program. They have, for the most part, left foreign affairs to the President. Nevertheless, Congress can and does wield significant power and influence with foreign governments.

Why does Congress interfere in the President's realm of foreign policy? One reason, discussed above, is financial. In order to support foreign endeavors, Congress must authorize and appropriate funds for the President. The more controversial the enterprise (aid to the Contras, arms sales to Saudis), the more Congress "interferes." Second, in the constant struggle for political power between Congress and the President, foreign policy is merely another battlefield. Congress wields the purse; the President wields the sword. Nothing, however, excludes Congressmen from conducting their own foreign affairs policy. Fact-finding missions, meetings with heads of state, and junkets abroad are but a few of the methods Congressmen have at their disposal to influence American foreign policy.

The most important reason Congressmen "meddle" in foreign affairs is a genuine interest in foreign affairs. Granted, foreign policy keeps an active congressman in the limelight

and on the front page, but a number of issues exist that can achieve the same goal. Congressmen are Americans. Although their goals and beliefs may differ from the President's (not to mention other Congressmen), their primary motivation-- American national security-- is a common bond.

Their method to achieve this, whether intentional or not, often falls into the "good cop, bad cop" role.<sup>159</sup> The President, with a need to maintain cordial relations with other heads of state, plays the good cop. He can ask for foreign support, but threatens very little. Congress, on the other hand, can rant and rave about foreign policy, threatening to cut funding for any foreign endeavor unless the offending nation succumb to U.S. demands.

The Persian Gulf Crisis drove home this point. The President requested financial support from many nations, but received little for his actions.<sup>160</sup> The House and Senate tour of the Persian Gulf on the weekend of September 3, however, prompted calls for increased Japanese and German aid in the region. Moreover, Senate hearings (beginning 11 September 1990) raised several burden-sharing issues. Legislators

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<sup>159</sup> Pietro S. Nivola, A Question of Balance: the President, the Congress, and Foreign Policy, edited by Thomas E. Mann (Washington, DC: Brookings Institution, 1990), p. 239.

<sup>160</sup> One exception is Saudi Arabia. As stated above, the Saudis were very generous in opening their pocketbooks, country, and society to the United States. Their government, a kingdom, can accomplish things quicker and with greater authority than a democracy. Furthermore, economic threats mean little to the Saudi government.

attacked the allies, calling donations "contemptible tokenism", "almost an insult", and stating that "if there's no profit in it for Japan, forget it."<sup>161</sup>

Bush treaded lightly on the sensitive subject while Congress railed against the allies. The House passed an amendment carrying the burden-sharing theme further: it reduced the 50,000 U.S. military personnel in Japan by 5000 troops per year unless the Japanese government began paying all costs associated with the deployment. The amendment passed the House 370-53.<sup>162</sup>

Two days later, Japan quadrupled to 4 billion dollars the amount pledged to the multinational force. Likewise, in Germany, Chancellor Helmut Kohl also pledged more help, obviously to soften anger in the U.S. Congress. Although Germany was struggling with its own unification burdens, critics in Congress were quick to point out that Germany offered 7.5 billion dollars in aid to its former enemies in Moscow, but had still pledged nothing to its NATO allies in the Gulf crisis. Throughout the Crisis, each time Congress

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<sup>161</sup> Quotes attributed to Senator John McCain (R-AZ), Senator John Kerry (D-MA), and Representative Carroll Hubbard (D-KY), respectively. "Bonn and Tokyo Are Criticized For Not Bearing More Of Gulf Cost," New York Times, September 13, 1990, p. A1.

<sup>162</sup> Many members voted for the amendment, wanting to signal their displeasure to Japan, as well as assuming that the Amendment would never become law. "Democrats Continue March Toward Big Defense Cuts," Congressional Quarterly, September 15, 1990. p. 321.

expressed anger towards stingy allies, Japan and Germany increased their pledges.

The President can bask in the support Congress unknowingly creates for him. The President can validly claim to offending governments that he has no control over Congress. Thus, to outsiders, Congress must seem like a collection of renegades, bent on eroding the President's power while expanding theirs. The President wholly supports this. If this kind of bargaining and role playing achieves his foreign policy, so be it.

#### D. CONCLUSION

Although the President's effort to raise and spend money through foreign contributions is within the letter of the law (the 1954 Defense Gifts Act), it obviously was not the Framers' intentions. Constitutionally and ethically, the President crossed the line by combining both sword and purse under one branch. Congress was right in questioning and limiting the President's ability to conduct such operations.<sup>163</sup>

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<sup>163</sup> Congress has additional reason to distrust the executive branch. When Congress cut off aid to the Contra Rebels during the Reagan Administration, the National Security Agency went about selling arms to Iran and using profits to fund military operations in Nicaragua. Not only is the intrusion on the power of the purse illegal, but the covert operations conducted by a presidential advisory group raised serious questions of legality and control in a democracy. See Stephen Dyers et al., National Security Law, (Boston, Little, Brown and Company, 1990), p. 348.

Second, Congress has proved once again that they have both a significant voice and role in foreign policy. Foreign governments know they cannot exclude Congress when dealing with the United States. The government, like the nation it represents, consists of diverse elements, opinions, and bases of power. Congress, through legislation, rhetoric, and the power of the purse, has substantial influence abroad.

Finally, Desert Storm demonstrated the complimentary roles that each branch of the government possess in the United States. When one branch achieves too much power, it comes at the expense of the other. Therefore, each branch attempts to limit the opposite's power. It is precisely what the Founding Fathers envisioned in drafting the Constitution. It may not be efficient, but it guarantees a free and strong United States.

## V. CONCLUSIONS

### A. EVENTS, PERSONALITIES, AND CONGRESS

Coalition building is something relatively new to U.S. foreign policy in the 20th century. Once a strongly isolationist country, the United States, like Great Britain before it, has increasingly become the nation most eager to enter into alliances to maintain national interests abroad. As such, the roles of Congress and the President have evolved since 1945 as each branch struggles to influence American foreign policy. Nowhere has this struggle been as obvious as in the realm of burden-sharing.

What can be learned from 40 years of U.S. coalition building? First, Congressional activism is clearly on the rise. The Congress is a force to be reckoned with at home and abroad. The executive branch must take into account the actions of the legislative when considering foreign policy actions.

Second, the preceding pages have suggested that the amount of Congressional activism depends upon the degree of the perceived external threat. Lawrence Freedman observed that the NATO alliance "is at its most coherent when dealing with security problems that it best understands."<sup>164</sup> The same can

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<sup>164</sup> Freedman, The Troubled Alliance, p. 161.

be said of the Congress. When the perceived external threat is high, the Congress displays cohesion and unity. When the threat is ambiguous or low, the Congress is increasingly antagonistic towards the President.

Furthermore, external events play an important part in the Congressional desire for a voice in coalition policy. During the Great Debate, despite a continued threat from the Soviet Union, many in the Congress rose up against Presidential policy. Likewise, challenges to the troop deployments were made throughout the 1960s and 1970s. In each case, the U.S. was involved in an unpopular and frustrating war. Maintaining troops overseas while fighting a war elsewhere was the equivalent of a two front war. Congress recognized the drain that the commitments placed upon the nation, and made attempts through legislation to lessen these burdens.

Moreover, personalities played a key role in the development of Congressional policy. During the creation of NATO, the Administration consulted often with the powerful and influential Senators, such as Connally and Vandenberg. During the Great Debate, Vandenberg was on his deathbed, and no Senator stepped in to replace his powerful personality. During the 1960s, power had diffused throughout the Congress. No single Senator or Representative could wield power and influence the way Vandenberg had done. Thus, the overwhelming personalities that Truman could rely upon to accomplish his policies were no longer present by Nixon's time. By the same

token, no one personality existed to challenge presidential authority.

## **B. BURDEN-SHARING**

Clearly, Congressional activism towards alliances, as in the Great Debate, the Mansfield Amendments, and even the Persian Gulf War, takes the form of a burden-sharing debate. The burden-sharing issue is one aspect that the Congress has control over; Congress alone can determine the amount of the burden that the United States will shoulder. In spite of any Presidential promise or plea, Congress alone appropriates the money to be spent on foreign policy.

This too creates some problems for the Congress. By carrying the lion's share of the burden, as the U.S. is prone to do, the United States guarantees itself the dominant voice in any action that the coalition might take. Despite cries of inequality of the hardship, Congress has continually supported Presidential-led coalitions. If the burden was so heavy, why did Congress not lessen the load? First, the Congress, too, is interested in national security. To reiterate Senator Douglas's statement during the Great Debate, there is no price tag to be placed upon national security. Second, and more important, is that Congress clearly wants to exercise control over the coalition. It is a different interpretation of the Golden Rule: Whoever owns the gold, makes the rules.

This statement raises a problem in cases like Operation Desert Storm. Other countries provided the gold, yet the United States still made the rules. According to one Administration official, the U.S. had no intention of relinquishing any of the decision making to outside sources.<sup>165</sup> No other country would manipulate or blackmail the United States with funds. The United States still shouldered the majority of the burden and risk since the coalition was primarily composed of American forces. Although other nations funded the war effort, American soldiers fought for those nations' interests as well. Thus, the relationship between burden-sharing concerns and desire for control remained the same.

### **C. POWER STRUGGLE**

Finally, the attempt to build coalitions reveals the power struggle inherent in the U.S. government. Both branches are jealous of the other's powers and overly protective of its own. Every check one uses against the other is seen as a threat to the first's Constitutional power base. In reality, however, the checks and balances are the achievements of the Constitution, ensuring an inefficient, yet stable and democratic, government. At no time has this truth seemed more evident than in the collapse of Communism in the USSR.

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<sup>165</sup> Author's interviews.

Through checks and balances, Congress has demonstrated that it can effectively limit any Presidential "imperialism" on the international scene. As illustrated, Congress often times not only wants to limit Presidential action, but determine foreign policy itself. From the troops in Europe issue in 1951 to Operation Desert Storm, Congress constantly attempts to shape and reshape foreign policy.

The Presidential decision to enter the burden-sharing realm during Desert Storm could set a dangerous precedent. By raising funds outside of the government in order to pursue American (or executive) interests abroad, the executive branch preempts the checks and balances of the legislative branch, leaving the president to pursue any policy whatsoever. In fact, Desert Storm could simply be an "overt" Iran Contra policy. Like Iran Contra, the President solely assumed and performed the burden-sharing responsibility.

Nevertheless, the events of Desert Storm do not support this assertion. Desert Storm was a "public policy," with the Congress informed at every step. Moreover, Congress still maintained control of the appropriation process. The collected money was placed in the Treasury, and appropriated by Congress to the Department of Defense for Operation Desert Storm. In fact, one could argue that the Congress will expect Desert Storm to be the *model* for future coalition war. Congress could make the President find funds for foreign policy prior to acting in the future.

#### D. THE FUTURE

Desert Storm must not come to be the accepted norm for future coalition war; in fact, Desert Storm was more an anomaly than a norm. The coalition was built with such speed because of the challenge to the balance of power worldwide and the vital oil interests in the region. Likewise, as mentioned above, personality played an important role for the executive branch in both the coalition building and burden-sharing efforts. President Bush alone coordinated first the establishment of the coalition and then the burden-sharing drive. His dominant personality, combined with reluctant Congressional acceptance of his actions, culminated in an efficient grand strategic coalition and increase in presidential power. Moreover, oil rich nations bordering on Iraq provided fuel, bases, manpower, and, most importantly, money. Since President Bush was able to coopt Congress by resolving the burden-sharing issue early in the conflict, the Persian Gulf war, all total, was not representative of alliance and coalition war.

What does the future hold? In the light of a reduced (almost non-existent) Soviet threat, the future of American alliances may be dim. Congressional challenges to the utility and expense of keeping troops abroad while the American economy slips may aid in the collapse of American led coalitions. Nevertheless, the United States thrives on alliances and coalitions. The U.S. can point to NATO and claim

its success in keeping the peace for forty years, as well as ending the Cold War. The alliance forged in the aftermath of World War II has proved successful.

Second, Congressional challenges to executive led foreign policy will continue to increase. In the absence of an external threat, activism in the Congress can spread unchecked. With increased domestic concerns for their constituency, calls for increased burden-sharing will undoubtedly grow. In fact, the danger might be a return to neo-isolationism. Some, such as Pat Buchanan, have already made the call for "America First".

Third, in light of the above points, the president will find an ambitious foreign policy increasingly more difficult to enact. With a Congress reluctant to finance such policy and, in fact, eager to determine policy itself, the President will have to restrain emulous foreign policy objectives.

Nonetheless, coalitions will continue to play an integral part in U.S. foreign policy. In the wake of reduced defense budgets worldwide, collective security provides the means to continue to meet defense requirements with diminishing resources. In a nation eager to promote global stability, the United States must stake its claim in coalitions and alliances. And, as history demonstrates, the President and Congress will continue to battle over who guides and directs those coalitions.

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#### APPENDIX ...DESERT STORM FUNDS

By the end of the Ground war, the total funds pledged would ultimately total over 50 billion dollars, broken down in the following<sup>166</sup>:

|              |                 |
|--------------|-----------------|
| Saudi Arabia | \$16.84 billion |
| Kuwait       | \$16.01 billion |
| UAE          | \$ 4.07 billion |
| Germany      | \$ 6.57 billion |
| Japan        | \$10.74 billion |
| South Korea  | \$ 0.39 billion |

TOTAL                    \$54.63 billion

As of July 1991, the following had been collected<sup>167</sup>:

|              | Delivered | Remaining |
|--------------|-----------|-----------|
| Saudi Arabia | \$11.59   | \$ 5.25   |
| Kuwait       | \$11.10   | \$ 4.91   |
| UAE          | \$ 4.07   | \$ 0.0    |
| Germany      | \$ 6.57   | \$ 0.0    |
| Japan        | \$ 9.43   | \$ 1.31   |
| South Korea  | \$ 0.16   | \$ 0.23   |

Again, emphasizing their voice in foreign affairs, Congress took the leadership role in enforcing payment of the funds. Congress must collect the funds to keep the budgetary figure in balance. Moreover, by remaining on the attack, Congress can remain in the limelight. This is vitally

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<sup>166</sup> Critics cited war pledges of \$54 billion but Congressional appropriations of only \$43 billion, implying an \$11 billion surplus. Germany asked for a specific accounting of war costs before they made their final payments. "War Costs Bill Passes Easily; Allied Pledges Emphasized, "Congressional Quarterly, March 23, 1991, p. 762.

<sup>167</sup> Defense 91 Almanac, (Washington, DC: Government Printing Office, September/October, 1991), p. 59.

important in view of the President's high popularity rating and Congress's low rating. As the pendulum of power swings gradually towards the President, only by remaining on the offensive can Congress hope to regain some of that power and popularity back.

Congress's tool to collect the funds promised is approval (or denial) of arms sales. Currently, Congress has stymied arms sales to the pledging nations until they pay off their debt, and all six of the nations plan to buy U.S. weapons in 1991. The rationale is, if the Saudis have the money to buy weapons, they surely have the money to first pay off their debt. Senator Mark Hatfield summed up Congressional attitudes: "They have the capability to make good on their pledges and it's not going to cause one Saudi to go hungry."<sup>168</sup>

Reiteration of Congress's role in foreign policy is necessary. By playing "bad cop" or "tax collector", they 1) keep their foot in the door of foreign affairs; 2) enable the president to accomplish an agenda of his own; and 3) realize the collection of funds, a bipartisan goal relieving the burden of the Persian Gulf Crisis.

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<sup>168</sup> "Bill Holds Gun at Debtors' Heads," Washington Times, March 20, 1991, p.1.

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