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ИССЛЕДОВАТЕЛЬСКИЕ СТАТЬИ

# PRESIDENTIAL-CONGRESSIONAL RELATIONS IN US FOREIGN POLICY DECISION-MAKING: A THEORETICAL TREATISE

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The present paper aims to offer a conceptual exploration of the Presidential-Congressional relations in the US foreign policy decision-making. The US foreign policy decision-making arguably takes place within a functional synthesization of compromised bureaucratic rationality on the one hand, and the ideological, partisan and institutional interests and tendencies of individuals in possession of power on the other. In such a setting, the argument being put forth is that the Presidency is generally situated and equipped reasonably the best to deal with foreign affairs while the gamut of the Congressional authority in foreign policy varies based on the type of decisions made, playing a key role in distribution of resources to achieve particular objectives. In other words, the process of US foreign policy decision-making occasionally lacks the essential structural efficiency to prevent the executive branch from circumventing the Constitution. An executive branch operating in secrecy without legislative accountability is undoubtedly dangerous; therefore, a host of specialized means and preventive measures are required to be taken and practiced in order to avoid such danger and help keep US political structure in checks and balances. Attempt is made to contextualize this argument within a) the domain of decision-making theoretical models presented by G. Allison, and then b) rather practical discussions on requirements of foreign policy proposed by L. Hamilton followed by, c) a brief overview on actual developments affecting power relations in US foreign policy after the Cold War.

**Key words:** USA, Congress, president, foreign policy, decision-making, theoretical models.

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The US foreign policy, being much complicated by the substantial uncertainty of international dynamics, has been a subject of much debate and investigation from various perspectives [27; 70]. Theoretically influenced by various political concepts such as Hamiltonian Federalism, Jeffersonian Republicanism and Jacksonian and Wilsonian Democracy [63], the processes within which the US foreign policy is developed have been constantly affected by a variety of contextual developments both at home and abroad. Among the most effective factors, if not the most, driving the trajectory of the US foreign policy has been the domestic undercurrents within which power is distributed and decisions are made.

Power relations in the US foreign policy has been addressed from several perspectives by researchers; Day, Bodenheimer and Gould, Lindsay, Pevehouse, Mitchell, Dobson and Marsh, Larson, Meiers, Khan and Sabir to name a few [13; 31; 33; 55; 57; 59-61; 64; 71]. With the judiciary having a peripheral role, formal power in the US foreign policy-making lies mainly within the executive and legislative branches, and accordingly, the distribution of power between the two branches and the nature of their authorities has been among the points at issue in the existing literature.

Shugart divides Presidential powers into two categories of proactive and reactive, defining the former as the «one that lets the President establish a new status quo that differs from legislative preferences, for instance by emitting a decree-law» and the latter as the «authority in the Constitution to react to legislative attempts to change prevailing policy, for instance, by vetoing the bill» [87, p. 4]. He also maintains that in order to «have independent powers to push legislative outcomes proactively beyond what legislators would be able to produce if left to their own devices requires that the executive has independent origins and a fixed term» [87, p. 27]. Schlesinger notes that in the realm of foreign policy, Congress, the courts as well as the press and the citizenry «lack confidence in their own information and judgment» and thus, «the inclination is to let the Presidency have the responsibility and the power» in foreign affairs [83, p. 420]. Meanwhile, scholars such as Hilsman, Dahl and Baldwin hold that rarely does the Congress provide initiatives in the foreign policy [8; 30; 46]. Dahl refers to the widely held statement that the President proposes and the Congress disposes, additionally claiming that «in a very large number of highly important decisions about foreign policy, the Congress does not even have the opportunity to dispose» [30, p. 58]. Along similar lines, Huntington notes that «strategic programs are determined in the executive rather than the Congress» [50, pp. 127-128].

The US President plays highly visible roles in foreign policy-making, leading many observers to believe that Presidential dominance encompasses all aspects of the foreign policy making process [20, p. 329]. The belief in Presidential dominance is shared by scholars such as Hinckley and Weissman who maintain that the Congress is mostly acquiescent to the Presidency on the foreign policy issues and Congressional assertiveness is a myth [47; 96]. For Rockman [79, p. 59], the Constitutional interpretations of Presidential prerogatives and the Presidents' unique ability to act provides the floor for them to take the leadership in foreign policy [79]. This point of view

extends to a level that Wildavsky develops the theory of Dual Presidency, stating that «the United States has one president, but it has two presidencies; one presidency is for domestic affairs, and the other is concerned with defense and foreign policy». Wildavsky bases his theory on the data from 1948 to 1964 which showed that about 70 percent of Presidential initiatives in defense and foreign policy were enacted by the Congress, compared to 40 percent in domestic policy. He further noted that «in the realm of foreign policy there has not been a single major issue on which Presidents, when they were serious and determined, have failed» [97, p. 7]. Wildavsky's claim was, however, called into question by scholars such as Sigelman who analyzed roll call votes on key foreign policy issues from 1957 to 1978 and concluded that most Presidents did not have a freer hand in foreign and defense policy making than domestic policy making [88]. Zeidenstein [100] found a two-presidencies effect on key foreign policy votes in the Senate for Republican Presidents [100], while Fleisher and Bond [40, p. 747] noted that «the two presidencies phenomenon characterizes only Republican administrations» [40]. Schraufnagel and Shellman study of roll-call votes argue that the two-presidencies thesis does not apply to modern era [84].

A number of scholars take a rather middle ground, claiming that Presidential ascendancy in the US foreign policy is situation-specific. Carter, for instance, states that such a dominance is best applied to areas like war making while foreign policy is much more than that [21]. Congressional role in foreign policy-making expands to such arenas as trade, foreign aid, immigration, funds appropriation for foreign and defense policy to name a few. The enumerated powers of Congress, listed in Article 1, Section 8 of the US Constitution give the legislative branch the authority to oversee the executive branch. Thus, the President could not be taken for granted, at least Constitutionally, as the only voice to be heard in foreign policy-making. Though Congress usually tends to yield the relevant powers to the President at times of war or national crisis, the role of the legislative branch in foreign policy-making is not marginal all along. As Lindsay states, «even when Congress delegates authority to executive branch officials it may still structure the decision-making process so that its preferred policies are chosen» [60, p. 282]. Congressional role and influence in the US foreign policy might differ depending on the type of policy and situation. Lindsay divides foreign policy issues into three categories of crisis, strategic, and structural policy, rating Congressional influence to be the weakest in crisis policy and the strongest in structural policy [61]. Thus, when it comes to analyze the legislative-executive relations in foreign policy, the quiddity of policies and decisions are also important in how power is divided between. Furthermore, the Constitution is somewhat vague on the allocation of power in foreign affairs between the legislative and executive branches of government [54]. With their important roles to play in shaping the conduct of US foreign policy, both Congress and the President, according to former Vice President Dick Cheney, «will have to be involved for any major policy to be successful over the long term but this does not mean that all forms of joint participation work equally well». He further pays attention to the «institutional competence of each branch» and «the connection between

institutional competence and constitutional authority», as well as the question of «how has Congress, in an attempt to force joint participation, overstepped the bounds of its competence and authority with harmful effects?» [89].

The process of decision-making in foreign policy takes in differentiated and at the same time, interrelated structures and agencies. The intricacies of this process makes it arduous a task to come up with an inclusive conceptual framework of analysis and explanation. However, synthesization of the mentioned postulates and many others in the literature could provide a cohesive analytical frame for understanding the US foreign policy decision making. The core argument to be developed is that the US foreign policy decision-making is conducted through a consensus-based process among practically effective centers of power. The underlying basis of this process concerns bureaucratic rationality for obtaining compromise on the one hand, and the ideological, partisan and institutional tendencies and interests of individuals in possession of power on the other. In the coming sections attempt is made to contextualize this argument within a) the domain of decision-making theoretical models presented by Allison [2], and then b) rather practical discussions on requirements of foreign policy proposed by Hamilton [45] followed by, c) a brief overview on actual developments affecting power relations in US foreign policy after the Cold War.

### **Allison's Models of Decision-Making**

Explaining incrementalism as the product of standard functioning procedures which mainly determine governmental behavior [3], Allison's organizational process model lends support to the argument that policy planning rests upon an organizational routine behavior which is recurring and, therefore in some measure, predictable. There seems to be, however, less compelling reason for this argument since there are counterexamples of distinguished non-cyclical decisions made in the US foreign policy. In addition, was the decision-making process merely confined to the bureaucracy, the political partisan shifts in power ownership would rarely and limitedly put impact upon the direction of the US foreign policy. Taking a middle-ground position, the argument to be put forward could be that as moving from the grand-strategies to policies, the possibility of precise behavior prediction decreases.

The milieu in which foreign policy decision-making takes place at a formal layer is governed by the number of poles and the distribution of power among them [48-49; 52-53]. Struggle for power, with no doubt, is among the main driving engines of practicing each and every decision in the foreign policy. For that cause, bureaucrats and politicians are simply «seen as motivated by a desire to remain in power». The governmental politics model is heavily influenced by the pluralist conception of power and at the same time, addresses foreign policy from a «personal perspective of the chief decision-makers» [77]. Key individuals in foreign policy decision-making take a great care of their reputation since they are considered personally responsible for the decisions made. In addition, considering policy decisions as the product of bargaining

processes among different actors in pursuit of their interests, the governmental politics model concentrates upon «actual people that make up states and organizations, their personal power, networks, skills of persuasion» [14; 15; 62].

Hudson and Vore's views are grounded on the assumption that organizational process model and bureaucratic politics indicate «how rational foreign policymaking can be upended by the political entities through which decision makers must work» [49, p. 217]. They further propound the notion that for the political entities, their own survival tops their list of priorities. As a partial rebuttal to this view, it could be argued that prioritization is not simply centered on the survival of political entities as there are other top priorities such as national security and organizational interests, preservations of the system, and other objectives linked with national tendencies as well as multinational and international interests [26].

From the bureaucratic prospective, decisions and actions in the US foreign policy are the matter of interactions between and within a set of relevant institutions, influenced by organizational beliefs and a combination of coincidental occurrences [26; 35; 89]. In bureaucratic politics, actors work within the bargaining game to represent organizationally designed set of preferences [77, p. 23]. However, it would be a definite oversimplification to place the policy preferences of the primary political actors on a unidimensional scale. Bodies with a direct and formal layer of involvement in decision-making enjoy an opportunity to put a straight and undeviating impact on the decisions. When it comes to less germane institutions, nonetheless, the scope of direct involvement in and impact upon the foreign policy decisions decreases. The key point of concern is that the bureaucratic involvement in US foreign policy, either directly or not, is typically motivated by interests; thus, it stands to reason, contextually, that the side with extra interest in a given issue rationally gets involved in it all the time.

True, the Congress and President play the main part in setting the foreign policy agenda; yet, daily conduct of foreign policy is vested in bureaucracy. Although a number of US Presidents attempted to exclude bureaucratic impact upon foreign policy decisions, bureaucracy is central, as elucidated by Art, to the forging and wielding of American foreign policy [6]. The significance of bureaucracy doubles seeing that it impacts policy-making at both development and implementation levels. Drezner notes that an increase in shared ideas and understanding of bureaucracies could be achieved through their close interaction. He further asserts that «expanding the range of cases can help to broaden the explanatory power of bureaucratic politics in foreign policy» [35, p. 734]. Compared to players, the bureaucracy is a less recognized, but not less significant, part of foreign policy decision-making process.

As bureaucracy is one leading determinant acting upon foreign policy, so is the ideological tendencies and individualistic interests of the key players. While the former determinant goes through a conventionally organized conduit, the latter would be thought of as «crystallized in policy instruments» [93]. Synthesizing Allison's organizational process and governmental politics models both presented in his seminal work *Essence of Decision*, one might note that decisions in the US foreign policy are

organizational outputs as well as conciliatory resultants of political bargaining and compromise [2; 5; 6; 12; 28; 43]. Accordingly, the abstraction and prediction of the decisions could be probable by means of investigating the standard operating procedures within influential bodies in the context of key players' prevailing ideologies. Indeed, decision-making in the US politics is the matter of both 'how' and 'who'.

In retrospective, it is noticeable that decisions in the US foreign policy arena are made in a consensus under influence of individuals and organizations in possession of power. It goes without saying that the scope of controversy diminishes in cases a collective agreement and united stance exist towards a given decision. Controversy takes place when a conflict of interests comes up, and power happens to be the dividing determinant. Looking from another perspective, Carter refers to studies conducted by Aberbach and Dodd to state that «interbranch conflict owes primarily to transient institutional factors such as the relative level of organizational development within the executive or the rise of individual over collective interests within Congress» [1; 21; 34].

The manner in which ideological tendencies and bureaucratic structures are synthesized could be discussed, first and foremost, with respect to the dynamic and flexible nature of decision-making in the US foreign policy on one hand, and the actual powers of the two branches on the other. This dynamism conveys the impression that the US foreign policy does not conceptually follow constantly prescribable rules and rigidly defined guidelines; instead, it is a context-oriented and case-specific practice predominantly influenced by bureaucratic rationality on one side of the spectrum, and individual bearings on the other.

In terms of procedure, foreign policy is conducted with regard to a wide range of categories such as decision-makers in respect of cognition, emotions, and perceptions, bureaucracy in respect of management styles, group dynamics, and organizational strategies, institutional frameworks in respect of electoral systems and established values, social actors in respect of public opinion, media, interest groups, and epistemic communities, cultural patterns in respect of norms, national roles and identities, strategic and political culture as well as gender and discourse [66]. Furthermore, the circuitously multilateral quiddity of foreign policy makes it impossible to study any pertinent issue out of its situated context; thus, any analysis would be meaningless unless it embraces contextual elements of the international structure. This structure includes structural assumptions, dominant paradigms, regional relations, multilateral organizations and so forth.

An additional key aspect of this synthesization is to recognize the practical meaning of the legal authorities of individuals within bureaucracy, most important of which for the sake of this study, it might be referred to Constitutional powers of the two branches. In black and white, Article I of the US Constitution, Congress is given foreign affairs powers such as «regulate commerce with foreign nations,» «declare war,» «raise and support armies,» «provide and maintain a navy,» and «make rules for the government and regulation of the land and naval forces». And according to Article II, the Presidential power in foreign policy includes making treaties and ap-

pointing diplomats with Senate approval. Practically speaking, however, the executive authority over foreign policy has overshadowed that of the legislative's in the recent decades thanks to two set of causes; first, the appropriate capabilities of the executive branch for shaping and conducting foreign policy, and second, the global developments that resulted in accumulation of foreign policy powers for President at the expense of Congress.

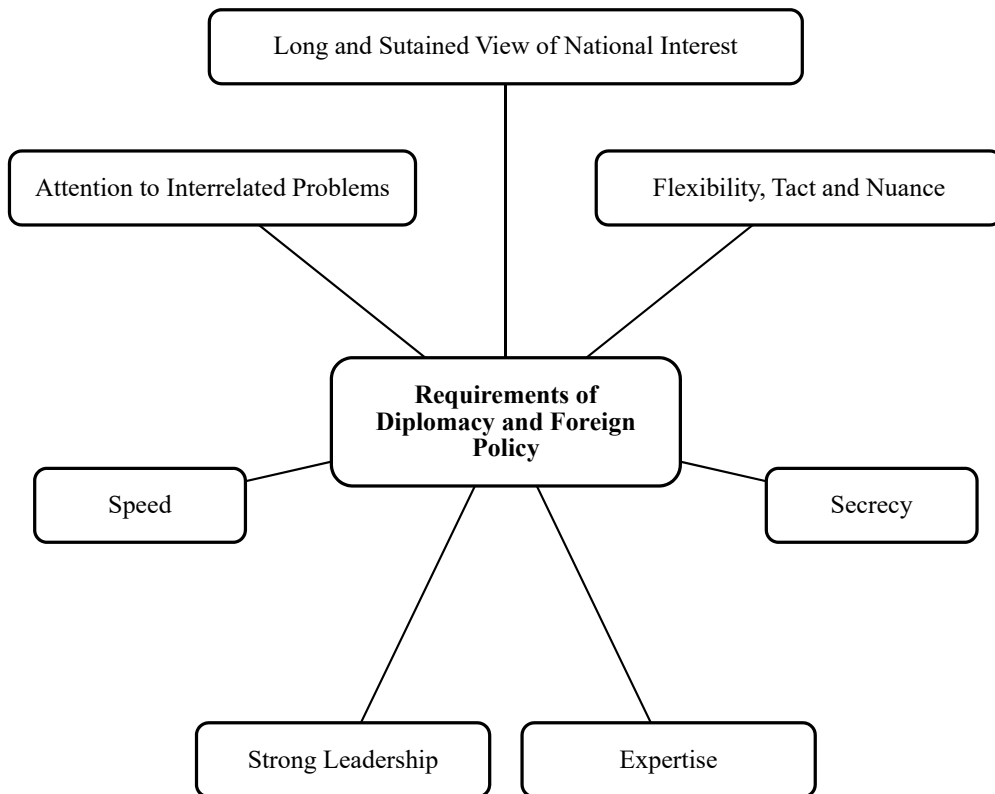
These two set of causes would be discussed in the coming sections, however, it is also in respect of institutional forbearance that the aforementioned synthesization could be elucidated. Defined as «the action of restraining from exercising a legal right», the concept of institutional forbearance could be employed to compile Congressional behavior in the US foreign policy; however, when it comes the executive branch, the opposite of forbearance, meaning the use of institutional prerogatives in an unrestrained way, is frequently the case. Levitsky and Ziblatt employ Tushnet's concept of 'constitutional hardball' to theoretically elaborate on the opposite of forbearance; «playing by the rules but pushing against their bounds and playing for keeps. It is a form of institutional combat aimed at permanently defeating one's partisan rivals—and not caring whether the democratic game continues» [58, p. 109]. In respect of this elaboration, an investigation into the positional potentialities of the President could depict why the executive branch is rather dominant in the US foreign policy.

### **Hamilton and Requirements of Foreign Policy**

Advocates of strong Presidential role in foreign policy hold the position that secrecy, firm leadership, and a national rather than a parochial perspective are the necessities of a successful foreign policy, and with that said, it would be only the President who enjoys a position to provide these attributes [7; 91]. Former Representative Lee H. Hamilton discusses the reason why the US Congress is not as powerful as the Presidency in foreign policy and particularly in diplomacy. Hamilton's explanations on the requirements of foreign policy, which is raised in his article *Congress and the Presidency in American Foreign Policy* could be visually categorized through the following radial cluster layout [45] (Figure 1).

The inherent advantages of the Presidency, rulings of the Supreme Court, and the nature of Congress all could partly rationalize why rarely does the Congress happen to defeat the President on foreign policy; yet, the difficulty Congress confronts in legislating foreign policy, as Lindsay notes, cannot be laid totally at the feet of the other two branches of government. Foreign policy demands an irreducible minimum of duplicitous scheming as well as secrecy in negotiation and swiftness in decision-making, and the Congress, as a public, deliberative body moves slowly, therefore, cannot fulfill such kinds of demands [39; 45; 56; 60]. In short, the «Congress acts slowly but issues can change rapidly» in the realm of foreign policy [59; 60]. Congressional action does not enjoy sufficient flexibility, tact and nuance that is desperately needed in foreign policy. As Hamilton notes, «We say yes or no to legislation. We approve or we reject aid to

a given country. We grant aid or we take it away» [56, p. 501]. In numerous cases, it has been a difficulty with legislative on foreign policy to combine policy direction by Congress with a desirable flexibility [9].



**Figure 1. Requirements of Diplomacy and Foreign Policy**

Diplomacy and foreign policy, on the one hand, are arenas where secrecy, although not in all cases, is critically important and on the other hand, the Congress is likely to leak sensitive matters [45; 56]. Arguments justifying the dominant role of the executive sphere are typically based on the need for secrecy, speed and flexibility in foreign policy, reflecting an underlying assumption that national security is at stake [90]. The necessity of secrecy in foreign policy, according to Kristol, goes against the grain of Congress as a public branch of government [56]. Gibbs discusses three theories advanced to put forth explanation for the need for secrecy in the realm of foreign policy and international relations, pointing out that government secrecy is possibly 1) designed to protect sensitive information from external enemies (External Threat approach), 2) a relatively unsystematic process that results from the collectively irrational features in any government bureaucracy (Bureaucratic Politics), 3) used by the officials of a government to mislead the populations of their own countries (Internal Threat approach) [44]. By and large, access to secret information is undoubtedly of utmost importance in making foreign policy decisions [41].



While government by consent of the governed requires disclosures, many aspects of national security policy require secrecy [75]. Furthermore, making foreign policy, in a general sense, entails an impoverished understanding of long-term national interests; yet, the Congress is, in Hamilton's words, «influenced by short term interest and often has its eye too much on the coming election» [37; 45]. To this, he adds that diplomacy requires sustained interest; whilst the approach of the Congress towards foreign policy is eclectic and sporadic, usually concentrating upon the immediate hot spots in the world. In fact, partisan and institutional divisions mean that lacking consensus, Congress will not be able to act at its best in foreign policy.

Additionally, Spanier and Noguee's argument in favor of Hamilton runs in two general ground as follows: first, «national security necessitates a foreign policy that is adaptable and capable of rapid and, if necessary, strong action in order to operate in an anarchic international environment», and secondly, «the difficulty of Congress to develop a coherent and flexible foreign policy» [91, p. 199]. Foreign policy is indeed an arena in which decisions are made with multi-dimensional attitude and based upon a clearly defined set of principles. And in such an arena, major inconsistencies could possibly arise damaging the long-term national interests. As Destler mentions, broad policies should shape day-to-day practice of foreign policy; therefore, an intricate formal system of policy planning and operational co-ordination sounds utterly needed [32, p. 50]. The issue could be best summed up in Kissinger's words, who states «the Congress can set broad guidelines and decide basic policies. But the Congress does not have the organization, the information or the responsibility for deciding the tactical questions that arise daily in the conduct of our foreign relations, or for executing a coherent, consistent, comprehensive policy. The President has this responsibility and must be permitted to exercise it on behalf of the entire nation» [91, p. 199].

«Diplomacy requires expertise, but Congress is often ignorant of foreign affairs; it changes its membership frequently and is overburdened with a very heavy schedule» [45; p. 501]. Fulbright recognizes Presidential power as the source of an effective foreign policy under the current US political system, advocating the view that the conduct of foreign policy necessitates an infusion of rigorous professionalism [42]. Furthermore, Destler [32] lays great emphasis upon the significance of having professional personnel in foreign affairs assignments and that «as many high-level posts as possible should be filled from the career service» [32, p. 50].

Foreign policy deals with human behaviors and reactions in the complex system of international environment which contains threats, challenges, and opportunities of any kind [25]. The very complex nature of foreign policy necessitates informational input as well as expertise during the agenda-setting, decision-making, and eventually implementation phases [36; 98]. Another indispensable factor through the process of successful decision making in foreign policy is to pay attention to the interrelated nature of issues and problems. Formulating foreign policy, as Realists argue, requires complicated trade-offs and sophisticated reasoning that the public might lack [41].

Nevertheless the Congress «tends to focus on narrow problems and often sees broad problems from the perspective of a narrow interest» [45, p. 501].

Diplomacy requires strong leadership. Power in the US Congress is diffused which hinders quick and effective reactions on many issues. The fragmentation existing in the US politics and the diffusion of public authority are observable in a decentralized Congress which, as Spanier and Noguee maintain, cannot provide the strong leadership required for making decisions in foreign policy [91]. In Reagan's words, public trust is «what gives a President his powers of leadership and his personal strength» [76]. In such a milieu, the predominance of Presidential leadership, according to Fulbright, supersedes «the most logical and ingenious administrative and organizational schemes». He further asserts that «the essence of our «policy-making machinery» and of the «decision-making process» -concepts of current vogue in the academic world- is the President himself who is neither a machine nor a process, but a living human being whose effectiveness is principally a function of his own knowledge, wisdom, vision, and authority» [42, p. 2].

Even though the US Constitution grants the Congress a particular set of authorities over foreign policy, and even though Congressional reactive role to executive initiative cannot be ignored «with the attendant stress on the lobbyist and anticipatory functions that it performs in the policy process» [6, p. 469-470], it is mostly the executive branch that enjoys the upper hand in driving the process of decision making in the US foreign policy [11; 18; 51; 71]. In their book *The Irony of Democracy: An Uncommon Introduction to American Politics*, Schubert, Dye, and Zeigler note that the US Presidents have expanded on their modest Constitutional powers to dominate American foreign policy making, further asserting that «although nations may also watch the words and actions of the Congress, the President's statements are generally taken to represent the official position of the official position of the US government. Most importantly, Presidents have come to dominate US foreign policy as a by-product of their role as Commander-in-Chief of the armed forces. Military force is the ultimate diplomatic language» [85, p. 223].

## **Towards Presidency: US Foreign Policy in Post-World War II**

Despite the conventional view of Presidential dominance over foreign policy, US Presidents have not always been able to pursue their foreign policy agenda. The first serious Congressional challenge to the Presidential foreign policy prerogative was the Senate rejection of President Wilson's Versailles Treaty in 1920. In the 1930s a strong Congress continued to inhibit Presidential initiatives in foreign policy preventing the US from playing a helpful role in Europe that many observers believe could have thwarted World War II [94]. After the attack on Pearl Harbor and US entry into World War II, however, the President and Congress agreed over the direction of foreign policy. Congressional acquiescence to the executive continued throughout the World War II and the later, Cold War. At times of war and national emergencies, the President as

the Commander in Chief faces less challenges and the power tends to flow toward the executive as Congress usually supports President's foreign policy decisions [80]. This was the case at the time of World War II and the Cold War. The rise of the Cold War specifically led to the existence of a policy consensus among the US foreign policy decision-makers and Congress was «generally deferent to the executive leadership on foreign policy issues from 1947 to 1968» [86, p. 152]. Presidents were exceptionally powerful political actors during the 1950s and 1960s, the height of the Cold War, and the foreign policy bureaucracy «expanded and became an important tool for implementing the president's containment policies» [80, pp. 31-32].

In spite of several Congressional powers in the arena of foreign policy, a growing trend of broadly interpreting the executive authority dates back to the beginning of the Cold War which placed the President at the heart of foreign policy decisions [23]. The particular issues comprising legislative-executive contestation may have changed in and after the Cold War era; yet, they remain, as Wittkopf and McCormic state, focused upon the broader question of the Presidential prerogative powers [99]. Rosner recognizes the emergence of a new Congressional assertiveness which could be fundamentally due to the reason that the balance of power, and the institutional and partisan relationships between the two branches of government were profoundly altered by end of the Cold War [81].

«Research in American political development indicates that since the twentieth century it is the President, not Congress, who has the advantage in capturing the public's attention» [17, p. 13]. As Lindsey states, the public fear of a nuclear combat in respect of the military equipment at the hands of the Soviet Union paved the way for Americans and their representatives in the Congress to put faith in broad executive authority at the international level [60]. The President dominated foreign policy with the ability to gain Congressional support due to strategic concerns of the Cold War environment, information advantages, and greater institutional powers and personal investment [74]. It is as a matter of fact that during the Cold War, key members of Congress did not strategize parallel to Presidential leadership; rather, «they compete with the President to exercise leadership over strategy» [92, p. 243]. In this period, the US Congress did have a role to play in the foreign policy; nonetheless, the role was less than dealing with tactical considerations [82].

The Vietnam War was another key event. The contradictions between elite political and economic instrumental rationalities and interests resulted in legitimation problems and loss of trust to the American system [29]. «Several arguments have been advanced in support of the President's authority to continue use of the Armed Forces in Vietnam without a Congressional declaration of war as provided by the Constitution» [95, p. 1]. In such a situation, Congress could, for example, attempt to prevent repetition of the secret bombings and invasions in the War by mandating that the President should have immediately kept the designated committees of the Congress informed about the presence of any American troops on or over foreign territory in the absence of a war declaration [67]. Carson's investigations indicate that although

the decline of President Nixon's authority also coincided with the beginnings of the decline of power of Southern Democrats in Congress, the Southern Congressional hawks advocated fighting a war without limits for a total victory when America became involved in Vietnam [19].

The Cold War placed foreign policy above adversarial politics which resulted in swifter and more decisive foreign policy-making by the Presidency and a generally complacent and compliant Congress up to the time of Vietnam War [33]. With the Cold War having posed a permanent threat to US national security, the era of Vietnam War led to accumulation of Presidential power in a manner never seen before. In the context of the War, as Neureiter notes, the Formosa Resolution, the Cuba Resolution, and the Berlin Resolution are of particular prominence, inasmuch as they endowed the President with greater war powers and weakened the role of the Congress within the US political system [68]. As Porter notes, President Eisenhower certainly knew that there was virtually no possibility of Congressional approval of unilateral intervention, since his Secretary of State John Foster Dulles had already informed the National Security Council that it would be impossible to get Congressional authorization in Indochina. However, the President was not «committed to do anything in the event of a subversive war in South Vietnam» [73, p. 85]. A major area where Congressional intervention contributed to foreign policy disasters was, according to John G. Tower the series of anti-war amendments in the early 1970s aiming at forcing the executive into early withdrawal from Southeast Asia and cutting off American aid to Vietnam, Laos and Cambodia. The result was, the former Congressman further notes, that the administration «lost both credibility and flexibility in the peace negotiations» [94, p. 237].

Obviously, the executive authority over the US foreign policy has never been absolute and the conventional view of Presidential dominance has been challenged more often than not in the post-Cold War era. The 1970s marked the beginning of Congressional resurgence in foreign policy due to events such as the Vietnam War and the Watergate scandal which undermined the Cold War consensus and induced members of Congress to take a more active role in foreign policy-making [20, p. 330]. The release of Pentagon Papers in 1971 showed that the Johnson administration had lied, not only to the public but also to the Congress and perhaps this was the starting point of Congressional reappearance in foreign policy-making resulting in the passage of the War Powers Act of 1973 [4]. The Watergate scandal and later on the Iran-Contra Affair led to more Congressional oversight of the executive branch, in consequence of which the view of Congress yielding its power in foreign policy to the Presidency partially lost the favor among the researchers. Scholars such as Ripley and Lindsay maintained that due to the resurgence of congressional activism in foreign policy, efforts to understand the process of foreign policy-making in the US without considering the role of Congress were futile [78]. Kissinger's observation after the Vietnam War alludes to the importance of Congress in foreign policymaking, as he states that «the executive accepts that the Congress must have both the sense and the reality of participation: foreign policy must be a share enterprise» [38]. Regardless of this acceptance, the Con-

gress, playing a reactive role in foreign policy most of the time, would rather have kept the status quo of the actual relations between the executive and legislative branch, in which the former usually overpowers the latter in the general run of events.

The decisions in the US foreign policy are made within a bureaucratic system, containing an amalgamation of various bodies, organizations and institutions. This bureaucratic arrangement, however, is extensively influenced by the weight of players of higher positions so much so that, in some occasions, such players might make decisions in an either partial or even utter contrast with the bureaucratic compromise. Hence, the power distribution in the existing structure of the US foreign policy decision-making cannot be analytically investigated through a pure bureaucratic reading. Decision-making in the US politics, and particularly in foreign policy, is a consensus-based process among the practically effective centers of power. The argument, in other words, is that US foreign policy decision-making arguably takes place within a functional synthesization of 1) compromised bureaucratic rationality, and 2) the ideological, partisan and institutional interests and tendencies of individuals in possession of power. Therefore, structure-agency dialectic sensibly sounds a fitting conceptual approach to examine US foreign policy, seeing that the decisions made are generally developed through consensus-based interactional dynamics between the players and bureaucracy in formal and informal layers. In sum, an improved understanding of US foreign policy necessitates an in-depth study of both structural roles, and the playing individuals; however, it is generally the context that determines the extent to which each agent can overcome the structure.

It goes without saying that the relative influence of each power center has changed over the time, developing a natural ebb-and-flow of competitive power in US foreign policy decision-making [10]. However, the President is conventionally taken for granted for being the most leading official player in shaping the direction of the US foreign policy. Simultaneously, the daily conduct of US foreign policy is vested in bureaucracy. Compared to the executive branch, the decentralized and competitive nature of power hinders a comprehensive implementation of authority in the Congress. This study is not the first to figure out that the executive branch, regardless of all the existing bureaucracy, enjoys a competitive advantage over the legislative in making foreign policy decisions; however, a further important point to be taken into account is the manner in which, and the purpose for which this advantage works. In plain English, it could be claimed that based upon the requirements for conducting diplomacy and foreign policy presented by Hamilton, the Presidency is generally situated and equipped reasonably the best to deal with foreign affairs while the gamut of the Congressional role and authority in foreign policy varies based on the type of decisions made. For instance, the President usually has the upper hand in making crisis policy such as the times of war and national crisis.

From time to time, the Congress has been able to exert its influence over the US foreign relations to the extent of directing the executive policies. Congressional influence is supposed to be at its height when making structural policies inasmuch as

the Congress enjoys the power of the purse, deciding how resources are distributed to achieve particular foreign policy objectives. In retrospective, nonetheless, even the power of the purse did not turn out to be of benefit for the Congress to implement this supposed authority in the occasions like Iran-Contra Affair. In other words, the process of US foreign policy decision-making occasionally lacks the essential structural efficiency to prevent the executive branch from circumventing the Constitution. An executive branch operating in secrecy without legislative accountability is undoubtedly dangerous; therefore, a host of specialized means and preventive measures are required to be taken and practiced in order to avoid such danger and help keep US political structure in checks and balances. Very much in line with what Noorbaloochi states, historical incidents such as the Iran-Contra Affair further confirms the fact that centralized decision-making procedures result in detrimental policies [69]. Making foreign policy is commonly considered as a 'shared enterprise' of the executive and legislative branches, though the two are not asserted to be the sole decision-makers.

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# ОТНОШЕНИЯ МЕЖДУ ПРЕЗИДЕНТОМ И КОНГРЕССОМ В СФЕРЕ ПРИНЯТИЯ ВНЕШНЕПОЛИТИЧЕСКИХ РЕШЕНИЙ В США: ТЕОРЕТИЧЕСКИЙ АНАЛИЗ

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Цель данной статьи – предложить концептуальные рамки анализа отношений президента и Конгресса США в сфере принятия внешнеполитических решений. Формирование внешней политики США происходит, по всей видимости, при столкновении двух сил – рациональной бюрократической логики компромиссов и уступок, а также идеологических, партийных, институциональных и личных интересов лиц, принимающих решения. С учётом этого авторы приходят к выводу, что институт президентства, как правило, способен более оптимально работать на внешнеполитическом направлении, в то время как границы полномочий Конгресса в этой сфере подвижны, зависят от типа принимаемых решений и особенно чётко проявляются при распределении ресурсов для ведения внешней политики. В статье делается попытка вписать данный тезис в теоретический контекст моделей принятия решений Г. Аллисона, моделей практических ожиданий от внешней политики Л. Гамильтона, а также в контекст трансформации взаимоотношений Конгресса и президента США после холодной войны.

**Ключевые слова:** США, Конгресс, президент, внешняя политика, принятие решений, теоретические модели.

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