The Machinery of Foreign Policy Making: 
Who and What

The Constitution divides the powers in foreign policy-making just as it divides powers throughout the government system. However, the president (as commander in chief and as head of state) has been preeminent in foreign affairs since George Washington and has gotten even more powerful in recent years.

In Federalist No. 8, John Jay noted that, “it is in the nature of war to increase the executive at the expense of the legislative authority.” As the likelihood of international conflict became greater in the 1930s, Congress granted the president authority to act in foreign affairs and to allow the president to prohibit arms shipments to participants in foreign wars. In U.S. v. Curtiss-Wright Export Corporation (1936), the Supreme Court upheld the constitutionality of this congressional grant of power. In this ruling, the Court explicitly recognized the primary importance of the president in foreign affairs and the concept of inherent powers in those affairs.

World War II and the Cold War helped solidify presidential control of foreign policy. Congress supported a larger role for the US in international relations and the primacy of the president through the National Security Acts of 1947 and 1949. These acts consolidated the armed forces into the Department of Defense, set up the Central Intelligence Agency (CIA) and the National Security Council (NSC). With few modifications or additions, these institutions and agencies remain the core of American foreign and military policy making today.

However, different types of foreign policy are made in different ways involving different combinations of decision-makers. There is no doubt that the executive branch enjoys primacy in foreign policy-making in crisis situations or with covert operations when there is limited supervision by congressional committees. Broader issues of defense policy, including treaties on arms control or military alliances, participation in major wars, and the amount of money spent on defense, involve much more participation by Congress, the general public, and interest groups, and others. Here too, the executive branch ordinarily takes the lead, but it must either respond to domestic political forces or change those forces. Congress is often involved in decisions about international trade, foreign aid, military spending, immigration, and other matters that clearly and directly touch constituents’ local interests.
**Decision-making:**

*The Executive Branch:* [http://www.whitehouse.gov/index.html](http://www.whitehouse.gov/index.html)

Because the Constitution gives the principal diplomatic and war powers to the president---the power to appoint and receive ambassadors, to negotiate treaties, and to be commander in chief of the armed forces---the president is the top decision maker on foreign policy and military issues. On an operational level the president’s power is dominant for several reasons: 1) the president alone is in charge of all the resources that the executive branch can apply to foreign and military policy; 2) the president alone can simply act with little fear of meaningful contradiction; 3) the president has greater access to and control over information; and, 4) while anyone can try to *speak* to the American people about foreign affairs, most people will *listen* to no one except the president on such issues. And, the president has help from many people and organizations:


This is the executive agency responsible for advising the president about foreign and military policy and events. It was originally set up to *institutionalize the system* by which the US government integrated foreign and military policy and to *coordinate* US activities on a range of foreign policy and military issues. The NSC is made up of the president, vice-president, the secretaries of state and defense, the chair of the Joint Chiefs of Staff, and the director of CIA. The *special assistant for national security affairs* runs the NSC and is often one of the president’s closest advisors. In most critical military and foreign policy matters, the NSC takes the leading role. It is a small body, most of whom are appointed by the president. The NSC lacks some of the bureaucratic problems and slowness of the DOS and DOD. (*The National Economic Council was created to parallel the NSC on economic issues which are increasingly understood as ‘security issues’ too. The NEC consists of the secretaries of Labor, Treasury, and Commerce; the director of the OMB; the head of the Council of Economic Advisors; and is chaired by a presidential advisor.*)

*Department of State:* [http://www.state.gov/](http://www.state.gov/)

This is the chief executive-branch department responsible for formulation and implementation of US foreign policy. “Foggie Bottom” is the president’s chief arm for carrying out diplomatic activity. The department is organized partly along functional lines, with bureaus or offices in charge of such matters as economic affairs, human rights, international organizations, narcotics, terrorism, and refugees. But it is mainly organized geographically, with bureaus for Europe and Canada, Africa, East Asia and the Pacific, InterAmerican Affairs, and the Near East and South Asia, and *country desks* devoted to each nation of the world. Reporting to the State Department are about 270 embassies and missions in more than 170 countries. In 1999, the DOS absorbed the Agency for International Development (AID) and the Arms Control and Disarmament Agency (ACDA). Funding for the DOS was approximately $22 billion in 2001.
**Department of Defense:**  [http://www.defenselink.mil/](http://www.defenselink.mil/)

This is the chief executive-branch department responsible for formulation and implementation of US military policy. DOD directs US forces from the Pentagon, across the Potomac River from Washington, D.C. With approximately 23,000 officials and employees overseeing its functions it is among the most influential executive departments. When the Cold War ended, the US cut its armed forces dramatically, from about 2.2 million military personnel in 1987 to roughly 1.3 million in 2000. But, DOD still accounts for about one-fifth of the federal government. And, the military has become far more reliant on highly technical equipment and the type of mission (or usage) of the military has changed. Missions like Bosnia and Kosovo—making and keeping peace—have become some of the more common missions today. Rapid deployment and minimum casualties are the watchwords of today’s military.

**Intelligence Agencies:** The exact size is secret, but the US intelligence community is very large. Many observers have argued that more rather than less intelligence effort is needed in the more unpredictable, confusing post-Cold War world, to deal with nuclear proliferation, terrorism, commercial espionage, etc. **The Central Intelligence Agency** [http://www.odci.gov/](http://www.odci.gov/) is the organization that coordinates all US intelligence agencies. It also gathers and evaluates intelligence itself and carries out covert operations. The CIA controls approximately 15% of the overall intelligence budget but its role and its notoriety have made it a more important part of the intelligence community that this share would indicate. **Spy Technology** is the most expensive US intelligence activity consuming 75% or more of the federal intelligence budget and providing most of the raw intelligence information. The primary agencies are located in the DOD. These include, **The National Security Agency (NSA)** which intercepts and decodes electronic messages and secures US communications around the world and **The National Reconnaissance Office (NRO)** which is responsible for surveillance by satellite photography and other technological means. Finally, **The Defense Intelligence Agency (DIA)** is in charge of coordinating the intelligence units of the various armed services.

**Note:** these institutions and the president are a system of civilian control of the military and military policy that is extremely important in the US and rare in the world.

**Summary of Presidential Primacy in Foreign Affairs:**

Alexander Hamilton argued for presidential supremacy in foreign relations because foreign policy was different from domestic policy in several ways. It requires:

- accurate and comprehensive knowledge of the world
- a steady and systematic adherence to the same view
- a nice and uniform sensibility to the national character
- decision, secrecy, and dispatch

The 535 members of Congress seem unable to do things quickly, decisively, and secretly, the president and his small body of advisors usually do better. Often the executive has information not available to others—secret information gathered by the NSC, the CIA, and others.
Challenges and Challengers to Presidential Power In Foreign and Military Policy:
The president is powerful, but not omnipotent. He must still deal with domestic constraints and international pressures.

Congress: In the words of Bruce Jentleson, “……no one has come up with a definitive answer to the question of constitutional intent and design for presidential-congressional relations in the making of foreign policy.” The constitution left it, in one classic statement, “an invitation to struggle for the privilege of directing American foreign policy.” We should be reminded that our famous “separation of powers” system is in fact much more, “separate institutions sharing powers.” So, the main point is that the two branches share a number of relevant powers: war powers, treaty making, appointments, foreign commerce, and general powers (such as congressional oversight and investigation). In the end, Congress has a number of potential powers in the foreign policy making process, probably most significant being the power of the purse which allows Congress to set conditions as to how money can or cannot be spent, or earmarking it for specific programs or countries.

Military-Industrial Complex: This is the grouping of US armed forces and defense industries. Before WWII, the US, except in time of war, maintained a small military force and required few weapons and military supplies. After WWII, this changed as the nation adopted an activist global foreign policy and developed a large military establishment to support this global activism and the ability to go to war at a moments notice. This changed situation led to the development of a close relationship between the DOD and the industries that provided the immense quantities of weapons and supplies. This close relationship also created the danger that the military and defense industries together would acquire, because of their shared interests, an undue influence over foreign policy. This complex has the potential to acquire power for several reasons:

1) it has extensive economic clout (as much as 7% of gnp)
2) it has access to technical expertise and political information
3) the military and defense industries share many interests
4) personal and professional relationships between the military and defense industries are close with many military officers upon retirement going to work for defense industries.
5) The military and defense industry officials work closely with legislators and their staffs.

Public Opinion: Public attitudes and actions can play a major role in the formulation and implementation of US foreign policy. Some scholars argue that public opinion has two dimensions, militarism/nonmilitarism and isolationism/internationalism creating four opinion groups. Others say that a third dimension, unilateralism/multilateralism is also important. The public is not equally divided among these opinion groups, but US foreign policy usually has to appeal across these dimensions to two or more groups to achieve widespread popular support. The presence of these dimensions also means that almost every foreign or military policy has a core group of people who oppose it. See for example, http://people-press.org/
Think Tanks: Privately organized and funded research organizations are the source of significant information for foreign policy decision-makers. Most of these think tanks are sponsored by interest groups seeking to promote a general or specific foreign policy agenda. Two of the most prominent and influential of these think tanks are The Brookings Institute (http://www.brook.edu/dybdocroot/fp/fp_hp.htm) and The Heritage Foundation (http://www.heritage.org/).