



# The Collegiate Conservative



**Volume II**

**Issue I**

**Spring / Summer 2010**

**ISSN 2150-9778**



**Dedicated to the  
Advancement of  
Conservative  
Thought.**

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## *Letters To The Editor*

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**Provoke!**

**Incite!**

**Inspire!**

**REF: The Time for Blaming George W. Bush is Over, Mr. President**

BY: Undergraduate Student, *State of Wisconsin*

On August 9, President Obama turned to his Democrat faithful and again looked to the previous administration as a scapegoat for the continued economic issues that have occurred throughout his presidency. While it must be noted that President Obama did inherit a floundering economy at the beginning of his election into office, it would be refreshing to discuss the current state rather than the previous eight years. The past has already happened and it is of little use to discuss, meanwhile the U.S. is still in the midst of high unemployment and a very fragile economic state.

It is time for President Obama to be a strong leader, not a figure pointer. Furthermore, recessions will occur; the economic cycle ensures that there will be ups and downs. Therefore, if the recessionary cycle repeats during a period where a Democrat is in office is that completely the democrats fault? The answer is no, and the same goes for the Republicans. The time for strong leadership in the face of uncertainty is now and the time for the blame game has gone. The past is over and the time for forward thinking policy is now, before the future becomes a recessionary dip. ■

\* \* \* \*

**REF: The Bush Tax Cuts & President Obama's Wrong Stance**

BY: Undergraduate Student, *State of Wisconsin*

The United States is proud to be known for all of their small businesses, or at least they used to be. Obama stated that he would not grant tax cuts to any households exceeding \$250,000. Although this income may seem substantial on the forefront, it is often the household amount many small to medium businesses have. Not only is he adamant about denying a tax cut to these taxpayers, he is proposing a tax increase with an added tax break "benefit" for capital investments. But who could this truly benefit if more and smaller businesses become more heavily taxed? It is not possible for a small business owner to hire more employees—creating new jobs—when he or she is concerned with funding taxes. This increase in taxes and decrease in tax breaks will do nothing for small business owners, but on a much larger scale, will on increase the unemployment rate. David Axelrod stated that Obama is not supporting tax cuts because they "don't need them and have the money to spend" (Foxnews.com). It is time to reconsider the consequences of actions such as this. If the money is being taken from those who "don't need it," there will be no American citizen able to start up any small business. ■

\* *Note*—Due to both the liberal bias on college campuses today, which has proven hostile and discriminatory, and the concern conveyed by our submitters that professors would bias or penalize their work in the classroom, *The Collegiate Conservative* has protected the individual identity of its student participants by noting only their academic status and state of location.

# TALKING POINTS

Each edition of *The Collegiate Conservative* poses one or two inquiries on topical political issues in Washington or the international arena and begs input from our collegiate contributors. This edition asked readers to address two topics: *The Obama Foreign Policy Doctrine* and *Arizona Immigration Bill 1070*.

## TALKING POINT #1

Much was made of the "Bush Doctrine" in the last decade. Over the course of several years, four defining tenets emerged: the doctrine of *preemptive* self-defense; the willingness to consider even *preventive* war to defeat the "toxic nexus" of WMD and transnational terrorism; the necessity and righteousness of American *primacy*; and the *promotion* of democratic self-government in strategically-important locations across the globe. So far, however, it is less clear what the "Obama Doctrine" might be. Is there an Obama Doctrine yet? If yes, what is it? If no, do you believe such a doctrine will emerge?

### **REF: No FP Doctrine Apparent; but Big Government Obvious**

BY: Graduate Student, *State of New York*

I believe that, thus far, a clear Obama Doctrine has failed to emerge, primarily due to the nascence of the administration's term in office. There are certain pillars that define the administration's decision-making process; however, it appears significantly less clear than the former president's doctrine. The current administration obviously embraces the mentality of big government. Whether in terms of fiscal restraint placed on the private economic sector, the passing of ObamaCare to provide health care for "all" citizens at a cost that was supposed to be less than the current system, or in strict opposition to the use of force toward threats from abroad, this administration strongly desires to increase the role the federal government plays in the lives of American citizens. Although no dogma has yet been displayed, I am convinced that an Obama Doctrine will continue to develop as his term progresses, and that the American people will witness ever clearer policy implementation. ■

\* \* \* \*

### **REF: Avoiding Linkages to the Bush Doctrine; Embracing Soft Power**

BY: Graduate Student, *State of Texas*

The Obama Doctrine is still taking form, being shaped by the predisposed inclinations of the Obama administration and by international events. Unfortunately, President Obama still tries to avoid any linkages with President Bush. He even goes as far to claim that withdrawal from Iraq was his idea, ignoring the fact that the Status of Forces agreement was crafted and signed under President Bush. President Obama does himself and the country a disservice by ignoring a policy which could have broad bi-partisan support. I suspect that eventually President Obama will embrace the soft power aspects of President Bush's doctrine, supporting and speaking out in support of democracy in the Middle East and human rights around the world. How strong he will be against adversaries like Iran and rivals like China is yet to be seen. ■

**REF: Global Appeasement**

By: Undergraduate Student, *State of Wisconsin*.

The election of Barack Obama brought about the demise of the Bush Doctrine and hard-power national security policy. Early in the Obama presidency, it appeared as though the administration was poised to abide by the fundamental precepts of the Bush Doctrine, mainly preemptive self-defense and democracy promotion. In the past year, however, the president has ushered in its own brand of American national security that I call “global appeasement.” Obama’s National Security Strategy is laden with rhetoric about enhancing international coalitions, multilateralism, restoring America’s image in the world and appeasing others. ■

The Obama Doctrine places great emphasis on restoring diplomatic negotiation than it does on winning the GWOT (now “overseas contingency operations”) and defeating the most dangerous threats posed by rogue states like North Korea and Iran. Instead of obsessing over “the last eight years”—haven’t we heard that line enough already?—President Obama should focus more time on defeating transnational terrorism and preventing failed and rogue states from becoming greater security problems. Democratic Realism as imbued by President Bush, not global appeasement, should be the cornerstone of American national security in the 21<sup>st</sup> century. ■

\* \* \* \*

**REF: Bush Doctrine Still Exists in Fact, If Not in Name**

BY: Undergraduate Student, *State of Wisconsin*

The Obama administration was elected following a campaign that had more to do with proving that challenger John McCain was simply George W. Bush round three than with changing national security doctrine. Given such vehement opposition to the previous administration, it is odd to see that many of the Obama administration’s early moves have been in line with the Bush Doctrine of *preemptive* self-defense, considerations of *preventive* war to stop the proliferation of WMD, the continuation of American *primacy*, and the *promotion* of democratic self-government.

With only one exception out of these four, the actions of the Obama administration seem to be the Bush Doctrine with a new figurehead; preventive war seems to be off the table, considering the recent sanctions that the Obama administration has applied to Iran. The approach of negotiating with Iran is not yet changing the status quo of Iran continuing its program and coming to a point that the world will have to deal with an Iran both with nuclear weapons and possibly a delivery method. Overall, the Obama administration needs to more strongly convey its stance with countries such as Iran, but to this point the Bush Doctrine still exists in fact, if not in name. ■

**SO LET IT BE WRITTEN.  
SO LET IT BE DONE.**

# TALKING POINTS

## TALKING POINT #2

The State of Arizona has enacted new legislation designed to crack down on illegal immigration. The most controversial of the law's provisions is the one that requires police to investigate the legality of an individual's status if they have probable cause to do so. Taking heat from the Obama administration, the position of the Arizona state government has been that it has no choice, in the absence of an adequate federal statute, but to enact its own laws and enforcement mechanisms to address the problem. Is illegal immigration properly a national issue, best addressed by the U.S. Congress? Or is it properly a state issue, best addressed by the principles of federalism, decentralized power, and states' rights?

**REF: All For One or One For All?!**

BY: Graduate Student, *State of Texas*

The U.S. Congress must build a potent and enforceable immigration law. The security of a nation's border is essential to maintaining sovereignty. Absent such a potent law, it is understandable that states act in their own self-defense. However, this can only be a temporary solution. *States* should not be regulating entry into the *country*; this action must be reserved for the federal government. Protection of private property is at the heart of the social contract between citizen and government, but the government's failure to meet this basic need of society will result in communities seeking to protect themselves through other means. Currently the state of Arizona is taking such action. The frightful question is: what means will people use to protect themselves if the Arizona government fails? ■

\* \* \* \*

**REF: The Purpose and Power of Federalism**

BY: Graduate Student, *State of New York*

To say the problem of illegal immigration is primarily for the federal government to solve is not unreasonable. Unfortunately, this issue has failed to be solved at that level. There are two primary reasons this issue is better dealt with on the state level: 1) The negative effects of illegal immigration are most directly felt by the citizens and, therefore, state governments; 2) the federal government has been unable to produce timely and comprehensive immigration policy that can be applied to every state in our union.

States suffer most directly from the negative fiscal side effects of illegal immigration and therefore have greater incentive to solve the issue. The purpose of federalism is to encourage problem-solving at the lowest level capable of addressing the issue. Because of the inherent difficulty in drafting legislation that encompasses the concerns of all states, the principles of federalism do apply. Secondly, the Obama administration is experiencing much difficulty solving the myriad of problems with which it has been presented and which it has caused. It has not shown any progress in producing viable solutions to this specific problem. Drafting effective legislation regarding illegal immigration with respect to the entire nation is virtually impossible at this time. ■

**REF: Restructure Funding And Solve Both Problems**BY: Undergraduate Student, *State of Wisconsin*

The issue of the immigration problem is hotly contested, to say the least, and there are definitive questions as to whether this issue needs a national solution or whether it is a matter that states need to address. The problems created by a porous border for the overall national security of the entire nation require a national solution. But each state has its own needs for border security. Therefore, a solution that mimics the interstate system should be implemented.

If each state automatically received 90% of its funding for border security from the federal government but was held to a national standard to receive the remainder, both problems would be solved. States with distinct problems would have the ability to custom-fit their policies to their own needs, but there would be major disincentive for states to ignore national security needs. This system allows for funding to be national but the solutions can be innovative to address the unique issues that each state on the U.S. border faces. ■

\* \* \* \*

**REF: A Legal and Constitutional Melee**BY: Undergraduate Student, *State of Wisconsin*

The passage of S.B. 1070 has caused a legal and constitutional melee. Ultimately, though, states are more familiar with what best suits the local needs of their constituents than the federal government. Arizona's decision to enact its own legislation is protected by the 10<sup>th</sup> Amendment, and in the case of immigration policy, federalism and states' rights trump the authority of the federal government.

Since the onset of the Supreme Court's "modern era" (1900-present), the Court has ruled in favor of the states in 10<sup>th</sup> Amendment cases in all but two instances. If this issue were to reach the Supreme Court, it is likely that the majority opinion would favor the side of federalism and states' rights, not federal authority. If America is serious about securing its southern borders and protecting itself from attack while sticking close to its founding principles, it is paramount that states, rather than the federal government, enact local immigration legislation that fits their own requirements. ■

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**73% of Americans support Arizona S.B. 1070  
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**Presidential Power:  
The Limits of A Crisis.**

By Undergraduate Student, *State of Wisconsin.*

May 2010



**T**he political science community is

laden with debate over the limits of presidential power during a time of crisis. Since the Second World War, the United States has witnessed an enormous usurpation of power by the President of the United States, especially during a time of war and crisis. Both sides make a compelling argument, and have copious amounts of evidence to prove their case. However, this paper seeks to prove that during a time of crisis it is not only acceptable, but necessary, for the President of the United States to stretch the limits of the Constitution and assume the role of an imperial president. This paper also examines an issue that receives very little scholarly attention; the role of the president and the American public in determining and defining what constitutes a crisis. Presidents from both parties throughout American history have contributed mightily to the expansion of presidential power during a time of crisis. During a domestic or international crisis, it is of paramount importance that the President of the United States stretches the limits of the United States Constitution, and willingly expands his power. Moreover, the President of the United States should be directly responsible for responding to and making decisions during a time of crisis, without have to deal with the slow moving and often-inefficient Congress. So long as the president is not violating the constitution, or federal law he should usurp greater authority during a time of crisis.

## **Part One: Presidential Power during a time of crisis.**

Throughout the course of American history, presidents have willingly stretched the limits of the constitution in the name of protecting America. In the vast majority of these cases, it has been both necessary and proper for presidents to expand his authority. During a time of crisis, the American people expect swift and deliberate action from the government, thus immediate presidential action is a necessity. Stephen Calabrisi and Christopher Yoo, two of the nation's leading legal scholars contend that during a time of crisis, it is the responsibility of the President of the United States to do whatever is necessary to ensure that the nation is secure, and the American people are calm (Calabrisi and Yoo, 2008). While many of the actions carried out by presidents during a time of crisis are seen as controversial, they are often necessary for protecting the nation and calming the citizens. On December 7, 1941, following the attack on the American naval base at Pearl Harbor, President Franklin Delano Roosevelt greatly expanded presidential power by establishing internment camps for Japanese-American citizens.

Despite the controversial nature of the internment policy, Roosevelt went ahead with it, due in part to the anti-Japanese sentiment that loomed large in the United States at the time. Presidential historian Kenneth Davis, in his seminal tome *FDR: The War President 1940-1941*, contends that despite the controversial nature of the decision, Roosevelt's establishment of internment camps for Japanese-American citizens was necessary for protecting American security (Davis, 2000). Neither Davis nor I believe that the gross violation of civil liberties committed by Roosevelt in this situation was justified, but both understand Roosevelt's reasoning behind the decision; to protect American security. The American public was outraged by the Japanese attack on Pearl Harbor, and many feared that all Japanese-Americans were a threat to American national security. In responding to this threat and the concerns voiced by the American people, Roosevelt stretched the limits of the United States constitution, by interning Japanese-American citizens. Roosevelt's immediate successor, the bespeckled Missouri haberdasher, Harry Truman stretched the limits of his presidential power by entering the United States into the Korean War without direct congressional approval.

Harry S. Truman, much like his predecessor Franklin Roosevelt, argued that during a time of war it was necessary for the president to stretch the limits of their power, so long as they do not violate the constitution or federal law. William Goldsmith, one of the nation's leading experts on presidential power argues that during a time of war it is necessary for the President of the United States to expand his constitutional power, so long

as it is not in violation of federal law or the United States Constitution (Goldsmith, 1974). Harry S. Truman's decision to send American troops into Korea is a great example of a president expanding his powers during a time of crisis without violating the law. The Korean War broke out on June 25, 1950, when North Korea sent seven divisions of elite troops into South Korea, in an attempt to spread communism. President Truman's wanton desire to contain communism and spread democracy forced him to send American troops into Korea without congressional consultation or authorization.

Presidential scholar Arthur Schlesinger Jr., contends that Truman's decision to send American troops into a foreign country without the authorization of Congress was one of the greatest expansions of presidential power in history (Schlesinger, 1973). Truman feared that a congressional resolution would have taken months to obtain and would have made the situation in Korea much worse. As a result, President Truman unilaterally sent American troops into Korea. Truman's decision to bypass Congress and unilaterally send American troops into Korea was justified on the grounds that the conflict called for an immediate response. Moreover, Barton Bernstein, an expert on the Truman presidency, writes, "Truman feared that a declaration of war might be delayed by time consuming debate, and that he had to act promptly to this national crisis. Congress could be too slow; thus the executive had to seize the initiative in war making" (Bernstein, 1991, 425-427). Many in Congress at the time saw Truman's decision to send troops into Korea without their approval as being controversial, yet supported his decision after he alerted them of his intentions and motives. The next section examines why it is necessary for the president, not Congress to exercise authority during a time of crisis.

**Part Two: A need for the expansion of presidential, not congressional power during a time of crisis.**

The president, as the sole individual elected by the entire nation, is expected to assert greater authority during a time of crisis. Gene Healy, one of the most outspoken critics of expanded presidential power, notes that the American people expect the president, not Congress to take charge during a time of crisis (Healy, 2008). As a result, presidents have played a greater role in usurping power during a time of crisis. Arthur Schlesinger argues that the resurgence of presidential power during a time of crisis is the result of Congresses abdication of their power to the executive branch (Schlesinger, 1973). It should come as a little surprise that congressional abdication of power has prompted presidents to expand their power during a time of crisis. Thomas Cronin, in his fascinating quantitative study of presidential and congressional relations during a time of crisis, entitled *A*

*Resurgent Congress and the Imperial Presidency*, notes that since the 1930's, Congress has passed about 500 federal statutes that grant the president extraordinary powers (Cronin, 1980). Moreover, Cronin contends that Congresses decision to provide the president with greater authority during a time of crisis is a direct result of their desire to control the federal budget and economic policy (Cronin, 1980). The expansion of presidential power during a time of crisis is the direct result of congresses willingness to abdicate its power, and focus most of its time and attention on policymaking.

Presidential supremacy during a time of crisis is necessary for a myriad of reasons. First, Congresses size makes it incapable to efficiently and effectively respond to a crisis. The president is a single individual who represents the nation as a whole, whereas Congress is comprised of 535 members who represent varied interests and constituencies. As a result, of the varied opinions and interests in Congress, compromise and consensus are often difficult to obtain. President Gerald Ford in a 1977 speech argued that during a time of crisis it is essential for the president to act unilaterally. Ford contends that during a time of crisis the nation needs swift action, not long drawn out Congressional deliberation (Ford, 1977).

Second, the president has greater access to resources and information than his congressional counterparts. The president, unlike members of Congress, receives a daily briefing from the Central Intelligence Agency and top-secret and classified information, often pertaining to the actions of other nations. Moreover, as Commander in Chief, the president has access to military personnel, if, and when he needs them. Thus, the president has the authority to use the military to quell insurrection and domestic violence if he sees fit. Presidents have willingly suspended the Posse Comitatus Act (1878), in order to quell violence and insurrection, during a time of crisis. Both Presidents George H.W. Bush and George W. Bush willingly used military force to quell violence and insurrection, following the Los Angeles riots of 1992 and Hurricane Katrina. The Posse Comitatus Act was implemented in 1878 to prevent the president from using the National Guard for law enforcement purposes. The act states that in a time of crisis the president can call in the National Guard if there is a need to quell insurrection and violence. Colonel Deborah Geiger argues that it is the responsibility of the president not Congress to suspend Posse Comitatus, and respond to these events. (Geiger, 2006).

Lastly, the bully pulpit allows the president to unite the country during a time of crisis. Richard Neustadt, in his bestselling book *Presidential Power: And the Modern Presidents*, argues that the president's power lies in his ability to persuade the public and

rally the nation behind his agenda (Neustadt, 1990). Presidents have relied heavily on uniting the nation during a time of crisis through public proclamations. For example, in 2001, after the September 11<sup>th</sup> attacks, George W. Bush persuaded the American people that a Global War on Terrorism was necessary for protecting American security. The next section briefly examines the role of the American public and the president in defining what constitutes a crisis.

**Part Three: Defining a crisis, the role of the president and the American electorate.**

A lack of scholarly research exists on who is responsible for determining what constitutes a crisis. In many instances, such as September 11, 2001, Hurricane Katrina, and the Iraq War, the majority of Americans agree that a crisis exists. However, in other, less obvious situations, presidents, through their use of rhetoric, attempt to convince the American public that a crisis exists. In one of the only studies done on this issue, political scientists Bradley Lian and John O' Neal argue that presidents use their rhetoric to convince the American public that crisis exists, often to no avail. They suggest that presidents, in an attempt to take public attention off their low approval ratings or a staggering economy, attempt to convince the American people that a crisis exists (Lian and O' Neal, 1993). Despite the president's success in convincing the public that a crisis exists, the American public often recognizes when a president is using a crisis for political purposes and partisan advantage (Lian and O'Neal, 1993). Thus, their findings conclude that the president is not solely responsible for defining what constitutes a crisis. The American public can often tell when a president is trying to create a crisis for political purposes. In those instances, the American public has greater authority than the president in determining whether or not a crisis exists.

**Part Four: Lawfully expanding presidential power during a time of crisis.**

Much of the discussion about the expansion of presidential power during a time of crisis pertains to the ways in which presidential actions violate the constitution or the law. For example, many political scientists cite Harry S. Truman's seizure of American steel mills in 1950, a decision that the Supreme Court, in *Youngstown Sheet & Tube Co. v. Sawyer (1952)*, ruled was unconstitutional. Second, political scientists cite Richard Nixon's attempt to prevent the publishing of the *Pentagon Papers*, as another gross violation of presidential power. In both instances, the president stretched his constitutional authority during a time of crisis too far, and was reprimanded. Presidents can lawfully stretch the limits of their presidential power during a time of crisis by doing the following:

First, the president must understand the constitutional limits of his power. For example, the president must know that constitutionally he is not allowed to seize the nation's steel mills, or establish internment camps for American citizens. Second, the president should inform Congress of decisions he makes, either before or after making a decision. Lastly, the president can sell the need for an expansion of presidential power to the American people. John Yoo, one of the nation's most prominent supporters of the unilateral presidency, in his new book *Crisis and Command: A History of Executive Power from George Washington to George W. Bush*, argues that during a time of crisis the public will often support the president's decision even if it is seen as controversial. John Yoo notes that the American people were supportive of President Roosevelt's decision to intern Japanese-American citizens, and President George W. Bush's decision to launch a Global War on Terrorism immediately following the September 11, 2001 attacks (Yoo, 2009, and Pfiffner, 2009). Each of these strategies allows the president to lawfully stretch the limits of his power, and act swiftly without having to worry about congressional deliberation or action.

### **Conclusion.**

As the reader can see, throughout the course of American history presidents have stretched the limits of their power during a time of crisis in order to protect and defend the United States. An ongoing debate exists among political scientists as to whether or not the vast expansion of presidential power during a time of crisis is in fact legal, or constitutional. With a hyper-partisan, Congress unable to reach a compromise on even the simplest of policy issues, the need for a unitary executive and the expansion of presidential powers during a time of crisis is a vital necessity. So long as presidents recognize the constitutional limits of their authority during a time of crisis, they will greatly expand their authority and sphere of influence.

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# Presidential Supremacy In Foreign Affairs: The Impact of President James K. Polk.

By Undergraduate Student, *State of Wisconsin*

March 2010



**P**residential supremacy in the

area of foreign affairs can be attributed to James K. Polk's willingness to intervene in Oregon, Texas and in starting a war of conquest with Mexico. President Polk's assertive foreign policy, coupled with his willingness to thwart congressional influence over foreign policy has allowed the president to usurp near total control of American foreign policy. Since the presidency of James K. Polk, presidents have been usurping greater authority over American foreign policy. Harry Truman started a war on the Korean Peninsula, and most recently, George W. Bush expanded presidential foreign policy authority, by creating the term enemy combatants, carrying out a domestic surveillance program, and engaging the United States in a Global War on Terrorism. All of these actions were taken with very little, if any congressional authorization or oversight. As terrorism looms large in America, and rogue regimes have the capability to possess nuclear weapons, it is of paramount importance that the president has the unilateral authority to make foreign policy decisions.

## **Part One: Setting the stage for the future, "Young Hickory's" expansion of presidential foreign policy powers.**

Presidential expansion in the realm of foreign affairs has long been one of the most hotly debated topics among historians and presidential scholars. Many historians attribute the rise of foreign policy unilateralism to either Thomas Jefferson (1801-1809), or Andrew Jackson (1825-1837). While both Jefferson and Jackson contributed mightily to American expansionism and colonialism, neither had as profound an impact on the unilateral presidency as "young hickory," James K. Polk. From the onset of his campaign for president in 1844, James Knox Polk began advocating a policy of rigid expansionism, and a need for greater presidential power. By the time Polk ascended to the presidency in 1845, the issue of Texas annexation, and the occupation of Oregon were engulfing the interests of American policymakers.<sup>1</sup> As aforementioned, these two issues became the hallmark of Polk's 1844 campaign, and his presidency. The rise of

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<sup>1</sup> George C. Herring, *From Colony to Superpower: U.S. Foreign Relations Since 1776* (New York: Oxford University Press, 2008), pp. 189-190.

Manifest Destiny, coupled with a desire to further expand American territory westward, allowed President James K. Polk to transform presidential authority in foreign policy. Historian Walter Borneman, author of the seminal tome; *Polk: The Man who Transformed The Presidency and America*, argues that Polk expanded the powers of the presidency in the pre Civil War era more than any of his predecessors.<sup>2</sup> In the post Civil War era, presidents such as Abraham Lincoln, Harry Truman and George W. Bush may have gone further in expanding presidential power than Polk; but this author argue that Polk set the precedent for the unilateral foreign policy presidency. The next section examines several of President Polk’s assertive foreign policy goals, and discusses his willingness to use his unilateral authority despite widespread opposition by members of Congress, especially members of the now defunct Whig Party. It was Polk’s decision making during this period of time that came to transform the American presidency as we know it.

During his one term as President of the United States (1845-1849), James K. Polk did more to expand presidential authority in foreign policy making than the vast majority of his predecessors or successors. The Polk Doctrine, much like the infamous Monroe Doctrine of 1823, set the stage for presidential expansion of foreign policy decision making. The Polk Doctrine (1844) comprised several critical elements. First, it called for increased American expansion of the American continent. Second, it called for the reannexation for Texas and the reoccupation of Oregon. Lastly, it sought to gain control of the territories of New Mexico and California. These principles guided Polk’s presidency throughout its duration, and allowed him to vastly expand the powers of the presidency. The issue of Texas annexation was on the forefront of the nation’s policy agenda during the waning years of the Tyler presidency and the onset of the Polk presidency. John Tyler, much to the chagrin of his fellow Whigs called for the annexation of Texas in 1845. Historian Thomas Patterson, in describing the surrounding this issue, writes, “Tyler suggested annexation by joint resolution (simple majorities of both houses). Opponents howled, demanding a two-thirds vote for a treaty in the Senate...The annexationists had the votes 120-98 in the House, and 27-25 in the Senate—and on March 1, 1845, Tyler signed the fateful measure. Five days later the Mexican envoy in Washington asked for his passport and went home.”<sup>3</sup> Tyler’s passage of the annexation legislation, prior to his departure as president created greater tension for the incoming president, James K. Polk.

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<sup>2</sup> Walter Borneman, *Polk: The Man Who Transformed the Presidency and America* (New York: Random House, 2008), XIV.

<sup>3</sup> Thomas G. Patterson, J. Garry Clifford, Shane Maddock, Deborah Kisatsky, and Kenneth Hagan *American Foreign Relations, Volume One, 1776-1920*. 7<sup>th</sup> ed. (Boston: Wadsworth, 2010), 113.

James K. Polk exacerbated the already tenuous situation in Texas by supporting Texas' claim to the Rio Grande River as its boundary. Thomas Patterson notes that during the negotiation process, Polk informed Texas president Anson Jones that he should seize all territory up to the Rio Grande River and declare it property of Texas.<sup>4</sup> Moreover, during this time Polk thwarted Congressional authority in foreign policy by ordering Commodore John Sloan to capture the main ports of California, in order to protect American interests in Texas.<sup>5</sup> Polk willingly used aggression as his strategy in obtaining independence for the Republic of Texas. Robert Merry, an expert on the Polk presidency argues that Polk fundamentally believed Texas' independence was a cause that warranted American intervention, and greater attention from American policy makers. Thus, Polk argued that he was justified in using forcing and forgoing congressional approval to make his goals a reality.<sup>6</sup> After years of petulant negotiation and bloodshed, Polk's goal of statehood for Texas became a reality on December 29, 1845. While Texas was an important part of Polk's presidency, it did not trump his wanton desire to obtain control of the Oregon territory.

Before examining the ways in which other presidents used the unitary executive theory to their advantage, it is important to examine Polk's acquisition of the Oregon territory. The acquisition of Oregon required a greater wielding of presidential power than Texas. Prior to examining Polk's epic fight to gain control of the Oregon territory, the author feels as though it is crucial to provide a brief overview of why occupation of Oregon was in America's best interests. In the early 1800's, Oregon was a central hub in the global fur trade. Walter Borneman notes that fierce competition existed between John Jacob Astor's American Fur Company and the British Hudson's Bay Company.<sup>7</sup> Disputes over trade lead to a number of important treaties prior to James K. Polk's presidency. First, in 1818, Secretary of State of John Quincy Adams negotiated the Treaty of 1818 with the British that fixed the American-Canadian boundary east of the Rockies at the 49<sup>th</sup> parallel and provided for the joint occupation of the Oregon country for ten years.<sup>8</sup> Lastly, in 1824 John Quincy Adams completed an agreement with Russia that established the southern boundary of Alaska at latitude 54-40...By 1825, Oregon could be said to be confided by the Russian boundary of Alaska at 54-40 on the north, the Spanish boundary of California at 42 degrees latitude on the south, the crest of the Rocky Mountains on the east, and

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<sup>4</sup> IBID, 213.

<sup>5</sup> Patterson, Clifford, Maddock, Kisastsky and Hagan, 113

<sup>6</sup> Thomas Merry, A Country of Vast Design: James K. Polk, The Mexican War, and the Conquest of the American Continent (New York: Simon and Schuster, 2009), pp. 267-270.

<sup>7</sup> Borneman, 153.

<sup>8</sup> IBID, 153

the Pacific Ocean on the west.<sup>9</sup> Polk sought to capitalize on this 360,000 square mile enterprise and make it a part of the American empire. Polk fundamentally believed that the United States had the right to the entire Oregon territory, and he sought to obtain that territory without waging war and without relying on congressional support.

In his 1845 inaugural address, James Polk argued that America's title to Oregon is clear and unquestionable. Moreover, Polk asserted that he do whatever he can to obtain control of Oregon, and do so without violating the rights of American adversaries.<sup>10</sup> This speech highlights Polk's wanton desire to control this critical west coast land mass. Later in that speech, Polk makes the case for executive control in foreign policy, by arguing that it is the responsibility of the President of the United States to make foreign policy decisions when he feels as though the will of the people and national interest is at stake.<sup>11</sup> After conferring with his cabinet for over nine hours on a tepid Washington summer day, Polk concluded that he was going to take the controversial step of reasserting the Monroe Doctrine, and forbidding any foreign colonization of the Oregon territory or the American west.

Thus, on April 16, 1846, Polk finally convinced Congress to issue a notice to the British alerting them that in one year their claims to the Oregon territory will be terminated and the land will then become property of the United States. David Pletcher notes that Congress continuously delayed Polk's request until they finally passed on April 23, 1846. David Pletcher attributes the delays to the unwillingness of western Senators, and Polk himself to fight for the coveted prize of fifty-four, forty (Oregon).<sup>12</sup> Polk, as aforementioned did not believe the United States should have to fight for control of Oregon. Rather, he assumed that the British would just hand this valuable piece of land over to the United States. After months of petulant negotiation with the British government, Louis McLean, the U.S. ambassador to the United Kingdom sent a formal treaty to Secretary of State James Buchanan. The Oregon treaty, later ratified by the Senate 41-14, stipulated that the border of Oregon would be at 49 degrees latitude, and providing navigation rights on the Columbia River to British subjects who may live in that area. Polk's bellicose attitude towards the British, coupled with his desire to obtain Oregon at all costs, was viewed as a major legislative victory for this tenacious and stoic dark horse president, and forced

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<sup>9</sup> IBID, 153

<sup>10</sup> James K. Polk, "Inaugural Address of 1845," March 3, 1845, Washington, D.C., Found: <http://www.presidency.ucsb.edu/ws/index.php?pid=25814>

<sup>11</sup> Polk, inaugural address of 1845, <http://www.presidency.ucsb.edu/ws/index.php?pid=25814>

<sup>12</sup> Dr. David M. Pletcher, The Diplomacy of Annexation: Texas, Oregon, and the Mexican War (Columbia, University of Missouri Press, 1973), 350-351.

many presidential scholars, including this author to conclude that Polk contributed greatly to the expansion of presidential power.

In concluding our discussion about “young hickory,” it will be important to examine what several scholars have said about Polk’s willingness to expand presidential foreign policy powers. While Polk avoided war in the dispute over Oregon, he willingly kept much of his coveted plan from Congress. Moreover, when he did alert Congress of his proposals he stipulated that passage of his coveted treaties was their only option. While this author argues that the president should have greater control over foreign policy decision making, he wanted to alert the readers of the ways in which Polk expanded presidential powers, and what other scholars have said about this issue. Polk scholar Samuel Haynes has been one of the most outspoken critics of James Polk’s foreign policy for decades. Haynes argues that Polk greatly expanded the president’s authority in foreign policy, thus allowing other presidents to bypass Congress in times of foreign entanglement. Moreover, in his seminal book *James Polk and the Expansionist Impulse*, Haynes calls Polk’s foreign policy “brinksmanship” that brought the United States perilously close to a needless and potentially disastrous conflict.<sup>13</sup> Many modern scholars are sharp critics of Polk’s foreign policy and his willingness to thwart congressional power in foreign policy.

Legal scholars Stephen Calabrisi and Christopher Yoo, in their book *The Unitary Executive: Presidential Power from Washington To Bush* write:

“Imitating the model established by his mentor Andrew Jackson, Polk set out to dominate the nation’s capital in just about every respect possible. He knew, as all effective presidents have known, that the office is more than an enumeration of constitutional duties and prerogatives... Polk declared that the president was the voice and representative of the people, whereas members of Congress were relegated to lesser roles of representing only portions of the people.”<sup>14</sup>

Calabrisi and Yoo conclude that James Polk is directly responsible the increased expansion of presidential power that modern presidents have come to relish in. Moreover, Calabrisi and Yoo in describing Polk’s embrace of the unitary executive image write:

“Perhaps the most striking illustration of Polk’s belief in a strong executive branch was seen in Polk’s groundbreaking use of the commander-in-chief powers of the presidency during the Mexican war. Deferring to the practical advice of his Secretary of War, Polk refrained

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<sup>13</sup> Dr. Samuel W. Haynes, *James Polk and the Expansionist Impulse* (Austin: The University of Texas Press, 1997), 194.

<sup>14</sup> John Calabrisi and Christopher Yoo, *The Unitary Executive: Presidential Power from Washington to Bush*. (New Haven: Yale University Press, 2008), 139-140.

from aggressively removing military officers whose political motivations he questioned, but he nevertheless subjected their actions to a high degree of supervision.”<sup>15</sup>

James Polk, according to the author of this paper will go down in history as being one of the most important presidents in American history, because of his willingness to exercise complete executive control over foreign policy decision-making. Despite claims made by many contemporary historians that he was an imperialist manipulator who manufactured an unnecessary war and lied to the American people, Polk understood the importance of wielding greater presidential power in foreign policy decision making.<sup>16</sup> During a foreign policy crisis, it is of paramount importance that the president of the United States exercise complete control over foreign policy decision making.

### **Part Two: The Missouri Haberdasher, the Korean War and the expansion of presidential decision-making in foreign policy.**

President Harry S. Truman, much like James K. Polk was an influential player in the American foreign policy decision-making process. Much like Polk, Truman is often credited with greatly expanding the role of the president in foreign policy. The Missouri Haberdasher entered the United States into what would become one of the most contentious wars in American history, and did so with very little congressional consultation. Harry S. Truman’s greatest contribution to the unitary executive presidency is his decision to enter the United States into the Korean War in 1950. Truman’s decision to carry out this war, despite not having received a declaration of war from Congress set the stage for all other wars of the 20<sup>th</sup> and 21<sup>st</sup> centuries, and also allowed the President of the United States to play a greater role in influencing American foreign policy.

The end of the Second World War in 1945 brought a new international conflict to the forefront; the Cold War. The rise of the Cold War created increased tensions between the United States and the Soviet Union over issues of global supremacy and nuclear weapons. The first major crisis that broke out in the postwar years was the now infamous Korean War (1950-1953). As aforementioned in the previous paragraph, the Korean War set the stage for greater executive control of foreign policy and military operations. The Korean War became the first major American international crisis in which Congress did not issue a declaration of war. Presidential historian Arthur Schlesinger Jr., in his now classic tome *The Imperial Presidency* writes:

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<sup>15</sup> IBID, 141.

<sup>16</sup> Merry, 473-474.

“For the first time in American history the presidency and Congress were moving toward a showdown on the question of which branch of government should control the commitment of troops abroad...By bringing the nation into war without congressional authorization and by then successfully defending his exercise of independent presidential initiative, Truman enormously expanded assumptions of presidential prerogative.”<sup>17</sup>

Truman’s willingness to send U.S. troops into the Korean peninsula without congressional authority was seen as extremely controversial and unconstitutional. Truman’s willingness to thwart congressional power created a trend that has been followed by several recent American presidents including: Eisenhower, Kennedy, Johnson and Nixon (Vietnam and Cambodia), Ronald Reagan (Grenada), George H.W. Bush (Iraq and Panama), Bill Clinton (Somalia, Yugoslavia and Bosnia), and George W. Bush (Iraq and Afghanistan). This author is not condoning any of those acts; rather he is arguing that each of these presidents was justified in using force without having to worry about obtaining congressional approval.

Before examining the intricacies of the Korean War, it is important to get another interpretation of the ways in which Harry Truman contributed to the unitary executive theory. John Calabrisi and Christopher Yoo argue that Harry Truman’s presidency was revolutionary in the ways that came to transform presidential decision-making in foreign policy. Moreover, they write, “Truman had been advised on the basis to proceed on the basis of presidential authority alone and not bother to call on Congress for a war resolution. This decision was characteristic of President Truman. He always kept in mind how his decisions would affect future presidential authority.”<sup>18</sup> Harry Truman set the stage for future presidents by sending American troops into a foreign country without informing Congress of his actions until after the fact. Harry Truman’s willingness to thwart the authority of the do nothing, slow moving, bloated Congress should be lauded by contemporary scholars. The next paragraph briefly examines the reasons why the Korean conflict broke out, reasons for U.S. involvement and Truman’s interpretation of UN resolution.

The Korean War is one of the most unknown and least studied wars in American history. An ongoing debate still exists among scholars as to whether or not the United States was victorious in Korean War, and what its overall objectives actually were. The war came about as a result of disputes over territorial land along the 38<sup>th</sup> parallel. The Korean Peninsula had long been ruled by Japan, but following the Japanese surrender in 1945, the peninsula was divided

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<sup>17</sup> Arthur M. Schlesinger Jr., The Imperial Presidency, (Boston: Houghton Mifflin, 1973), 137,141.

<sup>18</sup> Calabrisi and Yoo, 307.

along the 38<sup>th</sup> parallel with the United States controlling South Korea, and their daunted arch-nemesis the Soviet Union controlling North Korea. David Halberstam, one of the nation's leading diplomatic historians and journalists, in describing the initial invasion writes, "On June 25, 1950, nearly seven divisions of elite North Korean troops, many of whom had for the communist side in the Chinese civil war crossed the border into South Korea, with the intention of conquering the entire South in three weeks."<sup>19</sup> Many historians, including Halberstam himself believe that this war was the first battle in what many assumed would be a long and tenuous battle between the United States and the Soviet Union. In fact, many have called the Korean War a proxy war started by communist troops to overthrow a democratic, pro-American nation; South Korea.

The United States and the United Nations condemned the actions taken by the North Koreans, and several days after the attack on North Korea, President Truman ordered American air and naval units into North Korea. Henry Kissinger notes that by June of 1950, President Truman committed ground troops into North Korea, thus sparking an international catharsis that would last three long years.<sup>20</sup> Truman entered U.S. forces into the Korean conflict, because he was afraid that communist control of the Korean peninsula would lead to eventual communist control of the entire Asian continent. Harry Truman, in his speech to the nation two days after the North Korean invasion of South Korea, states, "The attack on Korea makes it plain beyond any doubt that Communism has passed beyond the use of subversion to conquer independent nations and will now use armed invasion and war. It has defined the orders of the Security Council of the United Nations issued to preserve international peace and security."<sup>21</sup> Truman sought to sell his plan for American military invasion to the American people, despite widespread opposition from many in the American electorate and the U.S. Congress.

The most highly contentious part of the Korean War was President Truman's initial decision to commit American combat troops to battle without seeking immediate congressional approval. Rather than a congressional declaration, Truman used UN Resolution 83 to justify his use of military force. President Truman's decision not to alert congress of his initial plan for Korea and his unwillingness to seek a declaration of war was done because they feared congressional rejection and assumed that it would be a long draw out process, as most things are when

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<sup>19</sup> David Halberstam, The Coldest Winter: America and the Korean War. (New York: Hyperion, 2007), 1.

<sup>20</sup> Henry Kissinger, Diplomacy. (New York: Simon and Schuster, 1994), 477.

<sup>21</sup> Harry S. Truman, "Statement to the Nation on sending American troops into Korea," June 27, 1950, United States Capitol, Washington, D.C., in: Harry S. Truman, Years of Trial and Hope 1946-1952, Memoirs. Vol. II (New York: Doubleday, 1956), pp. 338-39.

Congress is involved. Barton Bernstein, in describing Truman's decision not to seek congressional authorization to use force, writes, "Truman and Acheson later explained that they feared that the declaration might be delayed by time consuming debate, argued that they had to act promptly in the national interest. Congress could be too slow; the executive had to seize the initiative."<sup>22</sup> Much to the chagrin of members of Congress President Truman sent American troops into Korea. As noted, Truman used UN Resolution 83 as his justification for American military involvement.

The United Nations Security Council passed resolution 83 on June 27, 1950, just two days after North Korea's invasion of South Korea. The resolution recommended that all member states of the UN provide military assistance to the South Korean people. This resolution provided President Truman with the backing he needed to enter American combat troops into battle. Richard Neustadt, one of the nation's leading presidential scholars argues that while Truman's decision to use the UN Resolution as his mandate for war was controversial, it allowed the U.S. to pursue its goals of self-determination, promotion of democracy, and ending oppression.<sup>23</sup> Harry Truman's willingness to use force to prevent North Korean oppression drastically transformed the powers of the president during wartime, and eventually brought about a ceasefire on the Korean peninsula. On July 27, 1953, under the auspices of President Dwight D. Eisenhower, the North and South Koreans ended the war on the 38<sup>th</sup> parallel, and agreed to create a demilitarized zone at the 38<sup>th</sup> parallel. After three years or back and forth battles and countless bloodshed, the controversial Korean War came to end. Harry Truman's willingness to use force for a cause he believed was morally justified, despite not having initial approval changed the nature of the modern American presidency. His legacy allowed President George W. Bush to greatly expand presidential powers in the global war on terrorism.

### **Part Three: Dubya's transformation of foreign policy during the Global War on Terrorism.**

The attacks on September 11, 2001, were the deadliest and most heinous attacks ever carried out on American soil. Immediately after the second plane hit the World Trade Center, President Bush declared that the U.S. was at war. In his now infamous 2002 state of the Union address, President Bush laid out his agenda for what would become the Global War on Terrorism. Bush declared Iran, Iraq and North Korea as an axis of evil that was threatening the

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<sup>22</sup> Barton J. Bernstein, "The Truman Administration and the Korean War," The Truman Presidency. Michael J. Lacey, ed. (New York: Oxford University Press, 1991), 425.

<sup>23</sup> Richard Neustadt, Presidential Power and the Modern Presidents: The Politics of leadership from Roosevelt to Reagan. (New York: Free Press, 1990), 104-108.

security and stability of the world.<sup>24</sup> The September 11, 2001 terrorist attacks, coupled with the Global War on Terrorism allowed President George W. Bush to usurp greater presidential authority over American foreign policy. His willingness to do so, greatly strengthened the United States, and weakened a Congress that already had too much authority over foreign affairs. The next paragraph examines the Global War on Terrorism and President Bush's expansion of presidential power during a time of war and his willingness to act unilaterally.

The Global War on Terrorism, much like the Vietnam War, was fought against non-state actors, thus giving President George W. Bush greater freedom in carrying out military action. Immediately following the attacks against the World Trade and the Pentagon, President Bush sent American combat troops into Afghanistan to begin the American onslaught of the Taliban. After the initial success in Afghanistan, the Bush administration shifted its focus to Iraq. It was believed that Saddam Hussein and the Iraqi government possessed Weapons of Mass Destruction and were a threat to global security. Thus, on October 16, 2002 the United States Congress passed the Authorization for the Use of Military Force Against Iraq Resolution. This resolution allowed the president to make war on those nations; organizations or persons he [President Bush] determines planned, authorized, committed, or aided the terrorist attacks on September 11, 2001. Moreover, the resolution gave President Bush the authority to use Armed Forces as he determines to be necessary and appropriate to defend the national security of the United States.<sup>25</sup> The resolutions broad language allowed President George W. Bush to expand presidential power by deeming those captured during war enemy combatants, and implementing a much needed surveillance and wiretapping program.

The first major action President Bush took in expanding presidential power during the Global War on Terrorism, was issuing an executive order on Detention Treatment and trial of certain non-citizens in the Global War on Terrorism. Being that Bush did not receive an official declaration of war from Congress, this order allowed President Bush to classify enemies captured on the battlefield enemy combatants, not than prisoners of war. In describing the authority that this act gave the president, Gene Healy writes: "Under this order, the president could detain any non-citizen he suspected of terrorist involvement, and even if that person was a legal resident of the United States, he or she would be barred from American courts and tried before a military court whose rules would be determined at the discretion of the president and could be

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<sup>24</sup> George W. Bush, "Address Before a Joint Session of Congress on the State of the Union," January 29, 2002, Washington, D.C., United States Capitol, <http://www.presidency.ucsb.edu/ws/index.php?pid=29644>

<sup>25</sup> Gene Healy, *The Cult of the Presidency: America's Dangerous Devotion to Executive Power.* (Washington D.C: The Cato Institute, 2008), 153-154.

unilaterally altered at any time.”<sup>26</sup> As a result of this executive order, President Bush did not have to follow the Geneva Conventions rules on battlefield detainees. Rather than granting them POW status, Bush had them tried as enemy combatants, thus allowing the United States military and U.S. government to do whatever they wanted with these combatants. As a result of the enemy combatant classification, President George W. Bush created a prison camp at Guantanamo Bay, Cuba to house those captured on the field of battle.<sup>27</sup> Bush’s designation of those obtained on the battlefield as enemy combatants was one of the most important contributions made to the unitary executive theory and the expansion of presidential foreign policy power. No president since Abraham Lincoln had gone as far as President Bush did in redefining the terms and conditions of warfare. Among a myriad of other areas in which President Bush expanded Presidential power, the next paragraph examines his domestic surveillance program.

The September 11, 2001 terrorist attacks allowed for the passage of the USA PATRIOT Act and the passage of a number of new surveillance and wiretapping programs. This much needed surveillance program has drastically expanded the president’s war time powers. George W. Bush recognized the danger posed to the United States by foreign threats, thus he argued that having a program in place to track foreign communications was a necessity. As a result, President Bush, with the assistance of the United States Congress passed legislation that gave the National Security Agency new authority to collect, without court-approved warrants, vast streams of international phone and email traffic as it passed through American telecommunications gateways.<sup>28</sup> This wiretapping program allowed the NSA to track the communications of not only foreign citizens, but also American citizens.

The FISA Act (1978), states that the communications of foreign citizens can only be monitored if they are communicating with a foreigner. President Bush expanded this power by arguing that the communications of American citizens can be intercepted, so long as the government is targeting a foreign citizen. In describing President Bush’s transformation of presidential power with the passage of his domestic surveillance program, Gene Healy writes, “The NSA would no longer need warrants to listen in on or read Americans telephone calls, e-mails, and other communications, so long as one party to the communication was located outside

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<sup>26</sup> Healy, 154.

<sup>27</sup> Thomas G. Patterson, J. Garry Clifford, Shane J. Maddock, Deborah Kisasky and Kenneth Hagan, American Foreign Relations: A History, Volume II, Since 1895. 7<sup>th</sup>ed. (Boston: Wadsworth, 2010), 488.

<sup>28</sup> Eric Lichtblau and James Risen, “Officials say U.S. Wiretaps Exceeded Law,” *The New York Times*, April 16, 2009, [www.nytimes.com/2009/04/16/us/16/us/16nas.html?\\_r=1&pagewanted=print](http://www.nytimes.com/2009/04/16/us/16/us/16nas.html?_r=1&pagewanted=print).

the United States and there was reason to believe that it involved a person “affiliated with Al Qaeda or part of an organization or group that is supportive of Al Qaeda.”<sup>29</sup> President Bush’s willingness to expand surveillance powers was warranted and justified, considering the nature of the enemy, and the size of its overseas networks. In fact, presidential scholar Andrew Rudalevige argues that Bush’s domestic surveillance program and his creation of enemy combatants was the greatest expansion of presidential foreign policy power in American history.<sup>30</sup> Rudveillage’s assertion is quite strong, considering that President Lincoln’s expansion of presidential foreign policy power during the Civil War greatly exceeded that of President Bush. The author of this paper would agree that George W. Bush did greatly expand presidential power in the foreign policy realm, and was justified in doing so. The Global War on Terrorism transformed presidential power, and ushered in a new era for presidential supremacy in foreign policy.

**Part Four: The Way forward, and the need for expansion of presidential authority in foreign policy.**

As this paper has pointed out, presidential authority over foreign policy has been expanding with each administration since the late 1840’s. The president, as Commander in Chief of the United States Armed Forces, and the nation’s chief executive should be directly responsible for carrying out foreign policy decisions, without having to worry about congressional approval or oversight. Congress has proven time and time again to be ineffective in the realm of foreign affairs. The problem with Congress is that it is a body comprised of 535 members with different backgrounds, interests and levels of knowledge in foreign affairs. Moreover, Congress has often been very slow in acting on foreign policy decisions made by presidents. As the reader knows, the passage of the War Powers Resolution in 1973 requires the president to confer with Congress when sending American servicemen into the field of battle. Many presidents, including Richard Nixon and George H.W. Bush have vehemently opposed this act, citing the bureaucratic hoopla that exists in Congress, and its inability to act on these requests in a timely manner. As a result of Congressional ineptitude, and leisurely deliberation, it is critical that the President of the United States assert greater control over foreign policy decision making. In each of the examples listed in this paper; Polk, Truman and Bush 43, the president has been justified in thwarting congressional approval in making important foreign policy decisions. In a world laden with international terrorist’s intent on destroying America it is

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<sup>29</sup> Healy, 177.

<sup>30</sup> Andrew Rudalevige, The New Imperial Presidency: Renewing Presidential Power after Watergate. (Ann Arbor, The University of Michigan, 2005), pp.241-249.

critical that the President of the United States be the sole player in carrying out and executing the nation's foreign policy decisions. Gene Healy of the Cato Institute notes that after the terrorist attacks on September 11, 2001, Congress has surrendered much of its foreign policy power to the president.<sup>31</sup> While Healy opposes the expansion of presidential power, this author feels as though it is justified and much needed if America is to remain the most important player in world affairs.

### **Conclusion**

A new era of presidential supremacy in foreign policy is upon us. Rather than sitting back and complaining about presidents shredding the constitution, scholars and academics should accept the fact that Congress is no longer in a position to carry out or make foreign policy decisions. The American people expect the president to be "the decider" when it comes to decisions pertaining to foreign policy and national security.<sup>32</sup> As this paper has pointed out, president's Polk, Truman and Bush 43, were innovators in the expansion of presidential foreign policy powers. Each of them was faced with a crisis that required the use of force, and an expansion of presidential power. Future presidents should use these three presidents as a model when making foreign policy decisions. The policies put forth by Polk, Truman and Bush were viewed as controversial, but in the end they were successful in expanding American influence, and protecting American vital interests and security. An expansion of presidential power in foreign policy is a necessity and must be carried out by all future presidents, as Congress is no longer capable of making important foreign policy decisions.

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<sup>31</sup> Healy, 164.

<sup>32</sup> Healy, 10-11.

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