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THE EISENHOWER MODEL OF SHARED WAR POWERS

Weaknesses in the present situation and the increased danger from international communism, convince me that basic United States policy should now find expression in joint action by the Congress and the Executive.

– Dwight D. Eisenhower

Lt Col Stephen D. Brown
Seminar H: Lt Col Lilley
FA: Col Hughes

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THE EISENHOWER MODEL OF SHARED WAR POWERS

On the morning of July 15, 1958, President Dwight D. Eisenhower announced to the United Nations, the United States Congress, and the American people that U.S. Marines of the Sixth Fleet were landing on the beaches of Lebanon. According to the President, the landings were not an act of war, but a response to an appeal from the Lebanese government for assistance in maintaining its sovereignty and integrity. In deciding to employ American forces under these circumstances, the President was not worried about his constitutional authority to act because he had sought and obtained congressional endorsement through the Middle East Resolution of 1957.

Popularly known as the Eisenhower Doctrine, the Middle East Resolution granted the President authority to commit economic and military aid to Middle Eastern countries threatened by communist aggression. By seeking this legislation, President Eisenhower successfully negotiated what Senator Richard B. Russell called "the constitutional shadowland between the President's authority to use armed forces and the necessity for a declaration of war."¹ Rather than evaluating the ultimate success or failure of the 1958 Lebanese intervention, this paper will analyze President Eisenhower's deliberate use of a model of executive and legislative cooperation to resolve the constitutional war powers tension and strengthen his capability as commander-in-chief. The Eisenhower model consists of strategic threat assessment, a cooperative bipartisan leadership style, and prior congressional endorsement to meet predicted threats. The analysis will briefly describe the traditional constitutional war powers tension between the executive and

¹Chester J. Pach Jr. and Elmo Richardson, The Presidency of Dwight D. Eisenhower (Lawrence: University Press of Kansas, 1991) 161.

legislative branches, show how President Eisenhower's model of shared war powers enabled a rapid American response to a crisis in Lebanon, and conclude with an assessment of the model's utility as a modern presidential tool.

CONSTITUTIONAL WAR POWERS

Article I, Section 8 of the United States Constitution gives Congress the power "to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water." Article II, Section 1 vests executive power in the president, while Section 2 designates him as the commander-in-chief of the armed forces. The Framers clearly intended for Congress to have the final authority to commit the nation to war, but formal declarations of war have become associated with such monumental contests of national survival that the power to declare war has lost its utility as a check on executive power.

The constitutional power to grant letters of marque and reprisal allows Congress to authorize property seizure or retaliation against other states, and indicates that the Framers intended a Congressional role in more limited forms of warfare. If we accept Clausewitz's definition of war as an *act of force* to compel our enemy to do our will, then war is the *act* of employing force, not the declaration of *intent*.² The term "war", therefore, is merely a semantic obstacle to understanding the constitutional interpretation of congressional war powers primacy.

Executive power expanded to take advantage of Senator Russell's "constitutional shadowland" both before and after the Eisenhower presidency. Presidents Truman, Kennedy, Johnson, and Nixon employed U.S. military force on executive initiative alone, inferring a constitutional authority as commander-in-chief. Because of his strong military background and the associated subordination to civilian control, President Eisenhower believed that "Under the

²Michael Howard and Peter Paret, ed., On War, by Carl Von Clausewitz (Princeton: Princeton UP, 1989) 75.

constitution, our government could not, of course, except in an unforeseen emergency, employ military forces against another nation unless so authorized by Congress.³" For President Eisenhower there was no shadowland. Having commanded all Allied forces in Europe during World War II, he was comfortable with the concept of civilian control and embraced the constitutional ascendancy of Congress over the commander-in-chief. This conviction led to a model of shared war powers which enabled President Eisenhower to rapidly employ U.S. military force in Lebanon in 1958.

THE EISENHOWER MODEL

An advocate of congressional primacy, President Eisenhower also understood the time-sensitive nature of cold war military employment. In a meeting with congressional leaders prior to requesting approval of the Middle East Resolution, he commented "that in modern war there might not be time for orderly procedures; it was necessary to make our intent clear in advance."⁴ Through strategic threat assessment, bipartisan leadership, and congressional endorsement, President Eisenhower demonstrated the true flexibility of the American Constitution.

Strategic Threat Assessment

The final months of Eisenhower's first administration confirmed his conviction that international communism was a dangerous threat to U.S. national interests, particularly in the Middle East. President Gamal Abdel Nasser of Egypt engaged in East-West political maneuvering during 1956 to secure arms and financing for the Aswan High Dam project, eventually accepting Soviet assistance. When Nasser nationalized the Suez Canal in July 1956 to raise revenues for his dam project, Britain and France, in cooperation with Israel, intervened

³Dwight D. Eisenhower, Waging Peace: 1956-1961(Garden City:Doubleday & Co., 1965) 37.

⁴Eisenhower,Waging Peace, 179.

militarily before accepting an inconclusive, U.S.-sponsored United Nations cease-fire. The impotent Franco-British intervention and withdrawal left a power vacuum in the Middle East which President Eisenhower believed would be exploited by the Soviet Union. Its brutal suppression of political uprisings in Poland and Hungary, combined with Egypt's new status as a Soviet client, convinced President Eisenhower that the United States needed to act fast or risk Soviet hegemony in the region.

He appeared before a joint session of Congress on January 5, 1957 to request approval of the Middle East Resolution. House Joint Resolution 117 was the product of executive/legislative cooperation that would authorize the president to use armed forces to assist any nation or group of nations requesting assistance against armed aggression from any country controlled by international communism.⁵ Identifying communist aggression in the Middle East as a major threat to U.S. national security gave President Eisenhower the foreign policy initiative, highlighted the potential need for military intervention, and alerted the Joint Chiefs of Staff to begin preparing for contingencies in the Middle East. Having alerted Congress and the nation to the strategic threat of communist aggression, President Eisenhower applied his personal style of bipartisan political leadership to ensure successful passage of the Middle East Resolution.

Bipartisan Leadership

President Eisenhower's successful legislative record over an opposition Congress was due to his bipartisan political approach and his unique military credibility. He tasked his staff and cabinet to seek draft legislative proposals from within the executive branch, which were then debated within the cabinet, and finally organized into a time sequence for dealing with

⁵85th Congress, 1st Session, 1957, United States Statutes at Large, Volume 71, (Washington: U.S. government Printing Office, 1958) 5-6.

Congress.⁶ Before the State of the Union Address, President Eisenhower consulted with both parties of Congress to determine the political atmosphere and adjust the legislation to garner support. While Congress was considering the legislation, his Congressional Liaison Office maintained contact with legislators and made arrangements for presidential lobbying. Sherman Adams, Eisenhower's Chief of Staff, described the President's political leadership style:

Eisenhower made a valiant effort to get along with the legislators of both political parties. Unsparingly he used meals, meetings, messages and personal conferences to win their support for the programs he sent Congress. Before he announced any new policy decision he was careful to go over it in detail with the appropriate legislative leaders.⁷

The extent to which President Eisenhower's military background influenced his political style and success is speculative, but worth considering. As General MacArthur's aide before World War II, he abhorred his superior's political intrigues, believing that military officers should distance themselves from such activities. It is possible that this earlier aversion to political maneuvering led to his preference for bipartisan consensus as president.

Eisenhower's unique military credibility made it easier for Congress to pass the Middle East Resolution and its accompanying military force authorization. During hearings before the Senate Foreign Relations Committee, Secretary of State Dulles assured the members that President Eisenhower "took a very conservative view of the constitutional powers of the president and because of his military background was unwilling to use the armed forces in ways which congress has not indicated it wants."⁸ Congress trusted President Eisenhower's ability to effectively employ military force because of his wartime record. That degree of trust today could

⁶Avery Group, The Eisenhower Presidency, 8.

⁷Sherman Adams, Firsthand Report, (New York: Harper & Brothers, 1961) 9-10.

⁸Pach, The Presidency of Dwight D. Eisenhower, 161.

only be achieved through consistent demonstrations of bipartisan leadership and congressional consultation.

Congressional Endorsement

The Middle East Resolution was introduced into Congress the day after President Eisenhower's appearance before the Joint Session. It passed the House on January 30, 355 to 61. On March 5 the Senate passed the joint resolution 72 to 19, and the President signed it into law on March 9, 1957. On January 29, Representative Thomas Gordon, Chairman of the House Foreign Affairs Committee, spelled out the three primary objectives of the resolution. First, it provided a signal to the Soviet Union that the United States was prepared to use force to protect nations against communist aggression. Second, it clarified U.S. policy toward the governments and people of the Middle East. And third, it gave the President greater discretion in the use of mutual-security funds already appropriated.⁹

There was extensive debate in the House of Representatives over presidential authority. Some thought the resolution delegated too much authority to the president, while others thought he already had the necessary authority to employ U.S. forces. Senate debate focused primarily on the economic provisions of the bill, culminating in the defeat of Senator Russell's proposal to eliminate funding for foreign aid. According to President Eisenhower, "we had effectively obtained the consent of congress in proclaiming the administration's resolve to block the Soviet Union's march to the Mediterranean, to the Suez Canal, and the pipelines...which fuel the homes and factories of Western Europe."¹⁰ Instead of restricting the President, the resolution gave him the flexibility to respond rapidly to a crisis requiring the use of military force.

⁹Congressional Record--House, 85th Congress, 1st Session, January 29, 1957, 1158-1159.

¹⁰Eisenhower, Waging Peace, 182-183.

CRISIS IN LEBANON

Lebanese politics have long been dominated by religious and ethnic diversity. Following the country's independence in 1943, these diverse factions formed a parliamentary style of government based on an unwritten national covenant between Muslim and Christian leaders. Parliamentary representation was based on a confessional system of religious census that failed to keep pace with the actual demographics of the country. Because of the imbalance between surging Muslim populations and outdated parliamentary representation, real power shifted to the religious factions throughout the country. At the time President Camille Chamoun publicly endorsed the Eisenhower Doctrine he was facing political opposition from these clan leaders, who suspected him of seeking an unconstitutional second term.

In February of 1958, Egypt and Syria joined to form the United Arab Republic (UAR). Regional response to the merger varied, but the United States was concerned about Egypt's intentions as a Soviet client. At a time when the United States treated non-aligned countries with guarded suspicion, the blatant Egyptian acceptance of Soviet aid convinced President Eisenhower that Nasser's pan-Arab nationalism was a guise to promote communism throughout the Middle East. Lebanon was an ideal target for UAR-sponsored "nationalism," with its disgruntled Sunni and Shi'i Muslim factions, and distorted foreign policy which fluctuated between neutrality and Western alignment.

Diplomatic correspondence between the United States and Lebanon between January and June of 1958, revealed an increasing Lebanese concern for communist aggression and requests for assurances of continued U.S. support. On January 24, President Eisenhower issued NSC 5801/1, Long Range U.S. Policy Toward the Near East, which reiterated the U.S. Government's intent to provide Lebanon with political support and military assistance for internal security

purposes.¹¹ A June 5 Special National Intelligence Estimate assessed the situation in Lebanon as UAR-inspired, predicted increased UAR activity if Lebanon fell without U.S. intervention, and predicted a sharp UAR and Soviet propaganda response if the U.S. intervened.¹² Since Lebanon had publicly agreed with the principles of the Middle East Resolution, and appeared to be the ultimate target of UAR subversion, U.S. military intervention seemed an inescapable option under the terms of the Eisenhower Doctrine.

An early morning Iraqi military coup and royal family assassination on July 14, 1958, prompted President Chamoun to request U.S. military intervention in Lebanon within 48 hours or he would "go down fighting."¹³ That morning President Eisenhower met with advisors to discuss the Lebanese request for intervention; he then met with congressional leaders in the afternoon. During the afternoon meeting, Representative John McCormack asked what agreements existed which would require the U.S. to come to the aid of Lebanon. Secretary Dulles responded that the U.S. was obligated on three counts by the Middle East Resolution:

first, economic and military assistance to those that desire it to preserve their independence; the declaration that the integrity and independence of the countries of the area are vital to the security of the United States; and third, the President's authority to intervene to oppose an armed attack by a country dominated by international communism.¹⁴

Following his meeting with congressional leaders, President Eisenhower met with the Secretary of State, Secretary of Defense, and Chairman of the Joint Chiefs of Staff to give the order to land U.S. forces in Lebanon at 1500 hours the next day, to coincide with a public

¹¹Department of State Publication 9932, Foreign Relations of the United States, 1958-1960, Volume XI: Lebanon and Jordan, (Washington: U.S. Government Printing Office, 1992) 8.

¹²Department of State, Foreign Relations, 93-96.

¹³Department of State, Foreign Relations, 208.

¹⁴Department of State, foreign Relations, 221.

presidential announcement.

The Joint Chiefs of Staff had been preparing European forces for Middle East contingencies since the Suez Crisis. When President Eisenhower announced the Middle East Resolution, the JCS formed the Specified Command, Middle East (SPECOMME). Under the command of Admiral James Holloway, SPECOMME planned and ultimately executed Operation Bluebat, the codename for U.S. military intervention in Lebanon.¹⁵ Operation Bluebat was the first United States airborne–amphibious operation in peacetime. Due to the extensive preparation allowed by the Eisenhower model, Admiral Holloway's Sixth Fleet elements were within striking distance when they received 15 hours notice to go ashore. By 16 July more than 3,000 Marines had landed in Beirut. Between 19–25 July, more than 3,000 Army troops and 2,500 tons of equipment arrived by airlift, with sealift bringing in an additional 3,650 troops and 45,000 tons of equipment.¹⁶ The U.S. forces left 102 days later with one Marine killed, the internal political situation temporarily stabilized, and America's allies reassured of U.S. commitment.

The Lebanese military intervention does not stand alone as a particularly remarkable event, nor does President Eisenhower's ability to pass legislation over a Democratic-controlled Congress stand out as a great accomplishment in itself. The interaction of presidential strategic threat assessment, bipartisan leadership, and prior congressional endorsement into a model of executive–legislative cooperation enabled Eisenhower to land Marines on the beaches of Lebanon with only 15 hours notice and full congressional support. That is a remarkable event.

¹⁵Roger J. Spiller, "Not War But Like War": The American Intervention in Lebanon, (Ft. Leavenworth: USACGSC Combat Studies Institute, 1981) 10.

¹⁶Gary H. Wade, Rapid Deployment Logistics: Lebanon 1958, (Ft Leavenworth: USACGSC Combat Studies Institute, 1984) X.

CONCLUSION

The Eisenhower model of shared war powers contrasts sharply with the presidentially-centered administrations which preceded and succeeded it. President Eisenhower's character and stature played a significant role in the model's success, but not a defining role. The foundation of the Eisenhower model is executive and legislative bipartisan cooperation to counter a threat to national security.

All three elements of the model are applicable today, although the War Powers Resolution of 1973 formalized the executive path to congressional endorsement by mandating consultation prior to employing military force. While giving the executive more freedom of action in the early stages of a crisis, the War Powers Resolution remains clouded by the lack of a definitive constitutional interpretation. A president anticipating the use of military force can exploit this "constitutional shadowland" by consulting Congress early to build a consensus, determine public support, and explore alternative courses of action. Strategic threat assessment is particularly critical as the United States enters an era of transitional world leadership, and bipartisan cooperation between the executive and legislative branches will be essential to shape and maintain the required force. President Eisenhower's application of the shared war powers model might not be easily duplicated today, but his interactive use of the three elements is a useful study for any modern president. As Louis Fisher said:

Unilateral actions taken by a president who lacks support of Congress and the people can threaten national prestige. Eisenhower's position was sound then and is sound now.¹⁷

¹⁷James A. Thurber, ed., Divided Democracy, (Washington: Congressional Quarterly, Inc., 1991) 208,

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